Code of Federal Regulations

33

Parts 1 to 124

Revised as of July 1, 2002

Navigation and Navigable Waters

Containing a codification of documents of general applicability and future effect

As of July 1, 2002

With Ancillaries

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To cite the regulations in this volume use title, part and section number. Thus, 33 CFR 1.01–1 refers to title 33, part 1, section 01–1.
Explanation

The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas.

Each volume of the Code is revised at least once each calendar year and issued on a quarterly basis approximately as follows:

Title 1 through Title 16..............................................................as of January 1
Title 17 through Title 27 .................................................................as of April 1
Title 28 through Title 41..............................................................as of July 1
Title 42 through Title 50.............................................................as of October 1

The appropriate revision date is printed on the cover of each volume.

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The contents of the Federal Register are required to be judicially noticed (44 U.S.C. 1507). The Code of Federal Regulations is prima facie evidence of the text of the original documents (44 U.S.C. 1510).

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The Code of Federal Regulations is kept up to date by the individual issues of the Federal Register. These two publications must be used together to determine the latest version of any given rule.

To determine whether a Code volume has been amended since its revision date (in this case, July 1, 2002), consult the “List of CFR Sections Affected (LSA),” which is issued monthly, and the “Cumulative List of Parts Affected,” which appears in the Reader Aids section of the daily Federal Register. These two lists will identify the Federal Register page number of the latest amendment of any given rule.

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Each volume of the Code contains amendments published in the Federal Register since the last revision of that volume of the Code. Source citations for the regulations are referred to by volume number and page number of the Federal Register and date of publication. Publication dates and effective dates are usually not the same and care must be exercised by the user in determining the actual effective date. In instances where the effective date is beyond the cutoff date for the Code a note has been inserted to reflect the future effective date. In those instances where a regulation published in the Federal Register states a date certain for expiration, an appropriate note will be inserted following the text.

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The Paperwork Reduction Act of 1980 (Pub. L. 96–511) requires Federal agencies to display an OMB control number with their information collection request.
Many agencies have begun publishing numerous OMB control numbers as amendments to existing regulations in the CFR. These OMB numbers are placed as close as possible to the applicable recordkeeping or reporting requirements.

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What is incorporation by reference? Incorporation by reference was established by statute and allows Federal agencies to meet the requirement to publish regulations in the Federal Register by referring to materials already published elsewhere. For an incorporation to be valid, the Director of the Federal Register must approve it. The legal effect of incorporation by reference is that the material is treated as if it were published in full in the Federal Register (5 U.S.C. 552(a)). This material, like any other properly issued regulation, has the force of law.

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(a) The incorporation will substantially reduce the volume of material published in the Federal Register.

(b) The matter incorporated is in fact available to the extent necessary to afford fairness and uniformity in the administrative process.

(c) The incorporating document is drafted and submitted for publication in accordance with 1 CFR part 51.

Properly approved incorporations by reference in this volume are listed in the Finding Aids at the end of this volume.

What if the material incorporated by reference cannot be found? If you have any problem locating or obtaining a copy of material listed in the Finding Aids of this volume as an approved incorporation by reference, please contact the agency that issued the regulation containing that incorporation. If, after contacting the agency, you find the material is not available, please notify the Director of the Federal Register, National Archives and Records Administration, Washington DC 20408, or call (202) 535–4534.

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A List of CFR Sections Affected (LSA) is published monthly, keyed to the revision dates of the 50 CFR titles.
Title 33—Navigation and Navigable Waters is composed of three volumes. The contents of these volumes represent all current regulations codified under this title of the CFR as of July 1, 2002. The first and second volumes, parts 1–124 and 125–199, contain current regulations of the Coast Guard, Department of Transportation. The third volume, part 200 to End, contains current regulations of the Corps of Engineers, Department of the Army, and the Saint Lawrence Seaway Development Corporation, Department of Transportation.

In volumes one and two, subject indexes follow the subchapters. A redesignation table also appears in the Finding Aids section of the first volume.
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**CROSS REFERENCES:**
- United States Customs Service, Department of the Treasury: 19 CFR Chapter I.
- Maritime Administration, Department of Transportation: 46 CFR Chapter II.
- Federal Maritime Commission: 46 CFR Chapter IV.

**NOTE:** Other regulations issued by the Department of Transportation appear in Titles 14, I, II, III; 23, I, II, III; 33, I, IV; 44, IV; 46, I, II, III; 48, Chapters 12 and 63, and 49 Subtitle A, I, II, III, IV, V, and VI.

**ABBREVIATIONS:**
- The following abbreviations are used in this chapter:
BMC=Chief Boatswains Mate. CGFR=Coast Guard Federal Register document number. CG=Coast Guard. EM=Electrician’s Mate. LS=Lightship. NC=Flag hoist meaning, “I am in distress and require immediate assistance.” NCG=Call letters for any Coast Guard Shore Radio Station. OAN=Aids to Navigation Division. PTP=Training and Procurement. U.S.C.G.=United States Coast Guard.
SUBCHAPTER A—GENERAL

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Subpart 1.01—Delegation of Authority


§ 1.01–1 District Commander.

Final authority for the performance within the confines of his district of the functions of the Coast Guard,
which in general terms are maritime law enforcement, saving and protecting life and property, safeguarding navigation on the high seas and navigable waters of the United States, and readiness for military operations, is delegated to the District Commander by the Commandant. In turn delegations of final authority run from the District Commander to commanding officers of units under the District Commander for the performance of the functions of law enforcement, patrol of marine regattas and parades, and the saving of life and property which come within the scope of their activities.

[CGFR 48–72, 13 FR 9330, Dec. 31, 1948]

§ 1.01–20 Officer in Charge, Marine Inspection. Final authority is vested in the Officer in Charge, Marine Inspection, for the performance, within the area of his jurisdiction, of the following functions: Inspection of vessels in order to determine that they comply with the applicable laws, rules, and regulations relating to safe construction, equipment, manning, and operation and that they are in a seaworthy condition for the services in which they are operated; shipyard and factory inspections; the investigation of marine casualties and accidents; the licensing, certificating, shipment and discharge of seamen; the investigating and initiating of action in cases of misconduct, negligence, or incompetence of merchant marine officers or seamen; and the enforcement of vessel inspection, navigation, and seamen’s laws in general. Specific procedures for appealing the decisions of the Officer in Charge, Marine Inspection, or of his subordinates are set forth in 46 CFR parts 1 to 4.


§ 1.01–30 Captains of the Port. Captains of the Port and their representatives enforce within their respective areas port safety and security and marine environmental protection regulations, including, without limitation, regulations for the protection and security of vessels, harbors, and waterfront facilities; anchorages; security zones; safety zones; regulated navigation areas; deepwater ports; water pollution; and ports and waterways safety.


§ 1.01–40 Delegation to the Vice Commandant. The Commandant delegates to the Vice Commandant authority to take final agency action under 46 CFR part 5, Subparts I, J and K on each petition to reopen a hearing and on each appeal from a decision of an Administrative Law Judge, except on petition or appeal in a case in which an order of revocation has been issued. This delegation does not prevent the Vice Commandant from acting as Commandant, as prescribed in 14 U.S.C. 47(a), for all purposes of 46 CFR part 5.


§ 1.01–50 Delegation to District Commander, Seventeenth Coast Guard District. The Commandant redelegates to the District Commander, Seventeenth Coast Guard District, the authority in 46 U.S.C. 3302(i)(1) to issue permits to certain vessels transporting cargo, including bulk fuel, from one place in Alaska to another place in Alaska.


§ 1.01–60 Delegations for issuance of bridge permits. (a) The Commandant delegates to the Assistant Commandant for Operations, the authority to issue the following permits for the construction, reconstruction, or alteration of bridges across navigable waters of the United States:

(i) Those that require:

(1) An environmental assessment or environmental impact statement under the National Environmental Policy Act of 1969, as amended, (42 U.S.C. 4321 et seq.) and all implementing regulations, orders, and instructions.


(iii) Concurrence of the Department of Transportation under DOT Order
§ 1.01–70 CERCLA delegations.

(a) For the purpose of this section, the definitions in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Pub. L. 96–510), as amended by the Superfund Amendments and Reauthorization Act of 1986 (Pub. L. 99–490), apply. The Act, as amended, is referred to in this section as CERCLA.

(b) The Assistant Commandant for Marine Safety, Security and Environmental Protection (G–M) is delegated authority to take remedial action involving vessels under section 104 of CERCLA.

(c) Each Maintenance and Logistics Commander is delegated contract authority, consistent with each memorandum of understanding between the Coast Guard and the Environmental Protection Agency regarding CERCLA funding mechanisms, for the purpose of carrying out response actions pursuant to CERCLA sections 104(a), 104(b), 104(f), 104(g), 105(f), and 122.

(d) Each district commander is delegated authority as follows:

(1) Authority, pursuant to CERCLA section 106(a), to determine an imminent and substantial endangerment to the public health or welfare or the environment because of an actual or threatened release of a hazardous substance from a facility, and to secure such relief as may be necessary to abate such danger or threat through the United States attorney of the district in which the threat occurs.

(2) Authority, pursuant to section 109 of CERCLA, to assess penalties relating to violations of sections 103(a) and (b) pertaining to notification requirements, section 108 pertaining to financial responsibility for release of hazardous substances from vessels, and section 122 pertaining to administrative orders and consent decrees.

(3) Authority, pursuant to section 108 of CERCLA, to deny entry to any port or place in the United States or to the navigable waters of the United States and detain at any port or place in the United States any vessel subject to section 108(a) of CERCLA that, upon request, does not provide evidence of financial responsibility.

(e) Subject to the provisions of Executive Order 12580, 49 CFR 1.46 (ff) and (gg), and paragraph (g) of this section, each Coast Guard official, predesignated as an On-Scene Coordinator, is delegated authority as follows:

(1) Authority, pursuant to CERCLA sections 104(a), 104(b), 104(c) and consistent with the National Contingency Plan, to remove or arrange for the removal of releases and threatened releases of hazardous substances from vessels, and of pollutants or contaminants which may present an imminent and substantial danger to the public health or welfare.

(2) Authority, pursuant to CERCLA section 104(i)(11), to take such steps as may be necessary to reduce exposure that presents a significant risk to human health, and to eliminate or substantially mitigate that significant risk to human health.

(3) Authority, pursuant to CERCLA section 106(a), to issue orders to protect the public health and welfare and the environment whenever that official determines that a release or threatened
§ 1.01–80  FWPCA and OPA 90 delegations.

(a) This section delegates authority to implement provisions of section 311 of the Federal Water Pollution Control Act (FWPCA), as amended [33 U.S.C. 1321] and provisions of the Oil Pollution Act of 1990 (OPA 90). The definitions in subsection (a) of section 311 of the FWPCA and section 1001 of OPA 90 [33 U.S.C. 2701] apply.

(b) The Assistant Commandant for Marine Safety, Security and Environmental Protection, is delegated authority to require the owner or operator of a facility to establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment and methods, and provide such other information as may be required to carry out the objectives of section 311 of the FWPCA [33 U.S.C. 1321].

(c) Each District and Area Commander is delegated authority within the Commander’s assigned district or area to—

(1) Deny entry to any place in the United States or to the navigable waters of the United States, and to detain at any place in the United States, any vessel subject to section 1016 of OPA 90 [33 U.S.C. 2716] that, upon request, does not provide evidence of financial responsibility;

(2) Seize and, through the Chief Counsel, seek forfeiture to the United States of any vessel subject to the requirements of section 1016 of OPA 90 [33 U.S.C. 2716] that is found in the navigable waters of the United States without the necessary evidence of financial responsibility;

(3) Assess any class I civil penalty under subsection (b) of section 311 of the FWPCA [33 U.S.C. 1321], in accordance with the procedures in subpart 1.07 of this chapter;

(4) Assess any civil penalty under section 4303 of OPA 90 [33 U.S.C. 2716a] in accordance with the procedures in subpart 1.07 of this chapter;

(5) Board and inspect any vessel upon the navigable waters of the United States or the waters of the contiguous zone, except for public vessels; with or without warrant, arrest any person who, in the Commander’s presence or view, violates a provision of section 311 of the FWPCA [33 U.S.C. 1321] or any regulation issued thereunder; and execute any warrant or other process issued by an officer or court of competent jurisdiction, as prescribed in

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section 311(m)(1) of the FWPCA [33 U.S.C. 1321(m)(1)];

(6) Enter and inspect any facility in the coastal zone at reasonable times; have access to and copy any records; take samples; inspect monitoring equipment required by section 311(m)(2)(A) of the FWPCA [33 U.S.C. 1321(m)(2)(A)]; with or without warrant, arrest any person who, in the Commander’s presence or view, violates a provision of section 311 of the FWPCA [33 U.S.C. 1321] or any regulation issued thereunder; and execute any warrant or other process issued by an officer or court of competent jurisdiction, as prescribed in section 311(m)(2) of the FWPCA [33 U.S.C. 1321(m)(2)(A)]; and

(7) Determine for purposes of section 311(b)(12) of the FWPCA [33 U.S.C. 1321(b)(12)]—

(i) Whether reasonable cause exists to believe that an owner, operator, or person in charge may be subject to a civil penalty under section 311(b) of the FWPCA [33 U.S.C. 1321(b)]; and

(ii) Whether a filed bond or other security is satisfactory.

(d) Each Coast Guard official predesignated as the On-Scene Coordinator by the applicable Regional Contingency Plan is delegated authority pursuant to section 311(c) of the FWPCA [33 U.S.C. 1321(c)], subject to paragraph (e) of this section, in accordance with the National Contingency Plan and any appropriate Area Contingency Plan, to ensure the effective and immediate removal of a discharge and mitigation or prevention of a substantial threat of a discharge of oil or a hazardous substance by—

(1) Removing or arranging for the removal of a discharge and mitigating or preventing an imminent and substantial threat of a discharge at any time;

(2) Directing or monitoring all Federal, State, and private actions to remove a discharge, including issuance of orders;

(3) Determining, pursuant to section 311(c) of the FWPCA [33 U.S.C. 1321(c)], whether a discharge or a substantial threat of a discharge of oil or a hazardous substance from a vessel, offshore facility, or onshore facility is of such a size or character as to be a substantial threat to the public health or welfare of the United States (including, but not limited to fish, shellfish, wildlife, other natural resources, and the public and private beaches and shorelines of the United States); and, if it is, directing all Federal, State, and private actions to remove the discharge or to mitigate or prevent the threatened discharge;

(4) Determining, pursuant to section 311(e) of the FWPCA [33 U.S.C. 1321(e)], that there may be an imminent and substantial threat to the public health and welfare of the United States, and, if there is, may—

(i) Determine an imminent and substantial threat as a basis for recommending referral for judicial relief; or

(ii) Act pursuant to section 311(e)(1)(B) of the FWPCA [33 U.S.C. 1321(e)(1)(B)], including the issuance of orders; and

(5) Acting to mitigate the damage to the public health or welfare caused by a discharge of oil or a hazardous substance.

(e) The authority described in paragraph (d) of this section does not include the authority to—

(1) Remove or destroy a vessel; or

(2) Take any other action that constitutes intervention under the Intervention on the High Seas Act [33 U.S.C. 1471, et seq.] or other applicable laws.

For purposes of this section, “intervention” means any detrimental action taken against the interest of a vessel or its cargo without the consent of the vessel’s owner or operator.


§ 1.01–85 Redelegation.

Except as provided in § 1.01–80(e)(1) and (2), each Coast Guard officer to whom authority is granted in § 1.01–80 may redelegate and authorize successive redelegations of that authority within the command under the officer’s jurisdiction, or to members of the officer’s staff.


§ 1.01–90 Commissioned, warrant, and petty officers.

Any commissioned, warrant, or petty officer of the United States Coast
Guard may be authorized to carry out the functions delegated to superior officials under §§1.01–1, 1.01–20, 1.01–30, 1.01–70, and 1.07–80, or redelegated under §1.01–85, within the jurisdiction of the cognizant official. They will do so under the supervision and general direction of that official.


Subpart 1.05—Rulemaking


SOURCE: CGD 95–057, 60 FR 34148, June 30, 1995, unless otherwise noted.

§ 1.05–1 Delegation of rulemaking authority.

(a) The Secretary of Transportation is empowered by various statutes to issue regulations regarding the functions, powers and duties of the Coast Guard.

(b) The Secretary of Transportation has delegated much of this authority to the Commandant, U.S. Coast Guard, including authority to issue regulations regarding the functions of the Coast Guard and the authority to redelegate and authorize successive redelegations of that authority within the Coast Guard. These delegations are reflected in 49 CFR 1.45 and 1.46.

(c) The Commandant has reserved the authority to issue any rules and regulations determined to be significant under Executive Order 12866, Regulatory Planning and Review.

(d) The Commandant has redelegated to the various office chiefs at U.S. Coast Guard Headquarters, with the reservation that this authority shall not be further redelegated, the authority to develop and issue regulations necessary to implement laws, treaties, or Executive Orders associated with their assigned programs; issue amendments to existing regulations as necessary; and submit regulatory proposals for Marine Safety Council consideration.

(e)(1) The Commandant has redelegated to Coast Guard District Commanders, with the reservation that this authority shall not be further redelegated, the authority to issue regulations pertaining to the following: (i) Anchorage grounds and special anchorage areas. (ii) The designation of lightering zones. (iii) The operation of drawbridges. (iv) The establishment of Regulated Navigation Areas. (v) The establishment of safety and security zones. (vi) The establishment of special local regulations.

(f) Except for those matters specified in paragraph (c) of this section, the Commandant has redelegated to Coast Guard Captains of the Port, with the reservation that this authority shall not be further redelegated, the authority to establish safety and security zones.

(g) The Commandant has redelegated to Coast Guard District Commanders, Captains of the Port, the Assistant Commandant for Operations, and the Assistant Commandant for Marine Safety, Security and Environmental Protection, the authority to make the certification required by section 605(b) of the Regulatory Flexibility Act (Sec. 605(b), Pub. L. 96–354, 94 Stat. 1168 (5 U.S.C. 605)) for rules that they issue.


§ 1.05–5 Marine Safety Council.

The Marine Safety Council, composed of senior Coast Guard officials, acts as policy advisor to the Commandant and is the focal point of the Coast Guard regulatory system. The Marine Safety Council provides oversight, review, and guidance for all Coast Guard regulatory activity.

§ 1.05–10 Regulatory process overview.

(a) Most rules of local applicability are issued by District Commanders and Captains of the Port, while rules of wider applicability are issued by senior Coast Guard officials at Coast Guard Headquarters. For both significant
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§ 1.05–20 Petitions for rulemaking.

(a) Any member of the public may petition the Coast Guard to undertake a rulemaking action. There is no prescribed form for a petition for rulemaking, but the document should provide some supporting information as to why the petitioner believes the proposed rulemaking is necessary and the document should clearly indicate that it is a petition for rulemaking. Petitions should be addressed to the Executive Secretary, Marine Safety Council (G–LRA/3406), United States Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001.

(b) The petitioner will be notified of the Coast Guard’s decision whether to initiate a rulemaking or not. If the Coast Guard decides not to pursue a rulemaking, the petitioner will be notified of the reasons why. If the Coast Guard decides to initiate rulemaking, it will follow the procedure outlined in this subpart. The Coast Guard may publish a notice acknowledging receipt of a petition for rulemaking in the Federal Register.

(c) Any petition for rulemaking and any reply to the petition will be kept in a public file open for inspection.

§ 1.05–25 Public docket.

(a) A public file is maintained for each petition for rulemaking and each Coast Guard regulation and notice published in the Federal Register. Each file contains copies of every rulemaking document published for the project, public comments received,
summaries of public meetings or hearings, regulatory assessments, and other publicly-available information. Members of the public may inspect the public docket and copy any documents in the file. Each rulemaking document will identify where the public file for that rulemaking is maintained.

(b) The public dockets for Coast Guard rulemaking activity initiated by Coast Guard District Commanders are available for public inspection at the appropriate Coast Guard District office.

(c) The public dockets for Coast Guard rulemaking activity initiated by Captains of the Port are available for inspection at the appropriate Captain of the Port office.

§ 1.05–30 Advance notice of proposed rulemaking (ANPRM).

An advance notice of proposed rulemaking may be used to alert the affected public about a new regulatory project, or when the Coast Guard needs more information about what form proposed regulations should take, the actual need for a regulation, the cost of a proposal, or any other information. The ANPRM may solicit general information or ask the public to respond to specific questions.

§ 1.05–35 Notice of proposed rulemaking (NPRM).

Under the Administrative Procedure Act (APA), 5 U.S.C. 553, an NPRM is generally published in the Federal Register for Coast Guard rulemakings. The NPRM normally contains a preamble statement in sufficient detail to explain the proposal, its background, basis, and purpose, and the various issues involved. It also contains a discussion of any comments received in response to prior notices, a citation of legal authority for the rule, and the text of the proposed rule.

§ 1.05–40 Supplemental notice of proposed rulemaking (SNPRM).

An SNPRM may be issued if a proposed rule has been substantially changed from the original notice of proposed rulemaking. The supplemental notice advises the public of the revised proposal and provides an opportunity for additional comment. To give the public a reasonable opportunity to become reacquainted with a rulemaking, a supplemental notice may also be issued if considerable time has elapsed since publication of a notice of proposed rulemaking. An SNPRM contains the same type of information generally included in an NPRM.

§ 1.05–45 Interim rule.

(a) An interim rule may be issued when it is in the public interest to promulgate an effective rule while keeping the rulemaking open for further refinement. For example, an interim rule may be issued in instances when normal procedures for notice and comment prior to issuing an effective rule are not required, minor changes to the final rule may be necessary after the interim rule has been in place for some time, or the interim rule only implements portions of a proposed rule, while other portions of the proposed rule are still under development.

(b) An interim rule will be published in the Federal Register with an effective date that will generally be at least 30 days after the date of publication. After the effective date, an interim rule is enforceable and is codified in the next annual revision of the appropriate title of the Code of Federal Regulations.

§ 1.05–50 Final rule.

In some instances, a final rule may be issued without prior notice and comment. When notice and comment procedures have been used, and after all comments received have been considered, a final rule is issued. A final rule document contains a preamble that discusses comments received, responses to comments and changes made from the proposed or interim rule, a citation of legal authority, and the text of the rule.

§ 1.05–55 Direct final rule.

(a) A direct final rule may be issued to allow noncontroversial rules that are unlikely to result in adverse public comment to become effective more quickly.

(b) A direct final rule will be published in the Federal Register with an effective date that is generally at
least 90 days after the date of publication.

(c) The public will usually be given at least 60 days from the date of publication in which to submit comments or notice of intent to submit comments.

(d) If no adverse comment or notice of intent to submit an adverse comment is received within the specified period, the Coast Guard will publish a notice in the Federal Register to confirm that the rule will go into effect as scheduled.

(e) If the Coast Guard receives a written adverse comment or a written notice of intent to submit an adverse comment, the Coast Guard will publish a notice in the final rule section of the Federal Register to announce withdrawal of the direct final rule. If an adverse comment clearly applies to only part of a rule, and it is possible to remove that part without affecting the remaining portions, the Coast Guard may adopt as final those parts of the rule on which no adverse comment was received. Any part of a rule that is the subject of an adverse comment will be withdrawn. If the Coast Guard decides to proceed with a rulemaking following receipt of an adverse comment, a separate Notice of Proposed Rulemaking (NPRM) will be published unless an exception to the Administrative Procedure Act requirements for notice and comment applies.

(f) A comment is considered adverse if the comment explains why the rule would be inappropriate, including a challenge to the rule’s underlying premise or approach, or would be ineffective or unacceptable without a change.

[CGD 94–105, 60 FR 49224, Sept. 22, 1995]

§ 1.07–5 Definitions.

(a) The term District Commander, when used in this subpart, means the District Commander, or any person under the District Commander’s command, delegated to carry out the provisions of §1.07–10(b).

(b) The term Hearing Officer means a Coast Guard officer or employee who has been delegated the authority to assess civil penalties.

(c) The term issuing officer means any qualified Coast Guard commissioned, warrant, or petty officer.

(d) The term Notice of Violation means a notification of violation and preliminary assessment of penalty, given to a party, in accordance with §1.07–11.

(e) The term party means the person alleged to have violated a statute or regulation to which a civil penalty applies and includes an individual or public or private corporation, partnership or other association, or a governmental entity.

[CGD 93–079, 59 FR 16569, Apr. 7, 1994]
§ 1.07–10 Reporting and investigation.

(a) Any person may report an apparent violation of any law, regulation, or order that is enforced by the Coast Guard to any Coast Guard facility. When a report of an apparent violation has been received, or when an apparent violation has been detected by any Coast Guard personnel, the matter is investigated or evaluated by Coast Guard personnel. Once an apparent violation has been investigated or evaluated, a report of the investigation may be sent to the District Commander or other designated official in accordance with paragraph (b) of this section or a Notice of Violation under §1.07–11 may be given to the party by an issuing officer.

(b) Reports of any investigation conducted by the Coast Guard or received from any other agency which indicate that a violation may have occurred may be forwarded to a District Commander or other designated official for further action. This is normally the District Commander of the District in which the violation is believed to have occurred, or the District in which the reporting unit or agency is found. The report is reviewed to determine if there is sufficient evidence to establish a prima facie case. If there is insufficient evidence, the case is either returned for further investigation or closed if further action is unwarranted. The case is closed in situations in which the investigation has established that a violation did not occur, the violator is unknown, or there is little likelihood of discovering additional relevant facts. If it is determined that a prima facie case does exist, a case file is prepared and forwarded to the Hearing Officer, with a recommended action. A record of any prior violations by the same person or entity, is forwarded with the case file.


§ 1.07–11 Notice of violation.

(a) After investigation and evaluation of an alleged violation has been completed, an issuing officer may issue a Notice of Violation to the party.

(b) The Notice of Violation will contain the following information:

(1) The alleged violation and the applicable law or regulations violated;

(2) The amount of the maximum penalty that may be assessed for each violation;

(3) The amount of proposed penalty that appears to be appropriate;

(4) A statement that payment of the proposed penalty within 45 days will settle the case;

(5) The place to which, and the manner in which, payment is to be made;

(6) A statement that the party may decline the Notice of Violation and that if the Notice of Violation is declined, the party has the right to a hearing prior to a final assessment of a penalty by a Hearing Officer.

(c) The Notice of Violation may be hand delivered to the party or an employee of the party, or may be mailed to the business address of the party.

(d) If a party declines a Notice of Violation or takes no action on the Notice of Violation within 45 days, the case file will be sent to the District Commander for processing under the procedures described in §1.07–10(b).

[CGD 93–079, 59 FR 66482, Dec. 27, 1994]

EFFECTIVE DATE NOTE: By USCG–2001–9175, 67 FR 38388, June 4, 2002, §1.07–11 was amended by revising paragraphs and adding new paragraphs (b)(7), (e) and (f), effective July 5, 2002. For the convenience of the user the revised and added text is set forth as follows:

§ 1.07–11 Notice of Violation.

* * * * *

(b) * * *

(7) A statement that failure to either pay the proposed penalty on the Notice of Violation or decline the Notice of Violation and request a hearing within 45 days will result in a finding of default and the Coast Guard will proceed with the civil penalty in the amount recommended on the Notice of Violation without processing the violation under the procedures described in 33 CFR 1.07–10(b).

* * * * *

(d) If a party declines the Notice of Violation within 45 days, the case file will be sent to the District Commander for processing under the procedures described in 33 CFR 1.07–10(b).

(e) If a party pays the proposed penalty on the Notice of Violation within 45 days, a
finding of proved will be entered into the case file.

(f) If within 45 days of receipt a party—

(1) Fails to pay the proposed penalty on the Notice of Violation; and

(2) Fails to decline the Notice of Violation—the Coast Guard will enter a finding of default in the case file and proceed with the civil penalty in the amount recommended on the Notice of Violation without processing the violation under the procedures described in 33 CFR 1.07–10(b).

§ 1.07–15 Hearing Officer.

(a) The Hearing Officer has no other responsibility, direct or supervisory, for the investigation of cases referred for the assessment of civil penalties. The hearing officer may take action on a case referred by any District Commander.

(b) The Hearing Officer decides each case on the basis of the evidence before him, and must have no prior connection with the case. The Hearing Officer is solely responsible for the decision in each case referred to him.

(c) The Hearing Officer is authorized to administer oaths and issue subpoenas necessary to the conduct of a hearing, to the extent provided by law.


§ 1.07–20 Initiation of action.

(a) When a case is received for action, the Hearing Officer makes a preliminary examination of the material submitted. If, on the basis of the preliminary examination, the Hearing Officer determines that there is insufficient evidence to proceed, or that there is any other reason which would make penalty action inappropriate, the Hearing Officer returns the case to the District Commander with a written statement of the reason. The District Commander may close the case or cause a further investigation of the alleged violation to be made with a view toward resubmittal of the case to the Hearing Officer.

(b) If on the basis of the preliminary examination of the case file, the Hearing Officer determines that a violation appears to have been committed, the Hearing Officer notifies the party in writing of:

(1) The alleged violation and the applicable law or regulations;

(2) The amount of the maximum penalty that may be assessed for each violation;

(3) The general nature of the procedure for assessing and collecting the penalty;

(4) The amount of penalty that appears to be appropriate, based on the material then available to the Hearing Officer;

(5) The right to examine all materials in the case file and have a copy of all written documents provided upon request; and,

(6) The fact that the party may demand a hearing prior to any actual assessment of a penalty.

(c) If at any time it appears that the addition of another party to the proceedings is necessary or desirable, the Hearing Officer provides the additional party with notice as described above.

§ 1.07–25 Preliminary matters.

(a) Within 30 days after receipt of notice of the initiation of the action, as described above, the party, or counsel for the party, may request a hearing, provide any written evidence and arguments in lieu of a hearing, or pay the amount specified in the notice as being appropriate. A hearing must be requested in writing; the request must specify the issues which are in dispute. Failure to specify a nonjurisdictional issue will preclude its consideration.

(b) The right to a hearing is waived if the party does not submit the request to the Hearing Officer within 30 days after receiving notice of the alleged violation. At the discretion of the Hearing Officer, a hearing may be granted if the party submits a late request.

(c) The Hearing Officer must promptly schedule all hearings which are requested. The Hearing Officer shall grant any delays or continuances which may be necessary or desirable in the interest of fairly resolving the case.

(d) A party who has requested a hearing may amend the specification of the issues in dispute at any time up to 10 days before the scheduled date of the hearing. Issues raised later than 10 days before the scheduled hearing may
§ 1.07–30 Disclosure of evidence.

The alleged violator may, upon request, receive a free copy of all the written evidence in the case file, except material that would disclose or lead to the disclosure of the identity of a confidential informant. Other evidence or material, such as blueprints, sound or video tapes, oil samples, and photographs may be examined in the Hearing Officer’s offices. The Hearing Officer may provide for examination or testing of evidence at other locations if there are adequate safeguards to prevent loss or tampering.

§ 1.07–35 Request for confidential treatment.

(a) In addition to information treated as confidential under § 1.07–30, a request for confidential treatment of a document or portion thereof may be made by the person supplying the information on the basis that the information is:

(1) Confidential financial information, trade secrets, or other material exempt from disclosure by the Freedom of Information Act (5 U.S.C. 552);
(2) Required to be held in confidence by 18 U.S.C. 1905; or
(3) Otherwise exempt by law from disclosure.

(b) The person desiring confidential treatment must submit the request to the Hearing Officer in writing and state the reasons justifying nondisclosure.

(c) Confidential material is not considered by the Hearing Officer in reaching a decision unless:

(1) It has been furnished by a party, or
(2) It has been furnished pursuant to a subpoena.

§ 1.07–40 Counsel.

A party has the right to be represented at all stages of the proceeding by counsel. After receiving notification that a party is represented by counsel, the Hearing Officer directs all further communications to that counsel.

§ 1.07–45 Location of hearings and change of venue.

(a) The hearing is normally held at the office of the Hearing Officer.

(b) The Hearing Officer may transfer a case to another Hearing Officer on request or on the Hearing Officer’s own motion.

(c) A request for change of location of a hearing or transfer to another Hearing Officer must be in writing and state the reasons why the requested action is necessary or desirable. Action on the request is at the discretion of the Hearing Officer.

§ 1.07–50 Witnesses.

A party may present the testimony of any witness either through a personal appearance or through a written statement. The party may request the assistance of the Hearing Officer in obtaining the personal appearance of a witness. The request must be in writing and state the reasons why a written statement would be inadequate, the issue or issues to which the testimony would be relevant, and the substance of the expected testimony. If the Hearing Officer determines that the personal appearance of the witness may materially aid in the decision on the case, the Hearing Officer seeks to obtain the witness’ appearance. Because many statutes prescribing civil penalties do not provide subpoena power, there may be cases where a witness cannot be required to attend. In such a case, the Hearing Officer may move the hearing to the witness’ location, accept a written statement, or accept a stipulation in lieu of testimony. If none of these procedures is practical, the Hearing Officer shall proceed on the basis of the evidence before him.
§ 1.07–55 Hearing procedures.

(a) The Hearing Officer must conduct a fair and impartial proceeding in which the party is given a full opportunity to be heard. At the outset of the hearing, the Hearing Officer insures that the party is aware of the nature of the proceeding and of the alleged violation, and of the provisions of the law or regulation allegedly violated.

(b) The material in the case file pertinent to the issues to be determined by the Hearing Officer is presented. The party has the right to examine, and to respond to or rebut, this material. The party may offer any facts, statements, explanations, documents, sworn or unsworn testimony, or other exculpatory items which bear on appropriate issues, or which may be relevant to the size of an appropriate penalty. The Hearing Officer may require the authentication of any written exhibit or statement.

(c) At the close of the party’s presentation of evidence, the Hearing Officer may allow the introduction of rebuttal evidence. The Hearing Officer may allow the party to respond to any such evidence submitted.

(d) In receiving evidence, the Hearing Officer is not bound by strict rules of evidence. In evaluating the evidence presented, the Hearing Officer must give due consideration to the reliability and relevance of each item of evidence.

(e) The Hearing Officer may take notice of matters which are subject to a high degree of indisputability and are commonly known in the community or are ascertainable from readily available sources of known accuracy. Prior to taking notice of a matter, the Hearing Officer gives the party an opportunity to show why notice should not be taken. In any case in which notice is taken, the Hearing Officer places a written statement of the matters as to which notice was taken in the record, with the basis for such notice, including a statement that the party consented to notice being taken or a summary of the party’s objections.

(f) After the evidence in the case has been presented, the party may present argument on the issues in the case. The party may also request an opportunity to submit a written statement for consideration by the Hearing Officer and for further review. The Hearing Officer shall allow a reasonable time for submission of the statement and shall specify the date by which it must be received. If the statement is not received within the time prescribed, or within the limits of any extension of time granted by the Hearing Officer, the Hearing Officer renders his decision in the case.

§ 1.07–60 Records.

(a) A verbatim transcript will not normally be prepared. The Hearing Officer prepares notes on the material and points raised by the party, in sufficient detail to permit a full and fair review and resolution of the case, should it be appealed.

(b) A party may, at its own expense, cause a verbatim transcript to be made. If a verbatim transcript is made, the party shall submit two copies to the Hearing Officer not later than the time of filing an administrative appeal. The Hearing Officer includes them in the record.


§ 1.07–65 Hearing Officer’s decisions.

(a) The Hearing Officer issues a written decision. Any decision to assess a penalty is based upon substantial evidence in the record. If the Hearing Officer finds that there is not substantial evidence in the record establishing the alleged violation or some other violation of which the party had full and fair notice, the Hearing Officer shall dismiss the case and remand it to the District Commander. A dismissal is without prejudice to the District Commander’s right to refile the case and have it reheard if additional evidence is obtained. A dismissal following a rehearing is final and with prejudice.

(b) If the Hearing Officer assesses a penalty, the Hearing Officer’s decision contains a statement advising the party of the right to an administrative appeal. The party is advised that failure to submit an appeal within the prescribed time will bar its consideration and that failure to appeal on the basis of a particular issue will constitute a
§ 1.07–70 Waiver of that issue in any subsequent proceeding.

§ 1.07–70 Right to appeal.

(a) Any appeal from the decision of the Hearing Officer must be submitted by a party within 30 days from the date of receipt of the decision. The appeal and any supporting brief must be submitted to the Hearing Officer. The only issues which will be considered on appeal are those issues specified in the appeal which were properly raised before the Hearing Officer and jurisdictional questions.

(b) The failure to file an appeal within the prescribed time limit results in the action of the Hearing Officer becoming the final agency action in the case.

§ 1.07–75 Action on appeals.

(a) Upon receipt, the Hearing Officer provides a copy of the appeal and any supporting brief to the District Commander who referred the case. Any comments which the District Commander desires to submit must be received by the Hearing Officer within 30 days. The Hearing Officer includes the District Commander’s comments, or not later than 30 days after receipt of the appeal if no comments are submitted by the District Commander, the Hearing Officer forwards all materials in the case to the Commandant.

(b) The Commandant issues a written decision in each case and furnishes copies to the party, the District Commander, and the Hearing Officer. The Commandant may affirm, reverse, or modify the decision, or remand the case for new or additional proceedings. In the absence of a remand, the decision of the Commandant on appeal shall be final. In addition to the actions which may be taken by the Commandant on appeal, the Commandant may also remit, mitigate or suspend the assessment in whole or in part. Upon the taking of remission, mitigation, or suspension action, the Commandant will inform the party of the action and any conditions placed on the action.

§ 1.07–80 Reopening of hearings.

(a) At any time prior to final agency action in a civil penalty case, a party may petition to reopen the hearing on the basis of newly discovered evidence.

(b) Petitions to reopen must be in writing describing the newly found evidence and must state why the evidence would probably produce a different result favorable to the petitioner, whether the evidence was known to the petitioner at the time of the hearing and, if not, why the newly found evidence could not have been discovered in the exercise of due diligence. The party must submit the petition to the Hearing Officer.

(c) The District Commander may file comments in opposition to the petition. If comments are filed, a copy is provided the party.

(d) A petition to reopen is considered by the Hearing Officer unless an appeal has been filed, in which case the petition is considered by the Commandant.

(e) The decision on the petition is decided on the basis of the record, the petition, and the comments in opposition, if any. The petition is granted only when newly found evidence is described which has a direct and material bearing on the issues and when a valid explanation is provided as to why the evidence was not and could not have been, in the exercise of due diligence, produced at the hearing. The decision is rendered in writing.

(f) Following a denial of a petition to reopen, the party is given 30 days to file an appeal if one has not already been filed, or to amend an appeal which has already been filed.

§ 1.07–85 Collection of civil penalties.

(a) Payment of a civil penalty may be made by check or postal money order payable to the U.S. Coast Guard.

(b) Within 30 days after receipt of the Commandant’s decision on appeal, or the Hearing Officer’s decision in a case

[CGD 78–82, 43 FR 54186, Nov. 20, 1978, as amended by CGD 87–008a, 52 FR 17555, May 11, 1987]
§ 1.07–90 Criminal penalties.

(a) Prosecution in the Federal courts for violations of those laws or regulations enforced by the Coast Guard which provide, upon conviction, for punishment by fine or imprisonment is a matter finally determined by the Department of Justice. This final determination consists of deciding whether and under what conditions to prosecute or to abandon prosecution.

(b) Except in those cases where the approval of the Commandant is required, the Area, Maintenance & Logistics Command (MLC), and District Commanders are authorized to refer the case to the U.S. attorney. The Commandant’s approval is required in the following cases where evidence of a criminal offense is disclosed:

1. Marine casualties or accidents resulting in death.
3. Violations of port security regulations (33 CFR parts 6, 121 to 126 inclusive).

(c) The Area, MLC, or District Commander will identify the laws or regulations which were violated and make specific recommendations concerning the proceedings to be instituted by the U.S. attorney in every case.

§ 1.08–1 Applicability.

(a) The regulations in this subpart apply to certain violations of the following statutes and regulations for ...
which Coast Guard boarding officers are authorized to issue written warnings instead of recommending civil or criminal penalty procedures under subpart 1.07 of this part:

(1) 46 CFR 25.05 whistles or other sound producing devices;
(2) 33 CFR part 175, subpart B and 46 CFR subpart 25.25, Personal Flotation Devices.
(3) 46 CFR 25.35 backfire flame control;
(4) 46 CFR 25.40 ventilation;
(5) 33 CFR part 173 numbering;
(6) 46 U.S.C. 103, documented yachts;
(7) 33 CFR part 155 oil pollution prevention; and
(8) 46 CFR 25.30 fire extinguishers;
(9) 33 CFR part 159 marine sanitation devices;
(11) 33 CFR 88.05 Copy of rules.

(b) The Commandant authorizes designated boarding officers to issue warnings for certain minor violations of the statutes and regulations listed in paragraph (a) of this section. Written warnings are not authorized for all violations of these statutes and regulations.

(14 U.S.C. 633, 85 Stat. 228 (46 U.S.C. 1488); 86 Stat. 871 (33 U.S.C. 1322); 49 CFR 1.46(b), (m), and (n)(1))


§ 1.08–5 Procedures.

(a) A written warning may be issued where the boarding officer determines that:

(1) The observed violation is a first offense; and
(2) The operator states that the violation will be promptly corrected.

(b) A written warning may not be issued where:

(1) The operator is required to be licensed;
(2) The violation is a failure to have required safety equipment on board; or
(3) The boarding officer notes three or more violations during one boarding.

(c) Each district office maintains a record of each written warning issued within that district for a period of not more than one year after date of issue except in cases involving violations of 33 CFR part 159 marine sanitation devices, records of which are maintained by each district office for not more than three years after date of issue.

(d) The district commander of the district in which the warning is issued may rescind a written warning and institute civil penalty action under §1.07–9 of this part if a record check discloses a prior written warning or violation issued within one year or in the case of a violation of 33 CFR part 159 a prior written warning or violation issued within three years.

(e) Within 15 days after the date of issue, any person issued a written warning by a Coast Guard boarding officer may appeal the issuance of the warning to the district commander by providing in writing or in person any information that denies, explains, or mitigates the violations noted in the warning.

(f) Each written warning shall indicate that:

(1) The warning is kept on file for a period of not more than one year after date of issue or in the case of a violation of 33 CFR part 159 a period of not more than three years for reference in determining appropriate penalty action if there is a subsequent violation;

(2) If a record check reveals a prior written warning or violation within the time period designated in §1.08–5(d) of this part, the warning may be revoked and civil penalty action instituted;

(3) If an additional violation occurs within the time period designated in §1.08–5(d) the warning may be used as a basis for the assessment of a higher penalty for the subsequent violation; and

(4) Within 15 days after the date of issue, the person who is issued the warning may appeal to the District Commander by providing in writing or in person any information or material that denies, explains, or mitigates the violations noted in the warning.

(14 U.S.C. 633; 85 Stat. 228 (46 U.S.C. 1488); 86 Stat. 871 (33 U.S.C. 1322); 49 CFR 1.46(b), (m), and (n)(1))

Subpart 1.10—Public Availability of Information


§ 1.10–1 Official records and documents.

Identifiable records and documents of the Coast Guard are made available to the public in accordance with the Department of Transportation regulations contained in part 7 of title 49, Code of Federal Regulations.

§ 1.10–5 Public availability of records and documents.

(a) Each person desiring to inspect a record or document covered by this subpart that is located in Headquarters, or to obtain a copy of such a record or document, must make a written request to the Chief, Office of Information Management, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001.

(b) Each person desiring to inspect a record or document covered by this subpart that is located in a Coast Guard district, or to obtain a copy of such a record or document, must make a written request to the district commander in command of the district, or to the officer-in-charge of the appropriate marine inspection zone. Coast Guard districts and marine inspection zones are listed in part 3 of this chapter.

(c) If the person making the request does not know where in the Coast Guard the record or document is located, he may send his request to the Chief, Office of Information Management, at the address in paragraph (a) of this section.


§ 1.10–1 Testimony by Coast Guard personnel and production of records.

(a) The regulations in 49 CFR part 9 apply to the testimony of Coast Guard personnel, production of Coast Guard records, and service of process in legal proceedings.

(b) Except for the acceptance of service of process or pleadings under paragraph (d) of this section and 49 CFR 9.19, the Legal Officer of each Maintenance and Logistics Command, each District Legal Officer, and the Legal Officer assigned to any other Coast Guard unit or command, for matters involving personnel assigned to their command, are delegated the functions of “agency counsel” described in 49 CFR part 9.

(c) A request for a member or employee of the Coast Guard to testify, or for permission to interview such a member or employee, should be made to the Legal officer serving the command to which that member or employee is assigned, or, if the member or employee is serving at Coast Guard Headquarters, or with a command receiving legal services from the Chief counsel, U.S. Coast Guard, to the Chief, Office of Claims and Litigation. Should the member or employee no longer be employed by the Coast Guard, and the testimony or information sought falls within the provisions of 49 CFR part 9, the request should be made to the District Legal Officer serving the geographic area where the former member or employee resides or, if no District Legal Officer has geographic responsibility, to the Chief, Office of Claims and Litigation.

(d) Process or pleadings in any legal proceeding concerning the Coast Guard may be served, at the option of the
server, on the Chief Counsel or the Deputy Chief Counsel of the Coast Guard with the same effect as if served on the Commandant of the Coast Guard. The official accepting the service under this section acknowledges the service and takes further action as appropriate.


Subpart 1.25—Fees and Charges for Certain Records and Services


§ 1.25–1 Purpose.

(a) The regulations in this subpart established fees and charges which shall be imposed by the Coast Guard for making copies or excerpts of information or records, and for issuing certain duplicate documents, certificates, or licenses.

(b) These fees and charges are imposed as required by Title V of the Independent Offices Appropriation Act of 1952 (Sec. 501, 65 Stat. 290, 31 U.S.C. 438a). This Act states that it is the sense of Congress that fees and charges shall be charged for services rendered the public by Federal agencies in order that such services may be performed on a self-sustaining basis to the fullest extent possible.

§ 1.25–30 Exceptions.

(a) The general policies and instructions of the Bureau of the Budget specify when certain services as specifically described in this subpart will be furnished without charge.

(b) The fees and charges prescribed in this subpart are not applicable when requested by, or furnished to, the following persons, or under the following circumstances:

(1) A person who donated the original document.

(2) A person who has an official, voluntary or cooperative relationship to the Coast Guard in rendering services promoting safety of life and property.

(3) Any agency, corporation or branch of the Federal Government.

(4) A person found guilty by an administrative law judge receives one copy of the transcript of the hearing if he:

(i) Files a notice of appeal, under 46 CFR 5.30-1; and

(ii) Requests a copy of the transcript.

(5) A person who has been required to furnish personal documents retained by the Coast Guard.

(6) For other exceptions see 49 CFR 7.97.

(31 U.S.C. 483a; 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))


§ 1.25–40 Fees for services for the public.

The fees for services performed for the public, as prescribed in sections 552(a) (2) and (3) of title 5, United States Code, by the Department of Transportation are in subpart I of title 49, Code of Federal Regulations. The fee schedule for these services is contained in 49 CFR 7.95. The applicable fees are imposed and collected by the Coast Guard as prescribed in 49 CFR 7.93.

(Title V, 65 Stat. 268, 290; sec. 6(b)(1), 80 Stat. 967; 31 U.S.C. 438a; 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))


§ 1.25–45 Special admeasurement services.

If an admeasurer is assigned to measure or certify the tonnage of a vessel at the request of the owner thereof at a place other than a port of entry, a custom station, or port where an officer-in-charge, marine inspection, is located, the owner shall pay the admeasurer’s:

(a) Pay based on the hourly rate for the grade or level of position held or the daily military compensation rate, as appropriate;
§ 1.26–80 Payment of fees, charges or sales.

(a) The payment of fees and charges must be made by postal money order or check payable to the "Treasurer of the United States" or "U.S. Coast Guard," and sent to the office of the Coast Guard performing the service or furnishing or delivering the record, document, or certificate. If copy is to be transmitted by registered, air, or special delivery mail, postal fees therefor will be added to fees provided in this subpart (or the order must include postage stamps or stamped return envelopes).

(b) The fee is payable in advance.


Subpart 1.26—Charges for Duplicate Medals, and Sales of Personal Property, Equipment or Services and Rentals


§ 1.26–10 Sales to Coast Guard Auxiliary.

(a) The provisions of Title 14, U.S. Code, section 891, authorizes the Coast Guard to furnish the Coast Guard Auxiliary such items as flags, pennants, uniforms, and insignia at actual cost.

(b) Sales of the following items (when available) are permitted to members of the Auxiliary:

(1) Auxiliary flags and pennants.

(2) Uniforms.

(3) Auxiliary insignia.

(Sec. 891, 63 Stat. 557 (14 U.S.C. 891)).
§ 1.26–15 Sales of nonexcess personal property and services.

(a) Authority. The provisions of Title 14, U.S. Code, section 641(b), authorizes the Coast Guard to sell apparatus or equipment manufactured by or in use in the Coast Guard, which is not readily procurable in the open market. The provisions of Title 14, U.S. Code, section 654 (Pub. L. 86–159 approved Aug. 14, 1959), authorize the Coast Guard to sell supplies and furnish services to public and commercial vessels, and other watercraft. 49 U.S.C. 44502(d) authorizes the Coast Guard to provide for assistance, the sale of fuel, oil, equipment, and supplies, to an aircraft when necessary to allow the aircraft to continue to the nearest private airport.

(b) Charges established by District Commander. The charges for supplies and services which may be normally expected to be furnished to persons, corporations, companies, vessels, and other watercraft, and non-Federal aircraft, will vary between various geographical regions depending on local circumstances. The District Commander is hereby delegated authority to prescribe and he shall establish, in advance wherever practicable, the charges to be imposed and collected in various areas under his jurisdiction, which will be in accordance with the applicable general minimum terms and conditions in the laws and this section. In those cases where the charges have not been established in advance, the matter shall be priced on an individual basis, taking into consideration the facts and circumstances regarding the situation. The list(s) of charges established by the District Commander shall be available for reading and copying at the office of the issuing District Commander, which list(s) will be up-dated and reissued when necessary.

(c) Sales to vessels and other watercraft. (1) The charges imposed for services are intended to permit repayment of costs involved in those instances where supplies and services are furnished to meet the necessities of the circumstances, and such vessels or watercraft are not within the scope of those distress services performed by the Coast Guard.

(2) Charges for sales of supplies and/or furnishing of services are considered appropriate when the furnishing of food, fuel, general stores, or repairs to the vessel or its equipage are primarily for the convenience of the owner, master, or crew, and furnished at his or their request. It is not intended and the Coast Guard does not procure and stock equipment and supplies except as provided for in current instructions issued by competent authority.

(3) Supplies provided and services performed will be of a limited nature consistent with the situation and within the capabilities of the Coast Guard unit concerned; provided this will not be in competition with commercial enterprise when such facilities are available and deemed adequate. It is not intended to permit the operators of vessels or watercraft to take advantage of the Government by demanding free supplies or services. Determination as to whether charges will be made is dependent upon the circumstances involved in each instance. The responsibility to make this determination rests with the District Commander who may delegate it to his subordinates.

(4) The minimum charge for any supplies or services furnished to a vessel or other watercraft shall be $10. The prices for fuels and materials which may be sold will be at Coast Guard cost plus 20 percent or, if readily determinable, at the commercial price in the immediate operating area, whichever is higher. The charges for services furnished a vessel or watercraft will be an average cost equal to the full price, plus taxes, that a boat owner would pay a local commercial concern for such services.

(5) The sales of supplies and services will be documented and will set forth the name, type, and identifying number of the vessel or watercraft receiving supplies or services; name and address of vessel’s owner; and conditions under which it was determined to make a sale to the vessel or watercraft. Wherever possible, payment shall be obtained at the time supplies and services are furnished.

(d) Sales of equipment not readily procurable on the open market. Charges imposed for sales of apparatus and equipment manufactured by or in use in the Coast Guard which, in the opinion of the Commandant (FS), is not readily
§ 1.26–20
Sales to eligible foreign governments.

(a) Policy of United States. The Congressional policy is set forth in Title 22, U.S. Code, section 2351. The Executive Order No. 10973 dated November 3, 1961 (26 FR 10469), describes the administration of foreign assistance and related functions.
§ 1.26–25
(b) Diplomatic transactions. Sales of Coast Guard material under reimbursable aid will be by direction of the Commandant (FS) and as approved by the Office of the Chief of Naval Operations. Reimbursable aid transactions are diplomatic transactions and are negotiated primarily between the respective foreign military attaché or other representatives of their embassy in Washington, DC, and the Office of the Chief of Naval Operations. Prices will be based on material cost only and estimates will not include packing, crating, and handling or transportation costs. Under reimbursable aid, transportation costs are borne by the purchasing country and shipments are usually accomplished on collect commercial bills of lading.

§ 1.26–25 Payment of charges.
(a) The payment of charges shall be by postal money order or check payable to “U.S. Coast Guard,” and given or sent to the office of the Coast Guard performing the service or furnishing the supplies, equipment, etc.

PART 2—JURISDICTION
Subpart 2.01—Purpose

Sec. 2.01–1 Purpose.

Subpart 2.05—Definitions of Jurisdictional Terms

2.05–1 High seas.
2.05–5 Territorial seas.
2.05–10 Territorial sea baseline.
2.05–15 Contiguous zone.
2.05–20 Internal waters and inland waters.
2.05–25 Navigable waters of the United States; Navigable Waters; Territorial Waters.
2.05–27 Waters subject to tidal influence; waters subject to the ebb and flow of the tide; mean high water.
2.05–30 Waters subject to the jurisdiction of the United States; waters over which the United States has jurisdiction.
2.05–35 Exclusive Economic Zone.

Subpart 2.10—Availability of Jurisdictional Decisions

2.10–1 Maintenance of decisions.
2.10–5 Availability of lists and charts.
2.10–10 Decisions subject to change or modification.
(c) *High seas*, as used in section 2 of the Act of February 19, 1895, as amended, 33 U.S.C. 151, and all laws referring thereto, means the waters seaward of the lines described in 46 CFR 7.


§ 2.05–5 Territorial seas.

(a) With respect to the United States, *territorial seas* means the waters within the belt, 3 nautical miles wide, that is adjacent to its coast and seaward of the territorial sea baseline.

(b) With respect to any foreign country, *territorial seas* means the waters within the belt that is adjacent to its coast and whose breadth and baseline are recognized by the United States.

§ 2.05–10 Territorial sea baseline.

*Territorial Sea Baseline* means the delimitation of the shoreward extent of the territorial seas of the United States drawn in accordance with principles, as recognized by the United States, of the Convention on the Territorial Sea and the Contiguous Zone, 15 U.S.T. 1606. Charts depicting the territorial sea baseline are available for examination in accordance with § 1.10–5(b) of this chapter.

§ 2.05–15 Contiguous zone.

*Contiguous zone* means the belt of high seas, 9 nautical miles wide, that is adjacent to and seaward of the territorial seas of the United States and that was declared to exist in Department of State Public Notice 358 of June 1, 1972, 37 FR 11906.

§ 2.05–20 Internal waters and inland waters.

(a) *Internal waters* and, except as provided in paragraph (b) of this section, *inland waters* mean:  

(1) With respect to the United States, the waters shoreward of the territorial sea baseline.

(2) With respect to any foreign country, the waters shoreward of the baseline of its territorial sea, as recognized by the United States.

(b) *Inland waters*, as used in 33 U.S.C. Chapter 3, means the waters shoreward of the lines described in part 80 of this chapter, except the Great Lakes and their connecting and tributary waters as far east as Montreal, the waters of the Mississippi River between its source and the Huey P. Long Bridge and all of its tributaries emptying thereinto and their tributaries, that part of the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway, and the Red River of the North.


§ 2.05–25 Navigable waters of the United States; Navigable Waters; Territorial Waters.

(a) Except as provided in paragraph (b) of this section, *navigable waters of the United States, navigable waters, and territorial waters* mean, except where Congress has designated them not to be navigable waters of the United States:

(1) Territorial seas of the United States;

(2) Internal waters of the United States that are subject to tidal influence; and

(3) Internal waters of the United States not subject to tidal influence that:

(i) Are or have been used, or are or have been susceptible for use, by themselves or in connection with other waters, as highways for substantial interstate or foreign commerce, notwithstanding natural or man-made obstructions that require portage, or

(ii) A governmental or non-governmental body, having expertise in waterway improvement, determines to be capable of improvement at a reasonable cost (a favorable balance between cost and need) to provide, by themselves or in connection with other waters, highways for substantial interstate or foreign commerce.

(b) *Navigable waters of the United States* and *navigable waters*, as used in sections 311 and 312 of the Federal

2 In various laws administered and enforced by the Coast Guard, the terms “State” and “United States” are defined to include some or all of the territories and possessions of the United States. The definitions in §§2.05–25 and 2.05–30 should be considered as supplementary to these statutory definitions and not as interpretive of them.
Water Pollution Control Act, as amended, 33 U.S.C. 1321 and 1322, mean:

(1) Navigable waters of the United States as defined in paragraph (a) of this section and all waters within the United States tributary thereto; and

(2) Other waters over which the Federal Government may exercise Constitutional authority.

§ 2.05–27 Waters subject to tidal influence; waters subject to the ebb and flow of the tide; mean high water.

Waters subject to tidal influence and waters subject to the ebb and flow of the tide are interpreted as waters below mean high water. “Mean high water” is the average of the height of the diurnal high water at a particular location measured over a lunar cycle period of 19 years. These terms do not include waters above mean high water caused by flood flows, storms, high winds, seismic waves, or other non-lunar phenomena.


[CGD 82–102, 47 FR 54299, Dec. 2, 1982]

§ 2.05–30 Waters subject to the jurisdiction of the United States; waters over which the United States has jurisdiction. 2

Waters subject to the jurisdiction of the United States and waters over which the United States has jurisdiction mean:

(a) Navigable waters of the United States;

(b) Other waters that are located on lands, owned by the United States, with respect to which jurisdiction has been accepted in accordance with 33 U.S.C. 733 by the authorized federal officer having custody, control, or other authority over them;

(c) Other waters that are located on lands, owned by the United States, with respect to which the United States retains concurrent or exclusive jurisdiction from the date that the State in which the lands are located entered the union; and

(d) Waters within the territories and possessions of the United States and the Trust Territories of the Pacific Islands. 2

2See footnote 2 to §2.05–25.

Subpart 2.10—Availability of Jurisdictional Decisions

§ 2.10–1 Maintenance of decisions.

Each Coast Guard district maintains:

(a) A list of waters within the district which the Coast Guard has decided to be navigable waters of the United States for the purposes of its jurisdiction, and

(b) Charts reflecting Coast Guard decisions as to the location of the territorial sea baseline for the purposes of Coast Guard jurisdiction, if the district includes portions of the territorial seas.

§ 2.10–5 Availability of lists and charts.

The lists and charts referred to in §2.10–1 of this chapter are available to the public and may be inspected or obtained in accordance with §1.10–5(b) of this chapter.

§ 2.10–10 Decisions subject to change or modification.

The decisions referred to in §2.10–1 of this subpart are subject to change or modification. Inquiries concerning the status of specific waters, for the purposes of Coast Guard jurisdiction, should be directed to the District Commander of the district in which the waters are located.
PART 3—COAST GUARD AREAS, DISTRICTS, MARINE INSPECTION ZONES, AND CAPTAIN OF THE PORT ZONES

Subpart 3.01—General Provisions

Sec.
3.01-1 General description.
3.01-5 Assignment of functions.

Subpart 3.04—Coast Guard Areas

3.04-1 Atlantic Area.
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Subpart 3.05—First Coast Guard District

3.05-1 First district.
3.05-10 Boston Marine Inspection Zone and Captain of the Port Zone.
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3.05-30 New York Marine Inspection Zone and Captain of the Port Zone.
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Subpart 3.25—Fifth Coast Guard District

3.25-1 Fifth district.
3.25-05 Philadelphia Marine Inspection Zone and Captain of the Port Zone.
3.25-10 Hampton Roads Marine Inspection Zone and Captain of the Port Zone.
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Subpart 3.35—Seventh Coast Guard District

3.35-1 Seventh district.
3.35-10 Miami Marine Inspection Zone and Captain of the Port Zone.
3.35-15 Charleston Marine Inspection Zone and Captain of the Port Zone.
3.35-20 Jacksonville Marine Inspection Zone and Captain of the Port Zone.
3.35-30 Savannah Marine Inspection Zone and Captain of the Port Zone.

Subpart 3.40—Eighth Coast Guard District

3.40-1 Eighth district.
3.40-10 Mobile Marine Inspection Zone and Captain of the Port Zone.
3.40-15 New Orleans Marine Inspection Zone and Captain of the Port Zone.
3.40-17 Morgan City Marine Inspection Zone and Captain of the Port Zone.

3.40-20 Port Arthur Marine Inspection Zone and Captain of the Port Zone.
3.40-28 Houston-Galveston Marine Inspection Zone and Captain of the Port Zone.
3.40-35 Corpus Christi Marine Inspection Zone and Captain of the Port Zone.
3.40-40 St. Louis Marine Inspection Zone and Captain of the Port Zone.
3.40-45 Paducah Marine Inspection Zone and Captain of the Port Zone.
3.40-50 Huntington Marine Inspection Zone and Captain of the Port Zone.
3.40-55 Louisville Marine Inspection Zone and Captain of the Port Zone.
3.40-60 Memphis Marine Inspection Zone and Captain of the Port Zone.
3.40-65 Pittsburgh Marine Inspection Zone and Captain of the Port Zone.

Subpart 3.45—Ninth Coast Guard District

3.45-1 Ninth district.
3.45-5 Cleveland Marine Inspection Zone and Captain of the Port Zone.
3.45-10 Buffalo Marine Inspection Zone and Captain of the Port Zone.
3.45-15 Chicago Marine Inspection Zone and Captain of the Port Zone.
3.45-20 Detroit Marine Inspection Zone and Captain of the Port Zone.
3.45-25 Duluth Marine Inspection Zone and Captain of the Port Zone.
3.45-30 Milwaukee Marine Inspection Zone and Captain of the Port Zone.
3.45-45 Sault Ste. Marie Marine Inspection Zone and Captain of the Port Zone.
3.45-50 Toledo Marine Inspection Zone and Captain of the Port Zone.

Subpart 3.55—Eleventh Coast Guard District

3.55-1 Eleventh district.
3.55-10 Los Angeles-Long Beach Marine Inspection Zone and Captain of the Port Zone.
3.55-15 San Diego Marine Inspection Zone and Captain of the Port Zone.
3.55-20 San Francisco Bay Marine Inspection Zone and Captain of the Port Zone.

Subpart 3.65—Thirteenth Coast Guard District

3.65-1 Thirteenth district.
3.65-10 Puget Sound Marine Inspection Zone and Captain of the Port Zone.
3.65-15 Portland, Oregon, Marine Inspection Zone and Captain of the Port Zone.

Subpart 3.70—Fourteenth Coast Guard District

3.70-1 Fourteenth district.
3.70-10 Honolulu Marine Inspection Zone and Captain of the Port Zone.
3.70-15 Guam Marine Inspection Zone and Captain of the Port Zone.
§ 3.01–1

Subpart 3.01—General Provisions

§ 3.01–1 General description.

(a) The structure of the Coast Guard’s general organization for the performance of its assigned functions and duties consists of the Commandant, assisted by the Headquarters staff, two Area Commanders, as intermediate echelons of operational command, and District Offices to provide regional direction and coordination. The District Offices operate within defined geographical areas of the United States, its territories, and possessions, including portions of the high seas adjacent thereto. The description of the districts is established by the Commandant under the authority delegated by 49 CFR 1.45 and 1.46.

(b) The two Coast Guard Areas are the Atlantic Area (see §3.04–1) and the Pacific Area (see §3.04–3). The Coast Guard Area Commander is in command of a Coast Guard Area; the offices are referred to as a Coast Guard Area Office. The office of the Commander, Atlantic Area, is located in the Fifth Coast Guard District and the Commander, Atlantic Area, also serves as the Fifth District Commander. The office of the Commander, Pacific Area, is located in the Eleventh Coast Guard District and the Commander, Pacific Area, also serves as the Eleventh District Commander. Area Commanders have the responsibility of determining when operational matters require the coordination of forces and facilities of more than one district.

(c) The Coast Guard District Commander is in command of a Coast Guard District and his office may be referred to as a Coast Guard District Office. (See §1.01–1 of this subchapter.)

(d) An Officer in Charge, Marine Inspection, is in command of a Marine Inspection Zone and his office may be referred to as a Coast Guard Marine Inspection Office. (See §1.01–20 of this subchapter.)

(e) The Captain of the Port is in command of a Captain of the Port Area and his office may be referred to as a Captain of the Port Office. (See §1.01–30 of this subchapter.)

(f) Each Captain of the Port Area and each Marine Inspection Zone described in this part also includes the United States territorial seas adjacent to the described Area or Zone for the purpose of enforcing or acting pursuant to a statute effective in the United States territorial seas. Each Captain of the Port Area and each Marine Inspection Zone described in this part also includes the Contiguous Zone adjacent to the Area or Zone for the purpose of enforcing or acting pursuant to a statute effective in the Contiguous Zone. (See §§2.05–5 and 2.05–15.) Each Captain of the Port Zone and each Marine Inspection Zone described in this part also includes the Exclusive Economic Zone (EEZ) adjacent to the area for the purpose of enforcing or acting pursuant to a statute effective in the EEZ.

(g) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.


§ 3.01–5 Assignment of functions.

Sections 1.45 and 1.46 of Title 49, Code of Federal Regulations, authorize the Commandant of the Coast Guard to exercise certain functions, powers, and duties vested in the Secretary of Transportation by law. The general
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statements of policy in the rules describing Coast Guard organization are prescribed pursuant to 5 U.S.C. 552 (80 Stat. 383, as amended) and 14 U.S.C. 633 (63 Stat. 545).

[CGFR 70–150, 36 FR 910, Jan. 20, 1971]

Subpart 3.04—Coast Guard Areas

§ 3.04—1 Atlantic Area.

(a) The Area Office is in Portsmouth, VA.

(b) The Atlantic Area is comprised of the land areas and U.S. navigable waters of the First, Fifth, Seventh, Eighth and Ninth Coast Guard Districts and the ocean areas lying east of a line extending from the North Pole south along 95° W. longitude to the North American land mass; thence along the east coast of the North, Central, and South American land mass to the intersection with 70° W. longitude; thence due south to the South Pole. These waters extend east to the Eastern Hemisphere dividing line between the Atlantic and Pacific Areas which lies along a line extending from the North Pole north along 17° E. longitude to the African land mass.


§ 3.04—3 Pacific Area.

(a) The Area Office is in Alameda, CA.

(b) The Pacific Area is comprised of the land areas and the U.S. navigable waters of the Eleventh, Thirteenth, Fourteenth, and Seventeenth Coast Guard Districts and the ocean areas lying west of a line extending from the North Pole south along 95° W. longitude to the North American land mass; thence along the west coast of the North, Central, and South American land mass to the intersection with 70° W. longitude; thence due south to the South Pole. These waters extend west to the Eastern Hemisphere dividing line between the Atlantic and Pacific Areas which lies along a line extending from the North Pole south along 100° E. longitude to the Asian land mass and along a line extending from the South Pole north along 17° E. longitude to the African land mass.


Subpart 3.05—First Coast Guard District

§ 3.05—1 First district.

(a) The District Office is in Boston, Massachusetts.

(b) The First Coast Guard District is comprised of: Maine; New Hampshire; Vermont; Massachusetts; Rhode Island; Connecticut; New York except that part north of latitude 42° N. and west of longitude 74°30' W.; that part of New Jersey north of 40°18’ N. latitude, east of 74°30.5’ W. longitude, and northeast of a line from 40°18’ N. 74°30.5’ W. north-northwesterly to the New York, New Jersey & Pennsylvania boundaries at Tristate; all U.S. Naval reservations on shore at Newfoundland; the ocean area encompassed by the Search and Rescue boundary between Canada and the United States easterly to longitude 63° W.; thence south to latitude 41° N.; thence southwesterly along a line bearing 219° T to the point of intersection at 37° N. latitude, 67°13’ W. longitude with a line bearing 122° T from the New Jersey shoreline at 40°18’ N. latitude (just south of the Shrewsbury River); thence northwesterly along this line to the coast.


§ 3.05—10 Boston Marine Inspection Zone and Captain of the Port Zone.

(a) The Boston Marine Inspection Office and Captain of the Port Office are located in Boston, Massachusetts.

(b) The boundary of the Boston Marine Inspection Zone and Captain of the Port Zone starts at the boundary of the Massachusetts and New Hampshire coasts at 42°52.3’ N. latitude, 70°49.0’ W. longitude and proceeds seaward on a line bearing 90° T to the outermost extent of the EEZ; thence southeast along the outermost extent of the EEZ to 42°08’ N. latitude; thence west to 42°08’ N. latitude, 70°15’ W. longitude;
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thence southwest to the Massachusetts coast at Manomet Point at 41°55’ N. latitude, 70°33’ W. longitude; thence northwest to 42°04’ N. latitude, 71°06’ W. longitude; thence to the Massachusetts and Rhode Island boundaries at 42°01.5’ N. latitude, 71°28.0’ W. longitude; thence west along the southern boundary of Massachusetts, except the waters of Congamond Lakes; thence north along the Massachusetts-New York boundary to the intersection of the Massachusetts-New York-Vermont boundaries; thence east along the Massachusetts-Vermont boundary and the Massachusetts-New Hampshire boundary to the point of origin.

§ 3.05–15 Portland, Maine Marine Inspection Zone and Captain of the Port Zone.

(a) The Portland, Maine Marine Inspection Office and Captain of the Port Office are located in Portland, Maine.

(b) The boundary of the Portland Marine Inspection Zone and Captain of the Port Zone starts on the Massachusetts coast at Manomet Point at 41°55’ N. latitude, 70°33’ W. longitude and proceeds northeasterly to 42°08’ N. latitude 70°15’ W. longitude; thence east along 42°08’ N. latitude to the outermost extent of the EEZ; thence southerly along the outermost extent of the EEZ to a line bearing 132° T from Watch Hill Light, Rhode Island; thence northeast along a line bearing 132° T from Watch Hill Light, Rhode Island, to Watch Hill Light; thence northeast to 41°21’ N. latitude, 71°48.5’ W. longitude at Westerly, Rhode Island; thence north to 41°25’ N. latitude, 71°46’ W. longitude; thence north along the Connecticut-Rhode Island boundary, including the waters of Beach Pond, to the Massachusetts boundary; thence east along the Massachusetts-Rhode Island boundary to 42°01.5’ N. latitude, 71°28.0’ W. longitude; thence east to 42°04’ N. latitude, 71°06’ W. longitude; thence southeasterly to the point of origin.

§ 3.05–30 New York Marine Inspection Zone and Captain of the Port Zone.

(a) The New York Marine Inspection Office and Captain of the Port Office is located in New York, New York.

(b) The boundary of the New York Marine Inspection Zone and Captain of the Port Zone starts on the south shore of Long Island at 40°35.4’ N. latitude, 73°46.6’ W. longitude and proceeds southeasterly along a line bearing 127.5° T to 38°28’ N. latitude, 70°11’ W. longitude; thence northwesterly along a line bearing 122° T from the New Jersey coast at 40°18’ N. latitude; thence west along 40°18’ N. latitude to 74°30.5’ W. longitude; thence northwesterly to the intersection of the New York-New Jersey-Pennsylvania boundaries at Tri-state; thence northwesterly along the east bank of the Delaware River to 42°06’ N. latitude; thence east to 74°39’ W. longitude; thence north to the Canadian border; thence easterly along
the Canadian Border to the northeast corner of the Orleans County line in Vermont; thence following the eastern and southern boundaries of Orleans, Franklin, Chittenden, Addison, and Rutland Counties to the Vermont-New York boundary; thence southerly along the New York boundary to 41°01'50" N. latitude, 73°40' W. longitude; thence southerly to the southern shore of Manursing Island at 40°38' N. latitude, 73°40' W. longitude; thence south-easterly to 40°52.5' N. latitude, 73°37.2' W. longitude; thence southerly to 40°40' N. latitude, 73°40' W. longitude; thence southwesterly to the point of origin.

[CGD 96-016, 61 FR 21958, May 13, 1996]

§ 3.05–35 Long Island Sound Marine Inspection and Captain of the Port Zone.

(a) The Long Island Sound Marine Inspection Office and Captain of the Port Office is located in New Haven, Connecticut.

(b) The boundary of the Long Island Sound Marine Inspection Zone and Captain of the Port Zone starts at 40°35.4' N. latitude, 73°46.6' W. longitude; thence proceeds along a line northeasterly to 40°40' N. latitude, 73°40' W. longitude; thence to 40°52.5' N. latitude, 73°37.2' W. longitude; thence northwest to the south shore of Manursing Island at 40°58' N. latitude, 73°40' W. longitude; thence northerly to the Connecticut-New York boundary at 41°01.5' N. latitude, 73°40' W. longitude; thence north along the eastern boundary of Connecticut to the Massachusetts-Connecticut boundary; thence east along the southern boundary of Massachusetts, including the waters of the Congamond Lakes, to the Rhode Island boundary; thence south along the Connecticut-Rhode Island boundary, excluding the waters of Beach Pond, to 41°24' N. latitude, 71°48' W. longitude; thence southerly to 41°21' N. latitude, 71°48.5' W. longitude at Westerly, Rhode Island; thence southwesterly to Watch Hill Light, Rhode Island. The northern offshore boundary is a line bearing 132°T from Watch Hill Light to the outermost extent of the EEZ. The southern offshore boundary extends along a line bearing 127.5°T from the south shore of Long Island at 40°33.4' N. latitude, 73°46.6' W. longitude to 38°28' N. latitude, 70°11' W. longitude; thence easterly to the outermost extent of the EEZ; thence northerly along the outermost extent of the EEZ to the intersection of the northern boundary.


Subpart 3.25—Fifth Coast Guard District

§ 3.25-1 Fifth district.

(a) The District Office is in Portsmouth, Va.

(b) The Fifth Coast Guard District is comprised of: North Carolina; Virginia; District of Columbia; Maryland; Delaware; that part of Pennsylvania east of a line drawn along 78°55' W. longitude south to 41°00' N. latitude, thence west to 79°00' W. longitude, and thence south to the Pennsylvania-Maryland boundary; that portion of New Jersey that lies south and west of a line drawn from the New Jersey shoreline at 40°18' N. latitude (just south of the Shrewsbury River), thence westward to 40°18' N. latitude, 74°30.5' W. longitude, thence north-northwesterly to the junction of the New York, New Jersey, and Pennsylvania boundaries at Tri-state; and the ocean area encompassed by a line bearing 122°T from the coastal end of the First and Fifth Districts' land boundary at the intersection of the New Jersey shoreline and 40°18' N. latitude (just south of the Shrewsbury River) to the southernmost point in the First Coast Guard District (a point located at approximately 37° N. latitude, 67°13' W. longitude); thence along a line bearing 219°T to the point of intersection with the ocean boundary between the Fifth and Seventh Coast Guard Districts, which is defined as a line bearing 122°T from the coastal end of the Fifth and Seventh Districts' land boundary at the shoreline at the North Carolina-South Carolina border, point located at approximately 30°55' N. 73° W.; thence northwesterly along this line to the coast.

