

§ 334.210

such agencies as he or she may designate.

[31 FR 13648, Oct. 22, 1966, as amended at 48 FR 54598, Dec. 6, 1983. Redesignated at 50 FR 42696, Oct. 22, 1985, as amended at 64 FR 18581, Apr. 15, 1999]

§ 334.210 Chesapeake Bay, in vicinity of Tangier Island; naval guided missiles test operations area.

(a) *The danger zone*—(1) *Prohibited area.* A circle 1,000 yards in radius with its center at latitude 37°47'54", longitude 76°03'48".

(2) *Restricted area.* A circle three nautical miles in radius with its center at latitude 37°47'54", longitude 76°03'48", excluding the prohibited area.

(b) *The regulations.* (1) Persons, vessels or other craft shall not enter or remain in the prohibited area at any time unless authorized to do so by the enforcing agency.

(2) Except as otherwise provided in paragraph (b)(6) of this section, persons, vessels or other craft shall not enter or remain in the restricted area when firing is or will soon be in progress unless authorized to do so by the enforcing agency.

(3) Advance notice will be given of the date on which the first firing is to be conducted and such notice will be published in "Notice to Mariners." Thereafter, the danger zone will be in use intermittently throughout the year and no further notice is contemplated that firing is continuing.

(4) Warning that firing is or will soon be in progress will be indicated by a red flag displayed from one of six dolphin platforms on the perimeter of the prohibited area, and by patrol vessels within the danger zone or by aircraft employing the method of warning known as "buzzing" which consists of low flight by the airplane and repeated opening and closing of the throttle. Surface or air search of the entire area will be made prior to the commencement of firing on each scheduled day. During periods of firing a patrol vessel will remain in the approaches to the restricted area and maintain continuous contact with the firing planes to warn when the area is not clear.

(5) Upon observing the warning flag or upon receiving a warning by any of the patrol vessels or aircraft, persons,

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vessels or other craft shall immediately vacate the restricted area and remain outside the area until the conclusion of firing for the day.

(6) This section shall not deny traverse of portions of the restricted area by commercial craft proceeding in established steamer lanes, but when firing is or will soon be in progress all such craft shall proceed on their normal course through the area with all practicable speed.

(7) All projectiles, bombs and rockets will be fired to land within the prohibited area, and on or in the immediate vicinity of a target in the restricted area located adjacent to the west side of Tangier Island. The Department of the Navy will not be responsible for damages by such projectiles, bombs, or rockets to nets, traps, buoys, pots, fishpounds, stakes, or other equipment which may be located within the restricted area.

(8) The regulations of this section shall be enforced by the Commander, Naval Air Bases, Fifth Naval District, Norfolk, Virginia, and such agencies as he may designate.

[13 FR 6918, Nov. 24, 1948, as amended at 22 FR 3706, May 25, 1957; 24 FR 3760, May 6, 1959. Redesignated at 50 FR 42696, Oct. 22, 1985, as amended at 62 FR 17552, Apr. 10, 1997]

§ 334.220 Chesapeake Bay, south of Tangier Island, Va.; naval firing range.

(a) *The danger zone.* Beginning at latitude 37°46'39", longitude 75°57'43", thence to latitude 37°43'42", longitude 75°55'30"; thence to latitude 37°27'00", longitude 76°02'48"; thence to latitude 37°27'00"; longitude 76°08'00"; thence to latitude 37°45'00", longitude 76°09'48"; thence to latitude 37°45'00", longitude 76°08'51"; and thence along the circumference of a circle of five nautical miles radius whose center is at latitude 37°47'54", longitude 76°03'48", to the point of beginning.

(b) *The regulations.* (1) Any vessel propelled by mechanical means or by sail at a speed greater than five knots may proceed through the danger zone to and from points without, but not from one point to another point within, the area, except when especially notified to the contrary.