

§ 334.410 Albemarle Sound, Pamlico Sound, and adjacent waters, NC; danger zones for naval aircraft operations.

(a) *Target areas*—(1) *North Landing River (Currituck Sound)*. The waters of North Landing River within a radius of 1,000 yards from a target located at latitude 36°31'00", longitude 76°01'40".

(2) *Northern part of Currituck Sound*. Beginning at a point bearing 65°30', 1,025 yards, from Currituck Sound Light 69; thence 86°, 6,000 yards; thence 193°, 4,425 yards; thence 267°30', 2,775 yards; and thence to the point of beginning. The target is located at latitude 36°27'16", longitude 75°56'30".

NOTE: All bearings in this section are referred to true meridian.

(b) *Target and bombing area along south shore of Albemarle Sound*. Beginning at latitude 36°00'43", longitude 76°19'20"; thence to latitude 36°02'40", longitude 76°04'26", thence to latitude 36°00'12", longitude 76°04'26"; thence to latitude 35°59'35", longitude 76°19'20", and thence to the point of beginning. This area is divided into three subareas A, B, and C as follows: Area A, beginning at latitude 36°00'43", longitude 76°19'20"; thence to latitude 36°01'20", longitude 76°14'30"; thence to latitude 35°59'45", longitude 76°14'30"; thence to latitude 35°59'35", longitude 76°19'20", and thence to the point of beginning. Area B, beginning at latitude 36°01'20", longitude 76°14'30"; thence to latitude 36°02'18", longitude 76°07'15"; thence to latitude 36°00'05", longitude 76°07'15"; thence to latitude 35°59'45", longitude 76°14'30"; and thence to the point of beginning. Area C, beginning at latitude 36°02'18", longitude 76°07'15"; thence to latitude 36°02'40", longitude 76°04'26"; thence to latitude 36°00'12", longitude 76°04'26"; thence to latitude 36°00'05", longitude 76°07'15"; and thence to the point of beginning.

(c) *Naval Aviation Ordnance test area in Pamlico Sound in vicinity of Long Shoal*. A circular area with a radius of one and one-half miles having its center at latitude 35°32'18", longitude 75°40'39".

(d) *The regulations*—(1) *Target areas*. The area described in paragraph (a)(1) of this section will be used as a dive bombing target by naval aircraft. In peacetime, munitions will be limited to

miniature bombs which contain only small explosive charges for producing smoke puffs to mark points of impact. All operations will be conducted during daylight hours, and the area will be open to navigation at night. No persons or vessels shall enter this area during the hours of daylight without special permission from the enforcing agency. The area will be patrolled and vessels will be warned not to enter. "Buzzing" by plane will warn vessels that they are in a danger zone, and upon being so warned vessels which have inadvertently entered the area shall immediately leave the area.

(2) *Target and bombing area*. The area described in paragraph (b) of this section will be used as a target and bombing area for both day and night operations. Dummy ammunition, waterfilled or smoke bombs and inert rockets will be used, except during wartime when live ammunition, bombs and rockets may be used. The area will be open to navigation except for periods when ordnance exercises are being conducted by naval aircraft. In area B described in paragraph (b) of the section the placing of nets, traps, buoys, pots, fishponds, stakes, or other equipment which may interfere with target vessels operating in the area shall not be permitted. The area will be patrolled and persons and vessels shall clear the area under patrol upon being warned by the surface patrol craft or when "buzzed" by patrolling aircraft. As a further means of warning vessels of naval aircraft operations in the area described in paragraph (b) of this section, a cluster of flashing red lights at night and a large red flag by day will be displayed from the range observation tower located in the approximate center of the shore side of this area.

(3) *Naval Aviation Ordnance test area*. The area described in paragraph (c) of this section shall be closed to persons and navigation except for such military personnel and vessels as may be directed by the enforcing agency to enter on assigned duties.

(4) *Enforcing agency*. The regulations in this section shall be enforced by the

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Commander, Naval Air Force, U.S. Atlantic Fleet, and such agencies as he/she shall designate.

