

# Public Notice

U.S. Army Corps  
Baltimore District  
CENAB-OPR

Date November 2016

Special Public Notice 16-58

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**Subject: U.S. Army Corps of Engineers' Action Granting Legal Authorities to Support the Protection of Military Assets During Force Protection Condition Charlie or Delta**

The United States has directed in the past and may again in the future all military assets to implement Force Protection Condition Charlie or Delta. In response, the U.S. Army Corps of Engineers, Baltimore District, has authorized the temporary establishment of restricted areas in and around all military assets located in or adjacent to navigable waters of the United States in the State of Maryland, central Pennsylvania, the District of Columbia, and the Cities of Alexandria and Arlington, and Fairfax, Loudoun, and Prince Williams Counties, Virginia.

Military Commanders are authorized by the District Commander to take actions as provided by law, regulation or directives to implement the actions outlined in Force Protection Condition Charlie or Delta when so ordered by competent authority.

The temporary restricted area and regulation read as follows: The United States Army Corps of Engineers, Baltimore District, pursuant to the authority granted in 33 C.F.R. §334.3 (c) and 33 U.S.C. §1 has established temporary restricted areas adjacent to all military assets located in or adjacent to navigable waters of the United States in the State of Maryland, central Pennsylvania, the District of Columbia, and Virginia when those assets have been ordered to implement the procedures associated with Force Protection Condition Charlie or Delta.

**The Areas:** All military assets located within or adjacent to navigable waters of the United States located in Maryland, the District of Columbia, and Virginia without currently established restricted areas, are hereby authorized to establish and enforce temporary restricted areas. Temporary restricted areas will extend 100 meters into the applicable waterway from the landward boundary each facility. Military assets located in the State of Pennsylvania located on or adjacent to the Susquehanna or Juniata Rivers are also authorized to establish and enforce temporary restricted areas. Military assets with currently established restricted areas extending more than 100 meters into navigable waters of United States are not affected by this regulation. Those military assets with currently established restricted area extending less than 100 meters into navigable waters of the United States are hereby extended in accordance with this regulation.

**The Regulation:** No vessels or persons may enter restricted areas established by military commands and in accordance with directives associated with Force Protection Condition Charlie or Delta.


**Exceptions:** Military Commanders may not interfere with commercial or recreational traffic located within designated channels or fairways. Commercial fishing activities must be allowed to continue in designated areas once positive identification has been established.

**Enforcement:** The Commander of any military asset or agency or persons that he/she may designate while in Force Protection Condition Charlie or Delta.

**Duration:** This regulation shall go into effect for a period of 30 days once Force Protection Condition Charlie or Delta has been initiated.

If you have any questions, please contact Mr. Steve Elinsky, of this office at 410.962.4503.

FOR THE DISTRICT ENGINEER:

A handwritten signature in cursive script that reads "Beth E. Bachur". The signature is written in black ink and is positioned above the printed name and title.

BETH E. BACHUR  
Acting Chief, Regulatory Branch