§ 3.25–05 Philadelphia Marine Inspection Zone and Captain of the Port Zone.

(a) The Philadelphia Marine Inspection Office and the Philadelphia, Captain of the Port Office are located in Philadelphia, Pennsylvania.

(b) The boundary of the Philadelphia Marine Inspection Zone and Captain of the Port Zone starts at the New Jersey coast at 40°18′ N. latitude, thence proceeds westward to 40°18′ N. latitude, 74°30.5′ W. longitude, thence north-northwesterly to the junction of the New York, New Jersey, and Pennsylvania boundaries at Tristate; thence north-northwesterly along the east bank of the Delaware River to 42°00′ N. latitude; thence west along the New York-Pennsylvania boundary to 76°55′ W. longitude; thence south to 41°00′ W. longitude; thence south to the Pennsylvania-Maryland boundary; thence east to the intersection of the Maryland-Delaware boundary and the coast and proceeds along the Maryland-Delaware boundary to a point 76°0′ W. longitude; thence southerly along the Virginia-West Virginia boundary; thence easterly along the Virginia-North Carolina boundary to a point 38°28′ N. latitude, 70°11′ W. longitude; thence southeasterly on a line bearing 122° T to the outermost extent of the EEZ; thence southerly along the outermost extent of the EEZ to 34°59.8′ N. latitude; and thence westward along the Virginia-West Virginia boundary as it proceeds across the Delmarva Peninsula, Pocomoke River, Tangier and Pocomoke Sounds, and Chesapeake Bay; thence north-westerly along the Maryland-Virginia boundary and the District of Columbia-Virginia boundary as those boundaries are formed along the southern bank of the Potomac River to the intersection of the Virginia-Maryland-West Virginia boundaries; thence southerly along the Virginia-West Virginia boundary and the Virginia-Kentucky boundary to the Tennessee boundary; thence eastward along the Virginia-Tennessee boundary to the Virginia-North Carolina boundary; thence eastward along the Virginia-North Carolina boundary to Kerr (Buggs Island) Lake; thence along the shore of Kerr Lake in North Carolina back to the Virginia-North Carolina boundary; thence eastward along the Virginia-North Carolina boundary to the west bank of the Chowan River; thence southerly along the west bank of the Chowan River to a point 36°00′ N. latitude, 76°41′ W. longitude; thence generally southerly and easterly along the western boundaries of Washington, and Hyde Counties to a point 35°37′ N. latitude, 76°32′ W. longitude; thence easterly to a point 35°37′ N. latitude, 76°00.5′ W. longitude; thence generally southwesterly to a point 35°01′.5′ N. latitude, 76°30′ W. longitude; thence easterly to the sea at 34°59.8′ N. latitude, 76°07.8′ W. longitude. The offshore boundary starts at the intersection of the Maryland-Delaware boundary and the coast and proceeds east to a point 38°28′ N. latitude, 70°11′ W. longitude; thence southeasterly on a line bearing 122° T to the outermost extent of the EEZ; thence southerly along the outermost extent of the EEZ to 34°59.8′ N. latitude; and thence westward along the Virginia-West Virginia boundary.

§ 3.25–10 Hampton Roads Marine Inspection Zone and Captain of the Port Zone.

(a) The Hampton Roads Marine Inspection Office and the Hampton Roads Captain of the Port Office are located in Norfolk, Virginia.

(b) The boundary of the Hampton Roads Marine Inspection Zone and Captain of the Port Zone starts at the intersection of the Maryland-Delaware boundary and the coast and proceeds along the Maryland-Delaware boundary to a point 75°30′ W. longitude; thence southerly to a point 75°30′ W. longitude on the Maryland-Virginia boundary,
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2002, this amendment was delayed until October 1, 2002. For the convenience of the user the revised text is set forth as follows:

§ 3.25–10 Hampton Roads Marine Inspection Zone and Captain of the Port Zone.

* * * * *

(b) The boundary of the Hampton Roads Marine Inspection Zone and Captain of the Port Zone starts at the intersection of the Maryland-Delaware boundary and the coast and proceeds along the Maryland-Delaware boundary to a point 75°30.0′ W. longitude; thence southerly to a point 75°30.0′ W. longitude on the Maryland-Virginia boundary, thence westerly along the Maryland-Virginia boundary as it proceeds across the Delmarva Peninsula, Pocomoke River, Tangier and Pocomoke Sounds, and Chesapeake Bay; thence northerly along the Delmarva-Peninsula, Pocomoke River, Tangier and Pocomoke Sounds, and Chesapeake Bay; thence northerly along the Maryland-Virginia and the District of Columbia-Virginia boundary as those boundaries are formed along the southern bank of the Potomac River; thence easterly along the Maryland-Virginia boundary as it proceeds across the Chesapeake Bay, Tangier and Pocomoke Sounds, Pocomoke River, and Delmarva Peninsula to a point 75°30′ W. longitude on the Maryland-Virginia boundary; thence northerly to a point 75°30′ W. longitude on the Delaware-Maryland boundary.

§ 3.25–20 Wilmington Marine Inspection Zone and Captain of the Port Zone.

(a) The Wilmington Marine Inspection Zone and Captain of the Port Zone are located in Wilmington, North Carolina.

(b) The boundary of the Wilmington Marine Inspection Zone and Captain of the Port Zone starts at the sea at 34°59.8′ N. latitude, 76°07.8′ W. longitude, and proceeds along a line northerly to a point 35°01.5′ N. latitude, 76°10′ W. longitude; thence northerly to a point 35°37′ N. latitude, 76°32′ W. longitude; thence westerly to a point 36°33′ N. latitude, and thence westerly along 36°33′ N latitude to the coast at 75°52.0′ W. longitude.

§ 3.25–15 Baltimore Marine Inspection Zone and Captain of the Port Zone.

(a) The Baltimore Marine Inspection Office and the Baltimore Captain of the Port Office are located in Baltimore, Maryland.

(b) The boundary of the Baltimore Marine Inspection Zone and Captain of the Port Zone starts at a point 75°30′ W. longitude on the Delaware-Maryland boundary and proceeds along the Delaware-Maryland boundary west and north to the Pennsylvania boundary; thence west along the Pennsylvania-Maryland boundary to the West Virginia boundary; thence southerly and easterly along the Maryland-West Virginia boundary to the Georgia boundary; thence westerly along the Georgia-Maryland boundary to the West Virginia boundary; thence southerly and easterly along the Maryland-West Virginia boundary to the Virginia boundary; thence southeasterly along the Maryland-Virginia boundary and the District of Columbia-Virginia boundary as those boundaries are formed along the southern bank of the Potomac River; thence easterly along the Maryland-Virginia boundary as it proceeds across the Chesapeake Bay, Tangier and Pocomoke Sounds, Pocomoke River, and Delmarva Peninsula to a point 75°30′ W. longitude on the Maryland-Virginia boundary; thence northerly to a point 75°30′ W. longitude on the Delaware-Maryland boundary.


§ 3.25–20 Wilmington Marine Inspection Zone and Captain of the Port Zone.

(a) The Wilmington Marine Inspection Zone and Captain of the Port Office are located in Wilmington, North Carolina.

(b) The boundary of the Wilmington Marine Inspection Zone and Captain of the Port Zone starts at the sea at 34°59.8′ N. latitude, 76°07.8′ W. longitude, and proceeds along a line northerly to a point 35°01.5′ N. latitude, 76°10′ W. longitude; thence northerly to a point 35°37′ N. latitude, 76°32′ W. longitude; thence northerly and westerly along the western boundaries of Hyde and Washington Counties to a point 36°00′ N. latitude, 76°41′ W. longitude; thence northerly along the west bank of the Chowan River to the North Carolina-Virginia boundary; thence westerly along the North Carolina-Virginia boundary to Kerr (Buggs Island) Lake; thence along the shore of Kerr Lake in North Carolina to the North Carolina-Virginia Boundary; thence westerly along the North Carolina-Virginia boundary to the Tennessee boundary; thence southerly along the North Carolina-Tennessee boundary to the Georgia boundary; thence easterly along the North Carolina-Georgia boundary to the South Carolina boundary; thence easterly along the South Carolina-North Carolina boundary to the sea. The offshore boundary of the Wilmington Captain of the Port Zone starts at the coast at 34°59.8′ N. latitude; thence proceeds easterly to the
§ 3.35-1

outermost extent of the EEZ; thence southerly along the outermost extent of the EEZ to a line bearing 122° T from the intersection of the South Carolina-North Carolina boundary and the sea to the outermost extent of the EEZ; thence westerly along a line bearing 122° T to the coast.


Effective date note: By USCG–2002–12471, 67 FR 41331, June 18, 2002 § 3.25–20 was amended by revising paragraph (b) effective June 30, 2002. At 67 FR FR 42352, June 27, 2002, this amendment was delayed until October 1, 2002. For the convenience of the user the revised text is set forth as follows:

§ 3.25–20 Wilmington Marine Inspection Zone and Captain of the Port Zone.

* * * * *

(b) The boundary of the Wilmington Marine Inspection Zone and Captain of the Port Zone starts at the sea at 36°33’0.0” N. latitude, 75°52.0’ W. longitude, and proceeds westerly along the North Carolina-Virginia boundary to the Tennessee boundary; thence southwesterly along the North Carolina-Tennessee boundary to the Georgia boundary; thence easterly along the North Carolina-Georgia boundary to the South Carolina boundary; thence easterly along the South Carolina-North Carolina boundary to the sea. The offshore boundary of the Wilmington Captain of the Port Zone starts at the coast at 36°33’0.0’ N. latitude; thence proceeds easterly to the outermost extent of the EEZ; thence southerly along the outermost extent of the EEZ to a line bearing 122° T from the intersection of the South Carolina-North Carolina boundary and the sea to the outermost extent of the EEZ; thence westerly along a line bearing 122° T to the coast.

Subpart 3.35—Seventh Coast Guard District

§ 3.35–1 Seventh district.

(a) The District Office is in Miami, Fla.

(b) The Seventh Coast Guard District is comprised of the states of South Carolina, Georgia and Florida, except for that part of Georgia and Florida west of a line from the intersection of the Florida coast with Longitude 83°50’ W. (30°00’N., 83°50’W.) due north to a position 30°15’N., 83°50’W.; thence due west to a position 30°15’N., 84°45’W.; thence due north to the intersection with the south shore of the Jim Woodruff Reservoir; thence along the east bank of the Jim Woodruff Reservoir and the east bank of the Flint River up stream to Montezuma, GA, thence northwesterly to West Point, GA. Also included is the Panama Canal Zone, all the island possessions of the United States pertaining to Puerto Rico and the U.S. Virgin Islands; and the U.S. Naval reservations in the islands of the West Indies and on the north coast of South America. The ocean areas are those portions of the western North Atlantic, Caribbean Sea, Gulf of Mexico and the Straits of Florida areas encompassed by a line originating at the state boundary between North Carolina and South Carolina, and extending southeasterly through 30°57’N., 73°06’W. and 29°00’N., 69°19’W. to 12°00’N., 43°00’W.; thence southwesterly to 10°00’N., 48°00’W.; thence westerly to 09°20’N., 57°00’W.; thence due west to the coastline of South America; thence westerly and northerly along the north coast of South America, and the eastern coasts of Central America and Mexico to the Yucatan Peninsula at 21°25’N., 87°11’W.; thence along a line 01°T to the intersection of longitude 83°50’W. and the western coastline of Florida (30°00’N., 83°50’W.).


§ 3.35–10 Miami Marine Inspection Zone and Captain of the Port Zone.

(a) The Miami Marine Inspection Office and the Miami Captain of the Port Office are located in Miami, Florida.

(b) The boundary of the Miami Marine Inspection Zone and Captain of the Port Zone starts at the eastern Florida coast at 28°00’ N. latitude; thence proceeds west to 28°00’ N. latitude, 81°30’ W. longitude; thence south to 26°00’ N. latitude, 81°30’ W. longitude; thence southwesterly to the southern tip of Cape Romano, Florida. The offshore area of the Miami Captain of the Port Zone includes that portion of the western North Atlantic Ocean area bounded on the north by 28°00’ N. latitude from the coast to the outermost extent of
§ 3.35-15 Charleston Marine Inspection Zone and Captain of the Port Zone.

(a) The Charleston Marine Inspection Office and the Charleston Captain of the Port Office are located in Charleston, South Carolina.

(b) The boundary of the Charleston Marine Inspection Zone and Captain of the Port Zone starts at the sea at the intersection of the North Carolina-South Carolina boundary; thence proceeds westerly along the North Carolina-South Carolina boundary to the intersection of the North Carolina-South Carolina-Georgia boundaries; thence southerly along the South Carolina-Georgia boundary to the intersection with the Federal dam at the southern end of Hartwell Reservoir; thence southerly along the eastern bank of the Savannah River to 32°30' N. latitude; thence easterly to the eastern bank of the Edisto River at 32°41' N. latitude; thence southerly along the eastern bank of the Edisto River to the southern tip of Bay Point, Edisto Island, South Carolina. The offshore boundary starts at a line bearing 122° T from the southern tip of Cape Romano to the outermost extent of the EEZ; thence southerly along the outermost extent of the EEZ to 30°50' N. latitude; thence east along 30°50' N. latitude to a line bearing 122° T from the southern tip of Bay Point, Edisto Island, South Carolina; thence easterly along a line bearing 122° T to the coast.


§ 3.35-20 Jacksonville Marine Inspection Zone and Captain of the Port Zone.

(a) The Jacksonville Marine Inspection Office and the Jacksonville Captain of the Port Office are located in Jacksonville, Florida.

(b) The boundary of the Jacksonville Marine Inspection Zone and Captain of the Port Zone starts at the Georgia coast at 30°50' N. latitude; thence proceeds west to 30°50' N. latitude, 82°15' W. longitude; thence south to the point of intersection of the Florida-Georgia boundary at 82°15' W. longitude; thence westerly along the Florida-Georgia boundary to 83°00' W. longitude; thence southeasterly to 28°00' N. latitude, 81°30' W. longitude; thence east to the sea at 28°00' N. latitude. The offshore boundary starts at the coast at 30°50' N. latitude; thence proceeds easterly to the outermost extent of the EEZ; thence southerly along the outermost extent of the EEZ to 28°00' N. latitude; thence westerly along 28°00' N. latitude to the coast.


§ 3.35-25 San Juan Marine Inspection Zone and Captain of the Port Zone.

(a) The San Juan Marine Inspection Office and the San Juan Captain of the Port Office are located in San Juan, Puerto Rico.

(b) The San Juan Marine Inspection Zone and Captain of the Port Zone are comprised of both the Commonwealth of Puerto Rico and the Territory of the Virgin Islands and the adjacent waters to the outermost extent of the EEZ.


§ 3.35-30 Savannah Marine Inspection Zone and Captain of the Port Zone.

(a) The Savannah Marine Inspection Office and the Savannah Captain of the Port Office are located in Savannah, Georgia.

(b) The boundary of the Savannah Marine Inspection Zone and Captain of the Port Zone starts at the southern tip of Bay Point, Edisto Island, South Carolina; thence proceeds northerly
§ 3.35–35  

along the eastern bank of the Edisto River to 32°41′ N. latitude; thence westerly to the eastern bank of the Savannah River at 32°30′ N. latitude; thence northerly along the eastern bank of the Savannah River to the intersection of the South Carolina-Georgia boundary with the Federal dam at the southern end of Hartwell Reservoir; thence northerly along the South Carolina-Georgia boundary to the intersection of the North Carolina-South Carolina-Georgia boundaries; thence westerly along the Georgia-North Carolina boundary and continuing westerly along the Georgia-Alabama boundary to 32°53′ N. latitude; thence southeasterly to the eastern bank of the Flint River at 32°20′ N. latitude; thence southerly along the eastern bank of the Flint River and continuing southerly along the southeastern shore of Jim Woodruff Reservoir to 84°45′ W. longitude; thence southerly to the intersection of the Florida-Georgia boundary; thence easterly along the Florida-Georgia boundary to 82°15′ W. longitude; thence north to 30°50′ N. latitude, 82°15′ W. longitude; thence east to the sea at 30°50′ N. latitude. The offshore boundary starts at a line bearing 122° T from the southern tip of Bay Point, Edisto Island, South Carolina to the intersection with 30°50′ N. latitude; thence proceeds westerly along 30°50′ N. latitude to the coast.


§ 3.35–35  

Tampa Marine Inspection Zone and Captain of the Port Zone.

(a) The Tampa Marine Inspection Office and the Tampa Captain of the Port Office are located in Tampa, Florida.

(b) The boundary of the Tampa Marine Inspection Zone and Captain of the Port Zone starts at the Florida coast at 83°50′ W. longitude; thence proceeds north to 30°15′ N. latitude, 83°50′ W. longitude; thence west to 30°15′ N. latitude, 84°45′ W. longitude; thence north to the Florida-Georgia boundary at 84°45′ W. longitude; thence easterly along the Florida-Georgia boundary to 83°00′ W. longitude; thence southeasterly to 28°00′ N. latitude, 81°30′ W. longitude; thence south to 26°00′ N. latitude, 81°30′ W. longitude; thence southwesterly to the southern tip of Cape Romano, Florida; thence southwesterly along a line bearing 227° T to the outermost extent of the EEZ; thence westerly along the outermost extent of the EEZ to the intersection with a line bearing 199° T from the intersection of the Florida coast at 83°50′ W. longitude; thence easterly along a line bearing 199° T to the coast.


Subpart 3.40—Eighth Coast Guard District

§ 3.40–1  

Eighth district.

(a) The District Office is in New Orleans, La.

(b) The Eighth Coast Guard District is comprised of North Dakota, South Dakota, Wyoming, Nebraska, Iowa, Colorado, Kansas, Missouri, Kentucky, West Virginia, Tennessee, Arkansas, Oklahoma, New Mexico, Texas, Louisiana, Mississippi, and Alabama; that part of Pennsylvania south of 41° N. latitude and west of 79° W. longitude; those parts of Ohio and Indiana south of 41° N. latitude; Illinois, except that part north of 41° N. latitude and east of 90° W. longitude; that part of Wisconsin south of 46°20′ N. latitude and west of 90° W. longitude; that part of Minnesota south of 46°20′ N. latitude; those parts of Florida and Georgia west of a line starting at the Florida coast at 83°50′ W. longitude; thence northerly to 30°15′ N. latitude, 83°50′ W. longitude; thence due west to 30°15′ N. latitude, 84°45′ W. longitude; thence due north to the southern bank of the Jim Woodruff Reservoir at 84°45′ W. longitude; thence northeasterly along the eastern bank of the Jim Woodruff Reservoir and northerly along the eastern bank of the Flint River to Montezuma, GA.; thence northwesterly to West Point, GA.; and the Gulf of Mexico area west of a line bearing 199° T. from the intersection of the Florida coast at 83°50′ W. longitude (the coastal end of the Seventh and
§ 3.40-17 Morgan City Marine Inspection Zone and Captain of the Port Zone.

(a) The Morgan City Marine Inspection Office and Captain of the Port Office are in Morgan City, Louisiana.

(b) The boundary of the Morgan City Marine Inspection Zone and Captain of the Port Zone starts at 28°50' N. latitude, 90°00' W. longitude; thence northerly along the northern Harrison County boundary; thence westerly along the western boundaries of Stone, Forrest, Jones, Jasper, Newton, Neshoba, Winston, Choctaw, and Webster Counties; thence southerly to the Texas-Louisiana boundary; thence easterly along the northern DeSoto Parish boundary; thence easterly along the northern and eastern boundaries of DeSoto, Sabine, Vernon, and Allen Parishes; thence east along the northern boundaries of Acadia, Lafayette, St. Martin, Iberia, Assumption, and Lafourche Parishes to 29°18' N. latitude, 90°00' W. longitude; thence southeast to 28°50' N. latitude, 89°27'06" W. longitude; thence east to 88°00' W. longitude.

§ 3.40-20

Port Arthur Marine Inspection Zone and Captain of the Port Zone.

(a) The Port Arthur Marine Inspection Office and Captain of the Port Office are in Port Arthur, Texas.

(b) The boundary of the Port Arthur Marine Inspection Zone and the Captain of the Port Zone starts at the intersection of the sea and 92°23′ W. longitude; thence proceeds west along 92°23′ W. longitude to 29°24′ N. latitude, 89°27′06″ W. longitude; thence northwesterly to 29°18′ N. latitude, 90°00′ W. longitude; thence northwesterly along the northern boundaries of Lafourche, Assumption, Iberia, and St. Martin Parishes; thence northwesterly along the northern boundary of Lafayette and Acadia Parishes to 92°23′ W. longitude; thence south along 92°23′ W. longitude to the outermost extent of the EEZ; thence easterly along the outermost extent of the EEZ to 88°00′ W. longitude; thence north to 28°50′ N. latitude, 88°00′ W. longitude.


§ 3.40-28

Houston-Galveston Marine Inspection Zone and Captain of the Port Zone.

(a) The Houston-Galveston Marine Inspection Zone and the Captain of the Port Office are located in Houston, Texas. The Galveston Marine Safety Unit is a subordinate unit of the Marine Safety Office and is located in Galveston, Texas.

(b) The boundary of the Houston-Galveston Marine Inspection Zone and Captain of the Port Zone starts at the intersection of the sea and 94°23′ W. longitude; thence proceeds north along 94°23′ W. longitude to 30°00′ N. latitude; thence west along 30°00′ N. latitude; thence north along 29°24′ N. latitude, 94°20′ W. longitude; thence easterly along the line 10.3 nautical miles from the coast to 29°30′ N. latitude, 93°48′ W. longitude; thence southeasterly to 27°49′ N. latitude, 93°25′ W. longitude; thence south along 93°25′ W. longitude to the outermost extent of the EEZ; thence east along the outermost extent of the EEZ to 92°23′ W. longitude; thence north along 92°23′ W. longitude to the point or origin.

§ 3.40-35 Corpus Christi Marine Inspection Zone and Captain of the Port Zone.

(a) The Corpus Christi Marine Inspection Office and the Corpus Christi Captain of the Port Office are located in Corpus Christi, Texas.

(b) The boundary of the Corpus Christi Marine Inspection Zone and Captain of the Port Zone starts at the junction of the sea and the east bank of the Colorado River; thence proceeds northerly along the east bank of the Colorado River to 29°18' N. latitude, 96°07' W. longitude; thence northwesterly to the southeast corner of New Mexico at 32°00' N. latitude; thence westerly along the Texas-New Mexico boundary; thence southeasterly along the Mexican border to the sea. The offshore area includes all waters and islands contained therein of the EEZ that are south and west of a line bearing 140° T from the junction of the sea and the east bank of the Colorado River to the outermost extent of the EEZ.


§ 3.40-40 St. Louis Marine Inspection Zone and Captain of the Port Zone.

(a) The St. Louis Marine Inspection Office and the St. Louis Captain of the Port Office are located in St. Louis, Missouri.

(b) The St. Louis Marine Inspection Zone and Captain of the Port Zone are comprised of all of Wyoming except for Sweetwater County; Colorado; North Dakota; South Dakota; Kansas; Nebraska; in Arkansas, Boone, Marion, Baxter, and Fulton Counties; all of Missouri except for Scott, Stoddard, Mississippi, New Madrid, Dunklin, and Pemiscot Counties, and those parts of Cape Girardeau and Bollinger Counties south of a line drawn from the southeast corner of Madison County eastward to the point of intersection of the upper Mississippi River (Mile 55.3) and Union and Alexander Counties (in Illinois); Iowa; that part of Minnesota south of 46°20’ N. latitude; that part of Wisconsin south of 46°20’ N. latitude and west of 90° W. longitude; that part of Illinois north of Alexander, Pulaski, and Johnson Counties, and west of Johnson, Saline, Hamilton, Wayne, Clay, Jasper, Cumberland, Coles, Douglas, Champaign, and Ford Counties and south of 41° N. latitude; and that part of Illinois west of 90° W. longitude and north of 41° N. latitude.


§ 3.40-45 Paducah Marine Inspection Zone and Captain of the Port Zone.

(a) The Paducah Marine Inspection Office and the Paducah Captain of the Port Office are located in Paducah, Kentucky.

(b) The Paducah Marine Inspection Zone and the Paducah Captain of the Port Zone are comprised of: In Missouri: Stoddard, Mississippi and Scott Counties, and those parts of Cape Girardeau and Bollinger Counties south of a line drawn eastward from the southeast corner of Madison County to the point of intersection of the upper Mississippi River (Mile 55.3) and Union and Alexander Counties, and those parts of Dunklin and New Madrid Counties north of a line drawn eastward from the southeast corner of Butler County to the westernmost point of intersection of the Missouri, Kentucky and Tennessee border at the lower Mississippi River (Mile 882.7), and all that part of New Madrid County, and all waters of the Mississippi River which border any part of New Madrid County, lying east of 89°30’ W. longitude (including the area known as Winchester Towhead). In Illinois: Johnson, Pope, Hardin, Alexander, Pulaski, and Massac Counties. In Kentucky: Fulton,
§ 3.40–50

Hickman, Carlisle, Ballard, McCracken, Graves, Calloway, Marshall, Livingston, Lyon, Trigg, Crittenden, Caldwell, and Christian Counties, and that part of Union County south of a line drawn from the point of intersection of Gallatin and Hardin Counties (in Illinois) and the Ohio River to the point of intersection of Union, Webster and Henderson Counties; all of Tennessee except for Dyer, Crockett, Lauderdale, Tipton, Haywood, Shelby, Fayette, Hardeman and Lake Counties; that part of Alabama north of 34° N. latitude, and in Mississippi: Alcorn, Prentiss, and Tishomingo Counties except for that portion of the Tennessee-Tombigbee Waterway south of the Bay Springs Lock and Dam.


§ 3.40–55 Louisville Marine Inspection Zone and Captain of the Port Zone.

(a) The Louisville Marine Inspection Office and the Louisville Captain of the Port Office are located in Louisville, Kentucky.

(b) The Louisville Marine Inspection Zone and the Louisville Captain of the Port Zone are comprised of: that part of Indiana south of 41° N. latitude; that part of Ohio south of 41° N. latitude and west of Ashland, Knox, Licking, Fairfield, Pickaway, Ross, Pike, and Scioto Counties; that part of Illinois north of Pope and Hardin Counties, east of Williamson, Franklin, Jefferson, Marion, Fayette, Effingham, Shelby, Moultrie, Piatt, McLean, and Livingston Counties, and south of 41° N. latitude; and in Kentucky: Todd, Logan, Simpson, Allen, Warren, Barren, Metcalfe, Muhlenberg, Butler, Edmonson, Hart, Green, Taylor, Adair, Casey, Lincoln, Webster, Hopkins, McLean, Ohio, Grayson, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Larue, Nelson, Washington, Marion, Anderson, Mercer, Boyle, Woodford, Jessamine, Garrard, Fayette, Clark, Madison, Estill, Powell, Lee, Bullitt, Spencer, Jefferson, Shelby, Franklin, Scott, Oldham, Henry, Owen, Trimble, Carroll, Montgomery, Bath, Rowan, Bourbon, Nicholas, Fleming, Harrison, Robertson, Mason, Grant, Pendleton, Bracken, Gallatin, Boone, Kenton, Campbell, Monroe, Cumberland, Russell, Clinton, Wayne, Pulaski, McCreary, Rockcastle, Whitley, Jackson, Laurel, Knox, Clay, Bell, Leslie and Harlan Counties, that part of Lewis County south and west of a line drawn from the point of intersection of Carter, Greenup, and Lewis Counties.

§ 3.40–60 Memphis Marine Inspection Zone and Captain of the Port Zone.

(a) The Memphis Marine Inspection Office and the Memphis Captain of the Port Office are located in Memphis, Tennessee.

(b) The Memphis Marine Inspection Zone and the Memphis Captain of the Port Zone are comprised of: Oklahoma; all of Arkansas except for Boone, Marion, Baxter, and Fulton Counties; in Tennessee: Shelby, Fayette, Hardeman, Tipton, Haywood, Lauderdale, Crockett, and Dyer Counties, and all of Lake County, with the exception of the portion of the Mississippi River which borders that part of New Madrid County, Missouri, lying east of 89°30′ W. longitude (including the area known as Winchester Towhead); in Missouri: Pemiscot County, and those portions of Dunklin and New Madrid Counties south of a line drawn eastward from the southeast corner of Butler County to the westernmost point of intersection of the Missouri, Kentucky, and Tennessee borders at the lower Mississippi River (Mile 882.7). In Mississippi: DeSoto, Marshall, Benton, Tippah, Tunica, Tate, Coahoma, Quitman, Panola, Lafayette, Union, Pontotoc, Lee, Bolivar, Washington, Sunflower, Tallahatchie, Leflore, Yalobusha, Grenada, Calhoun and Chickasaw Counties.

[C GD 79–011, 44 FR 33400, June 11, 1979, Redesignated by CGD 96–025, 61 FR 29959, June 13, 1996]

Subpart 3.45—Ninth Coast Guard District

SOURCE: CGD 79–011, 44 FR 33401, June 11, 1979, unless otherwise noted.

§ 3.45–1 Ninth district.

(a) The District Office is in Cleveland, Ohio.

(b) The Ninth Coast Guard District comprise Michigan, New York north of latitude 42° N. and west of longitude 74°39′ W.; Pennsylvania north of latitude 41° and west of longitude 78°55′ W.; that part of Ohio and Indiana north of latitude 41° N.; that part of Illinois north of latitude 41° N. and east of longitude 90° W.; Wisconsin, except that part south of latitude 46°20′ N. and west of longitude 90° W.; and that part of Minnesota north of latitude 46°20′ N.


§ 3.45–5 Cleveland Marine Inspection Zone and Captain of the Port Zone.

(a) The Cleveland Marine Inspection Office and the Cleveland Captain of the Port Office are located in Cleveland, Ohio.

(b) The Cleveland Marine Inspection Zone and Captain of the Port Zone include all navigable waters of the United States and contiguous land areas within the following boundaries: From the international boundary in Lake Erie at longitude 82°25′ W.; thence due south to latitude 41° N.; thence due east to longitude 80°31′12″ W. (Ohio/Pennsylvania State boundary); thence due north to the international boundary; thence southwesterly along the

§ 3.45–10  Buffalo Marine Inspection Zone and Captain of the Port Zone.

(a) The Buffalo Marine Inspection Office and the Buffalo Captain of the Port Office are located in Buffalo, New York.

(b) The Buffalo Marine Inspection Zone and Captain of the Port Zone include all navigable waters of the United States and contiguous land areas within the following boundaries:

From the international boundary in Lake Erie at longitude 80°31'12" W. (Ohio/Pennsylvania State boundary); thence due south to latitude 41°5'1" N.; thence due east to longitude 78°30' W.; thence due north to latitude 42°30' W.; thence due west to longitude 88°30' W.; thence due south to the starting point.

[CGD 82–019, 47 FR 13796, Apr. 1, 1982]

§ 3.45–15  Chicago Marine Inspection Zone and Captain of the Port Zone.

(a) The Chicago Marine Inspection Office and the Chicago Captain of the Port Office are located in Chicago, Illinois.

(b) The Chicago Marine Inspection Zone and the Chicago Captain of the Port Zone include those parts of Michigan, Indiana, Ohio, and Illinois within the following boundaries: From the Illinois-Wisconsin boundary at longitude 90° W.; thence due east to longitude 87° W.; thence due north to latitude 44°15' N.; thence northeasterly to latitude 44°45' N., longitude 86°40' W.; thence due south to latitude 41° N.; thence due west to longitude 90° W.; thence due north to the starting point.

[CGD 94–107, 60 FR 17223, Apr. 5, 1995]

§ 3.45–20  Milwaukee Marine Inspection Zone and Captain of the Port Zone.

(a) The Milwaukee Marine Inspection Office and the Milwaukee Captain of the Port Office are located in Milwaukee, Wisconsin.

(b) The Milwaukee Marine Inspection Zone and Captain of the Port Zone include all navigable waters of the United States and contiguous land areas within the following boundaries:

From the international boundary in Lake Michigan at longitude 88°30' W.; thence due east to longitude 87° W.; thence due north to latitude 44°15' N.; thence northeasterly to latitude 44°43' N., longitude 86°40' W.; thence due north to latitude 40°27' N.; thence due west to longitude 88°30' W.;
§ 3.45–45 Sault Ste. Marie Marine Inspection Zone and Captain of the Port Zone.


(b) The boundary of the Sault Ste. Marie Marine Inspection Zone and the Sault Ste. Marie Captain of the Port Zone starts at the international boundary at latitude 44°43′ N.; thence due west to longitude 86°40′ W.; thence due north to latitude 45°27′ N.; thence due west to longitude 88°30′ W.; thence due north to latitude 46°20′ N.; thence northeasterly to the shore of Lake Superior at longitude 87°45′ W.; thence northerly to Manitou Island Light, located at latitude 47°25′ N., longitude 87°35′ W.; thence southeasterly to the international boundary at longitude 87°35′ W.; thence southeasterly along the international boundary to the starting point.


§ 3.45–50 Toledo Marine Inspection Zone and Captain of the Port Zone.

(a) The Toledo Marine Inspection Office and the Toledo Captain of the Port Office are located in Toledo, Ohio.

(b) The Toledo Marine Inspection Zone and Captain of the Port Zone include all navigable waters of the United States and contiguous land areas within the following boundaries: From latitude 42° N.; longitude 84°30′ W.; thence due south to latitude 41° N.; thence due east to longitude 82°25′ W.; thence due north to the international boundary in Lake Erie; thence northeasterly along the international boundary to latitude 42° N.; thence due west to the starting point.

§ 3.55–15 San Diego Marine Inspection Zone and Captain of the Port Zone.

(a) The San Diego Marine Inspection Office and San Diego Captain of the Port Office are located in San Diego, California.

(b) The San Diego Marine Inspection Zone and Captain of the Port Zone comprise the land masses and waters of Arizona; in Utah, Washington, Kane, San Juan, and Garfield Counties; in Nevada, Clark County; and in California, San Diego and Imperial Counties. The offshore boundary, which includes all ocean waters and islands contained therein, starts at the intersection of the Orange-San Diego County lines (approximately 33°22.5′ N. latitude) and the California coast and proceeds seaward on a line bearing 255 T° to the outermost extent of the EEZ; thence proceeds southerly along the outermost extent of the EEZ to the intersection of the maritime boundary with Mexico; thence easterly, along the maritime boundary with Mexico to its intersection with the California coast.


§ 3.55–20 San Francisco Bay Marine Inspection Zone and Captain of the Port Zone.

(a) The San Francisco Bay Marine Inspection Zone and Captain of the Port Office are located in Alameda, California.

(b) The San Francisco Bay Marine Inspection Zone and Captain of the Port Zone comprise the land masses and waters of Wyoming within the boundaries of Sweetwater County; Utah, except for Washington, Kane, San Juan, and Garfield Counties; Nevada, except for Clark County; and California, north of San Luis Obispo, Kern, and San Bernardino Counties. It also includes all ocean waters and islands contained therein of the EEZ bounded on the north by the northern boundary of the Eleventh Coast Guard District which is described in §3.55–1; and on the south by a line bearing 240° T from the intersection of the Monterey-San Luis Obispo County lines (approximately 33°47.5′ N. latitude) and the California coast to the outermost extent of the EEZ; and on the west by the outermost extent of the EEZ.


Subpart 3.65—Thirteenth Coast Guard District

§ 3.65–1 Thirteenth district.

(a) The District Office is in Seattle, Wash.

(b) The Thirteenth Coast Guard District shall comprise Washington, Oregon, Idaho, and Montana; and the ocean area bounded by a line from California-Oregon state line westerly to latitude 40° N. longitude, 150° W., thence northeasterly to latitude 54°40′ N., longitude 140° W., thence due east to the Canadian coast.

(CGFR 61–40, 26 FR 10352, Nov. 3, 1961)

§ 3.65–10 Puget Sound Marine Inspection Zone and Captain of the Port Zone.

(a) The Puget Sound Marine Inspection Office and the Puget Sound Captain of the Port Office are located in Seattle, Washington.

(b) The boundary of the Puget Sound Marine Inspection Zone and Captain of the Port Zone starts at 48°29′35″ N. latitude, 124°43′45″ W. longitude and proceeds along the Canadian border eastward to the Montana-North Dakota boundary; thence southerly along this boundary to the Wyoming State line; thence westerly and southerly along the Montana-Wyoming boundary to the Idaho State line; thence northwesterly along the Montana-Idaho boundary to 46°55′ N. latitude; thence westerly along 46°55′ N. latitude to 123°18′ W. longitude; thence northerly to a point 47°32′ N. latitude, 123°18′ W. longitude; thence westerly along 47°32′ N. latitude to the outermost extent of the EEZ; thence northeasterly along the outermost extent of the EEZ to the Canadian border; thence easterly along the Canadian border to the point of origin.

§ 3.65–15 Portland, Oregon, Marine Inspection Zone and Captain of the Port Zone.

(a) The Portland Marine Inspection Office and the Portland Captain of the Port Office are located in Portland, Oregon.

(b) The boundary of the Portland, Oregon, Marine Inspection Zone and Captain of the Port Zone starts at the Washington coast at 47°32' N. latitude and proceeds along this latitude easterly to a point 47°32' N. latitude, 123°18' W. longitude; thence southerly to 46°55' N. latitude; thence easterly along the Idaho-Wyoming boundary to the intersection of the Idaho-Utah-Wyoming boundaries; thence westerly along the 42°00' N. latitude to the coast.


Subpart 3.70—Fourteenth Coast Guard District

§ 3.70–1 Fourteenth district.

(a) The District Office is in Honolulu, Hawaii.

(b) The Fourteenth Coast Guard District shall comprise the State of Hawaii; and the Pacific Islands belonging to the United States south of latitude 40° N., and west of a line running from 40° N., 150° W. through latitude 5° S., 110° W.; the ocean area west and south of a line running from position 51° N., 158° E. to position 43° N., 165° E.; thence due south to latitude 40° N.; thence due east to longitude 150° W.; thence southerly through longitude 5° S., longitude 110° W.


§ 3.70–10 Honolulu Marine Inspection Zone and Captain of the Port Zone.

(a) The Honolulu Marine Inspection Office and Captain of the Port Office are in Honolulu, Hawaii.

(b) The boundaries of the Honolulu Marine Inspection Zone coincide with the boundaries of the Fourteenth Coast Guard District, excluding portions surrounding the territory of Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands covered in §3.70–15(b).

(c) The Honolulu Captain of the Port Zone comprises:

(1) The State of Hawaii, including all the islands and atolls of the Hawaiian Chain and the adjacent waters of the EEZ.

(2) American Samoa and the adjacent waters of the EEZ.

(3) Johnston Atoll and the adjacent waters of the EEZ.

(4) Palmyra Atoll and Kingman Reef and the adjacent waters of the EEZ.

(5) Wake Island and the adjacent waters of the EEZ.

(6) Jarvis Island and the adjacent waters of the EEZ.

(7) Howland and Baker Islands and the adjacent waters of the EEZ.

(8) Midway Island and the adjacent waters of the EEZ.

(d) In American Samoa, required notifications to the Officer in Charge, Marine Inspection and the Captain of the Port, Honolulu, may be made to: Supervisor, United States Coast Guard, Marine Safety Detachment, P.O. Box 249, Pago Pago, American Samoa 96799–0249.

§ 3.70–15 Guam Marine Inspection Zone and Captain of the Port Zone.

(a) The Guam Marine Inspection Office and Captain of the Port Office are located in Piti, Guam.

(b) The Guam Marine Inspection Zone and Captain of the Port Zone comprise:

1. The Territory of Guam and the adjacent waters of the EEZ.

2. The Commonwealth of the Northern Mariana Islands and the adjacent waters of the EEZ.

(c) In Commonwealth of the Northern Mariana Islands, required notifications to the Officer in Charge, Marine Inspection and the Captain of the Port, Guam, may be made to: Supervisor, United States Coast Guard, Marine Safety Detachment, Emergency Operations Center, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands 96950–5000.


Subpart 3.85—Seventeenth Coast Guard District

§ 3.85–1 Seventeenth district.

(a) The District Office is in Juneau, Alaska.

(b) The Seventeenth Coast Guard District shall comprise the State of Alaska; the ocean area bounded by a line from the Canadian Coast at latitude 54°18.7′ N., due west to longitude 140°W.; thence southwesterly to position 40°N., 150°W.; thence due west to position 40°N., 165°E.; thence due north to latitude 43° N.; thence northwesterly to 51°N., 158°E.; thence north and east along the coastline of the continent of Asia to East Cape; thence north to the Arctic Ocean.


§ 3.85–10 Southeast Alaska Marine Inspection Zone and Captain of the Port Zone.

(a) The Southeast Alaska Marine Inspection Office and the Southeast Alaska Captain of the Port Office are located in Juneau, Alaska.

(b) The Southeast Alaska Marine Inspection Zone and Captain of the Port Zone comprise the area within the boundary which starts at 60°01.3′ N. latitude, 142°00′ W. longitude; thence proceeds northeasterly to the Canadian border at 60°18.7′ N. latitude, 141°00′ W. longitude; thence southerly and easterly along the United States-Canadian shoreside boundary to 54°40′ N. latitude; thence westerly along the United States-Canadian maritime boundary to the outermost extent of the EEZ; thence northerly along the outer boundary of the EEZ to 142°00′ W longitude; thence due north to the point of origin.


§ 3.85–15 Western Alaska Marine Inspection Zone and Captain of the Port Zone.

(a) The Western Alaska Marine Inspection Office and the Western Alaska Captain of the Port Office are located in Anchorage, Alaska.

(b) The Western Alaska Marine Inspection Zone and Captain of the Port Zone comprise that portion of the State of Alaska and the adjacent waters to the outermost extent of the EEZ, except for those sections of Alaska covered in §§3.85–10(b) and 3.85–20(b).


§ 3.85–20 Prince William Sound Marine Inspection Zone and Captain of the Port Zone.

(a) The Prince William Sound Marine Inspection Office and the Prince William Sound Captain of the Port Office are located in Valdez, Alaska.

(b) The Prince William Sound Marine Inspection Zone and Captain of the Port Zone comprise the area within the boundary which starts at Cape Fuget at 148°26′ W. longitude, 59°56.06′ N. latitude, and proceeds northerly to 61°30′ N. latitude; thence easterly to the United States-Canadian boundary; thence southerly along the United States-Canadian boundary to 60°18.7′ N. latitude; thence southwesterly to the
sea at 60°01.3' N. latitude, 142°00' W. longitude; thence southerly along 142°00' W. longitude to the outermost boundary of the EEZ; thence along the outermost boundary of the EEZ to 148°26'N. longitude; thence northerly along 148°26' W. longitude to the place of origin at Cape Puget at 59°56.06' N. latitude.


PART 4—OMB CONTROL NUMBERS ASSIGNED PURSUANT TO THE PAPERWORK REDUCTION ACT

Sec. 4.01 Purpose.

This part collects and displays the control numbers assigned to information collection requirements of the Coast Guard by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1980, (Pub. L. 96-511, 44 U.S.C. 3501 et seq.). The Coast Guard intends that this subpart comply with the requirements of section 3507(f) of the Paperwork Reduction Act, which requires that agencies display a current control number assigned by the Director of the Office of Management and Budget (“OMB”) for each agency information collection requirement.

[CGD 84-050, 49 FR 26584, June 28, 1984]

§ 4.02 Display.

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PART 5—COAST GUARD AUXILIARY

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SOURCE: CGFR 48–64, 13 FR 8393, Dec. 28, 1948, unless otherwise noted.

§5.01 Definitions.

Certain terms used in this part are defined as follows:
(a) Act means the Coast Guard Auxiliary and Reserve Act of 1941, as amended, and recodified by Act of August 4, 1949, as 14 U.S.C. 621 through 832.

(b) Auxiliary means the United States Coast Guard Auxiliary established pursuant to the Act.

(c) Commandant means the Commandant of the United States Coast Guard.

(d) Member means any person who is a member of the Auxiliary.

(e) Vessel means a motorboat or yacht.

(f) Motorboat means any documented or numbered vessel propelled by machinery, not more than 65 feet in length measured end to end over the deck excluding sheer.

(g) Yacht means either (1) any documented or numbered vessel used exclusively for pleasure, or (2) any sailboat used exclusively for pleasure over 16 feet in length measured from end to end over the deck excluding sheer.

(h) Radio station means any equipment (including a building which houses such equipment) the use of which to transmit communications by radio is authorized pursuant to law.

(i) Aircraft means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air.

(j) Secretary means the Secretary of Transportation when the Coast Guard operates in the Department of Transportation or the Secretary of the Navy when the Coast Guard operates as part of the Navy.

(k) Facility or facilities means a vessel, aircraft, and/or radio station.

§ 5.03 Purpose.
The Auxiliary was created in order to assist the Coast Guard to:
(a) Promote safety and to effect rescues on and over the high seas and on navigable waters.
(b) Promote efficiency in the operation of motorboats and yachts.
(c) Foster a wider knowledge of, and better compliance with, the laws, rules, and regulations governing the operation of motorboats and yachts.
(d) Facilitate other operations of the Coast Guard.

§ 5.05 Organization.
The Auxiliary is a nonmilitary organization administered by the Commandant, under the direction of the Secretary.

§ 5.07 Administration.
Any authority vested in the Commandant by this part may be delegated by him to such personnel of the Coast Guard, in such manner and to such extent, as he deems necessary or appropriate for the functioning, organization, and internal administration of the Auxiliary.

§ 5.09 Eligibility for membership.
To be eligible for membership in the Auxiliary, a person (male or female) must be over 17 years of age; a citizen of the United States or of its Territories and possessions; and either own not less than a twenty-five percent interest in a motorboat, yacht, aircraft, or radio station; or have had such special training or experience as to qualify him in the opinion of the Commandant, for duty in the Auxiliary.

§ 5.11 Membership in military organizations.
Members of the Auxiliary may also be enrolled, enlisted or commissioned in the Coast Guard Reserve. Membership in the Auxiliary is not a bar to membership in any other naval or military organization.

§ 5.13 Application for membership.
Application for membership in the Auxiliary shall be made on the prescribed form which may be obtained from the Commander of the Coast Guard district in which located. Membership is based on the needs of the Auxiliary and will necessarily vary in the various Coast Guard districts.

[CGFR 59–58, 24 FR 10717, Dec. 25, 1959]

§ 5.15 Admission to membership.
An applicant who is accepted for membership shall be enrolled in the Auxiliary and shall be issued a membership certificate and identification card. Mere ownership of such a certificate or card shall not entitle a member of the Auxiliary to be vested with or exercise any right, privilege, power, or duty vested in or imposed upon the personnel of the Coast Guard or the Coast Guard Reserve.

[CGFR 59–58, 24 FR 10717, Dec. 25, 1959]

§ 5.17 Disenrollment.
A member of the Auxiliary shall be disenrolled on request; upon ceasing to possess the qualifications for membership; for cause; upon direction of the Commandant; or upon death.

[CGFR 59–58, 24 FR 10717, Dec. 25, 1959]

§ 5.19 Training.
The Commandant may authorize members of the Auxiliary to pursue correspondence courses conducted by the Coast Guard Institute at cost when the furnishing of such courses does not interfere with other regular Coast Guard activities.

§ 5.21 Ranks, titles, designations, or grades.
The members of the Auxiliary shall have such ranks, titles, designations, or grades, pursuant to their qualifications, as the Commandant considers necessary for the administration and operation of the Auxiliary.

§ 5.23 Advancement.
The Commandant shall prescribe the circumstances and qualifications under which members of the Auxiliary may be advanced.

§ 5.25 Honorary members.
For conspicuous service to or active interest in the Auxiliary, the Commandant may award any person with
§ 5.27 Honorary membership in the Auxiliary. An honorary member of the Auxiliary, solely by reason of such honorary membership, shall not be entitled to any of the rights, benefits, privileges, duties, or obligations of regular members of the Auxiliary.

§ 5.27 Assignment to specific duties. Members of the Auxiliary shall not be assigned to specific duties until they have been found, after appropriate training and examination, to be competent to perform such duties.

§ 5.29 Assignment to duty on a motorboat, yacht, aircraft, or radio station. No member of the Auxiliary shall be placed in charge of a motorboat, yacht, aircraft, or radio station assigned to Coast Guard duty unless he has been specifically designated by authority of the Commandant to perform such duty.

§ 5.31 Power and authority. Members of the Auxiliary, when assigned to specific duties shall, unless otherwise limited by the Commandant, be vested with the same power and authority, in execution of such duties, as members of the regular Coast Guard assigned to similar duties.

§ 5.33 Training, examination, and assignment. The Commandant will prescribe the type of training, qualifications and examinations required before a member of the Auxiliary shall be deemed qualified to perform certain duties, and will prescribe the circumstances and manner in which certain members of the Auxiliary shall be authorized to perform regular and emergency specific duties.

§ 5.35 Use of facilities. Section 826 of Title 14, U.S. Code, reads as follows:

The Coast Guard may utilize for any purpose incident to carrying out its functions and duties as authorized by the Secretary any motorboat, yacht, aircraft, or radio station placed at its disposal for any of such purposes by any member of the Auxiliary, by any corporation, partnership, or association, or by any State or political subdivision thereof.

[CGFR 59–58, 24 FR 10717, Dec. 25, 1959]

§ 5.37 Offer of facilities. Any member of the Auxiliary desiring to place a vessel, aircraft, or radio station at the disposal of the Coast Guard pursuant to the Act and the regulations in this part, shall communicate with the Commander of the Coast Guard district in which located indicating in such communication which facility is offered. Except in emergencies, an offer to the Coast Guard must be made on the prescribed form.

[CGFR 59–58, 24 FR 10717, Dec. 25, 1959]

§ 5.39 Acceptance of facilities. No vessel, aircraft or radio station shall be deemed loaned to the Coast Guard until an acceptance, on the prescribed form, has been signed on behalf of the Commandant to sign such acceptance and a complete inventory of consumable and expendable stores and equipment has been made and mutually settled by the owner and the representative of the Coast Guard.

[CGFR 59–58, 24 FR 10717, Dec. 25, 1959]

§ 5.41 Emergencies. In an emergency, as declared by the Commandant, the offer of a vessel, aircraft, or radio station may be made without the use of the prescribed form, and such facility may be accepted on behalf of the Coast Guard without the use of the acceptance section of the above form or the inventory last above mentioned.

[CGFR 59–58, 24 FR 10717, Dec. 25, 1959]

§ 5.43 Public vessels, aircraft, and radio stations. While assigned to Coast Guard duty as authorized herein:

(a) Any motorboat or yacht shall be deemed to be a public vessel of the United States, and within the meaning of section 827 of title 14, U.S. Code, shall be deemed to be a vessel of the United States Coast Guard.

(b) Any aircraft shall be deemed to be a vessel of the United States Coast Guard.
Guard within the meaning of section 828 of title 14, U.S. Code, and shall be deemed to be a “public aircraft” within the meaning of the act of June 23, 1958 (72 Stat. 737; 49 U.S.C. 1301).

(c) Any radio station shall be deemed to be a radio station of the United States Coast Guard and a “Government station” within the meaning of section 829, title 14, U.S. Code.

§ 5.45 Return of facility.

A vessel, aircraft, or radio station placed at the disposal of the Coast Guard for a specific period, shall be returned at the expiration of such period, unless circumstances or emergent need make the return impracticable at that time. The Commandant will determine the method, time, and documents to be exchanged upon the return to the owner of any facility. The property shall be reinventoried as of the time, date and place of redelivery, and mutually settled by the owner and the representative of the Coast Guard. Should the vessel have been accepted under emergent conditions, any claim for lost equipment or stores must be supported by invoices showing the date of purchase and the cost thereof by the person submitting claim therefor. The representative of the Coast Guard shall take all proper precautions to protect the interest of the owner as well as that of the United States.

§ 5.47 Auxiliary ensign.

(a) The Coast Guard Auxiliary ensign is a distinguishing mark, authorized by the Secretary, and may be displayed by any vessel, aircraft, or radio station at such times and under such circumstances as may be authorized by the Commandant. The penalty for the unauthorized flying of any ensign, flag or pennant of the Auxiliary is set forth in §5.67 of this part.

(b) The field of the Auxiliary ensign is medium blue (Coast Guard blue) with a broad diagonal white slash upon which a matching blue Coast Guard Auxiliary emblem is centered. The white slash shall be at a 70 degree angle, rising away from the hoist.

(c) The Auxiliary emblem consists of a disk with the shield of the Coat of Arms of the United States circumscribed by an annulet edged and inscribed “U.S. COAST GUARD AUXILIARY” all in front of two crossed anchors.

§ 5.48 Auxiliary Patrol Boat ensign.

(a) The Coast Guard Auxiliary Patrol Boat ensign is authorized to be flown on all Auxiliary Operational Facility vessels under orders. The penalty for the unauthorized flying of any ensign, flag or pennant of the Auxiliary is set forth in §5.67 of this part.

(b) The field of the Auxiliary Patrol Boat ensign is white. A medium blue (Coast Guard blue) Coast Guard Auxiliary emblem is centered on a broad diagonal red (Coast Guard red) slash which is at a 70 degree angle, rising toward the hoist. The red (Coast Guard red) slash is followed, away from the hoist, by two narrow, parallel stripes, first a white stripe and then a medium blue (Coast Guard blue) stripe. The entire design is centered on the ensign.

§ 5.49 Reimbursement for expenses.

Any person whose vessel, aircraft, or radio station has been offered to and accepted by the Coast Guard shall, in accordance with instructions of the Commandant, be reimbursed for the actual necessary expenses of operation of such vessel, aircraft, or radio station when assigned to Coast Guard duty. “Actual necessary expenses of operation” includes payment for fuel, oil, power, water, supplies, provisions, and replacement or repair of equipment.

§ 5.51 Damaged equipment or facilities.

The Commandant will prescribe the nature of reports to be made and the procedure to be followed upon the return of a vessel, aircraft, or radio station. If such report shows that the vessel, aircraft, or radio station has been damaged, or that any equipment thereof is in need of replacement or repair, the Commandant shall cause an investigation to be made. If, as a result of such investigation, it is found that the responsibility for the damage rests
§ 5.53 Constructive or actual loss.

In case of the constructive or actual loss of a vessel, aircraft, or radio station, where such loss is reported to the Coast Guard within six months from the date of such loss, the Commandant will cause an investigation to be made. If, as a result of such investigation, it is found that the responsibility for the loss rests with the Coast Guard; and that the vessel, aircraft, or radio station had been offered to and accepted by the Coast Guard; and that at the time of the loss, the facility was assigned, by competent authority, to specific Coast Guard duties; the Coast Guard will make such payment to the owner of the facility, as in the discretion of the Commandant, whose decision shall be final, will compensate such owner for the constructive or actual loss of his vessel, aircraft, or radio station.

§ 5.55 Compensation.

No member of the Auxiliary shall receive any compensation for his services as a member of the Auxiliary.

§ 5.57 Traveling expenses and per diem.

A member of the Auxiliary, when assigned to specific duties, may be paid actual necessary traveling expenses, including a per diem allowance, in conformity with Comptroller’s Manual, U.S. Coast Guard.

§ 5.59 Medical treatment and hospitalization.

When any member of the Auxiliary is physically injured or dies as a result of physical injury incurred while performing patrol duty or any other specific duty to which he has been assigned, such member or his beneficiary shall be entitled to the same benefits as are now or as may hereafter be provided for temporary members of the Coast Guard Reserve who suffer physical injury or death resulting from physical injury incurred in line of duty. Members of the Auxiliary who contract sickness or disease while performing patrol duty or any other specific duty to which they have been assigned shall be entitled to the same hospital treatment as is afforded members of the Regular Coast Guard.

§ 5.61 Uniforms.

Members of the Auxiliary may purchase from the Coast Guard at actual cost such uniforms as may be authorized by the Secretary. Such uniforms may be worn by members of the Auxiliary under such circumstances and upon such occasions as may be authorized by the Commandant.

§ 5.63 Insignia.

Insignia, as authorized by the Secretary, may be purchased from the Coast Guard at actual cost and may be worn by members of the Auxiliary under such circumstances, at such places, and upon such occasions as may be prescribed by the Commandant.

§ 5.65 Medals.

The Commandant may make awards, including medals, to members of the Auxiliary.

§ 5.69 Limitations of rights, privileges, and benefits.

Section 893 of Title 14, U.S. Code, reads as follows:

Members of the Auxiliary and temporary members of the Reserve shall be entitled only to such rights, privileges, and benefits as are specifically set forth for them in this title or as may be specifically provided for them in any other Act of Congress. Any Act of Congress which grants rights, privileges, or benefits generally to military personnel, or among others, to personnel of the Coast
Coast Guard, DOT

PART 6—PROTECTION AND SECURITY OF VESSELS, HARBORS, AND WATERFRONT FACILITIES

Subpart 6.01—Definitions

§ 6.01–1 Commandant.

Commandant as used in this part, means the Commandant of the United States Coast Guard.

§ 6.01–2 District Commander.

District Commander as used in this part, means the officer of the Coast Guard designated by the Commandant to command a Coast Guard District.

§ 6.01–3 Captain of the Port.

Captain of the Port as used in this part, means the officer of the Coast Guard, under the command of a District Commander, so designated by the Commandant for the purpose of giving immediate direction to Coast Guard law enforcement activities within his assigned area. In addition, the District Commander shall be Captain of the Port with respect to remaining areas in his District not assigned to officers designated by the Commandant as Captain of the Port.

§ 6.01–4 Waterfront facility.

Waterfront facility as used in this part, means all piers, wharves, docks, and similar structures to which vessels may be secured; areas of land, water, or land and water under and in immediate proximity to them; buildings on such structures or contiguous to them and equipment and materials on such structures or in such buildings.


§ 6.01–5 Security zone.

Security zone as used in this part, means an area surrounding a vessel, a vessel under way, a vessel under construction, or a waterfront facility which is being protected by the authority of the Commandant.


§ 6.01–6 Enforcement.

Enforcement as used in this part, means the performance of any duty or function under the provisions of this part.

§ 6.01–5 Security zone.

Security zone as used in this part, means all areas of land, water, or land and water, which are so designated by the Captain of the Port for such time as he deems necessary to prevent damage or injury to any vessel or waterfront facility, to safeguard ports, harbors, territories, or waters of the United States or to secure the observance of the rights and obligations of the United States.

[EO 11249, 30 FR 13001, Oct. 13, 1965]

Subpart 6.04—General Provisions

§ 6.04–1 Enforcement.

(a) The rules and regulations in this part shall be enforced by the captain of the port under the supervision and general direction of the District Commander and the Commandant, and all authority and power vested in the captain of the port by the regulations in this part shall be deemed vested in and may be exercised by the District Commander and the Commandant.

(b) The rules and regulations in this part may be enforced by any other officer of the Coast Guard designated by the Commandant or the District Commander.


§ 6.04–5 Preventing access of persons, articles or things to vessels, or waterfront facilities.

The Captain of the Port may prevent any person, article, or thing from boarding or being taken or placed on board any vessel or entering or being taken into or upon or placed in or upon any waterfront facility whenever it appears to him that such action is necessary in order to secure such vessel from damage or injury or to prevent damage or injury to any vessel, or waterfront facility or waters of the United States, or to secure the observance of rights and obligations of the United States.

[EO 11249, 30 FR 13001, Oct. 13, 1965]

§ 6.04–6 Establishing security zones; prohibitions with respect thereto.

The Captain of a Port may establish security zones subject to the terms and conditions specified in § 6.01–5. No person or vessel shall enter a security zone without the permission of the Captain of the Port. No person shall board or take or place any article or thing on board any vessel in a security zone without the permission of the Captain of the Port. No person shall take or place any article or thing upon any waterfront facility in any such zone without such permission.

[EO 11249, 30 FR 13001, Oct. 13, 1965]

§ 6.04–7 Visitation, search, and removal.

The Captain of the Port may cause to be inspected and searched at any time any vessel, waterfront facility, or security zone, or any person, article, or thing thereon or therein, within the jurisdiction of the United States, may place guards upon any such vessel, waterfront facility, or security zone and may remove therefrom any and all persons, articles, or things not specifically authorized by him to go or remain thereon or therein.

[EO 11249, 30 FR 13002, Oct. 13, 1965]

§ 6.04–8 Possession and control of vessels.

The Captain of the port may supervise and control the movement of any vessel and shall take full or partial possession or control of any vessel or any part thereof, within the territorial waters of the United States under his jurisdiction, whenever it appears to him that such action is necessary in order to secure such vessel from damage or injury, or to prevent damage or injury to any vessel or waterfront facility or waters of the United States, or to secure the observance of rights and obligations of the United States.

§ 6.04–11 Assistance of other agencies.

The Captain of the port may enlist the aid and cooperation of Federal, State, county, municipal, and private agencies to assist in the enforcement of
Coast Guard, DOT

§6.12-1 General supervision and control.

The Captain of the Port may supervise and control the transportation, handling, loading, discharging, stowage, or storage of hazardous materials on board vessels as covered by the regulations in 49 CFR parts 170-189, 46 CFR parts 150-156, 46 CFR parts 146-148 and the regulations governing tank vessels (46 CFR parts 30-39).

[CGD 77–228, 43 FR 53427, Nov. 16, 1978]
§ 6.12–3 Approval of facility for dangerous cargo.

The Commandant may designate waterfront facilities for the handling and storage of, and for vessel loading and discharging, explosives, inflammable or combustible liquids in bulk, or other dangerous articles or cargo covered by the regulations referred to in § 6.12–1, and may require the owners, operators, masters, and others concerned to secure permits for such handling, storage, loading, and unloading from the Captain of the Port, conditioned upon the fulfillment of such requirements for the safeguarding of such waterfront facilities and vessels as the Commandant may prescribe.

Subpart 6.14—Security of Waterfront Facilities and Vessels in Port

§ 6.14–1 Safety measures.

The Commandant, in order to achieve the purposes of this part, may prescribe such conditions and restrictions relating to the safety of waterfront facilities and vessels in port as he finds to be necessary under existing circumstances. Such conditions and restrictions may extend, but shall not be limited to, the inspection, operation, maintenance, guarding, and manning of, and fire-prevention measures for, such vessels and waterfront facilities.

[EO 10277, 16 FR 7541, Aug. 2, 1951]

§ 6.14–2 Condition of waterfront facility a danger to vessel.

Whenever the captain of the port finds that the mooring of any vessel to a wharf, dock, pier, or other waterfront structure would endanger such vessel, or any other vessel, or the harbor or any facility therein by reason of conditions existing on or about such wharf, dock, pier, or other waterfront structure, including, but not limited to, inadequate guard service, insufficient lighting, fire hazards, inadequate fire protection, unsafe machinery, internal disturbance, or unsatisfactory operation, the captain of the port may prevent the mooring of any vessel to such wharf, dock, pier, or other waterfront structure until the unsatisfactory condition or conditions so found are corrected, and he may, for the same reasons, after any vessel has been moored, compel the shifting of such vessel from any such wharf, dock, pier, or other waterfront structure.

[EO 10277, 16 FR 7541, Aug. 2, 1951]

Subpart 6.16—Sabotage and Subversive Activity

§ 6.16–1 Reporting of sabotage and subversive activity.

Evidence of sabotage or subversive activity involving or endangering any vessel, harbor, port, or waterfront facility shall be reported immediately to the Federal Bureau of Investigation and to the captain of the port, or to their respective representatives.

§ 6.16–3 Precautions against sabotage.

The master, owner, agent, or operator of a vessel or waterfront facility shall take all necessary precautions to protect the vessel, waterfront facility, and cargo from sabotage.

Subpart 6.18—Penalties

§ 6.18–1 Violations.

Section 2, Title II of the act of June 15, 1917, as amended, 50 U.S.C. 192, provides as follows:

If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this title, or obstructs or interferes with the exercise of any power conferred by this title, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000.

(a) If any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this title, or knowingly obstructs or interferes with the exercise of any power conferred by this title, he shall be punished by imprisonment for not more than ten years and may, at the discretion of the court, be fined not more than $10,000.
§ 6.19—Responsibility for Security of Vessels and Waterfront Facilities

§ 6.19–1 Primary responsibility.

Nothing contained in this part shall be construed as relieving the masters, owners, operators, and agents of vessels or other waterfront facilities from their primary responsibility for the protection and security of such vessels or waterfront facilities.

[EO 10277, 16 FR 7541, Aug. 2, 1951]

PART 8—UNITED STATES COAST GUARD RESERVE

Sec.
8.1 Functions of the Coast Guard Reserve.
8.3 Organization of the Coast Guard Reserve.
8.5 Regulations for the Coast Guard Reserve.
8.7 Information.

SOURCE: CGD 79–105, 48 FR 36449, Aug. 11, 1983, unless otherwise noted.

§ 8.1 Functions of the Coast Guard Reserve.

(a) The Coast Guard Reserve is a component of the Coast Guard. The Coast Guard Reserve trains personnel for mobilization and for augmentation of the regular Coast Guard.

(b) Members of the Coast Guard Reserve can be used for:

1. Partial or full mobilization under 10 U.S.C. 12301;

2. Voluntary or involuntary call-up for emergency augmentation of the regular Coast Guard during time of serious natural or man-made disaster under 14 U.S.C. 712; and

3. Augmentation of the regular Coast Guard during active duty or inactive duty for training.

(c) A member of the Reserve on active duty or inactive duty training has the same authority, rights, and privileges in the performance of that duty as a member of the regular Coast Guard of corresponding grade or rating.


§ 8.3 Organization of the Coast Guard Reserve.

(a) The Coast Guard Reserve is organized, trained and equipped under the direction of the Commandant.

(b) The Director of Reserve and Training is responsible for the overall administration and supervision of the Reserve.

(c) In Atlantic Area, Integrated Support Commands have responsibility for local Reserve issues; however, in Pacific Area, responsibility for local Reserve issues remains with District Commanders.

(d) Most Coast Guard Reservists are fully integrated into active duty Coast Guard units. There, Reservists perform the same duties and have the same responsibilities as their active duty counterparts. Their integrated work prepares Reservists to perform the duties of their mobilization assignments while at the same time providing assistance to the active service. Some Reservists are assigned to dedicated Reserve units where they train and mobilize in support of national defense operations.

[CGD 96–026, 61 FR 33662, June 28, 1996]

§ 8.5 Regulations for the Coast Guard Reserve.

(a) Regulations for the Coast Guard Reserve are established by the Commandant.

(b) Permanent regulations are published in Coast Guard publications and manuals and include the following:

1. Coast Guard Regulations.

2. Coast Guard Organization Manual.


(c) Temporary regulations and orders affecting Reservists are included in instructions or notices in the Coast Guard directives system.

(d) Other regulations that affect the Reserve are located in Department of Defense and Department of the Navy
§ 8.7 Information.

(a) Information concerning the Coast Guard Reserve may be obtained from Commandant (G-WTR), U.S. Coast Guard Headquarters, Washington, DC 20593-0001.

(b) Information and requirements for enlistment in the Coast Guard Reserve or concerning the procurement of officers for the Coast Guard Reserve can be obtained from the following offices:
(1) Any Coast Guard Recruiting Office.
(2) Coast Guard Recruiting Center, 4200 Wilson Boulevard, Suite 450, Arlington, VA 22203.


PART 13—DECORATIONS, MEDALS, RIBBONS AND SIMILAR DEVICES

Subpart 13.01—Gold and Silver Lifesaving Medals, Bars, and Miniatures

§ 13.01 General.

Lifesaving Medals of gold and silver, designated as the Gold Lifesaving Medal and the Silver Lifesaving Medal, respectively, may be awarded by the Commandant, U.S. Coast Guard, hereinafter called the Commandant, under 14 U.S.C. 500 and the regulations in this subpart to persons rescuing or endeavoring to rescue any other person from drowning, shipwreck or other peril of the water.

§ 13.01–5 Gold and Silver Lifesaving Medals.

Lifesaving Medals may be awarded to any person who rescues or endeavors to rescue any other person from drowning, shipwreck or other peril of the water. In order for a person to be eligible for a Lifesaving Medal the rescue or attempted rescue must take place in waters within the United States or subject to the jurisdiction thereof, or if the rescue or attempted rescue takes place outside such waters, one or the other of the parties must be a citizen of the United States or from a vessel or aircraft owned or operated by citizens of the United States. If such rescue or attempted rescue is made at the risk of one’s own life and evidences extreme and heroic daring, the medal shall be of gold. If such rescue or attempted rescue is not sufficiently distinguished to deserve the medal of gold but evidences the exercise of such signal exertion as to merit recognition, the medal shall be of silver. Lifesaving Medals may be awarded posthumously.

§ 13.01–10 Gold and silver bars.

No person shall receive more than one Gold Lifesaving Medal and one Silver Lifesaving Medal; but any person who has received or may hereafter receive a Gold or Silver Lifesaving Medal and who again performs an act which would entitle him to receive another medal of the same class, may be awarded, in lieu of a second medal of the same class, a gold or silver bar, as the case may be, to be worn with the medal already bestowed, and for every such additional act, an additional bar may be awarded. Gold and silver bars may be awarded posthumously.
Commandant. Applications and recommendations for the award of a Lifesaving Medal may be filed by or in behalf of the person making or attempting a rescue under circumstances contemplated by the regulations in this subpart. Applications or recommendations for award of medals or requests for information pertaining thereto should be addressed to the Commander of the Coast Guard District, hereinafter called the District Commander, where the incident took place. (See part 3 of this subchapter for descriptions of Coast Guard Districts.) If the District is unknown, or if the incident took place outside any such district, applications and recommendations should be addressed to the Commandant, U.S. Coast Guard, Washington, D.C. 20593.

(b) Completed applications must include:

(1) Satisfactory evidence of the services performed, in the form of affidavits, made by eyewitnesses of good repute and standing testifying of their own knowledge. The opinion of witnesses that the person for whom an award is sought imperiled his or her own life or made signal exertions is not sufficient but the affidavits must set forth in detail all facts and occurrences tending to show clearly in what manner and to what extent life was risked or signal exertions made so that the Commandant may judge for himself as to the degree of merit involved.

(2) The precise locality of the rescue or attempted rescue, whether from waters within the United States or subject to the jurisdiction thereof, or if the rescue or attempted rescue is outside such waters, whether one or the other of the parties is a citizen of the United States, or from a vessel or aircraft owned or operated by citizens of the United States, shall be stated. The date, time of day, nature of the weather, condition of the water, the names of all persons present when practicable, the names of all persons rendering assistance, and all pertinent circumstances and data, showing the precise nature and degree of risk involved, should be stated.

(c) Recommendations must include:

(1) As much of the information indicated in paragraphs (b) (1) and (2) of this section which is available to the person making the recommendation. Upon receipt the Commandant or the cognizant District Commander shall cause such recommendation to be referred to an investigating officer who shall cause to be developed such additional information and evidence as is deemed necessary to either (i) terminate the investigation as containing insufficient justification to continue further, or (ii) to complete the application for submission to the Commandant for his final determination.

(d) Either the Commandant or the District Commander may, without any application or recommendation, of his own motion, order an informal investigation into such an incident under Chapter II, of the Coast Guard Supplement to the Manual for Courts-Martial (CG–241).

(e) Affidavits required by this subpart shall be made before an officer duly authorized to administer oaths and if taken before an officer without an official seal, his official character must be certified by the proper officer of a court of record, under the seal thereof, unless the oath be taken before an officer of the Armed Forces authorized to administer oaths under the provisions of Article 136, UCMJ (10 U.S.C. 936).

(f) Cognizant District Commanders shall act upon all applications and recommendations submitted to them from whatever source and shall:

(1) Forward completed applications with his recommendations to the Commandant for his consideration and determination; or,

(2) Inform the applicant or the person submitting the recommendation that he considers such application or recommendation incomplete together with the reasons therefor and that a period of 90 days will be allowed for additional evidence to be provided upon the expiration of which he will file the application or recommendation without further action.

(g) Whenever the cognizant District Commander shall deem such action necessary, he may require that the aforementioned affidavits shall be accompanied by a certificate showing the affiants to be credible persons, certified by some U.S. Officer, such as a
§ 13.01–20

Definitions.

As used in the statutes cited and in the regulations in this subpart:

(a) “Peril of the water” includes all perils on water caused by, or which are such by reason of, the sea or bodies of water such as lakes, bays, sounds and rivers; whenever, wherever and in whatever way human life is directly imperiled by the sea or a body of water is a peril of the water.

(b) A “shipwreck” includes an incident threatening persons whose lives are endangered by perils of the water as well as those who are, strictly speaking, no longer in danger from the sea or a body of water, that peril already having passed, but who are in imminent danger and in great need of succor or rescue, as e.g., being adrift in an open boat or stranded on some barren coast where, without succor or rescue, they would die of starvation, thirst, or exposure.

(c) “Waters within the United States or subject to the jurisdiction thereof,” embrace all waters within the United States, and any other waters over which the United States exercises jurisdiction.

§ 13.01–25 Description of Gold Lifesaving Medal.

(a) The Gold Lifesaving Medal is 99.9 percent pure gold and consists of a pendant suspended by a swivel from the head of an eagle attached to a silk grosgrain ribbon 1 and 3⁄8ths inches in width, composed of a 3⁄16ths of an inch red stripe, a 1⁄32d of an inch white stripe, a 15⁄16ths of an inch gold stripe, a 1⁄32d of an inch white stripe, and a 3⁄32ds of an inch red stripe. The pendant is 1 and 7⁄16ths inches in diameter and 3⁄32ds of an inch in thickness. There appear, on the obverse side of the pendant, three men in a boat in a heavy sea; one is rescuing a person clinging to a spar at the end of which is a block and line; another is standing, prepared to heave a line; a third is rowing; in the distance, to the left, is the wreck of a vessel; the whole is encircled by the words: “United States of America”, in the upper half, and “Act of Congress, August 4, 1949”, in the lower half. On the reverse side of the pendant there appears, in the center a monument surmounted by an American eagle; the figure of a woman stands, to the left, holding in her left hand an oak wreath, and with her right hand, preparing to inscribe the name of the recipient on the monument; to the right are grouped a mast, a yard with a sail, an anchor, a sextant, and a laurel branch; the whole is encircled by the words: “In testimony of heroic deeds in saving life from the perils of the water.”

(b) Engraving: Before presentation, the recipient’s name shall be inscribed on the “monument”, on the reverse of the medal.

