



U.S. Army Corps  
of Engineers®  
Honolulu District

# Special Public Notice

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Public Notice No.  
**POH-2007-00226**

Date:  
**November 18, 2009**

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Reply to:  
U.S. Army Corps of Engineers  
Regulatory Branch, CEPOH-EC-R  
Building 230  
Fort Shafter, Hawai'i 96858-5440

Respond by: Not applicable

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## **NOTICE OF FINAL RULE AMENDMENT TO THE DANGER ZONE AT MARINE CORPS BASE HAWAII KANEHOE BAY, OAHU, HAWAII**

**PUBLIC NOTICE DATE:** November 18, 2009

**EFFECTIVE DATE:** December 16, 2009

**REFERENCE NUMBER:** POH-2007-00226

**1. Action.** Final rule amending the regulations at 33 C.F.R. § 334.1380 for the Danger Zone located at the Marine Corps Base Hawai'i (MCBH), Kaneohe Bay, Island of Oahu, Hawai'i—Ulupau Crater Weapons Training Range.

**2. Authority.** Under the provisions of Section 7 of the Rivers and Harbors Act of 1917 (33 U.S.C. 1) and Chapter XIX of the Army Act of 1918 (33 U.S.C. 3), the U.S. Army Corps of Engineers (Corps) has revised the regulations at 33 C.F.R. § 334.1380 for the existing danger zone in the vicinity of Kaneohe Bay, Hawai'i. The amendment reflects the current operational and safety procedures at the Ulupau Crater Weapons Training Range and highlights a change in the hours that weapons firing may occur. The amendment also expands the boundaries of the existing danger zone. These regulations are necessary to protect the public from potentially hazardous conditions which may exist as a result from use of the areas by the United States Marine Corps.

The Corps published the final rule in the Federal Register on November 17, 2009 (FR Vol. 74, No. 219, pp. 58846-58848). The final rule expands the surface danger zone at the Marine Corps

Base Hawai'i, (MCBH), Kaneohe Bay, Island of Oahu, Hawai'i—Ulupau Crater Weapons Training Range in accordance with the description specified below.

**3. Description.** The regulation has been revised as follows:

§334.1380 Marine Corps Base Hawai'i (MCBH), Kaneohe Bay, Island of Oahu, Hawai'i—Ulupau Crater Weapons Training Range; danger zone.

(a) The danger zone. The area within a sector extending seaward a distance of 3.8 nautical miles between radial lines bearing 357.1° true and 124.9° true, respectively, from a starting point on Mokapu Peninsula at latitude 21° 27' 11.84" N, longitude 157° 43' 53.83" W, and overlapping the existing 500-yard wide prohibited area. The danger zone is defined as a pie-shaped area bounded by the landward starting point on Mokapu Peninsula and the three seaward points forming an arc with a 3.8 nautical-mile radius at its center (Point B) with a radial line bearing 56.9° true. The three seaward points have the following coordinates:

Point A: Latitude 21° 30' 59.66" N, Longitude 157° 44' 05.97" W

Point B: Latitude 21° 29' 16.58" N, Longitude 157° 40' 30.19" W

Point C: Latitude 21° 25' 01.79" N, Longitude 157° 40' 33.70" W

(b) The regulations. (1) Weapons firing at the Ulupau Crater Weapons Training Range may occur at any time between 6:00 a.m. and 11:00 p.m., Monday through Sunday. Specific dates and hours for weapons firing, along with information regarding onshore warning signals, will be promulgated by the U.S. Coast Guard's Local Notice to Mariners. Information on weapons firing schedules may also be obtained by calling the MCBH Range Manager, AC/S G-3 (telephone number 808-257-8816/17).

(2) Whenever live firing is in progress during daylight hours, two large red triangular warning pennants will be flown at each of two highly visible and widely separated locations on the shore at Ulupau Crater.

(3) Whenever any weapons firing is scheduled and in progress during periods of darkness, flashing red warning beacons will be displayed on the shore at Ulupau Crater.

(4) Boaters will have complete access to the danger zone whenever there is no weapons firing scheduled, which will be indicated by the absence of any warning flags, pennants, or beacons displayed ashore.

(5) The danger zone is not considered safe for boaters whenever weapons firing is in progress. Boaters shall expeditiously vacate the danger zone at best speed and by the most direct route whenever weapons firing is scheduled. Passage of vessels through the danger zone when weapons firing is in progress will be permitted, but boaters shall proceed directly through the area at best speed. Weapons firing will be suspended as long as there is a vessel in the danger zone. Whenever a boater disregards the publicized warning signals that hazardous weapons firing is scheduled, the boater will be personally requested to expeditiously vacate the danger zone by MCBH Kaneohe Bay military personnel utilizing by hailing the vessel on VHF channel 16 or contacting directly by U.S. Navy surface craft.

(6) Observation posts will be manned whenever any weapons firing is scheduled and in progress. Visibility will be sufficient to maintain visual surveillance of the entire danger zone and for an additional distance of 5 miles in all directions whenever weapons firing is in progress.

(c) The Enforcing Agency. The foregoing regulations shall be enforced by the Commanding Officer, MCB Hawai'i, Kaneohe Bay and such agencies as he/she may designate.

**4. Effective Date.** The amended regulations are in full force and effect as of December 16, 2009. This notice has been sent to all known interested parties and to post offices and other public places for posting. All mariners and concerned parties are advised to familiarize themselves with the amended rules and regulations, including the expanded location of the danger

This Special Public Notice is issued by the Chief, Regulatory Branch, Honolulu District.

Attachment:  
Danger Zone Map