

Corps of Engineers, Dept. of the Army, DoD

§ 334.1250

Bangor, or his/her authorized representative.

[69 FR 272, Jan. 5, 2004]

§ 334.1230 Port Orchard; naval restricted area.

(a) *Port Orchard; naval restricted area*—(1) *The area.* Shoreward of a line beginning at a point on the west shoreline of Port Orchard bearing 90° from stack (at latitude 47°42'01", longitude 122°36'54"); thence 90°, approximately 190 yards, to a point 350 yards from stack; thence 165°, 6,000 yards, to a point bearing 179°, 1,280 yards, from Battle Point Light; thence westerly to the shoreline at latitude 47°39'08" (approximate location of the Brownsville Pier).

(2) *The regulations.* (i) No vessel shall, at any time, anchor or tow a drag of any kind in this area.

(ii) The regulations in this paragraph shall be enforced by the Commander, Naval base, Seattle, and such agencies as he/she may designate.

[26 FR 11203, Nov. 28, 1961. Redesignated at 50 FR 42696, Oct. 22, 1985]

EDITORIAL NOTE: For FR citations affecting § 334.1230, see List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 334.1240 Sinclair Inlet; naval restricted areas.

(a) *Sinclair Inlet; naval restricted areas*—(1) *Area No. 1.* All the waters of Sinclair Inlet westerly of a line drawn from the Bremerton Ferry Landing at latitude 47°33'48" N, longitude 122°37'23" W on the north shore of Sinclair Inlet and latitude 47°32'52" N, longitude 122°36'58" W on the south shore of Sinclair Inlet.

(2) *Area No. 2.* That area of Sinclair Inlet to the north and west of an area bounded by a line commencing at latitude 47°33'43" N, longitude 122°37'31" W thence south to latitude 47°33'39" N, longitude 122°37'27" W thence southwest to latitude 47°33'23" N, longitude 122°37'45" W thence southwest to latitude 47°33'19" N, longitude 122°38'12" W thence southwest to latitude 47°33'10" N, longitude 122°38'19" W thence southwest to latitude 47°33'07" N, longitude 122°38'29" W thence west to latitude 47°33'07" N, longitude 122°38'58" W thence

southwest to latitude 47°33'04" N, longitude 122°39'07" W thence west to the north shore of Sinclair Inlet at latitude 47°33'04" N, longitude 122°39'41" W.

(3) *The regulations*—(i) *Area No. 1.* No vessel of more than 100 gross tons shall enter this area or navigate therein without permission from the enforcing agency.

(ii) *Area No. 2.* This area is for the exclusive use of the U.S. Navy. No person, vessel, craft, article or thing except those under supervision of military or naval authority except Washington State Ferries or Horluck Transportation Company Ferries on established routes shall enter this area without permission from the enforcing agency.

(iii) The regulations in this section shall be enforced by the Commander, Naval Base, Seattle, Washington, or his/her authorized representative.

(b) [Reserved]

[60 FR 43379, Aug. 21, 1995; 60 FR 57935, Nov. 24, 1995]

§ 334.1250 Carr Inlet, naval restricted areas.

(a) *Carr Inlet, naval restricted areas*—(1) *The area.* The Waters of Carr Inlet bounded on the southeast by a line running from Gibson Point on Fox Island to Hyde Point on McNeil Island, on the northwest by a line running from Green Point (at latitude 47°16'54" N, longitude 122°41'33" W) to Penrose Point; plus that portion of Pitt Passage extending from Carr Inlet to Pitt Island, and that portion of Hale Passage extending from Carr Inlet southeasterly to a line drawn perpendicular to the channel 500 yards northwesterly of the Fox Island Bridge.

(2) *The regulations.* (i) The area shall be used as an acoustic range for research studies and special noise trials. No explosive shall be used.

(ii) No marine craft of any type shall at anytime approach or remain within one hundred yards of the hydrophone buoys. The hydrophone buoys will be anchored in Carr Inlet on a line perpendicular to the course line opposite Ketner's Point, and about one mile from the Fox Island shore. The course line, or range, will bear 134°38'21" (314°38'21") true, and will be marked by

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range beacons erected near the shoreline approximately one mile north-northeast of of Steilacoom and approximately two miles north-northeast of Home.

(iii) *Buoy Testing Area.* No vessel shall, at anytime, anchor or tow a drag of any kind within 1,000 yards of the buoy testing area.

(iv) The remainder of the area shall be open to navigation at all times except when the range is in use or when hydrophones are being calibrated. When the range is in use or hydrophones are being calibrated, quick flashing beacon lights will be displayed on signal towers located at Gibson Point, Green Point, Penrose Point, Pitt Island and Hyde Point. These beacon lights will be either red or green. The beacon lights will show quick flashing every two seconds. The ranging of vessels or calibration of hydrophones requiring restrictions will be conducted 24 hours per day for up to 5 days consecutively, and will total approximately 150 days spread throughout the year. Shutting off of beacon lights will indicate termination of use of the range. Insofar as possible, the schedule of operations giving the days the range will be in use for each forthcoming month will be published in local newspapers and in the local U.S. Coast Guard Notice to Mariners.

(v) When the red beacon lights are displayed, indicating that the range is in use or hydrophones are being calibrated, navigation within the area will be restricted as follows:

(a) As used in this section, the words "operate, power vessel, and non-power vessel" are defined as follows:

(1) "Operate": To be physically present in the designated area.

(2) "Power vessel": A vessel propelled principally by a mechanical propulsion system (*i.e.*, gasoline, diesel, steam or electric drive to a propeller, pump jet, paddle wheel or other device), and being propelled by that means.