§ 13.01–30 Description of Silver Lifesaving Medal.

(a) The Silver Lifesaving Medal is 99 percent pure silver and consists of a pendant suspended by a swivel from the head of an eagle attached to a silk grosgrain ribbon 1 and 3⁄8ths inches in width, composed of a 3⁄16ths of an inch blue stripe, a 1⁄32d of an inch white stripe, a 15⁄16ths of an inch silver gray stripe, a 1⁄32d of an inch white stripe, and a 3⁄32ds of an inch blue stripe. The pendant is 1 and 7⁄16ths inches in diameter and 3⁄32ds of an inch in thickness. On the obverse side of the pendant there appears the figure of a woman hovering over a man struggling in heavy sea and extending to him one end of a long scarf; the whole is encircled by the words: “United States of America”, in the upper half, and “Act of Congress, August 4, 1949”, in the lower half. On the reverse there appears a laurel wreath encircled by the words: “In testimony of heroic deeds in saving life from the perils of the water.”

(b) Engraving: Before presentation, the recipient’s name shall be inscribed
inside the laurel wreath, on the reverse of the medal.

§ 13.01–35 Description of gold and silver bars.

(a) The bar is plain and horizontal, composed of the same metal as the medal previously awarded recipient, and is 1 and 5/8ths inches long by 3/16ths of an inch wide, with a flowing ribbon draped over the left end and passing in back and appearing beneath the bar. The part of the ribbon showing beneath the bar bears the inscription “Act of Congress, August 4, 1949”, in raised block letters. The bar and ribbon are in folds of a spray of laurel with the leaves showing above and beneath.

(b) Engraving: Before presentation, the recipient’s name shall be inscribed on the obverse of the bar.

§ 13.01–40 Miniature medals and bars.

(a) Miniature Gold and Silver Lifesaving Medals and bars are replicas of the Lifesaving Medals and bars, to be worn on civilian clothing. Such miniatures are not furnished by the Government.

(b) Miniature medals and bars may procured from sources authorized by the Commandant, U.S. Coast Guard, to furnish same to persons who produce original documentary evidence of having been awarded the medal or bar for which a miniature replica is desired.

§ 13.01–45 Replacement of medals and bars.

The Gold or Silver Lifesaving Medal or bar will be replaced at cost to the applicant upon submitting a statement in affidavit form of having been awarded a medal or bar and the circumstances involving loss of same. A Lifesaving Medal or bar, however, may be replaced without charge in the discretion of the Commandant, if said medal or bar has, under extremely unusual circumstances, been lost, destroyed or rendered unfit for use without fault or neglect on the part of the person to whom it was awarded.
§ 17.05–1  
charges, and expenses in connection with the conveyance or transfer of any such gifts, devises, or bequests.
(b) The Commandant may authorize or designate officers of the United States Coast Guard to accept gifts, devises, or bequests.

Subpart 17.05—Administration

§ 17.05–1 Gifts.
The gifts or bequests may be in money or negotiable instrument form. If in the form of a money order, check, etc., it should be made payable to the Treasurer of the United States.
[CGFR 53–18, 18 FR 3171, June 3, 1953]

§ 17.05–5 Acceptance and disbursement of gifts.
(a) The immediate receiving person shall give a proper receipt on the proper form used by the United States Coast Guard to acknowledge receipt of collections to the donor of a gift or devise.
(b) Gifts or bequests of money, or the proceeds from sales of property received as a gift or devise.
(c) Gifts or bequests of property, or the proceeds from sales of property received as gifts or devises shall be deposited in the Treasury of the United States under symbol and title “20X8533—United States Coast Guard, General Gift Fund.” Funds so deposited shall be subject to disbursement by or at the direction of the Commandant, United States Coast Guard, for the benefit or use of the designated school, hospital, library, museum, chapel, or other institution or organization under the jurisdiction of the United States Coast Guard subject to the terms and conditions of any particular gift, devise, or bequest.
[CGFR 53–18, 18 FR 3171, June 3, 1953]

§ 17.05–10 Instructions for administration.
The Commandant, United States Coast Guard, will issue such detailed instructions as may be necessary for the administration of the “United States Coast Guard General Gift Fund” or for the acceptance, operation, or maintenance of property, real or personal, that may be accepted for the benefit of or in connection with any school, hospital, library, museum, chapel, or other institution or organization under the jurisdiction of the United States Coast Guard subject to the terms and conditions of any particular gift, devise, or bequest.

PART 19—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS

Sec.
19.01 Procedures for effecting individual waivers of navigation and vessel inspection laws and regulations.
19.04 Vessels requisitioned by the United States for emergency evacuation.
19.06 Vessels operated by or chartered to Military Sealift Command.
19.07 Chronological record of seaman’s previous employment.
19.15 Permits for commercial vessels handling explosives at military installations.


§ 19.01 Procedures for effecting individual waivers of navigation and vessel inspection laws and regulations.
(a) It is hereby found necessary in the interest of national defense to waive compliance with the navigation and vessel inspection laws administered by the Coast Guard, as well as the regulations issued thereunder and contained in 46 CFR Chapter I or in this chapter, to the extent and in the manner and upon the terms and conditions as set forth in this section.
(b) An application requesting that a waiver be made effective with respect to a particular vessel may be made by any authorized representative of an

1Also codified as 46 CFR part 6.
§ 19.04 Vessels requisitioned by the United States for emergency evacuation.

Pursuant to the request of the Acting Secretary of Defense, dated November 21, 1951, made under the provisions of section 1 of Pub. L. 89-1, 81st Congress, approved December 27, 1950, compliance is hereby waived with the provisions of the navigation and vessel inspection laws administered by the United States Coast Guard, as well as the regulations issued thereunder and contained in this chapter, to the extent necessary to permit the operation of vessels which might be requisitioned by the United States.
§ 19.06 Vessels operated by or chartered to Military Sealift Command.

(a) Pursuant to the request of the Deputy Secretary of Defense, dated August 6, 1958, and to the request of the Assistant Secretary of Defense, Installations and Logistics, dated May 23, 1964, made under the provisions of section 1 of Pub. L. 89-1, 81st Congress, approved December 27, 1950 (64 Stat. 1120; 46 U.S.C., note preceding section 1), and their findings that a waiver is necessary in the interest of national defense, compliance with the provisions of the navigation and vessel inspection laws administered by the United States Coast Guard, as well as the regulations issued thereunder and contained in 33 CFR Chapter I, or in this chapter, is hereby waived to the extent and upon the terms and conditions as set forth in this section, in order to permit vessels operated by or chartered to the Military Sea Transportation Service to carry out their assigned missions.

(b) An application requesting that this waiver be made effective with respect to a particular vessel may be made by the Commander, Military Sea Transportation Service, or any one of his duly designated representatives. Except as provided in paragraph (e) of this section, the application shall be in writing. The application shall be delivered to the Coast Guard District Commander or to his designated representative at the port or place where the vessel is located. In the case of a vessel in any foreign port or place, the application shall be made to the designated representative of the Commandant at a port or place where such facilities have been established, or to the Commandant (G–MOC), U.S. Coast Guard, Washington, DC 20593–0001. Every application shall:

1. Describe the laws and/or regulations by appropriate references and/or subjects with respect to which the waiver of compliance is desired;

2. Contain a certification that the waiver of compliance with such laws and/or regulations with respect to the vessel involved is necessary in the interest of national defense and is necessary for the Military Sea Transportation Service to carry out an assigned mission;

3. The name and official number of the vessel involved (including the names of master, agent, and owner of the vessel involved); and

4. For how long the waiver is needed.

(c) The Coast Guard officer making the waiver in paragraph (a) of this section effective for a particular vessel shall immediately prepare, in quadruplicate, an order setting forth:

1. The name and official number of the vessel involved;

2. The laws and/or regulations with respect to which the waiver is effective;

3. The extent to which compliance with such laws and/or regulations is waived; and

4. The period for which the waiver shall be effective.

(d) If practicable, one copy of this waiver order shall be delivered to the master of the vessel involved before such vessel sails. In any case where the waiver order is not delivered to the master, it shall be delivered to the owner, operator, or agent of the vessel without delay. One copy of the waiver order shall be delivered to the Commander, Military Sea Transportation Service, or his duly designated representative, who submitted the application. One copy of the waiver order shall be transmitted to the Commandant (G–MOC) and the remaining copy kept on file.

(e) In any case of extreme urgency, the application for a waiver order may be made orally and if the Coast Guard District Commander (or his designated representative, or the designated representative of the Commandant, or the Commandant, as the case may be), determines that the conditions in this section have been met, the waiver order shall be made effective without further delay, subject to the condition that the application be reduced to writing and delivered within such period after the date of the oral request as the Coast Guard officer making the waiver
§ 19.07 Chronological record of seaman's previous employment.

(a) Compliance is hereby waived with regard to the provisions of subsection (h) of R.S. 4551, as amended (46 U.S.C. 643), to the extent necessary to permit the Commandant of the United States Coast Guard to issue a chronological record of a seaman's previous employment on a single document, in lieu of making individual entry in a duplicate continuous discharge book or furnishing individual certificates of discharge.

(b) It is hereby found that the waiving of the provisions of R.S. 4551(h), as amended (46 U.S.C. 643), is necessary in the interest of national defense.

[CGFR 51–49, 20 FR 1829, Nov. 23, 1955]

§ 19.15 Permits for commercial vessels handling explosives at military installations.

Pursuant to the request of the Secretary of Defense in a letter dated October 19, 1955, made under the provisions of section 1 of the act of December 27, 1950 (64 Stat. 1120; 46 U.S.C., note prec. 1), I hereby waive in the interest of national defense compliance with the provisions of R.S. 4472, as amended (46 U.S.C. 170), and the regulations promulgated thereunder in this chapter to the extent that no quantitative restrictions, based on considerations of isolation and remoteness, shall be required by the Coast Guard for commercial vessels loading or unloading explosives at the Department of Defense waterfront installations. This waiver shall not relieve a commercial vessel loading or unloading explosives at the Department of Defense waterfront installations from the requirement of securing a permit from the Coast Guard for such operations with respect to quantitative or other restrictions imposed by the Coast Guard on the basis of each vessel’s ability to meet prescribed stowage and handling requirements.

[CGFR 55–49, 20 FR 8638, Nov. 23, 1955]
§ 20.101 Scope.

Except as otherwise noted, the rules of practice, procedure, and evidence in this part apply to the following subjects of administrative proceedings before the United States Coast Guard:

(a) Class II civil penalties assessed under subsection 311(b) of the Federal Water Pollution Control Act (33 U.S.C. 1321(b)(6)).

(b) Class II civil penalties assessed under section 109 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9609(b)).

(c) Suspensions and revocations conducted under 46 U.S.C. Chapter 77.

§ 20.102 Definitions.

Administrative Law Judge or ALJ means any person designated by the
Coast Guard, DOT

§ 20.103 Construction and waiver of rules.

(a) Each person with a duty to construe the rules in this part in an administrative proceeding shall construe them so as to secure a just, speedy, and inexpensive determination.

(b) Except to the extent that a waiver would be contrary to law, the Commandant, the Chief ALJ, or a presiding ALJ may, after notice, waive any of the rules in this part either to prevent undue hardship or manifest injustice or to secure a just, speedy, and inexpensive determination.

(c) Absent a specific provision in this part, the Federal Rules of Civil Procedure control.

Subpart B—Administrative Law Judges

§ 20.201 Assignment.

An ALJ, assigned by the Chief ALJ after receipt of the complaint, shall preside over each administrative proceeding under this part.


The ALJ shall have all powers necessary to the conduct of fair, fast, and impartial hearings, including the powers to—

(a) Administer oaths and affirmations;

(b) Issue subpoenas authorized by law;

(c) Rule on motions;

(d) Conduct oral or fact-finding hearings;

(e) Grant or deny motions;

(f) Issue an order or ruling from an ALJ.

Personal delivery means delivery by hand or in person, or through use of a contract service or an express-courier service. It does not include use of governmental interoffice mail.

Pleading means a complaint, an answer, and any amendment to such document permitted under this part.

Respondent means a person charged with a violation in a complaint issued under this part.

Suspension and revocation proceeding or S&R proceeding means a trial-type proceeding for the suspension or revocation of a merchant mariner’s license, certificate of registry, or document issued by the Coast Guard that affords an opportunity for an oral, fact-finding hearing before an ALJ.
§ 20.203  
(d) Order discovery as provided for in this part;  
(e) Hold hearings or settlement conferences;  
(f) Regulate the course of hearings;  
(g) Call and question witnesses;  
(h) Issue decisions;  
(i) Exclude any person from a hearing or conference for disrespect, or disorderly or rebellious conduct; and  
(j) Institute policy authorized by the Chief ALJ.

§ 20.203 Unavailability.  
(a) If an ALJ cannot perform the duties described in § 20.202 or otherwise becomes unavailable, the Chief ALJ shall designate a successor.  
(b) If a hearing has commenced and the assigned ALJ cannot proceed with it, a successor ALJ may. The successor ALJ may, at the request of a party, recall any witness whose testimony is material and disputed, and who is available to testify again without undue burden. The successor ALJ may, within his or her discretion, recall any other witness.

§ 20.204 Withdrawal or disqualification.  
(a) An ALJ may disqualify herself or himself at any time.  
(b) Until the filing of the ALJ’s decision, either party may move that the ALJ disqualify herself or himself for personal bias or other valid cause. The party shall file with the ALJ, promptly upon discovery of the facts or other reasons allegedly constituting cause, an affidavit setting forth in detail the reasons.

1. The ALJ shall rule upon the motion, stating the grounds for the ruling. If the ALJ concludes that the motion is timely and meritorious, she or he shall disqualify herself or himself and withdraw from the proceeding. If the ALJ does not disqualify herself or himself and withdraw from the proceeding, the ALJ shall carry on with the proceeding, or, if a hearing has concluded, issue a decision.

2. If an ALJ denies a motion to disqualify herself or himself, the moving party may, according to the procedures in subpart J of this part, appeal to the Commandant once the hearing has concluded. When that party does appeal, the ALJ shall forward the motion, the affidavit, and supporting evidence to the Commandant along with the ruling.

§ 20.205 Ex parte communications.  
Ex parte communications are governed by subsection 557(d) of the Administrative Procedure Act (5 U.S.C. 557(d)).

§ 20.206 Separation of functions.  
(a) No ALJ may be responsible to, or supervised or directed by, an officer, employee, or agent who investigates for or represents the Coast Guard.  
(b) No officer, employee, or agent of the Coast Guard who investigates for or represents the Coast Guard in connection with any administrative proceeding may, in that proceeding or one factually related, participate or advise in the decision of the ALJ or of the Commandant in an appeal, except as a witness or counsel in the proceeding or the appeal.

Subpart C—Pleadings and Motions

§ 20.301 Representation.  
(a) A party may appear—  
(1) Without counsel;  
(2) With an attorney; or  
(3) With other duly authorized representative.  
(b) Any attorney, or any other duly authorized representative, shall file a notice of appearance. The notice must indicate—  
(1) The name of the case, including docket number if assigned;  
(2) The person on whose behalf the appearance is made; and  
(3) The person’s and the representative’s mailing addresses and telephone numbers.  
(c) Any attorney or other duly authorized representative shall also file a notice, including the items listed in paragraph (a) of this section, for any withdrawal of appearance.

(d) Any attorney shall be a member in good standing of the bar of the highest court of a State, the District of Columbia, or any territory or commonwealth of the United States. A personal
representation of membership is sufficient proof, unless the ALJ orders more evidence.

(e) Any person who would act as a duly authorized representative and who is not an attorney shall file a statement setting forth the basis of his or her authority to so act. The ALJ may deny appearance as representative to any person who, the ALJ finds, lacks the requisite character, integrity, or proper personal conduct.

§ 20.302 Filing of documents and other materials.

(a) The proper address at which to file all documents and other materials relating to an administrative proceeding is: U.S. Coast Guard Administrative Law Judge Docketing Center; Attention: Hearing Docket Clerk; Room 412; 40 S. Gay Street; Baltimore, MD 21201–4022.

(b) The telephone number is: 410–962–5100.

(c) The fax number is: 410–962–1746.

(d) The appropriate party shall file with the Hearing Docket Clerk an executed original of each document (including any exhibit and supporting affidavit).

(e) A party may file by mail or personal delivery. The ALJ or the Hearing Docket Clerk may permit other methods, such as fax or other electronic means.

(f) When the Hearing Docket Clerk determines that a document, or other material, offered for filing does not comply with requirements of this part, the Clerk will accept it, and may advise the person offering it of the defect, and require that person to correct the defect. If the defect is failure to serve copies on other parties, the parties’ response period begins when properly served.

§ 20.303 Form and content of filed documents.

(a) Each filed document must clearly—

(1) State the title of the case;

(2) State the docket number of the case, if one has been assigned;

(3) Designate the type of filing (for instance: petition, notice, or motion to dismiss);

(b) Each filed document must—

(1) Measure 8½ by 11 inches, except that a table, chart, or other attachment may be larger if folded to the size of the filed document to which it is physically attached;

(2) Be printed on just one side of the page and be clearly typewritten, printed, or otherwise reproduced by a process that yields legible and permanent copies;

(3) Be double-spaced except for footnotes and long quotations, which may be single-spaced;

(4) Have a left margin of at least 1½ inches and other margins of at least 1 inch; and

(5) Be bound on the left side, if bound.

(c) Each filed document must be in English or, if in another language, accompanied by a certified translation. The original of each filed document must be signed by the filing party or her or his representative. Unless the rules in this part or the ALJ requires it to be verified or accompanied by an affidavit, no filed document need be. The signature constitutes a certification by the signer that she or he has read the document; that, to the best of her or his knowledge, information, and belief, the statements made in it are true; and that she or he does not intend it to cause delay.

(d) Complaints, answers, and simple motions may employ forms approved for use in proceedings of the Coast Guard instead of the format set out in this section.

§ 20.304 Service of documents.

(a) The ALJ shall serve upon each party to the proceeding a copy of each document issued by the ALJ in it. The ALJ shall serve upon each interested person, as determined under §20.404, a copy of the notice of hearing. If this part provides otherwise, the ALJ shall upon request furnish to each such
interested person a copy of each document filed with the Hearing Docket Clerk or issued by the ALJ.

(b) Unless the ALJ orders otherwise, each person filing a document with the Hearing Docket Clerk shall serve upon each party a copy of it.

(c) If a party filing a document must serve a copy of it upon each party, each copy must bear a certificate of service, signed by or on behalf of the filing party, stating that she or he has so served it. The certificate shall be in substantially the following form:

I hereby certify that I have served the foregoing document[s] upon the following parties (or their designated representatives) to this proceeding at the addresses indicated by [specify the method]:

(1) [name, address of party]  
(2) [name, address of party]

Done at [insert place], this [insert date] day of [insert month and year], 19[insert year].

[Signature]

For [Capacity].

(d) This table describes how to serve filed documents.

<table>
<thead>
<tr>
<th>Type of filed document</th>
<th>Acceptable methods of service</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Complaint ..........</td>
<td>(i) Certified mail, return receipt requested.</td>
</tr>
<tr>
<td></td>
<td>(ii) Personal delivery.</td>
</tr>
<tr>
<td></td>
<td>(iii) Express-courier service that has receipt capability.</td>
</tr>
<tr>
<td>(2) Default Motion .....</td>
<td>(i) Certified mail, return receipt requested.</td>
</tr>
<tr>
<td></td>
<td>(ii) Personal delivery.</td>
</tr>
<tr>
<td></td>
<td>(iii) Express-courier service that has receipt capability.</td>
</tr>
<tr>
<td>(3) Answer .............</td>
<td>(i) Mail.</td>
</tr>
<tr>
<td></td>
<td>(ii) Personal delivery.</td>
</tr>
<tr>
<td></td>
<td>(iii) Express-courier service.</td>
</tr>
<tr>
<td>(4) Any other filed document.</td>
<td>(iv) Fax.</td>
</tr>
<tr>
<td></td>
<td>(v) Other electronic means (at the discretion of the ALJ).</td>
</tr>
</tbody>
</table>

(e)(1) Unless the ALJ orders otherwise, if a party files a document under §20.302, the party must serve a copy to the person indicated in this table.

<table>
<thead>
<tr>
<th>If a party—</th>
<th>Then the serving party must serve—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is represented</td>
<td>The counsel or other representative.</td>
</tr>
<tr>
<td>Is not represented</td>
<td>The party.</td>
</tr>
</tbody>
</table>

(2) Service upon counsel or representative constitutes service upon the person to be served.

(f) The serving party must send service copies to the address indicated in this table.

<table>
<thead>
<tr>
<th>If the party—</th>
<th>Then the serving party must send the copies to—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is represented</td>
<td>The address of the counsel or representative.</td>
</tr>
<tr>
<td>Is not represented</td>
<td>The last known address of the residence or principal place of business of the person to be served.</td>
</tr>
</tbody>
</table>

(g) This table describes when service of a filed document is complete.

<table>
<thead>
<tr>
<th>If method of service used is—</th>
<th>Then service is complete when the document is—</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Personal delivery (Complaint or Default Motion).</td>
<td>(i) Handed to the person to be served.</td>
</tr>
<tr>
<td></td>
<td>(ii) Delivered to the person’s office during business hours.</td>
</tr>
<tr>
<td></td>
<td>(iii) Delivered to the person’s residence and service made to a person of suitable age and discretion residing at the individual’s residence.</td>
</tr>
<tr>
<td>(2) Personal delivery (all other filed documents).</td>
<td>(i) Handed to the person to be served.</td>
</tr>
<tr>
<td></td>
<td>(ii) Delivered to the person’s office during business hours.</td>
</tr>
<tr>
<td></td>
<td>(iii) Delivered to the person’s residence and deposited in a conspicuous place.</td>
</tr>
</tbody>
</table>
Coast Guard, DOT

§ 20.304(g) — WHEN SERVICE IS COMPLETE—Continued

<table>
<thead>
<tr>
<th>If method of service used is—</th>
<th>Then service is complete when the document is—</th>
</tr>
</thead>
</table>
| (3) Certified Mail or express-courier (Complaint or Default Motion). | (i) Delivered to the person’s residence and signed for by a person of suitable age and discretion residing at the individual’s residence.  
(ii) Delivered to the person’s office during business hours and signed for by a person of suitable age and discretion. |
| (4) Mail or express-courier service (all other filed documents). | (i) Mailed (postmarked).  
(ii) Deposited with express-courier service. |
| (5) Fax or other electronic means | Transmitted. |

(h) If a person refuses to accept delivery of any document or fails to claim a properly addressed document other than a complaint sent under this subpart, the Coast Guard considers the document served anyway. Service is valid at the date and the time of mailing, of deposit with a contract service or express-courier service, or of refusal to accept delivery.

§ 20.305 Amendment or supplementation of filed documents.

(a) Each party or interested person shall amend or supplement a previously filed pleading or other document if she or he learns of a material change that may affect the outcome of the administrative proceeding. However, no amendment or supplement may broaden the issues without an opportunity for any other party or interested person both to reply to it and to prepare for the broadened issues.

§ 20.306 Computation of time.

(a) We compute time periods as follows:

(1) We do not include the first day of the period.

(2) If the last day of the period is a Saturday, Sunday, or Federal holiday, we extend the period to the next business day.

(3) If the period is 7 days or less, we do not include Saturdays, Sundays, or Federal holidays.

(b) If you were served a document (by domestic mail) that requires or permits a response, you may add 3 days to any period for response.

(b) The ALJ may allow other amendments or supplements to previously filed pleadings or other documents.

(c) Each party or interested person shall notify the Hearing Docket Clerk, the ALJ, and every other party or interested person, or her or his representative, of any change of address.

§ 20.306(c)(1)—How to request an extension

<table>
<thead>
<tr>
<th>If the response period—</th>
<th>By—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has not expired</td>
<td>Telephone, letter, or motion.</td>
</tr>
<tr>
<td>Has expired</td>
<td>Only by motion describing why the failure to file was excusable.</td>
</tr>
</tbody>
</table>

(2) You file your request as follows:

§ 20.306(c)(2)—Where to file an extension request

<table>
<thead>
<tr>
<th>If—</th>
<th>Then you file your request with the—</th>
</tr>
</thead>
<tbody>
<tr>
<td>An ALJ has not been assigned</td>
<td>Hearing Docket Clerk.</td>
</tr>
<tr>
<td>An ALJ has been assigned</td>
<td>ALJ.</td>
</tr>
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<td>Your case is on appeal</td>
<td>Hearing Docket Clerk.</td>
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§ 20.307 Complaints.
(a) The complaint must set forth—
(1) The type of case;
(2) The statute or rule allegedly vio-
lated;
(3) The pertinent facts alleged; and
(4)(i) The amount of the class II civil
penalty sought; or
(ii) The order of suspension or rev-
ocation proposed.
(b) The Coast Guard shall propose a
place of hearing when filing the com-
plaint.
(c) The complaint must conform to
the requirements of this subpart for fil-
ing and service.

§ 20.308 Answers.
(a) The respondent shall file a writ-
ten answer to the complaint 20 days or
less after service of the complaint. The
answer must conform to the require-
ments of this subpart for filing and
service.
(b) The person filing the answer
shall, in the answer, either agree to the
place of hearing proposed in the com-
plaint or propose an alternative.
(c) Each answer must state whether
the respondent intends to contest any
of the allegations set forth in the com-
plaint. It must include any affirmative
defenses that the respondent intends to
assert at the hearing. The answer must
admit or deny each numbered para-
graph of the complaint. If it states that
the respondent lacks sufficient knowl-
dge or information to admit or deny a
particular numbered paragraph, it de-
nies that paragraph. If it does not spe-
cifically deny a particular numbered
paragraph, it admits that paragraph.
(d) A respondent’s failure without
good cause to file an answer admits
each allegation made in the complaint.

§ 20.309 Motions.
(a) A person may apply for an order
or ruling not specifically provided for
in this subpart, but shall apply for it
by motion. Each written motion must
comply with the requirements of this
subpart for form, filing, and service.
Each motion must state clearly and
concisely—
(1) Its purpose, and the relief sought;
(2) Any statutory or regulatory au-
thority; and
(3) The facts constituting the
grounds for the relief sought.
(b) A proposed order may accompany
a motion.
(c) Each motion must be in writing;
except that one made at a hearing will
be sufficient if stated orally upon the
record, unless the ALJ directs that it
be reduced to writing.
(d) Except as otherwise required by
this part, a party shall file any re-
spone to a written motion 10 days or
less after service of the motion. When a
party makes a motion at a hearing, an
oral response to the motion made at
the hearing is timely.
(e) Unless the ALJ orders otherwise,
the filing of a motion does not stay a
proceeding.
(f) The ALJ will rule on the record ei-
either orally or in writing. She or he
may summarily deny any dilatory, re-
petitive, or frivolous motion.

§ 20.310 Default by respondent.
(a) The ALJ may find a respondent in
default upon failure to file a timely an-
swer to the complaint or, after motion,
upon failure to appear at a conference
or hearing without good cause shown.
(b) Each motion for default must con-
form to the rules of form, service, and
filing of this subpart. Each motion
must include a proposed decision and
proof of service under section 20.304(d).
The respondent alleged to be in default
shall file a reply to the motion 20 days
or less after service of the motion.
(c) Default by respondent con-
stitutes, for purposes of the pending ac-
tion only, an admission of all facts al-
leged in the complaint and a waiver of
her or his right to a hearing on those
facts.
(d) Upon finding a respondent in de-
fault, the ALJ shall issue a decision
against her or him.
(e) For good cause shown, the ALJ
may set aside a finding of default.

§ 20.311 Withdrawal or dismissal.
(a) An administrative proceeding
may end in withdrawal without any act
by an ALJ in any of the following
ways:
(1) By the filing of a stipulation by
all parties who have appeared in the
proceeding.
§ 20.401 Initiation of administrative proceedings.

An administrative proceeding commences when the Coast Guard representative files the complaint with the Hearing Docket Clerk and serves a copy of it on the respondent.

§ 20.402 Public notice.

Upon the filing of a complaint under 33 U.S.C. 1321(b)(6), the Coast Guard provides public notice of a class II civil penalty proceeding. The notice appears in the FEDERAL REGISTER.

§ 20.403 Consolidation and severance.

(a) A presiding ALJ may for good cause, with the approval of the Chief ALJ and with all parties given notice and opportunity to object, consolidate any matters at issue in two or more administrative proceedings docketed under this part. (Good cause includes the proceedings’ possessing common parties, questions of fact, and issues of law and presenting the likelihood that consolidation would expedite the proceedings and serve the interests of justice.) The ALJ may not consolidate any matters if consolidation would prejudice any rights available under this part or impair the right of any party to place any matters at issue.

(b) Unless directed otherwise by the Chief ALJ, a presiding ALJ may, either in response to a motion or on his or her own motion, for good cause, sever any administrative proceeding with respect to some or all parties, claims, and issues.

§ 20.404 Interested persons.

(a) Any person not a party to a class II civil penalty proceeding under 33 U.S.C. 1321(b)(6) who wishes to be an interested person in the proceeding shall, 30 days or less after publication in the FEDERAL REGISTER of the public notice required by § 20.402, file with the Hearing Docket Clerk either—

(1) Written comments on the proceeding; or
(2) Written notice of intent to present evidence at any hearing in the proceeding.

(b) The presiding ALJ may, for good cause, accept late comments or late notice of intent to present evidence.

(c) Each interested person shall receive notice of any hearing due in the proceeding and of the decision in the proceeding. He or she may have a reasonable opportunity to be heard and to present evidence in any hearing.

(d) The opportunity secured by paragraph (c) of this section does not extend to—
§ 20.501

(1) The issuance of subpoenas for witnesses;
(2) The cross-examination of witnesses; or
(3) Appearance at any settlement conference.

Subpart E—Conferences and Settlements

§ 20.501 Conferences.
(a) Any party may by motion request a conference.
(b) The ALJ may direct the parties to attend one or more conferences before or during a hearing.
(c) The ALJ may invite interested persons to attend a conference, other than a settlement conference, as the ALJ deems appropriate.
(d) The ALJ shall give reasonable notice of the time and place of any conference to the parties, and to interested persons if invited. A conference may occur in person, by telephone, or by other appropriate means.
(e) Each party, and any interested person invited, shall be fully prepared for a useful discussion of all issues properly before the conference, both procedural and substantive, and be authorized to commit themselves or those they represent respecting those issues.
(f) Unless the ALJ excuses a party, the failure of a party to attend or participate in a conference, after being served with reasonable notice of its time and place, waives all objections to any agreements reached in it and to any consequent orders or rulings.
(g) The ALJ may direct that any of the following be addressed or furnished before, during, or after the conference:
   (1) Methods of service and filing.
   (2) Motions for consolidation or severance of parties or issues.
   (3) Motions for discovery.
   (4) Identification, simplification, and clarification of the issues.
   (5) Requests for amendment of the pleadings.
   (6) Stipulations and admissions of fact and of the content and authenticity of documents.
   (7) The desirability of limiting and grouping witnesses, so as to avoid duplication.
   (8) Requests for official notice and particular matters to be resolved by reliance upon the substantive standards, rules, and other policies of the Coast Guard.
   (9) Offers of settlement.
   (10) Proposed date, time, and place of the hearing.
   (11) Other matters that may aid in the disposition of the proceeding.
   (h) No one may stenographically report or otherwise record a conference unless the ALJ allows.
   (i) During a conference, the ALJ may dispose of any procedural matters on which he or she is authorized to rule.
   (j) Actions taken at a conference may be memorialized in—
      (1) A stenographic report if authorized by the ALJ;
      (2) A written transcript from a magnetic tape or the equivalent if authorized by the ALJ; or
      (3) A statement by the ALJ on the record at the hearing summarizing them.

§ 20.502 Settlements.
(a) The parties may submit a proposed settlement to the ALJ.
(b) The proposed settlement must be in the form of a proposed decision, accompanied by a motion for its entry. The decision must recite the reasons that make it acceptable, and it must be signed by the parties or their representatives.
(c) The proposed decision must contain—
   (1) An admission of all jurisdictional facts;
   (2) An express waiver of—
      (i) Any further procedural steps before the ALJ; and
      (ii) All rights to seek judicial review, or otherwise challenge or contest the validity, of the decision;
   (3) A statement that the decision will have the same force and effect as would a decision made after a hearing; and
   (4) A statement that the decision resolves all matters needing to be adjudicated.

Subpart F—Discovery

§ 20.601 General.
(a) Unless the ALJ orders otherwise, each party—and each interested person
who has filed written notice of intent to present evidence at any hearing in the proceeding under §20.404—shall make available to the ALJ and to every other party and interested person—

(1) The name of each expert and other witness the party intends to call, together with a brief narrative summary of the expected testimony; and

(2) A copy, marked as an exhibit, of each document the party intends to introduce into evidence or use in the presentation of its case.

(b) During a pre-hearing conference ordered under §20.501, the ALJ may direct that the parties exchange witness lists and exhibits either at once or by correspondence.

(c) The ALJ may establish a schedule for discovery and shall serve a copy of any such schedule on each party.

(1) The schedule may include dates by which the parties shall both exchange witness lists and exhibits and file any requests for discovery and objections to such requests.

(2) Unless the ALJ orders otherwise, the parties shall exchange witness lists and exhibits 15 days or more before hearing.

(d) Further discovery may occur only by order, and then only when the ALJ determines that—

(1) It will not unreasonably delay the proceeding;

(2) The information sought is not otherwise obtainable;

(3) The information sought has significant probative value;

(4) The information sought is neither cumulative nor repetitious; and

(5) The method or scope of the discovery is not unduly burdensome and is the least burdensome method available.

(e) A motion for discovery must set forth—

(1) The circumstances warranting the discovery;

(2) The nature of the information sought; and

(3) The proposed method and scope of discovery and the time and place where the discovery would occur.

(f) If the ALJ determines that he or she should grant the motion, he or she shall issue an order for the discovery, together with the terms on which it will occur.

§20.602 Amendatory or supplementary responses.

(a) Any party or interested person shall amend or supplement information previously provided upon learning that the information—

(1) Was incorrect or incomplete when provided; or,

(2) Though correct or complete when provided, no longer is.

(b) The party or interested person shall amend or supplement that information by following the procedures in §20.305.

§20.603 Interrogatories.

(a) Any party requesting interrogatories shall so move to the ALJ. The motion must include—

(1) A statement of the purpose and scope of the interrogatories; and

(2) The proposed interrogatories.

(b) The ALJ shall review the proposed interrogatories, and may enter an order either—

(1) Approving the service of some or all of the proposed interrogatories; or

(2) Denying the motion.

(c) The party requesting interrogatories shall serve on the party named in the interrogatories the approved written interrogatories.

(d) Each interrogatory must be answered separately and fully in writing under oath or affirmation, unless it is objected to, in which event the party named shall state the reasons for the objection instead of a response. This party, the party’s attorney, or the party’s representative shall sign the party’s responses to interrogatories.

(e) Responses or objections must be filed within 30 days after the service of the interrogatories.

(f) A response to an interrogatory is sufficient when—

(1) The responder lists the records from which such answers may be derived or ascertained; and

(2) The burden of ascertaining the information in a response to an interrogatory is substantially the same for all parties involved in the action; and

(3) The information may be obtained from an examination, audit, or inspection of records, or from a compilation,
§ 20.604 Requests for production of documents or things, for inspection or other purposes.

(a) Any party seeking production of documents or things for inspection or other purposes shall so move to the ALJ. The motion must state with particularity—

(1) The purpose and scope of the request; and

(2) The documents and materials sought.

(b) The ALJ shall review the motion and enter an order approving or denying it in whole or in part.

(c) A party shall serve on the party in possession, custody, or control of the documents the order to produce or to permit inspection and copying of documents.

(d) A party may, after approval of an appropriate motion by the ALJ, inspect and copy, test, or sample any tangible things that contain, or may lead to, relevant information, and that are in the possession, custody, or control of the party upon whom the request is served.

(e) A party may, after approval of an appropriate motion by the ALJ, serve on another party a request to permit entry upon designated property in the possession or control of the other party for the purpose of inspecting, measuring, surveying, photographing, testing, or sampling the property or any designated object or area. A request to permit entry upon property must set forth with reasonable particularity the feature to be inspected and must specify a reasonable time, place, and manner for making the inspection and performing the related acts.

(f) The party upon whom the request is served shall respond within 30 days after the service of the request. Inspection and related activities will be permitted as requested, unless there are objections, in which case the reason for each objection must be stated.

§ 20.605 Depositions.

(a) The ALJ may order a deposition only upon a showing of good cause and upon a finding that—

(1) The information sought is not obtainable more readily by alternative methods; or

(2) There is a substantial reason to believe that relevant and probative evidence may otherwise not be preserved for presentation at the hearing.

(b) Testimony may be taken by deposition upon approval of the ALJ of a motion made by any party.

(1) The motion must state—

(i) The purpose and scope of the deposition;

(ii) The time and place it is to be taken;

(iii) The name and address of the person before whom the deposition is to be taken;

(iv) The name and address of each witness from whom a deposition is to be taken;

(v) The documents and materials which the witness is to produce; and

(vi) Whether it is intended that the deposition be used at the hearing instead of live testimony.

(2) The motion must state if the deposition is to be by oral examination, by written interrogatories, or a combination of the two. The deposition may be taken before any disinterested person authorized to administer oaths in the place where the deposition is to be taken.

(c) Upon a showing of good cause the ALJ may enter, and serve upon the parties, an order to obtain the testimony of the witness.

(d) If the deposition of a public or private corporation, partnership, association, or governmental agency is ordered, the organization named must designate one or more officers, directors, or agents to testify on its behalf, and may set forth, for each person designated, the matters on which he or she will testify. Subject to the provisions of 49 CFR part 9 with respect to Coast Guard witnesses, the designated
§ 20.606 Protective orders.

(a) In considering a motion for an order of discovery—or a motion, by a party or other person from whom discovery is sought, to reconsider or amend an order of discovery—the ALJ may enter any order that justice requires, to protect a person from annoyance, embarrassment, oppression, or undue burden or expense. This order may—

(1) Confine discovery to specific terms and conditions, such as a particular time and place;

(2) Confine discovery to a method other than that selected by the party seeking it;

(3) Preclude inquiry into certain matters;
§ 20.607 Sanctions for failure to comply.  

If a party fails to provide or permit discovery, the ALJ may take such action as is just. This may include the following:  

(a) Infer that the testimony, document, or other evidence would have been adverse to the party.  

(b) Order that, for the purposes of the proceeding, designated facts are established.  

(c) Order that the party not introduce into evidence—or otherwise rely upon, in support of any claim or defense—the evidence that was withheld.  

(d) Order that the party not introduce into evidence, or otherwise use in the hearing, information obtained in discovery.  

(e) Allow the use of secondary evidence to show what the evidence withheld would have shown.  

§ 20.608 Subpoenas.  

(a) Any party may request the ALJ to issue a subpoena for the attendance of a person, the giving of testimony, or the production of books, papers, documents, or any other relevant evidence during discovery or for any hearing. Any party seeking a subpoena from the ALJ shall request its issuance by motion.  

(b) An ALJ may, for good cause shown, apply to the United States District Court for the issuance of an order compelling the appearance and testimony of a witness or the production of evidence.  

(c) A person serving a subpoena shall prepare a written statement setting forth either the date, time, and manner of service or the reason for failure of service. He or she shall swear to or affirm the statement, attach it to a copy of the subpoena, and return it to the ALJ who issued the subpoena.  

(d) Coast Guard investigating officers have separate subpoena power in S&R proceedings under 46 CFR 5.301.  

§ 20.609 Motions to quash or modify.  

(a) A person to whom a subpoena is directed may, by motion with notice to the party requesting the subpoena, ask the ALJ to quash or modify the subpoena.  

(b) Except when made at a hearing, the motion must be filed:  

(1) 10 days or less after service of a subpoena compelling the appearance and testimony of a witness or the production of evidence or  

(2) At or before the time specified in the subpoena for compliance, whichever is earlier.  

(c) If the subpoena is served at a hearing, the person to whom it is directed may, in person at the hearing or in writing within a reasonable time fixed by the ALJ, ask the ALJ to quash or modify it.  

(d) The ALJ may quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue.
§ 20.701 Standard of proof.
The party that bears the burden of proof shall prove his or her case or affirmative defense by a preponderance of the evidence.

§ 20.702 Burden of proof.
(a) Except for an affirmative defense, or as provided by paragraph (b) of this section, the Coast Guard bears the burden of proof.
(b) Except as otherwise provided by statute or rule, the proponent of a motion, request, or order bears the burden of proof.

§ 20.703 Presumptions.
In each administrative hearing, a presumption—
(a) Imposes on the party against whom it lies the burden of going forward with evidence to rebut or meet the presumption; but
(b) Does not shift the burden of proof in the sense of the risk of non-persuasion.

§ 20.704 Scheduling and notice of hearings.
(a) With due regard for the convenience of the parties, and of their representatives or witnesses, the ALJ shall, as early as possible, fix the date, time, and place for the hearing and notify all parties and interested persons.
(b) The ALJ may grant a request for a change in the date, time, or place of a hearing.
(c) At any time after commencement of a proceeding, any party may move to expedite the proceeding. A party moving to expedite shall—
(1) Explain in the motion the circumstances justifying the motion to expedite; and
(2) Incorporate in the motion affidavits supporting any representations of fact.
(d) After timely receipt of the motion and any responses, the ALJ may expedite pleadings, pre-hearing conferences, and the hearing, as appropriate.

§ 20.705 Failure to appear.
The ALJ may enter a default under § 20.310 against a respondent threatening to fail, or having failed, to appear at a hearing unless—
(a) Before the time for the hearing, the respondent shows good cause why neither the respondent nor his or her representative can appear; or,
(b) 30 days or less after an order to show good cause, the respondent shows good cause for his or her failure to appear.

§ 20.706 Witnesses.
(a) Each witness shall testify under oath or affirmation.
(b) If a witness fails or refuses to answer any question the ALJ finds proper, the failure or refusal constitutes grounds for the ALJ to strike all or part of the testimony given by the witness or to take any other measure he or she deems appropriate.

§ 20.707 Telephonic testimony.
(a) The ALJ may order the taking of the testimony of a witness by telephonic conference call. A person presenting evidence may by motion ask for the taking of testimony by this means. The arrangement of the call must let each participant listen to and speak to each other within the hearing of the ALJ, who will ensure the full identification of each so the reporter can create a proper record.
(b) The ALJ may issue a subpoena directing a witness to testify by telephonic conference call. The subpoena in any such instance issues under the procedures in § 20.608.

§ 20.708 Witnesses' fees.
(a) Each witness summoned in an administrative proceeding shall receive the same fees and mileage as a witness in a District Court of the United States.
(b) The party or interested person who calls a witness is responsible for all fees and mileage due under paragraph (a) of this section.

§ 20.709 Closing of the record.
(a) When the ALJ closes the hearing, he or she shall also close the record of the proceeding, as described in § 20.903, unless he or she directs otherwise. Even after the ALJ closes it, he or she may reopen it.
§ 20.710 Proposed findings, closing arguments, and briefs.

(a) Before the ALJ closes the hearing, he or she may hear oral argument so far as he or she deems appropriate.

(b) Before the ALJ decides the case, and upon terms he or she finds reasonable, any party may file a brief, proposed findings of fact and conclusions of law, or both. Any party may waive this right. If all parties waive it, then the ALJ may issue an oral order at the close of the hearing.

(c) Any oral argument, brief, or proposed findings of fact and conclusions of law form part of the record of the proceeding, as described in § 20.903.

Subpart H—Evidence

§ 20.801 General.

Any party may present his or her case or defense by oral, documentary, or demonstrative evidence; submit rebuttal evidence; and conduct any cross-examination that may be necessary for a full and true disclosure of the facts.

§ 20.802 Admissibility of evidence.

(a) The ALJ may admit any relevant oral, documentary, or demonstrative evidence, unless privileged. Relevant evidence is evidence tending to make the existence of any material fact more probable or less probable than it would be without the evidence.

(b) The ALJ may exclude evidence if its probative value is substantially outweighed by the danger of prejudice, by confusion of the issues, or by reasonable concern for undue delay, waste of time, or needless presentation of cumulative evidence.

§ 20.803 Hearsay evidence.

Hearsay evidence is admissible in proceedings governed by this part. The ALJ may consider the fact that evidence is hearsay when determining its probative value.

§ 20.804 Objections and offers of proof.

(a) Any party objecting to the admission or exclusion of evidence shall concisely state the grounds. A ruling on every objection must appear in the record. No party may raise an objection to the admission or exclusion of evidence on appeal unless he or she raised it before the ALJ.

(b) Whenever evidence is objected to, the party offering it may make an offer of proof, which must appear in the record.

§ 20.805 Proprietary information.

(a) The ALJ may limit introduction of evidence or issue such protective or other orders as in his or her judgment are consistent with the object of preventing undue disclosure of proprietary matters, including, among others, ones of a commercial nature.

(b) When the ALJ determines that information in a document containing proprietary matters should be made available to another party, the ALJ may direct the party possessing the document to prepare a non-proprietary summary or extract of it. The summary or extract may be admitted as evidence in the record.

(c) If the ALJ determines that a non-proprietary summary or extract is inadequate and that proprietary matters must form part of the record to avert prejudice to a party, the ALJ may so advise the parties and arrange access to the evidence for a party or representative.

§ 20.806 Official notice.

The ALJ may take official notice of such matters as could courts, or of other facts within the specialized knowledge of the Coast Guard as an expert body. When all or part of a decision rests on the official notice of a material fact not appearing in the evidence in the record, the decision must state as much; and any party, upon timely request, shall receive an opportunity to rebut the fact.

§ 20.807 Exhibits and documents.

(a) Each exhibit must be numbered and marked for identification by the party offering it. The original of each exhibit so marked, whether or not offered or admitted into evidence, must be filed and retained in the record of the proceeding; unless the ALJ permits the substitution of a copy. The party introducing each exhibit so marked.
shall supply a copy of the exhibit to the ALJ and to every party to the proceeding.

(b) Unless the ALJ directs otherwise, each party who would offer an exhibit upon direct examination shall make it available to every other party for inspection 15 days or more before the hearing. The ALJ will deem admitted the authenticity of each exhibit submitted before the hearing unless a party either files written objection and serves it on all parties or shows good cause for failure to do both.

(c) In class II civil penalty proceedings under 33 U.S.C. 1321(b)(6), each exhibit introduced by an interested person must be marked, and filed and retained in the record of the proceeding, unless the ALJ permits the substitution of a copy. The interested person shall supply a copy of the exhibit to the ALJ and to every party to the proceeding. The requirements of paragraph (b) of this section apply to any interested person who would offer an exhibit upon direct examination.

§ 20.808 Written testimony.

The ALJ may enter into the record the written testimony of a witness. The witness shall be, or have been, available for oral cross-examination. The statement must be sworn to, or affirmed, under penalty of perjury.

§ 20.809 Stipulations.

Any party or interested person may stipulate, in writing, at any stage of the proceeding, or orally at the hearing, to any pertinent fact or other matter fairly susceptible of stipulation. A stipulation binds all parties to it.

Subpart I—Decisions

§ 20.901 Summary decisions.

(a) Any party may move for a summary decision in all or any part of the proceeding on the grounds that there is no genuine issue of material fact and that the party is entitled to a decision as a matter of law. The party must file the motion no later than 15 days before the date fixed for the hearing and may include supporting affidavits with the motion. Any other party, 10 days or less after service of a motion for summary decision, may serve opposing affidavits or countermove for summary decision. The ALJ may set the matter for argument and call for the submission of briefs.

(b) The ALJ may grant the motion if the filed affidavits, the filed documents, the material obtained by discovery or otherwise, or matters officially noted show that there is no genuine issue of material fact and that a party is entitled to a summary decision as a matter of law.

(c) Each affidavit must set forth such matters as would be admissible in evidence and must show affirmatively that the affiant is competent to testify to the matters stated in the affidavit. Once a party has moved for summary decision and supported his or her motion as provided in this section, no party opposing the motion may rest upon the mere allegations or denials of facts contained in his or her own pleadings. The response to the motion, by affidavit or as otherwise provided in this section, must provide a specific basis to show that there is a genuine issue of material fact for the hearing.

(d) If it appears from the affidavit of a party opposing the motion that this party cannot, for reasons stated, present by affidavit matters essential to justify his or her opposition, the ALJ may deny the motion for summary decision, may order a continuance to enable the obtaining of information, or may make such other order as is just.

(e) No denial of all or any part of a motion for summary decision is subject to interlocutory appeal.

§ 20.902 Decisions of the ALJ.

(a) After closing the record of the proceeding, the ALJ shall prepare a decision containing—

1. A finding on each material issue of fact and conclusion of law, and the basis for each finding;

2. The disposition of the case, including any appropriate order;

3. The date upon which the decision will become effective;

4. A statement of further right to appeal; and,

5. If no hearing was held, a statement of the right of any interested person to petition the Commandant to set aside the decision.
§ 20.903  Records of proceedings.

(a) The transcript of testimony at the hearing, all exhibits received into evidence, any items marked as exhibits and not received into evidence, all motions, all applications, all requests, and all rulings constitute the official record of a proceeding. This record also includes any motions or other matters regarding the disqualification of the ALJ.

(b) Any person may examine the record of a proceeding at the U. S. Coast Guard Administrative Law Judge Docketing Center; Room 412; 40 S. Gay Street; Baltimore, MD 21201–4022. Any person may obtain a copy of part or all of the record after payment of reasonable costs for duplicating it in accordance with 49 CFR part 7.

§ 20.904  Reopening.

(a) To the extent permitted by law, the ALJ may, for good cause shown in accordance with paragraph (c) of this section, reopen the record of a proceeding to take added evidence.

(b) Any party may move to reopen the record of a proceeding 30 days or less after the closing of the record.

(1) Each motion to reopen the record must clearly set forth the facts that the movant would try to prove and the grounds for reopening the record.

(2) Any party who does not respond to any motion to reopen the record waives any objection to the motion.

(c) The ALJ may reopen the record of a proceeding if he or she believes that any change in fact or law, or that the public interest, warrants reopening it.

(d) The filing of a motion to reopen the record of a proceeding does not affect any period for appeals specified in subpart J of this part, except that the filing of such a motion tolls the running of whatever time remains in the period for appeals until either the ALJ acts on the motion or the party filing it withdraws it.

(e)(1) At any time, a party may file a petition to reopen with the Docketing Center for the ALJ to rescind any order suspending or revoking a merchant mariner’s license, certificate of registry, or document if—

(i) The order rests on a conviction—

(A) For violation of a dangerous-drug law;

(B) Of an offense that would prevent the issuance or renewal of the license, certificate, or document; or

(C) Of an offense described in subparagraph 205(a)(3)(A) or (B) of the National Driver Register Act of 1982 (23 U.S.C. 401, note); and

(ii) The respondent submits a specific order of court to the effect that the conviction has been unconditionally set aside for all purposes.

(f) Three years or less after an S&R proceeding has resulted in revocation of a license, certificate, or document, the respondent may file a motion for reopening of the proceeding to modify the order of revocation with the ALJ Docketing Center.

(1) Any motion to reopen the record must clearly state why the basis for the order of revocation is no longer valid and how the issuance of a new license, certificate, or document is compatible with the requirement of good discipline and safety at sea.

(2) Any party who does not respond to any petition to reopen the record waives any objection to the motion.
Subpart J—Appeals

§ 20.1001 General.
(a) Any party may appeal the ALJ’s decision by filing a notice of appeal. The party shall file the notice with the U.S. Coast Guard Administrative Law Judge Docketing Center; Attention: Hearing Docket Clerk; Room 412; 40 S. Gay Street; Baltimore, MD 21201–4022. The party shall file the notice 30 days or less after issuance of the decision, and shall serve a copy of it on the other party and each interested person.
(b) No party may appeal except on the following issues:
(1) Whether each finding of fact is supported by substantial evidence.
(2) Whether each conclusion of law accords with applicable law, precedent, and public policy.
(3) Whether the ALJ abused his or her discretion.
(4) The ALJ’s denial of a motion for disqualification.
(c) No interested person may appeal a summary decision except on the issue that no hearing was held or that in the issuance of the decision the ALJ did not consider evidence that that person would have presented.
(d) The appeal must follow the procedural requirements of this subpart.

§ 20.1002 Records on appeal.
(a) The record of the proceeding constitutes the record for decision on appeal.
(b) If the respondent requests a copy of the transcript of the hearing as part of the record of proceeding, then,—
(1) If the hearing was recorded at Federal expense, the Coast Guard will provide the transcript on payment of the fees prescribed in 49 CFR 7.45; but,
(2) If the hearing was recorded by a Federal contractor, the contractor will provide the transcript on the terms prescribed in 49 CFR 7.45.

§ 20.1003 Procedures for appeal.
(a) Each party appealing the ALJ’s decision or ruling shall file an appellate brief with the Commandant at the following address: U.S. Coast Guard Administrative Law Judge Docketing Center; Attention: Hearing Docket Clerk; Room 412; 40 S. Gay Street; Baltimore, MD 21201–4022, and shall serve a copy of the brief on every other party.
(1) The appellate brief must set forth the appellant’s specific objections to the decision or ruling. The brief must set forth, in detail, the—
(i) Basis for the appeal;
(ii) Reasons supporting the appeal; and
(iii) Relief requested in the appeal.
(2) When the appellant relies on material contained in the record, the appellate brief must specifically refer to the pertinent parts of the record.
(3) The appellate brief must reach the Docketing Center 60 days or less after service of the ALJ’s decision. Unless filed within this time, or within another time period authorized in writing by the Docketing Center, the brief will be untimely.
(b) Any party may file a reply brief with the Docketing Center 35 days or less after service of the appellate brief. Each such party shall serve a copy on every other party. If the party filing the reply brief relies on evidence contained in the record for the appeal, that brief must specifically refer to the pertinent parts of the record.
(c) No party may file more than one appellate brief or reply brief, unless—
(1) The party has petitioned the Commandant in writing; and
(2) The Commandant has granted leave to file an added brief, in which event the Commandant will allow a reasonable time for the party to file that brief.
(d) The Commandant may accept an amicus curiae brief from any person in an appeal of an ALJ’s decision.

§ 20.1004 Decisions on appeal.
(a) The Commandant shall review the record on appeal to determine whether the ALJ committed error in the proceedings, and whether the Commandant should affirm, modify, or reverse the ALJ’s decision or should remand the case for further proceedings.
(b) The Commandant shall issue a decision on every appeal in writing and shall serve a copy of the decision on each party and interested person.
§ 20.1101 Finality.

(a) Civil penalty proceedings.
(1) Unless appealed pursuant to subpart J of this part, an ALJ’s decision becomes an order assessing or denying a class II civil penalty 30 days after the date of its issuance.
(2) If the Commandant issues a decision under Subpart J of this part, the decision constitutes an order of the Commandant assessing or denying a class II civil penalty on the date of issuance of the Commandant’s decision.

(b) S&R Proceedings. (1) Unless appealed pursuant to subpart J of this part, an ALJ’s decision becomes final action of the Coast Guard 30 days after the date of its issuance.
(2) If the Commandant issues a decision under Subpart J of this part, the decision constitutes final action of the Coast Guard on the date of its issuance.

§ 20.1102 Petitions to set aside decisions and provide hearings for civil penalty proceedings.

(a) If no hearing takes place on a complaint for a class II civil penalty, any interested person may file a petition, 30 days or less after the issuance of an order assessing or denying a civil penalty, asking the Commandant to set aside the order and to provide a hearing.

(b) If the Commandant decides that evidence presented by an interested person in support of a petition under paragraph (a) of this section is material and that the ALJ did not consider the evidence in the issuance of the decision, the Commandant shall set aside the decision and direct that a hearing take place in accordance with the requirements of this part.

(c) If the Commandant denies a hearing sought under this section, he or she shall provide to the interested person, and publish in the FEDERAL REGISTER, notice of and the reasons for the denial.

§ 20.1103 Availability of decisions.

(a)(1) Copies and indexes of decisions on appeal are available for inspection and copying at—
(i) The document inspection facility at the office of any Coast Guard District, Activity, or Marine Safety Office;
(ii) The public reading room at Coast Guard Headquarters; and
(iii) The public reading room of the Coast Guard ALJ Docketing Center; Baltimore, Maryland.
(2) Appellate decisions in S&R proceedings, and both appellate and ALJs’ decisions on class II civil penalties, are available on the Department of Transportation Home Page at www.dot.gov or the Coast Guard Home Page at www.uscg.mil.

(b) Any person wanting a copy of a decision may place a request with the Hearing Docket Clerk. The Clerk will bill the person on the terms prescribed in 49 CFR 7.43.

Subpart L—Expedited Hearings

§ 20.1201 Application.

(a) This subpart applies whenever the Coast Guard suspends a merchant mariner’s license, certificate of registry, or document without a hearing under 46 U.S.C. 7702(d).

(b) The Coast Guard may, for 45 days or less, suspend and seize a license, certificate, or document if, when acting under the authority of the license, certificate, or document,—
(1) A mariner performs a safety-sensitive function on a vessel; and
(2) There is probable cause to believe that he or she—
(i) Has performed the safety-sensitive function in violation of law or Federal regulation regarding use of alcohol or a dangerous drug;
(ii) Has been convicted of an offense that would prevent the issuance or renewal of the license, certificate, or document; or,
(iii) Three years or less before the start of an S&R proceeding, has been convicted of an offense described in subparagraph 205(a)(3)(A) or (B) of the National Driver Register Act of 1982 (23 U.S.C. 401, note).
§ 20.1202 Filing of pleadings.

(a) Complaint. If the Coast Guard has temporarily suspended a merchant mariner’s license, certificate of registry, or document, it shall immediately file a complaint under §20.307. The complaint must contain both a copy of a notice of temporary suspension and an affidavit stating the authority and reason for temporary suspension.

(b) Answer. In a case under this subpart—

(1) §20.308 does not govern answers, and

(2) The respondent shall therefore enter his or her answer at the pre-hearing conference.

§ 20.1203 Commencement of expedited hearings.

Upon receipt of a complaint with a copy of the notice of temporary suspension and the affidavit supporting the complaint, the Chief ALJ will immediately assign an ALJ and designate the case for expedited hearing.

§ 20.1205 Motion for return of temporarily suspended license, certificate of registry, or document.

(a) Procedure. At any time during the expedited hearing, the respondent may move that his or her license, certificate of registry, or document be returned on the grounds that the agency lacked probable cause for temporary suspension. The motion must be in writing and explain why the agency lacked probable cause.

(b) Ruling. If the ALJ grants the motion to continue, the ALJ may issue such orders as are necessary for the matter to continue in an orderly way under standard procedure.

§ 20.1207 Pre-hearing conferences.

(a) When held. As early as practicable, the ALJ shall order and conduct a pre-hearing conference. He or she may order the holding of the conference in person, or by telephonic or electronic means.

(b) Answer. The respondent shall enter his or her answer at the pre-hearing conference. If the answer is an admission, the ALJ shall either issue an appropriate order or schedule a hearing on the order.

(c) Content. (1) At the pre-hearing conference, the parties shall:

(i) Identify and simplify the issues in dispute and prepare an agreed statement of issues, facts, and defenses.

(ii) Establish a simplified procedure appropriate to the matter.

(iii) Fix a time and place for the hearing 30 days or less after the temporary suspension.

(iv) Discuss witnesses and exhibits.

(2) The ALJ shall issue an order directing the exchange of witness lists and documents.

(d) Order. Before the close of the pre-hearing conference, the ALJ shall issue an order setting forth any agreements reached by the parties. The order must specify the issues for the parties to address at the hearing.

(e) Procedures not to cause delay. Neither any filing of pleadings or motions, nor any conduct of discovery, may interfere with—

(1) The holding of the hearing 30 days or less after the temporary suspension or

(2) The closing of the record early enough for the issuance of an initial decision 45 days or less after the temporary suspension.

(f) Times. The ALJ may shorten the time for any act required or permitted under this subpart to enable him or her to issue an initial decision 45 days or less after the temporary suspension.
§ 20.1208 Expedited hearings.

(a) **Procedures.** As soon as practicable after the close of the pre-hearing conference, the ALJ shall hold a hearing, under subpart G of this part, on any issue that remains in dispute.

(b) **Oral and written argument.** (1) Each party may present oral argument at the close of the hearing or present—
   (i) Proposed findings of fact and conclusions of law; and
   (ii) Post-hearing briefs, under §20.710.

(2) The ALJ shall issue a schedule, such as will enable him or her to consider the findings and briefs without delaying the issuance of the decision.

(c) **ALJ’s decision.** The ALJ may issue his or her decision as an oral decision from the bench. Alternatively, he or she may issue a written decision. He or she shall issue the decision 45 days or less after the temporary suspension.

§ 20.1209 Appeals of ALJs’ decisions.

Any party may appeal the ALJ’s decision as provided in subpart J.

Subpart M—Supplementary Evidentiary Rules for Suspension and Revocation Hearings

§ 20.1301 Purpose.

This subpart contains evidentiary rules that apply only in certain circumstances in S&R proceedings. They supplement, not supplant, the evidentiary rules in subpart H.

§ 20.1303 Authentication and certification of extracts from shipping articles, logbooks, and the like.

(a) The investigating officer, the Coast Guard representative, any other commissioned officer of the Coast Guard, or any official custodian of extracts from shipping articles, logbooks, or records in the custody of the Coast Guard may authenticate and certify the extracts.

(b) Authentication and certification must include a statement that the person acting has seen the original, compared the copy with it, and found the copy to be a true one. This person shall sign his or her name and identify himself or herself by rank or title and by duty station.

§ 20.1305 Admissibility and weight of entries from logbooks.

(a) Any entry in any official logbook of a vessel concerning an offense enumerated in 46 U.S.C. 11501, made in substantial compliance with the procedural requirements of 46 U.S.C. 11502, is admissible in evidence and constitutes *prima facie* evidence of the facts recited.

(b) Any entry in any such logbook made in substantial compliance with the procedural requirements of 46 U.S.C. 11502 may receive added weight from the ALJ.

§ 20.1307 Use of judgments of conviction.

(a) A judgment of conviction by a Federal court is conclusive in any S&R proceeding under this part concerning any act or offense described in 46 U.S.C. 7703 or 7704 when the act or offense is the same as in the Federal conviction.

(b) Except as provided in paragraph (c) of this section, no judgment of conviction by a State court is conclusive in any S&R proceeding under this part concerning any act or offense described in 46 U.S.C. 7703 or 7704, even when an act or offense forming the basis of the charge in the proceeding is the same as in the State conviction. But the judgment is admissible in evidence and constitutes substantial evidence adverse to the respondent.

(c) A judgment of conviction by a Federal or State court for a violation is conclusive in the proceeding if an S&R proceeding alleges conviction for—

(1) A violation of a dangerous-drug law; (2) An offense that would prevent the issuance or renewal of a merchant mariner’s license, certificate of registry, or document; or (3) An offense described in subparagraph 205(a)(3)(A) or (B) of the National Driver Register Act of 1982 (23 U.S.C.S. 401, note).

(d) If the respondent participates in the scheme of a State for the expungement of convictions, and if he or she pleads guilty or no contest or, by order of the trial court, has to attend classes, contribute time or money, receive treatment, submit to any manner
Coast Guard, DOT

§ 23.01 Basis and purpose.

(1) Any written warning issued by the Coast Guard and not contested by the respondent.

(2) Final agency action by the Coast Guard on any S&R proceeding in which a sanction or consent order was entered.

(3) Any agreement for voluntary surrender entered into by the respondent.

(4) Any final judgment of conviction in Federal or State courts.

(5) Final agency action by the Coast Guard resulting in the imposition against the respondent of any civil penalty or warning in a proceeding administered by the Coast Guard under this title.

(6) Any official commendatory information concerning the respondent of which the Coast Guard representative is aware. The Coast Guard representative may offer evidence and argument in aggravation of any charge proved. The respondent may offer evidence of, and argument on, prior maritime service, including both the record introduced by the Coast Guard representative and any commendatory evidence.

(7) The respondent may offer evidence and argument in mitigation of any charge proved.

(c) The Coast Guard representative may offer evidence and argument in rebuttal of any evidence and argument offered by the respondent in mitigation.

PART 23—DISTINCTIVE MARKINGS FOR COAST GUARD VESSELS AND AIRCRAFT

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23.01 Basis and purpose.
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23.12 Coast Guard identifying insignia.
23.15 Coast Guard ensign.
23.20 Coast Guard commission pennant.
23.30 Penalty.


§ 23.01 Basis and purpose.

(a) This subpart establishes instructions for the display of distinctive markings of Coast Guard vessels and aircraft, including Coast Guard ensign.
§ 23.05 Where and when displayed.
(a) The Coast Guard Ensign is a mark of authority and is required to be displayed whenever a Coast Guard vessel takes active measures in connection with boarding, examining, seizing, stopping or heaving to of a vessel for the purposes of enforcing the laws of the United States. The distinctive markings of Coast Guard aircraft serve the same purpose.

(b) The Coast Guard Commission pennant indicates a Coast Guard cutter under the command of a commissioned officer or commissioned warrant officer.

(c) When applicable, these distinctive marks shall be displayed, the Coast Guard Ensign at the masthead of the foremast, and the commission pennant at the after masthead. On ships having but one mast the Coast Guard Ensign and commission pennant shall be at the masthead on the same halyard. In mastless ships they shall be displayed from the most conspicuous hoist.

§ 23.10 Coast Guard emblem.
(a) The distinctive emblem of the Coast Guard shall be as follows:

On a disc the shield of the Coat of Arms of the United States circumscribed by an annulet edged and inscribed “UNITED STATES COAST GUARD 1790” all in front of two crossed anchors.

(b) The emblem in full color is described as follows:

White anchors and white ring all outlined in medium blue (Coast Guard blue), letters and numerals medium blue (Coast Guard blue), white area within ring, shield with medium blue (Coast Guard blue) chief and 13 alternating white and red (Coast Guard red) stripes (7 white and 6 red) with narrow medium blue (Coast Guard blue) outline.

§ 23.15 Coast Guard ensign.
The Coast Guard ensign has sixteen perpendicular stripes alternate red and white, beginning with the red at the hoist. In the upper quarter, next to the hoist, is the union, being the Coat of Arms of the United States, in dark blue on a white field, half of the length of the flag, and extending down the hoist halfway. The distinctive emblem of the Coast Guard in blue and white is placed with its center on a line with the lower
edge of the union and over the center of the seventh vertical red stripe from the hoist of the flag, the emblem covering a horizontal space of three stripes.

[CGFR 57–35, 22 FR 6765, Aug. 22, 1957]

§ 23.20 Coast Guard commission pennant.

The Coast Guard commission pennant shall have the union part composed of thirteen blue stars in a horizontal line on a white field, one-fourth the length of the pennant; the remaining three-fourths shall consist of sixteen vertical stripes of equal width, alternate red and white, beginning with the red, and a tail piece of red about one-fifth the entire length of the pennant, ending in a swallow tail.


§ 23.30 Penalty.

Section 638(b) of Title 14 U.S.C. (63 Stat. 546) reads as follows:

No vessel or aircraft without authority shall carry, hoist or display any ensign, pennant or other identifying insignia prescribed for, or intended to resemble, any ensign, pennant or other identifying insignia prescribed for Coast Guard vessels or aircraft. Each person violating this provision shall be fined not more than $5,000, or imprisoned for not more than two years, or both.

[CGFR 57–35, 22 FR 6765, Aug. 22, 1957]

PART 25—CLAIMS

Subpart A—General

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Authority: 14 U.S.C. 633; 49 CFR 1.45(a); 49 CFR 1.45(b); 49 CFR 1.46(b), unless otherwise noted.

Source: CGD 80–033, 46 FR 27109, May 18, 1981, unless otherwise noted.
§ 25.101 Purpose.
This subpart prescribes the requirements for the administrative settlement of claims against the United States, other than claims against the Oil Spill Liability Trust Fund under part 136 of this chapter and contract claims, but including claims arising from acts or omissions of employees of non-appropriated fund activities within the United States, its territories, and possessions.


§ 25.103 Information and assistance.
Any person who desires to file a claim against the United States Coast Guard arising out of the activities of the Coast Guard may obtain information and assistance from the Coast Guard Maintenance and Logistics Command Atlantic (lc), located at 300 East Main Street, Suite 965, Norfolk, VA 23510–9113 or from the Coast Guard Maintenance and Logistics Command Pacific (lc), located at Coast Guard Island, Alameda, California, 94501, or from Commandant (G–LCL), U.S. Coast Guard, Washington, DC 20593, or from the Commander of any Coast Guard District listed in 33 CFR Part 3.


§ 25.105 Definitions.

Accrual date. The day on which the alleged wrongful act or omission results in injury or damage for which a claim is made or when the claimant discovers, or in the exercise of reasonable diligence should have discovered, the alleged wrongful act or omission.

Claim. A written notification of an incident accompanied by demand for the payment of a sum certain of money, other than for ordinary obligations incurred for services, supplies, or equipment.

Settle. To consider, ascertain, adjust, determine, compromise (when specifically authorized by law), and dispose of a claim by disapproval or approval, in whole or in part.

Settlement authority. A person authorized to settle a claim.

[CGD 80–033, 46 FR 27109, May 18, 1981; 46 FR 29933, June 4, 1991]

§ 25.107 Who may present claims.

(a) General rules:
(1) A claim for property loss or damage may be presented by anyone having an interest in the property, including an insurer or other subrogee, unless the interest is barred under §25.109(a).
(2) A claim for personal injury may be presented by the person injured.
(3) A claim based on death may be presented by the executor or administrator of the decedent’s estate, or any other person legally entitled to assert such a claim under local law. The claimant’s status must be stated in the claim.
(4) A claim for medical, hospital, or burial expenses may be presented by any person who by reason of family relationship has, in fact, incurred the expenses.
(b) A joint claim must be presented in the names of and signed by, the joint claimants, and the settlement must be made payable to the joint claimants.
(c) A claim may be presented by a duly authorized agent, legal representative or survivor, if it is presented in the name of the claimant. If the claim is not signed by the claimant, the agent, legal representative, or survivor shall indicate their title or legal capacity and provide evidence of their authority to present the claim.
(d) Where the same claimant has a claim for damage to or loss of property and a claim for personal injury or a claim based on death arising out of the same incident, they must be combined in one claim.

§ 25.109 Insurance and other subrogated claims.

(a) The claims of an insured (subrogor) and an insurer (subrogee) for damages arising out of the same incident constitute a single claim. The total award of combined claims may not exceed the monetary jurisdiction of the settlement authority. If the total award of the combined claims exceeds, or is expected to exceed, a settlement...
authority’s limits, the settlement authority is not permitted to consider either, and the claim file will be forwarded to an appropriate settlement authority.

(b) An insured (subrogor) and an insurer (subrogee) may file a claim jointly or separately. If the insurer has fully reimbursed the insured, payment will only be made to the insurer. If separate claims are filed, the settlement will be made payable to each claimant to the extent of that claimant’s undisputed interest. If joint claims are filed, the settlement will be sent to the insurer.

(c) Each claimant shall include with a claim, a written disclosure concerning insurance coverage including:

(1) The names and addresses of all insurers;
(2) The kind and amount of insurance;
(3) The policy number;
(4) Whether a claim has been or will be presented to an insurer, and, if so, the amount of that claim; and whether the insurer has paid the claim in whole or in part, or has indicated payment will be made.

(d) Each subrogee shall substantiate an interest or right to file a claim by appropriate documentary evidence and shall support the claim as to liability and measure of damages in the same manner as required of any other claimant. Documentary evidence of payment to a subrogor does not constitute evidence of liability of the United States or conclusive evidence of the amount of damages. The settlement authority makes an independent determination on the issues of fact and law based upon the evidence of record.

(e) An insurance or other subrogated claim is not payable under Subpart E, F, or G of this part.

§ 25.113 Contents of claim.

(a) A claim under the Federal Tort Claims Act must be presented using Standard Form 95, Claim for Damage, Injury, or Death.

(b) A claim under any other Act may be presented using Standard Form 95. Any claim which is not presented using Standard Form 95 shall include:

(1) The identity of the department, agency, or activity whose act or omission gave rise to the claim;
(2) The full name and mailing address of the claimant. If this mailing address is not claimant’s residence, the claimant shall also include residence address;
(3) The date, time, and place of the incident giving rise to the claim;
(4) The amount claimed, supported by independent evidence of property damage or loss, personal injury, or death, as applicable;
(5) A detailed description of the incident giving rise to the claim;
(6) A description of any property damage or loss, including the identity
of the owner, if other than the claimant, as applicable;
(7) The nature and extent of the injury, as applicable;
(8) The full name, title, if any, and address of any witness to the incident and a brief statement of the witness’ knowledge of the incident;
(9) A description of any insurance carried by the claimant or owner of the property and the status of any insurance claim arising from the incident; and
(10) An agreement by the claimant to accept the total amount claimed in full satisfaction and final settlement of the claim.

§ 25.115 Evidence supporting a claim.

The claimant shall present independent evidence to support a claim. This evidence may include, if available, statements of witnesses, accident or casualty reports, photographs and drawings.

§ 25.117 Proof of amount claimed for personal injury or death.

The following evidence must be presented when appropriate:
(a) Itemized medical, hospital, and burial bills.
(b) A written report by the attending physician including:
(1) The nature and extent of the injury and the treatment,
(2) The necessity and reasonableness of the various medical expenses incurred,
(3) Duration of time injuries prevented or limited employment,
(4) Past, present, and future limitations on employment,
(5) Duration and extent of pain and suffering and of any disability or physical disfigurement,
(6) A current prognosis,
(7) Any anticipated medical expenses, and
(8) Any past medical history of the claimant relevant to the particular injury alleged.

Note: An examination by an independent medical facility or physician may be required to provide independent medical evidence against which to evaluate the written report of the claimant’s physician. The settlement authority determines the need for this examination, makes mutually convenient arrangements for such an examination, and bears the costs thereof.

(c) All hospital records or other medical documents from either this injury or any relevant past injury.

(d) If the claimant is employed, a written statement by the claimant’s employer certifying the claimant’s:
(1) Age,
(2) Occupation,
(3) Hours of employment,
(4) Hourly rate of pay or weekly salary,
(5) Time lost from work as a result of the incident, and
(6) Claimant’s actual period of employment, full-time or part-time, and any effect of the injury upon such employment to support claims for lost earnings.

(e) If the claimant is self-employed, written statements, or other evidence showing:
(1) The amount of earnings actually lost, and
(2) The Federal tax return if filed for the three previous years.

(f) If the claim arises out of injuries to a person providing services to the claimant, statement of the cost necessarily incurred to replace the services to which claimant is entitled under law.

§ 25.119 Proof of amount claimed for loss of, or damage to, property.