(Sec. 7, 40 Stat. 266; 33 U.S.C. 1: Chap. XIX, 40 Stat. 892; 33 U.S.C. 3)

[16 FR 3131, Apr. 10, 1951, as amended at 16 FR 7460, July 31, 1951; 19 FR 479, Jan. 28, 1954; 31 FR 12436, Sept. 20, 1966; 33 FR 3218, Feb. 21, 1968; 40 FR 3993, Jan. 27, 1975. Redesignated at 50 FR 42696, Oct. 22, 1985, and amended at 53 FR 47953, Nov. 29, 1988; 61 FR 7215, Feb. 27, 1996; 62 FR 17553, Apr. 10, 1997]

§ 334.412 Albemarle Sound, Pamlico Sound, Harvey Point and adjacent waters, NC; restricted area.

(a) *The area.* Beginning on the north shore of Albemarle Sound and the easternmost tip of Harvey Point; thence southeasterly to Day Beacon number 3; thence southeasterly to latitude 36°03'06", longitude 76°16'43"; thence southwesterly to latitude 36°02'18", longitude 76°19'30"; thence northwesterly to latitude 36°04'18", longitude 76°20'20"; thence 23°15' True to the shore; and thence northeasterly along the shore to the point of beginning.

(b) *The regulations.* The restricted area described in this section is the inactive Harvey Point target range which was disestablished as a danger zone. The area will be open to public access for recreational and commercial uses, except that dredging, clamming, crabbing, seining, and anchoring of all vessels and any other activity which could result in disturbing or penetrating the bottom is prohibited.

(c) *Enforcing agency.* The regulations in this section shall be enforced by the Commander, Naval Air Force, U.S. Atlantic Fleet, and such agencies as he/she shall designate.

[61 FR 7215, Feb. 27, 1996; 61 FR 26107, May 24, 1996]

§ 334.420 Pamlico Sound and adjacent waters, N.C.; danger zones for Marine Corps operations.

(a) *Bombing and rocket firing area in Pamlico Sound in vicinity of Brant Island*—(1) *The area.* The waters within a circular area with a radius of 3.0 statute miles having its center on the southern side of Brant Island at latitude 35°12'30", longitude 76°26'30".

(2) *The regulations.* The area shall be closed to navigation and personnel at

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all times except for vessels engaged in operational and maintenance work as directed by the enforcing agency. Prior to bombing or firing operations the area will be "buzzed" by plane. Upon being so warned vessels working in the area shall leave the area immediately.

(b) *Bombing, rocket firing, and strafing areas in Pamlico Sound and Neuse River*—(1) *The areas.* (i) The waters within a circular area with a radius of 1.8 statute miles having its center at latitude 35°02'12", longitude 76°28'00".

(ii) The waters within a circular area with a radius of 0.5 statute mile having its center at latitude 35°04'12", longitude 76°28'24".

(iii) The waters within a circular area with a radius of 0.5 statute mile having its center at latitude 35°01'42", longitude 76°25'48".

(iv) The waters within a circular area with a radius of 0.5 statute mile having its center at latitude 34°58'48", longitude 76°26'12".

(v) The waters within a circular band with an inner radius of 1.8 statute miles and an outer radius of 2.5 statute miles having its center at latitude 35°02'12", longitude 76°28'00".

(2) *The regulations.* (i) The area described in paragraph (b)(1) of this section will be used as bombing, rocket firing, and strafing areas. Live and dummy ammunition will be used. The area shall be closed to navigation and all persons at all times except for such vessels as may be directed by the enforcing agency to enter on assigned duties. The area will be patrolled and vessels "buzzed" by the patrol plane prior to the conduct of operations in the area. Vessels or personnel which have inadvertently entered the danger zone shall leave the area immediately upon being so warned.

(ii) The areas described in paragraphs (b)(1) (ii), (iii) and (iv) of this section shall be used for bombing, rocket firing, and strafing areas. Practice and dummy ammunition will be used. All operations will be conducted during daylight hours, and the areas will be open to navigation at night. No vessel or person shall enter these areas during the hours of daylight without special permission from the enforcing agency. The areas will be patrolled and vessels "buzzed" by the patrol plane prior to