

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 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".

(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 the conduct of operations in the areas. Vessels or personnel which have inadvertently entered the danger zones shall leave the area immediately upon being warned.

(c) *Enforcing agency.* The regulations of this section shall be enforced by the Commander, Marine Corps Air Bases, East, Cherry Point, North Carolina, or his authorized representatives.

[26 FR 9673, Oct. 13, 1961. Redesignated at 50 FR 42696, Oct. 22, 1985, as amended at 61 FR 43970, Aug. 27, 1996]

**§ 334.430 Neuse River and tributaries at Marine Corps Air Station Cherry Point, North Carolina; restricted area and danger zone.**

(a) *The restricted area.* That portion of Neuse River within 500 feet of the shore along the reservation of the Marine Corps Air Station, Cherry Point, North Carolina, extending from the mouth of Hancock Creek to a point approximately 6,800 feet west of the mouth of Slocum Creek, and all waters of Hancock and Slocum Creeks and their tributaries within the boundaries of the reservation.

(b) *The danger zone.* The waters within an area beginning at latitude 34.923425° N, longitude -76.853222° W; thence northeasterly across Hancock