The following evidence must be presented when appropriate:
(a) For each particular lost item, evidence of its value such as a bill of sale and a written appraisal, or two written appraisals, from separate disinterested dealers or brokers, market quotations, commercial catalogs, or other evidence of the price at which like property can be obtained in the community. The settlement authority may waive these requirements when circumstances warrant. The cost of any appraisal may be included as an element of damage if
§ 25.123 Settlement and notice to claimant.

(a) If the settlement authority determines that the full amount claimed should be paid, the settlement authority forwards the claim to the disbursing officer for payment. If the time involved in settling the claim has been extensive, the settlement authority notifies the claimant.
§ 25.125 (b) If the settlement authority determines that less than the full amount claimed should be paid, the settlement authority:

(1) Notifies the claimant in writing of the proposed settlement.
(2) Obtains from the claimant written acceptance and release for payment of the claim in the reduced amount.
(3) Advises the claimant, in the event claimant does not desire to accept the offer, to reply within 45 days giving reasons for rejection.
(4) Except upon a showing of good cause for delay in accepting a proposed settlement within 45 days, treats the non-acceptance as a rejection. Rejection by a claimant of an offer of settlement renders the offer void.
(5) If a claimant rejects a proposed settlement or fails to reply within 45 days, the settlement authority may make further efforts to settle the claim. When the settlement authority determines that further efforts to settle the claim are not warranted, the settlement authority notifies the claimant in writing by registered or certified mail, return receipt requested, that the claim has been denied because the amount claimed is excessive.

(c) If the claim is denied, the settlement authority notifies the claimant in writing by registered or certified mail, return receipt requested.

§ 25.129 Acceptance of offer of settlement.
Claimant’s acceptance of an offer of settlement is a complete release of any claim against the United States and against the military or civilian personnel of the Coast Guard whose act or omission gave rise to the claim.

§ 25.131 Delegation of authority.
(a) The Chief Counsel is delegated the following authority:

(1) To carry out the functions of the Secretary and to exercise the Commandant’s authority as commanding officer for all Coast Guard personnel in regard to claims brought under Article 139, Uniform Code of Military Justice (10 U.S.C. 939);
(2) To carry out the functions of an officer designated by the Secretary under the so-called “Foreign Claims Act”, as amended (10 U.S.C. 2734);
(3) To request that the Department of Defense pay any meritorious claims arising under International Agreements in accordance with Title 10 U.S.C. 2734a and 2734b;
(4) To carry out the functions of the Secretary under the Act of October 9, 1962, as amended (10 U.S.C. 2737);
(5) To carry out the functions of the Secretary under the Act of August 16, 1937, as amended (14 U.S.C. 642);
(6) To carry out the functions of the Secretary under the Act of June 15, 1936, as amended (14 U.S.C. 646);
(7) To carry out the functions of the Secretary under the Act of August 4, 1949, as amended (14 U.S.C. 647);
(8) To carry out the functions of the Secretary under the Act of February 19, 1941, as amended (14 U.S.C. 830);
(9) To carry out the functions of the head of a Federal agency’s designee under the Federal Tort Claims Act, as amended (28 U.S.C. 2672).
§ 25.205 Delegation of authority.

(b) In a country where single-service claims responsibility has been assigned, claims against the United States cognizable under the acts referenced in paragraph (a) of this section are processed and settled by the service assigned responsibility.

d) In a country not assigned to a single-service, the rules for presenting claims may be found in § 25.111, later in this subpart. The claim will be settled by the Coast Guard.

Subpart B—Admiralty Claims


§ 25.201 Scope.

This subpart prescribes the requirements for the administrative settlement of maritime tort claims against the United States for death, personal injury, damage to or loss of property caused by a vessel or other property in the service of the Coast Guard, or for claims for towage and salvage services rendered to a Coast Guard vessel or property.

§ 25.203 Claims payable.

A claim is payable under this subpart if it is:

(a) A claim for death, personal injury, damage to or loss of real or personal property arising from a maritime tort caused by an agent or employee of the Coast Guard, or a vessel or other property in the service of the Coast Guard, including an auxiliary facility operated under specific orders and acting within the scope of such orders; or

(b) A claim for compensation for towage and salvage services rendered to a vessel in the service of the Coast Guard or to other property under the jurisdiction of the Coast Guard.

§ 25.205 Claims not payable.

A claim is not payable under this subpart if it is:

(a) Results from action by an enemy, or directly or indirectly from an act of
the armed services of the United States in combat;
(b) Is purely contractual in nature;
(c) Is for death or personal injury of a United States employee for whom benefits are provided under the Federal Employees' Compensation Act, or any other system of compensation where contribution is made or insurance premiums paid directly or indirectly by the United States on behalf of the injured employee;
(d) Is one for which a foreign country is responsible under Article VIII of the Agreement Regarding the Status of Forces of Parties to the North Atlantic Treaty, or other similar treaty agreement;
(e) Arises from private or domestic obligations as distinguished from governmental transactions; or
(f) Is for damage to or loss of personal property of military personnel or civilian employees which is cognizable under the Military Personnel and Civilian Employees' Claims Act, as amended.

§ 25.207 Time limitation on claims.
(a) A settlement authority may administratively settle and approve a claim for final payment within two years from the date that the cause of action accrues. Otherwise, the claim is barred. This two-year period is not extended by presenting a claim nor by negotiations or correspondence. The existence of an administrative claim does not extend the two-year statute of limitations in 46 U.S.C. 745.
(b) If a complaint is filed in a Federal District Court before the expiration of the two-year period, an administrative settlement may be negotiated by the settlement authority only with the consent of the Department of Justice. Payment is made upon final dismissal of the complaint.

Subpart C—Federal Tort Claims


§ 25.301 Scope.
This subpart prescribes the requirements for the administrative settlement of claims against the United States arising out of Coast Guard activities under the Federal Tort Claims Act.

§ 25.303 Procedure.
A claim shall be presented and processed in accordance with 28 CFR Part 14. Should there be a conflict between the provisions of 33 CFR Part 25, Subpart A and the Department of Justice regulations in 28 CFR Part 14, the Department of Justice regulations govern.

Subpart D—Military Claims

AUTHORITY: 10 U.S.C. 2733; 49 CFR 1.46(j).

§ 25.401 Scope.
This subpart prescribes the requirements for the administrative settlement of claims against the United States arising out of the activities of the Coast Guard under the Military Claims Act.

§ 25.403 Claims payable.
A claim arising at any place caused by military personnel or civilian employees of the Coast Guard acting within the scope of their employment, or otherwise incident to noncombat activities of the Coast Guard, whether or not negligence or intentional tort is shown, is payable under this subpart for:
(a) Damage to or loss of real property, including damage or loss incident to the use and occupancy of real property by the Coast Guard;
(b) Damage to or loss of personal property, including property bailed to the Coast Guard;
(c) Damage to or loss of registered or insured mail while the mail is in the possession of the Coast Guard even though damaged or lost by criminal act; or
(d) Death or personal injury.

§ 25.405 Claims not payable.
A claim is not payable under this subpart if it:
(a) Results from action by an enemy or directly or indirectly from an act of the armed services of the United States in combat;
(b) Is purely contractual in nature;
§ 25.503 Proper claimants.

(a) The claimant, or the decedent in a death case, must have been an inhabitant of a foreign country at the time of the incident giving rise to the claim.
§ 25.505 Claimants excluded.

(a) Civilian employees of the United States and members of the armed services of the United States and their dependents, who are in a foreign country primarily because of their own or their sponsor’s duty status.

(b) Other citizens of the United States, its territories, commonwealths, or possessions, unless they can establish their status as inhabitants of the foreign country.

(c) An insurer or other subrogee.

§ 25.507 Claims payable.

(a) A claim is payable under this subpart if it was incident to a noncombat activity of the Coast Guard or was caused by:

(1) A military member of the Coast Guard;

(2) A civilian employee of the Coast Guard who is not a national of the country in which the incident occurred; or

(3) A civilian employee of the Coast Guard who is a national of the country in which the incident occurred:

(i) The employee was within the scope of employment, or

(ii) An employer or owner of the property involved would be liable under local law.

(b) The fact that the act giving rise to a claim may constitute a crime does not, by itself, bar relief.

(c) Local law or custom pertaining to contributory or comparative negligence, and to joint tort-feasors, are applied to the extent practicable.
Subpart F—Claims Not Cognizable Under Other Law

Authority: 10 U.S.C. 2737; 49 CFR 1.45(a)(2).

§ 25.601 Scope.
This subpart prescribes the requirements for the administrative settlement of claims against the United States under 10 U.S.C. 2737 incident to use of property of the United States and not cognizable under other law.

§ 25.603 Claims payable.
A claim for death, personal injury, or damage to or loss of real or personal property under this subpart is payable when caused by a military member or a civilian employee of the Coast Guard:
(a) Incident to the use of a vehicle of the United States at any place; or
(b) Incident to the use of any other property of the United States on a government installation.

§ 25.605 Claims not payable.
A claim is not payable under this subpart if it:
(a) Is legally recoverable by the claimant under a compensation statute or an insurance policy;
(b) Results wholly or partly from the negligent or wrongful act of the claimant, claimant’s agent or employee;
(c) Is a subrogated claim;
(d) Is cognizable under any other provision of law or regulation administered by the Coast Guard; or
(e) Is for any element of damage pertaining to death or personal injury, other than the cost of reasonable medical, hospital, and burial expenses actually incurred and not otherwise furnished or paid by the United States.

§ 25.607 Time limitation on claims.
A claim may be settled only if presented in writing within two years after it accrues.

§ 25.609 Settlement and notice to claimant.
If a claim is determined to be meritorious in any amount, the claimant must sign a written acceptance and release or a claim settlement agreement before payment. Although larger claims may be considered, no claim may be approved or paid in an amount that exceeds $1,000.00.

Subpart G—Article 139, Uniform Code of Military Justice

Authority: 10 U.S.C. 939; 49 CFR 1.46(b).

§ 25.701 Scope.
This subpart prescribes the requirements for the administrative settlement of claims under Article 139, Uniform Code of Military Justice, 10 U.S.C. 939, against military members of the Coast Guard for damage to property willfully caused by them or loss of property wrongfully taken by them.

§ 25.703 Claims payable.
A claim for damage to or loss of real or personal property caused by a military member of the Coast Guard is payable under this subpart when the damage or loss results from:
(a) Willful or intentional acts;
(b) Wrongful taking; or
(c) Riotous, violent, and reckless conduct or acts of depredation by an individual or group that evidences willfulness.

§ 25.705 Claims not payable.
A claim is not payable under this subpart if it:
(a) Is for death or personal injury;
(b) Results wholly or partly from the grossly negligent, or reckless act of the claimant, claimant’s agent or employee;
(c) Is a subrogated claim;
(d) Is for damage to or loss of property owned by the United States or property of a Nonappropriated Fund Activity;
(e) Results from negligence;
(f) Is for indirect or remote damages;
(g) Is for damage to or loss of property resulting from the act or omission of a member of the Coast Guard acting within the scope of the member’s employment;
(h) Extends to damage or loss that results from the owner’s failure to mitigate damages; or
(i) Has been paid by a third party.
§ 25.707 Time limitation on claims.

A claim may be settled only if presented within 90 days after it accrues unless good cause is shown for the delay.

§ 25.709 Assessment limitation on claims.

A claim is permitted in any amount; however, this subpart prohibits any assessment that exceeds one-half of one month’s basic pay against the pay of any offender.

Subpart H—Pollution Removal Damage Claims

AUTHORITY: 33 U.S.C. 1321(j)(1)(A); 33 U.S.C. 1321(1); EO 11735, sec. 5 (a), (b)(3); 49 CFR 1.46(m).

§ 25.801 Scope.

This subpart prescribes the requirements for the administrative settlement of claims against the United States for damage to or loss of property resulting from containment or removal activities during Phase III or IV of the National Contingency Plan, under the Federal Water Pollution Control Act, as amended. 33 U.S.C. 1321.

§ 25.803 Claims payable.

A claim for damage to or loss of real or personal property is payable under this subpart if:

(a) Caused by the United States, its employees, agents or contractors during containment, countermeasures, cleanup, mitigation, and disposal activities under the National Contingency Plan; and

(b) In the exercise of care reasonable under the circumstances, the incident giving rise to the claim was necessary and the damage unavoidable.

§ 25.805 Claims not payable.

A claim is not payable under this subpart if it:

(a) Is for death or personal injury; or

(b) Arises out of activities to contain or remove a discharge of oil or other hazardous polluting substance from a United States or foreign public vessel or federally controlled facility.

PART 26—VESSEL BRIDGE-TO-BRIDGE RADIO TELEPHONE REGULATIONS

Sec.
26.01 Purpose.
26.02 Definitions.
26.03 Radiotelephone required.
26.04 Use of the designated frequency.
26.05 Use of radiotelephone.
26.06 Maintenance of radiotelephone; failure of radiotelephone.
26.07 Communications.
26.08 Exemption procedures.
26.09 List of exemptions.


SOURCE: CGD 71–114R, 37 FR 12720, June 28, 1972, unless otherwise noted.

§ 26.01 Purpose.

(a) The purpose of this part is to implement the provisions of the Vessel Bridge-to-Bridge Radiotelephone Act. This part:

(1) Requires the use of the vessel bridge-to-bridge radiotelephone;

(2) Provides the Coast Guard’s interpretation of the meaning of important terms in the Act;

(3) Prescribes the procedures for applying for an exemption from the Act and the regulations issued under the Act and a listing of exemptions.

(b) Nothing in this part relieves any person from the obligation of complying with the rules of the road and the applicable pilot rules.

§ 26.02 Definitions.

For the purpose of this part and interpreting the Act:

Secretary means the Secretary of the Department in which the Coast Guard is operating;

Act means the “Vessel Bridge-to-Bridge Radiotelephone Act”, 33 U.S.C. sections 1201–1208;

Length is measured from end to end over the deck excluding sheer;

Power-driven vessel means any vessel propelled by machinery; and

Towing vessel means any commercial vessel engaged in towing another vessel astern, alongside, or by pushing ahead.

Vessel Traffic Services (VTS) means a service implemented under Part 161 of this chapter by the United States
Coast Guard designed to improve the safety and efficiency of vessel traffic and to protect the environment. The VTS has the capability to interact with marine traffic and respond to traffic situations developing in the VTS area.

Vessel Traffic Service Area or VTS Area means the geographical area encompassing a specific VTS area of service as described in Part 161 of this chapter. This area of service may be subdivided into sectors for the purpose of allocating responsibility to individual Vessel Traffic Centers or to identify different operating requirements.

NOTE: Although regulatory jurisdiction is limited to the navigable waters of the United States, certain vessels will be encouraged or may be required, as a condition of port entry, to report beyond this area to facilitate traffic management within the VTS area.

(Rule 1, International Regulations for Preventing Collisions at Sea, 1972 (as rectified); EO 11964 (14 U.S.C. 2); 49 CFR 1.46(b))

§ 26.03 Radiotelephone required.

(a) Unless an exemption is granted under §26.09 and except as provided in paragraph (a)(4) of this section, this part applies to:

1. Every power-driven vessel of 20 meters or over in length while navigating;

2. Every vessel of 100 gross tons and upward carrying one or more passengers for hire while navigating;

3. Every towing vessel of 26 feet or over in length while navigating; and

4. Every dredge and floating plant engaged in or near a channel or fairway in operations likely to restrict or affect navigation of other vessels except for an unmanned or intermittently manned floating plant under the control of a dredge.

(b) Every vessel, dredge, or floating plant described in paragraph (a) of this section must have a radiotelephone on board capable of operation from its navigational bridge, or in the case of a dredge, from its main control station, and capable of transmitting and receiving on the frequency or frequencies within the 156-162 Mega-Hertz band using the classes of emissions designated by the Federal Communications Commission for the exchange of navigational information.

(c) The radiotelephone required by paragraph (b) of this section must be carried on board the described vessels, dredges, and floating plants upon the navigable waters of the United States.

(d) The radiotelephone required by paragraph (b) of this section must be capable of transmitting and receiving on VHF FM channel 22A (157.1 MHz).

(e) While transiting any of the following waters, each vessel described in paragraph (a) of this section also must have on board a radiotelephone capable of transmitting and receiving on VHF FM channel 67 (156.375 MHz):

1. The lower Mississippi River from the territorial sea boundary, and within the Southwest Pass safety fairway or the South Pass safety fairway specified in 33 CFR 166.200, to mile 242.4 AHP (Above Head of Passes) near Baton Rouge;

2. The Mississippi River-Gulf Outlet from the territorial sea boundary, and within the Mississippi River-Gulf outlet Safety Fairway specified in 33 CFR 166.200, to that channel’s junction with the Inner Harbor Navigation Canal;

3. The full length of the Inner Harbor Navigation Canal from its junction with the Mississippi River to that canal’s entry to Lake Pontchartrain at the New Seabrook vehicular bridge.

(f) In addition to the radiotelephone required by paragraph (b) of this section, each vessel described in paragraph (a) of this section while transiting any waters within a Vessel Traffic Service Area, must have on board a radiotelephone capable of transmitting and receiving on the VTS designated frequency in Table 26.03(f) (VTS Call Signs, Designated Frequencies, and Monitoring Areas).

NOTE: A single VHF–FM radio capable of scanning or sequential monitoring (often referred to as “dual watch” capability) will not meet the requirements for two radios.
### Table 26.03(f)—Vessel Traffic Services (VTS) Call Signs, Designated Frequencies, and Monitoring Areas

<table>
<thead>
<tr>
<th>Vessel traffic services</th>
<th>Designated frequency (channel designation)</th>
<th>Monitoring area</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York Traffic</td>
<td>156.600 MHz (Ch. 12)</td>
<td>Each vessel at anchor within the above areas.</td>
</tr>
<tr>
<td>Houston Traffic</td>
<td>156.600 MHz (Ch. 12)</td>
<td>Each vessel at anchor within the above areas.</td>
</tr>
<tr>
<td>Berwick Bay Traffic</td>
<td>156.550 MHz (Ch. 11)</td>
<td>The navigable waters south of 29° 45′ N., west of 91°10′ W., north of 29°53′ N., and east of 91°18′ W.</td>
</tr>
<tr>
<td>St. Marys River Traffic</td>
<td>156.600 MHz (Ch. 12)</td>
<td>The navigable waters of the St. Marys River between 45°57′ N. (De Tour Reef Light) and 46°38.7′ N. (Ile Parisienne Light), except the St. Marys Falls Canal and those navigable waters east of a line from 46°04.16′ N. and 46°01.57′ N. (La Pointe to Sims Point in Potagannissaying Bay and Worsley Bay).</td>
</tr>
<tr>
<td>San Francisco Offshore Vessel Movement Reporting Service</td>
<td>156.600 MHz (Ch. 12)</td>
<td>The waters within a 38 nautical mile radius of Mount Tamalpais (37°55.6′ N., 122°34.6′ W.) excluding the San Francisco Offshore Precautionary Area.</td>
</tr>
<tr>
<td>Puget Sound Traffic</td>
<td>156.700 MHz (Ch. 14)</td>
<td>The navigable waters of the Strait of Juan de Fuca east of 124°40′ W., excluding the waters in the central portion of the Strait of Juan de Fuca north and east of Race Rocks (48°18′ N 122°32′ W); the navigable waters of the Strait of Georgia east of 122°52′ W; the San Juan Island Archipelago, Rosario Strait, Bellingham Bay; Admiralty of Juan de Fuca north and east of Race Rocks (48°18′ N 123°32′ W); the navigable waters of the Strait of Georgia east of 122°52′ W; the San Juan Island Archipelago, Rosario Strait, Bellingham Bay; Admiralty Inlet of a line connecting Nodoule Point (48°01.5′ N 122°40.05′ W) and Bush Point (48°01.5′ N 122°36.23′ W) in Admiralty Inlet and south of a line drawn due east from the southernmost tip of Possession Point (47°34′ N 122°40′ W) on Whidbey Island to the shoreline.</td>
</tr>
<tr>
<td>Tofino Traffic</td>
<td>156.725 MHz (Ch. 74)</td>
<td>The waters west of 124°40′ W., within 50 nautical miles of the coast of Vancouver Island excluding the waters north of 48°45′ N., and east of 127° W.</td>
</tr>
<tr>
<td>Vancouver Traffic</td>
<td>156.550 MHz (Ch. 11)</td>
<td>The navigable waters of the Strait of Georgia west of 122°52′ W., the navigable waters of the central Strait of Juan de Fuca north and east of Race Rocks, including the Gulf Island Archipelago, Boundary Pass and Haro Strait.</td>
</tr>
</tbody>
</table>

---

1. Designation of call signs, monitoring areas, and designated frequencies are used in the Vessel Traffic Service (VTS).  
2. The designated call sign, monitoring area, and designated frequency are used in the Vessel Traffic Service (VTS).
§ 26.04 Use of the designated frequency.

(a) No person may use the frequency designated by the Federal Communications Commission under section 8 of the Act, 33 U.S.C. 1207(a), to transmit any information other than information necessary for the safe navigation of vessels or necessary tests.

(b) Each person who is required to maintain a listening watch under section 5 of the Act shall, when necessary, transmit and confirm, on the designated frequency, the intentions of his vessel and any other information necessary for the safe navigation of vessels.

(c) Nothing in these regulations may be construed as prohibiting the use of the designated frequency to communicate with shore stations to obtain or furnish information necessary for the safe navigation of vessels.

(d) On the navigable waters of the United States, channel 13 (156.65 MHz) is the designated frequency required to be monitored in accordance with §26.05(a) except that in the area prescribed in §26.03(e), channel 67 (156.375 MHz) is the designated frequency.

(e) On those navigable waters of the United States within a VTS area, the designated VTS frequency is an additional designated frequency required to be monitored in accordance with §26.05.

Notes:
1. VTS regulations are denoted in 33 CFR 161. All geographic coordinates (latitude and longitude) are expressed in North American Datum of 1983 (NAD 83).
2. In the event of a communication failure either by the vessel traffic center or the vessel or radio congestion on a designated VTS frequency, communications may be established on an alternate VTS frequency. The bridge-to-bridge navigational frequency, 156.650 MHz (Channel 13), is monitored in each VTS area; and it may be used as an alternate frequency, however, only to the extent that doing so provides a level of safety beyond that provided by other means.
3. Designated frequency monitoring is required within U.S. navigable waters. In areas which are outside the U.S. navigable waters, designated frequency monitoring is voluntary. However, prospective VTS Users are encouraged to monitor the designated frequency.
4. VMRS participants shall make their initial report (Sail Plan) to New York Traffic on Channel 11 (156.550 MHz). All other reports, including the Final Report, shall be made on Channel 14 (156.700 MHz). VMRS and other VTS Users shall monitor Channel 14 (156.700 MHz) while transiting the VTS area. New York Traffic may direct a vessel to monitor and report on either primary frequency depending on traffic density, weather conditions, or other safety factors. This does not require a vessel to monitor both primary frequencies.
5. A Cooperative Vessel Traffic Service was established by the United States and Canada within adjoining waters. The appropriate vessel traffic control administers the rules issued by both nations; however, it will enforce only its own set of rules within its jurisdiction.
6. Seattle Traffic may direct a vessel to monitor the other primary VTS frequency 156.250 MHz (Channel 5A or 14) depending on traffic density, weather conditions, or other safety factors. This does not require a vessel to monitor both primary frequencies.
7. A portion of Tolstoi Sector’s monitoring area extends beyond the defined CVTS area. Designated frequency monitoring is voluntary in these portions outside of VTS jurisdiction, however, prospective VTS Users are encouraged to monitor the designated frequency.
8. The bridge-to-bridge navigational frequency, 156.650 MHz (Channel 13), is used in these VTSs because the level of radio telephone transmissions does not warrant a designated VTS frequency. The listening watch required by 26.05 of this chapter is not limited to the monitoring area.

Coast Guard, DOT

TABLE 26.03(f) — VESSEL TRAFFIC SERVICES (VTS) CALL SIGNS, DESIGNATED FREQUENCIES, AND MONITORING AREAS—Continued

<table>
<thead>
<tr>
<th>Vessel traffic services ¹</th>
<th>Designated frequency ² (channel designation)</th>
<th>Monitoring area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valdez Traffic</td>
<td>156.650 MHz (Ch. 13)</td>
<td>The navigable waters south of 61°05’N, east of 147°20’W, north of 60°N, and west of 146°30’W; and, all navigable waters in Port Valdez.</td>
</tr>
<tr>
<td>Louisville</td>
<td>156.650 MHz (Ch. 13)</td>
<td>The navigable waters of the Ohio River between McAlpine Locks (Mile 606) and Twelve Mile Island (Mile 593), only when the McAlpine upper pool gauge is at approximately 13.0 feet or above.</td>
</tr>
</tbody>
</table>

Notes:
1. VTS regulations are denoted in 33 CFR 161. All geographic coordinates (latitude and longitude) are expressed in North American Datum of 1983 (NAD 83).
2. In the event of a communication failure either by the vessel traffic center or the vessel or radio congestion on a designated VTS frequency, communications may be established on an alternate VTS frequency. The bridge-to-bridge navigational frequency, 156.65 MHz (Channel 13), is monitored in each VTS area; and it may be used as an alternate frequency, however, only to the extent that doing so provides a level of safety beyond that provided by other means.
3. Designated frequency monitoring is required within U.S. navigable waters. In areas which are outside the U.S. navigable waters, designated frequency monitoring is voluntary. However, prospective VTS Users are encouraged to monitor the designated frequency.
4. VMRS participants shall make their initial report (Sail Plan) to New York Traffic on Channel 11 (156.550 MHz). All other reports, including the Final Report, shall be made on Channel 14 (156.700 MHz). VMRS and other VTS Users shall monitor Channel 14 (156.700 MHz) while transiting the VTS area. New York Traffic may direct a vessel to monitor and report on either primary frequency depending on traffic density, weather conditions, or other safety factors. This does not require a vessel to monitor both primary frequencies.
5. A Cooperative Vessel Traffic Service was established by the United States and Canada within adjoining waters. The appropriate vessel traffic control administers the rules issued by both nations; however, it will enforce only its own set of rules within its jurisdiction.
6. Seattle Traffic may direct a vessel to monitor the other primary VTS frequency 156.250 MHz (Channel 5A or 14) depending on traffic density, weather conditions, or other safety factors. This does not require a vessel to monitor both primary frequencies.
7. A portion of Tolstoi Sector’s monitoring area extends beyond the defined CVTS area. Designated frequency monitoring is voluntary in these portions outside of VTS jurisdiction, however, prospective VTS Users are encouraged to monitor the designated frequency.
8. The bridge-to-bridge navigational frequency, 156.650 MHz (Channel 13), is used in these VTSs because the level of radio telephone transmissions does not warrant a designated VTS frequency. The listening watch required by 26.05 of this chapter is not limited to the monitoring area.

§ 26.05 Use of radiotelephone.

Section 5 of the Act states that the radiotelephone required by this Act is for the exclusive use of the master or person in charge of the vessel, or the person designated by the master or person in charge to pilot or direct the movement of the vessel, who shall maintain a listening watch on the designated frequency. Nothing herein shall be interpreted as precluding the use of portable radiotelephone equipment to satisfy the requirements of this act.

[CGD 93–072, 59 FR 39963, Aug. 5, 1994]

§ 26.06 Maintenance of radiotelephone; failure of radiotelephone.

Section 6 of the Act states:

(a) Whenever radiotelephone capability is required by this Act, a vessel’s radiotelephone equipment shall be maintained in effective operating condition. If the radiotelephone equipment carried aboard a vessel ceases to operate, the master shall exercise due diligence to restore it or cause it to be restored to effective operating condition at the earliest practicable time. The failure of a vessel’s radiotelephone equipment shall not, in itself, constitute a violation of this Act, nor shall it obligate the master of any vessel to moor or anchor his vessel; however, the loss of radiotelephone capability shall be given consideration in the navigation of the vessel.


§ 26.07 Communications.

No person may use the services of, and no person may serve as, a person required to maintain a listening watch under section 5 of the Act, 33 U.S.C. 1204, unless the person can communicate in the English language.


§ 26.08 Exemption procedures.

(a) The Commandant has redelegated to the Assistant Commandant for Marine Safety, Security and Environmental Protection, U.S. Coast Guard Headquarters, with the reservation that this authority shall not be further redelegated, the authority to grant exemptions from provisions of the Vessel Bridge-to-Bridge Radiotelephone Act and this part.

(b) Any person may petition for an exemption from any provision of the Act or this part;

(c) Each petition must be submitted in writing to U.S. Coast Guard, Marine Safety, Security and Environmental Protection, 2100 Second Street SW., Washington, DC 20593–0001, and must state:

(1) The provisions of the Act or this part from which an exemption is requested; and

(2) The reasons why marine navigation will not be adversely affected if the exemption is granted and if the exemption relates to a local communication system how that system would fully comply with the intent of the concept of the Act but would not conform in detail if the exemption is granted.


§ 26.09 List of exemptions.

(a) All vessels navigating on those waters governed by the navigation rules for Great Lakes and their connecting and tributary waters (33 U.S.C. 241 et seq.) are exempt from the requirements of the Vessel Bridge-to-Bridge Radiotelephone Act and this part until May 6, 1975.

of Safety on the Great Lakes by Means of Radio, 1973.”


PART 27—ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION

Sec. 27.1 Applicability.
27.2 Effective date.
27.3 Penalty Adjustment Table.


Source: CGD 96–062, 62 FR 16760, Apr. 8, 1997, unless otherwise noted.

### TABLE 1.——CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS *

<table>
<thead>
<tr>
<th>U.S. Code citation</th>
<th>Civil monetary penalty description</th>
<th>New maximum penalty amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>14 U.S.C. 88(c)</td>
<td>Saving Life and Property</td>
<td>5,500</td>
</tr>
<tr>
<td>14 U.S.C. 645(h)</td>
<td>Confidentiality of Medical Quality Assurance Records (first offense)</td>
<td>3,000</td>
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<tr>
<td>14 U.S.C. 645(h)</td>
<td>Confidentiality of Medical Quality Assurance Records (subsequent offense)</td>
<td>22,000</td>
</tr>
<tr>
<td>33 U.S.C. 471</td>
<td>Anchorage Ground/Harbor Regulations General</td>
<td>110</td>
</tr>
<tr>
<td>33 U.S.C. 474</td>
<td>Anchorage Ground/Harbor Regulations St. Mary’s River</td>
<td>220</td>
</tr>
<tr>
<td>33 U.S.C. 495</td>
<td>Bridges/Failure to Comply with Regulations</td>
<td>1,100</td>
</tr>
<tr>
<td>33 U.S.C. 499</td>
<td>Bridges/Drawbridges</td>
<td>1,100</td>
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<tr>
<td>33 U.S.C. 502</td>
<td>Bridges/Failure to Alter Bridge Obstructing Navigation</td>
<td>1,100</td>
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<tr>
<td>33 U.S.C. 533</td>
<td>Bridges/Maintenance &amp; Operation</td>
<td>1,100</td>
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<tr>
<td>33 U.S.C. 1008(a)</td>
<td>Bridge to Bridge Communication</td>
<td>550</td>
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<tr>
<td>33 U.S.C. 1008(b)</td>
<td>Bridge to Bridge Communication</td>
<td>550</td>
</tr>
<tr>
<td>33 U.S.C. 1232</td>
<td>Vessel Navigation: Regattas or Marine Parades</td>
<td>5,500</td>
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<td>33 U.S.C. 1236(b)</td>
<td>Vessel Navigation: Regattas or Marine Parades</td>
<td>5,500</td>
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<td>33 U.S.C. 1236(c)</td>
<td>Vessel Navigation: Regattas or Marine Parades</td>
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<td>33 U.S.C. 1319(c)</td>
<td>Pollution Prevention</td>
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<tr>
<td>33 U.S.C. 1319(g)(2)(A)</td>
<td>Pollution Prevention (per violation)</td>
<td>11,000</td>
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<tr>
<td>33 U.S.C. 1319(g)(2)(B)</td>
<td>Pollution Prevention (total under subparagraph)</td>
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<tr>
<td>33 U.S.C. 1319(g)(2)(B)</td>
<td>Pollution Prevention (per day of violation)</td>
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<tr>
<td>33 U.S.C. 1319(g)(2)(B)</td>
<td>Pollution Prevention (total under subparagraph)</td>
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<tr>
<td>33 U.S.C. 1321(b)(5)(A)</td>
<td>Oil/Hazardous Substances: Discharges (per violation)</td>
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<td>33 U.S.C. 1321(b)(5)(B)</td>
<td>Oil/Hazardous Substances: Discharges (total under paragraph)</td>
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<td>33 U.S.C. 1321(b)(5)(B)</td>
<td>Oil/Hazardous Substances: Discharges (per day of violation)</td>
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<td>33 U.S.C. 1321(b)(5)(B)</td>
<td>Oil/Hazardous Substances: Discharges (total under paragraph)</td>
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<td>33 U.S.C. 1321(b)(7)(A)</td>
<td>Oil/Hazardous Substances: Discharges (per day of violation)</td>
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<tr>
<td>33 U.S.C. 1321(b)(7)(A)</td>
<td>Oil/Hazardous Substances: Discharges (per barrel of oil or unit of hazsub discharged)</td>
<td>1,100</td>
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<td>33 U.S.C. 1321(b)(7)(B)</td>
<td>Oil/Hazardous Substances: Discharges (per barrel of oil or unit of hazsub discharged)</td>
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<tr>
<td>33 U.S.C. 1321(b)(7)(C)</td>
<td>Oil/Hazardous Substances: Discharges</td>
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<tr>
<td>33 U.S.C. 1321(b)(7)(D)</td>
<td>Oil/Hazardous Substances: Discharges (per barrel of oil or unit of hazsub discharged)</td>
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<tr>
<td>33 U.S.C. 1321(j)</td>
<td>Oil/Hazardous Substances Prevention Regulations</td>
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<td>33 U.S.C. 1322(j)</td>
<td>Marine Sanitation Devices</td>
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<td>Marine Sanitation Devices</td>
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<td>33 U.S.C. 157(a)</td>
<td>Deepwater Ports Regulations</td>
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<td>33 U.S.C. 1608(a)</td>
<td>International Regulations</td>
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<td>33 U.S.C. 1908(b)(1)</td>
<td>Pollution from Ships</td>
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<td>33 U.S.C. 1908(b)(2)</td>
<td>Pollution from Ships</td>
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<td>33 U.S.C. 2072(b)</td>
<td>Inland Navigation Rules</td>
<td>5,500</td>
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</table>

§ 27.1 Applicability.

This part applies to each statutory provision under the laws administered by the Coast Guard concerning the maximum civil monetary penalty which may be assessed in either civil judicial or administrative proceedings.

§ 27.2 Effective date.

The increased penalty amounts set forth in this rule apply to all violations under the applicable statutes and regulations which occur after May 7, 1997.

§ 27.3 Penalty Adjustment Table.

The adjusted statutory penalty provisions and their maximum applicable amounts are set out in Table 1. The last column of the table provides the newly effective maximum penalty amounts.
## Table 1.—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS *—Continued

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<tr>
<th>U.S. Code citation</th>
<th>Civil monetary penalty description</th>
<th>New maximum penalty amount</th>
</tr>
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<tbody>
<tr>
<td>33 U.S.C. 2609(a)</td>
<td>Shore Protection</td>
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<td>33 U.S.C. 2609(b)</td>
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<td>33 U.S.C. 2609(c)</td>
<td>Shore Protection</td>
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<td>33 U.S.C. 2716(e)</td>
<td>Oil Pollution Liability and Compensation</td>
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<td>46 U.S.C. 1505(a)</td>
<td>Safe Containers for International Cargo</td>
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<td>Suspension of Passenger Service</td>
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<td>46 U.S.C. 2110(e)</td>
<td>Vessel Inspection or Examination fees</td>
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<td>46 U.S.C. 2115</td>
<td>Alcohol and Dangerous Drug Testing</td>
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<td>46 U.S.C. 2302(a)</td>
<td>Negligent Operations</td>
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<td>46 U.S.C. 2302(c)(1)</td>
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<td>46 U.S.C. 2306(a)(2)(B)(4)</td>
<td>Vessel Reporting Requirements: Owner</td>
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<td>46 U.S.C. 2306(b)(2)</td>
<td>Vessel Reporting Requirements: Master</td>
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<td>46 U.S.C. 3102(c)(1)</td>
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<td>46 U.S.C. 3302(j)(5)</td>
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<td>46 U.S.C. 3318(a)</td>
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<td>46 U.S.C. 3318(g)</td>
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<td>46 U.S.C. 3318(h)</td>
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<td>46 U.S.C. 3318(i)</td>
<td>Vessel Inspection</td>
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<td>46 U.S.C. 3318(j)(1)</td>
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<td>46 U.S.C. 3318(l)</td>
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<td>List/Count of Passengers</td>
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<td>46 U.S.C. 3506</td>
<td>Copies of Laws on Passenger Vessels</td>
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<td>46 U.S.C. 3718(a)(1)</td>
<td>Dangerous Cargo Carriage</td>
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<td>46 U.S.C. 4106</td>
<td>Uninspected Vessels</td>
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<td>Abandonment of Barges</td>
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<td>Load Lines</td>
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<td>Watchmen on Passenger Vessels</td>
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<td>Citizenship Requirements</td>
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<td>46 U.S.C. 8104(i)</td>
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<td>46 U.S.C. 8104(j)</td>
<td>Watches on Vessels</td>
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<td>46 U.S.C. 8302(e)</td>
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<td>Failure to Report Sexual Offense</td>
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<td>Foreign Engagements by Seamen</td>
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<td>46 U.S.C. 10309(b)</td>
<td>Replacement of Lost/Deserted Seamen</td>
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<td>46 U.S.C. 10310</td>
<td>Discharge of Seamen</td>
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<td>Foreign/Intercoastal Voyages</td>
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<td>Pay Advances to Seamen</td>
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<td>46 U.S.C. 10315(c)</td>
<td>Allotments to Seamen</td>
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<td>46 U.S.C. 10321</td>
<td>Seamen Protection: General</td>
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<td>46 U.S.C. 10508(b)</td>
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<td>46 U.S.C. 10711</td>
<td>Effects of Deceased Seamen</td>
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<td>46 U.S.C. 10902(a)(2)</td>
<td>Complaints of Unfitness</td>
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</table>
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#### § 27.3

**TABLE 1.—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS *—Continued**

<table>
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<td>Permission to Make Complaint</td>
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<td>46 U.S.C. 11101(f)</td>
<td>Accommodations for Seamen</td>
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<td>46 U.S.C. 11102(b)</td>
<td>Medicine Chests on Vessels</td>
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<td>46 U.S.C. 11104(b)</td>
<td>Destitute Seamen</td>
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<td>46 U.S.C. 11105(c)</td>
<td>Wages on Discharge</td>
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<td>46 U.S.C. 11303(a)</td>
<td>Log Books</td>
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<td>46 U.S.C. 11303(b)</td>
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<td>46 U.S.C. 11303(c)</td>
<td>Log Books</td>
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<td>46 U.S.C. 11506</td>
<td>Carrying of Sheath Knives</td>
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<td>46 U.S.C. 12122(a)</td>
<td>Identification of Vessels</td>
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<td>46 U.S.C. 12309(b)</td>
<td>Numbering of Undocumented Vessels</td>
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<td>46 U.S.C. 12507(b)</td>
<td>Vessel Identification System</td>
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<td>Registry/Recording; Tonnage</td>
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<td>46 U.S.C. 14702</td>
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</table>

*Table may not include all civil monetary penalties. If penalty is not listed, check applicable statute for penalty amount.

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EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Transportation. This index is updated as of July 1, 2001.

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PART 40—CADETS OF THE COAST GUARD

AUTHORITY: 14 U.S.C. 182 and 633; 49 CFR 1.46(b)

§ 40.1 Program for appointing cadets.

The Coast Guard conducts a program for appointing qualified men and women as cadets who are admitted to the Coast Guard Academy, New London, Connecticut. The Superintendent of the Coast Guard Academy tenders appointments on the basis of previous academic performance, reported College Entrance Examination Board or American College Testing scores, and the findings of a Cadet Candidate Evaluation Board, consisting of Coast Guard officers appointed by the Superintendent of the Coast Guard Academy, which reviews each applicant’s personal qualifications. In addition, a Service Academy Medical Examination must be satisfactorily completed before appointment. Applications must be submitted on Coast Guard form CG-4151. This form, along with additional information on the Cadet appointment program, may be obtained from the Director of Admissions, U.S. Coast Guard Academy, New London, CT 06320.


PART 45—ENLISTMENT OF PERSONNEL

Sec. 45.1 Enlistment of personnel.

45.2 Records of enlistment of former service members.


§ 45.1 Enlistment of personnel.

(a) The Coast Guard is a military service which operates within the Department of Transportation. All personnel enlisted in the Coast Guard are subject to the Uniform Code of Military Justice.

(b) Any person desiring to enlist in the Coast Guard should apply at a Coast Guard Recruiting Office, or direct inquiries to, Coast Guard Recruiting Center, 4200 Wilson Boulevard, Suite 450, Arlington, VA 22203. Enlistments in the Coast Guard shall be for general service and enlisted persons may be transferred as necessary from one unit to another. Original enlistments will be made only at regular recruiting offices unless otherwise directed by the Commandant. An original enlistment is the enlistment of an individual who has not had previous service in the Regular Coast Guard. In processing an application for enlistment, the Coast Guard will determine the mental, moral and physical fitness of the applicant through reference to local police files, character references, employers, school authorities and physical and mental examinations. Concealment of any fact, circumstance or condition existing prior to enlistment which would render the applicant ineligible for enlistment may subject the applicant to criminal penalties under the Uniform Code of Military Justice and/or administrative separation from the Coast Guard.


§ 45.2 Records of enlistment of former service members.

Former members who have any questions about their service or who need information regarding their service should contact the nearest Coast Guard Recruiting Office or Coast Guard Recruiting Center, 4200 Wilson Boulevard, Suite 450, Arlington, VA 20203.
PART 49—PAYMENT OF AMOUNTS DUE MENTALLY INCOMPETENT COAST GUARD PERSONNEL

Subpart 49.01—General Provisions

§ 49.01–1 Applicability.

The Commandant of the Coast Guard is hereby designated and is authorized to appoint, in his discretion, the person or persons who may receive active-duty pay and allowances, amounts due for accumulated or accrued leave, or any retired or retainer pay, otherwise payable to personnel on the active or retired list of the Coast Guard and Coast Guard Reserve, entitled to Federal pay either on the active or any retired list of said service, who, in the opinion of competent medical authority, have been determined to be mentally incapable of managing their own affairs, and for whom no legal committee, guardian, or other representative has been appointed by a court of competent jurisdiction.

§ 49.01–5 Requests for appointment of trustee.

Requests for the appointment of a person or persons to receive moneys due personnel believed to be mentally incapable of managing their own affairs shall be submitted to the Commandant of the Coast Guard:

(a) By any person or persons who believe, because of relationship, they should be appointed to receive payments on behalf of the alleged incompetent;

(b) By the Commanding Officer of the alleged incompetent if the latter is on active duty;

(c) By the Commanding Officer of any Armed Forces hospital in which the mentally incompetent is undergoing treatment;

(d) By the head of any veterans’ hospital, or other public or private institution in which the alleged incompetent is undergoing treatment;

(e) By any other person or organization acting for and in the best interests of the alleged mentally incompetent.

§ 49.01–10 Determination of incompetency.

After examining the legitimacy, substance, and sufficiency of the application, the Commandant shall either (a) direct the Commanding Officer of the alleged mentally incompetent, (b) the Commanding Officer of the Coast Guard unit to which such incompetent may be conveniently referred, or (c) request the Surgeon General of the Public Health Service to convene or appoint, at the Public Health Hospital or facility, where the alleged incompetent is receiving treatment or to which his case may be conveniently referred, a board of not less than three qualified medical officers, one of whom shall be specially qualified in the treatment of mental disorders, to determine whether the alleged incompetent is capable of managing his own affairs. The record of proceedings, and the findings of the board shall, after action by the Convening or Appointive Authority thereon, be forwarded to the Commandant.

Subpart 49.05—Trustee

§ 49.05–1 Appointment of trustee.

Upon receipt of a finding by a board convened or appointed in accordance with § 49.01–10, that the alleged incompetent is mentally incapable of managing his own affairs, the Commandant may appoint a suitable person or persons, not under legal disability so to
act, as trustee or trustees to receive in behalf of the incompetent all amounts due the incompetent from such sources set forth in §49.01-1, and to use said funds in the best interests of the incompetent.

§ 49.05–5 Bonding of trustee.

The trustee or trustees appointed to receive moneys in behalf of incompetent personnel shall furnish a bond in all cases when the amounts to be received may be expected to exceed $1,000, and in such other cases when deemed appropriate by the Commandant. The bond so required and furnished shall have as surety a company approved by the Federal Government, and shall be in such amount as is required by the Commandant. Such bonds shall be continued in effect for the life of trusteeship and expenses in connection with the furnishing and renewal of such bonds may be paid out of sums due the incompetent.

§ 49.05–10 Affidavits required.

The trustee or trustees appointed to receive moneys due incompetent personnel shall, prior to the payment of any such moneys, execute and file with the Commandant an affidavit or affidavits saying and deposing that any moneys henceforth received by virtue of such appointment shall be applied solely to the use and benefit of the incompetent and that no fee, commission, or charge shall be demanded, or in any manner accepted, for any service or services rendered in connection with such appointment as trustee or trustees.

Subpart 49.10—Reports and Moneys

§ 49.10–1 Reports required.

The trustee or trustees so appointed shall submit reports annually, or at such other times as the Commandant may designate. The report shall show a statement of the conditions of the trust account at the time of the submission of the report, including all funds received on behalf of the incompetent; all expenditures made in behalf of the incompetent, accompanied by receipts or vouchers covering such expenditures; and a receipt indicating that the surety bond required by §49.05–5 has been renewed. When the trustee is the spouse or adult dependent of the incompetent, receipts or vouchers need not be filed for expenditures made for living expenses. If the trustee or trustees fail to report promptly and properly at the end of any annual period or at such other times as the Commandant desires, the Commandant may, in his discretion, cause payment to such trustee or trustees to cease, and may, if deemed advisable, appoint another person or persons not under legal disability so to act, to receive future payments of moneys due the incompetent for the use and benefit of the incompetent.

§ 49.10–5 Payment of moneys due.

Upon the appointment of a trustee or trustees to receive moneys due an incompetent, the authorized certifying officer having custody of that person’s pay record shall be advised. After such notification, payments of moneys due the incompetent may be made by the appropriate officer in accordance with procedure prescribed by the Commandant. All such payments so made, however, shall be made to the designated trustee or trustees.

§ 49.10–10 Cessation of payments.

(a) Payments of amounts due incompetent personnel shall cease to be paid to the trustee or trustees upon receipt of notification by the authorized certifying officer of the occurrence of any of the following:

1. Death of the incompetent;
2. Death or disability of the trustee or trustees appointed;
3. Receipt of notice that a committee, guardian, or other legal representative has been appointed for the incompetent by a court of competent jurisdiction;
4. Failure of the trustee or trustees to render the reports required by §49.10–1;
5. That there is probable cause to believe that moneys received on behalf of the incompetent have been, or are being, improperly used;
6. A finding by a board of medical officers that the heretofore incompetent is mentally capable of managing his own affairs;
§ 49.10–15

(7) That the Commandant deems it to be in the best interest of the incompetent.

(b) In the event of termination of payments under paragraphs (a)(2), (4), (5), or (7) of this section, the Commandant may, if deemed appropriate, appoint a successor trustee or trustees. The successor trustee or trustees, so appointed, shall comply with the provisions of the regulations and instructions in this part issued thereunder, and do all acts in the manner required of the original trustee or trustees.

§ 49.10–15 Final accounting by trustee.

The trustee or trustees, when payments, hereunder are terminated, shall file a final account with the said Commandant. Thereupon, the trustee or trustees will be discharged and the surplus released. In event of death or disability of the trustee, the final accounting will be filed by his legal representative.

Subpart 49.15—Additional Instructions

§ 49.15–1 Implementing instructions.

The Commandant is hereby authorized to issue such instructions not in conflict with the regulations in this part as may be necessary from time to time to give full force and effect therefor.

PART 50—COAST GUARD RETIRING REVIEW BOARD

Sec.
50.1 Establishment and duties of Board.
50.2 Composition of Board.
50.3 Request for review.
50.4 Presentation of case.
50.5 Action by the Board.
50.6 Notification of final action.


NOTE: For the text of waivers of navigation and vessel inspection laws and regulations, see Part 19 of this chapter.

§ 50.1 Establishment and duties of Board.

(a) A Retiring Review Board, referred to in this part as the Board, is hereby established in the Coast Guard.

(b) It will be the duty of the Board to review, at the request of any Coast Guard officer retired or released to inactive service, without pay, for physical disability, pursuant to the decision of a retiring board, the findings and decision of the retiring board. The term “retired or released to inactive service” includes every kind of separation from the service.

(c) After reviewing the findings and decision of a retiring board the Board will affirm or reverse, in whole or in part, the findings and decision of the retiring board.

(d) In carrying out its duties the Board shall have the same powers as exercised by, or vested in, the retiring board whose findings and decision are being reviewed.

[10 FR 5650, May 17, 1945]

§ 50.2 Composition of Board.

(a) The Board will be composed of five commissioned officers designated for each case from a panel appointed by the Commandant. The senior Coast Guard members of the panel will designate the members of the Board for each case, three of whom shall be officers of the Coast Guard and two of whom shall be officers of the Public Health Service.

(b) The senior Coast Guard member of the Board will be President and the junior Coast Guard member will be Recorder.

(c) The Board will convene at the time and place designated by the President for each case, and will recess and adjourn at his order.


§ 50.3 Request for review.

(a) Any officer of the Coast Guard who is retired or released to inactive service, without pay, for a physical disability, pursuant to the decision of a Coast Guard retiring board, may request a review of the findings and decision of the retiring board.

(b) An application requesting a review must be in writing and shall be addressed to the Retiring Review Board, Coast Guard Headquarters,
§ 50.4 Presentation of case.

(a) The applicant may present his case:
(1) Solely by written application, or by written application together with any additional written evidence or argument that he may desire to submit;
(2) At a hearing before the Board.

(b) The case of an applicant may be presented by counsel, and if so, the name and address of counsel.

(d) No request for review shall be valid, and the Board will not consider an application, unless filed within fifteen years after the date of retirement for disability, or after the effective date of the act of June 22, 1944, whichever is the later.

§ 50.5 Action by the Board.

(a) After a complete and thorough review of the evidence before it the Board will, in closed session, deliberate and make its decision affirming or reversing the findings and decision of the retiring board being reviewed.

(b) The Board may, upon its own motion or at the request of the applicant or his counsel, grant a continuance whenever it appears necessary, in the judgment of the Board, in order to insure a thorough, complete and equitable hearing.

(c) An application requesting a review shall contain:
(1) The full name of the applicant;
(2) The mailing address of the applicant;
(3) A brief statement setting out the basis of the request for review, showing in general the nature of error or inequity believed to have occurred in the findings and decision of the retiring board;
(4) The corrective action requested;
(5) Whether the applicant desires to appear before the Board in person;
(6) Whether the applicant will be represented by counsel, and if so, the name and address of counsel.

(d) No request for review shall be valid, and the Board will not consider an application, unless filed within fifteen years after the date of retirement for disability, or after the effective date of the act of June 22, 1944, whichever is the later.

§ 50.6 Notification of final action.

The officer requesting the interview will be notified by letter of the final action taken in the case.

(CGFR 48–73, 13 FR 9333, Dec. 31, 1948)

PART 51—COAST GUARD DISCHARGE REVIEW BOARD

Sec.
51.1 Basis and purpose.
51.2 Authority.
51.3 Applicability and scope.
51.4 Definitions.
51.5 Objective of review.
51.6 Propriety standard of review.
51.7 Equity standard of review.
51.8 Relevant considerations.

51.9 Discharge review procedures.
51.10 Decisions.
51.11 Records.

AUTHORITY: 10 U.S.C. 1553.

SOURCE: CGD 81–104, 50 FR 41495, Oct. 11, 1985, unless otherwise noted.

§ 51.1 Basis and purpose.

This part establishes the procedures for review of administrative discharges from the Coast Guard by a Discharge Review Board (DRB) or by the Secretary of the Department, and for the compilation of the record of the DRB determination, made available for public inspection, copying and distribution through the Armed Forces Discharge Review/Correction Board Reading Room.

§ 51.2 Authority.

(a) The Secretary of Transportation has the authority to establish a Discharge Review Board (DRB) to review the discharge of a former member of the United States Coast Guard under the provisions of 10 U.S.C. 1553. This part prescribes the establishment and outlines the procedures of the Coast Guard Discharge Review Board. The Secretary retains the authority to review and take final action on the DRB’s findings in the following cases:

(1) Those cases in which a minority of the board requests that their written opinion be forwarded to the Secretary for consideration;

(2) Those cases selected by the Commandant to inform the Secretary of aspects of the board’s functions which may be of interest to the Secretary;

(3) Any case in which the Secretary demonstrates an interest;

(4) Any case which the President of the board believes is of significant interest to the Secretary.

(b) The Commandant of the Coast Guard is delegated the authority to:

(1) Appoint members to serve on the Discharge Review Board;

(2) Appoint alternates to serve on the DRB in the event that a regularly appointed member is unavailable;

(3) Designate a member as the President of the DRB; and
§ 51.5 Objective of review.

The objective of the discharge review is to examine the propriety and equity of the applicant’s discharge and to effect changes if necessary. The DRB will utilize its discretion to reach a fair and just resolution of the applicant’s claim. The standards of review and the underlying factors which aid in determining whether the standards are met shall be historically consistent with criteria for determining honorable service. No factors shall be established which require automatic change, or denial of change, in a discharge.
§ 51.6 Propriety standard of review.
A discharge is deemed to be proper except that:
(a) A discharge may be improper if an error of fact, law, procedure, or discretion was associated with the discharge at the time of issuance which prejudiced the rights of the applicant.
(b) A discharge may be improper if there has been a change in policy by the Coast Guard made expressly retroactive to the type of discharge under consideration.

§ 51.7 Equity standard of review.
(a) A discharge is presumed to be equitable and will not be changed under this section unless the applicant submits evidence sufficient to establish, to the satisfaction of the DRB that:
(1) The policies and procedures under which the applicant was discharged differ in material respects from policies and procedures currently applicable on a service-wide basis to discharges of that type, provided that current policies or procedures represent a substantial enhancement of the rights afforded a party in such proceedings, and there is substantial doubt that the applicant would have received the same discharge if relevant current policies and procedures had been available to the applicant at the time of the discharge proceedings under consideration; or
(2) At the time of issuance, the discharge was inconsistent with standards of discipline in the Coast Guard; or
(3) The applicant’s military record and other evidence presented to the DRB, viewed in conjunction with the factors listed in § 51.8 and the regulations under which the applicant was discharged, do not fairly justify the type of discharge received.
(b) If the applicant was discharged with a characterized discharge before June 15, 1983, a change from the characterized discharge to an uncharacterized discharge will not be considered under the provisions of (a)(1) of this section unless specifically requested by the applicant. A determination that a discharge is inequitable according to the provisions of (a)(2) or (a)(3) of this section shall entitle the applicant to a discharge of a type to which the applicant was entitled at the time the original discharge was issued.

§ 51.8 Relevant considerations.
In determining the equity and propriety of a former member’s discharge, the DRB shall consider all relevant evidence presented by the applicant. The DRB review will include, but is not limited to, consideration of the following factors:
(a) The quality of the applicant’s service. In determining the quality of the applicant’s service, the DRB may consider the applicant’s dates and periods of service; rate or rank achieved; marks and evaluations received; awards, decorations and letters of commendation; acts of merit; combat service and wounds received; promotions and demotions; prior military service and type of discharge; records of unauthorized absence; records of non-judicial punishment; convictions by court-martial; records of conviction by civil authorities while a member of the Coast Guard; and any other relevant information respecting the applicant which is brought to the board’s attention.
(b) The applicant’s capability to serve. In determining the applicant’s capability to serve, the DRB considers such factors as the applicant’s age and education; qualification for reenlistment; capability to adjust to military service; and family or personal problems.
(c) Any evidence of arbitrary, capricious or discriminatory actions by individuals in authority over the applicant.
(d) Any other information respecting the applicant considered by the DRB to be relevant and material to the review of the applicant’s discharge.

§ 51.9 Discharge review procedures.
(a) Preliminary. Prior to a review, applicants or their representatives may obtain copies of military records by submitting a Standard Form 180, Request Pertaining to Military Records, to the National Personnel Records Center (NPRC), 9799 Page Boulevard, St. Louis, MO. 72132. The request to the NPRC should be submitted prior to submitting the application for review, so that relevant information from the
(b) Initiation of review. Review may be initiated by an applicant or by the DRB. The applicant may apply for DRB review of discharge by submitting DD Form 293, Application for Review of Discharge or Separation from the Armed Forces of the United States, along with any other statements, affidavits or documentation desired by the applicant. The application must be received by the DRB within fifteen (15) years of the date of the discharge. The application form can be obtained, along with explanatory matter, from Commandant, (G–WPM), U.S. Coast Guard Headquarters, 2100 2nd Street SW., Washington, DC 20593, any regional VA office, or by writing to the Armed Forces Review/Correction Board Reading Room, Pentagon Concourse, Washington, DC 20310.

(c) Notice. (1) The DRB will provide notification advising the former member of—
   (i) Receipt of the applicant’s request;
   (ii) The right to appear before the board in person or by counsel; and
   (iii) The date of review.
If the former member is deceased, written notice of DRB review will be sent to the surviving spouse, next of kin or legal representative of the former member. If the review is initiated by the DRB, notification will be sent to the last known address of the former member.

(2) Prior to the initiation of the decision process, the DRB will notify the former member of the date by which requests to examine the documents to be considered by the board must be received. This notice will also state the date by which a request for a hearing must be made and the deadline for filing responses to the board.

(3) An applicant who requests a hearing will be notified of the time and place of the hearing. All expenses incurred by the applicant in DRB proceedings and hearings are the sole responsibility of the applicant and are not obligations of the U.S. Coast Guard or the Department of Transportation. If the applicant fails to appear, except as provided in §51.9(f), the DRB will review the discharge and reach a decision based upon the evidence of record.

(d) Withdrawal of application. An applicant may withdraw an application without prejudice at any time before the scheduled review. An application which is withdrawn will not stay the running of the 15 year statutory limitation imposed on the authority of the DRB to review the discharge.

(e) The DRB will consider the records and other data submitted by the applicant. The DRB may consider other probative evidence provided that all materials relied on by the DRB, except classified documents, are made available to the applicant and applicant’s representative prior to the hearing date (or review date if no hearing is requested). The DRB shall not consider a classified document in the review of a discharge unless a summary of, or extract from, the document (deleting all reference to sources of information and other matters, the disclosure of which would, in the opinion of the classifying authority, be detrimental to the security interests of the United States) is made available to the applicant.

(f) Postponement of review or hearing. At any time before the date of scheduled review or hearing, an applicant may be granted a continuance, provided the applicant or the applicant’s counsel makes a written request for additional time to the DRB which shows good cause to justify the postponement.

(g) Hearing procedures. The following procedures apply to DRB hearings:

(1) DRB hearings are not public. Presence at hearings is limited to persons authorized by the Commandant or expressly requested by the applicant, subject to reasonable limitations based upon available space.

(2) The Federal Rules of Evidence are not applicable to DRB proceedings. The presiding officer rules on matters of procedure and ensures that reasonable bounds of relevancy and materiality are adhered to in the taking of evidence.

(3) An applicant is permitted to make a sworn or unsworn statement. Witness testimony will only be taken under oath or affirmation. An applicant or witness who makes a statement may be questioned by the DRB.
§ 51.10 Decisions.

(a) The DRB will make written findings and conclusions with respect to all disputed facts and issues. The decision of the DRB is governed by the vote of a majority of the board.

(b) A decision document is prepared for each review conducted by the DRB. This document contains—

1. The date, character of, and reason for the discharge including the specific authority under which the discharge was issued;

2. The specific change(s) requested by the applicant;

3. A list of the issues raised by the applicant;

4. The circumstances and character of the applicant’s service, as extracted from the service record, health record and other evidence presented to the DRB;

5. References to documentary evidence, testimony or other material relied on by the DRB in support of its decision;

6. A statement of the DRB’s findings with respect to each issue raised by the applicant;

7. A summary of the rationale and a statement of the DRB’s conclusions as to whether any change, correction or modification should be made in the type or character of the discharge or the reason and authority for the discharge; and

8. A statement of the particular changes, correction, or modification made by the DRB.

§ 51.11 Records.

(a) The record of the discharge review will include—

1. The application for review;

2. A summarized record of the testimony and a summary of evidence considered by the DRB other than information contained in the service records;

3. Briefs or written arguments submitted by or on behalf of the applicant;

4. The decision of the DRB;

5. Advisory opinions relief upon for the final action; and

6. The final action on the DRB decision by the Commandant or Secretary.

(b) The record of the discharge review is incorporated into the service record of the applicant.

(c) A copy of the decision of the DRB and the final action thereon is made available for public inspection and copying promptly after a notice of the final decision is sent to the applicant. However, to the extent required for the protection of privacy rights, identifying details of the applicant and other persons are deleted from the public record.

1. DRB documents made available for public inspection and copying are located in the Armed Forces Discharge Review/Correction Board Reading Room. The documents are indexed so as to enable the public to determine why relief was granted or denied. The index includes the case number, the date, character of, reason for, and authority for the discharge and is maintained at Coast Guard Headquarters and the Armed Forces Reading Room. The Armed Forces Discharge Review/Correction Board Reading Room publishes indexes quarterly for all boards.

2. Correspondence relating to matters under the cognizance of the Reading Room (including requests for purchase of indexes) should be addressed to: Armed Forces Discharge Review/Correction Board Reading Room, The Pentagon Concourse, Washington, DC 20310.
§ 52.11 Establishment and composition.

(a) Pursuant to 10 U.S.C. 1552 and 49 U.S.C. 108(a), the Board for Correction of Military Records of the Coast Guard is established in the Office of the Secretary of Transportation.

(b) The Secretary appoints a panel of civilian officers or employees of the Department of Transportation to serve as members of the Board, and designates one such member to serve as Chairman of the Board. The Chairman designates members from this panel to
§ 52.12 Function.

The function of the Board is to consider all applications properly before it, together with all pertinent military records to determine:

(a) Whether an error has been made in the applicant’s Coast Guard military record, whether the applicant has suffered an error or injustice as the result of an omission or commission in his or her record, or whether the applicant has suffered some manifest injustice in the treatment accorded him or her; and

(b) Whether the Board finds it necessary to change a military record to correct an error or remove an injustice.

§ 52.13 Jurisdiction.

(a) The Board has jurisdiction to review and determine all matters properly brought before it, consistent with existing law and such directives as may be issued by the Secretary.

(b) No application shall be considered by the Board until the applicant has exhausted all effective administrative remedies afforded under existing law or regulations, and such legal remedies as the Board may determine are practical, appropriate, and available to the applicant.

Subpart C—General Provisions Regarding Applications

§ 52.21 General requirements.

(a) An application for correction of a Coast Guard record shall be submitted on DD Form 149 (Application for Correction of Military or Naval Record) or an exact copy thereof, and shall be addressed to: Chairman, Board for Correction of Military Records of the Coast Guard (C–60), United States Department of Transportation, Washington, DC 20590. Forms and explanatory material may be obtained from the Chairman of the Board.

(b) The application shall be signed by the person alleging error or injustice in his or her military record, except that an application may be signed by a family member or legal representative with respect to the record of a deceased, incapacitated, or missing person.

(c) No application shall be processed until it is complete. An application for relief is complete when all of the following have been received by the Board:

(1) A signed DD Form 149, providing all necessary responses, including a specific allegation of error or injustice, accompanied by substantial proof in support of such allegation;

(2) The military records of the applicant; and

(3) Any applicable Department of Veterans Affairs medical records.

§ 52.22 Time limit for filing application.

An application for correction of a record must be filed within three years after the applicant discovered or reasonably should have discovered the alleged error or injustice. If an application is untimely, the applicant shall set forth reasons in the application why its acceptance is in the interest of justice. An untimely application shall be denied unless the Board finds that sufficient evidence has been presented to warrant a finding that it would be in the interest of justice to excuse the failure to file timely.

§ 52.23 Counsel.

As used in this part, the term “counsel” includes attorneys who are members in good standing of any bar; accredited representatives of veterans’ organizations recognized by the Secretary of Veterans Affairs pursuant to 38 U.S.C. 3402; and other persons who, in the opinion of the Board, are competent to represent the applicant for correction. Whenever the term “applicant” is used in these rules, except in §52.21, the term shall mean an applicant or his or her counsel.

§ 52.24 Evidence.

It is the responsibility of the applicant to procure such evidence, including official records, as the applicant
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§ 52.25 Access to official records.

The applicant shall have access to official records or to any information pertaining to the applicant which is in the custody of the Coast Guard, as provided in 49 CFR part 10. The applicant shall also have access to other Coast Guard records as provided in 49 CFR part 7.

§ 52.26 Withdrawal.

The board may, in its discretion, permit the applicant to withdraw his or her application at any time before a final determination by the Secretary. Any further consideration by the Board of the issues raised in the withdrawn application shall occur only upon the filing of a new application.

Subpart D—Consideration of Application, Denial of Relief, and Stay of Proceedings

§ 52.31 Consideration of application.

Each application shall be reviewed by the Chairman to determine whether it meets the requirements of §52.21(c). The Chairman shall decide in appropriate cases whether to grant a hearing or to recommend disposition on the merits without a hearing.

§ 52.32 Denial of relief.

(a) The Chairman may, notwithstanding §52.64, and without written findings and conclusions, deny in writing all requested relief to an applicant at any time prior to consideration of the applicant’s case by a Board if:

(1) The information or evidence submitted by the applicant is insufficient to demonstrate probable substantial error or injustice;

(2) Effective relief cannot be granted by the Board;

(3) The Board does not have jurisdiction to determine the issues presented; or

(4) The application has not been timely filed under §52.22 and the interest of justice does not require its acceptance.

(b) Denial of relief pursuant to this section is without prejudice to further consideration by the Board if the applicant requests further consideration and submits evidence in addition to that contained in his or her complete application. A request for further consideration shall be regarded as a new application for purpose of §52.68.

(c) If relief is denied under this section, the applicant shall be advised of the right to further proceedings.

Subpart E—Hearings

§ 52.41 General provision.

In each case in which the Chairman determines that a hearing is warranted, the applicant will be entitled to be heard orally in person, by counsel, or in person with counsel.

§ 52.42 Notice of hearing.

(a) If the Chairman determines that a hearing is warranted, the Chairman shall notify the applicant that a hearing has been granted.

(b) The date of hearing shall be not less than 21 days from the date of this notification. Written notice stating the date, time and place of the hearing shall be given to the applicant and the Coast Guard.

§ 52.43 Witnesses.

(a) In any case in which the Chairman has granted a hearing, the applicant shall have the right to present witnesses.

(b) It is the responsibility of the applicant to notify witnesses and to ensure their appearance at the date, time and place set for the hearing.

§ 52.44 Expenses.

No expenses of any nature whatsoever incurred by an applicant, his or her counsel, witnesses, or others acting on behalf of the applicant shall be paid by the Government.
§ 52.45 Nonappearance.

An applicant who fails without good cause to appear in person or by counsel at the appointed date, time, and place for hearing, is deemed to have waived the right to a hearing. The application is then considered by the Board on the basis of all the material of record.

Subpart F—Procedure at Hearings

§ 52.51 Conduct of hearing.

(a) The Chairman or the Chairman’s designee shall conduct a hearing so as to ensure a full and fair presentation of the evidence.

(b) The hearing is not limited by legal rules of evidence but reasonable standards of competency, relevancy, and materiality are observed for the receipt and consideration of evidence.

(c) All testimony shall be given under oath or affirmation.

§ 52.52 Record of hearing.

A hearing pursuant to this subpart in open session shall be recorded verbatim and, at the discretion of the Board or direction of the Secretary, shall be transcribed.

Subpart G—Judgment and Disposition

§ 52.61 Deliberations and decision.

(a) The Board is convened at the call of the Chairman and its meetings are recessed or adjourned by order of the Chairman. Only members of the Board and its staff may be present during the deliberations of the Board. The Board’s deliberations are conducted in executive session and are not reported.

(b) When the Board finds that the facts have not been fully and fairly disclosed by the records, testimony, and any other evidence before the Board, the Board may request the applicant and/or the Coast Guard to obtain and submit such further evidence as it considers essential to a complete and impartial understanding of the facts and issues.

(c) An applicant may submit to the board any further evidence relevant to an application at any time prior to final action. The Chairman shall accept any such submission if, and only if, the applicant agrees that §52.68 shall not apply to the case.

(d) Following the receipt of all evidence, the Chairman shall cause to be prepared and shall submit to the Board for its consideration a draft decision containing proposed findings and conclusions and a proposed order. A majority vote of the members of the board present at a meeting on any matter relating to a draft decision before the Board shall constitute the action of the Board. If a draft decision is approved by the Board, it shall become a decision of the Board.

(e) The decision of the Board shall specify with particularity any change, correction, or modification of records to be made by the Coast Guard, and any other action deemed necessary to carry out the Board’s recommendation.

(f) If the Board deems it necessary to submit a comment or recommendation to the Secretary as to a matter arising from, but not directly related to, the issues in a case, it does so by separate communication.

§ 52.62 Minority report.

In case of disagreement among Board members, a minority report may be submitted dissenting from or concurring with the decision of the Board.

§ 52.63 Record of proceedings.

The Board shall prepare a complete record of each proceeding. The record shall include the application for relief; the written views of the Coast Guard, if any; any transcript of testimony; affidavits and documents considered by the Board; briefs and written arguments filed in the case; the findings, decisions, and recommendations of the Board; minority reports, if any; and all other materials necessary to reflect a true and complete history of the proceedings.

§ 52.64 Final action.

(a) The Board, provided that it acts unanimously, may take final action on behalf of the Secretary, pursuant to 10 U.S.C. 1552, as follows:

(1) The Board may deny an application for the correction of military records.

(2) Unless the Chief Counsel of the Coast Guard, in submitting its views
§ 52.68 Pursuant to §52.82(c), states that the application involves a significant issue of Coast Guard policy, the Board may approve an application for the correction of military records in any of the following categories:

(i) An application to correct an enlistment or reenlistment contract or agreement to extend an enlistment for the purpose of effecting or increasing entitlement to a Selective Reenlistment Bonus;

(ii) An application to modify an election to participate in the Survivor Benefit Plan;

(iii) An application to change a reenlistment eligibility code;

(iv) An application to correct the character of, or reason for, a discharge or separation.

(3) The Board may approve any application for correction of military records not falling into one of the categories in paragraph (a)(2) of this section, if the Chief Counsel of the Coast Guard recommends the same or substantially same relief as that requested by the applicant.

(b) Except in cases where the Board takes final action under paragraph (a) of this section, the Board shall forward the record of its proceedings to the Secretary for approval, disapproval, or return for additional consideration. After taking final action, the Secretary shall return the record to the Board for disposition.

§ 52.67 Reconsideration.

(a) Reconsideration of an application for correction of a military record shall occur if an applicant requests it and the request meets the requirements set forth in paragraph (a)(1) or (a)(2) of this section.

(1) An applicant presents evidence or information that was not previously considered by the Board that could result in a determination other than that originally made. Evidence or information may only be considered if it could not have been presented to the Board prior to its original determination if the applicant had exercised reasonable diligence; or

(2) An applicant presents evidence or information that the Board, or the Secretary as the case may be, committed legal or factual error in the original determination that could have resulted in a determination other than that originally made.

(b) The Chairman shall docket a request for reconsideration of a final decision if it meets the requirements of paragraph (a)(1) or (a)(2) of this section. If neither of these requirements is met, the Chairman shall not docket such request.

(c) The Board shall consider each application for reconsideration that has been docketed. None of the Board members who considered an applicant’s original application for correction shall participate in the consideration of that applicant’s application for reconsideration.

(d) Action by the Board on a docketed application for reconsideration is subject to §52.64(b).

(e) An applicant’s request for reconsideration must be filed within two years after the issuance of a final decision, except as otherwise required by law. If the Chairman docketed an applicant’s request for reconsideration, the two-year requirement may be waived if the Board finds that it would be in the interest of justice to consider the request despite its untimeliness.


§ 52.68 Time limit for final action.

Final action on an application for correction of a military record shall be
§ 52.71 Authority to pay.
(a) The Coast Guard is authorized to pay the claims of any person as the result of any action heretofore or hereafter taken under 10 U.S.C. 1552.
(b) The Coast Guard is not authorized to pay any claim heretofore compensated by Congress through enactment of private law, or to pay any amount as compensation for any benefit to which the claimant might subsequently become entitled under the laws and regulations administered by the Secretary of Veterans Affairs.

§ 52.72 Procedures.
(a) In each case the Board transmits a copy of its decision or the Secretary's decision to the proper Coast Guard authority for determination of monetary benefits due, if any, as a result of the action of the Board and for corrections of the military record ordered by the Board.
(b) Upon request, the claimant is required to furnish any information necessary to determine the proper parties to the claim for payment under applicable provisions of law.
(c) Appropriate records shall be examined in light of the Board's decision to determine all amounts which may be due. Amounts found due are subject, to the extent authorized by law or regulations, to setoff in the amount of existing indebtedness to the Government arising from Coast Guard service.
(d) At the time of payment, the claimant shall be advised as to the nature and amount of the various benefits represented by the total settlement, and of the fact that acceptance of the settlement constitutes a complete release by the claimant of any claim against the United States on account of the correction of record ordered by the Board.

§ 52.73 Interpretation.
If the intent or import of the final decision is not clear to the Coast Guard or if the Coast Guard believes that executing all or part of the order in the final decision is beyond the Coast Guard's authority, the final decision shall be returned to the Board for clarification or technical amendment.

§ 52.74 Report of settlement.
When payment is made pursuant to the order of the Board, the Board may request the Coast Guard to notify it of the name of any person to whom payment was made and of the amount of the payment.

Subpart I—Miscellaneous Provisions
§ 52.81 Assistance.
The Board may request such advice, opinion, assistance, or use of the facilities of any other bureau, board, or office of the Department of Transportation as the Board deems necessary.

