



# SPECIAL PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT

BUILDING STRONG®

## NOTICE OF FINAL AMENDMENT TO RESTRICTED AREA AT NAVAL BASE VENTURA COUNTY, SAN NICOLAS ISLAND

**Public Notice No.:** SPL-2012-00735-AJS

**Subject:** NBVC San Nicholas Island Restricted Area Amendment

**Date:** April 8, 2014

**Project Manager:** Antal Szijj; 805-585-2147; [Antal.J.Szijj@usace.army.mil](mailto:Antal.J.Szijj@usace.army.mil)

---

### Requestor

Commander, Naval Base Ventura County

### Contact

Anna Shepherd  
Community Plans and Liaison Officer  
Naval Base Ventura County  
311 North Main Road, Building PM 66  
Point Mugu, California 93042

### Location

In the waters surrounding San Nicholas Island, Ventura County, California (at: lat 33.2827N, long: 119.5000W), as depicted on the attached map.

### Activity

Amendment of the existing restricted area around San Nicholas Island (see attached drawings). For more information see page 3 of this notice.

---

The public is hereby notified that the U.S. Army Corps of Engineers (Corps) has amended an existing restricted area as described herein and shown on the attached drawings.

U.S. Army Corps of Engineers, Ventura Field Office  
Attn: Antal Szijj  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001

Email: [Antal.J.Szijj@usace.army.mil](mailto:Antal.J.Szijj@usace.army.mil)  
Phone: (805) 585-2147

Concurrent with this public notice, a notice of proposed rulemaking is being published in the Federal Register. Please visit [www.regulations.gov](http://www.regulations.gov) and search under docket number 2014-07359.

**Authority:** Under the provisions of Section 7 of the Rivers and Harbors Act of 1917 (33 USC 1) and Chapter XIX of the Army Act of 1918 (33 USC 3), the Corps has the authority to establish, amend and disestablish danger zones and restricted areas in navigable waters of the United States. Restricted areas are established for the purpose of prohibiting or limiting public access to the area. Restricted areas generally provide security for Government property and/or protection to the public from the risks of damage or injury arising from the Government's use of that area.

**Additional information:** A proposed rule was published on November 22, 2013 for a 30-day comment period, which also included a local public notice announcing the proposed rule. All comments received during the comment period have been considered in the decision to approve the request under Section 7 of the Rivers and Harbors Act of 1917 (40 Stat 266; 33 U.S.C. § 1). The decision document may be viewed by contacting the Corps project manager listed below.

The Final Rule amends the regulations at 33 C.F.R. § 334.980 for the existing restricted area located in the Pacific Ocean waters surrounding Naval Base Ventura County, San Nicolas Island (see attached figures). The amendment reflects the current operational needs of the Navy by realigning subsections within the restricted area into western, eastern and northern areas. The overall size of the restricted area, including a 300-yard stand-off from the shoreline, remains unchanged). The amended sections are also more aligned with visible features on the island. The Navy can still open and close these sections in part or in whole depending on operational needs. The amended rule also provides updated closure notification protocols and contact information. The change also removes references to range marker poles, given that the majority of boaters use Global Positioning System to determine location and the need for markers (and subsequent maintenance of markers) no longer exists. Language that restricts fishing operations within the previous section Alpha has also been eliminated. Vessels are free to navigate within all sections unless closed for specific operational needs. The 300-yard stand-off from the shoreline of the island, which was a provision of the previous rule, remains in place at all times. The public is prohibited from encroaching within 300 yards of the island or landing except in an emergency.

The Corps published the final rule in the Federal Register on April 2, 2014 (79 FR 18450). The final rule amends the restricted area at SNI in accordance with the description specified below:

## **Final Rule**

### **List of Subjects in 33 C.F.R. Part 334**

Danger zones, Marine safety, Navigation (water), Restricted areas, Waterways.

For the reasons set out in the preamble, the Corps proposes to amend 33 C.F.R. Part 334 as follows:

### **PART 334 -- DANGER ZONE AND RESTRICTED AREA REGULATIONS**

1. The authority citation for 33 C.F.R. 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. Revise 334.980 to read as follows:

**334.980 Pacific Ocean, around San Nicholas Island, Calif., naval restricted area.**

(a) The area. (1) perimeter (restricted). The waters of the Pacific Ocean around San Nicholas Island, Calif., extending about 3 miles seaward from the shoreline, described as follows:

	Latitude	Longitude
Point A	33°10'10"	119°24'20"
Point C	33°10'10"	119°31'10"
Point D	33°12'00"	119°35'30"
Point E	33°14'20"	119°37'40"
Point F	33°16'40"	119°38'10"
Point G	33°19'10"	119°37'10"
Point I	33°20'10"	119°31'10"
Point K	33°17'40"	119°24'50"
Point L	33°13'50"	119°21'50"

(2) Sections of Area. ALPHA section is the northerly section of the area, and is described as follows:

	Latitude	Longitude
Point H	33°20'01"	119°32'02"
Point I	33°20'10"	119°31'10"
Point K	33°17'40"	119°24'50"
Point L	33°13'50"	119°21'50"
Point O	33°13'50"	119°26'02"
Thence northwesterly along shoreline to Point N		
Point N	33°17'04"	119°32'02"
Point H	33°20'01"	119°32'02"

BRAVO section is the westerly section of the area, and is described as follows:

