



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
Vicksburg DISTRICT CORPS OF ENGINEERS  
4155 East Clay Street  
Vicksburg, Mississippi 39183-3435

**October 24, 2017**

***PUBLIC NOTICE***

Permit Application Number MVK-2011-548

**TO WHOM IT MAY CONCERN:** The Vicksburg District of the U.S. Army Corps of Engineers has received a request to amend the regulations in 33 C.F.R. part 334, pursuant to its authority under section 7 of the Rivers and Harbors Act of 1917 (40 Stat. 266; 33 U.S.C. § 1) and chapter XIX of the Army Appropriations Act of 1919 (40 Stat. 892; 33 U.S.C. §3), as described below:

**APPLICANT:** Commanding Officer, Naval Construction Battalion Center, Gulfport, Mississippi.

**WATERWAY AND LOCATION:** The danger zone will be established thirty days from posting of this notice. The danger zone is designated reaches of the East Pearl River within the acoustic buffer area of the John C. Stennis Space Center, and adjacent to lands, in Hancock County, Mississippi, acquired and used by the Department of the Navy for riverine, weapons, and other dangerous naval training.

**TIMEFRAME:** The draft regulations described in this notice were in the Federal Register, on December 14, 2016, starting on page 90292. The final regulations are described in the Federal Register on October 24, 2017, starting on page 49113.

**SUMMARY:** The U.S. Army Corps of Engineers published a document in the Federal Register on December 14, 2016, to establish a danger zone in the East Pearl River within the acoustic buffer of NASA's John C. Stennis Space Center on the East Pearl River, in Hancock County, Mississippi. The Navy requested establishment of a danger zone on waterways and tributaries of the East Pearl River that are used by Naval Special Warfare units to conduct riverine training exercises. The purpose of the danger zone is to ensure public safety by restricting access within the danger zone during training events.

**GENERAL INFORMATION:** Danger zone and restricted area regulations are normally promulgated by the Corps of Engineers as a result of requests made by other Department of Defense agencies. A danger zone is a water area used by U.S. Armed Forces for target practice, bombing, rocket firing, or other especially hazardous operations.

**EFFECTIVE DATE:** November 23, 2017

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The Corps is amending 33 CFR Part 334 to read as follows:

PART 334 – DANGER ZONE AND RESTRICTED AREA REGULATIONS

1. The authority citation for 33 CFR Part 334 continues to read as follows:  
Authority: 40 Stat. 266 (33 U.S.C. 1) and 40 Stat. 892 (33 U.S.C. 3).

2. Add § 334.784 to read as follows:

§ 334.784 East Pearl River, within the acoustic buffer area of the John C. Stennis Space Center, and adjacent to lands, in Hancock County, Mississippi; danger zone.

(a) The area. A danger zone is established in and to the extent of waters of the United States, as defined in 33 CFR part 329, in the following reaches of the East Pearl River south of a point located at latitude 30.4030°N, longitude -89.6815°W, to a point below the confluence of Mikes River, located at latitude 30.3561°N, longitude -89.6514°W. The datum for these coordinates is NAD 1983.

(b) The regulation. (1) No person, vessel, or other watercraft, other than a vessel owned and operated by the United States, shall enter or remain in the danger zone, or within a portion or portions thereof, when closed to public access, as provided in paragraph (b)(2) of this section, below, except by permission of the Commanding Officer, Naval Construction Battalion Center, Gulfport or such other person(s) as he or she may designate.

(2) The danger zone, or a portion or portions thereof, will be closed, for riverine, weapons, or other dangerous naval training, by placement of Government picket boats at the northern and southern boundaries in the East Pearl River, or at such other location(s) within the danger zone as may be determined to be sufficient to protect the public. Prior to closure, picket boats will transit the area(s) to be closed, to ensure that no persons, vessels, or other watercraft are present. Once the danger zone, or location(s) within the danger zone, has been cleared, picket boats will remain in position, upstream and downstream, until it is safe to re-open the area(s) to public access.

(3) Riverine, weapons, and other dangerous naval training may occur on any day of the week, typically, but not exclusively, in periods of two to eight hours, between 6 a.m. and 6 p.m. Training may occur at night, in darkness.

(c) Enforcement. The restrictions on public access in this section shall be enforced by the Commanding Officer, Naval Construction Battalion Center, Gulfport or by such other person(s) as he or she may designate.