§ 52.82 Submissions sent to or received from the Coast Guard.
(a) The Board shall transmit to the Chief Counsel of the Coast Guard a copy of each application for relief submitted under subpart C of this part that has not been denied pursuant to §52.32, together with any briefs, memoranda, and documentary evidence submitted or obtained in the case.
(b) The Board may request the Coast Guard to submit any additional pertinent facts not disclosed in an application and its supporting documents.
(c) The Chief Counsel may forward to the Board the written views of the Coast Guard on any case before the Board.
(d) A copy of each submission made by the Coast Guard under this section shall be transmitted to the Board, which shall promptly send a copy to the applicant involved. Each applicant has 15 days, from the date the Board sends the submission, to rebut or respond to such submission.
(e) Information and views furnished by the Coast Guard under this section shall not be binding upon the Board, but shall be considered by the Board along with all other information and material submitted in the particular case.
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PART 53—COAST GUARD WHISTLEBLOWER PROTECTION

Sec.
53.1 Purpose.
53.3 Applicability.
53.5 Definitions.
53.7 Requirements.
53.9 Responsibilities.
53.11 Procedures.


SOURCE: 56 FR 13405, Apr. 2, 1991, unless otherwise noted.

§ 53.1 Purpose.

This part:
(a) Establishes policy and implements section 1034 of title 10 of the United States Code to provide protection against reprisal to members of the Coast Guard for making a lawful communication to a Member of Congress or an Inspector General.
(b) Assigns responsibilities and delegates authority for such protection and prescribes operating procedures.

§ 53.3 Applicability.

This part applies to members of the United States Coast Guard, the Board for Correction of Military Records of the Coast Guard, and the Department of Transportation’s Office of the Inspector General.

§ 53.5 Definitions.

As used in this part, the following terms shall have the meaning stated, except as otherwise provided:
Board for Correction of Military Records of the Coast Guard. The Department of Transportation Board for Correction of Military Records of the Coast Guard (Board) is empowered under 10 U.S.C. 1552 to make corrections of Coast Guard military records. The Board is part of the Office of the General Counsel in the Office of the Secretary of Transportation.
Corrective Action. Any action deemed necessary to make the complainant whole, changes in agency regulations or practices, and/or administrative or disciplinary action against offending personnel, or referral to the U.S. Attorney General or courtmartial convening authority of any evidence of criminal violation.

Law Specialist. A commissioned officer of the Coast Guard designated for special duty (law).
Member of the Coast Guard. Any past or present Coast Guard uniformed personnel, officer or enlisted, regular or reserve. This definition includes cadets of the Coast Guard Academy.
Member of Congress. In addition to a Representative or a Senator, the term includes any Delegate or Resident Commissioner to Congress.
Personnel Action. Any action taken regarding a member of the Coast Guard that adversely affects or has the potential to adversely affect the member’s position or his or her career. Such actions include, but are not limited to, a disciplinary or other corrective action; a transfer or reassignment; a performance evaluation; or a decision concerning a promotion, pay, benefits, awards, or training.
Reprisal. Taking or threatening to take an unfavorable personnel action or withholding or threatening to withhold a favorable personnel action against a member of the Coast Guard for making or preparing to make a communication to a Member of Congress or an Inspector General.
Secretary. The Secretary of Transportation or his or her delegate.

§ 53.7 Requirements.

(a) No person within the Department of Transportation may restrict a member of the Coast Guard from lawfully communicating with a Member of Congress or an Inspector General.
(b) Members of the Coast Guard shall be free from reprisal for making or preparing to make a communication to a Member of Congress or an Inspector General.
(c) Any employee or member of the Coast Guard who has the authority to take, direct others to take, or recommend or approve any personnel action shall not, under such authority, take, withhold, threaten to take, or threaten to withhold a personnel action regarding any member of the Coast Guard in reprisal for making or
§ 53.9 Responsibilities.

(a) The Inspector General, Department of Transportation shall:

(1) Expeditiously investigate any allegation, if such allegation is submitted, that a personnel action has been taken (or threatened) in reprisal for making or preparing to make a lawful communication to a Member of Congress or an Inspector General concerning a complaint or disclosure of information that the member reasonably believes constitutes evidence of a violation of law or regulation, mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. No investigation is required when such allegation is submitted more than 60 days after the Coast Guard member became aware of the personnel action that is the subject of the allegation.

(2) Initiate a separate investigation of the information the Coast Guard member believes evidences wrongdoing if such investigation has not already been initiated. The Inspector General is not required to make such an investigation if the information that the Coast Guard member believes evidences wrongdoing relates to actions that took place during combat.

(3) Complete the investigation of the allegation of reprisal and issue a report not later than 90 days after receipt of the allegation, which shall include a thorough review of the facts and circumstances relevant to the allegation, the relevant documents acquired during the investigation, and summaries of interviews conducted. The Inspector General may forward a recommendation as to the disposition of the complaint.

(4) Submit a copy of the investigation report to the Secretary of Transportation and to the Coast Guard member making the allegation not later than 60 days after receipt of the report received from the Inspector General. The copy of the report issued to the Coast Guard member may exclude any information not otherwise available to the Coast Guard member under the Freedom of Information Act (5 U.S.C. 552).

(5) If a determination is made that the report cannot be issued within 90 days of receipt of the allegation, notify the Secretary and the Coast Guard member making the allegation of the reasons why the report will not be submitted within that time, and state when the report will be submitted.

(6) At the request of the Board, submit a copy of the investigative report to the Board.

(7) After the final action with respect to an allegation filed under this part, whenever possible, interview the person who made the allegation to determine the views of that person concerning the disposition of the matter.

(b) The Board shall, in accordance with its regulations (33 CFR part 52):

(1) Consider under 10 U.S.C. 1552 and 33 CFR part 52 an application for the correction of records made by a Coast Guard member who has filed a timely complaint with the Inspector General, alleging that a personnel action was taken in reprisal for making or preparing to make a lawful communication to a Member of Congress or an Inspector General. This may include oral argument, examining and cross-examining witnesses, taking depositions, and conducting an evidentiary hearing at the Board’s discretion.

(2) Review the report of any investigation by the Inspector General into the Coast Guard member’s allegation of reprisal.

(3) As deemed necessary, request the Inspector General to gather further evidence and issue a further report to the Board.

(4) Issue a final decision concerning the application for the correction of military records under this part not later than 180 days after receipt of a complete application.

(c) If the Board elects to hold an administrative hearing, the Coast Guard member may be represented by a Coast Guard law specialist if:

(1) The Inspector General, in the report of the investigation, finds there is probable cause to believe that a personnel action was taken, withheld, or threatened in reprisal for the Coast Guard member making or preparing to make a lawful communication to a
Member of Congress or an Inspector General;
(2) The Chief Counsel of the Coast Guard determines that the case is unusually complex or otherwise requires the assistance of a law specialist to ensure proper presentation of the legal issues in the case; and
(3) The Coast Guard member is not represented by outside counsel chosen by the member.

(d) If the Board elects to hold an administrative hearing, the Board must ensure that the Coast Guard member may examine witnesses through deposition, serve interrogatories, and request the production of evidence, including evidence in the Inspector General investigatory record but not included in the report released to the member.

(e) If the Board determines that a personnel action was taken in reprisal for a Coast Guard member making or preparing to make a lawful communication to a Member of Congress or an Inspector General, the Board may forward its recommendation to the Secretary for the institution of appropriate administrative or disciplinary action against the individual or individuals found to have taken reprisal, and direct any appropriate correction of the member’s records.

(f) The Board shall notify the Inspector General of the Board’s decision concerning an application for the correction of military records of a Coast Guard member who alleged reprisal for making or preparing to make a lawful communication to a Member of Congress or an Inspector General, and of any recommendation to the Secretary for appropriate administrative or disciplinary action against the individual or individuals found to have taken reprisal.

(g) When reprisal is found, the Secretary shall ensure that appropriate corrective action is taken.

§ 53.11 Procedures.

(a) Any member of the Coast Guard, who reasonably believes a personnel action (including the withholding of an action) was taken or threatened in reprisal for making or preparing to make a lawful communication to a Member of Congress or an Inspector General, may file a complaint with the DOT Inspector General Hotline under this part. Such a complaint may be filed by telephone, or by letter addressed to the Department of Transportation, Office of Inspector General, Hotline Center, P.O. Box 23178, Washington, D.C. 20026-0178. Telephone Numbers: 1-800-424-9071. FTS 8-366-1461. The commercial number is (202) 366-1461.

(b) The complaint should include the name, address, and telephone number of the complainant; the name and location of the activity where the alleged violation occurred; the personnel action taken, or threatened, that is alleged to be motivated by reprisal; the individual(s) believed to be responsible for the personnel action; the date when the alleged reprisal occurred; and any information that suggests or evidences a connection between the communication and reprisal. The complaint should also include a description of the communication to a Member of Congress or an Inspector General including a copy of any written communication and a brief summary of any oral communication showing date of communication, subject matter, and the name of the person or official to whom the communication was made.

(c) A member of the Coast Guard who is alleging reprisal for making or preparing to make a lawful communication to a Member of Congress or an Inspector General, may submit an application for the correction of military records to the Board, in accordance with regulations governing the Board. See 33 CFR part 52.

(d) An application submitted under paragraph (c) of this section shall be considered in accordance with regulations governing the Board. See 33 CFR part 52.

PART 54—ALLOTMENTS FROM ACTIVE DUTY PAY FOR CERTAIN SUPPORT OBLIGATIONS
§ 54.01 Purpose.

This part prescribes procedures for State officials to notify the Coast Guard that a member on active duty is delinquent in meeting an obligation for child support alone, or both child and spousal support, in an amount equal to the support payable for two months or longer. Under 42 U.S.C. 665, an allotment may be taken from the pay and allowances of the member in this situation.

§ 54.03 Persons authorized to give notices.

For the purpose of instituting an allotment under this part, notice that a Coast Guard member is delinquent in meeting support obligations may be given by:

(a) Any agent or attorney of any State having in effect a plan approved under Part D of Title IV of the Social Security Act (42 U.S.C. 651–664), who has the duty or authority to seek recovery of any amounts owed as child or child and spousal support, including any official of a political subdivision when authorized under a State plan.

(b) The court that has authority to issue an order against the member for the support and maintenance of a child, or any agent of that court.

§ 54.05 Form and contents of notice.

(a) The notice required to institute an allotment under this part must be given in the form of a court order, letters, or other document issued by a person specified in §54.03.

(b) The notice must:

(1) Provide the full name, social security number, and duty station of the member who owes the support obligation;

(2) Specify the amount of support due, and the period in which it has remained owing;

(3) Be accompanied by a certified copy of an order directing the payment of this support issued:

(i) By a court of competent jurisdiction, or;

(ii) In accordance with an administrative procedure which is established by State law, affords substantial due process, and is subject to judicial review;

(4) Provide the full name, social security number, and mailing address of the person to whom the allotment is to be paid;

(5) Identify the period in which the allotment is to remain in effect; and

(6) Identify the name and birth date of all children for whom support is to be provided under the allotment.

(c) Each notice must be accompanied by the following information:

(1) For each administrative order, a copy of all provisions of state law governing its issuance.

(2) For each court order and for each administrative order, if not stated in the support order:

(i) An explanation as to how personal jurisdiction was obtained over the member; and

(ii) A statement on the age of majority in the state law, with appropriate legal citations.

§ 54.07 Service of notice upon designated Coast Guard official.

The notice and all accompanying documentation must be sent to Commanding Officer, Coast Guard Human Resources Service and Information Center, Federal Building, 444 S.E. Quincy Street, Topeka, KS 66603–3591, telephone 785–339–3595, facsimile 785–339–3788.

Coast Guard, DOT

Subpart A—General

§ 55.1 Purpose.

This subpart implements 46 U.S.C. 515, which provides for Coast Guard Child Development Services.

§ 55.3 Who is covered by this subpart?

This subpart applies to all Coast Guard installations.

§ 55.5 Who is eligible for child development services?

Coast Guard members and civilian Coast Guard employees are eligible for the child developmental services described in this subpart. As space is available, members of the other Armed Forces and other Federal civilian employees are also eligible.

§ 55.7 Definitions.

As used in this subpart—

Child development center means a facility located on a Coast Guard installation that offers, on a regularly scheduled basis, developmental services designed to foster social, emotional, physical, creative, and intellectual growth to groups of children.

Child development services means developmental services provided at a child development center or by a family child care provider at his or her Coast Guard-owned or -leased home.

Coast Guard family child care provider means a Coast Guard family member, 18 years of age or older, who provides child care for 10 hours or more per week per child to one but no more than six children, including the provider’s own children under the age of eight, on a regular basis in his or her Coast Guard-owned or -leased home.

Coast Guard family child care services means child care provided on a regularly scheduled basis for 10 hours or more a week by an individual certified by the Coast Guard and who resides in Coast Guard-controlled housing.

Command means the Commanding Officer of one or more units of personnel in a limited geographic area with responsibility for a child development center.

Family child care means child care provided in the home of a provider, either a Coast Guard family child care provider or a family home day care provider.

Family home day care provider means an individual 18 years of age or older who is licensed by the state agency that regulates child care. This person provides child care to one but to no more than six children, including the provider’s own children under the age of eight, on a regular basis in his or her residence.

Geographic cost of living allowance means the adjustment in basic pay related to higher living costs in certain geographic areas.

Total family income means the earned income for adult members of the household including wages, salaries, tips, long-term disability benefits received by a family, incentive and special pay for service or anything else of value, even if not taxable, that was received for providing services. Also included is Basic Allowance for Housing and Basic Allowance for Subsistence authorized for the pay grade of military personnel, whether the allowance is received in cash or in-kind. Total Family Income does not include: the geographic cost of living allowance; alimony and child support; temporary duty allowances or reimbursements for educational expenses; veterans benefits; workers compensation benefits; and, unemployment compensation. These are to be excluded from total family income.

Uneconomical and inefficient means that the fees collected from parents can not be used in a manner that provides a quality program at an affordable cost to parents using the child care services.

§ 55.9 Child development centers.

(a) The Commandant may make child development services available at child development centers located at Coast Guard installations.

(b) Regular and unannounced inspections of each child development center shall be conducted annually by headquarters program personnel, the commanding officer of the sponsoring command, fire personnel, and health and safety personnel.

(c) Training programs shall be conducted monthly to ensure that all child
§ 55.11 How are child development center fees established?

(a) Fees for the provision of services at child development centers shall be set by each Command with responsibility for a center-based program, according to the following total family income chart:

<table>
<thead>
<tr>
<th>Total Family Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 to $23,000</td>
</tr>
<tr>
<td>$23,001 to $34,000</td>
</tr>
<tr>
<td>$34,001 to $44,000</td>
</tr>
<tr>
<td>$44,001 to $55,000</td>
</tr>
<tr>
<td>Over $55,000</td>
</tr>
</tbody>
</table>

(b) Fees for the provision of services at Coast Guard child development centers shall be used only for compensation for employees at those centers who are directly involved in providing child care, unless it is uneconomical and inefficient. If uneconomical and inefficient, then the fees may be used for:

1. The purchase of consumable or disposable items for Coast Guard child development centers; and
2. If the requirements of such centers for consumable or disposable items for a given fiscal year have been met, for other expenses of those centers.

§ 55.13 Family child care providers.

When appropriated funds are available, funds may be offered to provide assistance to Coast Guard Family Child Care Providers or to family home day care providers so that family child care services can be provided to military members and civilian employees of the Coast Guard, at a cost comparable to the cost of services at Coast Guard child development centers.
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Editorial Note: This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Transportation. This index is updated as of July 1, 2001.

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SUBCHAPTER C—AIDS TO NAVIGATION

PART 60 [RESERVED]

PART 62—UNITED STATES AIDS TO NAVIGATION SYSTEM

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Source: CGD 86–031, 52 FR 42640, Nov. 6, 1987, unless otherwise noted.
§ 62.3 Definition of terms.

Certain terms as used in this subchapter are defined as follows:

(a) Aid to Navigation. The term aid to navigation means any device external to a vessel or aircraft intended to assist a navigator to determine position or safe course, or to warn of dangers or obstructions to navigation.

(b) Commerce. The term commerce, in addition to general, national and international trade and commerce of the United States, includes trade and travel by seasonal passenger craft (marine and air), yachts, houseboats, fishing boats, motor boats, and other craft, whether or not operated for hire or profit.

(c) Commandant. The term Commandant means the Commandant of the Coast Guard.

(d) District Commander. The term District Commander means the commander of a Coast Guard District. Coast Guard Districts are listed in Part 3 of this chapter.

(e) Corps of Engineers. The term Corps of Engineers means the Corps of Engineers, Department of the Army.

(f) Person. The term person imports both singular or plural, as the case demands, and includes any Federal Agency, State, Territory, possession, or public subdivision thereof, the District of Columbia, and any corporation, company, association, club, or other instrumentality.

(g) Navigable Waters of the United States. The term Navigable waters of the United States is defined in §2.05–25(a) of this part.

§ 62.5 Marking of marine parades and regattas.

(a) The Coast Guard may establish aids to navigation to mark marine parades and regattas which are regulated by the Coast Guard for the purpose of protecting life and property, or to assist in the observance and enforcement of special regulations. For marine parade and regatta regulations, see Part 100 of this chapter.

(b) [Reserved]

Subpart B—The U.S. Aids to Navigation System

§ 62.21 General.

(a) The navigable waters of the United States and non-navigable State waters after December 31, 2003, are marked to assist navigation using the U.S. Aids to Navigation System, a system consistent with the International Association of Lighthouse Authorities (IALA) Maritime Buoyage System. The IALA Maritime Buoyage System is followed by most of the world’s maritime nations and will improve maritime safety by encouraging conformity in buoyage systems worldwide. IALA buoyage is divided into two regions made up of Region A and Region B. All navigable waters of the United States follow IALA Region B, except U.S. possessions west of the International Date Line and south of 10 degrees north latitude, which follow IALA Region A. Lateral aids to navigation in Region A vary from those described throughout this Subpart. Non-lateral aids to navigation are the same as those used in Region B. See §62.25. Appropriate nautical charts and publications should be consulted to determine whether the Region A or Region B marking schemes are in effect for a given area.

(b) The U.S. Aids to Navigation System is designed for use with nautical charts. Nautical charts portray the physical features of the marine environment, including soundings and other submarine features, landmarks, and other aids necessary for the proper navigation of a vessel. This crucial information cannot be obtained from other sources, even ones such as topographic maps, aeronautical charts, or atlases. The exact meaning of an aid to navigation may not be clear to the mariner unless the appropriate chart is consulted, as the chart illustrates the relationship of the individual aid to navigation to channel limits, obstructions, hazards to navigation, and to the total aids to navigation system.

(c) The navigator should maintain and consult suitable publications and
instruments for navigation depending on the vessel’s requirements. This shipboard equipment is separate from the aids to navigation system, but is often essential to its use. The following publications are available from the U.S. Government to assist the navigator:

(1) The Light List, published by the Coast Guard and available through the Government Printing Office or authorized sales agents, lists federal and private aids to navigation. It includes all major Federal aids to navigation and those private aids to navigation, which have been deemed to be important to general navigation, and includes a physical description of these aids and their locations.

(2) The United States Coast Pilot, published by the National Ocean Service and available through that agency or authorized nautical chart sales agents, supplements the information shown on nautical charts. Subjects such as local navigation regulations, channel and anchorage peculiarities, dangers, climatological data, routes, and port facilities are covered.

(3) Local Notices to Mariners are published by local Coast Guard District Commanders. Persons may be placed on the mailing list to receive local Notices by contacting the Aids to Navigation and Waterway Management Branch of the appropriate Coast Guard District. These notices pass information affecting navigation safety. Changes to aids to navigation, reported dangers, scheduled construction or other disruptions, chart corrections and similar useful marine information is made available through this publication.

(4) The Notice to Mariners is a national publication, similar to the Local Notice to Mariners, published by the National Imagery and Mapping Agency. The notice may be obtained free of charge from commercial maritime sources and, upon request, to Defense Logistics Agency, Defense Supply Center Richmond, ATTN: JNB, 8000 Jefferson Davis Highway, Richmond, VA 23297–5100 or FAX 804–279–6510, ATTN: Accounts Manager, RMF. A letter of justification should be included in the request. This publication provides ocean going vessels significant information on national and international navigation and safety.

(5) The mariner should also listen to Coast Guard Broadcast Notices to Mariners. These broadcasts update the Local Notice to Mariners with more timely information. Mariner should monitor VHF–FM channel 16 to locate Coast Guard Marine Information Broadcasts.

(d) The U.S. Aids to Navigation System is primarily a lateral system which employs a simple arrangement of colors, shapes, numbers, and light characteristics to mark the limits of navigable routes. This lateral system is supplemented by nonlateral aids to navigation where appropriate.

(e) Generally, lateral aids to navigation indicate on which side of a vessel an aid to navigation should be passed when the vessel is proceeding in the Conventional Direction of Buoyage. Normally, the Conventional Direction of Buoyage is the direction in which a vessel enters navigable channels from seaward and proceeds towards the head of navigation. In the absence of a route leading from seaward, the Conventional Direction of Buoyage generally follows a clockwise direction around land masses. For example, proceeding southerly along the Atlantic Coast, from Florida to Texas along the Gulf Coast, and northerly along the Pacific Coast are considered as proceeding in the Conventional Direction of Buoyage. In some instances, this direction must be arbitrarily assigned. Where doubt exists, the mariner should consult charts and other nautical publications.

(f) Although aids to navigation are maintained to a reasonable degree of reliability, the rigors of the marine environment and various equipment failures do cause discrepancies on occasion.

(g) The Coast Guard makes reasonable efforts to inform the navigator of known discrepancies, and to correct them within a reasonable period of time, depending upon resources available. Occasionally, a temporary aid to navigation, which provides different but similar service, is deployed until permanent repairs can be made to the original aid. Notification of such temporary changes is made through the notice to mariners system.
§ 62.23 Beacons and buoys.

(a) Aids to navigation are placed on shore or on marine sites to assist a navigator to determine his position or safe course. They may mark limits of navigable channels, or warn of dangers or obstructions to navigation. The primary components of the U.S. Aids to Navigation System are beacons and buoys.

(b) Beacons are aids to navigation structures which are permanently fixed to the earth’s surface. They range from large lighthouses to small, single-pile structures and may be located on land or in the water. Lighted beacons are called lights; unlighted beacons are called daybeacons.

(1) Beacons exhibit a daymark. For small structures these are colored geometric shapes which make an aid to navigation readily visible and easily identifiable against background conditions. Generally, the daymark conveys to the mariner, during daylight hours, the same significance as does the aid’s light or reflector at night. The daymark of large lighthouses and towers, however, consists of the structure itself. As a result, these daymarks do not infer lateral significance.

(2) Vessels should not pass beacons close aboard due to the danger of collision with rip-rap or structure foundations, or the obstruction or danger that the aid marks.

(c) Buoys are floating aids to navigation used extensively throughout U.S. waters. They are moored to the seabed by sinkers with chain or other moorings of various lengths.

(1) The daymark of a buoy is the color and shape of the buoy and, if so equipped, of the topmark.

(i) Can buoys have a cylindrical shape.

(ii) Nun buoys have a tapered, conical shape.

(iii) Pillar buoys have a wide cylindrical base supporting a narrower superstructure. They may be surmounted by colored shapes called topmarks.

(iv) Spherical buoys have a round shape.

(2) Mariners attempting to pass a buoy close aboard risk collision with a yawing buoy, the buoy’s mooring, or with the obstruction which the buoy marks.

(3) Mariners should not rely on buoys alone for determining their positions due to factors limiting their reliability. Prudent mariners will use bearings or angles from beacons or other landmarks, soundings, and various methods of electronic navigation. Buoys vary in reliability because:

(i) Buoy positions represented on nautical charts are approximate positions only, due to practical limitations in positioning and maintaining buoys and their sinkers in precise geographical locations.

(ii) Buoy moorings vary in length. The mooring lengths define a “watch circle”, and buoys can be expected to move within this circle. Actual watch circles do not coincide with the dots or circles representing them on charts.

(iii) Buoy positions are normally verified during periodic maintenance visits. Between visits, environmental conditions, including atmospheric and sea conditions, and seabed slope and composition, may shift buoys off their charted positions. Also buoys may be dragged off station, sunk, or capsized by a collision with a vessel.

§ 62.25 Lateral marks.

(a) Lateral marks define the port and starboard sides of a route to be followed. They may be either beacons or buoys.

(b) Sidemarks are lateral marks which advise the mariner to stay to
Coast Guard, DOT

§ 62.32 Inland waters obstruction mark.

(a) On inland waters designated by the Commandant as State waters in accordance with § 66.05–5 of this chapter and on non-navigable internal waters of a State which have no defined head of navigation, a buoy showing alternate vertical black and white stripes one side of the mark. Their most frequent use is to mark the sides of channels; however, they may be used individually to mark obstructions outside of clearly defined channels. Sidemarks are not always placed directly on a channel edge and may be positioned outside the channel as indicated on charts and nautical publications.

(1) Port hand marks indicate the left side of channels when proceeding in the Conventional Direction of Buoyage. Beacons have green square daymarks, while buoys are green can or pillar buoys.

(2) Starboard hand marks indicate the right side of channels when proceeding in the Conventional Direction of Buoyage. Beacons have red triangular daymarks, while buoys are red nun or pillar buoys.

(e) Certain marks on the Intracoastal Waterway may exhibit reversed lateral significance. See § 62.49.


§ 62.27 Safe water marks.

Safe water marks indicate that there is navigable water all around the mark. They are often used to indicate fairways or midchannels, or the seaward end of channels. Safe water marks are colored with red and white vertical stripes. Beacons have an octagonal daymark; red and white buoys are spherical or display a red spherical topmark.


§ 62.29 Isolated danger marks.

Isolated danger marks indicate an isolated danger which may be passed on all sides. As these marks are erected or moored on or near dangers, they should not be approached closely without special caution. These marks are colored black with one or more broad horizontal red bands and are equipped with a topmark of two black spheres, one above the other.


§ 62.31 Special marks.

Special marks are not primarily intended to assist safe navigation, but to indicate special areas or features referred to in charts or other nautical publications. They may be used, for example, to mark anchorages, cable or pipeline areas, traffic separation schemes, military exercise zones, ocean data acquisition systems, etc. Special marks are colored solid yellow.

§ 62.32 Inland waters obstruction mark.

(a) On inland waters designated by the Commandant as State waters in accordance with § 66.05–5 of this chapter and on non-navigable internal waters of a State which have no defined head of navigation, a buoy showing alternate vertical black and white stripes
§ 62.33 Information and regulatory marks.

(a) Information and Regulatory Marks are used to alert the mariner to various warnings or regulatory matters. These marks have orange geometric shapes against a white background. The meanings associated with the orange shapes are as follows:

(1) A vertical open-faced diamond signifies danger.

(2) A vertical diamond shape having a cross centered within indicates that vessels are excluded from the marked area.

(3) A circular shape indicates that certain operating restrictions are in effect within the marked area.

(4) A square or rectangular shape will contain directions or instructions lettered within the shape.

(b) When a buoy is used as an information or regulatory mark it shall be white with two horizontal orange bands placed completely around the buoy circumference. One band shall be near the top of the buoy body, with a second band placed just above the waterline of the buoy so that both bands are clearly visible.


§ 62.35 Mooring buoys.

Mooring Buoys are white with a blue horizontal band. This distinctive color scheme is recommended to facilitate identification and to avoid confusion with aids to navigation.

§ 62.37 Lighthouses.

Lighthouses are prominent beacons of varying size, color, and appearance employed to mark headlands, landfalls, harbor entrances, channel edges, hazards, and other features. While normally identified by their distinctive appearance, some lighthouses display diamond shaped, checkered daymarks to facilitate recognition.

§ 62.39 Large navigational buoys.

Large Navigational Buoys (LNB’s) may be considered floating lighthouses. They generally provide light, sound, and radiobeacon signals, and some are equipped with radar beacons (racons). LNB’s are red in color, have a forty foot diameter hull, and a tower approximately forty feet in height.

§ 62.41 Ranges.

Ranges are aids to navigation systems employing dual beacons which, when the structures appear to be in line, assist the mariner in maintaining a safe course. The appropriate nautical chart must be consulted when using ranges to determine whether the range marks the centerline of the navigable channel and also to ascertain what section of the range may be safety traversed. Ranges are generally, but not always, lighted, and display rectangular daymarks of various colors.


§ 62.43 Numbers and letters.

(a) All solid red and solid green aids are numbered, with red aids bearing even numbers and green aids bearing odd numbers. The numbers for each increase in the Conventional Direction of Buoyage. Numbers are kept in approximately sequence on both sides of the channel by omitting numbers where necessary.

(b) Only sidemarks are numbered. However, aids other than those mentioned above may be lettered to assist in their identification, or to indicate their purpose. Sidemarks may carry letters in addition to numbers to identify the first aid to navigation in a waterway, or when new aids to navigation are added to channels with previously
§ 62.45 Light characteristics.

(a) Lights on aids to navigation are differentiated by color and rhythm. Lighthouses and range lights may display distinctive light characteristics to facilitate recognition. No special significance should be attached to the color or rhythm of such lights. Other lighted aids to navigation employ light characteristics to convey additional information.

(b) When proceeding in the Conventional Direction of Buoyage, aids to navigation, if lighted, display light characteristics as follows:

(1) Green lights mark port (left) sides of channels and locations of wrecks or obstructions which are to be passed by keeping these lights on the port (left) hand of a vessel. Green lights are also used on Preferred Channel Marks where the topmost band is green.

(2) Red lights mark starboard (right) sides of channels and locations of wrecks or obstructions which are to be passed by keeping these lights on the starboard (right) hand of a vessel. Red lights are also used on Preferred Channel Marks where the topmost band is red.

(3) Certain lights marking the Intra-coastal Waterway may display reversed lateral significance. See § 62.49.

(c) Yellow lights have no lateral significance. Except on the Western Rivers, see § 62.51, white lights have no lateral significance. The purpose of aids exhibiting white or yellow lights may be determined by their shape, color, letters or numbers, and the light rhythm employed.

(d) Light rhythms, except as noted in § 62.51 for the Western Rivers, are employed as follows:

(1) Aids with lateral significance display regularly flashing or regularly occulting light rhythms. Ordinarily, flashing lights (frequency not exceeding 30 flashes per minute) will be used. (2) Preferred Channel Marks display a composite group flashing light rhythm (groups of two flashes followed by one flash).

(3) Safe Water Marks display a white Morse Code “•” rhythm (short-long flash).

(4) Isolated Danger Marks display a white group flashing two.

(5) Special Marks display yellow lights with fixed or slow flashing rhythm preferred.

(6) Mooring Buoys and Information and Regulatory Marks display white lights of various rhythms.

(7) For situations where lights require a distinct cautionary significance, as at sharp turns, sudden channel constrictions, wrecks, or obstructions, a quick flashing light rhythm (60 flashes per minute) may be used.

(e) Occasionally lights use sectors to mark shoals or warn mariners of other dangers. Lights so equipped show one color from most directions and a different color or colors over definite arcs of the horizon as indicated on the appropriate nautical chart. These sectors provide approximate bearing information since the observer should note a change of color as the boundary between the sectors is crossed. As sector bearings are not precise, they should be considered a warning only and not used to determine exact bearing to the light.

(f) Aids to navigation may be fitted with light-reflecting material to increase their visibility in darkness. Green or red reflective material is used only on marks which, if lighted, would exhibit a light of that color. Yellow reflective material is used on special
§ 62.47 Sound signals.

(a) Often sound signals are located on or adjacent to aids to navigation. When visual signals are obscured, sound signals warn mariners of the proximity of danger.

(1) Sound signals are distinguished by their tone and phase characteristics.

   (i) Tones are determined by the devices producing the sound (i.e., diaphones, diaphragm horns, reed horns, sirens, whistles, bells and gongs).

   (ii) Phase characteristics are defined by the signal's sound pattern, i.e., the number of blasts and silent periods per minute and their durations. Sound signals emanating from fixed structures generally produce a specific number of blasts and silent periods each minute when operating. Buoy sound signals are generally actuated by the motion of the sea and therefore do not emit a regular signal characteristic.

   (2) Where no live watch is maintained, sound signals are normally operated continuously. However, some are equipped with fog detectors which activate sound signals when visibility falls below a predetermined limit.

(b) Mariners should not rely solely on sound signals to determine their positions for the following reasons:

   (1) Distance cannot be accurately determined by sound intensity.

   (2) Occasionally sound signals may not be heard in areas close to their location.

   (3) Signals may not sound in cases where fog exists close to, but not at, the location of the sound signal.

   (4) As buoy signals are generally activated by sea motion, they may produce no signals when seas are calm.

   (5) As previously noted, buoy positions are not always reliable. Therefore their sound signals cannot be assumed to be emanating from a fixed position.

§ 62.49 Intracoastal Waterway identification.

(a) In addition to the conventional signals, aids to navigation marking the Intracoastal Waterway exhibit unique yellow symbols to distinguish them from aids marking other waters.

   (1) Yellow triangles indicate that aids to navigation so marked should be passed keeping them on the starboard (right) hand of a vessel, regardless of the aid’s number, color, or light color.

   (2) Yellow squares indicate that aids to navigation so marked should be passed keeping them on the port (left) hand of a vessel, regardless of the aid’s number, color, or light color.

   (3) A horizontal yellow band provides no lateral information, but simply identifies aids to navigation as marking the Intracoastal Waterway.

(b) The above guidelines apply for vessels traversing the Intracoastal Waterway in a southerly direction on the Atlantic Coast, in a westerly direction on the Okeechobee Waterway, or in a westerly direction along the Gulf Coast.

§ 62.51 Western Rivers Marking System.

(a) A variation of the standard U.S. aids to navigation system described above is employed on the Mississippi River and tributaries above Baton Rouge, LA and on certain other rivers which flow toward the Gulf of Mexico.

(b) The Western Rivers System varies from the standard U.S. system as follows:

   (1) Buoys are not numbered.

   (2) Numbers on beacons do not have odd/even lateral significance but, rather, indicate mileage from a fixed point (normally the river mouth).

   (3) Diamond-shaped non-lateral dayboards, checkered red-and-white or green-and-white, similar to those used in the U.S. Aids to Navigation System, as appropriate, are used as crossing dayboards where the river channel crosses from one bank to the other.

   (4) Lights on green buoys and on beacons with green daymarks show a single flash which may be green or white.

   (5) Lights on red buoys and on beacons with red daymarks show a double
§ 62.61 Caution.

(a) A vessel steering a course for a radiobeacon should observe the same precautions that apply when steering for a light or any other mark.

(b) Distance cannot be accurately determined by radiobeacon signal. Mariners must exercise extreme caution when the aid to navigation which supports the radiobeacon is not visible, and no other means of determining its distance is available.

(c) If the radiobeacon is aboard a Large Navigational Buoy (LNB) or on any marine site, particular care should be exercised to avoid the possibility of collision. In addition, caution should be exercised in using radiobeacons aboard floating aids, because of the possibility that the aid could be off station.
Subpart D—Public Participation in the Aids to Navigation System

§ 62.63 Recommendations.

(a) The public may recommend changes to existing aids to navigation, request new aids or the discontinuation of existing aids, and report aids no longer necessary for maritime safety. These recommendations should be sent to the appropriate District Commander.

(b) Recommendations, requests and reports should be documented with as much information as possible to justify the proposed action. Desirable information includes:

(1) Nature of the vessels which transit the area(s) in the question, including type, displacement, draft, and number of passengers and crew.

(2) Where practicable, the kinds of navigating devices used aboard such vessels (e.g., magnetic or gyro compasses, radio direction finders, radar, loran, and searchlights).

(3) A chartlet or sketch describing the actual or proposed location of the aid(s), and a description of the action requested or recommended.

§ 62.65 Procedure for reporting defects and discrepancies.

(a) Mariners should notify the nearest Coast Guard facility immediately of any observed aids to navigation defects or discrepancies.

(b) The Coast Guard cannot monitor the many thousands of aids in the U.S. Aids to Navigation System simultaneously and continuously. As a result, it is not possible to maintain every aid operating properly and on its charted position at all times. Marine safety will be enhanced if persons finding aids missing, sunk, capsized, damaged, off station, or showing characteristics other than those advertised in the Light List, or other publication, promptly inform the Coast Guard. When making the report to the Coast Guard the mariner should consult the Light List to ensure the correct geographical information is used due to the similarity of names and geographical areas.

(c) Procedures for reporting defects and discrepancies:

(1) Radio messages should be prefixed “Coast Guard” and transmitted directly to a Government shore radio station listed in Chapter three of Radio Navigation Aids Publication, 117, for relay to the relevant District Commander.

(2) Commercial communications facilities should be used only when vessels are unable to contact a Government shore radio station. Charges for these messages will be accepted “collect” by the Coast Guard.


PART 64—MARKING OF STRUCTURES, SUNKEN VESSELS AND OTHER OBSTRUCTIONS

Subpart A—General

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64.31 Determination of hazard to navigation.
64.33 Marking by the Coast Guard.


SOURCE: CGD 78–156, 48 FR 11267, Mar. 17, 1983, unless otherwise noted.

Subpart A—General

§ 64.01 Purpose.

This part prescribes rules relating to the marking of structures, sunken vessels and other obstructions for the protection of maritime navigation.

§ 64.03 Scope.

(a) Except as provided in paragraph (b) of this section these rules apply to:

(1) Structures located in or over waters subject to the jurisdiction of the United States and, on the high seas, structures owned or operated by persons subject to the jurisdiction of the United States;

(2) Sunken vessels in the navigable waters or waters above the continental shelf of the United States; and

(3) Other obstructions existing on or in the navigable waters or waters above the continental shelf of the United States.

(b) The following obstructions are exempt from the requirements of this part:

(1) Dredging pipelines subject to Subchapter D of this chapter;

(2) Bridges subject to Subchapter J of this chapter;

(3) Vessels subject to the International Regulations for preventing Collisions at Sea, 1972 (1972 COLREGS) or the Inland Navigation Rules;

(4) Deepwater port facilities subject to subchapter NN of this chapter; and

(5) Artificial islands and structures subject to Part 67 of this subchapter.

§ 64.06 Definition of terms.

As used in this part:

Hazard to navigation means an obstruction, usually sunken, that presents sufficient danger to navigation so as to require expeditious, affirmative action such as marking, removal, or redefinition of a designated waterway to provide for navigational safety.

Markings means the lights and other signals placed on or near structures, sunken vessels, and other obstructions for the protection of navigation.

Obstruction means anything that restricts, endangers, or interferes with navigation.

Structures means any fixed or floating obstruction, intentionally placed in the water, which may interfere with or restrict marine navigation.


Subpart B—Sunken Vessels and Other Obstructions


§ 64.11 Marking and notification requirements.

(a) The owner of a vessel, raft, or other craft wrecked and sunk in a navigable channel shall mark it immediately with a buoy or daymark during the day and with a light at night. The owner of a sunken vessel, raft, or other obstruction that otherwise constitutes a hazard to navigation shall mark it in accordance with this subchapter.

(b) Owners of vessels sunk in waters subject to the jurisdiction of the United States or sunk on the high seas, if the owner is subject to the jurisdiction of the United States, shall promptly report to the District Commander, in whose jurisdiction the obstruction is located, the action they are taking to mark the sunken vessel, giving the following information (in addition to the information required by 46 CFR 4.05, Notice of Marine Casualty and Voyage Records):

(1) Name and description of the sunken vessel;

(2) Accurate description of the location of the vessel;

(3) Depth of water over the vessel; and

(4) Location and type of marking established, including color and shape of buoy or other daymark and characteristic of the light.

(c) Owners of other obstructions may report the existence of such obstructions and mark them in the same manner as prescribed for sunken vessels.

(d) Owners of marine pipelines that are determined to be hazards to navigation shall report and mark the hazardous portion of those pipelines in accordance with 49 CFR parts 192 or 193, as applicable.
§ 64.13 Approval of markings.

(a) All markings of sunken vessels and other obstructions established in accordance with §64.11 must be reported to and approved by the appropriate District Commander.

(b) Should the District Commander determine that these markings are inconsistent with Part 62 of this subchapter, they must be replaced as soon as practicable with approved markings.

§ 64.16 Duration of marking on sunken vessels in navigable waters.

Markings shall be maintained until:

(a) The sunken vessel or other obstruction is removed; or

(b) The right of the owner to abandon is legally established and exercised.

Note: Notices of abandonment of sunken vessels or other obstructions will not be accepted by the Coast Guard. Any notice of intention to abandon should be addressed to the District Engineer, Corps of Engineers, U.S. Army, within whose district the sunken vessel or other obstruction is located.

Subpart C—Structures

§ 64.21 Marking and notification requirements.

Before establishing a structure, the owner or operator shall apply for Coast Guard authorization to mark the structure in accordance with §66.01–5 of this chapter. The appropriate District Commander will determine the marking requirements.

§ 64.31 Determination of hazard to navigation.

In determining whether an obstruction is a hazard to navigation for the purposes of marking, the District Commander considers, but is not limited to, the following factors:

(a) Location of the obstruction in relation to the navigable channel and other navigational traffic patterns;

(b) Navigational difficulty in the vicinity of the obstruction;

(c) Depth of water over the obstruction, fluctuation of the water level, and other hydrologic characteristics in the area;

(d) Draft, type, and density of vessel traffic or other marine activity in the vicinity of the obstruction;

(e) Physical characteristics of the obstruction;

(f) Possible movement of the obstruction;

(g) Location of the obstruction in relation to other obstructions or aids to navigation;

(h) Prevailing and historical weather conditions;

(i) Length of time that the obstruction has been in existence;

(j) History of vessel incidents involving the obstruction; and

(k) Whether the obstruction is defined as a hazard to navigation under other statutes or regulations.

[CGD 91–631, 57 FR 43402, Sept. 21, 1992]

§ 64.33 Marking by the Coast Guard.

(a) The District Commander may mark for the protection of maritime navigation any structure, sunken vessel or other obstruction that is not
suitably marked by the owner. Markings established by the Coast Guard do not relieve the owner's duty or responsibility to mark the sunken vessel or other obstruction, or to remove it as required by law.

(b) Costs for markings established by the Coast Guard will be determined in accordance with part 74 of this Chapter.

(c) Costs for marking of a sunken vessel or other obstruction shall be charged to the owner and shall continue until:

(1) The vessel or other obstruction is removed;

(2) The right of the owner to abandon is legally established and has been exercised; or

(3) The District Commander directs otherwise.

Note: When the needs of navigation permit, the owner may be given reasonable opportunity to establish and maintain the necessary markings.

PART 66—PRIVATE AIDS TO NAVIGATION

Subpart 66.01—Aids to Navigation Other Than Federal or State

§ 66.01–1 Basic provisions.

(a) No person, public body or instrumentality not under the control of the Commandant, exclusive of the Armed Forces, shall establish and maintain, discontinue, change or transfer ownership of any aid to maritime navigation, without first obtaining permission to do so from the Commandant.

(b) For the purposes of this subpart, the term private aids to navigation includes all marine aids to navigation operated in the navigable waters of the United States other than those operated by the Federal Government (part 62 of this subchapter) or those operated in State waters for private aids to navigation (subpart 66.05).

(c) Coast Guard authorization of a private aid to navigation does not authorize any invasion of private rights, nor grant any exclusive privileges, nor does it obviate the necessity of complying with any other Federal, State or local laws or regulations.

(d) With the exception of radar beacons (racons) and shore based radar stations, operation of electronic aids to navigation as private aids will not be authorized.

§ 66.01–3 Delegation of authority to District Commanders.

(a) Pursuant to the authority in 49 CFR 1.45(b), the Commandant delegates to the District Commanders within the

Subpart 66.10—Uniform State Waterway Marking System

§ 66.10–1 General.

§ 66.10–5 [Reserved]

§ 66.10–10 [Reserved]

§ 66.10–15 Aids to navigation.

§ 66.10–35 Navigation lights.

§ 66.01-5 Application procedure.

Application to establish and maintain, discontinue, change, or transfer ownership of a private aid to navigation shall be made to the Commander of the Coast Guard District in which the private aid to navigation is or will be located. Application forms (CG–2554) will be provided upon request. The applicant shall complete all parts of the form applicable to the aid to navigation concerned, and shall forward the application in triplicate to the District Commander. The following information is required:

(a) The proposed position of the aid to navigation by two or more horizontal angles, or bearings and distance from charted landmarks. A section of chart or sketch showing the proposed location of the aid to navigation shall be included.

(b) The name and address of the person at whose expense the aid will be maintained.

(c) The name and address of the person who will maintain the aid to navigation.

(d) The time and dates during which it is proposed to operate the aid.

(e) The necessity for the aid.

(f) For lights: The color, characteristic, height above water, and description of illuminating apparatus.

(g) For fog signals: Type (whistle, horn, bell, etc.) and characteristic.

(h) For buoys or daybeacons: Shape, color, number, or letter, depth of water in which located or height above water.

(i) For racons: Manufacturer and model number of racon, height above water of desired installation, and requested coding characteristic. Equipment must have FCC authorization.

§ 66.01–10 Characteristics.

The characteristics of a private aid to navigation shall conform to the United States Aids to Navigation System described in Subpart B of Part 62 of this subchapter, except that only tungsten-incandescent light sources will be approved for electric lights.

§ 66.01–15 Action by Coast Guard.

(a) The District Commander receiving the application will review it for completeness and will assign the aid one of the following classifications:

Class I: Aids to navigation on marine structures or other works which the owners are legally obligated to establish, maintain and operate as prescribed by the Coast Guard.

Class II: Aids to navigation exclusive of Class I located in waters used by general navigation.

Class III: Aids to navigation exclusive of Class I located in waters not ordinarily used by general navigation.

(b) Upon approval by the District Commander, a signed copy of the application will be returned to the applicant. Approval for the operation of radar beacons (racons) will be effective for an initial two year period, then subject to annual review without further submission required of the owner.

§ 66.01–20 Inspection.

All classes of private aids to navigation shall be maintained in proper operating condition. They are subject to inspection by the Coast Guard at any time and without prior notice.

§ 66.01–25 Discontinuance and removal.

(a) No person, public body or instrumentality shall change, move or discontinue any authorized private aid to navigation without prior notice.
navigation required by statute or regulation (Class I, §66.01–15) without first obtaining permission to do so from the District Commander.

(b) Any authorized private aid to navigation not required by statute or regulation (Classes II and III, §66.01–15) may be discontinued and removed by the owner after 30 days’ notice to the District Commander to whom the original request for authorization for establishment of the aid was submitted.

(c) Private aids to navigation which have been authorized pursuant to this part shall be discontinued and removed without expense to the United States by the person, public body or instrumentality establishing or maintaining such aids when so directed by the District Commander.

§66.01–30 Corps of Engineers’ approval.

(a) Before any private aid to navigation consisting of a fixed structure is placed in the navigable waters of the United States, authorization to erect such structure shall first be obtained from the District Engineer, U.S. Army Corps of Engineers in whose district the aid will be located.

(b) The application to establish any private aid to navigation consisting of a fixed structure shall show evidence of the required permit having been issued by the Corps of Engineers.

§66.01–40 Exemptions.

(a) Nothing in the preceding sections of this subpart shall be construed to interfere with or nullify the requirements of existing laws and regulations pertaining to the marking of structures, vessels and other obstructions sunken in waters subject to the jurisdiction of the United States (Part 64 of this subchapter), the marking of artificial islands and structures which are erected on or over the seabed and subsoil of the Outer Continental Shelf (Part 67 of this subchapter), or the lighting of bridges over navigable waters of the United States (Subchapter J of this subchapter).

(b) Persons marking bridges pursuant to Subchapter J of this title are exempted from the provisions of §66.01–5.

§66.01–45 Penalties.

Any person, public body or instrumentality, excluding the armed forces, who shall establish, erect or maintain any aid to maritime navigation without first obtaining authority to do so from the Coast Guard, with the exception of those established in accordance with §64.10 of this chapter, or who shall violate the regulations relative thereto issued in this part, is subject to the provisions of 14 U.S.C. 83.

§66.01–50 Protection of private aids to navigation.

Private aids to navigation lawfully maintained under these regulations are entitled to the same protection against interference or obstruction as is afforded by law to Coast Guard aids to navigation (Part 70 of this subchapter). If interference or obstruction occurs, a prompt report containing all the evidence available should be made to the Commander of the Coast Guard District in which the aids are located.

§66.01–55 Transfer of ownership.

(a) When any private aid to navigation authorized by the District Commander, or the essential real estate or facility with which the aid is associated, is sold or transferred, both parties to the transaction shall submit application (§66.01–5) to the Commander of the Coast Guard District in which the aid is located requesting authority to transfer responsibility for maintenance of the aid.

(b) The party relinquishing responsibility for maintenance of the private aid to navigation shall indicate on the application form (CG–2554) both the discontinuance and the change of ownership of the aid sold or transferred.

(c) The party accepting responsibility for maintenance of the private aid to navigation shall indicate on the application form (CG–2554) both the establishment and the change of ownership of the aid sold or transferred.

(d) In the event the new owner of the essential real estate or facility with which the aid is associated refuses to accept responsibility for maintenance of the aid, the former owner shall be
§ 66.05–1 Purpose.

The purpose of the regulations in this subpart is to provide the conditions under which state governments may regulate aids to navigation owned by state or local governments, or private parties. With the exception of the provisions of subpart 66.10, which are valid until December 31, 2003, aids to navigation must be in accordance with the United States Aids to Navigation System in part 62 of this subchapter.


§ 66.05–10 State waters for private aids to navigation; designations; revisions, and revocations.

(a) A State Administrator who desires to regulate State maritime aids to navigation in the navigable waters of the United States not marked by the Federal Government, shall request the Commandant to designate the specific bodies of water involved as State waters for private aids to navigation.

(b) The request shall be forwarded to the District Commander in whose district the bodies of water are located. The request shall give the name and description of the waterway; the extent of use being made of the waterway for marine navigation; general terms; an appropriate chart or sketch of the area; and a general outline of the nature and extent of the State aids to navigation which the Administrator plans to establish in the waterway.

(c) The District Commander shall review the request and consult with the State Administrator concerning the terms of an initial agreement to be entered into under provisions of § 66.05–20. When they have arrived at terms of an agreement satisfactory to both, the District Commander shall forward the request to the Commandant with his recommendations and the terms of agreement mutually settled upon. If they cannot reach such agreement, the District Commander shall forward the
request with his recommendations and a statement of the points agreed upon and the points remaining at issue.

(d) Upon receipt of the request, the Commandant will determine whether or not approval of the request is in the public interest and will inform the State Administrator and the District Commander of the Coast Guard’s decision. If the request is approved, the designation by the Commandant of the waters in question as State waters for private aids to navigation will be also defined and described in this subpart.

(e) The Commandant may, upon his own initiative or upon request, revoke or revise any designations of State waters for private aids to navigation previously made by him. Written notice shall be given the State Administrator of the action contemplated by the Commandant. The State Administrator will be afforded a period of not less than 30 days from the date of the notice in which to inform the Commandant of the State’s views in the matter before final action is completed to revoke or revise such designation.

§ 66.05–20 Coast Guard-State agreements.

(a) The District Commander in whose District a waterway is located may enter into agreements with State Administrators permitting a State to regulate aids to navigation, including regulatory markers, in State waters for private aids to navigation previously made by him. Written notice shall be given the State Administrator of the action contemplated by the Commandant. The State Administrator will be afforded a period of not less than 30 days from the date of the notice in which to inform the Commandant of the State’s views in the matter before final action is completed to revoke or revise such designation.

§ 66.05–25 Change and modification of State aids to navigation.

(a) Wherever a State Administrator shall determine the need for change in State aids to navigation, he shall inform the District Commander of the nature and extent of the changes as soon as possible, preferably not less
than 30 days in advance of making the changes.

§ 66.05–30 Notice to Mariners.
(a) The District Commander may publish information concerning State aids to navigation, including regulatory markers, in the Coast Guard Local Notices to Mariners as he deems necessary in the interest of public safety.
(b) Notices to Mariners which concern the establishment, disestablishment, or change of State aids to navigation, including regulatory markers, may be published whenever the aids to navigation concerned are covered by navigational charts or maps issued by the National Ocean Service or the U.S. Army Corps of Engineers.

§ 66.05–35 Private aids to navigation other than State owned.
(a) No person, public body or other instrumentality not under control of the Commandant or the State Administrator, exclusive of the Armed Forces of the United States, shall establish, erect or maintain in State waters for private aids to navigation any aid to navigation without first obtaining permission to do so from the State Administrator. Discontinuance of any State aids to navigation may be effected by order of the State Administrator.

§ 66.05–40 Corps of Engineers’ approval.
(a) In each instance where a regulatory marker is to be established in navigable waters of the United States which have been designated by the Commandant as State waters for private aids to navigation, the State Administrator is responsible for obtaining prior permission from the District Engineer, U.S. Army Corps of Engineers concerned, authorizing the State to regulate the water area involved, or a statement that there is no objection to the proposed regulation of the water area. A copy of the Corps of Engineers permit or letter of authority shall be provided by the Administrator to the District Commander upon request.
(b) Similarly, where an aid to navigation is to be placed on a fixed structure or a mooring buoy is to be established in State waters for private aids to navigation, the State Administrator shall assure that prior permission or a statement of no objection to the structures or mooring buoys proposed is obtained from the District Engineer concerned. A copy of the permit or letter is not required by the District Commander.

§ 66.05–100 Designation of navigable waters as State waters for private aids to navigation.
In accordance with the procedures contained in §66.05–10(d), the following navigable waters listed by the State in which they are located, are designated as State waters for private aids to navigation:
(a) Arizona. The portion of Lake Havasu within the State, except that portion within Havasu Lake National Wildlife Refuge.
(b) Louisiana. The portion of Toledo Bend Reservoir within the State.
(c) Missouri. Teach water within the State except the:
(1) Mississippi River; and
(2) Missouri River.
(d) Montana. The portion of Missouri River between the U.S. Highway 287 bridge near Townsend and Great Falls including the following impoundments:
(1) Black Eagle Dam Reservoir.
(2) Canyon Ferry Reservoir.
(3) Hauser Lake.
(4) Holter Lake.
(5) Rainbow Dam Reservoir.
(e) North Carolina. Each navigable water within the State not marked with Coast Guard aids to navigation on June 1, 1973.
(f) Pennsylvania. The portion of Youghiogheny River Reservoir within the State.
(f–1) South Carolina. (1) The portion of Lake Wylie within the State; (2) Lake Marion; (3) Lake Moultrie; and (4) Lake Murray.
(g) Texas. The portion of Toledo Bend Reservoir within the State.
(h) Virginia. (1) Claytor Lake, on the New River in Pulaski County.
(2) Leesville Lake, on the Roanoke River below Smith Mountain Dam.
Coast Guard, DOT

§ 66.10–15

Aids to navigation.

(a) USWMS aids to navigation may have lateral or cardinal meaning.

(b) On a well defined channel including a river or other relatively narrow natural or improved waterway, an aid to navigation shall normally be a solid colored buoy. A buoy which marks the left side of the channel viewed looking upstream or toward the head of navigation shall be colored all black. A buoy which marks the right side of the channel viewed looking upstream or toward the head of a navigation shall be colored all red. On a well defined channel, solid colored buoys shall be established in pairs, one on each side of the navigable channel which they mark, and opposite each other to inform the user that the channel lies between the buoys and that he should pass between the buoys.

(c) On an irregularly defined channel, solid colored buoys may be used singly in staggered fashion on alternate sides of the channel provided they are spaced at sufficiently close intervals to inform the user that the channel lies between the buoys and that he should pass between the buoys.

(d) Where there is no well-defined channel or when a body of water is obstructed by objects whose nature or location is such that the obstruction can be approached by a vessel from more than one direction, supplemental aids to navigation having cardinal meaning (i.e., pertaining to the cardinal points of the compass, north, east, south, and west) may be used. The use of an aid to navigation having cardinal meaning is discretionary provided that the use of such a marker is limited to wholly State owned waters and the State waters for private aids to navigation as defined and described in this part.

(e) Aids to navigation conforming to the cardinal system shall consist of three distinctly colored buoys.

(1) A white buoy with a red top may be used to indicate to a vessel operator that he must pass to the south or west of the buoy.

(2) A white buoy with a black top may be used to indicate to a vessel operator that he must pass to the north or east of the buoy.

(3) In addition, a buoy showing alternate vertical red and white stripes may be used to indicate to a vessel operator that an obstruction to navigation extends from the nearest shore to the buoy and that he must not pass between the buoy and shore. The number of white and red stripes is discretionary, provided that the white stripes are twice the width of the red stripes.


EDITORIAL NOTE: Amendatory instruction no. 16 at 63 FR 33574, June 19, 1998, revising
§ 66.10–35

paragraph (a) of §66.10–15, incorrectly referred to a nonexistent §66.19–15 in the heading of the amendatory language. The heading should read: “§66.10–15 Aids to navigation.”

§ 66.10–35 Navigation lights.

A red light shall only be used on a solid colored red buoy. A green light shall only be used on a solid colored black or a solid colored green buoy. White lights shall be used for all other buoys. When a light is used on a cardinal system buoy or a vertically striped white and red buoy, it shall always be quick flashing.

[CGD 97–018, 63 FR 33574, June 19, 1998]

PART 67—AIDS TO NAVIGATION ON ARTIFICIAL ISLANDS AND FIXED STRUCTURES

Subpart 67.01—General Requirements

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67.01–5 Definitions.
67.01–10 Authority to regulate and delegation of functions.
67.01–15 Classification of structures.
67.01–20 Prescribing lines of demarcation.
67.01–30 Equivalents.

Subpart 67.05—General Requirements for Lights

67.05–1 Arrangement of obstruction lights.
67.05–5 Multiple obstruction lights.
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67.10–15 Approval of fog signals.
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67.10–25 Application for tests.
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Subpart 67.15—Miscellaneous Marking Requirements

67.15–1 Lights and signals on attendant vessels.

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67.15–5 Seismographic and surveying operations.
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Subpart 67.20—Class “A” Requirements

67.20–1 Class “A” structures.
67.20–5 Obstruction lights.
67.20–10 Fog signal.

Subpart 67.25—Class “B” Requirements

67.25–1 Class “B” structures.
67.25–5 Obstruction lights.
67.25–10 Fog signal.

Subpart 67.30—Class “C” Requirements

67.30–1 Class “C” structures.
67.30–5 Obstruction lights.
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Subpart 67.35—Applications

67.35–1 Procedure.
67.35–5 Contents of application.
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Subpart 67.40—Notification

67.40–1 Notification to District Commander.
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Subpart 67.50—District Regulations

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67.50–15 Fifth Coast Guard District.
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67.50–40 Thirteenth Coast Guard District.
67.50–45 Seventeenth Coast Guard District.


Source: CGFR 58–17, 23 FR 3377, May 20, 1958, unless otherwise noted.

Subpart 67.01—General Requirements

§ 67.01–1 Scope.

(a) The regulations in this part prescribe the obstruction lights and fog signals to be operated as privately maintained maritime aids to navigation on the artificial islands and structures which are erected on or over the
§ 67.01 Authority to regulate and delegation of functions.

(a) The varied depths of water and marine commerce traffic routes which exist in the waters over the Outer Continental Shelf, and in other waters, permits the classification of structures according to their location in such waters. Those structures in the area seaward of the line of demarcation, prescribed by the regulations in this part, are designated as Class “A” structures. All structures shoreward of the line of demarcation, prescribed by the regulations in this part, are designated as either Class “B” or Class “C” structures.

(b) In the event a line of demarcation is not prescribed, the District Commander shall designate a structure “A”, “B”, or “C” as he deems appropriate.

§ 67.01–20 Prescribing lines of demarcation.

In those areas where lines of demarcation are not prescribed, or where they have been prescribed and require the highest degree reasonably possible the uninterrupted operation of lights and fog signals as private aids to navigation for safety of marine commerce.

(f) Fog signal. The term “fog signal” as used in this part shall mean the audible sound signal, authorized as a private aid to navigation, to mark a structure for the safety of marine commerce whenever the visibility has been reduced by fog, mist, rain, falling snow, smoke, dust, or other phenomena.


§ 67.01–15 Classification of structures.

(a) The varied depths of water and marine commerce traffic routes which exist in the waters over the Outer Continental Shelf, and in other waters, permits the classification of structures according to their location in such waters. Those structures in the area seaward of the line of demarcation, prescribed by the regulations in this part, are designated as Class “A” structures. All structures shoreward of the line of demarcation, prescribed by the regulations in this part, are designated as either Class “B” or Class “C” structures.

(b) In the event a line of demarcation is not prescribed, the District Commander shall designate a structure “A”, “B”, or “C” as he deems appropriate.

§ 67.01–20 Prescribing lines of demarcation.

In those areas where lines of demarcation are not prescribed, or where they have been prescribed and require the highest degree reasonably possible the uninterrupted operation of lights and fog signals as private aids to navigation for safety of marine commerce.

(f) Fog signal. The term “fog signal” as used in this part shall mean the audible sound signal, authorized as a private aid to navigation, to mark a structure for the safety of marine commerce whenever the visibility has been reduced by fog, mist, rain, falling snow, smoke, dust, or other phenomena.

§ 67.01–30 Modification, the District Commander shall submit his recommendations thereon to the Commandant for establishment or changes as required. When approved by the Commandant, and upon publication in the Federal Register, such additions or changes in lines of demarcation shall be effective for the purposes of this part.

§ 67.01–30 Equivalents.

The use of alternate equipment, apparatus, or installation arrangements specified in this part may be permitted by the District Commander to such extent and under such conditions as will result in achieving a degree of safety or compliance with these regulations equivalent to or above the minimum requirements set forth in this part.

Subpart 67.05—General Requirements for Lights

§ 67.05–1 Arrangement of obstruction lights.

(a) Structures having a maximum horizontal dimension of 30 feet or less on any one side, or in diameter, shall be required to have one obstruction light visible for 360°.

(b) Structures having a maximum horizontal dimension of over 30 feet, but not in excess of 50 feet, on any one side, or in diameter, shall be required to have two obstruction lights installed on diagonally opposite corners, 180° apart, or as prescribed by the District Commander, each light to have a 360° lens.

(c) Structures having a horizontal dimension of over 50 feet on any one side, or in diameter, shall be required to have an obstruction light on each corner, or 90° apart in the case of circular structures, or as prescribed by the District Commander, each light to have a 360° lens.

(d) Where the overall dimensions of a structure require the installation of two or more obstruction lights, the lights shall all be mounted on the same horizontal plane within the limitations of height specified in § 67.20–5, § 67.25–5, or § 67.30–5, as applicable.

(e) Lesser structures and piles, pile clusters or flare templates, etc., will not normally be required to be marked by obstruction lights, when they are located within 100 yards of a Class “A”, “B” or “C” structure marked by established obstruction lights, but they shall be marked with red or white retro-reflective material, installed as prescribed by the District Commander.

(f) All obstruction lights shall be installed in a manner which will permit at least one of them to be carried in sight of the mariner, regardless of the angle of approach, until he is within 50 feet of the structure, visibility permitting.

§ 67.05–5 Multiple obstruction lights.

When more than one obstruction light is required by this part to mark a structure, all such lights shall be operated to flash in unison.

§ 67.05–10 Characteristics of obstruction lights.

All obstruction lights required by this part shall be powered from a reliable power source, including auxiliary power sources as necessary. They shall display a quick-flash characteristic of approximately 60 flashes per minute, unless prescribed otherwise in the permit issued by the District Commander. Their color shall be white when marking Class “A” and “B” structures, and either white or red, as prescribed by the District Commander, when marking Class “C” structures. In determining whether white or red lights shall be authorized, the District Commander shall take into consideration matters concerning, but not necessarily limited to, the dimensions of the structure and the depth of water in which it is located; the proximity of the structure to vessel routes; the nature and amount of vessel traffic; and the effect of background lighting.

§ 67.05–15 Operating periods of obstruction lights.

Obstruction lights shall be displayed at all times between the hours of sunset and sunrise, local time, commencing at the time the construction of a structure is begun. During construction and until such time as a platform capable of supporting the obstruction lights is completed, the fixed lights on an attending vessel shall be used. In addition, when lights are in
use for general illumination to facilitate the construction or operation of a structure, and can be seen from any angle of approach at a distance equal to that prescribed for the obstruction lights for the class of structure, the actual operation of obstruction lights also will not be required.

(CGFR 58-34, 23 FR 7701, Oct. 4, 1958)

§ 67.05–20 Minimum lighting requirements.

The obstruction lighting requirements prescribed in this part are the minimum requirements only and shall not preclude the maintainer from making application for authorization to establish more lights, or lights of greater intensity than required to be visible at the distances prescribed: Provided, That the prescribed characteristics of color and flash duration are adhered to.

§ 67.05–25 Special lighting requirements.

Whenever a structure is erected in a position on or adjacent to the edges of navigable channels and fairways, or lines of demarcation, the District Commander is authorized to require the structure to be marked by the lights which in his judgment are necessary for the safety of marine commerce, and without regard to the fact that the structure may be located in an area in which either Class “B” or Class “C” requirements are otherwise applicable. The requirements for the lights in any of these cases, shall not exceed those established for structures in the Class “A” areas.

Subpart 67.10—General Requirements for Fog Signals

Source: CGD 72–74R, 37 FR 13512, July 8, 1972, unless otherwise noted.

§ 67.10–1 Apparatus requirements.

The fog signal required by §§67.20–10, 67.25–10, and 67.30–10 must:

(a) Have its maximum intensity at a frequency between 100 and 1,100 Hertz;

(b) Sound a 2-second blast every 20 seconds (2 seconds sound, 18 seconds silence) unless otherwise authorized by the District Commander;

(c) Have the range required by §67.20–10, §67.25–10, or §67.30–10;

(d) Have a height not exceeding 25 feet;

(e) Have not more than eight sound sources;

(f) Be approved by the Coast Guard under §67.10–15; and

(g) Be permanently marked with:

(1) The date of Coast Guard approval;

(2) The manufacturer and date of manufacture;

(3) A model designation;

(4) The approved range; and

(5) The power necessary to comply with the provisions of paragraph (c) of this section.

§ 67.10–5 Location requirements.

The fog signal required by §§67.20–10, 67.25–10, and 67.30–10 must:

(a) Be located on the structure so that the sound signal produced is audible over 360° in a horizontal plane at all ranges up to and including the required range; and

(b) Be located at least 10 feet but not more than 150 feet above mean high water.

§ 67.10–10 Operating requirements.

(a) Fog signals required by §§67.20–10, 67.25–10, and 67.30–10 must be operated continuously, regardless of visibility, unless the fog signal is controlled:

(1) By an attendant on the structure;

(2) Remotely by an attendant on a nearby structure; or

(3) By a fog detection device capable of activating the fog signal when the visibility in any direction is reduced to the range at which fog signal operation is required by this part.

(b) During construction and until such time as a fog signal is installed and operating on a platform, the whistle of an attending vessel moored alongside the platform may be used to sound the signal required for the structure by this part.

§ 67.10–15 Approval of fog signals.

(a) The Coast Guard approves a fog signal if:

(1) It meets the requirements for fog signals in §67.10–1 (a), (b), (c), (d), and (e) when tested under §67.10–20; or
(2) It is similar to a fog signal which was tested and approved under the provisions of this section and the Coast Guard has approved all variations in design, construction, production, and manufacture from the fog signal tested.

(b) A fog signal that is an identical production model of a fog signal which has been approved under paragraph (a) of this section is a Coast Guard approved fog signal.

§ 67.10–20 Fog signal tests.

(a) Fog signal tests must:

(1) Be made by the applicant in the presence of a Coast Guard representative, who certifies the test if the procedures comply with the requirements of this section;

(2) Be made with Coast Guard supplied and calibrated sound level meters and power meters; and

(3) Be made in an anechoic chamber large enough to accommodate the entire fog signal, as if installed for actual use.

(b) The sound pressure level must be measured as a function of:

(1) Distance by using a sufficient number of points to allow a far-field extrapolation of the sound pressure level;

(2) Power at outputs up to and including the approximate power level necessary to comply with § 67.10–1(c);

(3) Horizontal angle at increments not greater than 30°; and

(4) Harmonic content to at least the third harmonic.

(c) In analyzing the test data to determine the minimum power necessary to produce the sound pressure level specified in Table A of this section the Coast Guard follows the procedures prescribed by the International Association of Lighthouse Authorities (IALA) in Supplement No. 3 to the IALA Bulletin of February 1969 for analysis of harmonic components and does not consider components above 1,100 Hertz as adding to the audible range.

<table>
<thead>
<tr>
<th>FREQUENCY (Hz)</th>
<th>1/2 MILE (dB)</th>
<th>2 MILE (dB)</th>
</tr>
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<tr>
<td>100</td>
<td>131.3</td>
<td>148.4</td>
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<tr>
<td>150</td>
<td>128.8</td>
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<tr>
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<td>119.0</td>
<td>135.4</td>
</tr>
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</table>

**Table A: Required Sound Pressure Levels at 1 Meter for 1/2 and 2 Mile Fog Signals**
§ 67.10–25 Application for tests.

A person requesting a Coast Guard representative at a test of a fog signal must:
(a) Direct a written request to the Office of Aids to Navigation, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001 including:
- (1) His name, address, and telephone number;
- (2) A description of the fog signal;
- (3) Range for which approval is requested;
- (4) Location of the anechoic chamber; and
- (5) Proposed test dates.

(b) Bear all the expenses of conducting the test conducted in accordance with § 67.10–20 including all expenses of the U.S. Government in sending a Coast Guard representative to the test.


§ 67.10–30 Withdrawal of approval.

The Coast Guard may withdraw approval of a fog signal if it fails to meet the requirements of § 67.10–1 (a), (b), and (c).

§ 67.10–35 Notice of approval and withdrawal of approval.

(a) The Coast Guard publishes a notice of the approval or withdrawal of approval of a fog signal in the Local Notice to Mariners.

(b) A listing of approved fog signals may be obtained from any District Commander.


Any fog signal authorized for use by the Coast Guard and manufactured prior to January 1, 1973, is excepted from the requirements in this subpart, except §§ 67.10–1 (b) and (c), 67.10–5, and 67.10–10, if the fog signal has a minimum sound pressure level as specified in Table A of Subpart 67.10 of Title 33 of the Code of Federal Regulations in effect on December 31, 1972, for the range required by § 67.20–10, § 67.25–10, or § 67.30–10.

Subpart 67.15—Miscellaneous Marking Requirements

§ 67.15–1 Lights and signals on attendant vessels.

The requirements prescribed by this part apply to structures. The barges, vessels, and other miscellaneous floating plants in attendance shall display lights and signals in accordance with the “Regulations for Preventing Collisions at Sea, 1960 (33 U.S.C. 1601–1094),” or the local rules established in accordance with Rule 30 thereof, as appropriate. However, when vessels are fixed to or submerged onto the seabed, they become structures as described in § 67.01–5.


§ 67.15–5 Seismographic and surveying operations.

All stakes, casings, pipes, and buoys, except bamboo poles and wooden stakes less than 2 inches in diameter, placed in the water to facilitate seismographic or surveying operations shall be marked, in the manner prescribed by the District Commander, for the safety of navigation.

§ 67.15–10 Spoil banks, artificial islands, and dredged channels.

(a) All submerged spoil banks, or artificial islands resulting from the dredging of private channels, laying of pipelines, or any other private operation, and all privately dredged channels which, in the judgment of the District Commander are required to be marked by aids to navigation, shall be marked by private aids to navigation conforming to the standard United States system of aids to navigation characteristics described in Subpart 62.25 of Part 62 of this subchapter.

(b) Applications for permits to establish and maintain private aids to navigation for the purpose indicated in this section shall be reviewed by the District Commander and forwarded to the Commandant, for final review and issuance of permits.
§ 67.20-1 Subpart 67.20—Class “A” Requirements

§ 67.20-1 Class “A” structures.

Class “A” structures shall be the structures erected in an area where Class “A” requirements must be met.

§ 67.20-5 Obstruction lights.

The obstruction lights shall be white lights as prescribed in Subpart 67.05 of this part. The lights shall be of sufficient candlepower as to be visible at a distance of at least five nautical miles 90 percent of the nights of the year. The lights shall be displayed not less than 20 feet above mean high water, but not at a height greater than that specified in §67.05-1(f).

[CGFR 58–34, 23 FR 7701, Oct. 4, 1958]

§ 67.20-10 Fog signal.

(a) The owner of a Class “A” structure shall:

(1) Install a fog signal that has a range of at least 2 miles; and,

(2) Operate the fog signal when the visibility in any direction is less than 5 miles.

(b) The District Commander may waive any requirements in paragraph (a) of this section if he finds that a structure is so close to other structures and so enveloped by the fog signals on other structures that it is not a hazard to navigation.

[CGD 72–74R, 37 FR 13513, July 8, 1972]

Subpart 67.25—Class “B” Requirements

§ 67.25-1 Class “B” structures.

Class “B” structures shall be the structures erected in an area where Class “B” requirements must be met.

§ 67.25-5 Obstruction lights.

(a) The obstruction lights shall be white lights as prescribed in Subpart 67.05 of this part and shall be of sufficient candlepower as to be visible at a distance of at least three nautical miles 90 percent of the nights of the year. The lights shall be displayed not less than 20 feet above mean high water, but not at a height greater than that specified in §67.05-1(f), except that on Class “B” structures which are required to be marked by only one light, that light may be displayed not less than 10 feet above mean high water if the structural features preclude mounting the light within the range of heights otherwise specified in this section.

(b) The District Commander may waive the requirement for obstruction lights on Class “B” structures if there is no hazard to navigation by so doing.


§ 67.25-10 Fog signal.

(a) The owner of a Class “B” structure shall:

(1) Install a fog signal that has a range of at least one-half mile, except that the District Commander may—

(i) Prescribe a greater range, not to exceed 2 miles, under the provisions of paragraph (b) of this section; or

(ii) Exempt the structure from the requirements of this paragraph, under the provisions of paragraph (c) of this section;

(2) Operate the fog signal when the visibility in any direction is less than 3 miles, unless the District Commander establishes a greater or lesser distance of visibility in any direction is less than 3 provisions of paragraph (b) or (c) of this section.

(b) The owner of a Class “B” structure shall install a fog signal with a greater range or operate it at times of greater visibility than required in paragraph (a) of this section if:

(1) The structure is erected on or adjacent to the edge of a:

(i) Navigable channel;

(ii) Fairway; or

(iii) Line of demarcation; and

(2) The District Commander decides a greater range or operation of the fog signal at times of greater visibility is necessary for the safety of marine commerce.

(c) The District Commander may waive or relax the provisions of paragraph (a) of this section, if he finds that a structure is:

(1) So close to other structures and so enveloped by the fog signals on other structures that it is not a hazard to navigation; or
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(2) So located in a shoal area that it is not a hazard to navigation.

[CGD 72-74R, 37 FR 13513, July 8, 1972]

Subpart 67.30—Class “C” Requirements

§ 67.30-1 Class “C” structures.

Class “C” structures shall be the structures erected in an area where Class “C” requirements must be met.

§ 67.30-5 Obstruction lights.