	Latitude	Longitude
Point N	33°17'04"	119°32'02"
Thence westerly, southerly and easterly along the shoreline to Point M		
Point M	33°13'10"	119°29'40"
Point B	33°10'10"	119°29'40"
Point C	33°10'10"	119°31'10"
Point D	33°12'00"	119°35'30"
Point E	33°14'20"	119°37'40"
Point F	33°16'40"	119°38'10"
Point G	33°19'10"	119°37'10"
Point H	33°20'01"	119°32'02"
Point N	33°17'04"	119°32'02"

CHARLIE section is the southerly section of the area, and is described as follows:

	Latitude	Longitude
Point L	33°13'50"	119°21'50"
Point O	33°13'50"	119°26'02"
Thence southerly and westerly along the shoreline to Point M		
Point M	33°13'10"	119°29'40"
Point B	33°10'10"	119°29'40"
Point A	33°10'10"	119°24'20"
Point L	33°13'50"	119°21'50"

(b) The regulations. (1) Except during closure periods or as otherwise provided in this section, the restricted area will be open to all vessels.

(2) Boats must remain at least 300 yards from the shoreline of San Nicolas Island at all times. Nothing in this provision shall be construed as authorization to anchor within 300 yards or to land on San Nicolas Island, except in an emergency.

(3) No person, vessel or other craft shall enter the restricted area or designated section(s) during closure periods unless authorized to do so by the Commanding Officer, Naval Base Ventura County or the Officer in Charge, San Nicolas Island.

(4) Submarine cables within the restricted area post a risk to the equipment of vessels engaged in dredging, dragging, seining, anchoring and other bottom contact operations. Appropriate care must be taken to avoid damage.

(5) Closure Periods. Notice that the restricted area or section(s) ALPHA, BRAVO, or CHARLIE are closed to entry shall be given by radio broadcast Monday through Friday at 0900 and 1200 on 2638 kHz and 2738 kHz or by contacting "PLEAD CONTROL" on VHF-FM radio channel 11 or 16. Closure information may also be requested by telephone between 0600 and 1800 Monday through Friday at (805) 989-8841 or via recorded message at (805) 989-1470.

(6) The regulations in this section shall be enforced by personnel attached to Naval Base Ventura County, Point Mugu, Calif., and by such agencies as may be designated by the Commandant, 11th Naval District, San Diego, Calif.

**EFFECTIVE DATE:** The amended regulations are in full force and effect as of May 2, 2014. This notice has been sent to all known interested parties on our mailing list.

For additional information please call Antal Szijj of my staff at 805-585-2147 or via e-mail at [Antal.J.Szijj@usace.army.mil](mailto:Antal.J.Szijj@usace.army.mil) . This public notice is issued by the Chief, Regulatory Division.



*Regulatory Program Goals:*

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

---

**U.S. ARMY CORPS OF ENGINEERS – LOS ANGELES DISTRICT**

Figure 1: Vicinity Map



Figure 2: Previous Restricted Area

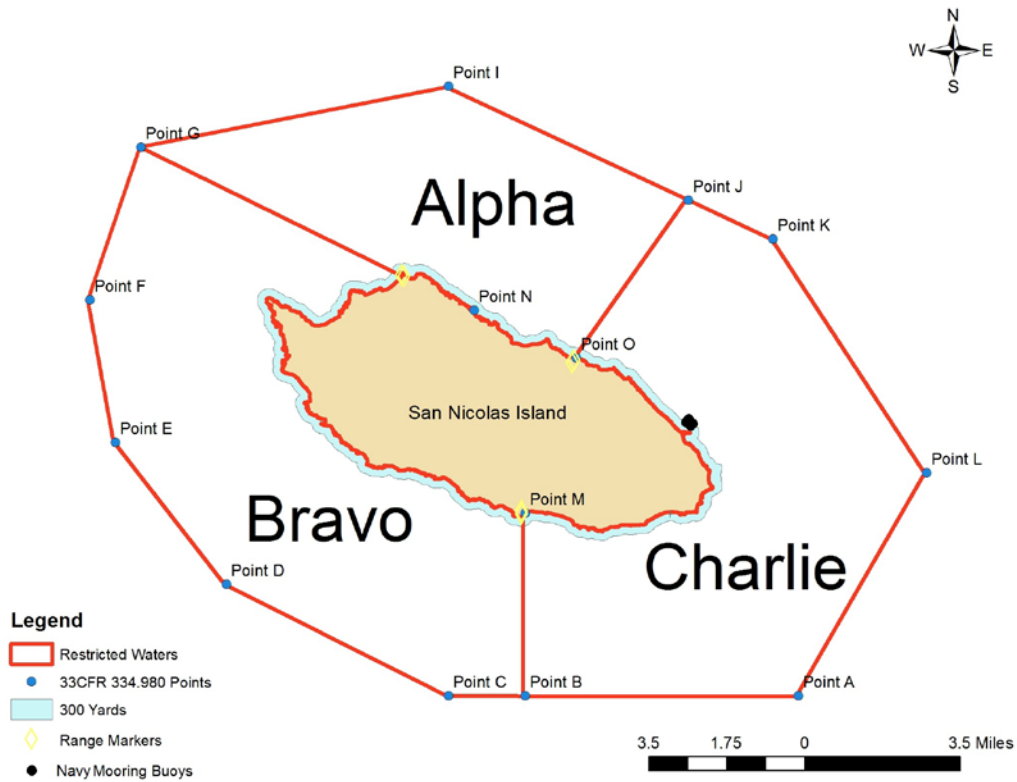


Figure 3: Amended Restricted Area