(3) "Non-power vessel": A vessel not equipped with a mechanical propulsion system, such as a rowboat, canoe, or sailboat propelled by oars, paddles, or sails, respectively.

(b) Power vessels shall not operate within the area, except that traffic in either direction between Hale Passage

and upper Carr Inlet, within 200 yards of the low water mark off Green Point, will be cleared by signal for approximately 15 minutes total time within this area at the termination of individual ranging runs, while the vessel being ranged takes position for the next run. Clearance to traverse the area around Green Point will be indicated by extinguishing the red flashing beacon lights and displaying the green flashing beacon lights on all signal towers.

(c) Non-powered marine craft shall not operate within one mile of the course line bearing 134°38'21" (314°38'21") true, and within two miles to the southeast and two miles to the northwest of the hydrophone buoys situated in Carr Inlet opposite Ketner's Point; provided, however, non-powered craft may operate within four hundred yards of the low water mark on the northeast side of McNeil Island, within two hundred yards of the low water mark at Green Point, and within two hundred yards of the low water mark on the southwest shore of Fox Island.

(d) Towboats shall have free access and egress to designated tow havens within Carr Inlet, as follows: The Navy will establish and maintain suitable mooring buoys for the use of tugs and their tows at the following points: (1) approximately 1,500 yards northwest of Gibson Point Light and approximately 400 yards offshore from the low water mark on the Fox Island shore; (2) approximately 1,500 yards northwest of Hyde Point, and approximately 400 yards offshore from the low water mark on McNeil Island shore; and (3) approximately 1,500 yards east of Wyckoff Shoal. Towboats will signal by radio (Marine Band Channel 14, 13, 12, or 6) or telephone as far in advance as possible of the time they enter the tow haven, such signals to be directed to "Carr Inlet Range Control" at the range instrument laboratory building located on Fox Island. The Navy shall promptly suspend operations when necessary to permit the access and egress of such tow traffic, and Carr Inlet Range Control shall signal the tows when the area is clear.

(e) Through commercial traffic, including tows, to points within Carr

Inlet, and through Carr Inlet, Pitt Passage, and Hale Passage to adjacent waters will be permitted free access and egress, as follows: Such traffic will signal by radio (Marine Band Channel 14, 13, 12, or 6) or telephone as far in advance as possible of the time they enter the area, such signals to be directed to "Carr Inlet Range Control" at the range instrument laboratory located on Fox Island. The Navy shall promptly suspend operations when necessary to permit the passage of such traffic, and Carr Inlet Range Control shall signal when the area is clear for passage.

(f) The Warden of the McNeil Island penitentiary and his authorized representatives shall be permitted to operate within the area at any time, as may be necessary, for the patrol and search of escaped convicts.

(g) Red or green signal flags will be displayed on the signal towers in case of failure of the red or green beacon lights. The display or the signal flags at the top of the flag masts will have the same significance as the beacon lights.

(3) The regulations in this paragraph shall be enforced by the Commander, Naval Base, Seattle, and such agencies as he/she may designate.

(b) [Reserved]

[26 FR 11203, Nov. 28, 1961. Redesignated at 50 FR 42696, Oct. 22, 1985]

EDITORIAL NOTE: For FR citations affecting § 334.1250, see List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 334.1260 Dabob Bay, Whitney Point; naval restricted area.

(a) *Dabob Bay, Whitney Point, naval restricted area*—(1) *The area.* Beginning at the high water line along the westerly shore of Dabob Bay, 100 yards northerly of the Naval control building located at approximately N. latitude 47°45'36" and W. longitude 122°51'00", thence S. 89°59' E. 2000 yards, thence to S. 00°01' W. 200 yards, thence N. 89°59' W. approximately 2000 yards to the high water line 100 yards southerly of the control building.

(2) *The regulations.* (i) No vessel shall, at any time, anchor or tow a drag of any kind in this area.

(ii) The regulations in this paragraph shall be enforced by the Commander, Naval Base, Seattle, or his/her authorized representative.

(b) [Reserved]

[26 FR 11203, Nov. 28, 1961. Redesignated at 50 FR 42696, Oct. 22, 1985]

EDITORIAL NOTE: For FR citations affecting § 334.1260, see List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 334.1270 Port Townsend, Indian Island, Walan Point; naval restricted area.

(a) *The area.* The waters of Port Townsend bounded by a line commencing on the north shore of Walan Point at latitude 48°04'41" N. longitude 122°44'26" W; thence to latitude 48°04'46" N, longitude 122°44'53" W; thence to latitude 48°04'19" N, longitude 122°45'05" W; thence to latitude 48°04'15" N, longitude 122°44'48" W thence to a point on the Walan Point shore line at latitude 48°04'18" N, longitude 122°44'48"; and thence along the shoreline to the point of beginning. This line is located approximately 200 yards from the face and ends of the pier.

(b) *The regulations.* No person or vessel shall enter this area without permission from the Commander, Naval Base, Seattle, or his/her authorized representative. This restriction shall apply during periods when ship loading and/or pier operations preclude safe entry. These periods will be identified by flying a red flag from the ship and/or pier. A yellow flag will be displayed 24 hours in advance of the restricted periods.

[26 FR 11203, Nov. 28, 1961. Redesignated at 50 FR 42696, Oct. 22, 1985]

EDITORIAL NOTE: For FR citations affecting § 334.1270, see List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 334.1275 West Arm Behm Canal, Ketchikan, Alaska, restricted areas.

(a) *The area*—*Area No. 1.* The waters of Behm Canal bounded by a circle 2,000 yards in diameter, centered on 55°36' N latitude, 131°49.2' W longitude.