(a) The obstruction lights shall be white or red lights as prescribed in Subpart 67.05 of this part and shall be of sufficient candlepower as to be visible at a distance of at least one nautical mile 90 percent of the nights of the year. The lights shall be displayed at such height, above mean high water, as shall be prescribed by the District Commander. When the District Commander shall authorize red lights to mark a Class “C” structure, the color thereof shall conform to the shade of red prescribed in Military Specification MIL–C–25050 (ASG), Type 1, Grade D. A copy of the specification may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa. 19120.

(b) When Class “C” structures are erected in close proximity to each other, or are connected in such a manner as to prevent marine traffic from passing freely through the field, obstruction lights may be authorized to mark the perimeter structures only, when in the judgment of the District Commander the group of structures which are equipped with obstruction lights are so arranged that the particular structures are protected to the degree required by this part, and are not a hazard to navigation.

(c) Unless advised to the contrary by the District Commander, obstruction lights shall be required on Class “C” structures erected in depths of water greater than 3 feet at mean low water.

(d) In cases where, although not required, an applicant desires to establish and operate obstruction lights, a permit therefor shall be granted, at the discretion of the District Commander:

Provided, That the lights meet the requirements set forth in this part.


§ 67.30-10 Fog signals.

(a) The owner of a Class “C” structure shall install a fog signal if:

(1) The structure is erected on or adjacent to the edge of a:

(i) Navigable channel;

(ii) Fairways; or

(iii) Line of demarcation; and

(2) The District Commander decides it is necessary for the safety of marine commerce.

(b) Fog signals required by paragraph (a) of this section must have range of at least one-half mile, unless the District Commander prescribes a greater range, not to exceed 2 miles.

(c) The owner of the structure shall operate the fog signal required by paragraph (a) of this section whenever the visibility in any direction is less than 3 miles, unless the District Commander establishes a greater or lesser distance of visibility, not to exceed 5 miles.

(d) Class “C” structures may have fog signals if:

(1) Authorized by the District Commander under the provisions of Subpart 66.01 of this subchapter; and

(2) The fog signal meets the requirements of §67.10-1 (a) and (b).

[CGD 72-74R, 37 FR 13513, July 8, 1972]

Subpart 67.35—Applications

§ 67.35-1 Procedure.

(a) An application, on Coast Guard forms which will be provided by the District Commander upon request, shall be submitted for each private aid to navigation for which a permit is required to establish, operate, move, change or discontinue, except as modified in this subpart.

(b) An application on the prescribed form shall be submitted to the District Commander for each structure to be equipped with obstruction lights and/or fog signals if the structure is to remain in place six months or more. An application may be made by letter for each
§ 67.35–5 Contents of application.

(a) All applicable items of the prescribed forms shall be completed. A brief descriptive print of the structure or aid to navigation involved shall be furnished with the application, together with a location plat or chart section. When Lambert coordinates are used to plot the position of the aid, the plat or chart shall be annotated to show latitude and longitude of the proposed aid to navigation, except when the position has been described by reference to one or more horizontal angles, or by the bearing and distance from a charted landmark.

(b) Each application shall have appended to it a list showing the type, model, name and address of the manufacturer of the lighting apparatus and fog signal equipment to be used.

(c) Each application shall always specify the date the proposals contained therein are desired to be effective, and approval thereof must be obtained before the proposed action is undertaken.

§ 67.35–10 Private aids to navigation.

See §67.15–10(b) for review of applications respecting private aids to navigation for spoil banks, artificial islands and dredged channels.

§ 67.35–15 To whom addressed.

The applications and correspondence dealing with private aids to navigation and obstruction lighting should be addressed to the District Commander having jurisdiction over the area.

Subpart 67.40—Notification

§ 67.40–1 Notification to District Commander.

(a) Class “A” structures. In the case of structures to be located in areas where Class “A” requirements must be met, notification shall be given to the District Commander of the approximate date work will commence, as soon as known after a permit is received from the Corps of Engineers, U.S. Army, or 30 days in advance, if possible. The District Commander shall be notified by telegram the day the construction of the structure is commenced, informing him of the lights and fog signals to be used during construction. When construction has been completed, the maintainer shall notify the District Commander to that effect by letter, stating whether or not the authorized obstruction lights and/or fog signals are in operation. Final notification by letter shall be given when the lights used for general illumination, to facilitate the construction or operation of the structure, have been discontinued and the authorized obstruction lights placed in operation.

(b) Class “B” structures. Notification shall be given to the District Commander in the case of structures to be located in areas where Class “B” requirements must be met, in the same manner as prescribed in the case of Class “A” structures, except that the telegram on the day construction of the structure is commenced shall not be required.

(c) Class “C” structures. Notification shall be given to the District Commander in the case of structures to be located in areas where Class “C” requirements must be met, upon completion of the structure.

Communication with the owners of private aids to navigation by the District Commander shall be addressed to their usual or last known place of business, or to their local representative, if any. Communication shall be by the method considered appropriate for the circumstances.

Marking at owner’s expense.

The District Commander may mark, for the protection of marine commerce, any structure whenever the owner thereof has failed suitably to mark the same in accordance with this part, and the owner shall reimburse the Coast Guard for all costs incurred.

Charges invoiced to owner.

Charges to the owner for the cost of marking a structure by the Coast Guard shall be determined in accordance with Part 74 of this subchapter. All such charges shall be invoiced to the owner beginning with the date such marking is established and shall continue until notice is received by the District Commander that the structure has been removed, or until the owner has applied for and been issued a permit by the District Commander to establish and operate the required obstruction lights and/or fog signals or other markings required by this part.

Penalty.

The penalty for violation is in section 1, 63 Stat. 501 (14 U.S.C. 83), or section 4(e)(2) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333). Any person, firm, company, or corporation who shall fail or refuse to obey any of the lawful rules and regulations issued in this part or pursuant thereto shall be guilty of a misdemeanor and shall be fined not more than $100 for each offense. Each day during which such violation shall continue shall be considered a new offense.

Subpart 67.50—District Regulations

(a) The regulations in this subpart shall apply to the structures which are located within the boundaries of the Coast Guard districts hereinafter defined.

(b) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.

First Coast Guard District.

(a) Description. See §3.05–1 of this chapter.

(b) Line of demarcation. There is no line of demarcation prescribed for this District. When required, it will be determined in accordance with §67.01–20. The District Commander shall assign structures to classes as he deems appropriate at the time of application for a permit to establish and operate lights and fog signals. In so doing, he shall take into consideration matters concerning, but not necessarily limited to, the dimensions of the structure and the depth of water in which it is located; the proximity of the structure to vessel routes; the nature and amount of vessel traffic; and the effect of background lighting.

Fifth Coast Guard District.

(a) Description. See §3.25–1 of this chapter.

(b) Line of demarcation. There is no line of demarcation prescribed for this District. When required, it will be determined in accordance with §67.01–20. The District Commander shall assign structures to classes as he deems appropriate at the time of application for a permit to establish and operate lights and fog signals. In so doing, he shall take into consideration matters concerning, but not necessarily limited to, the dimensions of the structure and the depth of water in which it is located;
§ 67.50-20 Seventh Coast Guard District.

(a) **Description.** See §3.35-1 of this chapter.

(b) **Line of demarcation.** There is no line of demarcation prescribed for this District. When required, it will be determined in accordance with §67.01-20.

The District Commander shall assign structures to classes as he deems appropriate at the time of application for a permit to establish and operate lights and fog signals. In so doing, he shall take into consideration matters concerning, but not necessarily limited to, the dimensions of the structure and the depth of water in which it is located; the proximity of the structure to vessel routes; the nature and the amount of vessel traffic; and the effect of background lighting.

(CGFR 58-17, 23 FR 3377, May 20, 1958, as amended by CGFR 61-40, 26 FR 10353, Nov. 3, 1961)

§ 67.50-25 Eighth Coast Guard District.

(a) **Description.** See §3.40-1 of this chapter.

(b) **Lines of demarcation.** The two lines of demarcation described in this section are for administrative purposes to distinguish between the areas in which structures shall be subject to Class “A”, “B” or “C” requirements. The primary line of demarcation delimits the areas to the seaward of which Class “A” requirements are imposed. The secondary line of demarcation delimits the areas to the shorward of which Class “C” requirements are imposed. In those areas where no secondary line of demarcation is prescribed, the structures shorward of the primary line of demarcation are considered to be Class “C” structures. Class “B” requirements are imposed on the structures in the areas between the two lines of demarcation.

1. The coordinates of the primary line of demarcation within the jurisdiction of the District Commander are as follows:
   (i) Commencing at a point at Lat. 30°11.3 N., Long. 88°03.0 W., thence to;
   (ii) A point at Lat. 30°11.5 N., Long. 88°31.7 W., thence to;
   (iii) A point at Lat. 30°12.7 N., Long. 88°55.0 W., thence to;
   (iv) A point due west of (iii) at Long. 89°00.0 W., thence to;
   (v) A point at Lat. 30°08.0 N., Long. 89°00.0 W., thence to;
   (vi) A point at Lat. 30°04.7 N., Long. 88°53.7 W., thence via a line two miles to seaward around Chandeleur Island to;
   (vii) A point at Lat. 29°34.0 N., Long. 89°00.0 W., thence to;
   (viii) A point at Lat. 29°15.0 N., Long. 89°00.0 W., thence to;
   (ix) A point at Lat. 29°14.0 N., Long. 88°57.7 W., thence to;
   (x) A point at Lat. 29°10.0 N., Long. 88°57.0 W., thence to;
   (xi) A point at Lat. 29°03.6 N., Long. 89°02.3 W., thence via the five fathom curve to;
   (xii) A point at latitude 28°58.1 N., longitude 89°09.6 W., thence to;
   (xiii) A point at latitude 28°57.8 N., longitude 89°13.6 W., thence to;
   (xiv) A point at latitude 28°57.8 N., longitude 89°19.5 W., thence to;
   (xv) A point at latitude 28°53.8 N., longitude 89°25.7 W., thence to;
   (xvi) A point at latitude 28°52.6 N., longitude 89°25.9 W., thence via the 10 fathom curve to;
   (xvii) A point at latitude 28°00.0 N., longitude 89°34.0 W., thence to;
   (xviii) A point at latitude 29°00.0 N., longitude 90°03.0 W., thence to;
   (xix) A point at latitude 28°46.3 N., longitude 91°07.5 W., thence to;
   (xx) A point at latitude 29°11.5 N., longitude 92°21.0 W., thence to;
   (xxi) A point at latitude 29°29.0 N., longitude 92°32.3 W., thence via the 5 fathom curve to;
   (xxii) A point at latitude 29°41.2 N., longitude 93°19.9 W., thence to;
   (xxiii) A point at latitude 29°38.7 N., longitude 93°49.4 W., thence to;
   (xxiv) A point on the 5 fathom curve at latitude 29°35.8 N., longitude 94°00.0 W., thence via the 5 fathom curve to;
   (xxv) A point at latitude 29°36.7 N., longitude 94°30.0 W., thence to;
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(xxvi) A point at latitude 28°55.3 N., longitude 95°16.3 W., thence to;

(xxvii) A point at latitude 28°54.9 N., longitude 95°15.6 W., thence to;

(xxviii) A point at latitude 28°19.3 N., longitude 96°23.3 W., thence to;

(xxix) A point at latitude 27°49.5 N., longitude 97°01.2 W., thence to;

(XXX) A point on the 10 fathom curve at latitude 27°30.0 N., longitude 97°10.0 W., thence via the 10 fathom curve to;

(xxxi) A point at latitude 27°00.0 N., longitude 97°17.5 W., thence to;

(xxii) A point at latitude 26°04.1 N., longitude 97°08.6 W.

(2) The coordinates of the secondary line of demarcation within the jurisdiction of the District Commander are as follows:

(i) Commencing at a point in Breton Sound at Lat. 29°34.0 N., Long. 89°00.0 W., thence to;

(ii) A point at Lat. 29°30.0 N., Long. 89°10.0 W., thence to;

(iii) A point at Lat. 29°20.9 N., Long. 89°10.0 W., thence to;

(iv) A point at Lat. 29°15.3 N., Long. 89°04.0 W., thence to;

(v) A point at Lat. 29°14.1 N., Long. 88°59.0 W., thence to;

(vi) A point at Lat. 29°08.6 N., Long. 88°58.3 W., thence to;

(vii) A point at Lat. 29°02.1 N., Long. 89°06.6 W., thence to;

(viii) A point at Lat. 28°58.1 N., Long. 89°08.4 W., thence to;

(ix) A point at Lat. 29°01.1 N., Long. 89°16.1 W., thence to;

(x) A point at Lat. 28°53.7 N., Long. 89°26.0 W., thence to;

(xi) A point at Lat. 28°54.3 N., Long. 89°27.5 W., thence to;

(xii) A point at Lat. 29°02.2 N., Long. 89°24.2 W., thence to;

(xiii) A point at Lat. 29°11.8 N., Long. 89°30.0 W., thence to;

(xiv) A point at Lat. 29°17.9 N., Long. 89°46.6 W., thence to;

(xv) A point at Lat. 29°17.1 N., Long. 89°50.8 W., thence to;

(xvi) A point at Lat. 29°14.5 N., Long. 89°55.1 W., thence to;

(xvii) A point at Lat. 29°10.9 N., Long. 90°02.9 W., thence to;

(xviii) A point at Lat. 29°05.5 N., Long. 90°10.0 W., thence to;

(xix) A point at Lat. 29°04.5 N., Long. 90°12.0 W., thence to;

(xx) A point at Lat. 29°02.0 N., Long. 90°20.8 W., thence to;

(xxi) A point at Lat. 29°01.9 N., Long. 90°24.9 W., thence to;

(xxii) A point at Lat. 29°03.6 N., Long. 90°32.8 W., thence to;

(xxiii) A point at Lat. 29°01.9 N., Long. 90°41.7 W., thence to;

(xxiv) A point at Lat. 29°00.8 N., Long. 90°50.0 W., thence to;

(xxv) A point at Lat. 29°02.4 N., Long. 91°01.5 W., thence to;

(xxvi) A point at Lat. 29°28.5 N., Long. 92°10.1 W., thence to;

(xxvii) A point at Lat. 29°31.1 N., Long. 92°21.8 W., thence to;

(xxviii) A point at Lat. 29°34.1 N., Long. 92°39.3 W., thence to;

(xxix) A point at Lat. 29°41.1 N., Long. 92°57.2 W., thence to;

(XXX) A point at Lat. 29°44.6 N., Long. 93°07.9 W., thence to;

(XXXI) A point at Lat. 29°45.6 N., Long. 93°13.7 W., thence to;

(XXXII) A point at Lat. 29°45.6 N., Long. 93°17.3 W., thence to;

(XXXIII) A point at Lat. 29°44.3 N., Long. 93°21.0 W., thence to;

(XXXIV) A point at Lat. 29°45.3 N., Long. 93°30.0 W., thence to;

(XXXV) A point at Lat. 29°43.3 N., Long. 93°43.7 W., thence to;

(XXXVI) A point at Lat. 29°41.0 N., Long. 93°48.8 W., thence to;

(XXXVII) A point at Lat. 29°38.8 N., Long. 93°50.8 W., thence to;

(XXXVIII) A point at Lat. 29°40.0 N., Long. 93°57.3 W., thence to;

(XXXIX) A point at Lat. 29°39.3 N., Long. 94°05.0 W., thence to;

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(xi) A point at Lat. 29°23.1 N., Long. 94°42.6 W., thence to;

(xii) A point at Lat. 29°20.4 N., Long. 94°41.5 W., thence to;

(xiii) A point at Lat. 29°06.6 N., Long. 95°04.4 W., thence to;

(xiv) A point at Lat. 29°04.6 N., Long. 95°05.2 W., thence to;

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(xvi) A point at Lat. 28°57.3 N., Long. 95°16.2 W., thence to;

(xvii) A point at Lat. 28°55.3 N., Long. 95°17.9 W., thence to;

(xviii) A point at Lat. 28°39.5 N., Long. 95°48.4 W., thence to;
(c) Seismographic and surveying operations. (1) All stakes and casings (pipes), except bamboo poles and wooden stakes less than 2 inches in diameter, placed in the water during seismographic or surveying operations shall be marked with flags during the daylight hours. Those casings remaining in place during the hours of darkness shall be marked by a red light as prescribed in Subpart 67.30 of this part.

(2) All buoys used during seismographic operations shall be painted with international orange and white horizontal bands. The buoys shall be light construction in order that they will not present a hazard to marine commerce.

(d) Spoil marking. (1) All submerged spoil resulting from the dredging of channels, laying of pipelines, or any other operation, which constitutes an obstruction to navigation, shall be properly marked. The spoil banks should be examined at frequent intervals in order that the changing conditions may be kept under control. As markers are no longer required due to settling of banks, the Coast Guard will authorize their removal upon application.

(2) All openings in such submerged spoil shall be marked by daybeacons on each side of the openings. When spoil is located on each side of a channel or pipe line, each bank will be considered separately. The daybeacons shall be equipped with arrows designating the safe water through the opening. These daybeacons may also be used as channel markers for the dredged channels providing they are also equipped with arrows designating the spoil bank openings.

(3) When spoil banks constituting an obstruction to navigation abut an established traveled waterway, the outboard spoil bank markers shall be equipped with quick flashing lights described in Subpart 67.30 of this part, except that the color shall be in accordance with the provisions of Subpart 62.25 of Part 62 of this subchapter.

(e) Applications. All applications for private aids to navigation and all correspondence dealing with private aids to navigation and obstruction lighting must be addressed to Commander (oan), Eighth Coast Guard District, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, Louisiana 70130-3396.

(f) Enclosures. Applicants shall append on a separate sheet with each application, the description, including
§ 67.50–50 Seventeenth Coast Guard District.

(a) Description. See §3.85–1 of this chapter.

(b) Line of demarcation. There is no line of demarcation prescribed for this District. When required, it will be determined in accordance with §67.01–20. The District Commander shall assign structures to classes as he deems appropriate at the time of application for a permit to establish and operate lights and fog signals. In so doing, he shall take into consideration matters concerning, but not necessarily limited to, the dimensions of the structure and the depth of water in which it is located; the proximity of the structure to vessel routes; the nature and amount of vessel traffic; and the effect of background lighting.


§ 67.50–50

There is no line of demarcation prescribed for this District. When required, it will be determined in accordance with §67.01–20. The District Commander shall assign structures to classes as he deems appropriate at the time of application for a permit to establish and operate lights and fog signals. In so doing, he shall take into consideration matters concerning, but not necessarily limited to, the dimensions of the structure and the depth of water in which it is located; the proximity of the structure to vessel routes; the nature and amount of vessel traffic; and the effect of background lighting.

routes; the nature and amount of vessel traffic; and the effect of background lighting.

[CGFR 68–95, 33 FR 15285, Oct. 15, 1968]

PART 70—INTERFERENCE WITH OR DAMAGE TO AIDS TO NAVIGATION

Subpart 70.01—Interference With Aids to Navigation

Sec.
70.01–1 General provisions.
70.01–5 Penalty.

Subpart 70.05—Collision With or Damage to Aids to Navigation

70.05–1 General provisions.
70.05–5 Penalty.
70.05–10 Revocation of license.
70.05–15 Liability for damages.
70.05–20 Report required.


Subpart 70.01—Interference With Aids to Navigation

§ 70.01–1 General provisions.

No person, excluding the Armed Forces, shall obstruct or interfere with any aid to navigation established and maintained by the Coast Guard, or any private aid to navigation established and maintained in accordance with part 64, 66, 67, or 68 of this subchapter.

[CGFR 58–17, 23 FR 3383, May 20, 1958]

§ 70.01–5 Penalty.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and be subject to a fine not exceeding the sum of $500 for each offense, and each day during which such violation shall continue shall be considered a new offense.

[CGFR 52–15, 18 FR 12, Jan. 1, 1953]

Subpart 70.05—Collision With or Damage to Aids to Navigation

SOURCE: CGFR 52–15, 18 FR 12, Jan. 1, 1953, unless otherwise noted.

§ 70.05–1 General provisions.

No person shall take possession of or make use of for any purpose, or build upon, alter, deface, destroy, move, injure, obstruct by fastening vessels thereto or otherwise, or in any manner whatever impair the usefulness of any aid to navigation established and maintained by the United States.

§ 70.05–5 Penalty.

Every person and every corporation that shall violate, or that shall knowingly aid, abet, authorize, or instigate a violation of the provisions of § 70.05–1 shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding $2,500 or less than $500, or by imprisonment (in case of a natural person) for not less than thirty days nor more than one year, or both, one half of such fine to be paid to the person or persons giving information which shall lead to conviction.

§ 70.05–10 Revocation of license.

Every master, pilot, and engineer, or person or persons acting in such capacity, respectively, on board any boat or vessel who shall willfully injure or destroy an aid to navigation established and maintained by the United States shall be deemed guilty of violating the provisions of § 70.05–1 and shall upon conviction be punished as provided in § 70.05–5 and shall also have his license revoked or suspended for a term to be fixed by the judge before whom tried and convicted.

§ 70.05–15 Liability for damages.

Any boat, vessel, scow, raft or other craft used or employed in violating any of the provisions of § 70.05–1 shall be liable for the pecuniary penalties specified in § 70.05–5, and in addition thereto for the amount of damage done by said boat, vessel, scow, raft or other craft, which may be proceeded against summarily by way of libel in any district court of the United States having jurisdiction thereof.

§ 70.05–20 Report required.

Whenever any vessel collides with an aid to navigation established and maintained by the United States or any private aid to navigation established or
maintained in accordance with Part 64, 66, 67, or 68 of this subchapter, or is connected with any such collision, it shall be the duty of the person in charge of such vessel to report the accident to the nearest Officer in Charge, Marine Inspection, in accordance with 46 CFR 4.


PART 72—MARINE INFORMATION

Subpart 72.01—Notices to Mariners

Sec. 72.01–1 Purpose.

72.01–5 Local Notice to Mariners.

72.01–10 Notice to Mariners.

72.01–15–72.01–20 [Reserved]

72.01–25 Marine broadcast notice to mariners.

72.01–30 Temporary deficiencies.

72.01–35 Change of address.

72.01–40 Single copies.

Subpart 72.05—Light Lists

72.05–1 Purpose.

72.05–5 Sales agencies.

72.05–10 Free distribution.


Subpart 72.01—Notices to Mariners

§ 72.01–1 Purpose.

The Coast Guard issues information concerning the establishment of aids to maritime navigation and the changes, discontinuances, and deficiencies, except temporary deficiencies that are easily correctable, of aids to maritime navigation maintained and operated by or under the authority of the Coast Guard in documents and marine broadcasts having the general title of “Notice to Mariners.” This subpart describes the publications and the marine broadcasts.

(CGD 70–147R, 37 FR 10669, May 26, 1972)

§ 72.01–5 Local Notice to Mariners.

(a) “Local Notice to Mariners” reports changes to and deficiencies in aids to navigation that are established or maintained and operated by or under the authority of the Coast Guard, and any other information pertaining to the waterways within each Coast Guard district that is of interest to the mariner.

(b) “Local Notice to Mariners” is published and issued weekly by each Coast Guard district or more often if there is a need to notify mariners of local waterway information.

(c) Any person may apply to the local Coast Guard District Office to be placed on the mailing list for the “Local Notice to Mariners.” The “Local Notice to Mariners” is mailed to the public free of charge.

(CGD 70–147R, 37 FR 10669, May 26, 1972)

§ 72.01–10 Notice to Mariners.

(a) “Notice to Mariners” is intended to advise mariners of new hydrographic discoveries, changes in channels and navigational aids, and information concerning the safety of navigation. “Notice to Mariners” also contains information—

(1) Useful in updating the latest editions of charts and publications of the National Imagery and Mapping Agency, National Ocean Service, U.S. Army Corps of Engineers, and Coast Guard;

(2) Selected from the “Local Notice to Mariners” issued and published by the 1st, 5th, 7th, 8th, 9th, 11th, 13th, 14th, and 17th Coast Guard districts; and

(3) Compiled from foreign notices to mariners, ship reports, and similar cooperating observer reports.

(b) “Notice to Mariners” is published weekly by the National Imagery and Mapping Agency. The “Notice to Mariners” is prepared by the:

(1) Coast Guard;

(2) National Ocean Service; and

(3) National Imagery and Mapping Agency.

(c) This notice may be obtained free of charge from commercial maritime sources and upon request to the Defense Logistics Agency, Defense Supply Center Richmond, ATTN: JNB, 8000 Jefferson Davis Highway, Richmond, VA 23297–5100 or FAX 804–279–6510, ATTN: Accounts Manager, RMF. Request should be based on affirmative need for the information.

§§ 72.01–15—72.01–20  [Reserved]

§ 72.01–25  Marine broadcast notice to mariners.

(a) The Coast Guard broadcasts notices to mariners on its own or U.S. Navy radio stations to report navigational warnings containing information of importance to the safety of navigation of vessels, such as the position of ice and derelicts, defects, and changes to aids to navigation, and drifting mines. Radio stations broadcasting marine information are listed in "Radio Navigational Aids" (National Imagery and Mapping Agency Publication 117) and United States Coast Pilots.


(c) Any person may purchase United States Coast Pilots from any authorized agent for the sale of National Ocean Service charts and publications whose names and addresses are contained in the National Ocean Service Chart Catalogs.


§ 72.01–30  Temporary deficiencies.

Temporary deficiencies in aids to navigation are not published in Notices to Mariners when it is known that the defects will be corrected promptly.

[CGFR 52–15, 18 FR 13, Jan. 1, 1953]

§ 72.01–35  Change of address.

Persons receiving Notices to Mariners are requested to notify the appropriate agency of any change in address, giving both old and new addresses, or when Notices to Mariners are no longer required.

[CGFR 52–15, 18 FR 13, Jan. 1, 1953]

§ 72.01–40  Single copies.

Single copies of the “Notice to Mariners” described in §72.01–10 may be obtained or consulted at:

(a) Coast Guard District Commanders’ Offices;
(b) National Ocean Service Field Offices;
(c) The National Imagery and Mapping Agency; and
(d) Custom Houses.


Subpart 72.05—Light Lists

§ 72.05–1  Purpose.

(a) The Coast Guard publishes the following Light Lists annually, with the exception of Volume V, which is published biennially, covering the waters of the United States, its territories and possessions:

(1) Volume I, Atlantic Coast, from St. Croix River, Maine, to Shrewsbury River, New Jersey.
(2) Volume II, Atlantic Coast, from Shrewsbury River, New Jersey, to Little River, South Carolina.
(3) Volume III, Atlantic and Gulf Coasts, from Little River, South Carolina, to Econfina River, Florida, including Puerto Rico and the U.S. Virgin Islands.
(4) Volume IV, Gulf of Mexico, from Econfina River, Florida to Rio Grande, Texas.
(5) Volume V, Mississippi River System.
(6) Volume VI, Pacific Coast and Pacific Islands.
(7) Volume VII, Great Lakes.

(b) The Light Lists contain the official name, location, characteristics, and general description of federal, state, and private aids to navigation maintained by or under authority of the U.S. Coast Guard, which are placed in navigable waters used by general navigation. The Light Lists do not contain information concerning private aids to navigation maintained under the authority of the U.S. Coast Guard, which are placed in navigable waters not used by general navigation; nor do they contain information concerning
Coast Guard, DOT

mooring buoys and some special marks having no lateral significance such as fish net, dredging, and racing buoys.


§ 72.05—5 Sales agencies.

Send mail orders including payment to U.S. Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–1954. Notification of publication of a new edition of the Light List is published in the ‘’Local Notices to Mariners’’ and ‘’Notice to Mariners’’ for the particular area that is covered as soon as the edition is available for distribution.


§ 72.05–10 Free distribution.
Official copies are distributed free of charge to Federal, State, and foreign governments, municipalities, libraries and other public institutions.

(R.S. 501, as amended, sec. 5, 38 Stat. 75; 44 U.S.C. 82, 84)

[CGFR 51–15, 18 FR 13, Jan. 1, 1953]

PART 74—CHARGES FOR COAST GUARD AIDS TO NAVIGATION WORK

Subpart 74.01—Charges to the Public

Sec.
74.01–1 Claim for damage, destruction, or displacement.
74.01–10 Charges invoiced to owner for marking sunken wrecks and other obstructions to navigation.
74.01–15 Charges for placement of temporary aids.
74.01–20 Deposit of payment in special account.

Subpart 74.20—Aids to Navigation Costs

74.20–1 Buoy and vessel use costs.

AUTHORITY: 14 U.S.C. 81, 85, 86, 92, 93, 141, 633, 642, 647; 49 CFR 1.46 (b).

SOURCE: CGFR 58–50, 24 FR 5608, July 11, 1959, unless otherwise noted.

Subpart 74.01—Charges to the Public

§ 74.01–1 Claim for damage, destruction, or displacement.

Whenever an aid to navigation is damaged, destroyed, or displaced from its station, a claim shall be made on behalf of the United States in accordance with Part 25 of this title.

[CGFR 70–7, 35 FR 4048, Mar. 4, 1970]

§ 74.01–10 Charges invoiced to owner for marking sunken wrecks and other obstructions to navigation.

Charges for the establishment, maintenance, and replacement by the Coast Guard of an aid, either permanent or temporary, to mark a sunken wreck or other obstruction to navigation are calculated to recover the Coast Guard costs involved in, or associated with, the marking process. These charges will be invoiced to the owner of the obstruction. Charges for the removal of aids to navigation established by the Coast Guard will be invoiced to the owner unless the District Engineer requests the continued marking of the obstruction. All charges will be assessed in accordance with Subpart 74.20 of this part.

[CGD 81–051, 48 FR 15468, Apr. 11, 1983]

§ 74.01–15 Charges for placement of temporary aids.

Charges for placement of temporary aids will be reimbursable and in accordance with Subpart 74.20 of this part. Where the placement of temporary aids other than those specified is made, a reasonable equivalence will be determined, and charges made accordingly.

§ 74.01–20 Deposit of payment in special account.

Whenever an aid to navigation or other property belonging to the Coast Guard is damaged or destroyed by a private person, such person shall pay to the satisfaction of the Coast Guard the cost of repair or replacement of
§ 74.20–1 Buoy and vessel use costs.

(a) The buoy and vessel use costs for establishing, maintaining, repairing, replacing, or removing an aid to navigation under the requirements of this part are contained in COMDTINST 7310 (series) which is available from the District Budget Office of the appropriate Coast Guard District Commander.

(b) Buoy and vessel use charges under this part are made for the cost or value of time, in hours, consumed by the Government vessel, including ship's complement, employed in marking the obstruction. No charge for time and expense of Coast Guard vessels is made when the marking of the obstruction causes only minimal interruption of routinely scheduled ship's duty.


PART 76—SALE AND TRANSFER OF AIDS TO NAVIGATION EQUIPMENT

Subpart 76.01—Sale of Equipment

Sec.
76.01–1 Sale of equipment not readily procurable.
76.01–5 Sale of condemned equipment.

Subpart 76.10—Federal Agencies

76.10–1 Exemption.


SOURCE: CGFR 52–15, 18 FR 14, Jan. 1, 1953, unless otherwise noted.
Subpart 76.10—Federal Agencies

§ 76.10–1 Exemption.

Nothing in this part shall be construed to affect the regulations concerning the transfer of supplies, materials, equipment, or land between other Federal agencies.
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SUBCHAPTER C—AIDS TO NAVIGATION

EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Transportation. This index is updated as of July 1, 2001.

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SUBCHAPTER D—INTERNATIONAL NAVIGATION RULES

SPECIAL NOTE: Application of the 72 COLREGS to territories and possessions.

a. Article III of the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), done at London, October 20, 1972, as rectified by Process-Verbal of December 1, 1973, provides that a party may notify the Secretary-General of the International Maritime Organization (IMO, formerly Inter-Governmental Maritime Consultative Organization or IMCO) that it extends the application of the Convention to territory for which it is responsible for international relations. Since it is the intention of the United States that the 72 COLREGS apply to all U.S. territories and possessions to the same extent that the International Regulations for Preventing Collisions at Sea, 1960 (60 COLREGS) (16 USC 794, TIAS 5813) previously applied, the United States has given notice to the Secretary-General that the provisions of the 1972 COLREGS are applicable on July 15, 1977, to the following territories and possessions for which the United States is responsible for international relations:

Puerto Rico
Guam
The Canal Zone
The Virgin Islands of the United States
Midway Island
Wake Island
Johnston Island
Palmyra Island
Kingman Reef
Howland Island
Baker Island
Jarvis Island
Navassa Island

b. In accordance with Article III, other parties to the Convention have notified the Secretary-General that application of 72 COLREGS is extended. These parties with their territorial extensions are listed in Table 1.

### Table 1. Territorial Extensions of Other Parties to 72 COLREGS

<table>
<thead>
<tr>
<th>Party to convention</th>
<th>Territories to which 72 COLREGS are extended</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td>Hong Kong</td>
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</table>

Because earlier formulations of the COLREGS were not elaborated as treaties, they came into force by the almost simultaneous enactment of domestic legislation by the majority of maritime nations. The COLREGS were judicially considered as being customary international law, that is to say international law based upon the consensus of maritime nations rather than upon an express instrument. Because 72 COLREGS was elaborated as a treaty, and under usual treaty practice only parties are bound, there may be a period of time after the 72 COLREGS come into force during which the ships of a nation not party to 72 COLREGS might not be considered as being bound to comply with the convention. While it is most likely that the 72 COLREGS will rapidly achieve the status of customary international law, thereby obviating any concern on the part of the mariner as to whether a particular nation is a party, it does not necessarily follow that the courts in all nations will apply 72 COLREGS to the vessels of a non-party nation. In the absence of changes in their domestic law there may be certain nations that will feel compelled to continue 60 COLREGS in force, despite the coming into force of 72 COLREGS.

The following nations are Contracting Parties for which 72 COLREGS will apply upon the Convention’s entry into force:

Algeria
Bahamas
Belgium
Brazil
Bulgaria
Canada
Denmark
Finland
France
German Democratic Republic
Ghana
Greece
Germany, Federal Republic
Hungary
Iceland
India
Ireland
Ivory Coast
Jamaica
Japan
Kuwait
Lebanon
Libya
United Kingdom
United States
Yugoslavia
Zaire

The following nations have accepted the 60 COLREGS but are not Contracting Parties to 72 COLREGS:

Argentina
Australia
Austria
Barbados
Burma
China
Cuba
Czechoslovakia
Ecuador
Egypt
Ecuador
Gambia
Indonesia
Israel
Italy
Ivory Coast
Jamaica
Japan
Kuwait
Lebanon
Libyan Arab Republic
Republic
Madagascar
Maldives
Morocco
Oman
Pakistan
Paraguay
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Peru
Philippines
Portugal
Republic of Korea
Singapore
Surinam
Tonga

Trinidad
Tobago
Tunisia
Turkey
United Republic of Cameroon


PART 80—COLREGS DEMARCATION LINES

GENERAL

Sec.
80.01 General basis and purpose of demarcation lines.

ATLANTIC COAST

FIRST DISTRICT

80.105 Calais, ME to Cape Small, ME.
80.110 Casco Bay, ME.
80.115 Portland Head, ME to Cape Ann, MA.
80.120 Cape Ann, MA to Marblehead Neck, MA.
80.125 Marblehead Neck, MA to Nahant, MA.
80.130 Boston Harbor entrance.
80.135 Hull, MA to Race Point, MA.
80.140 Race Point, MA to Watch Hill, RI.
80.145 Block Island, RI.
80.150 Watch Hill, RI to Montauk Point, NY.
80.155 Montauk Point, NY to Atlantic Beach, NY.
80.160 New York Harbor.
80.165 Sandy Hook, NJ to Tom’s River, NJ.

FIFTH DISTRICT

80.501 Tom’s River, NJ to Cape May, NJ.
80.503 Delaware Bay.
80.505 Cape Henlopen, DE to Cape Charles, VA.
80.510 Chesapeake Bay Entrance, VA.
80.515 Cape Henry, VA to Cape Hatteras, NC.
80.520 Cape Hatteras, NC to Cape Lookout, NC.
80.525 Cape Lookout, NC to Cape Fear, NC.
80.530 Cape Fear, NC to New River Inlet, NC.

SEVENTH DISTRICT

80.701 Little River Inlet, SC to Cape Romain, SC.
80.707 Cape Romain, SC to Sullivans Island, SC.
80.710 Charleston Harbor, SC.
80.712 Morris Island, SC to Hilton Head Island, SC.
80.715 Savannah River.
80.717 Tybee Island, GA to St. Simons Island, GA.

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80.720 St. Simons Island, GA to Amelia Island, FL.
80.723 Amelia Island, FL to Cape Canaveral, FL.
80.727 Cape Canaveral, FL to Miami Beach, FL.
80.730 Miami Harbor, FL.
80.735 Miami, FL to Long Key, FL.

PUERTO RICO AND VIRGIN ISLANDS

SEVENTH DISTRICT

80.738 Puerto Rico and Virgin Islands.

GULF COAST

SEVENTH DISTRICT

80.740 Long Key, FL to Cape Sable, FL.
80.745 Cape Sable, FL to Cape Romano, FL.
80.748 Cape Romano, FL to Sanibel Island, FL.
80.750 Sanibel Island, FL to St. Petersburg, FL.
80.753 St. Petersburg, FL to Anclote, FL.
80.755 Anclote, FL to the Suncoast Keys, FL.
80.757 Suncoast Keys, FL to Horsehoe Point, FL.
80.760 Horsehoe Point, FL to Rock Island, FL.

EIGHTH DISTRICT

80.805 Rock Island, FL to Cape San Blas, FL.
80.810 Cape San Blas, FL to Perdido Bay, FL.
80.815 Mobile Bay, AL to the Chandeleur Islands, LA.
80.825 Mississippi Passes, LA.
80.830 Mississippi Passes, LA to Point Au Fer, LA.
80.835 Point Au Fer, LA to Calcasieu Pass, LA.
80.840 Sabine Pass, TX to Galveston, TX.
80.845 Galveston, TX to Freeport, TX.
80.850 Brazos River, TX to the Rio Grande, TX.

PACIFIC COAST

ELEVENTH DISTRICT

80.1102 Santa Catalina Island, CA.
80.1104 San Diego Harbor, CA.
80.1106 Mission Bay, CA.
80.1108 Oceanside Harbor, CA.
80.1110 Dana Point Harbor, CA.
80.1112 Newport Bay, CA.
80.1114 San Pedro Bay—Anaheim Bay, CA.
80.1115 Redondo Harbor, CA.
80.1124 Ventura Marina, CA.
80.1126 Santa Barbara Harbor, CA.
80.1130 San Luis Obispo Bay, CA.
80.1132 Estero—Morro Bay, CA.
80.1134 Monterey Harbor, CA.
§ 80.110

Coast Guard, DOT

§ 80.110

Moss Landing Harbor, CA.
§ 80.1138

Pillar Point Harbor, CA.
§ 80.1142

San Francisco Harbor, CA.
§ 80.1144

Bodega and Tomales Bay, CA.
§ 80.1146

Albion River, CA.
§ 80.1148

Noyo River, CA.
§ 80.1150

Arcata—Humboldt Bay, CA.
§ 80.1152

Crescent City Harbor, CA.

THIRTEENTH DISTRICT

§ 80.1305

Chetco River, OR.
§ 80.1310

Rogue River, OR.
§ 80.1315

Coquille River, OR.
§ 80.1320

Coes Bay, OR.
§ 80.1325

Umpqua River, OR.
§ 80.1330

Siuslaw River, OR.
§ 80.1335

Alsea Bay, OR.
§ 80.1340

Yaquina Bay, OR.
§ 80.1345

Depoe Bay, OR.
§ 80.1350

Netarts Bay, OR.
§ 80.1355

Tillamook Bay, OR.
§ 80.1360

Nehalem River, OR.
§ 80.1365

Columbia River Entrance, OR/WA.
§ 80.1370

Willapa Bay, WA.
§ 80.1375

Grays Harbor, WA.
§ 80.1380

Quillayute River, WA.
§ 80.1385

Strait of Juan de Fuca.
§ 80.1390

Puget Sound and adjacent waters.

PACIFIC ISLANDS

FOURTEENTH DISTRICT

§ 80.1410

Hawaiian Island Exemption from General Rule.
§ 80.1420

Mamala Bay, Oahu, HI.
§ 80.1430

Kanehoe Bay, Oahu, HI.
§ 80.1440

Fort Allen, Kauai, HI.
§ 80.1450

Nawiliwili Harbor, Kauai, HI.
§ 80.1460

Kahului Harbor, Maui, HI.
§ 80.1470

Kahalaeae Harbor, Hawaii, HI.
§ 80.1480

Hilo Harbor, Hawaii, HI.
§ 80.1490

Apra Harbor, U.S. Territory of Guam.
§ 80.1495

U.S. Pacific Island Possessions.

ALASKA

SEVENTEENTH DISTRICT

§ 80.1705

Alaska.


GENERAL

§ 80.01 General basis and purpose of demarcation lines.

(a) The regulations in this part establish the lines of demarcation delineating those waters upon which mariners shall comply with the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) and those water upon which mariners shall comply with the Inland Navigation Rules.

(b) The waters inside of the lines are Inland Rules waters. The waters outside the lines are COLREGS waters.

(c) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.


ATLANTIC COAST

FIRST DISTRICT

§ 80.105 Calais, ME to Cape Small, ME.

The 72 COLREGS shall apply on the harbors, bays, and inlets on the east coast of Maine from International Bridge at Calais, ME to the south-westernmost extremity of Bald Head at Cape Small.

§ 80.110 Casco Bay, ME.

(a) A line drawn from the south-westernmost extremity of Bald Head at Cape Small to the southeasternmost extremity of Ragged Island; thence to the southern tangent of Jaquish Island thence to Little Mark Island Monument Light; thence to the northernmost extremity of Jewell Island.

(b) A line drawn from the tower on Jewell Island charted in approximate position latitude 43°40.6’ N. longitude 70°05.9’ W. to the northeasternmost extremity of Outer Green Island.

(c) A line drawn from the south-westernmost extremity of Outer Green Island to Ram Island Ledge Light; thence to Portland Head Light.
§ 80.115 Portland Head, ME to Cape Ann, MA.

(a) Except inside lines specifically described in this section, the 72 COLREGS shall apply on the harbors, bays, and inlets on the east coast of Maine, New Hampshire, and Massachusetts from Portland Head to Halibut Point at Cape Ann.

(b) A line drawn from the southernmost tower on Gerrish Island charted in approximate position latitude 43°04.0′ N., longitude 70°41.2′ W. to Whaleback Light; thence to Jaffrey Point Light 2A; thence to the northeasternmost extremity of Frost Point.

(c) A line drawn from the northeasternmost extremity of Farm Point to Annisquam Harbor Light.


§ 80.120 Cape Ann, MA to Marblehead Neck, MA.

(a) Except inside lines specifically described in this section, the 72 COLREGS shall apply on the harbors, bays and inlets on the east coast of Massachusetts from Halibut Point at Cape Ann to Marblehead Neck.

(b) A line drawn from Gloucester Harbor Breakwater Light to the twin towers charted in approximate position latitude 42°35.1′ N., longitude 70°41.6′ W.

(c) A line drawn from the northeasternmost extremity of Gales Point to the southeastern side of Naushon Island; thence to Bakers Island Light; thence to Marblehead Light.


§ 80.125 Marblehead Neck, MA to Nahant, MA.

The 72 COLREGS apply on the harbors, bays, and inlets on the east coast of Massachusetts from Marblehead Neck to the easternmost tower at Nahant, charted in approximate position latitude 42°25.4′ N., longitude 70°54.6′ W.


§ 80.130 Boston Harbor entrance.

A line drawn from the easternmost tower at Nahant, charted in approximate position latitude 42°25.4′ N., longitude 70°54.6′ W., to Boston Lighted Horn Buoy “B”; thence to the easternmost radio tower at Hull, charted in approximate position latitude 42°16.7′ N., longitude 70°52.6′ W.


§ 80.135 Hull, MA to Race Point, MA.

(a) Except inside lines described in this section, the 72 COLREGS apply on the harbors, bays, and inlets on the east coast of Massachusetts from the easternmost radio tower at Hull, charted in approximate position latitude 42°16.7′ N., longitude 70°52.6′ W., to Race Point on Cape Cod.

(b) A line drawn from Canal Breakwater Light 4 south to the shoreline.


§ 80.145 Race Point, MA, to Watch Hill, RI.

(a) Except inside lines specifically described in this section, the 72 COLREGS shall apply on the sounds, bays, harbors, and inlets along the coast of Cape Cod and the southern coasts of Massachusetts and Rhode Island from Race Point to Watch Hill.

(b) A line drawn from Nobska Point Light to Tarpaulin Cove Light on the southeastern side of Naushon Island; thence from the southernmost tangent of Naushon Island to the easternmost extremity of Nashawena Island; thence from the southwestern most extremity of Nashawena Island to the easternmost extremity of Cuttyhunk Island; thence from the southwestern tangent of Cuttyhunk Island to the tower on Gooseberry Neck charted in approximate position latitude 41°29.1′ N., longitude 71°02.3′ W.

(c) A line drawn from Sakonnet Breakwater Light 2 tangent to the southernmost part of Sachuest Point charted in approximate position latitude 41°28.5′ N., longitude 71°14.8′ W.
§ 80.501

(d) An east-west line drawn through Beavertail Light between Brenton Point and the Boston Neck shoreline.

§ 80.150 Block Island, RI.

The 72 COLREGS shall apply on the harbors of Block Island.

§ 80.155 Watch Hill, RI to Montauk Point, NY.

(a) A line drawn from Watch Hill Light to East Point on Fishers Island.
(b) A line drawn from Race Point to Race Rock Light; thence to Little Gull Island Light thence to East Point on Plum Island.
(c) A line drawn from Plum Island Harbor East Dolphin Light to Plum Island Harbor West Dolphin Light.
(d) A line drawn from Plum Island Light to Orient Point Light; thence to Orient Point.
(e) A line drawn from the lighthouse ruins at the southwestern end of Long Beach Point to Cornelius Point.
(f) A line drawn from Coecles Harbor Entrance Light to Sungic Point.
(g) A line drawn from Nichols Point to Cedar Island Light.
(h) A line drawn from Threemile Harbor West Breakwater Light to Threemile Harbor East Breakwater Light.
(i) A line drawn from Montauk West Jetty Light 1 to Montauk East Jetty Light 2.

§ 80.160 Montauk Point, NY to Atlantic Beach, NY.

(a) A line drawn from the Shinnecock Inlet East Breakwater Light to Shinnecock Inlet West Breakwater Light 1.
(b) A line drawn from Moriches Inlet East Breakwater Light to Moriches Inlet West Breakwater Light.
(c) A line drawn from Fire Island Inlet Breakwater Light 348° true to the southernmost extremity of the spit at the western end of Oak Beach.
(d) A line drawn from Jones Inlet Light 322° true across the southwest tangent of the island on the north side of Jones Inlet to the shoreline.

§ 80.165 New York Harbor.

A line drawn from East Rockaway Inlet Breakwater Light to Sandy Hook Light.

§ 80.170 Sandy Hook, NJ to Tom's River, NJ.

(a) A line drawn from Shark River Inlet North Breakwater Light 2 to Shark River Inlet South Breakwater Light 1.
(b) A line drawn from Manasquan Inlet North Breakwater Light 4 to Manasquan Inlet South Breakwater Light 3.
(c) A line drawn from Barnegat Inlet North Breakwater Light 4A to the seaward extremity of the submerged Barnegat Inlet South Breakwater; thence along the submerged breakwater to the shoreline.

§ 80.501 Tom's River, NJ to Cape May, NJ.

(a) A line drawn from the seaward tangent of Long Beach Island to the seaward tangent to Pullen Island across Beach Haven and Little Egg Inlets.
(b) A line drawn from the seaward tangent of Pullen Island to the seaward tangent of Brigantine Island across Brigantine Inlet.
(c) A line drawn from the seaward extremity of Absecon Inlet.
(d) A line drawn from the southernmost point of Longport at latitude 39°18.2’ N. longitude 74°33.1’ W. to the northeasternmost point of Ocean City.
§ 80.503 Delaware Bay.

A line drawn from Cape May Light to Harbor of Refuge Light; thence to the northernmost extremity of Cape Henlopen.


§ 80.505 Cape Henlopen, DL to Cape Charles, VA.

(a) A line drawn from the seaward extremity of Indian River Inlet North Jetty to Indian River Inlet South Jetty Light.

(b) A line drawn from Ocean City Inlet Light 6, 225° true across Ocean City Inlet to the submerged south breakwater.

(c) A line drawn from Assateague Beach Tower Light to the tower charted at latitude 37°52.6' N. longitude 75°26.7' W.

(d) A line formed by the range of Wachapreague Inlet Light 3 and Parramore Beach Lookout Tower drawn across Wachapreague Inlet.

(e) A line drawn from the lookout tower charted on the northern end of Hog Island to the seaward tangent of Parramore Beach.

(f) A line drawn 207° true from the lookout tower charted on the southern end of Hog Island across Great Machipongo Inlet.

(g) A line formed by the range of the two cupolas charted on the southern end of Cobb Island drawn across Sand Shoal Inlet.

(h) Except as provided elsewhere in this section from Cape Henlopen to Cape Charles, lines drawn parallel with the general trend of the highwater shoreline across the entrances to small bays and inlets.


§ 80.510 Chesapeake Bay Entrance, VA.

A line drawn from Cape Charles Light to Cape Henry Light.

§ 80.515 Cape Henry, VA to Cape Hatteras, NC.

(a) A line drawn from Rudee Inlet Jetty Light 2 to Rudee Inlet Jetty Light 1.

(b) A line formed by the centerline of the highway bridge across Oregon Inlet.

§ 80.520 Cape Hatteras, NC to Cape Lookout, NC.

(a) A line drawn from Hatteras Inlet Lookout Tower at latitude 35°11.8' N. longitude 75°44.9' W. 255° true to the eastern end of Ocracoke Island.

(b) A line drawn from the westernmost extremity of Ocracoke Island at latitude 35°04.0' N. longitude 76°00.8' W. to the northeastern extremity of Portsmouth Island at latitude 35°03.7' N. longitude 76°02.3' W.

(c) A line drawn across Drum Inlet parallel with the general trend of the highwater shoreline.


§ 80.525 Cape Lookout, NC to Cape Fear, NC.

(a) A line drawn from Cape lookout Light to the seaward tangent of the southeastern end of Shackleford Banks.

(b) A line drawn from Morehead City Channel Range Front Light to the seaward extremity of the Beaufort Inlet west jetty.

(c) A line drawn from the southernmost extremity of Bogue Banks at latitude 34°38.7' N. longitude 77°06.0' W. across Bogue Inlet to the northernmost
§ 80.710

Coast Guard, DOT

extremity of Bear Beach at latitude 34°38.5′ N. longitude 77°07.1′ W.
(d) A line drawn from the southeasternmost extremity on the southwest side of New River Inlet at latitude 34°31.5′ N. longitude 77°20.6′ W. to the seaward tangent of the shoreline on the northeast side on New River Inlet.
(e) A line drawn across New Topsail Inlet between the closest extremities of the shore on either side of the inlet from latitude 34°31.5′ N. longitude 77°20.6′ W. to latitude 34°29.6′ N. longitude 77°29.6′ W.
(f) A line drawn from the seaward extremity of the jetty on the northeast side of Masonboro Inlet to the seaward extremity of the jetty on the southeast side of the Inlet.
(g) Except as provided elsewhere in this section from Cape Lookout to Cape Fear, lines drawn parallel with the general trend of the highwater shoreline across the entrance of small bays and inlets.

§ 80.707 Cape Romain, SC to Sullivans Island, SC.

(a) A line drawn from the western extremity of Cape Romain 292° true to Racoon Key on the west side of Racoon Creek.
(b) A line drawn from the westernmost extremity of Sandy Point across Bull Bay to the northernmost extremity of Northeast Point.
(c) A line drawn from the southernmost extremity of Bull Island to the easternmost extremity of Capers Island.
(d) A line formed by the overhead power cable from Capers Island to Dewees Island.
(e) A line formed by the overhead power cable from Dewees Island to Isle of Palms.
(f) A line formed by the centerline of the highway bridge between Isle of Palms and Sullivans Island over Breach Inlet.

§ 80.703 Little River Inlet, SC to Cape Romain, SC.

(a) A line drawn from the westernmost extremity of the sand spit on Bird Island to the easternmost extremity of Wadlyes Island across Little River Inlet.
(b) From Little River Inlet, a line drawn parallel with the general trend of the highwater shoreline across Hog Inlet; thence a line drawn parallel with the general trend of the highwater shoreline across Midway Inlet, Pawleys Inlet, and North Inlet.
(c) A line drawn from the charted position of Winyah Bay North Jetty End Buoy 2N south to the Winyah Bay South Jetty.
(d) A line drawn from Santee Point to the seaward tangent of Cedar Island.
(e) A line drawn from Cedar Island Point west to Murphy Island.
(f) A north-south line (longitude 79°20.3′ W.) drawn from Murphy Island to the northernmost extremity of Cape Island Point.


§ 80.530 Cape Fear, NC to Little River Inlet, NC.

(a) A line drawn from the abandoned lighthouse charted in approximate position latitude 33°52.4′ N. longitude 78°00.1′ W. across the Cape Fear River Entrance to Oak Island Light.
(b) Except as provided elsewhere in this section from Cape Fear to Little River Inlet, lines drawn parallel with the general trend of the highwater shoreline across the entrance to small inlets.

SEVENTH DISTRICT

§ 80.710 Charleston Harbor, SC.

(a) A line formed by the submerged north jetty from the shore to the west end of the north jetty.
(b) A line drawn from across the seaward extremity of the Charleston Harbor Jetties.
(c) A line drawn from the west end of the South Jetty across the South Entrance to Charleston Harbor to shore on a line formed by the submerged south jetty.
§ 80.712 Morris Island, SC to Hilton Head Island, SC.

(a) A line drawn from the easternmost tip of Folly Island to the abandoned lighthouse tower on the northside of Lighthouse Inlet; thence west to the shoreline of Morris Island.

(b) A straight line drawn from the seaward tangent of Folly Island through Folly River Daybeacon 10 across Stono River to the shoreline of Sandy Point.

(c) A line drawn from the southernmost extremity of Seabrook Island 257° true across the North Edisto River Entrance to the shore of Botany Bay Island.

(d) A line drawn from the microwave antenna tower on Edisto Beach charted in approximate position latitude 32°29.3′ N. longitude 80°19.2′ W. across St. Helena Sound to the abandoned lighthouse tower on Hunting Island.

(e) A line formed by the centerline of the highway bridge between Hunting Island and Fripp Island.

(f) A line drawn from the westernmost extremity of Bull Point on Capers Island to Port Royal Sound Channel Range Rear Light, latitude 32°13.7′ N. longitude 80°36.0′ W.; thence 259° true to the easternmost extremity of Hilton Head at latitude 32°13.0′ N. longitude 80°40.1′ W.


§ 80.715 Savannah River.

A line drawn from the southernmost tank on Hilton Head Island charted in approximate position latitude 32°06.7′ N. longitude 80°49.3′ W. to Bloody Point Range Rear Light; thence to Tybee (Range Rear) Light.

§ 80.717 Tybee Island, GA to St. Simons Island, GA.

(a) A line drawn from the southernmost extremity of Savannah Beach on Tybee Island 255° true across Tybee Inlet to the shore of Little Tybee Island south of the entrance to Buck Hammock Creek.

(b) A straight line drawn from the northeasternmost extremity of Wassaw Island 031° true through Tybee River Daybeacon 1 to the shore of Little Tybee Island.

(c) A line drawn approximately parallel with the general trend of the highwater shorelines from the seaward tangent of Wassaw Island to the seaward tangent of Bradley Point on Osabaw Island.

(d) A north-south line (longitude 81°8.4′ W.) drawn from the southernmost extremity of Osabaw Island to St. Catherines Island.

(e) A north-south line (longitude 81°10.6′ W.) drawn from the southernmost extremity of St. Catherines Island to Northeast Point on Blackbeard Island.

(f) A line following the general trend of the seaward highwater shoreline across Cabretta Inlet.

(g) A north-south line (longitude 81°16.9′ W.) drawn from the south-westernmost point on Sapelo Island to Wolf Island.

(h) A north-south line (longitude 81°17.1′ W.) drawn from the south-easternmost point of Wolf Island to the northeasternmost point on Little St. Simons Island.

(i) A line drawn from the northeasternmost extremity of Sea Island 045° true to Little St. Simons Island.

(j) An east-west line from the southeasternmost extremity of Sea Island across Goulds Inlet to St. Simons Island.

§ 80.720 St. Simons Island, GA to Amelia Island, FL.

(a) A line drawn from St. Simons Light to the northernmost tank on Jekyll Island charted in approximate position latitude 31°05.9′ N. longitude 81°24.5′ W.

(b) A line drawn from the southernmost tank on Jekyll Island charted in approximate position latitude 31°01.6′ N. longitude 81°25.2′ W. to coordinate latitude 30°59.4′ N. longitude 81°23.7′ W. (0.5 nautical mile east of the charted position of St. Andrew Sound Lighted Buoy 32); thence to the abandoned lighthouse tower on the north end of Little Cumberland Island charted in approximate position latitude 30°58.5′ N. longitude 81°24.8′ W.

(c) A line drawn across the seaward extremity of the St. Marys River Entrance Jetty.
§ 80.723 Amelia Island, FL to Cape Canaveral, FL.
(a) A line drawn from the southernmost extremity of Amelia Island to the northeasternmost extremity of Little Talbot Island.
(b) A line formed by the centerline of the highway bridge from Little Talbot Island to Fort George Island.
(c) A line drawn across the seaward extremity of the St. Johns River Entrance Jetties.
(d) A line drawn across the seaward extremity of the St. Augustine Inlet Jetties.
(e) A line formed by the centerline of the highway bridge over Matanzas Inlet.
(f) A line drawn across the seaward extremity of the Ponce de Leon Inlet Jetties.
§ 80.727 Cape Canaveral, FL to Miami Beach, FL.
(a) A line drawn across the seaward extremity of the Port Canaveral Entrance Channel Jetties.
(b) A line drawn across the seaward extremity of the Sebastian Inlet Jetties.
(c) A line drawn across the seaward extremity of the Fort Pierce Inlet Jetties.
(d) A north-south line (longitude 80°09.7′ W.) drawn across St. Lucie Inlet.
(e) A line drawn from the seaward extremity of Jupiter Inlet North Jetty to the northeast extremity of the concrete apron on the south side of Jupiter Inlet.
(f) A line drawn across the seaward extremity of the Lake Worth Inlet Jetties.
(g) A line drawn across the seaward extremity of the Boynton Inlet Jetties.
(h) A line drawn from Boca Raton Inlet North Jetty Light 2 to Boca Raton Inlet South Jetty Light 1.
(i) A line drawn from Hillsboro Inlet Light to Hillsboro Inlet Entrance Light 2; thence to Hillsboro Inlet Entrance Light 1; thence west to the shoreline.
(j) A line drawn across the seaward extremity of the Port Everglades Entrance Jetties.
(k) A line formed by the centerline of the highway bridge over Bakers Haulover Inlet.

§ 80.730 Miami Harbor, FL.
A line drawn across the seaward extremity of the Miami Harbor Government Cut Jetties.

§ 80.735 Miami, FL to Long Key, FL.
(a) A line drawn from the southernmost extremity of Fisher Island 212° true to the point latitude 25°45.0′ N. longitude 80°08.6′ W. on Virginia Key.
(b) A line formed by the centerline of the highway bridge between Virginia Key and Key Biscayne.
(c) A line drawn from Cape Florida Light to the northernmost extremity on Soldier Key.
(d) A line drawn from the southernmost extremity on Soldier Key to the northernmost extremity of the Ragged Keys.
(e) A line drawn from the Ragged Keys to the southernmost extremity of Angelfish Key following the general trend of the seaward shoreline.
(f) A line drawn on the centerline of the Overseas Highway (U.S. 1) and bridges from latitude 25°19.3′ N. longitude 80°19.3′ W. at Little Angelfish Creek to the radar dome charted on Long Key at approximate position latitude 24°49.3′ N. longitude 80°49.2′ W.

§ 80.738 Puerto Rico and Virgin Islands

§ 80.738 Puerto Rico and Virgin Islands.
(a) Except inside lines specifically described in this section, the 72 COLREGS shall apply on all other bays, harbors and lagoons of Puerto Rico and the U.S. Virgin Islands.
(b) A line drawn from Puerto San Juan Light to Cuyas Light across the entrance of San Juan Harbor.
§ 80.740 Long Key, FL to Cape Sable, FL.

A line drawn from the microwave tower charted on Long Key at approximate position latitude 24°48.8' N. longitude 80°49.6' W. to Long Key Light 1; thence to Arsenic Bank Light 2; thence to Sprigger Bank Light 5; thence to Schooner Bank Light 6; thence to Oxfoot Bank Light 10; thence to East Cape Light 2; thence through East Cape Daybeacon 1A to the shoreline at East Cape.

[CGD 84–091, 51 FR 21748, June 16, 1986]

§ 80.745 Cape Sable, FL to Cape Romano, FL.

(a) A line drawn following the general trend of the mainland, highwater shoreline from Cape Sable at East Cape to Little Shark River Light 1; thence to westernmost extremity of Shark Point; thence following the general trend of the mainland, highwater shoreline crossing the entrances of Harney River, Broad Creek, Broad River, Rodgers River First Bay, Chatham River, Huston River, to the shoreline at coordinate latitude 25°41.8' N. longitude 81°17.9' W.

(b) The 72 COLREGS shall apply to the waters surrounding the Ten Thousand Islands and the bays, creeks, inlets, and rivers between Chatham Bend and Marco Island except inside lines specifically described in this part.

(c) A north-south line drawn at longitude 81°20.2' W. across the entrance to Loxpee River.

(d) A line drawn across the entrance to Turner River parallel to the general trend of the shoreline.

(e) A line formed by the centerline of Highway 92 Bridge at Goodland.


§ 80.748 Cape Romano, FL to Sanibel Island, FL.

(a) A line drawn across Big Marco Pass parallel to the general trend of the seaward, highwater shoreline.

(b) A line drawn from the northwesternmost extremity of Coconut Island 000°T across Capri Pass.

(c) Lines drawn across Hurricane and Little Marco Passes parallel to the general trend of the seaward, highwater shoreline.

(d) A line from the seaward extremity of Gordon Pass South Jetty 014° true to the shoreline at approximate coordinate latitude 26°05.7' N. longitude 81°48.1' W.

(e) A line drawn across the seaward extremity of Doctors Pass Jetties.

(f) Lines drawn across Wiggins, Big Hickory, New, and Big Carlos Passes parallel to the general trend of the seaward highwater shoreline.

(g) A straight line drawn from Sanibel Island Light through Matanzas Pass Channel Light 2 to the shore of Estero Island.


§ 80.750 Sanibel Island, FL to St. Peters burg, FL.

(a) A line formed by the centerline of the highway bridge over Blind Pass, between Captiva Island and Sanibel Island, and lines drawn across Redfish and Captiva Passes parallel to the general trend of the seaward, highwater shorelines.

(b) A line drawn from La Costa Test Pile North Light to Port Boca Grande Light.

(c) Lines drawn across Gasparilla and Stump Passes parallel to the general trend of the seaward, highwater shorelines.

(d) A line across the seaward extremity of Venice Inlet Jetties.

(e) A line drawn across Midnight Pass parallel to the general trend of the seaward, highwater shoreline.

(f) A line drawn from Big Sarasota Pass Light 14 to the southernmost extremity of Lido Key.

(g) A line drawn across New Pass tangent to the seaward, highwater shoreline of Longboat Key.

(h) A line drawn across Longboat Pass parallel to the seaward, highwater shoreline.
§ 80.805 Rock Island, FL to Cape San Blas, FL.

(a) A south-north line drawn from the Econfina River Light to the opposite shore.

(b) A line drawn from Gamble Point Light to the southernmost extremity of Cabell Point.
§ 80.810 Cape San Blas, FL to Perdido Bay, FL.

(a) A line drawn from St. Joseph Bay Entrance Range Rear Light through St. Joseph Bay Entrance Range B Front Light to St. Joseph Point.

(b) A line drawn across the mouth of Salt Creek as an extension of the general trend of the shoreline to continue across the inlet to St. Andrews sound in the middle of Crooked Island.

(c) A line drawn from the northernmost extremity of Crooked Island 000° T. to the mainland.

(d) A line drawn from the easternmost extremity of Shell Island 120° true to the shoreline across the east entrance to St. Andrews Bay.

(e) A line drawn between the seaward end of the St. Andrews Bay Entrance Jetties.

(f) A line drawn between the seaward end of the Choctawatchee Bay Entrance Jetties.

(g) An east-west line drawn from Fort McRee Leading Light across the Pensacola Bay Entrance along latitude 30°19.5′ N.

(h) A line drawn between the seaward end of the Perdido Pass Jetties.


§ 80.815 Mobile Bay, AL to the Chandeleur Islands, LA.

(a) A line drawn across the inlets to Little Lagoon as an extension of the general trend of the shoreline.

(b) A line drawn from Mobile Point Light to Dauphin Island Channel Light No. 1 to the eastern corner of Fort Gaines at Pelican Point.

(c) A line drawn from the westernmost extremity of Dauphin Island to the easternmost extremity of Petit Bois Island.

(d) A line drawn from Horn Island Pass Entrance Range Front Light on Petit Bois Island to the easternmost extremity of Horn Island.

(e) An east-west line (latitude 30°14.7′ N.) drawn between the westernmost extremity of Horn Island to the easternmost extremity of Ship Island.

(f) A curved line drawn following the general trend of the seaward, highwater shoreline of Ship Island.

(g) A line drawn from the Ship Island Light to Chandeleur Light; thence in a curved line following the general trend of the seaward, highwater shorelines of the Chandeleur Islands to the island at latitude 29°44.1′ N., longitude 88°53.0′ W.; thence to latitude 29°26.5′ N., longitude 88°55.6′ W.


§ 80.825 Mississippi Passes, LA.

(a) A line drawn from latitude 29°26.5′ N., longitude 88°55.6′ W. to latitude 29°10.6′ N., longitude 88°59.8′ W.; thence to latitude 29°03.5′ N., longitude 89°03.7′ W.; thence to latitude 28°58.8′ N., longitude 89°04.3′ W.

(b) A line drawn from latitude 28°58.8′ N., longitude 89°04.3′ W.; to latitude 28°57.3′ N., longitude 89°05.3′ W.; thence
to latitude 28°56.95′ N., longitude 89°05.6′ W.; thence to latitude 29°00.4′ N., longitude 89°13.0′ W.; thence west to latitude 29°03.5′ N., longitude 89°15.5′ W.; thence following the general trend of the seaward highwater shoreline in a northwesterly direction to coordinate latitude 29°03.4′ N., longitude 89°13.0′ W.; thence west to coordinate latitude 28°52.65′ N., longitude 89°27.1′ W.; thence to the seaward extremity of the Southwest Pass West Jetty located at coordinate latitude 28°54.5′ N., longitude 89°26.1′ W.

(d) A line drawn from Mississippi River South Pass East Jetty Light 4 to Mississippi River South Pass West Jetty Light; thence following the general trend of the seaward highwater shoreline in a northwesterly direction to coordinate latitude 29°03.4′ N., longitude 89°13.0′ W.; thence west to coordinate latitude 29°03.5′ N., longitude 89°15.5′ W.; thence following the general trend of the seaward, highwater shoreline in a southwesterly direction to Mississippi River Southwest Pass Entrance Light.

(e) A line drawn from Mississippi River Southwest Pass Entrance Light; thence to the seaward extremity of the Southwest Pass West Jetty located at coordinate latitude 28°54.5′ N. longitude 89°26.1′ W.


§ 80.830 Mississippi Passes, LA to Point Au Fer, LA.

(a) A line drawn from the seaward extremity of the Southwest Pass West Jetty located at coordinate latitude 28°54.5′ N. longitude 89°26.1′ W.; thence following the general trend of the seaward, highwater jetty and shoreline in a north, northeasterly direction to Old Tower latitude 28°58.8′ N. longitude 89°23.3′ W.; thence to West Bay light; thence to coordinate latitude 28°56.3′ N. longitude 89°24.3′ W.; thence a curved line following the general trend of the highwater shoreline to Point Au Fer Island except as otherwise described in this section.

(b) A line drawn across the seaward extremity of the Empire Waterway (Bayou Fontanelle) entrance jetties.

(c) An east-west line drawn from the westernmost extremity of Grand Terre Islands in the direction of 194° true to the Grand Isle Fishing Jetty Light.

(d) A line drawn between the seaward extremity of the Belle Pass Jetties.

(e) A line drawn from the westernmost extremity of the Timbalier Island to the easternmost extremity of Isles Dernieres.

(f) A south-north line drawn from Caillou Bay Light 13 across Caillou Boca.

(g) A line drawn 107° true from Caillou Bay Boat Landing Light across the entrances to Grand Bayou du Large and Bayou Grand Caillou.

(h) A line drawn on an axis of 103° true through Taylors Bayou Entrance Light 2 across the entrances to Jack Stout Bayou, Taylors Bayou, Pelican Pass, and Bayou de West.


§ 80.835 Point Au Fer, LA to Calcasieu Pass, LA.

(a) A line drawn from Point Au Fer to Atchafalaya Channel Light 34, to Point Au Fer Reef Light 33; thence to Atchafalaya Bay Pipeline Light D latitude 29°25.0′ N. longitude 91°31.7′ W.; thence to Atchafalaya Bay Light 1 latitude 29°25.3′ N. longitude 91°35.8′ W.; thence to South Point.

(b) Lines following the general trend of the highwater shoreline drawn across the bayou and canal inlets from the Gulf of Mexico between South Point and Calcasieu Pass except as otherwise described in this section.

(c) A line drawn on an axis of 140° true through Southwest Pass Vermillion Bay Light 4 across Southwest Pass.

(d) A line drawn across the seaward extremity of the Freshwater Bayou Canal Entrance Jetties.

(e) A line drawn from Mermentau Channel East Jetty Light 6 to
§ 80.840 Mermentau Channel West Jetty Light 7.

(f) A line drawn from the radio tower charted in approximate position latitude 29°45.7' N. longitude 93°06.3' W. 115° true across Mermentau Pass.

(g) A line drawn across the seaward extremity of the Calcasieu Pass Jetties.


§ 80.840 Sabine Pass, TX to Galveston, TX.

(a) A line drawn from the Sabine Pass East Jetty Light to the seaward end of the Sabine Pass West Jetty.

(b) A line drawn across the small boat passes through the Sabine Pass East and West Jetties.

(c) A line formed by the centerline of the highway bridge over Rollover Pass at Gilchrist.

§ 80.845 Galveston, TX to Freeport, TX.

(a) A line drawn from Galveston North Jetty Light 6A to Galveston South Jetty Light 5A.

(b) A line formed by the centerline of the highway bridge over San Luis Pass.

(c) Lines formed by the centerlines of the highway bridges over the inlets to Christmas Bay (Cedar Cut) and Drum Bay.

(d) A line drawn from the seaward extremity of the Freeport North Jetty to Freeport Entrance Light 6; thence Freeport Entrance Light 7; thence the seaward extremity of Freeport South Jetty.


§ 80.850 Brazos River, TX to the Rio Grande, TX.

(a) Except as otherwise described in this section lines drawn continuing the general trend of the seaward, highwater shorelines across the inlets to Brazos River Diversion Channel, San Bernard River, Cedar Lakes, Brown Cedar Cut, Colorado River, Matagorda Bay, Cedar Bayou, Corpus Christi Bay, and Laguna Madre.

(b) A line drawn across the seaward extremity of Matagorda Ship Channel North Jetties.

(c) A line drawn from the seaward tangent of Matagorda Peninsula at Decros Point to Matagorda Light.

(d) A line drawn across the seaward extremity of the Aransas Pass Jetties.

(e) A line drawn across the seaward extremity of the Port Mansfield Entrance Jetties.

(f) A line drawn across the seaward extremity of the Brazos Santiago Pass Jetties.


PACIFIC COAST

ELEVENTH DISTRICT

§ 80.1102 Santa Catalina Island, CA.

The 72 COLREGS shall apply to the harbors on Santa Catalina Island.


§ 80.1104 San Diego Harbor, CA.

A line drawn from Zuniga Jetty Light “V” to Zuniga Jetty Light “Z”; thence to Point Loma Light.


§ 80.1106 Mission Bay, CA.

A line drawn from Mission Bay South Jetty Light 2 to Mission Bay North Jetty Light 1.


§ 80.1108 Oceanside Harbor, CA.

A line drawn from Oceanside South Jetty Light 4 to Oceanside Breakwater Light 3.

§ 80.1110 Dana Point Harbor, CA.
A line drawn from Dana Point Jetty Light 6 to Dana Point Breakwater Light 5.

§ 80.1112 Newport Bay, CA.
A line drawn from Newport Bay East Jetty Light 4 to Newport Bay West Jetty Light 3.

§ 80.1114 San Pedro Bay—Anaheim Bay, CA.
(a) A line drawn across the seaward extremities of the Anaheim Bay Entrance Jetties; thence to Long Beach Breakwater East End Light 1.
(b) A line drawn from Long Beach Channel Entrance Light 2 to Long Beach Light.
(c) A line drawn from Los Angeles Main Entrance Channel Light 2 to Los Angeles Light.

§ 80.1116 Redondo Harbor, CA.
A line drawn from Redondo Beach East Jetty Light 2 to Redondo Beach West Jetty Light 3.

§ 80.1118 Marina Del Rey, CA.
(a) A line drawn from Marina Del Rey Breakwater South Light 1 to Marina Del Rey Light 4.
(b) A line drawn from Marina Del Rey Breakwater North Light 2 to Marina Del Rey Light 3.
(c) A line drawn from Marina Del Rey Light 4 to the seaward extremity of the Ballona Creek South Jetty.

§ 80.1120 Port Hueneme, CA.
(a) A line drawn from Port Hueneme East Jetty Light 4 to Port Hueneme West Jetty Light 3.

§ 80.1122 Channel Islands Harbor, CA.
(a) A line drawn from Channel Islands Harbor South Jetty Light 2 to Channel Islands Harbor Breakwater South Light 1.
(b) A line drawn from Channel Islands Harbor Breakwater North Light to Channel Islands Harbor North Jetty Light 5.

§ 80.1124 Ventura Marina, CA.
A line drawn from Ventura Marina South Jetty Light 6 to Ventura Marina Breakwater South Light 3; thence to Ventura Marina North Jetty Light 7.

§ 80.1126 Santa Barbara Harbor, CA.
A line drawn from Santa Barbara Harbor Light 4 to Santa Barbara Harbor Breakwater Light.

