

§ 334.110

Latitude 40°27'39.3" N, longitude 074°02'38.3" W); and (3) No person may swim in the Restricted Area.

(c) *Enforcement.* The regulation in this section, promulgated by the U.S. Army Corps of Engineers, shall be enforced by the Commanding Officer, Naval Weapons Station Earle, and/or other persons or agencies as he/she may designate.

[68 FR 37971, June 26, 2003]

§ 334.110 Delaware Bay off Cape Henlopen, Del.; naval restricted area.

(a) *The area.* Beginning at a point on the south shore of Delaware Bay at longitude 75°06'12"; thence to latitude 38°47'25", longitude 75°06'20"; thence to latitude 38°47'48", longitude 75°06'00"; thence to latitude 38°50'43", longitude 75°02'11"; thence to latitude 38°49'16", longitude 74°59'35"; thence to a point on the shore at latitude 38°46'09"; thence northwesterly and southwesterly along the shore at Cape Henlopen to the point of beginning.

(b) *The regulations.* (1) Anchoring, trawl fishing, crabbing, dragging, grappling, and towing with hawser on bottom are prohibited in the area and no object attached to a vessel shall be placed on or near the bottom.

(2) This section does not apply to anchored floating navigational aids or to placement or removal of such aids by the Coast Guard.

(3) This section does not apply to vessels engaged in commercial or pleasure boat fishing provided anchors, trawls, and ground tackle are not used.

(4) The regulations in this section shall be enforced by the Commandant, Fourth Naval District, and such agencies as he may designate.

[18 FR 4047, July 10, 1953. Redesignated at 50 FR 42696, Oct. 22, 1985]

§ 334.120 Delaware Bay off Milford Neck; naval aircraft bombing target area.

(a) *The danger zone.* A circular area of one nautical mile radius having its center in Delaware Bay at latitude 38°58'12", longitude 75°17'30".

(b) *The regulations.* (1) Anchoring, trawling, crabbing, fishing and dragging in the danger zone are prohibited during daylight hours.

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(2) The regulations in this section shall be enforced by the Commandant, Fourth Naval District, and such agencies as he may designate.

[20 FR 563, Jan. 26, 1955. Redesignated at 50 FR 42696, Oct. 22, 1985]

§ 334.130 Atlantic Ocean off Wallops Island and Chincoteague Inlet, Va.; danger zone.

(a) *The area.* An area immediately behind and directly offshore from Wallops Island defined by lines drawn as follows: Beginning at latitude 37°53'00" N, longitude 75°29'48" W; thence to latitude 37°53'03" N, longitude 74°50'52" W; thence to latitude 37°38'28" N, longitude 74°51'48" W; thence to latitude 37°22'00" N, longitude 75°09'35" W; thence to latitude 37°19'11" N, longitude 75°30'00" W; thence to latitude 37°47'57" N, longitude 75°32'19" W; and thence to latitude 37°53'00" N, longitude 75°29'48" W.

(b) *The regulations.* (1) Persons and vessels shall only be prohibited from entering the area when launch operations are being conducted.

(2) In advance of scheduled launch operations which, in the opinion of the enforcing agency, may be dangerous to persons and watercraft, appropriate warnings will be issued to navigation interests through official government and civilian channels or in such other manner as the District Engineer, U.S. Army Corps of Engineers, may direct. Such warnings will specify the location, time, and duration of operations, and give other pertinent information as may be required in the interests of safety. Announcement of area of closure will appear in the weekly "Notice to Mariners."

(3) The intent to conduct rocket-launching operations in the area shall also be indicated by visual signals consisting of a large orange-colored "blimp-shaped" balloon by day and a rotating alternately red and white beacon by night. The balloon shall be flown at latitude 37°50'38" N, longitude 75°28'47" W and the beacon shall be displayed about 200 feet above mean high water at latitude 37°50'16" N, longitude 75°29'07" W. The appropriate signals shall be displayed 30 minutes prior to rocket-launching time and shall remain displayed until the danger no longer exists.

(4) In addition to visual signals and prior to conducting launch operations, the area will be patrolled by aircraft or surface vessels and monitored by radars and cameras to ensure no persons or watercraft are within the danger zone or designated area of interest within the danger zone. Patrol aircraft and surface vessels are equipped with marine band radios and may attempt to hail watercraft and request that they leave the designated area and remain clear of the area at a safe distance until launch operations are complete, and launch will not occur until the designated area is clear. Patrol aircraft may also employ the method of warning known as "buzzing" which consists of low flight by the airplane and repeated opening and closing of the throttle. Surveillance vessels may also come close to watercraft and employ flashing light to establish communications to indicate that the watercraft is entering the designated hazard area.

(5) Any watercraft being so warned shall immediately leave the designated area until the conclusion of launch operations, and shall remain at a distance to ensure that it will be safe from falling debris.

(6) Nothing in this regulation shall be intended to prevent commercial fishing or the lawful use of approved waterfowl hunting blinds along the shorelines of the Wallops Flight Facility at Wallops Island, Virginia, provided that all necessary licenses and permits have been obtained from the Virginia Marine Resources Commission, Virginia Department of Game and Inland Fisheries, and U.S. Fish and Wildlife Service. Commercial fishermen and waterfowl hunters must observe all warnings and range clearances during hazardous range operations.

(c) *Enforcement.* The regulations in this section shall be enforced by the Director, National Aeronautics and Space Administration, Goddard Space Flight Center, Wallops Flight Facility Wallops Island, Va., or such agencies as he or she may designate.

[77 FR 61722, Oct. 11, 2012]

§ 334.140 Chesapeake Bay; U.S. Army Proving Ground Reservation, Aberdeen, Md.

(a) *Restricted area defined.* The following indicates the limits of the waters of or adjacent to the Aberdeen Proving Ground, Maryland, and inside of which boundaries will lie the restricted area known as the Aberdeen Proving Ground, Maryland.

(1) Beginning at a point on the westerly side of Chesapeake Bay, at the south side of the mouth of Swan Creek, Harford County, Maryland, the most northerly point of the reservation known as Plum Point; thence southeasterly along the low water mark on the shore of Chesapeake Bay to and across the north entrance of Spesutie Narrows to and thence along the low water mark on the north shore of Spesutie Island to Locust Point; thence along straight line from Locust Point to Turkey Point for a distance of approximately 1,400 yards; thence following a line parallel with and 1,000 yards from the low water mark on the easterly shore of Spesutie Island to a point 1,000 yards due southeast of Sandy Point; thence approximately southwest in a straight line to a point approximately 1,250 yards S. 10°30' W. from Bear Point; thence approximately 9,275 yards S. 51°04' W. to a point in Chesapeake Bay about 1,700 yards due east from Taylor Island Point; thence southwesterly in a straight course, except such variations as may be necessary to include all of Pooles Island to the southwesterly point of Pooles Island, thence in a northwesterly direction to the most southwesterly point of Spry Island, including all of Spry Island; thence northwesterly in a straight line to extreme southerly island off Lower Island Point; thence northwesterly in a straight line through Brier Point to a point in Seneca Creek where this line intersects a straight line which passes through monuments No. 124 and No. 125 on westerly part of Carroll Island; thence northeasterly in a straight line passing through Marshy Point, at the junction of Dundee Creek and Saltpeter Creek, to the intersection of the center line of Reardon Inlet with Gunpowder River, except such variations as may be necessary to exclude any and all parts of