§ 80.1130 San Luis Obispo Bay, CA.
A line drawn from the southernmost extremity of Fossil Point to the seaward extremity of Whaler Island Breakwater.
§ 80.1132 Estero-Morro Bay, CA.
A line drawn from the seaward extremity of the Morro Bay East Breakwater to the Morro Bay West Breakwater Light.


§ 80.1134 Monterey Harbor, CA.
A line drawn from Monterey Harbor Light 6 to the northern extremity of Monterey Municipal Wharf 2.


§ 80.1136 Moss Landing Harbor, CA.
A line drawn from the seaward extremity of the pier located 0.3 mile south of Moss Landing Harbor Entrance to the seaward extremity of the Moss Landing Harbor North Breakwater.


§ 80.1138 Santa Cruz Harbor, CA.
A line drawn from the seaward extremity of the Santa Cruz Harbor East Breakwater to Santa Cruz Harbor West Breakwater Light; thence to Santa Cruz Light.


§ 80.1140 Pillar Point Harbor, CA.
A line drawn from Pillar Point Harbor Light 6 to Pillar Point Harbor Entrance Light.


§ 80.1142 San Francisco Harbor, CA.
A straight line drawn from Point Bonita Light through Mile Rocks Light to the shore.


§ 80.1134 Bodega and Tomales Bay, CA.
(a) An east-west line drawn from Sand Point to Avalis Beach.
(b) A line drawn from the seaward extremity of Bodega Harbor North Breakwater to Bodega Harbor Entrance Light 1.


§ 80.1146 Albion River, CA.
A line drawn on an axis of 030° true through Albion River Light 1 across Albion Cove.


§ 80.1148 Noyo River, CA.
A line drawn from Noyo River Entrance Daybeacon 4 to Noyo River Entrance Light 5.


§ 80.1150 Arcata-Humboldt Bay, CA.
A line drawn from Humboldt Bay Entrance Light 4 to Humboldt Bay Entrance Light 3.


§ 80.1152 Crescent City Harbor, CA.
A line drawn from Crescent City Entrance Light to the southeasternmost extremity of Whaler Island.


THIRTEENTH DISTRICT

§ 80.1305 Chetco River, OR.
A line drawn across the seaward extremities of the Chetco River Entrance Jetties.

[CGD 84–091, 51 FR 7788, Mar. 6, 1986]
§ 80.1310 Rogue River, OR.
A line drawn across the seaward extremities of the Rogue River Entrance Jetties.
[CGD 84–091, 51 FR 7788, Mar. 6, 1986]

§ 80.1315 Coquille River, OR.
A line drawn across the seaward extremities of the Coquille River Entrance Jetties.
[CGD 84–091, 51 FR 7788, Mar. 6, 1986]

§ 80.1320 Coos Bay, OR.
A line drawn across the seaward extremities of the Coos Bay Entrance Jetties.
[CGD 84–091, 51 FR 7788, Mar. 6, 1986]

§ 80.1325 Umpqua River, OR.
A line drawn across the seaward extremities of the Umpqua River Entrance Jetties.
[CGD 84–091, 51 FR 7788, Mar. 6, 1986]

§ 80.1330 Siuslaw River, OR.
A line drawn across the seaward extremities of the Siuslaw River Entrance Jetties.
[CGD 84–091, 51 FR 7788, Mar. 6, 1986]

§ 80.1335 Alsea Bay, OR.
A line drawn from the seaward shoreline on the north of the Alsea Bay Entrance 165° true across the channel entrance.

§ 80.1340 Yaquina Bay, OR.
A line drawn across the seaward extremities of the Yaquina Bay Entrance Jetties.
[CGD 84–091, 51 FR 7788, Mar. 6, 1986]

§ 80.1345 Depoe Bay, OR.
A line drawn across the Depoe Bay Channel entrance parallel with the general trend of the highwater shoreline.

§ 80.1350 Netarts Bay, OR.
A line drawn from the northernmost extremity of the shore on the south side of Netarts Bay north to the opposite shoreline.

§ 80.1355 Tillamook Bay, OR.
A line drawn across the seaward extremities of the Tillamook Bay Entrance Jetties.
[CGD 84–091, 51 FR 7788, Mar. 6, 1986]

§ 80.1360 Nehalem River, OR.
A line drawn approximately parallel with the general trend of the highwater shoreline across the Nehalem River Entrance.

§ 80.1365 Columbia River Entrance, OR/WA.
A line drawn from the seaward extremity of the Columbia River North Jetty (above water) 155° true to the seaward extremity of the Columbia River South Jetty (above water).

§ 80.1370 Willapa Bay, WA.
A line drawn from Willapa Bay Light 169.8° true to the westernmost tripod charted 1.6 miles south of Leadbetter Point.
[CGD 89–068, 55 FR 31831, Aug. 6, 1990]

§ 80.1375 Grays Harbor, WA.
A line drawn across the seaward extremities (above water) of the Grays Harbor Entrance Jetties.
[CGD 84–091, 51 FR 7788, Mar. 6, 1986]

§ 80.1380 Quillayute River, WA.
A line drawn from the seaward extremity of the Quillayute River Entrance East Jetty to the overhead power cable tower charted on James Island; thence a straight line through Quillayute River Entrance Light 3 to the shoreline.

§ 80.1385 Strait of Juan de Fuca.
The 72 COLREGS shall apply on all waters of the Strait of Juan de Fuca.
§ 80.1390 Haro Strait and Strait of Georgia.

The 72 COLREGS shall apply on all waters of the Haro Strait and the Strait of Georgia.


§ 80.1395 Puget Sound and adjacent waters.

The 72 COLREGS shall apply on all waters of Puget Sound and adjacent waters, including Lake Union, Lake Washington, Hood Canal, and all tributaries.


PACIFIC ISLANDS
FOURTEENTH DISTRICT

§ 80.1410 Hawaiian Island Exemption from General Rule.

Except as provided elsewhere in this part for Mamala Bay and Kaneohe Bay on Oahu; Port Allen and Nawiliwili Bay on Kauai; Kahului Harbor on Maui; and Kawaihae and Hilo Harbors on Hawaii, the 72 COLREGS shall apply on all other bays, harbors, and lagoons of the Hawaiian Island (including Midway).

§ 80.1420 Mamala Bay, Oahu, HI.

A line drawn from Barbers Point Light to Diamond Head Light.

§ 80.1430 Kaneohe Bay, Oahu, HI.

A straight line drawn from Pyramid Rock Light across Kaneohe Bay through the center of Mokoli'i Island to the shoreline.

§ 80.1440 Port Allen, Kauai, HI.

A line drawn from Hanapepe Light to Hanapepe Bay Breakwater Light.


§ 80.1450 Nawiliwili Harbor, Kauai, HI.

A line drawn from Nawiliwili Harbor Breakwater Light to Kukui Point Light.

§ 80.1460 Kahului Harbor, Maui, HI.

A line drawn from Kahului Harbor Entrance East Breakwater Light to Kahului Harbor Entrance West Breakwater Light.

[CGD 89–068, 55 FR 31832, Aug. 6, 1990]

§ 80.1470 Kawaihae Harbor, Hawaii, HI.

A line drawn from Kawaihae Light to the seaward extremity of the Kawaihae South Breakwater.

§ 80.1480 Hilo Harbor, Hawaii, HI.

A line drawn from the seaward extremity of the Hilo Breakwater 265° true (as an extension of the seaward side of the breakwater) to the shoreline 0.2 nautical mile north of Alealea Point.

§ 80.1490 Apra Harbor, U.S. Territory of Guam.

A line drawn from the westernmost extremity of Orote Island to the westernmost extremity of Glass Breakwater.

§ 80.1495 U.S. Pacific Island Possessions.

The 72 COLREGS shall apply on the bays, harbors, lagoons, and waters surrounding the U.S. Pacific Island Possessions of American Samoa, Baker, Howland, Jarvis, Johnson, Palmyra, Swains and Wake Islands.

[CGD 94–011, 63 FR 5731, Feb. 4, 1998]

ALASKA
SEVENTEENTH DISTRICT

§ 80.1705 Alaska.

The 72 COLREGS shall apply on all the sounds, bays, harbors, and inlets of Alaska.

ALTERNATIVE COMPLIANCE

§ 81.5 Application for a Certificate of Alternative Compliance.

§ 81.9 Certificate of Alternative Compliance: Contents.

§ 81.17 Certificate of Alternative Compliance: Termination.

§ 81.18 Notice and record of certification of vessels of special construction or purpose.

EXEMPTIONS

§ 81.20 Lights and sound signal appliances.


§ 81.1 Definitions.

As used in this part:

72 COLREGS refers to the International Regulations for Preventing Collisions at Sea, 1972, done at London, October 20, 1972, as rectified by the Proces-Verbal of December 1, 1973, as amended.

A vessel of special construction or purpose means a vessel designed or modified to perform a special function and whose arrangement is thereby made relatively inflexible.

Interference with the special function of the vessel occurs when installation or use of lights, shapes, or sound-signaling appliances under 72 COLREGS prevents or significantly hinders the operation in which the vessel is usually engaged.

[CGD 77–136, 47 FR 13799, Apr. 1, 1982]

§ 81.3 General.

Vessels of special construction or purpose which cannot fully comply with the light, shape, and sound signal provisions of 72 COLREGS without interfering with their special function may instead meet alternative requirements. The Chief of the Marine Safety Division in each Coast Guard District Office makes this determination and requires that alternative compliance be as close as possible with the 72 COLREGS. These regulations set out the procedure by which a vessel may be certified for alternative compliance. The information collection and record-keeping requirements in §§ 81.5 and 81.18 have been approved by the Office of Management and Budget under OMB control No. 2115–0073.

[CGD 77–136, 47 FR 13799, Apr. 1, 1982]

ALTERNATIVE COMPLIANCE

§ 81.5 Application for a Certificate of Alternative Compliance.

(a) The owner, builder, operator, or agent of a vessel of special construction or purpose who believes the vessel cannot fully comply with the 72 COLREGS light, shape, or sound signal provisions without interference with its special function may apply for a determination that alternative compliance is justified. The application must be in writing, submitted to the Chief of the Marine Safety Division of the Coast Guard District in which the vessel is being built or operated, and include the following information:

(1) The name, address, and telephone number of the applicant.

(2) The identification of the vessel by its:

(i) Official number;

(ii) Shipyard hull number;

(iii) Hull identification number; or

(iv) State number, if the vessel does not have an official number or hull identification number.

(3) Vessel name and home port, if known.

(4) A description of the vessel’s area of operation.

(5) A description of the provision for which the Certificate of Alternative Compliance is sought, including:

(i) The 72 COLREGS Rule or Annex section number for which the Certificate of Alternative Compliance is sought;

(ii) A description of the special function of the vessel that would be interfered with by full compliance with the provision of that Rule or Annex section; and

(iii) A statement of how full compliance would interfere with the special function of the vessel.

(6) A description of the alternative installation that is in closest possible compliance with the applicable 72 COLREGS Rule or Annex section.

(7) A copy of the vessel’s plans or an accurate scale drawing that clearly shows:
§ 81.9 Certificate of Alternative Compliance: Contents.

The Chief of the Marine Safety Division issues the Certificate of Alternative Compliance to the vessel based on a determination that it cannot comply fully with 72 COLREGS light, shape, and sound signal provisions without interference with its special function. This Certificate includes—

(a) Identification of the vessel as supplied in the application under § 81.5(a)(2);
(b) The provision of the 72 COLREGS for which the Certificate authorizes alternative compliance;
(c) A certification that the vessel is unable to comply fully with the 72 COLREGS lights, shape, and sound signal requirements without interference with its special function;
(d) A statement of why full compliance would interfere with the special function of the vessel;
(e) The required alternative installation;
(f) A statement that the required alternative installation is in the closest possible compliance with the 72 COLREGS without interfering with the special function of the vessel;
(g) The date of issuance;
(h) A statement that the Certificate of Alternative Compliance terminates when the vessel ceases to be usually engaged in the operation for which the certificate is issued.

[CGD 77–136, 47 FR 13799, Apr. 1, 1982]

§ 81.17 Certificate of Alternative Compliance: Termination.

The Certificate of Alternative Compliance terminates if the information supplied under § 81.5(a) or the Certificate issued under § 81.9 is no longer applicable to the vessel.

[CGD 77–136, 47 FR 13800, Apr. 1, 1982]

§ 81.18 Notice and record of certification of vessels of special construction or purpose.

(a) In accordance with 33 U.S.C. 1605(c), a notice is published in the Federal Register of the following:
(1) Each Certificate of Alternative Compliance issued under § 81.9; and
(2) Each Coast Guard vessel determined by the Commandant to be a vessel of special construction or purpose.

(b) Copies of Certificate of Alternative Compliance and documentation concerning Coast Guard vessels are available for inspection at Marine Safety, Security and Environmental Protection, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001.

(c) The owner or operator of a vessel issued a Certificate shall ensure that the vessel does not operate unless the Certificate of Alternative Compliance or a certified copy of that Certificate is on board the vessel and available for inspection by Coast Guard personnel.


EXEMPTIONS

§ 81.20 Lights and sound signal appliances.

Each vessel under the 72 COLREGS, except the vessels of the Navy, is exempt from the requirements of the 72 COLREGS to the limitation for the period of time stated in Rule 38 (a), (b), (c), (d), (e), (f), and (g) if:

(a) Her keel is laid or is at a corresponding stage of construction before July 15, 1977; and
(b) She meets the International Regulations for Preventing Collisions at
Coast Guard, DOT


PART 82—72 COLREGS: INTERPRETATIVE RULES

Sec.
82.1 Purpose.
82.3 Pushing vessel and vessel being pushed: Composite unit.
82.5 Lights for moored vessels.
82.7 Sidelights for unmanned barges.


§ 82.1 Purpose.

This part contains the interpretative rules concerning the 72 COLREGS that are adopted by the Coast Guard for the guidance of the public.

§ 82.3 Pushing vessel and vessel being pushed: Composite unit.

Rule 24(b) of the 72 COLREGS states that when a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit, they are regarded as a power-driven vessel and must exhibit the lights under Rule 23.

A “composite unit” is interpreted to be a pushing vessel that is rigidly connected by mechanical means to a vessel being pushed so they react to sea and swell as one vessel. “Mechanical means” does not include the following:
(a) Lines.
(b) Hawsers.
(c) Wires.
(d) Chains.

§ 82.5 Lights for moored vessels.

For the purposes of Rule 30 of the 72 COLREGS, a vessel at anchor includes a barge made fast to one or more mooring buoys or other similar device attached to the sea or river floor. Such a barge may be lighted as a vessel at anchor in accordance with Rule 30, or may be lighted on the corners in accordance with 33 CFR 88.13.
[CGD 94–011, 63 FR 5731, Feb. 4, 1998]

§ 82.7 Sidelights for unmanned barges.

An unmanned barge being towed may use the exception of COLREGS Rule 24(h). However, this exception only applies to the vertical sector requirements.
[CGD 94–011, 63 FR 5731, Feb. 4, 1998]
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EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Transportation. This index is updated as of July 1, 2001.

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PART 84—ANNEX I: POSITIONING AND TECHNICAL DETAILS OF LIGHTS AND SHAPES

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84.03 Vertical positioning and spacing of lights.
84.05 Horizontal positioning and spacing of lights.
84.07 Details of location of direction-indicating lights for fishing vessels, dredgers and vessels engaged in underwater operations.
84.09 Screens.
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84.23 Maneuvering light.
84.24 High-speed craft.
84.25 Approval. [Reserved]


SOURCE: CGD 81–008, 46 FR 62447, Dec. 24, 1981, unless otherwise noted.

§ 84.01 Definitions.

(a) The term height above the hull means height above the uppermost continuous deck. This height shall be measured from the position vertically beneath the location of the light.

(b) High-speed craft means a craft capable of maximum speed in meters per second (m/s) equal to or exceeding: 3.7\(\times 0.1667\) where \(\mathcal{V}\) = displacement corresponding to the design waterline (meters)

Note to paragraph (b): The same formula expressed in pounds and knots is maximum speed in knots (kts) equal to exceeding 1.98 (lbs) \(\mathcal{V}\times 0.1667\) where \(\mathcal{V}\) = displacement corresponding to design waterline in pounds.

(c) The term practical cut-off means, for vessels 20 meters or more in length, 12.5 percent of the minimum luminous intensity (Table 84.15(b)) corresponding to the greatest range of visibility for which the requirements of Annex I are met.


§ 84.03 Vertical positioning and spacing of lights.

(a) On a power-driven vessel of 20 meters or more in length the masthead lights shall be placed as follows:

1. The forward masthead light, or if only one masthead light is carried, then that light, at a height above the hull of not less than 5 meters, and, if the breadth of the vessel exceeds 5 meters, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 8 meters;

2. When two masthead lights are carried the after one shall be at least 2 meters vertically higher than the forward one.

(b) The vertical separation of the masthead lights of power-driven vessels shall be such that in all normal conditions of trim the after light will be seen over and separate from the forward light at a distance of 1000 meters from the stem when viewed from water level.

(c) The masthead light of a power-driven vessel of 12 meters but less than 20 meters in length shall be placed at a height above the gunwale of not less than 2.5 meters.

(d) The masthead light, or the all-round light described in Rule 23(c), of a power-driven vessel of less than 12 meters in length shall be carried at least one meter higher than the sidelights.

(e) One of the two or three masthead lights prescribed for a power-driven vessel when engaged in towing or pushing another vessel shall be placed in the same position as either the forward masthead light or the after masthead light, provided that the lowest after masthead light shall be at least 2 meters vertically higher than the highest forward masthead light.

(f)(1) The masthead light or lights prescribed in Rule 23(a) shall be so placed as to be above and clear of all
§ 84.05 Other lights and obstructions except as described in paragraph (f)(2) of this section.

(2) When it is impracticable to carry the all-round lights prescribed in Rule 27(b)(1) below the masthead lights, they may be carried above the after masthead light(s) or vertically in between the forward masthead light(s) and after masthead light(s), provided that in the latter case the requirement of §84.05(d) shall be complied with.

(g) The sidelights of a power-driven vessel shall be placed at least one meter lower than the forward masthead light. They shall not be so low as to be interfered with by deck lights.

(h) [Reserved]

(i) When the Rules prescribe two or three lights to be carried in a vertical line, they shall be spaced as follows:

(1) On a vessel of 20 meters in length or more such lights shall be spaced not less than 1 meter apart, and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 4 meters above the hull;

(2) On a vessel of less than 20 meters in length such lights shall be spaced not less than 1 meter apart and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 2 meters above the gunwale;

(3) When three lights are carried they shall be equally spaced.

(j) The forward anchor light prescribed in Rule 30(a)(1), when two are carried, shall not be less than 4.5 meters above the after one. On a vessel of 50 meters or more in length this forward anchor light shall be placed at a height or not less than 6 meters above the hull.

(k) The forward anchor light prescribed in Rule 26(c)(1), when two are carried, shall not be less than 4.5 meters above the after one. On a vessel of 50 meters or more in length this forward anchor light shall be placed at a height or not less than 6 meters above the hull.


§ 84.07 Details of location of direction-indicating lights for fishing vessels, dredgers and vessels engaged in underwater operations.

(a) The light indicating the direction of the outlying gear from a vessel engaged in fishing as prescribed in Rule 26(c)(ii) shall be placed at a horizontal distance of not less than 2 meters and not more than 6 meters away from the two all-round red and white lights. This light shall be placed not higher than the all-round white light prescribed in Rule 26(c)(i) and not lower than the sidelights.

(b) The lights and shapes on a vessel engaged in dredging or underwater operations to indicate the obstructed side and/or the side on which it is safe to pass, as prescribed in Rule 27(d)(1) and (ii), shall be placed at the maximum...
practical horizontal distance, but in no case less than 2 meters, from the lights or shapes prescribed in Rule 27(b)(i) and (ii). In no case shall the upper of these lights or shapes be at a greater height than the lower of the three lights or shapes prescribed in Rule 27(b)(i) and (ii).

§ 84.09 Screens.
(a) The sidelights of vessels of 20 meters or more in length shall be fitted with mat black inboard screens and meet the requirements of § 84.17. On vessels of less than 20 meters in length, the sidelights, if necessary to meet the requirements of § 84.17, shall be fitted with mat black inboard screens. With a combined lantern, using a single vertical filament and a very narrow division between the green and red sections, external screens need not be fitted.
(b) On power-driven vessels less than 12 meters in length constructed after July 31, 1983, the masthead light, or the all-round light described in Rule 23(c) shall be screened to prevent direct illumination of the vessel forward of the operator’s position.

§ 84.11 Shapes.
(a) Shapes shall be black and of the following sizes:
(1) A ball shall have a diameter of not less than 0.6 meter;
(2) A cone shall have a base diameter of not less than 0.6 meter and a height equal to its diameter;
(3) A diamond shape shall consist of two cones (as defined in paragraph (a)(2) of this section) having a common base.
(b) The vertical distance between shapes shall be at least 1.5 meter. 
(c) In a vessel of less than 20 meters in length shapes of lesser dimensions but commensurate with the size of the vessel may be used and the distance apart may be correspondingly reduced.

§ 84.13 Color specification of lights.
(a) The chromaticity of all navigation lights shall conform to the following standards, which lie within the boundaries of the area of the diagram specified for each color by the International Commission on Illumination (CIE), in the “Colors of Light Signals”, which is incorporated by reference. It is Publication CIE No. 2.2. (TC–1.6), 1975, and is available from the Illumination Engineering Society, 345 East 47th Street, New York, NY 10017. It is also available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC. This incorporation by reference was approved by the Director of the Federal Register.
(b) The boundaries of the area for each color are given by indicating the corner co-ordinates, which are as follows:
(1) White:
x 0.525 0.525 0.452 0.310 0.310 0.443
y 0.382 0.440 0.440 0.348 0.283 0.382
(2) Green:
x 0.028 0.009 0.300 0.203
y 0.385 0.723 0.511 0.356
(3) Red:
x 0.680 0.660 0.735 0.721
y 0.320 0.320 0.265 0.259
(4) Yellow:
x 0.612 0.618 0.575 0.575
y 0.382 0.382 0.425 0.406

§ 84.15 Intensity of lights.
(a) The minimum luminous intensity of lights shall be calculated by using the formula:
I = 3.43 × 10^6 T × D 2 × K
where I is luminous intensity in candelas under service conditions,
T is threshold factor 2 × 10^-7 lux,
D is range of visibility (luminous range) of the light in nautical miles,
K is atmospheric transmissivity. For prescribed lights the value of K shall be 0.8, corresponding to a meteorological visibility of approximately 13 nautical miles.
(b) A selection of figures derived from the formula is given in Table 84.15(b):

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§ 84.17 Horizontal sectors.

(a)(1) In the forward direction, sidelights as fitted on the vessel shall show the minimum required intensities. The intensities shall decrease to reach practical cut-off between 1 and 3 degrees outside the prescribed sectors.

(2) For sternlights and masthead lights and at 22.5 degrees abaft the beam for sidelights, the minimum required intensities shall be maintained over the arc of the horizon up to 5 degrees within the limits of the sectors prescribed in Rule 21. From 5 degrees within the prescribed sectors the intensity may decrease by 50 percent up to the prescribed limits; it shall decrease steadily to reach practical cut-off at not more than 5 degrees outside the prescribed sectors.

(b) All-round lights shall be so located as not to be obscured by masts, topmasts or structures within angular sectors of more than 6 degrees, except anchor lights prescribed in Rule 30, which need not be placed at an impracticable height above the hull, and the all-round white light described in Rule 23(d), which may not be obscured at all.

(c) If it is impracticable to comply with paragraph (b) of this section by exhibiting only one all-round light, two all-round lights shall be used suitably positioned or screened to appear, as far as practicable, as one light at a minimum distance of one nautical mile.

Note to paragraph (c): Tow unscreened all-round lights that are 1.28 meters apart or less will appear as one light to the naked eye at a distance of one nautical mile.


§ 84.21 Intensity of non-electric lights.

Non-electric lights shall so far as practicable comply with the minimum intensities, as specified in the Table given in §84.15.

§ 84.23 Maneuvering light.

Notwithstanding the provisions of §84.03(f), the maneuvering light described in Rule 34(b) shall be placed approximately in the same fore and aft vertical plane as the masthead light or lights and, where practicable, at a minimum height of one-half meter vertically above the forward masthead light, provided that it shall be carried not less than one-half meter vertically above or below the after masthead light. On a vessel where only one masthead light is carried the maneuvering light, if fitted, shall be carried where it can best be seen, not less than one-half meter vertically apart from the masthead light.
§ 84.24 High-speed craft.

(a) The masthead light of high-speed craft with a length to breadth ratio of less than 3.0 may be placed at a height related to the breadth lower than that prescribed in §84.03(a)(1), provided that the base angle of the isosceles triangle formed by the side lights and masthead light when seen in end elevation is not less than 27 degrees as determined by the formula in paragraph (b) of this section.

(b) The minimum height of masthead light above sidelights is to be determined by the following formula: \( \tan 27^\circ = \frac{Y}{X} \); where \( Y \) is the horizontal distance between the sidelights and \( X \) is the height of the forward masthead light.


§ 84.25 Approval. [Reserved]

EFFECTIVE DATE NOTE: By USCG–1999–6580, 66 FR 55091, Nov. 1, 2001, §84.25 was added effective November 1, 2002. At 67 FR 2330, Jan. 17, 2002, the effective date was delayed to November 1, 2003. For the convenience of the user, the added text is set forth as follows:

§ 84.25 Approval.

The construction of lights and shapes and the installation of lights on board the vessel must satisfy the Commandant, U.S. Coast Guard.

PART 85—ANNEX II: ADDITIONAL SIGNALS FOR FISHING VESSELS FISHING IN CLOSE PROXIMITY

Sec.
85.1 General.
85.3 Signals for trawlers.
85.5 Signals for purse seiners.


SOURCE: CGD 81–006, 46 FR 61845, Dec. 21, 1981, unless otherwise noted.

§ 85.1 General.

The lights mentioned herein shall, if exhibited in pursuance of Rule 26(d), be placed where they can best be seen. They shall be at least 0.9 meter apart but at a lower level than lights prescribed in Rule 26(b)(1) and (c)(1) contained in the Inland Navigational Rules Act of 1980, as amended (33 U.S.C. 2001 et seq.), The lights shall be visible all around the horizon at a distance of at least 1 mile but at a lesser distance from the lights prescribed by these Rules for fishing vessels.

§ 85.3 Signals for trawlers.

(a) Vessels when engaged in trawling, whether using demersal or pelagic gear, may exhibit:

(1) When shooting their nets: two white lights in a vertical line;

(2) When hauling their nets: one white light over one red light in a vertical line;

(3) When the net has come fast upon an obstruction: two red lights in a vertical line.

(b) Each vessel engaged in pair trawling may exhibit:

(1) By night, a searchlight directed forward and in the direction of the other vessel of the pair;

(2) When shooting or hauling their nets or when their nets have come fast upon an obstruction, the lights prescribed in paragraph (a) of this section.

§ 85.5 Signals for purse seiners.

Vessels engaged in fishing with purse seine gear may exhibit two yellow lights in a vertical line. These lights shall flash alternately every second with equal light and occultation duration. These lights may be exhibited only when the vessel is hampered by its fishing gear.

PART 86—ANNEX III: TECHNICAL DETAILS OF SOUND SIGNAL APPLIANCES

Subpart A—Whistles

Sec.
86.01 Frequencies and range of audibility.
86.03 Limits of fundamental frequencies.
86.05 Sound signal intensity and range of audibility.
86.07 Directional properties.
86.09 Positioning of whistles.
86.11 Fitting of more than one whistle.
86.13 Combined whistle systems.
86.15 Towing vessel whistles.

Subpart B—Bell or Gong

Sec.
86.21 Intensity of signal.
86.23 Construction.
§ 86.01 Frequencies and range of audibility.

The fundamental frequency of the signal shall lie within the range 70–525 Hz. The range of audibility of the signal from a whistle shall be determined by those frequencies, which may include the fundamental and/or one or more higher frequencies, which lie within the frequency ranges and provide the sound pressure levels specified in §86.05.

§ 86.03 Limits of fundamental frequencies.

To ensure a wide variety of whistle characteristics, the fundamental frequency of a whistle shall be between the following limits:

(a) 70–200 Hz, for a vessel 200 meters or more in length;
(b) 130–350 Hz, for a vessel 75 meters but less than 200 meters in length;
(c) 250–525 Hz, for a vessel less than 75 meters in length.

§ 86.05 Sound signal intensity and range of audibility.

A whistle on a vessel shall provide, in the direction of the forward axis of the whistle and at a distance of 1 meter from it, a sound pressure level in at least one ⅓-octave band of not less than the appropriate figure given in Table 86.05 within the following frequency ranges (±1 percent):

(a) 130–1200 Hz, for a vessel 75 meters or more in length;
(b) 250–1600 Hz, for a vessel 20 meters but less than 75 meters in length;
(c) 250–2100 Hz, for a vessel 12 meters but less than 20 meters in length.

<table>
<thead>
<tr>
<th>Length of vessel in meters</th>
<th>Fundamental frequency range (Hz)</th>
<th>For measured frequencies (Hz)</th>
<th>⅓-octave band level at 1 meter in dB referred to $2 \times 10^{-5}$ N/m$^2$</th>
<th>Audibility range in nautical miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 or more</td>
<td>70–200</td>
<td>130–180</td>
<td>145</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>180–250</td>
<td>250–1200</td>
<td>143</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>130–180</td>
<td>130–180</td>
<td>140</td>
<td>1.5</td>
</tr>
<tr>
<td></td>
<td>180–250</td>
<td>180–250</td>
<td>138</td>
<td>1.5</td>
</tr>
<tr>
<td></td>
<td>250–1200</td>
<td>250–1200</td>
<td>134</td>
<td>1.5</td>
</tr>
<tr>
<td>75 but less than 200</td>
<td>250–525</td>
<td>250–525</td>
<td>130</td>
<td>1.5</td>
</tr>
<tr>
<td></td>
<td>450–800</td>
<td>450–800</td>
<td>125</td>
<td>1.0</td>
</tr>
<tr>
<td></td>
<td>800–1600</td>
<td>800–1600</td>
<td>121</td>
<td>1.0</td>
</tr>
<tr>
<td></td>
<td>250–450</td>
<td>250–450</td>
<td>120</td>
<td>0.5</td>
</tr>
<tr>
<td></td>
<td>800–2100</td>
<td>800–2100</td>
<td>115</td>
<td>0.5</td>
</tr>
</tbody>
</table>

Note: The range of audibility in the table above is for information and is approximately the range at which a whistle may usually be heard on its forward axis in conditions of still air on board a vessel having average background noise level at the listening posts (taken to be 68 dB in the octave band centered on 250 Hz and 63 dB in the octave band centered on 500 Hz).

In practice the range at which a whistle may be heard is extremely variable and depends critically on weather conditions; the values given can be regarded as typical but under conditions of strong wind or high ambient noise level at the listening post the range may be much reduced.

§ 86.07 Directional properties.

The sound pressure level of a directional whistle shall be not more than 4 dB below the sound pressure level specified in §86.05 in any direction in the horizontal plane within plus or minus 45 degrees of the forward axis. The sound pressure level of the whistle in any other direction in the horizontal plane shall not be more than 10 dB less than the sound pressure level specified for the forward axis, so that the range of audibility in any direction will be at least half the range required on the forward axis. The sound pressure level
§ 86.09 Positioning of whistles.

(a) When a directional whistle is to be used as the only whistle on the vessel and is permanently installed, it shall be installed with its forward axis directed forward.

(b) A whistle shall be placed as high as practicable on a vessel, in order to reduce interception of the emitted sound by obstructions and also to minimize hearing damage risk to personnel. The sound pressure level of the vessel’s own signal at listening posts shall not exceed 110 dB(A) and so far as practicable should not exceed 100 dB(A).

§ 86.11 Fitting of more than one whistle.

If whistles are fitted at a distance apart of more than 100 meters, they shall not be sounded simultaneously.

§ 86.13 Combined whistle systems.

(a) A combined whistle system is a number of whistles (sound emitting sources) operated together. For the purposes of the Rules a combined whistle system is to be regarded as a single whistle.

(b) The whistles of a combined system shall:

1. Be located at a distance apart of not more than 100 meters,
2. Be sounded simultaneously,
3. Each have a fundamental frequency different from those of the others by at least 10 Hz, and
4. Have a tonal characteristic appropriate for the length of vessel which shall be evidenced by at least two-thirds of the whistles in the combined system having fundamental frequencies falling within the limits prescribed in § 86.03, or if there are only two whistles in the combined system, by the higher fundamental frequency falling within the limits prescribed in § 86.03.

Note: If due to the presence of obstructions the sound field of a single whistle or of one of the whistles referred to in § 86.11 is likely to have a zone of greatly reduced signal level, a combined whistle system should be fitted so as to overcome this reduction.

§ 86.15 Towing vessel whistles.

A power-driven vessel normally engaged in pushing ahead or towing alongside may, at all times, use a whistle whose characteristic falls within the limits prescribed by § 86.03 for the longest customary composite length of the vessel and its tow.

Subpart B—Bell or Gong

§ 86.21 Intensity of signal.

A bell or gong, or other device having similar sound characteristics shall produce a sound pressure level of not less than 110 dB at 1 meter.

§ 86.23 Construction.

Bells and gongs shall be made of corrosion-resistant material and designed to give a clear tone. The diameter of the mouth of the bell shall be not less than 300 mm for vessels of more than 20 meters in length, and shall be not less than 200 mm for vessels of 12 to 20 meters in length. The mass of the striker shall be not less than 3 percent of the mass of the bell. The striker shall be capable of manual operation. Note: When practicable, a power-driven bell striker is recommended to ensure constant force.

Subpart C—Approval

§ 86.31 Approval. [Reserved]

PART 87—ANNEX IV: DISTRESS SIGNALS

Sec.
87.1 Need of assistance.
87.3 Exclusive use.
87.5 Supplemental signals.


§ 87.1 Need of assistance.

The following signals, used or exhibited either together or separately, indicate distress and need of assistance:

(a) A gun or other explosive signal fired at intervals of about a minute.

(b) A continuous sounding with any fog-signaling apparatus.

(c) Rockets or shells, throwing red stars fired one at a time at short intervals;
§ 87.3 Exclusive use.

The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

[CGD 81–007, 47 FR 16174, Apr. 15, 1982, as amended by CGD 89–024, 55 FR 3947, Feb. 6, 1990]

§ 87.5 Supplemental signals.

Attention is drawn to the relevant sections of the International Code of Signals, the Merchant Ship Search and Rescue Manual, the International Telecommunication Union Radio Regulations, and the following signals:

(a) A piece of orange-colored canvas with either a black square and circle or other appropriate symbol (for identification from the air);

(b) A dye marker.

[CGD 81–007, 47 FR 16174, Apr. 15, 1982, as amended by CGD 89–024, 55 FR 3947, Feb. 6, 1990]
Coast Guard, DOT

§ 88.13 Lights on moored barges.

(a) The following barges shall display at night and if practicable in periods of restricted visibility the lights described in paragraph (b) of this section:

(1) Every barge projecting into a buoyed or restricted channel.

(2) Every barge so moored that it reduces the available navigable width of any channel to less than 80 meters.

(3) Barges moored in groups more than two barges wide or to a maximum width of over 25 meters.

(4) Every barge not moored parallel to the bank or dock.

(b) Barges described in paragraph (a) of this section shall carry two unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile and meeting the technical requirements as prescribed in §84.15 of this chapter.

(c) A barge or group of barges at anchor or made fast to one or more mooring buoys or other similar device, in lieu of the provisions of Inland Navigation Rule 30, may carry unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile that meet the requirements of §84.15 of this chapter and shall be arranged as follows:

(1) Any barge that projects from a group formation, shall be lighted on its outboard corners.

(2) On a single barge moored in water where other vessels normally navigate on both sides of the barge, lights shall be placed to mark the corner extremities of the barge.

(3) On barges moored in group formation, moored in water where other vessels normally navigate on both sides of the group, lights shall be placed to mark the corner extremities of the group.

(d) The following are exempt from the requirements of this section:

(1) A barge or group of barges moored in a slip or slough used primarily for mooring purposes.

(2) A barge or group of barges moored behind a pierhead.

(3) A barge less than 20 meters in length when moored in a special anchorage area designated in accordance with §109.10 of this chapter.

(e) Barges moored in well-illuminated areas are exempt from the lighting requirements of this section. These areas are as follows:

CHICAGO SANITARY SHIP CANAL

(1) Mile 293.2 to 293.9
(3) Mile 295.2 to 296.1
(5) Mile 297.5 to 297.8
(7) Mile 298 to 298.2
(9) Mile 298.6 to 298.8
(11) Mile 299.3 to 299.4
(13) Mile 299.8 to 300.5
(15) Mile 300 to 300.2
(17) Mile 300.7 to 303.9
(19) Mile 305.7 to 305.8
(21) Mile 310.7 to 310.9
(23) Mile 311 to 311.2
(25) Mile 312.5 to 312.6
(27) Mile 313.8 to 314.2
(29) Mile 314.6
(31) Mile 314.8 to 315.3
(33) Mile 315.7 to 316
(35) Mile 316.8
(37) Mile 316.85 to 317.05
(39) Mile 317.5
§ 88.15 Lights on dredge pipelines.

Dredge pipelines that are floating or supported on trestles shall display the following lights at night and in periods of restricted visibility.

(a) One row of yellow lights. The lights must be:

1. Flashing 50 to 70 times per minute,
2. Visible all around the horizon,
3. Visible for at least 2 miles on a clear dark night,
4. Not less than 1 and not more than 3.5 meters above the water,
5. Approximately equally spaced, and
6. Not more than 10 meters apart where the pipeline crosses a navigable channel. Where the pipeline does not cross a navigable channel the lights must be sufficient in number to clearly show the pipeline’s length and course.

(b) Two red lights at each end of the pipeline, including the ends in a channel where the pipeline is separated to allow vessels to pass (whether open or closed). The lights must be:

1. Visible all around the horizon, and
2. Visible for at least 2 miles on a clear dark night, and
3. One meter apart in a vertical line with the lower light at the same height above the water as the flashing yellow light.
the operation in which the vessel is usually engaged.

§ 89.3 General.

Vessels of special construction or purpose which cannot fully comply with the light, shape, and sound signal provisions of the Inland Rules without interfering with their special function may instead meet alternative requirements. The Chief of the Marine Safety Division in each Coast Guard District Office makes this determination and requires that alternative compliance be as close as possible with the Inland Rules. These regulations set out the procedure by which a vessel may be certified for alternative compliance. The information collection and record-keeping requirements in §§89.5 and 89.18 have been approved by the Office of Management and Budget under OMB control number 2115–0074.

§ 89.5 Application for a Certificate of Alternative Compliance.

(a) The owner, builder, operator, or agent of a vessel of special construction or purpose who believes the vessel cannot fully comply with the Inland Rules light, shape, or sound signal provisions without interference with its special function may apply for a determination that alternative compliance is justified. The application must be in writing, submitted to the Chief of the Marine Safety Division of the Coast Guard District in which the vessel is being built or operated, and include the following information:

(1) The name, address, and telephone number of the applicant.
(2) The identification of the vessel by its:
   (i) Official number;
   (ii) Shipyard hull number;
   (iii) Hull identification number; or
   (iv) State number, if the vessel does not have an official number or hull identification number.
(3) Vessel name and home port, if known.
(4) A description of the vessel’s area of operation.
(5) A description of the provision for which the Certificate of Alternative Compliance is sought, including:
   (i) The Inland Rules Rule or Annex section number for which the Certificate of Alternative Compliance is sought;
   (ii) A description of the special function of the vessel that would be interfered with by full compliance with the provision of that Rule or Annex section; and
   (iii) A statement of how full compliance would interfere with the special function of the vessel.
(6) A description of the alternative installation that is in closest possible compliance with the applicable Inland Navigation Rules Rule or Annex section.
(7) A copy of the vessel’s plans or an accurate scale drawing that clearly shows:
   (i) The required installation of the equipment under the Inland Rules,
   (ii) The proposed installation of the equipment for which certification is being sought, and
   (iii) Any obstructions that may interfere with the equipment when installed in:
      (A) The required location; and
      (B) The proposed location.
(b) The Coast Guard may request from the applicant additional information concerning the application.

§ 89.9 Certificate of Alternative Compliance: Contents.

The Chief of the Marine Safety Division issues the Certificate of Alternative Compliance to the vessel based on a determination that it cannot comply fully with Inland Rules light, shape, and sound signal provisions without interference with its special function. This Certificate includes:

(a) Identification of the vessel as supplied in the application under §89.5(a)(2);
(b) The provision of the Inland Rules for which the Certificate authorizes alternative compliance;
(c) A certification that the vessel is unable to comply fully with the Inland
§ 89.17 Certificate of Alternative Compliance: Termination.

The Certificate of Alternative Compliance terminates if the information supplied under §89.5(a) or the Certificate issued under §89.9 is no longer applicable to the vessel.

§ 89.18 Record of certification of vessels of special construction or purpose.

(a) Copies of Certificates of Alternative Compliance and documentation concerning Coast Guard vessels are available for inspection at the offices of Assistant Commandant for Marine Safety, Security and Environmental Protection, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001.

(b) The owner or operator of a vessel issued a Certificate shall ensure that the vessel does not operate unless the Certificate of Alternative Compliance or a certified copy of that Certificate is on board the vessel and available for inspection by Coast Guard personnel.


Subpart B—Waters Upon Which Certain Inland Navigation Rules Apply

§ 89.21 Purpose.

Inland Navigation Rules 9(a)(ii), 14(d), and 15(b) apply to the Great Lakes, and along with 24(i), apply on the “Western Rivers” as defined in Rule 3(1), and to additional specifically designated waters. The purpose of this Subpart is to specify those additional waters upon which Inland Navigation Rules 9(a)(ii), 14(d), 15(b), and 24(i) apply.

[CGD 83–081, 51 FR 4392, Feb. 6, 1986]

§ 89.23 Definitions.


[CGD 83–028, 49 FR 33876, Aug. 27, 1984]

§ 89.25 Waters upon which Inland Rules 9(a)(ii), 14(d), and 15(b) apply.

Inland Rules 9(a)(ii), 14(d), and 15(b) apply on the Great Lakes, the Western Rivers, and the following specified waters:

(a) Tennessee-Tombigbee Waterway.

(b) Tombigbee River.

(c) Black Warrior River.

(d) Alabama River.

(e) Coosa River.

(f) Mobile River above the Cochrane Bridge at St. Louis Point.

(g) Flint River.

(h) Chattahoochee River.

(i) The Apalachicola River above its confluence with the Jackson River.

[CGD 91–050, 58 FR 27625, May 10, 1993]

§ 89.27 Waters upon which Inland Rule 24(i) applies.

(a) Inland Rule 24(i) applies on the Western Rivers and the specified waters listed in §89.25 (a) through (i).

(b) Inland Rule 24(i) applies on the Gulf Intracoastal Waterway from St.
§ 90.5  Marks, Florida, to the Rio Grande, Texas, including the Morgan City-Port Allen Alternate Route and the Galveston-Freeport Cutoff, except that a power-driven vessel pushing ahead or towing alongside shall exhibit the lights required by Inland Rule 24(c), while transiting within the following areas:

(1) St. Andrews Bay from the Hathaway Fixed Bridge at Mile 284.6 East of Harvey Locks (EHL) to the DuPont Fixed Bridge at Mile 295.4 EHL.

(2) Pensacola Bay, Santa Rosa Sound and Big Lagoon from the Light ‘‘10’’ off of Trout Point at Mile 176.9 EHL to the Pensacola Fixed Bridge at Mile 189.1 EHL.

(3) Mobile Bay and Bon Secour Bay from the Dauphin Island Causeway Fixed Bridge at Mile 127.7 EHL to Little Point Clear at Mile 140 EHL.

(4) Mississippi Sound from Grand Island Waterway Light ‘‘1’’ at Mile 53.8 EHL to Light ‘‘40’’ off the West Point of Dauphin Island at Mile 118.7 EHL.

(5) The Mississippi River at New Orleans, Mississippi River-Gulf Outlet Canal and the Inner Harbor Navigation Canal from the junction of the Harvey Canal and the Algiers Alternate Route at Mile 6.5 West of Harvey Locks (WHL) to the Michoud Canal at Mile 18 WHL.

(6) The Calcasieu River from the Calcasieu Lock at Mile 238.6 WHL to the Ellender Lift Bridge at Mile 243.6 WHL.

(7) The Sabine Neches Canal from mile 262.5 WHL to mile 291.5 WHL.

(8) Bolivar Roads from the Bolivar Assembling Basin at Mile 346 WHL to the Galveston Causeway Bridge at Mile 357.3 WHL.

(9) Freeport Harbor from Surfside Beach Fixed Bridge at Mile 393.8 WHL to the Bryan Beach Pontoons Bridge at Mile 397.6 WHL.

(10) Matagorda Ship Channel area of Matagorda Bay from Range ‘‘K’’ Front Light at Mile 468.7 WHL to the Port O’Connor Jetty at Mile 472.2 WHL.

(11) Corpus Christi Bay from Redfish Bay Day Beacon ‘‘55’’ at Mile 537.4 WHL when in the Gulf Intracoastal Waterway main route or from the north end of Lydia Ann Island Mile 531.1A when in the Gulf Intracoastal Waterway Alternate Route to Corpus Christi Bay LT 76 at Mile 543.7 WHL.

(12) Port Isabel and Brownsville Ship Channel south of the Padre Island Causeway Fixed Bridge at Mile 665.1 WHL.

[CGD 91–050, 58 FR 27625, May 10, 1993]
§ 90.7 Sidelights for unmanned barges.

An unmanned barge being towed may use the exception of COLREGS Rule 24(h). However, this exception only applies to the vertical sector requirements for sidelights.

[CGD 94–011, 63 FR 5732, Feb. 4, 1998]
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SUBCHAPTER E—INLAND NAVIGATION RULES

EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and
kept current by the U.S. Coast Guard, Department of Transportation. This index is updated
as of July 1, 2001.

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§ 95.001 Purpose.

(a) The purpose of this part is to establish under the influence of alcohol or a dangerous drug standards under 46 U.S.C. 2109 and to prescribe restrictions and responsibilities for personnel on vessels inspected, or subject to inspection, under Chapter 33 of Title 46 United States Code. This part does not pre-empt enforcement by a State of its applicable laws and regulations concerning operating a recreational vessel while under the influence of alcohol or a dangerous drug.

(b) Nothing in this part shall be construed as limiting the authority of a vessel’s marine employer to limit or prohibit the use or possession of alcohol on board a vessel.

§ 95.005 Applicability.

(a) This part is applicable to a vessel (except those excluded by 46 U.S.C. 2109) operated on waters subject to the jurisdiction of the United States, and to a vessel owned in the United States on the high seas. This includes a foreign vessel operated on waters subject to the jurisdiction of the United States.

(b) This part is also applicable at all times to vessels inspected, or subject to inspection, under Chapter 33 of Title 46 United States Code.

§ 95.010 Definition of terms as used in this part.

Alcohol means any form or derivative of ethyl alcohol (ethanol).

Alcohol concentration means either grams of alcohol per 100 milliliters of blood, or grams of alcohol per 210 liters of breath.

Blood alcohol concentration level means a certain percentage of alcohol in the blood.

Chemical test means a test which analyzes an individual’s breath, blood, urine, saliva and/or other bodily fluids or tissues for evidence of drug or alcohol use.

Controlled substance has the same meaning assigned by 21 U.S.C. 802 and includes all substances listed on Schedules I through V as they may be revised from time to time (21 CFR Part 1308).

Drug means any substance (other than alcohol) that has known mind or function-altering effects on a person, specifically including any psychoactive substance, and including, but not limited to, controlled substances.

Intoxicant means any form of alcohol, drug or combination thereof.

Law enforcement officer means a Coast Guard commissioned, warrant, or petty officer; or any other law enforcement officer authorized to obtain a chemical test under Federal, State, or local law.

Marine employer means the owner, managing operator, charterer, agent, master, or person in charge of a vessel other than a recreational vessel.

Recreational vessel means a vessel meeting the definition in 46 U.S.C. 2101(25) that is then being used only for pleasure.
§ 95.015 Operating a vessel.

For purposes of this part, an individual is considered to be operating a vessel when:

(a) The individual has an essential role in the operation of a recreational vessel underway, including but not limited to navigation of the vessel or control of the vessel’s propulsion system.

(b) The individual is a crewmember (including a licensed individual), pilot, or watchstander not a regular member of the crew, of a vessel other than a recreational vessel.

§ 95.020 Standard for under the influence of alcohol or a dangerous drug.

An individual is under the influence of alcohol or a dangerous drug when:

(a) The individual is operating a recreational vessel and has a Blood Alcohol Concentration (BAC) level of .08 percent or more, by weight, in their blood;

(b) The individual is operating a vessel other than a recreational vessel and has an alcohol concentration of .04 percent by weight or more in their blood; or,

(c) The individual is operating any vessel and the effect of the intoxicant(s) consumed by the individual on the person’s manner, disposition, speech, muscular movement, general appearance or behavior is apparent by observation.

§ 95.025 Adoption of State blood alcohol concentration levels.

(a) This section applies to operators of recreational vessels on waters within the geographical boundaries of any State that has established by statute a blood alcohol concentration level for purposes of determining whether a person is operating a vessel under the influence of alcohol.

(b) If the applicable State statute establishes a blood alcohol concentration level at which a person is considered or presumed to be under the influence of alcohol, then that level applies within the geographical boundaries of that State instead of the level provided in § 95.020(a) of this part.

(c) For the purposes of this part, a standard established by State statute and adopted under this section is applicable to the operation of any recreational vessel on waters within the geographical boundaries of the State.

§ 95.030 Evidence of under the influence of alcohol or a dangerous drug.

Acceptable evidence of when a vessel operator is under the influence of alcohol or a dangerous drug includes, but is not limited to:

(a) Personal observation of an individual’s manner, disposition, speech, muscular movement, general appearance, or behavior; or,

(b) A chemical test.
§ 95.035 Reasonable cause for directing a chemical test.
(a) Only a law enforcement officer or a marine employer may direct an individual operating a vessel to undergo a chemical test when reasonable cause exists. Reasonable cause exists when:
(1) The individual was directly involved in the occurrence of a marine casualty as defined in Chapter 61 of Title 46, United States Code, or
(2) The individual is suspected of being in violation of the standards in §§95.020 or 95.025.
(b) When an individual is directed to undergo a chemical test, the individual to be tested must be informed of that fact and directed to undergo a test as soon as is practicable.
(c) When practicable, a marine employer should base a determination of the existence of reasonable cause, under paragraph (a)(2) of this section, on observation by two persons.

§ 95.040 Refusal to submit to testing.
(a) If an individual refuses to submit to or cooperate in the administration of a timely chemical test when directed by a law enforcement officer based on reasonable cause, evidence of the refusal is admissible in evidence in any administrative proceeding and the individual will be presumed to be under the influence of alcohol or a dangerous drug.
(b) If an individual refuses to submit to or cooperate in the administration of a timely chemical test when directed by the marine employer based on reasonable cause, evidence of the refusal is admissible in evidence in any administrative proceeding.

§ 95.045 General operating rules for vessels inspected, or subject to inspection, under Chapter 33 of Title 46 United States Code.
While on board a vessel inspected, or subject to inspection, under Chapter 33 of Title 46 United States Code, a crewmember (including a licensed individual), pilot, or watchstander not a regular member of the crew:
(a) Shall not perform or attempt to perform any scheduled duties within four hours of consuming any alcohol;
(b) Shall not be intoxicated at any time;
(c) Shall not consume any intoxicant while on watch or duty; and
(d) May consume a legal non-prescription or prescription drug provided the drug does not cause the individual to be intoxicated.

§ 95.050 Responsibility for compliance.
(a) The marine employer shall exercise due diligence to assure compliance with the applicable provisions of this part.
(b) If the marine employer has reason to believe that an individual is intoxicated, the marine employer shall not allow that individual to stand watch or perform other duties.

PART 96—RULES FOR THE SAFE OPERATION OF VESSELS AND SAFETY MANAGEMENT SYSTEMS

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96.120 Definitions.
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Note: Chapter IX of SOLAS is available from the International Maritime Organization, Publication section, 4 Albert Embankment, London, SE1 7SR, United Kingdom, Telex 23588. Please include document reference number “IMO-190E” in your request.

§ 96.110 Who does this subpart apply to?

This subpart applies to you if—
(a) You are a responsible person who owns a U.S. vessel(s) and must comply with Chapter IX of SOLAS;
(b) You are a responsible person who owns a U.S. vessel(s) that is not required to comply with Chapter IX of SOLAS, but requests application of this subpart;
(c) You are a responsible person who owns a foreign vessel(s) engaged on a foreign voyage, bound for ports or places under the jurisdiction of the U.S., which must comply with Chapter IX of SOLAS; or
(d) You are a recognized organization applying for authorization to act on behalf of the United States.

§ 96.120 Definitions.

(a) Unless otherwise stated in this section, the definitions in Chapter IX, Regulation 1 of the International Convention for the Safety of Life at Sea (SOLAS) apply to this part.

(b) As used in this part—

Authority means the Government of the State whose flag the ship is entitled to fly.

Authorized Organization Acting on behalf of the U.S. means an organization that is recognized by the Commandant of the U.S. Coast Guard under the minimum standards of subparts A and B of 46 CFR part 8, and has been authorized under this section to conduct certain actions and certifications on behalf of the United States.

Captain of the Port (COTP) means the U.S. Coast Guard officer as described in 33 CFR 6.01–3, commanding a Captain of the Port zone described in 33 CFR part 3, or that person’s authorized representative.

Commandant means the Commandant, U.S. Coast Guard.

Company means the owner of a vessel, or any other organization or person such as the manager or the bareboat charterer of a vessel, who has assumed the responsibility for operation of the vessel from the shipowner and who on
assuming responsibility has agreed to take over all the duties and responsibilities imposed by this part or the ISM Code.

Designated person means a person or persons designated in writing by the responsible person who monitors the safety management system of the company and vessel and has:

1. Direct access to communicate with the highest levels of the company and with all management levels ashore and aboard the company’s vessel(s);
2. Responsibility to monitor the safety and environmental aspects of the operation of each vessel; and
3. Responsibility to ensure there are adequate support and shore-based resources for vessel(s) operations.

Document of Compliance means a certificate issued to a company or responsible person that complies with the requirements of this part or the ISM Code.


Non-conformity means an observed situation where objective evidence indicates the non-fulfillment of a specified requirement.

Major non-conformity means an identifiable deviation which poses a serious threat to personnel or vessel safety or a serious risk to the environment and requires immediate corrective action; in addition, the lack of effective and systematic implementation of a requirement of the ISM Code is also considered a major non-conformity.

Objective Evidence means quantitative or qualitative information, records or statements of fact pertaining to safety or to the existence and implementation of a safety management system element, which is based on observation, measurement or test and which can be verified.

Officer In Charge, Marine Inspection (OCMI) means the U.S. Coast Guard officer as described in 46 CFR 1.01–15(b), in charge of an inspection zone described in 33 CFR part 3, or that person’s authorized representative.

Recognized organization means an organization which has applied and been recognized by the Commandant of the Coast Guard to meet the minimum standards of 46 CFR part 8, subparts A and B.

Responsible person means—
1. The owner of a vessel to whom this part applies, or
2. Any other person that—
   (i) has assumed the responsibility from the owner for operation of the vessel to which this part applies; and
   (ii) agreed to assume, with respect to the vessel, responsibility for complying with all the requirements of this part.
3. A responsible person may be a company, firm, corporation, association, partnership or individual.

Safety management audit means a systematic and independent examination to determine whether the safety management system activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives.

Safety Management Certificate means a document issued to a vessel which signifies that the responsible person or its company, and the vessel’s shipboard management operate in accordance with the approved safety management system.

Safety Management System means a structured and documented system enabling Company and vessel personnel to effectively implement the responsible person’s safety and environmental protection policies.

SOLAS means the International Convention for the Safety of Life at Sea, 1974, as amended.

Vessel engaged on a foreign voyage means a vessel to which this part applies that is—
1. Arriving at a place under the jurisdiction of the United States from a place in a foreign country;
2. Making a voyage between places outside the United States; or
3. Departing from a place under the jurisdiction of the United States for a place in a foreign country.

§ 96.130 Incorporation by reference.

(a) The Director of the Federal Register approves certain material that is
incorporated by reference into this subpart under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of the change in the FEDERAL REGISTER and the material must be available to the public. You may inspect all material at the Office of the Federal Register, 800 North Capitol St., NW., Suite 700, Washington, DC and at the U.S. Coast Guard, Office of Design and Engineering Standards (G-MSE), 2100 Second St., SW., Washington, DC 20593-0001, and receive it from the source listed in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this subpart and the sections affected are as follows:

American National Standards Institute (ANSI)—11 West 42nd St., New York, NY 10036.
International Maritime Organization IMO—4 Albert Embankment, London, SE1 7SR, United Kingdom.
Resolution A.741(18), International Management Code for the Safe Operation of Ships and for Pollution Prevention, November 4, 1993—§96.430
Resolution A.736(18), Guidelines for the Authorization of Organizations Acting on Behalf of the Administration, November 4, 1993—§96.440

Subpart B—Company and Vessel Safety Management Systems

§ 96.200 Purpose.

This subpart establishes the minimum standards that the safety management system of a company and its U.S. flag vessel(s) must meet for certification to comply with the requirements of 46 U.S.C. 3201–3205 and Chapter IX of SOLAS, 1974. It also permits companies with U.S. flag vessels that are not required to comply with this part to voluntarily develop safety management systems which can be certified to standards consistent with Chapter IX of SOLAS.

§ 96.210 Who does this subpart apply to?

(a) This subpart applies—

(1) To a responsible person who owns or operates a U.S. vessel(s) engaged on a foreign voyage which meet the conditions of paragraph (a)(2) of this section;

(2) To all U.S. vessels engaged on a foreign voyage that are—

(i) A vessel transporting more than 12 passengers; or

(ii) A tanker, a bulk freight vessel, a freight vessel or a self-propelled mobile offshore drilling unit (MODU) of 500 gross tons or more; and

(3) To all foreign vessels engaged on a foreign voyage, bound for ports or places under the jurisdiction of the U.S., and subject to Chapter IX of SOLAS.

(b) This subpart does not apply to—

(1) A barge;

(2) A recreational vessel not engaged in commercial service;

(3) A fishing vessel;

(4) A vessel operating only on the Great Lakes or its tributary and connecting waters; or

(5) A public vessel, which includes a U.S. vessel of the National Defense Reserve Fleet owned by the U.S. Maritime Administration and operated in non-commercial service.

(c) Any responsible person and their company who owns and operates a U.S. flag vessel(s) which does not meet the conditions of paragraph (a), may voluntarily meet the standards of this part and Chapter IX of SOLAS and have their safety management systems certificated.

(d) The compliance date for the requirements of this part are—

(1) On or after July 1, 1998, for—

(i) Vessels transporting more than 12 passengers engaged on a foreign voyage; or

(ii) Tankers, bulk freight vessels, or high speed freight vessels of at least 500 gross tons or more, engaged on a foreign voyage.

(2) On or after July 1, 2002, for other freight vessels and self-propelled mobile offshore drilling units (MODUs) of at least 500 gross tons or more, engaged on a foreign voyage.
§ 96.220 What makes up a safety management system?
(a) The safety management system must document the responsible person’s—
(1) Safety and pollution prevention policy;
(2) Functional safety and operational requirements;
(3) Recordkeeping responsibilities; and
(4) Reporting responsibilities.
(b) A safety management system must also be consistent with the functional standards and performance elements of IMO Resolution A.741(18).

§ 96.230 What objectives must a safety management system meet?
The safety management system must:
(a) Provide for safe practices in vessel operation and a safe work environment onboard the type of vessel the system is developed for;
(b) Establish and implement safeguards against all identified risks;
(c) Establish and implement actions to continuously improve safety management skills of personnel ashore and aboard vessels, including preparation for emergencies related to both safety and environmental protection; and
(d) Ensure compliance with mandatory rules and regulations, taking into account relevant national and international regulations, standards, codes and maritime industry guidelines, when developing procedures and policies for the safety management system.

§ 96.240 What functional requirements must a safety management system meet?
The functional requirements of a safety management system must include—
(a) A written statement from the responsible person stating the company’s safety and environmental protection policy;
(b) Instructions and procedures to provide direction for the safe operation of the vessel and protection of the environment in compliance with the applicable U.S. Code of Federal Regulations, and international conventions to which the U.S. is a party (SOLAS, MARPOL, etc.);
(c) Documents showing the levels of authority and lines of communication between shoreside and shipboard personnel;
(d) Procedures for reporting accidents, near accidents, and non-conformities with provisions of the company’s and vessel’s safety management system, and the ISM Code;
(e) Procedures to prepare for and respond to emergency situations by shoreside and shipboard personnel;
(f) Procedures for internal audits on the operation of the company and vessel(s) safety management system; and
(g) Procedures and processes for management review of company internal audit reports and correction of non-conformities that are reported by these or other reports.

§ 96.250 What documents and reports must a safety management system have?
The documents and reports required for a safety management system under §96.330 or §96.340 must include the written documents and reports itemized in Table 96.250. These documents and reports must be available to the company’s shore-based and vessel(s)-based personnel:

<table>
<thead>
<tr>
<th>Type of documents and reports</th>
<th>Specific requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Safety and environmental policy statements</td>
<td>(1) Meet the objectives of §96.230; and (2) Are carried out and kept current at all levels of the company;</td>
</tr>
<tr>
<td>(b) Company responsibilities and authority statements</td>
<td>(1) The owners name and details of responsibility for operation of the company and vessel(s); (2) Name of the person responsible for operation of the company and vessel(s), if not the owner;</td>
</tr>
</tbody>
</table>
§ 96.250  
33 CFR Ch. I (7-1–02 Edition)

<table>
<thead>
<tr>
<th>Type of documents and reports</th>
<th>Specific requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) Designation in writing of a person or persons to monitor the</td>
<td>(3) Responsibility, authority and interrelations of all personnel who manage, perform,</td>
</tr>
<tr>
<td>safety management system for the company and vessel(s).</td>
<td>and verify work relating to and affecting the safety and pollution prevention operations of the company and vessel(s); and</td>
</tr>
<tr>
<td></td>
<td>(4) A statement describing the company’s responsibility to ensure adequate resources and shore-based support are provided to enable the designated person or persons to carry out the responsibilities of this subpart.</td>
</tr>
<tr>
<td>(d) Written statements that define the Master’s responsibilities</td>
<td>(1) Have direct access to communicate with the highest levels of the company and with all management levels ashore and aboard the company’s vessel(s);</td>
</tr>
<tr>
<td>and authorities.</td>
<td>(2) Have the written responsibility to monitor the safety and environmental aspects of the operation of each vessel; and</td>
</tr>
<tr>
<td></td>
<td>(3) Have the written responsibility to ensure there are adequate support and shore-based resources for vessel(s) operations.</td>
</tr>
<tr>
<td>(e) Written statements that the Master has overriding responsi-</td>
<td>(1) Carry out the company’s safety and environmental policies;</td>
</tr>
<tr>
<td>bility and authority to make vessel decisions.</td>
<td>(2) Motivate the vessel’s crew to observe the safety management system policies;</td>
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<tr>
<td></td>
<td>(3) Issue orders and instructions in a clear and simple manner;</td>
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<tr>
<td></td>
<td>(4) Make sure that specific requirements are carried out by the vessel’s crew and shore-based resources; and</td>
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<tr>
<td></td>
<td>(5) Review the safety management system and report non-conformities to shore-based management.</td>
</tr>
<tr>
<td>(f) Personnel procedures and resources which are available ashore</td>
<td>(1) Ability to make decisions about safety and environmental pollution; and</td>
</tr>
<tr>
<td>and aboard ship.</td>
<td>(2) Ability to request the company’s help when necessary.</td>
</tr>
<tr>
<td></td>
<td>(1) Masters of vessels are properly qualified for command;</td>
</tr>
<tr>
<td></td>
<td>(2) Masters of vessels know the company’s safety management system;</td>
</tr>
<tr>
<td></td>
<td>(3) Owners or companies provide the necessary support so that the Master’s duties can be safely performed;</td>
</tr>
<tr>
<td></td>
<td>(4) Each vessel is properly crewed with qualified, certificated and medically fit seafarers complying with national and international requirements;</td>
</tr>
<tr>
<td></td>
<td>(5) New personnel and personnel transferred to new assignments involving safety and protection of the environment are properly introduced to their duties;</td>
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<tr>
<td></td>
<td>(6) Personnel involved with the company’s safety management system have an adequate understanding of the relevant rules, regulations, codes and guidelines;</td>
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<tr>
<td></td>
<td>(7) Needed training is identified to support the safety management system and ensure that the training is provided for all personnel concerned;</td>
</tr>
<tr>
<td>(g) Vessel safety and pollution prevention operation plans and</td>
<td>(1) Define tasks; and</td>
</tr>
<tr>
<td>instructions for key shipboard operations.</td>
<td>(2) Assign qualified personnel to specific tasks.</td>
</tr>
<tr>
<td></td>
<td>(1) Identify, describe and direct response to potential emergency shipboard situations;</td>
</tr>
<tr>
<td>(h) Emergency preparedness procedures.</td>
<td>(2) Set up programs for drills and exercises to prepare for emergency actions; and</td>
</tr>
<tr>
<td></td>
<td>(3) Make sure that the company’s organization can respond at anytime, to hazards, accidents and emergency situations involving their vessel(s).</td>
</tr>
<tr>
<td>(i) Reporting procedures on required actions.</td>
<td>(1) Report non-conformities of the safety management system;</td>
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<td></td>
<td>(2) Report accidents;</td>
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<td></td>
<td>(3) Report hazardous situations to the owner or company; and</td>
</tr>
<tr>
<td></td>
<td>(4) Make sure reported items are investigated and analyzed with the objective of improving safety and pollution prevention.</td>
</tr>
</tbody>
</table>
### TABLE 96.250.—SAFETY MANAGEMENT SYSTEM DOCUMENTS AND REPORTS—Continued

<table>
<thead>
<tr>
<th>Type of documents and reports</th>
<th>Specific requirements</th>
</tr>
</thead>
</table>
| (j) Vessel maintenance procedures. (These procedures verify that a company’s vessel(s) is maintained in conformity with the provisions of relevant rules and regulations, with any additional requirements which may be established by the company.). | (1) Inspect vessel’s equipment, hull, and machinery at appropriate intervals;  
(2) Report any non-conformity or deficiency with its possible cause, if known;  
(3) Take appropriate corrective actions;  
(4) Keep records of these activities;  
(5) Identify specific equipment and technical systems that may result in a hazardous situation if a sudden operational failure occurs;  
(6) Identify measures that promote the reliability of the equipment and technical systems identified in paragraph (j)(5), and regularly test standby arrangements and equipment or technical systems not in continuous use; and  
(7) Include the inspections required by this section into the vessel’s operational maintenance routine. |
| (k) Safety management system document and data maintenance. | (1) Procedures which establish and maintain control of all documents and data relevant to the safety management system.  
(2) Documents are available at all relevant locations, i.e., each vessel carries on board all documents relevant to that vessel’s operation;  
(3) Changes to documents are reviewed and approved by authorized personnel; and  
(4) Outdated documents are promptly removed. |
| (l) Safety management system internal audits which verify the safety and pollution prevention activities. | (1) Periodic evaluation of the safety management system’s efficiency and review of the system in accordance with the established procedures of the company, when needed;  
(2) Types and frequency of internal audits, when they are required, how they are reported, and possible corrective actions, if necessary;  
(3) Determining factors for the selection of personnel, independent of the area being audited, to complete internal company and vessel audits; and  
(4) Communication and reporting of internal audit findings for critical management review and to ensure management personnel of the area audited take timely and corrective action on non-conformities or deficiencies found. |

Note: The documents and reports required by this part are for the purpose of promoting safety of life and property at sea, as well as protection of the environment. The documents and reports are intended to ensure the communication and understanding of company and vessel safety management systems, which will allow a measure of the systems effectiveness and its responsible person to continuously improve the system and safety the system provides.

### Subpart C—How Will Safety Management Systems Be Certified and Enforced?

#### § 96.300 Purpose.

This subpart establishes the standards for the responsible person of a company and its vessel(s) to obtain the required and voluntary, national and international certification for the company’s and vessel’s safety management system.

#### § 96.310 Who does this subpart apply to?

This subpart applies:

(a) If you are a responsible person who owns a vessel(s) registered in the U.S. and engaged on a foreign voyage(s), or holds certificates or endorsement of such voyages;

(b) If you are a responsible person who owns a vessel(s) registered in the U.S. and volunteer to meet the standards of this part and Chapter IX of SOLAS;

(c) To all foreign vessels engaged on a foreign voyage, bound for ports or places under the jurisdiction of the U.S., and subject to Chapter IX of SOLAS; or

(d) If you are a recognized organization authorized by the U.S. to complete safety management audits and certification required by this part.

#### § 96.320 What is involved to complete a safety management audit and when is it required to be completed?

(a) A safety management audit is any of the following:

(1) An initial audit which is carried out before a Document of Compliance
§ 96.330 Document of Compliance certificate: what is it and when is it needed?

(a) You must hold a valid Document of Compliance certificate if you are the responsible person who, or company which, owns a U.S. vessel engaged on foreign voyages, carrying more than 12 passengers, or is a tanker, bulk freight vessel, freight vessel, or a self-propelled mobile offshore drilling unit of 500 gross tons or more.

(b) You may voluntarily hold a valid Document of Compliance certificate, if you are a responsible person who, or a company which, owns a U.S. vessel not included in paragraph (a) of this section.

(c) You will be issued a Document of Compliance certificate only after you complete a satisfactory safety management audit described in §96.320 of this part.

(d) All U.S. and foreign vessels that carry more than 12 passengers or a tanker, bulk freight vessel, freight vessel, or a self-propelled mobile offshore drilling unit of 500 gross tons or more.

(e) Requests for all safety management audits for a company and its U.S. vessel(s) must be communicated—

(1) By a responsible person directly to a recognized organization authorized by the U.S.

(2) By a responsible person within the time limits for an annual verification audit, described in §96.330(f) of this part, and for an intermediate verification audit, described in §96.340(e)(2) of this part. If he or she does not make a request for a safety management annual or verification audit for a valid Document of Compliance certificate issued to a company or a valid Safety Management Certificate issued to a vessel, this is cause for the Coast Guard to revoke the certificate as described in §§96.330 and 96.340 of this part.

(f) If a non-conformity with a safety management system is found during an audit, it must be reported in writing by the auditor:

(1) For a company’s safety management system audit, to the company’s owner; and

(2) For a vessel’s safety management system audit, to the company’s owner and vessel’s Master.

§ 96.330 Document of Compliance certificate is issued:

(2) A renewal audit which is carried out before the renewal of a Document of Compliance certificate or a Safety Management Certificate;

(3) Periodic audits including—

(i) An annual verification audit, as described in §96.330(f) of this part, and

(ii) An intermediate verification audit, as described in §96.340(e)(2) of this part.

(b) A satisfactory audit means that the auditor(s) agrees that the requirements of this part are met, based on review and verification of the procedures and documents that make up the safety management system.

(c) Actions required during safety management audits for a company and their U.S. vessel(s) are

(1) Review and verify the procedures and documents that make up a safety management system, as defined in subpart B of this part.

(2) Make sure the audit complies with this subpart and is consistent with IMO Resolution A.788(19), Guidelines on Implementation of the International Safety Management (ISM) Code by Administrations.

(3) Make sure the audit is carried out by a team of Coast Guard auditors or auditors assigned by a recognized organization authorized to complete such actions by subpart D of this part.

(d) Safety management audits for a company and their U.S. vessel(s) are required—

(1) Before issuing or renewing a Document of Compliance certificate, and to keep a Document of Compliance certificate valid, as described in §§96.330 and 96.340 of this part.

(2) Before issuing or renewing a Safety Management Certificate, and to maintain the validity of a Safety Management Certificate, as described in §96.340 of this part.

However, any safety management audit for the purpose of verifying a vessel’s safety management system will not be scheduled or conducted for a company’s U.S. vessel unless the company first has undergone a safety management audit of the company’s safety management system and has received its Document of Compliance certificate.
Coast Guard, DOT

§ 96.340 Safety Management Certificate: what is it and when is it needed?

(a) Your U.S. vessel engaged on a foreign voyage must hold a valid Safety Management Certificate if it carries more than 12 passengers, or if it is a tanker, bulk freight vessel, freight vessel, or a self-propelled mobile offshore drilling unit of 500 gross tons or more.

(b) Your U.S. vessel may voluntarily hold a valid Safety Management Certificate even if your vessel is not required to by paragraph (a) of this section.

(c) Your U.S. vessel may only be issued a Safety Management Certificate or have it renewed when your company holds a valid Document of Compliance certificate issued under §96.330 of this part and the vessel has completed a satisfactory safety management audit of the vessel’s safety management system set out in §96.320 of this part.

(d) A copy of your vessel’s valid Safety Management Certificate must be on board all U.S. and foreign vessels which carry more than 12 passengers, and must be on board a tanker, bulk freight vessel, freight vessel, or a self-propelled mobile offshore drilling unit of 500 gross tons or more, when engaged on foreign voyages or within U.S. waters.

(e) A Safety Management Certificate is valid for 60 months. The validity of the Safety Management Certificate is based on—

(1) A satisfactory initial safety management audit;

(2) A satisfactory intermediate verification audit requested by the vessel’s responsible person, completed between the 24th and 36th month of the certificate’s period of validity; and

(3) A vessel’s company holding a valid Document of Compliance certificate. When a company’s Document of Compliance certificate expires or is revoked, the Safety Management Certificate for the company-owned vessel(s) is invalid.

(f) Renewal of a Safety Management Certificate requires the completion of a satisfactory safety management system audit which meets all of the requirements of subpart B in this part. A
§ 96.350 Interim Document of Compliance certificate: what is it and when can it be used?

(a) An Interim Document of Compliance certificate may be issued to help set up a company’s safety management system when—

(1) A company is newly set up or in transition from an existing company into a new company; or

(2) A new type of vessel is added to an existing safety management system and Document of Compliance certificate for a company.

(b) A responsible person for a company operating a U.S. vessel(s) that meets the requirements of paragraph (a) of this section, may send a request to a recognized organization authorized to act on behalf of the U.S. to receive an Interim Document of Compliance certificate that is valid for a period up to 12 months. To be issued the Interim Document of Compliance certificate the vessel’s company must—

(1) Demonstrate to an auditor that the company has a safety management system that meets § 96.230 of this part; and

(2) Provide a plan for full implementation of a safety management system within the period that the Interim Document of Compliance certificate is valid.

§ 96.360 Interim Safety Management Certificate: what is it and when can it be used?

(a) A responsible person may apply for an Interim Safety Management Certificate when—

(1) A responsible person takes delivery of a new U.S. vessel; or

(2) Takes responsibility for the management of a U.S. vessel which is new to the responsible person or their company.

(b) An Interim Safety Management Certificate is valid for 6 months. It may be issued to a U.S. vessel which meets the conditions of paragraph (a) of this section, when—

(1) The company’s valid Document of Compliance certificate or Interim Document of Compliance certificate applies to that vessel type;

(2) The company’s safety management system for the vessel includes the key elements of a safety management system, set out in § 96.220, applicable to this new type of vessel;

(3) The company’s safety management system has been assessed during the safety management audit to issue the Document of Compliance certificate or demonstrated for the issuance of the Interim Document of Compliance certificate;

(4) The Master and senior officers of the vessel are familiar with the safety management system and the planned set up arrangements;

(5) Written documented instructions have been extracted from the safety management system and given to the vessel prior to sailing;

(6) The company plans an internal audit of the vessel within three months; and

(7) The relevant information from the safety management system is written in English, and in any other language understood by the vessel’s personnel.

§ 96.370 What are the requirements for vessels of countries not party to Chapter IX of SOLAS?

(a) Each foreign vessel which carries more than 12 passengers, or is a tanker, bulk freight vessel, freight vessel, or self-propelled mobile offshore drilling unit of 500 gross tons or more, operated in U.S. waters, under the authority of a
country not a party to Chapter IX of SOLAS must—
(1) Have on board valid documentation showing that the vessel’s company has a safety management system which was audited and assessed, consistent with the International Safety Management Code of IMO Resolution A.741(18); or
(2) Have on board valid documentation from a vessel’s Flag Administration showing that the vessel’s safety management system was audited and assessed to be consistent with the International Safety Management Code of IMO Resolution A.741(18); or
(3) Show that evidence of compliance was issued by either a government that is party to SOLAS or an organization recognized to act on behalf of the vessel’s Flag Administration.
(b) Evidence of compliance must contain all of the information in, and have substantially the same format as a—
(1) Document of Compliance certificate; and
(2) Safety Management Certificate.
(c) Failure to comply with this section will subject the vessel to the compliance and enforcement procedures of §96.380 of this part.
§96.380 How will the Coast Guard handle compliance and enforcement of these regulations?
(a) While operating in waters under the jurisdiction of the United States, the Coast Guard may board a vessel to determine that—
(1) Valid copies of the company’s Document of Compliance certificate and Safety Management Certificate are on board, or evidence of the same for vessels from countries not party to Chapter IX of SOLAS; and
(2) The vessel’s crew or shore-based personnel are following the procedures and policies of the safety management system while operating the vessel or transferring cargoes.
(b) A foreign vessel that does not comply with these regulations, or one on which the vessel’s condition or use of its safety management system do not substantially agree with the particulars of the Document of Compliance certificate, Safety Management Certificate or other required evidence of compliance, may be detained by order of the COTP or OCMI. This may occur at the port or terminal where the violation is found until, in the opinion of the detaining authority, the vessel can go to sea without presenting an unreasonable threat of harm to the port, the marine environment, the vessel or its crew. The detention order may allow the vessel to go to another area of the port, if needed, rather than stay at the place where the violation was found.
(c) If any vessel that must comply with this part or with the ISM Code does not have a Safety Management Certificate and a copy of its company’s Document of Compliance certificate on board, a vessel owner, charterer, managing operator, agent, Master, or any other individual in charge of the vessel that is subject to this part, may be liable for a civil penalty under 46 U.S.C. 3318. For foreign vessels, the Coast Guard may request the Secretary of the Treasury to withhold or revoke the clearance required by 46 U.S.C. App. 91. The Coast Guard may ask the Secretary to permit the vessel’s departure after the bond or other surety is filed.
§96.390 When will the Coast Guard deny entry into a U.S. port?
(a) Except for a foreign vessel entering U.S. waters under force majeure, no vessel shall enter any port or terminal of the U.S. without a safety management system that has been properly certificated to this subpart or to the requirements of Chapter IX of SOLAS if—
(1) It is engaged on a foreign voyage; and
(2) It is carrying more than 12 passengers, or a tanker, bulk freight vessel, freight vessel, or self-propelled mobile offshore drilling unit of 500 gross tons or more.
(b) The cognizant COTP will deny entry of a vessel into a port or terminal under the authority of 46 U.S.C. 3204(c), to any vessel that does not meet the requirements of paragraph (a) of this section.
§ 96.400 Purpose.

(a) This subpart establishes criteria and procedures for organizations recognized under 46 CFR part 8, subparts A and B, to be authorized by the Coast Guard to act on behalf of the U.S. The authorization is necessary in order for a recognized organization to perform safety management audits and certification functions delegated by the Coast Guard as described in this part.

(b) To receive an up-to-date list of recognized organizations authorized to act under this subpart, send a self-addressed, stamped envelope and written request to the Commandant (G–MSE), 2100 Second Street SW., Washington, DC 20593–0001.

§ 96.410 Who does this regulation apply to?

This subpart applies to all organizations recognized by the U.S. under 46 CFR part 8, subpart A and B, who wish to seek authorization to conduct safety management audits and issue relevant international safety certificates under the provisions of the ISM Code and voluntary certificates on behalf of the U.S.

§ 96.420 What authority may an organization ask for under this regulation?

(a) An organization may request authorization to conduct safety management audits and to issue the following certificates:

(1) Safety Management Certificate;

(2) Document of Compliance certificate;

(3) Interim Safety Management Certificate; and

(4) Interim Document of Compliance certificate.

(b) [Reserved]

§ 96.430 How does an organization submit a request to be authorized?

(a) A recognized organization must send a written request for authorization to the Commandant (G–MSE), Office of Design and Engineering Standards, 2100 Second Street SW, Washingonton, DC 20593–0001. The request must include the following:

(1) A statement describing what type of authorization the organization seeks;

(2) Documents showing that—

(i) The organization has an internal quality system with written policies, procedures and processes that meet the requirements in §96.440 of this part for safety management auditing and certification; or

(ii) The organization has an internal quality system based on ANSI/ASQC C9001 for safety management auditing and certification; or

(iii) The organization has an equivalent internal quality standard system recognized by the Coast Guard to complete safety management audits and certification.

(3) A list of the organization’s exclusive auditors qualified to complete safety management audits and their operational area; and

(4) A written statement that the procedures and records of the recognized organization regarding its actions involving safety management system audits and certification are available for review annually and at any time deemed necessary by the Coast Guard.

(b) If the organization is a foreign classification society that has been recognized under 46 CFR part 8, subparts A and B, and wishes to apply for authorization under this part, it must demonstrate the reciprocity required by 46 U.S.C. 3316 for ISM Code certification. The organization must provide, with its request for authorization an affidavit from the government of the country in which the classification society is headquartered. This affidavit must provide a list of authorized delegations by the flag state of the administration of the foreign classification society’s country to the American Bureau of Shipping, and indicate any conditions related to the delegated authority. If this affidavit is not received with a request for authorization from a foreign classification society, the request for authorization will be disapproved and returned by the Coast Guard.
§ 96.440 How will the Coast Guard decide whether to approve an organization's request to be authorized?

(a) First, the Coast Guard will evaluate the organization's request for authorization and supporting written materials, looking for evidence of the following—

(1) The organization's clear assignment of management duties;
(2) Ethical standards for managers and auditors;
(3) Procedures for auditor training, qualification, certification, and re-qualification that are consistent with recognized industry standards;
(4) Procedures for auditing safety management systems that are consistent with recognized industry standards and IMO Resolution A.788(19);
(5) Acceptable standards for internal auditing and management review;
(6) Record-keeping standards for safety management auditing and certification;
(7) Methods for reporting non-conformities and recording completion of remedial actions;
(8) Methods for certifying safety management systems;
(9) Methods for periodic and intermediate audits of safety management systems;
(10) Methods for renewal audits of safety management systems;
(11) Methods for handling appeals; and

(12) Overall procedures consistent with IMO Resolution A.739(18), "Guidelines for the Authorization of Organizations Acting on Behalf of the Administration."

(b) After a favorable evaluation of the organization's written request, the Coast Guard will arrange to visit the organization's corporate offices and port offices for an on-site evaluation of operations.

(c) When a request is approved, the recognized organization and the Coast Guard will enter into a written agreement. This agreement will define the scope, terms, conditions and requirements of the authorization. Conditions of this agreement are found in §96.460 of this part.

§ 96.450 What happens if the Coast Guard disapproves an organization's request to be authorized?

(a) The Coast Guard will write to the organization explaining why it did not meet the criteria for authorization.
(b) The organization may then correct the deficiencies and reapply.

§ 96.460 How will I know what the Coast Guard requires of my organization if my organization receives authorization?

(a) Your organization will enter into a written agreement with the Coast Guard. This written agreement will specify—

(1) How long the authorization is valid;
(2) Which duties and responsibilities the organization may perform, and which certificates it may issue on behalf of the U.S.;
(3) Reports and information the organization must send to the Commandant (G–MOC);
(4) Actions the organization must take to renew the agreement when it expires; and

(5) Actions the organization must take if the Coast Guard should revoke its authorization or recognition under 46 CFR part 8.

(b) [Reserved]

§ 96.470 How does the Coast Guard terminate an organization's authorization?

At least every 12 months, the Coast Guard evaluates organizations authorized under this subpart. If an organization fails to maintain acceptable standards, the Coast Guard may terminate that organization’s authorization, remove the organization from the Commandant’s list of recognized organizations, and further evaluate the organization’s recognition under 46 CFR part 8.

§ 96.480 What is the status of a certificate if the issuing organization has its authority terminated?

Any certificate issued by an organization authorized by the Coast Guard
§ 96.490 What further obligations exist for an organization if the Coast Guard terminates its authorization?

The written agreement by which an organization receives authorization from the Coast Guard places it under certain obligations if the Coast Guard revokes that authorization. The organization agrees to send written notice of its termination to all responsible persons, companies and vessels that have received certificates from the organization. In that notice, the organization must include—

(a) A written statement explaining why the organization’s authorization was terminated by the Coast Guard;

(b) An explanation of the status of issued certificates;

(c) A current list of organizations authorized by the Coast Guard to conduct safety management audits; and

(d) A statement of what the companies and vessels must do to have their safety management systems transferred to another organization authorized to act on behalf of the U.S.

§ 96.495 How can I appeal a decision made by an authorized organization?

(a) A responsible person may appeal a decision made by an authorized organization by mailing or delivering to the organization a written request for reconsideration. Within 30 days of receiving your request, the authorized organization must rule on it and send you a written response. They must also send a copy of their response to the Commandant (G–MOC).

(b) If you are not satisfied with the organization’s decision, you may appeal directly to the Commandant (G–MOC). You must make your appeal in writing, including any documentation and evidence you wish to be considered. You may ask the Commandant (G–MOC) to stay the effect of the appealed decision while it is under review.

(c) The Commandant (G–MOC) will make a decision on your appeal and send you a response in writing. That decision will be the final Coast Guard action on your request.
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SUBCHAPTER F—VESSEL OPERATING REGULATIONS

EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Transportation. This index is updated as of July 1, 2001.

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§ 100.01 Purpose and intent.

(a) The purpose of the regulations in this part is to provide effective control over regattas and marine parades conducted on the navigable waters of the United States so as to insure safety of life in the regatta or marine parade area.

(b) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.


§ 100.05 Definition of terms used in this part.

(a) *Regatta or marine parade* means an organized water event of limited duration which is conducted according to a prearranged schedule.

(b) [Reserved]

(c) *District Commander* means the Commander of the Coast Guard District in which the regatta or marine parade is intended to be held. (See Part 3 of this chapter for the geographical boundaries of Coast Guard Districts.)

(d) *State authority* means any official or agency of a State having power under the law of such State to regulate regattas or marine parades on waters over which such State has jurisdiction.


§ 100.10 Coast Guard-State agreements.

(a) The District Commander is authorized to enter into agreements with State authorities permitting, regulation by the State of such classes of regatta or marine parade on the navigable waters of the United States as, in the opinion of the District Commander, the State is able to regulate in such a manner as to insure safety of life. All such agreements shall reserve to the District Commander the right to regulate any particular regatta or marine parade when he deems such action to be in the public interest.

§ 100.15 Submission of application.

(a) An individual or organization planning to hold a regatta or marine
parade which, by its nature, circumstances or location, will introduce extra or unusual hazards to the safety of life on the navigable waters of the United States, shall submit an application to the Coast Guard District Commander having cognizance of the area where it is intended to hold such regatta or marine parade. Examples of conditions which are deemed to introduce extra or unusual hazards to the safety of life include but are not limited to: An inherently hazardous competition, the customary presence of commercial or pleasure craft in the area, any obstruction of navigable channel which may reasonably be expected to result, and the expected accumulation of spectator craft.

(b) Where such events are to be held regularly or repeatedly in a single area by an individual or organization, the Commandant or the District Commander may, subject to conditions set from time to time by him, grant a permit for such series of events for a fixed period of time, not to exceed one year.

(c) Except as in paragraphs (d) and (e) of this section, the application must be submitted no less than 135 days before the start of the proposed event. However, if all of the following criteria are met, the application must be submitted no less than 60 days before the start of the proposed event:

(1) The sponsor submitted an application for the event in the year immediately preceding.
(2) The nature, location, scheduling, and other relevant information contained in the previous application are essentially the same.
(3) The Coast Guard received no objection to the previous application.
(4) The Coast Guard did not promulgate special local regulations for the previous event.
(5) The Coast Guard approved the previous event.

(d) For marine events to be held on or before September 8, 2001, the application must be submitted no less than 30 days before the start of the proposed event.

(e) For marine events to be held after September 8, 2001 but before November 23, 2001, the application must be submitted no less than 60 days before the start of the proposed event.

(f) The application shall include the following details:
(1) Name and address of sponsoring organization.
(2) Name, address, and telephone of person or persons in charge of the event.
(3) Nature and purpose of the event.
(4) Information as to general public interest.
(5) Estimated number and types of watercraft participating in the event.
(6) Estimated number and types of spectator watercraft.
(7) Number of boats being furnished by sponsoring organizations to patrol event.
(8) A time schedule and description of events.
(9) A section of a chart or scale drawing showing the boundaries of the event, various watercourses or areas to be utilized by participants, officials, and spectator craft.

§ 100.20 Action on application for event assigned to State regulation by Coast Guard-State agreement.

(a) Upon receipt of an application for a regatta or marine parade of a type assigned to a State for regulation under a Coast Guard-State agreement, the District Commander will forward the application to the State authority having cognizance of the event. Further processing and decision upon such an application shall be conducted by the State.

(b) [Reserved]

§ 100.25 Action on application for event not assigned to State regulation by Coast Guard-State agreement.

(a) Where an event is one of a type not assigned to the State for regulation under a Coast Guard-State agreement (or where no such agreement has been entered), the Commander of a Coast Guard District who receives an application for a proposed regatta or marine parade to be held upon the navigable waters of the United States within his district shall take the following action:
§ 100.30 Approval required for holding event.

(a) An event for which application is required under §100.15(a) shall be held only after approval of such event by the District Commander, except that applications referred to a State under §100.10 shall be governed by the laws of that State.

§ 100.35 Special local regulations.

(a) The Commander of a Coast Guard District, after approving the plans for the holding of a regatta or marine parade within his district, is authorized to promulgate such special local regulations as he deems necessary to insure safety of life on the navigable waters immediately prior to, during, and immediately after the approved regatta or marine parade. Such regulations may include a restriction upon, or control of, the movement of vessels through a specified area immediately prior to, during, and immediately after the regatta or marine parade.

(b) After approving the plans for the holding of a regatta or marine parade upon the navigable waters within his district, and promulgating special regulations thereto, the Commander of a Coast Guard District shall give the public full and adequate notice of the dates of the regatta or marine parade, together with full and complete information of the special local regulations, if there be such. Such notice should be published in the local notices to mariners.

(c) The special local regulations referred to in paragraph (a) of this section, when issued and published by the Commander of a Coast Guard District, shall have the status of regulations issued pursuant to the provisions of section 1 of the act of April 28, 1908, as amended (46 U.S.C. 454).

§ 100.40 Patrol of the regatta or marine parade.

(a) The Commander of a Coast Guard District in which a regatta or marine parade is to be held may detail, if he deems the needs of safety require, one or more Coast Guard vessels to patrol the course of the regatta or marine parade for the purpose of enforcing not only the special local regulations but also for assistance work and the enforcement of laws generally.

(b) The Commander of a Coast Guard District may also utilize any private vessel or vessels to enforce the special local regulations governing a regatta or marine parade provided such vessel or vessels have been placed at the disposal of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, by any member of the Coast Guard Auxiliary, or any corporation, partnership, or association, or by any State or political subdivision thereof. Any private vessel so utilized shall have on board an officer or petty officer of the Coast Guard who shall be in charge of the vessel during the detail and responsible for the law enforcement activities or assistance work performed by the vessel during such detail. Any private vessel so utilized will display the Coast Guard ensign while engaged in this duty.

(c) The Commander of a Coast Guard District may also utilize any private vessel or vessels placed at the disposal of the Coast Guard pursuant to section 826 in Title 14, U.S. Code, by any member of the Coast Guard Auxiliary, or any corporation, partnership,
or association, or by any State or political subdivision thereof, to patrol the course of the regatta or marine parade for the purpose of promoting safety by performing assistance work, effecting rescues, and directing the movement of vessels in the vicinity of the regatta or marine parade. Vessels utilized under the authority of this paragraph are not authorized to enforce the special local regulations or laws generally.

§ 100.45 Establishment of aids to navigation.

The District Commander will establish and maintain only those aids to navigation necessary to assist in the observance and enforcement of the special regulations issued under the District Commander’s authority. These aids to navigation will be in accordance with Part 62 of this chapter. All other aids to navigation incidental to the holding of a regatta or marine parade are private aids to navigation as described in Part 66 of this chapter.

§ 100.101 Harvard-Yale Regatta, Thames River, New London, CT.

(a) Regulated area. The Thames River at New London, Connecticut, from the Penn Central Draw Bridge to Bartlett Cove.

(b) Effective period. This section is in effect on June 8, 1996, from 4:00 p.m. to 7:30 p.m. and each year thereafter on a date and times specified in a Federal Register notice. If the regatta is canceled due to weather, this section will be in effect on the following Sunday.

(c) Special local regulations. (1) All persons or vessels not registered with the sponsor as participants or not part of the regatta patrol are considered spectators.

(2) No spectator or press boats shall be allowed out onto or across the race course without Coast Guard escort.

(3) No person or vessel may transit through the regulated area during the effective period unless participating in the event, or as authorized by the sponsor or Coast Guard Patrol personnel. The Patrol Commander may open up the regulated area to allow for vessel movement between scheduled races.

(4) Spectator vessels must be at anchor within a designated spectator area or moored to a waterfront facility within the regulated area in such a way that they shall not interfere with the progress of the event at least 30 minutes prior to the start of the races. They must remain moored or at anchor until the men’s varsity have passed their positions. At that time, spectator vessels located south of the Harvard Boathouse may proceed downriver at a reasonable speed. Vessels situated between the Harvard Boathouse and the finish line must remain stationary until both crews return safely to their boathouses. If for any reason the men’s varsity crew race is postponed, spectator vessels will remain in position until notified by Coast Guard or regatta patrol personnel.

(5) The last 1000 feet of the race course near the finish line will be delineated by four (4) temporary white buoys provided by the sponsor. All spectator craft shall remain behind these buoys during the event.

(6) Spectator craft shall not anchor:

(i) To the west of the race course, between Scotch Cap and Bartlett Point Light.

(ii) Within the race course boundaries or in such a manner that would allow their vessel to drift or swing into the race course.

(7) During the effective period all vessels shall proceed at a speed not to exceed six (6) knots in the regulated area.

(8) Spectator vessels shall not follow the crews during the races.

(9) Swimming is prohibited in the vicinity of the race course during the races.

(10) A vessel operating in the vicinity of the Submarine Base may not cause waves which result in damage to submarines or other vessels in the floating drydocks.

(11) All persons and vessels shall comply with the instructions of U.S. Coast Guard patrol personnel. Upon hearing five or more blasts from a U.S. Coast Guard vessel, the operator of a vessel shall stop immediately and proceed as directed. U.S. Coast Guard patrol personnel include commissioned,
§ 100.102  Great Connecticut River Raft Race, Middletown, CT.

(a) Regulated Area. That section of the Connecticut River between Dart Island (Marker no. 73) and Portland Shoals (Marker no. 92), Middletown, CT.

(b) Special Local Regulations.

(1) The Coast Guard patrol commander may delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort.

(4) All persons and vessels shall comply with the instructions of the Coast Guard on-scene patrol commander. On-scene patrol personnel may include commissioned, warrant, and petty officers of the U.S. Coast guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall proceed as directed. Members of the Coast Guard Auxiliary will also be present to inform vessel operators of this regulation and other applicable laws.

(c) Effective Period. This rule is effective from 10 a.m. to 2 p.m. on the last Saturday in July. If tidal conditions are not conducive to performing the event it will take place the first Saturday in August.

§ 100.103 National Sweepstakes Regatta, Redbank, NJ.

(a) Regulated area. That portion of the Navesink River in Redbank, N.J. between the N.J. Route 35 Bridge and a line running across the Navesink River connecting Guyon and Lewis Points.

(b) Effective period. This section is in effect from 8 a.m. to 6 p.m. on July 20 and 21, 1996, and each year thereafter on dates and times specified in a Federal Register notice.

(c) Special local regulations. (1) The regulated area shall be intermittently closed to all vessel traffic during the effective period, except as may be allowed by the Coast Guard Patrol Commander.

(2) No person or vessel shall enter or remain in the regulated area while it is closed unless participating in or authorized by the event sponsor or Coast Guard patrol personnel.

(3) Vessels awaiting passage through the regulated area shall be held in unmarked anchorages in the area to the east of the N.J. Route 35 Bridge and in the vicinity of Lewis Point.

(4) No transiting vessels shall be allowed out onto or across the regulated area without Coast Guard escort.

(5) All persons or vessels not registered with the sponsor as participants or not part of the regatta patrol are considered spectators. Spectator vessels must be at anchor within a designated spectator area or moored to a waterfront facility in a way that will not interfere with the progress of the event. The following are established as spectator areas:

(i) Spectator vessels shall be held behind a line of buoys provided by the sponsor running approximately west to east starting .25 mile east of the N.J. Route 35 Bridge.

(ii) A second spectator area shall be marked by a curved line of sponsor provided buoys centered on a line drawn approximately due south from Jones Point, running through Can Buoy #21. All spectator craft shall stay to the east of this string of buoys.

(6) All persons and vessels shall comply with the instructions of U.S. Coast Guard patrol personnel. Upon hearing five or more blasts from a U.S. Coast Guard vessel, the operator of a vessel shall stop immediately and proceed as
directed. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation and other applicable laws.


§ 100.104 Empire State Regatta, Albany, New York.

(a) Regulated area. All waters of the Hudson River between the Albany Rensselaer Swing Bridge, river mile 146.2, and Light 224, (LLNR 39015), river mile 147.5, located approximately 750 years north of the I–90/Patroon Island Bridge.

(b) Effective period. This section is effective annually from 12 p.m. Friday through 8 p.m. Sunday, on the first weekend of June.

(c) Special local regulations. (1) The regulated area will be closed to all vessel traffic, except official patrol craft and sponsor craft, during the following times: Friday from 12 p.m. to 8 p.m.; Saturday from 6 a.m. to 8 p.m.; and on Sunday from 6 a.m. to 8 p.m.

(2) Vessels greater than 20 meters in length shall not transit the regulated area at any time during the effective period unless allowed to do so by the Coast Guard Patrol Commander.

(3) Vessels less than 20 meters in length may transit the regulated area at the conclusion of each day of racing. Transiting vessels will be escorted by official regatta patrol vessels specified in paragraph (c)(5) of this section. Approximate periods for transit will be: Friday at 8 p.m. through Saturday at 6 a.m.; and again on Saturday at 8 p.m. through Sunday at 6 a.m.

(4) Unless otherwise directed by the Coast Guard Patrol Commander, transiting vessels shall: proceed at no-wake speeds, remain clear of the race course area as marked by the sponsor-provided buoys, not interfere with races or any shells in the area, make no stops and keep to the eastern edge of the Hudson River.

(5) Official patrol vessels include Coast Guard and Coast Guard Auxiliary vessels, New York State and local police boats and other vessels so designated by the regatta sponsor or Coast Guard Patrol Commander.

(6) No person or vessel may enter or remain in the regulated area during the effective period unless participating in the event, or authorized to be there by the sponsor or Coast Guard patrol personnel.

(7) All persons and vessels shall comply with the instructions of U.S. Coast Guard patrol personnel. Upon hearing five or more blasts from a U.S. Coast Guard vessel, the operator of a vessel shall stop immediately and proceed as directed. U.S. Coast Guard patrol personnel include commissioned, warrant and petty officers of the Coast Guard. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation and other applicable laws.

(8) In the event of an emergency or as directed by the Coast Guard Patrol Commander, the sponsor shall dismantle the race course to allow the passage of any U.S. Government vessel or any other designated emergency vessel.

[CGD01–98–162, 64 FR 19717, Apr. 22, 1999; 64 FR 23395, Apr. 30, 1999]

§ 100.105 Head of the Connecticut Regatta.

(a) Regulated Area. The regulated area is that section of the Connecticut River between the southern tip of Gildersleeve Island and Light Number 87.

(b) Special Local Regulations. (1) The regulated area is closed to all transiting vessel traffic between 9:00 a.m. and 6:00 p.m. except for escorted passages as described in (2) and (3) below. All transiting vessel movement will be done at the direction of the Coast Guard patrol commander.

(2) Vessels less than 20 meters in length will be allowed to transit the regulated area only under escort and at the discretion of the Coast Guard patrol commander.

(3) Vessels over 20 meters in length will be allowed to transit the regulated area, under escort, from 12:30 p.m. to 1:45 p.m. or as directed by the Coast Guard patrol commander.
§ 100.106 Freeport Grand Prix, Long Beach, NY.

(a) Regulated area. The regulated area is a trapezoidal area on the coastal Atlantic waters of Long Island to the south of Long Beach, New York. The regulated area is one and one quarter (1¼) miles south of Long Beach and three and one quarter (3¼) miles north of the northern boundary of Ambrose Channel and is specifically bounded as follows:

(1) Northeast Corner, approximately one and one quarter miles southwest of Jones Inlet breakwater at coordinates 40°33′42″ North; 073°35′43″ West.

(2) Southeast Corner, southwest of Jones Inlet Approach Buoy (R “2”; Light List Number 685) at coordinates 40°31′45″ North; 073°36′19″ West.

(3) Southwest Corner, east of East Rockaway Approach Buoy (R “4”; Light List Number 660) at coordinates 40°31′31″ North; 073°42′21″ West.

(4) Northwest Corner. 40°33′30″ North; 073°40′57″ West.

(b) Special local regulations. Vessels not participating in, or operating as a safety/rescue patrol shall:

(1) Not operate within the regulated area.

(2) Immediately follow any specific instructions given by Coast Guard patrol craft.

(3) Exercise extreme caution when operating near the regulated area.

(c) Effective Dates. These regulations are effective from 9:00 a.m. to 6:00 p.m. on October 9, 1988 and each year thereafter during the same time period on the second Saturday of October or as published in the local Coast Guard Notice to Mariners.

[ CGDI 89–025, 54 FR 32066, Aug. 4, 1989]

§ 100.107 Windjammer Days, Boothbay Harbor, Maine.

(a) Regulated Area. The Boothbay Harbor entrance and harbor channel extending from the Tumbler’s Island Buoy #8 area to Boothbay Inner Harbor. Specifically, the regulated area is enclosed as follows: a line drawn due east from the southwest (43°50′10″ North: 069°38′20″ West to the Spruce Point Shore; thence following the shore north along Spruce Point and around the Boothbay Harbor to Railway Point (43°50′54″ North: 069°38′20″ West); thence extending seaward in a southerly direction back to the southwest boundary of the regulated area.

(b) Special Local Regulations. (1) Between the hours of 2:30 p.m. and 4:00 p.m. on July 11, 1989 an aircraft aero-


§ 100.109 Winter Harbor Lobster Boat Race, Winter Harbor, ME.

(a) Regulated area. The regulated area includes all waters of Winter Harbor, ME, within the following points (NAD 69):

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>44 27'07&quot; N</td>
<td>068 04'52&quot; W</td>
</tr>
<tr>
<td>44 27'12&quot; N</td>
<td>068 04'52&quot; W</td>
</tr>
<tr>
<td>44 27'12&quot; N</td>
<td>068 05'08&quot; W</td>
</tr>
<tr>
<td>44 23'07&quot; N</td>
<td>068 05'08&quot; W</td>
</tr>
</tbody>
</table>

(b) Special local regulations. (1) The Coast Guard patrol commander may delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort.

(4) All persons and vessels shall comply with the instructions of the Coast Guard on-scene patrol commander. On-scene patrol personnel may include commissioned, warrant, and petty officers of the Coast Guard. Upon hearing five or more short blasts from a Coast Guard vessel, the operator of a vessel shall proceed as directed. Members of the Coast Guard Auxiliary may also be present to inform vessel operators of this regulation and other applicable laws.
§ 100.110 World’s Fastest Lobster Boat Race, Jonesport, ME.

(a) Regulated area. The regulated area includes all waters of Moosabec Reach within the following points (NAD 83):

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>44°31'36&quot; N</td>
<td>067°36'54&quot; W</td>
</tr>
<tr>
<td>44°31'48&quot; N</td>
<td>067°34'42&quot; W</td>
</tr>
<tr>
<td>44°31'36&quot; N</td>
<td>067°34'42&quot; W</td>
</tr>
<tr>
<td>44°31'18&quot; N</td>
<td>067°36'54&quot; W</td>
</tr>
</tbody>
</table>

(b) Special local regulations.

(1) The Coast Guard patrol commander may delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort.

(4) All persons and vessels shall comply with the instructions of the on-scene Coast Guard patrol commander. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall proceed as directed. Members of the Coast Guard Auxiliary will also be present to inform vessel operators of the regulation in this section and other applicable laws.

(c) Effective period. This section is effective from 8 a.m. to 2 p.m., annually on the second Saturday in August, unless specified in a Coast Guard Notice to Mariners. In case of inclement weather, this section will be in effect from 10 a.m. to 4 p.m. unless otherwise specified in a Coast Guard Notice to Mariners.

§ 100.111 Stonington Lobster Boat Races, Stonington, ME.

(a) Regulated area. The regulated area includes all waters within the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
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</thead>
<tbody>
<tr>
<td>44°08'57&quot; N</td>
<td>068°40'12&quot; W</td>
</tr>
<tr>
<td>44°09'05&quot; N</td>
<td>068°40'12&quot; W</td>
</tr>
<tr>
<td>44°09'15&quot; N</td>
<td>068°39'05&quot; W</td>
</tr>
<tr>
<td>44°09'05&quot; N</td>
<td>068°39'00&quot; W</td>
</tr>
</tbody>
</table>

(b) Special local regulations.

(1) Commander, U.S. Coast Guard Group Southwest Harbor reserves the right to delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area during the effective period of regulation unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels desiring to transit Deer Island Thoroughfare may do so without Coast Guard approval as long as the vessel remains outside the regulated area at specified times. No vessel will be allowed to transit through any portion of the regulated area during the actual race. Provisions will be made to allow vessels to transit the regulated area between race heats. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort. Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16.

(4) Spectator craft are authorized to watch the race from any area as long as they remain outside the designated regulated area. Spectator craft are expected to remain outside the regulated area from 10 a.m. to 4 p.m. unless permission has been granted by the patrol commander.

(5) All persons and vessels shall comply with the instructions of the Commander, U.S. Coast Guard Group Southwest Harbor or the designated on-scene patrol commander. On-scene patrol personnel include commissioned,
warrant, and petty officers of the U.S. Coast Guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall stop immediately, then proceed as directed. Members of the Coast Guard Auxiliary will also be present to inform vessel operators of this regulation and other applicable laws.

§ 100.114 Fireworks displays within the First Coast Guard District.

(a) Regulated area. That area of navigable waters within a 500-year radius of the launch platform for each fireworks display listed in the following table.

VerDate Aug<1,>2002 11:54 Aug 16, 2002 Jkt 197123 PO 00000 Frm 00259 Fmt 8010 Sfmt 8010 Y:\SGML\197123T.XXX pfrm15 PsN: 197123T
### § 100.114

**FIREWORKS DISPLAY TABLE**

<table>
<thead>
<tr>
<th>State</th>
<th>Date</th>
<th>Event Description</th>
<th>Sponsor</th>
<th>Time</th>
<th>Location Description</th>
<th>NAD Coordinates</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>May</strong></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>New York</td>
<td>5.1</td>
<td>First and Second Saturday in May</td>
<td>Name: Ellis Island Medals of Honor Ceremony.</td>
<td>Time: 10:00 p.m. to 12:00 a.m.</td>
<td>Location: New York Harbor, Upper Bay. A barge approximately 360 yards east of Ellis Island.</td>
<td>40°41'15&quot;/074°02'9&quot;W (NAD 1983).</td>
</tr>
<tr>
<td>New York</td>
<td>5.2</td>
<td>Friday before Memorial Day</td>
<td>Name: Hempstead Harbor.</td>
<td>Sponsor: Town of North Hempstead, NY.</td>
<td>Time: 8:30 p.m. to 10:30 p.m.</td>
<td>Location: Hempstead Harbor. A barge approximately 335 yards north of Bar Beach.</td>
</tr>
<tr>
<td>New York</td>
<td>5.3</td>
<td>Memorial Day</td>
<td>Name: South Street Seaport Memorial Day.</td>
<td>Sponsor: South Street Seaport Marketplace.</td>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
<td>Location: East River Manhattan. A barge approximately 475 yards south of the Brooklyn Bridge</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>5.4</td>
<td>A night during Memorial Day Weekend</td>
<td>Name: Hull Memorial Day Festival.</td>
<td>Sponsor: Town of Hull.</td>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
<td>Location: Barge located 200 yards off Nantasket Beach, Hull, MA.</td>
</tr>
</tbody>
</table>

<p>| <strong>June</strong>  |                               |                                     |                              |                             |                                                   |                    |
| New York  | 6.1                           | The last two Tuesdays in June       | Name: Staten Island Summer.   | Sponsor: Borough of Staten Island. | Time: 8:30 p.m. to 10:30 p.m. | Location: New York Harbor, Lower Bay—approximately 350 yards east of South Beach, Staten Island. | 40°35'11&quot;/074°03'42&quot;W (NAD 1983). |
| Maine     | 6.2                           | A night during the last week in June| Name: Windjammer Days Fireworks. | Sponsor: Boothbay Harbor Chamber or Commerce. | Time: 9:00 p.m. to 11:00 p.m. | Location: Mcfarland Island, Boothbay Harbor, ME. | 43°50'48&quot;/069°37'36&quot;W (NAD 1983). |
| Connecticut | 6.3                        | A night during the Last week in June | Name: Barnum Festival Fireworks. | Sponsor: The Barnum Foundation. | Time: 8:00 p.m. to 10:00 p.m. | Location: Seaside Park—Bridgeport Harbor, Bridgeport, CT. | 43°11'30&quot;/072°00'30&quot;W (NAD 1983). |
| Connecticut | 6.4                        | A night during the Last week in June (or First week in July). | Name: American Legion Post 83 Fireworks. | Sponsor: Town of Branford American Legion Post. | Time: 9:00 p.m. to 10:00 p.m. | Location: Branford Point, Branford, CT. | 41°21'N/072°05'20&quot;W (NAD 1983). |
| New York  | 6.5                           | Last Sunday in June                 | Name: Heritage of Pride.      | Sponsor: Heritage of Pride Inc. | Time: 9:30 p.m. to 11:30 p.m. | Location: Hudson River, Manhattan, NY. A barge approximately 400 yards west of Pier 54. | 40°44'31&quot;/074°01'00&quot;W (NAD 1983). |
| Massachusetts |                         |                                     |                              |                             |                                                   |                    |</p>
<table>
<thead>
<tr>
<th>Fireworks Display Table—Continued</th>
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<tbody>
<tr>
<td><strong>6.6</strong> Thursday prior to July 4th</td>
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<tr>
<td><strong>New York:</strong></td>
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<tr>
<td><strong>7.1</strong> Each Tuesday in July</td>
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<tr>
<td><strong>Massachusetts:</strong></td>
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<tr>
<td><strong>7.2</strong> Thursday prior to July 4th</td>
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<tr>
<td><strong>Connecticut:</strong></td>
</tr>
<tr>
<td><strong>7.3</strong> A night during the First week in July</td>
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<tr>
<td><strong>New York:</strong></td>
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<tr>
<td><strong>7.4</strong> A night during the First week in July</td>
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<td><strong>7.5</strong> July 1st</td>
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<tr>
<td><strong>New York:</strong></td>
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<tr>
<td><strong>7.6</strong> July 2nd, 3rd and 4th</td>
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<tr>
<td><strong>Maine:</strong></td>
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<tr>
<td><strong>7.7</strong> A night during the First two weeks in July</td>
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<tr>
<td><strong>Connecticut:</strong></td>
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<tr>
<td><strong>7.8</strong> A night during the First two weeks in July</td>
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<tr>
<td><strong>New York:</strong></td>
</tr>
<tr>
<td><strong>7.9</strong> A night during the First two weeks in July</td>
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<tr>
<td><strong>Massachusetts:</strong></td>
</tr>
<tr>
<td><strong>7.10</strong> A night during the First two weeks in July</td>
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<tr>
<td><strong>Maine:</strong></td>
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<td><strong>7.11</strong></td>
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<td><strong>Connecticut:</strong></td>
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<td><strong>New York:</strong></td>
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<td><strong>Connecticut:</strong></td>
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<td><strong>New York:</strong></td>
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<td><strong>New York:</strong></td>
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<td><strong>Massachusetts:</strong></td>
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<td>Section</td>
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<td>Name</td>
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<tr>
<td><strong>Rhode Island:</strong></td>
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<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.32</strong></td>
</tr>
<tr>
<td>Name: Oyster Harbor Club</td>
</tr>
<tr>
<td>Fourth of July Festival</td>
</tr>
<tr>
<td>Sponsor: Oyster Harbor Club, Inc.</td>
</tr>
<tr>
<td>Time: 6:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Tim's Cove, North Bay, Osterville, RI.</td>
</tr>
<tr>
<td><strong>Rhode Island:</strong></td>
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<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.33</strong></td>
</tr>
<tr>
<td>Name: Slade Farms Fireworks</td>
</tr>
<tr>
<td>Sponsor: Slade Farm, Somerset, RI.</td>
</tr>
<tr>
<td>Time: 9:00 p.m. to 11:00 p.m.</td>
</tr>
<tr>
<td>Location: Jennings Beach, Long Island Sound, Fairfield, CT.</td>
</tr>
<tr>
<td><strong>Connecticut:</strong></td>
</tr>
<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.34</strong></td>
</tr>
<tr>
<td>Name: Fairfield Aerial Fireworks</td>
</tr>
<tr>
<td>Sponsor: Fairfield Park Commission</td>
</tr>
<tr>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Connecticut River, Groton, CT.</td>
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<tr>
<td><strong>Connecticut:</strong></td>
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<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.35</strong></td>
</tr>
<tr>
<td>Name: Subfest Fireworks</td>
</tr>
<tr>
<td>Sponsor: U.S. Naval Submarine Base</td>
</tr>
<tr>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Connecticut River, Middletown, CT.</td>
</tr>
<tr>
<td><strong>Connecticut:</strong></td>
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<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.36</strong></td>
</tr>
<tr>
<td>Name: Hartford Riverfest</td>
</tr>
<tr>
<td>Sponsor: July 4th Riverfest, Inc.</td>
</tr>
<tr>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Connecticut River, Hartford, CT.</td>
</tr>
<tr>
<td><strong>Connecticut:</strong></td>
</tr>
<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.37</strong></td>
</tr>
<tr>
<td>Name: Middletown Fireworks</td>
</tr>
<tr>
<td>Sponsor: City of Middletown</td>
</tr>
<tr>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Connecticut River, Middletown, CT.</td>
</tr>
<tr>
<td><strong>Connecticut:</strong></td>
</tr>
<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.38</strong></td>
</tr>
<tr>
<td>Name: Norwich American Wharf Fireworks</td>
</tr>
<tr>
<td>Sponsor: American Wharf Marina</td>
</tr>
<tr>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Norwich Harbor, Norwich, CT.</td>
</tr>
<tr>
<td><strong>Connecticut:</strong></td>
</tr>
<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.39</strong></td>
</tr>
<tr>
<td>Name: City of Norwalk Fireworks</td>
</tr>
<tr>
<td>Sponsor: Norwalk Recreation and Parks Department</td>
</tr>
<tr>
<td>Time: 9:15 p.m. to 10:15 p.m.</td>
</tr>
<tr>
<td>Location: Calm Pasture Beach, Long Island Sound, Norwalk, CT.</td>
</tr>
<tr>
<td><strong>Connecticut:</strong></td>
</tr>
<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.40</strong></td>
</tr>
<tr>
<td>Name: Old Lyme Fireworks</td>
</tr>
<tr>
<td>Sponsor: Mr. James R. Rice</td>
</tr>
<tr>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Sound View Beach, Long Island Sound, Old Lyme, CT.</td>
</tr>
<tr>
<td><strong>Connecticut:</strong></td>
</tr>
<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.41</strong></td>
</tr>
<tr>
<td>Name: Stratford Fireworks</td>
</tr>
<tr>
<td>Sponsor: Town of Stratford</td>
</tr>
<tr>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Short Beach, Stratford, CT.</td>
</tr>
<tr>
<td><strong>Connecticut:</strong></td>
</tr>
<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.42</strong></td>
</tr>
<tr>
<td>Name: Westport P.A.L. Fireworks</td>
</tr>
<tr>
<td>Sponsor: Westport Police Athletic League</td>
</tr>
<tr>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Compo Beach, Westport, CT.</td>
</tr>
<tr>
<td><strong>New York:</strong></td>
</tr>
<tr>
<td>Fireworks Display Table</td>
</tr>
<tr>
<td><strong>7.43</strong></td>
</tr>
<tr>
<td>Name: Bayville Crescent Club Fireworks</td>
</tr>
<tr>
<td>Sponsor: Bayville Crescent Club, Bayville, NY.</td>
</tr>
<tr>
<td>Time: 8:00 p.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Location: Cooper Bluff, Cove Neck, NY.</td>
</tr>
</tbody>
</table>
### Coast Guard, DOT

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**FIREWORKS DISPLAY TABLE—Continued**

<table>
<thead>
<tr>
<th>7.44</th>
<th>July 4th</th>
<th>Name: Mantauk Independence Day. Sponsor: Montauk Chamber of Commerce. Time: 8:00 p.m. to 10:00 p.m. Location: Montauk Town Beach, Montauk, NY.</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York: 7.45</td>
<td>July 4th</td>
<td>Name: Jones Beach State Park Fireworks. Sponsor: Long Island State Park Administration Headquarters. Time: 9:00 p.m. to 10:15 p.m. Location: Fishing Pier, Jones Beach State Park, Wantagh, NY. 40°35′7″N/073°30′6″W (NAD 1983).</td>
</tr>
<tr>
<td>New York: 7.46</td>
<td>July 4th</td>
<td>Name: Dolan Family Fireworks. Sponsor: Mr. Charles F. Dolan. Time: 8:00 p.m. to 10:00 p.m. Location: Cove Point, Oyster Bay, NY.</td>
</tr>
<tr>
<td>New York: 7.47</td>
<td>July 4th</td>
<td>Name: City of Yonkers. Sponsor: City of Yonkers, NY. Time: 8:30 p.m. to 10:30 p.m. Location: Hudson River, a barge approximately 335 yards northwest of Yonkers Municipal Pier. 40°56′14″N/073°54′28″W (NAD 1983).</td>
</tr>
<tr>
<td>Massachusetts 7.48</td>
<td>July 4th</td>
<td>Name: Wellfleet Fireworks. Sponsor: Wellfleet Fireworks Committee. Time: 8:00 p.m. to 11:00 p.m. Location: Indian Neck Jetty, Wellfleet, MA. 41°53′24″N/070°02′06″W (NAD 1983).</td>
</tr>
<tr>
<td>Connecticut: 7.49</td>
<td>Weekend following July 4th</td>
<td>Name: Thames River Fireworks. Sponsor: Town of Groton. Time: 8:00 p.m. to 10:00 p.m. Location: Thames River, off Electric Boat, Groton, CT.</td>
</tr>
<tr>
<td>New York: 7.50</td>
<td>A night during the Second or third weekend in July.</td>
<td>Name: Boys Harbor Fireworks Extravaganza. Sponsor: Boys Harbor Inc. Time: 9:00 p.m. to 10 p.m. Location: Three Mile Harbor, East Hampton, NY. 41°15′11″N/070°11′9″W (NAD 1983).</td>
</tr>
<tr>
<td>Maine: 7.51</td>
<td>Third Saturday in July</td>
<td>Name: Belfast Fireworks. Sponsor: Belfast Bay Festival Committee. Time: 8:00 p.m. to 10:00 p.m. Location: Belfast Bay, ME.</td>
</tr>
<tr>
<td>New York: 8.1</td>
<td>Each Tuesday in August</td>
<td>Name: Staten Island Summer. Sponsor: Borough of Staten Island. Time: 8:30 p.m. to 10:30 p.m. Location: New York Harbor, Lower Bay—approximately 350 yards east of South Beach, Staten Island. 40°35′11″N/074°03′46″W (NAD 1983).</td>
</tr>
<tr>
<td>New York: 8.2</td>
<td>First Tuesday in August</td>
<td>Name: National Night Out Against Crime. Sponsor: National Night Out Against Crime. Time: 8:30 p.m. to 10:30 p.m. Location: Atlantic Ocean, a barge approximately 335 yards off Rockaway Beach at 116th Street. 40°34′29″N/073°50′00″W (NAD 1983).</td>
</tr>
<tr>
<td>Connecticut: 8.3</td>
<td>A night during the First week of August</td>
<td>Name: Summer Music Fireworks. Sponsor: Summer Music Inc. Time: 8:00 p.m. to 10:00 p.m. Location: Niantic River, Harkness Park, Waterford, CT.</td>
</tr>
<tr>
<td>Massachusetts:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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§ 100.114  

**FIREWORKS DISPLAY TABLE—Continued**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 8.4 | A night during the First weekend in August. | Name: Fall River Celebrates America Fireworks.  
Sponsor: Fall River Chamber of Commerce.  
Time: 9:15 p.m. to 10:00 p.m.  
Location: Taunton River, vicinity of buoy #17,  
Fall River, MA 41°43'4"N/071°09'48"W (NAD 1983). |
| New York: |   |   |
| 8.5 | First Saturday in August | Name: Peekskill Summerfest.  
Sponsor: Charles Point Business Association.  
Time: 8:30 p.m. to 10:30 p.m.  
Location: Hudson River, Peekskill Bay, a barge  
approximately 500 yards northeast of Peekskill  
Bay South Channel Buoy 3 (LLNR 37955),  
41°17'16"N/073°56'18"W (NAD 1983). |
| New York: |   |   |
| 8.6 | First and second Saturday in August | Name: City of Rensselaer.  
Sponsor: City of Rensselaer.  
Time: 9:00 p.m. to 11:00 p.m.  
Location: Hudson River, a barge approximately  
500 yards south of the Dunn Memorial Bridge  
(river mile 145.4). 42°38'23"N/073°45'00"W (NAD 1983). |
| Connecticut: |   |   |
| 8.7 | A night during the First two weeks in August. | Name: Hartford Riverfront Regatta.  
Sponsor: Riverfront Recapture Inc.  
Time: 8:00 p.m. to 10:00 p.m.  
Location: Connecticut River, Hartford, CT. |
| Connecticut: |   |   |
| 8.8 | A night during the Third week in August. | Name: Summer Music Fireworks.  
Sponsor: Summer Music Inc.  
Time: 8:00 p.m. to 10:00 p.m.  
Location: Niantic River, Harkness Park, Water-  
ford, CT. |
| Massachusetts: |   |   |
| 8.9 | Last weekend in August | Name: Oaks Bluff Fireworks.  
Sponsor: Oaks Bluff Fireman's Civic Association.  
Time: 8:00 p.m. to 10:00 p.m.  
Location: Oaks Bluff Beach, Oaks Bluff, MA. |
| Connecticut: |   |   |
| 8.10 | Last Sunday in August | Name: Norwich Harbor Day Fireworks.  
Sponsor: Harbor Day Committee.  
Time: 8:00 p.m. to 10:00 p.m.  
Location: Norwich Harbor, off American, Wharf  
Marina, Norwich, CT. |
| Massachusetts: |   |   |
| 8.11 | A night during Labor day weekend | Name: Gloucester Fireworks.  
Sponsor: Gloucester Chamber of Commerce.  
Time: 8:00 p.m. to 10:00 p.m.  
Location: Gloucester Harbor, Stage Fort,  
Gloucester, MA. |
| Maine: |   |   |
| 8.12 | A night during Labor day weekend | Name: Camden Fireworks Display.  
Sponsor: Town of Camden Chamber of Com-  
merce.  
Time: 8:00 p.m. to 10:00 p.m.  
Location: Camden Harbor, Camden, ME. |
| Massachusetts: |   |   |
| 9.1 | A night during Labor day weekend | Name: Gloucester Fireworks.  
Sponsor: Gloucester Chamber of Commerce.  
Time: 8:00 p.m. to 10:00 p.m.  
Location: Gloucester Harbor, Stage Fort Park,  
Gloucester, MA. |
| Maine: |   |   |
| 9.2 | A night during Labor day weekend | Name: Camden Fireworks Display.  
Sponsor: Town of Camden Chamber of Com-  
merce.  
Time: 8:00 p.m. to 10:00 p.m.  
Location: Camden Harbor, Camden, ME. |
### Fireworks Display Table—Continued

<table>
<thead>
<tr>
<th>Number</th>
<th>Event</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.3</td>
<td>Labor Day</td>
<td>Name: South Street Seaport Labor Day. Sponsor: South Street Seaport Marketplace. Time: 8:30 p.m. to 10:30 p.m. Location: East River, Manhattan, a barge approximately 475 yards south of the Brooklyn Bridge. 40°42′0″N/74°00′01″W (NAD 1983).</td>
</tr>
<tr>
<td>9.4</td>
<td>First Saturday following Labor day</td>
<td>Name: Grand Fiesta Italiana. Sponsor: Sons of Italy, Port Washington, NY. Time: 8:30 p.m. to 11:00 p.m. Location: Hempstead Harbor, a barge approximately 300 yards north of Bar Beach, Port Washington, Long Island. 40°49′52″N/073°39′10″W (NAD 1983).</td>
</tr>
<tr>
<td>9.5</td>
<td>A night during the weekend following Labor day</td>
<td>Name: Taste of Italy. Sponsor: Italian Heritage Committee. Time: 8:00 p.m. to 10:00 p.m. Location: Norwich Harbor, off Norwich Marina, Norwich, CT. 41°31′20″N/073°04′83″W (NAD 1983).</td>
</tr>
<tr>
<td>9.6</td>
<td>A night during the First weekend in September</td>
<td>Name: Newport Salute to Summer. Sponsor: Naval Education and Training Center. Time: 8:30 p.m. to 10:00 p.m. Location: Narragansett Bay, East Passage, off Coasters Harbor Island, New port, RI. 41°25′N/071′20″W (NAD 1983).</td>
</tr>
<tr>
<td>9.7</td>
<td>First or second Saturday in September</td>
<td>Name: Norwalk Oyster Festival Fireworks. Sponsor: Norwalk Seaport Association. Time: 8:00 p.m. to 10:00 p.m. Location: Norwalk Harbor, Norwalk, CT.</td>
</tr>
<tr>
<td>9.8</td>
<td>A night during the last two weekends in September</td>
<td>Name: Cow Harbor Day Fireworks. Sponsor: Village of Northport Harbor. Time: 8:00 p.m. to 10.00 p.m. Location: Sand Pit, Northport Harbor, Northport, NY.</td>
</tr>
<tr>
<td>10.1</td>
<td>First Sunday in October</td>
<td>Name: Deepavali Festival. Sponsor: Association of Indians in America. Time: 6:45 p.m. to 6:45 p.m. Location: East River, Manhattan, a barge approximately 200 yards east of Pier 16. 40°42′12.5″N/074′00′02″W (NAD 1983).</td>
</tr>
<tr>
<td>10.2</td>
<td>A night during the second weekend of October</td>
<td>Name: Yarmouth Seaside Festival Fireworks. Sponsor: Yarmouth Seaside Festival. Time: 8:00 p.m. to 9:00 p.m. Location: Seagull Beach, W. Yarmouth, MA 41°38′06″N/070′13′13″W (NAD 1983).</td>
</tr>
<tr>
<td>12.1</td>
<td>December 31st</td>
<td>Name: First Night Fireworks. Sponsor: First Night Inc. Time: 11:45 p.m. to 12:30 a.m. Location: Center of Boston Inner Harbor, Boston, MA 42°21′42.4″N/071′02′36.5″W (NAD 1983).</td>
</tr>
<tr>
<td>12.2</td>
<td>December 31st</td>
<td>Name: First Night Martha’s Vineyard. Sponsor: Town of Martha’s Vineyard Chamber of Commerce. Time: 10:00 p.m. to 12:30 a.m. Location: Vineyard Haven Harbor, Martha’s Vineyard, MA 41°27′6″N/070′35′8″W (NAD 1983).</td>
</tr>
</tbody>
</table>
Fireworks Display Table—Continued

<table>
<thead>
<tr>
<th>Event ID</th>
<th>Date</th>
<th>Time of Event</th>
<th>Location</th>
<th>Sponsor</th>
<th>Name of Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.3</td>
<td></td>
<td>December 31st</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Connecticut:</td>
<td></td>
<td>December 31st</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.4</td>
<td></td>
<td>December 31st</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New York:</td>
<td></td>
<td>December 31st</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.5</td>
<td></td>
<td>December 31st</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rhode Island:</td>
<td></td>
<td>December 31st</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>12.7</td>
<td></td>
<td>December 31st</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(a) Regulated Area. All waters of the Acushnet River, within 200 feet of participating swimmers.

(b) Special Local Regulations. (1) The Coast Guard patrol commander may delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16.

(c) Effective dates. This rule is in effect from one hour before the scheduled start of the event until thirty minutes after the last firework is exploded for each event listed in the Table. For those events listed without a specific time or date, an annual Federal Register document will be published indicating event dates and times.

§ 100.119 Newport-Bermuda Regatta, Narragansett Bay, Newport, RI

(a) Regulated area. The regulated area includes all waters of Narragansett Bay, Newport, RI, within the following points (NAD 83):

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>41°27′31″N</td>
<td>071°22′13″W</td>
</tr>
<tr>
<td>41°27′24″N</td>
<td>071°22′37″W</td>
</tr>
<tr>
<td>41°27′09″N</td>
<td>071°22′39″W</td>
</tr>
<tr>
<td>41°27′36″N</td>
<td>072°22′55″W</td>
</tr>
</tbody>
</table>

In the event that weather conditions prohibit a safe race start within the approach to Newport Harbor, the race will begin offshore and the following regulated area applies (NAD 83):

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>41°29′04″N</td>
<td>071°22′16″W</td>
</tr>
<tr>
<td>41°25′36″N</td>
<td>071°22′36″W</td>
</tr>
<tr>
<td>41°29′45″N</td>
<td>071°22′40″W</td>
</tr>
<tr>
<td>41°29′49″N</td>
<td>071°22′56″W</td>
</tr>
</tbody>
</table>

(b) Special local regulations.

(1) The Coast Guard patrol commander may delay, modify, or cancel the race as conditions or circumstances require.

(2) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or unless authorized by the Coast Guard patrol commander.

(3) Vessels encountering emergencies which require transit through the regulated area should contact the Coast Guard patrol commander on VHF Channel 16. In the event of an emergency, the Coast Guard patrol commander may authorize a vessel to transit through the regulated area with a Coast Guard designated escort.

(4) All persons and vessels shall comply with the instructions of the Coast Guard on-scene patrol commander. On-scene patrol personnel may include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon hearing five or more short blasts from a U.S. Coast Guard vessel, the operator of a vessel shall proceed as directed. Members of the Coast Guard Auxiliary may also be present to inform vessel operators of this regulation and other applicable laws.

(c) Effective period. This section is in effect on August 24, 1996, and each year thereafter on the fourth Saturday in August. If the event is canceled due to weather, this section is effective the following day.

[CGD 01–96–022, 61 FR 59024, Nov. 20, 1996]
§ 100.120 Special Local Regulations: Greenwood Lake Powerboat Classic, Greenwood Lake, New Jersey.

(a) Regulated area. All waters of Greenwood Lake, New Jersey north of 41°08′ N and south of 41°09′ N (NAD 1983). The shoreline comprises the eastern and western boundaries.

(b) Special local regulations.

(1) Vessels not participating in this event, swimmers, and personal watercraft of any nature are prohibited from entering or moving within the regulated area unless authorized by the Patrol Commander.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

(c) Effective period. This section is in effect annually from 7 a.m. until 9 a.m. on the first Sunday after July 4th.

[CGD01–98–155, 64 FR 26101, May 25, 1999]

§ 100.121 Hudson Valley Triathlon, Hudson River, Kingston, New York.

(a) Regulated Area. All waters of the Hudson River from the Dunn Memorial Bridge (river mile 145.4) to the Albany Rensselaer Swing Bridge (river mile 146.2).

(b) Regulations. (1) Vessels, swimmers, and personal watercraft of any nature not participating in this event are prohibited from entering or moving within the regulated area unless authorized by the Patrol Commander.

(2) Marine traffic will be able to transit through the regulated area for 30 minutes during the event. Public notifications for the transit time will be made prior to the event via the Local Notice to Mariners and marine information broadcasts.

(3) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

[CGD01–98–125, 64 FR 8000, Feb. 18, 1999]
§ 100.501 Norfolk Harbor, Elizabeth River, Norfolk, Virginia and Portsmouth, Virginia.

(a) Definitions—(1) Regulated area. The waters of the Elizabeth River and its branches from shore to shore, bounded to the northwest by a line drawn across the Port Norfolk Reach section of the Elizabeth River between the northern corner of the landing at Hospital Point, Portsmouth, Virginia, latitude 36°50'51.0" North, longitude 76°18'09.0" West and the north corner of the City of Norfolk Mooring Pier at the foot of Brooks Avenue located at latitude 36°51'00.0" North, longitude 76°17'52.0" West; bounded on the southwest by a line drawn from the southern corner of the landing at Hospital Point, Portsmouth, Virginia, at latitude 36°50'30.0" North, longitude 76°18'10.0" West, to the northern end of the eastern most pier at the Tidewater Yacht Agency Marina, located at latitude 36°50'29.0" North, longitude 76°17'52.0" West; bounded to the south by a line drawn across the Lower Reach of the Southern Branch of the Elizabeth River, between the Portsmouth Lightship Museum located at the foot of London Boulevard, in Portsmouth, Virginia at latitude 36°50'10.0" North, longitude 76°17'47.0" West, and the northwest corner of the Norfolk Shipbuilding & Drydock, Berkley Plant, Pier No. 1, located at latitude 36°50'08.0" North, longitude 76°17'39.0" West; and to the southeast by the Berkley Bridge which crosses the Eastern Branch of the Elizabeth River between Berkley at latitude 36°50'21.5" North, longitude 76°17'14.5" West, and Norfolk at latitude 36°50'35.0" North, longitude 76°17'10.0" West.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a Coast Guard commissioned, warrant, or petty officer who has been designated by Commander, Coast Guard Group, Hampton Roads.

(b) Special local regulations. (1) Except for participants registered with the event sponsor and vessels that are moored to a pier, dock or shore, no person or vessel may enter or remain in the regulated area without permission of the Coast Guard Patrol Commander.

(2) The operator of any vessel in the regulated areas shall:

(i) Stop the vessel immediately when directed to do so by any Coast Guard commissioned, warrant or petty officer on board a vessel displaying a Coast Guard ensign; or

(ii) Proceed as directed by any Coast Guard commissioned, warrant or petty officer.

(3) Spectator vessels may anchor outside the regulated area specified in paragraph (a)(1) of this section, but may not block the channel.

(4) The Coast Guard Patrol Commander may stop the event to assist the transit of marine traffic through the regulated area.

(5) Vessels anchored in the special anchorage areas described in §110.72aa(a) of this title may remain in the regulated area without the permission of the Patrol Commander.

(c) Effective periods. This section is effective annually for the duration of each marine event listed in Table 1, or as otherwise specified in the Coast Guard Local Notice to Mariners and a Federal Register notice. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

<table>
<thead>
<tr>
<th>Table 1 of § 100.501</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harborex:</td>
</tr>
<tr>
<td>Sponsor: Festevents, Ltd.</td>
</tr>
<tr>
<td>Date: First Friday, Saturday, and Sunday in June</td>
</tr>
<tr>
<td>Great American Picnic:</td>
</tr>
<tr>
<td>Sponsor: Festevents, Ltd.</td>
</tr>
<tr>
<td>Date: July 4</td>
</tr>
<tr>
<td>Cock Island Race:</td>
</tr>
<tr>
<td>Sponsor: Ports Events, Inc.</td>
</tr>
<tr>
<td>Date: Third Saturday in July</td>
</tr>
<tr>
<td>Rendezvous at Zero Mile Marker:</td>
</tr>
<tr>
<td>Sponsor: Ports Events, Inc.</td>
</tr>
<tr>
<td>Date: Third Saturday in August</td>
</tr>
<tr>
<td>US Navy Fleet Week Celebration:</td>
</tr>
<tr>
<td>Sponsor: U.S. Navy</td>
</tr>
<tr>
<td>Date: Second Friday in October</td>
</tr>
<tr>
<td>Holidays in the City:</td>
</tr>
<tr>
<td>Sponsor: Festevents, Ltd.</td>
</tr>
<tr>
<td>Date: Fourth Saturday in November</td>
</tr>
<tr>
<td>New Years Eve Fireworks Display:</td>
</tr>
<tr>
<td>Sponsor: Festevents, Ltd.</td>
</tr>
<tr>
<td>Date: December 31</td>
</tr>
</tbody>
</table>
§ 100.502 Barneget Bay Classic, Barneget Bay, Toms River, New Jersey.

(a) Definitions. (1) Regulated Area. The waters of Barnegat Bay bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>39°49'16.0&quot; N.</td>
<td>74°08'43.0&quot; W.</td>
</tr>
<tr>
<td>39°49'16.0&quot; N.</td>
<td>74°06'10.0&quot; W.</td>
</tr>
<tr>
<td>39°53'15.0&quot; N.</td>
<td>74°06'10.0&quot; W.</td>
</tr>
<tr>
<td>39°50'59.0&quot; N.</td>
<td>74°07'19.0&quot; W.</td>
</tr>
</tbody>
</table>

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer who has been designated by the Commander, Group Atlantic City.

(b) Special Local Regulations. (1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the immediate vicinity of this area shall:

(i) Stop the vessel immediately upon being directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(3) Any spectator vessel may anchor outside of the regulated area specified in paragraph (a)(1) of these regulations but may not block a navigable channel.

(c) Effective Period. The Commander, Fifth Coast Guard District will publish a notice in the FEDERAL REGISTER and in the Fifth Coast Guard District Local Notice to Mariners announcing the times and dates that this section is in effect.

§ 100.504 Night in Venice, Great Egg Harbor Bay, City of Ocean City, NJ.

(a) Regulated area. The waters of Great Egg Harbor Bay, and Beach Thorofare from Intracoastal Waterway Light 275 (LLNR 36045) northward along the entire width of the Intracoastal Waterway to the 9th Street Bridge, thence northeastward along the Ocean City Waterfront to the Long Port-Ocean City Bridge, thence northward along the Long Port-Ocean City Bridge to the northern shore, thence westward to Ships Channel Buoy 6 (LLNR 1350), thence southward to Intracoastal Waterway Light 252 (LLNR 35980), thence southwestward to the 9th Street Bridge.

(b) Effective period. This regulation will be effective from 4:30 p.m. to 11:45 p.m. annually on the fourth Saturday in July unless otherwise specified in the Coast Guard Local Notice to Mariners and a Federal Register Notice.

(c) Special local regulations. (1) All persons or vessels not registered with sponsor as participants or not part of the regatta patrol are considered spectators.

(2) No person or vessel may enter or remain in the regulated area unless participating in the event, or authorized to be there by the sponsor or Coast Guard patrol personnel.

(3) Spectator vessels must be at anchor within a designated spectator area or moored to a waterfront facility within the regulated area prior to the start of the parade in such a way that they shall not interfere with mariners transiting Great Egg Harbor Bay. The spectator fleet shall be held behind buoys or committee boats provided by the sponsor in the following areas:

(i) Northwestward of a line marked by a patrol vessel in position 39 degrees 17 minutes 45 seconds North latitude; 074 degrees 33 minutes 45 seconds West longitude to the 9th Street Route 52 Bridge in Ocean City, New Jersey, including Great Egg Waterway Red Buoy No. 2, but shall not extend northward of the Great Egg Waterway Point Buoy.

(ii) Westward of a line of buoys between Great Egg Waterway Buoys 10 and 14.

(iii) Within the area around the shoals and islands in Beach Thorofare between Great Egg Waterway Buoys 15 and 21. This area shall at no point be closer that 150 yards from the line of bulkheads and lagoon entrances in Ocean City, New Jersey.
§ 100.506 Fireworks Displays, Chester River, Kent Island Narrows, Maryland.

(a) Definitions:

(1) Regulated Area. The regulated area is defined as the waters of the Chester River, Kent Island Narrows, Maryland.

(2) All persons or vessels not registered with sponsor as participants or not part of the regatta patrol are considered spectators.

(3) The spectator fleet shall be in spectator anchorages areas marked by patrol vessels. The sponsor provided boats shall fly colored pennants to aid in their identification. Spectator anchorages areas are established as follows:

(i) Asbury Park, NJ south to Manasquan Inlet, NJ. The spectator fleet shall be held behind (west of) a line running north to south from the Asbury Park Convention Center to the north jetty at Manasquan Inlet. At the Asbury Park Convention Center the spectator fleet shall be held behind a line north of the Convention Center Pier. These lines will be set up by the Coast Guard Patrol Commander on the day of the race.

(ii) Seaside Heights. The spectator fleet shall be held behind a line south of the Seaside Funtown Pier. This line shall be set by the Coast Guard Patrol Commander on the day of the race.

(4) No spectator, press or commercial fishing boats shall cross the race course without the permission of the Patrol Commander. Those vessels wishing to cross the race course shall obtain permission to do so by contacting the nearest Coast Guard patrol vessel.

(5) No vessel shall proceed at a speed greater than six (6) knots while in Manasquan Inlet during the effective period.

(6) All persons and vessels shall comply with the instructions of U.S. Coast Guard patrol personnel. Upon hearing five or more blasts from a U.S. Coast Guard vessel, the operator of a vessel shall stop immediately and proceed as directed. U.S. Coast Guard patrol personnel include commissioned, warrant and petty officers of the Coast Guard. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation and other applicable laws.

§ 100.505 New Jersey Offshore Grand Prix.

(a) Regulated area. The Manasquan River from the New York and Long Branch Railroad to Manasquan Inlet, together with all of the navigable waters of the United States from Asbury Park, New Jersey, latitude 40 degrees, 14 minutes north; southward to Seaside Park, New Jersey latitude 39 degrees, 55 minutes north, from the New Jersey shoreline seaward to the limits of the Territorial Sea. The race course area extends from Asbury Park to Seaside Park from the shoreline, seaward to a distance of 8.4 nautical miles.

(b) Effective Period: This section is effective annually on the third Wednesday in July. If the event is canceled due to weather, this section is effective the following day. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

(c) Special local regulations. (1) The regulated area shall be closed intermittently to general navigation during the effective period. No person or vessel may enter or remain in the regulated area while it is closed unless participating in the event or authorized by the sponsor or regatta patrol personnel.

(2) All persons or vessels not registered with sponsor as participants or not part of the regatta patrol personnel are considered spectators.

(3) The spectator fleet shall be held in spectator anchorages areas marked by patrol vessels. The sponsor provided boats shall fly colored pennants to aid in their identification. Spectator anchorages areas are established as follows:

(i) Asbury Park, NJ south to Manasquan Inlet, NJ. The spectator fleet shall be held behind (west of) a line running north to south from the Asbury Park Convention Center to the north jetty at Manasquan Inlet. At the Asbury Park Convention Center the spectator fleet shall be held behind a line north of the Convention Center Pier. These lines will be set up by the Coast Guard Patrol Commander on the day of the race.

(ii) Seaside Heights. The spectator fleet shall be held behind a line south of the Seaside Funtown Pier. This line shall be set by the Coast Guard Patrol Commander on the day of the race.

(4) No spectator, press or commercial fishing boats shall cross the race course without the permission of the Patrol Commander. Those vessels wishing to cross the race course shall obtain permission to do so by contacting the nearest Coast Guard patrol vessel.

(5) No vessel shall proceed at a speed greater than six (6) knots while in Manasquan Inlet during the effective period.

(6) All persons and vessels shall comply with the instructions of U.S. Coast Guard patrol personnel. Upon hearing five or more blasts from a U.S. Coast Guard vessel, the operator of a vessel shall stop immediately and proceed as directed. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation and other applicable laws.
§ 100.507 Chesapeake Bay Bridges Swim Races, Chesapeake Bay, Maryland.

(a) Definitions—(1) Regulated Area: The waters of the Chesapeake Bay between and adjacent to the spans of the William P. Lane Jr. Memorial Bridge shore to shore bounded to the north by the C & O Railroad Bridge and to the south by a line drawn from the western shore at latitude 38°00′16″ North, longitude 76°20′06″ West, and the eastern shore at latitude 38°58′36″ North, longitude 76°23′05″ West.

(2) Special Local Regulations: The operator of any vessel in this area shall:

(i) Stop the vessel immediately when directed to do so by any official patrol.

(ii) Proceed as directed by any official patrol.

(c) Effective Dates: This section is effective annually from 8:30 p.m. on July 4 until 9:30 p.m. on July 5 and from 8:30 p.m. on the first Sunday in September until 9:30 p.m. on the following day.

(d) Enforcement Times: It is expected that this section will be enforced annually from 8:30 p.m. to 9:30 p.m. on July 4 and on the first Sunday in September. However, if the event is postponed due to inclement weather, then this section will be enforced the next day. Notice of the enforcement time will be given via Marine Safety Radio Broadcast on VHF-FM marine band radio, Channel 22 (157.1 MHz).

§ 100.508 Hampton River, Hampton, Virginia.

(a) Definitions—(1) Regulated Area: The waters of Sunset Creek and Hampton River shore to shore bounded to the north by the C & O Railroad Bridge and to the south by a line drawn from Hampton River Channel Light 16 (LL 515), located at latitude 37°01′03.0″ North, longitude 76°20′06.0″ West, to the finger pier across the river at Fisherman’s Wharf, located at latitude 37°01′01.5″ North, longitude 76°20′32.0″ West.

(2) Spectator Vessel Anchorage Areas—(i) Area A. Located in the upper reaches of the Hampton River, bounded to the south by a line drawn from the western
§ 100.509 Delaware River, Philadelphia, Pennsylvania.

(a) Definitions:
(1) Regulated Area: The waters of the Delaware River from shore to shore, bounded to the south by the Walt Whitman Bridge and bounded to the north by the Benjamin Franklin Bridge.

(2) The Coast Guard Patrol Commander: The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer who has been designated by the Commander, Coast Guard Group Philadelphia.

(b) Special Local Regulations:
(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in this area shall:
(i) Stop the vessel immediately upon being directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant, or petty officer.

(3) Any spectator vessel may anchor outside of the regulated area specified in paragraph (a) of these regulations but may not block a navigable channel.

(c) Effective Period: This section is effective annually for the duration of each marine event listed in Table 1, or as otherwise specified in the Coast Guard Local Notice to Mariners and a FEDERAL REGISTER notice. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

Table 1 of §100.509

Welcome America Celebration
Sponsor: Welcome America!
Date: On or about July 4
§ 100.510  

Susquehanna River, Havre de Grace, Maryland.

(a) Definitions—(1) Regulated area. The waters of the Susquehanna River west of Garrett Island, bounded on the south by the Conrail Railroad Bridge centered at latitude 39°33′16.5″ North, longitude 76°05′07.0″ West; and on the north by the B&O Railroad Bridge centered at latitude 39°34′05.0″ North, longitude 76°05′20.0″ West.

(b) Special local regulations. (1) Except for vessels operated by the Susquehanna Optimist Club and participants in the Optimist Club Power Boat Regatta, no person or vessel may enter or remain in the regulated area without the permission of the Coast Guard Patrol Commander.

(2) Spectator vessels may enter and anchor in the special spectator anchorage areas described in paragraph (c) of this section without the permission of the Patrol Commander, if they proceed at a slow no wake speed while in the regulated area.

(3) The operator of any vessel in the immediate vicinity of the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Coast Guard commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any Coast Guard commissioned, warrant, or petty officer.

(c) Spectator Vessel Anchorage Areas—

(1) Anchorage Area A. The waters bounded by a line connecting the following points:

Latitude  Longitude
39°33′28.0″ N  76°05′13.0″ W
39°33′26.0″ N  76°05′16.0″ W
39°33′22.5″ N  76°05′15.0″ W
39°33′19.0″ N  76°05′24.0″ W
39°33′16.0″ N  76°05′34.0″ W
39°33′20.0″ N  76°05′13.0″ W

(2) Anchorage Area B: The waters bounded by a line connecting the following points:

Latitude  Longitude
39°33′30.0″ N  76°05′13.0″ W
39°33′32.0″ N  76°05′25.0″ W
39°33′51.0″ N  76°05′26.0″ W
39°33′28.0″ N  76°05′16.0″ W

(3) Anchorage Area C: The waters bounded by a line connecting the following points:

Latitude  Longitude
39°33′32.0″ N  76°05′30.0″ W
39°34′00.0″ N  76°05′30.0″ W
39°33′56.0″ N  76°05′39.0″ W

(d) Effective period: The Commander, Fifth Coast Guard District, publishes a notice in the FEDERAL REGISTER and the Fifth Coast Guard District Local Notice to Mariners that announces the times and dates this section is in effect.


§ 100.511  

Approaches to Annapolis Harbor, Spa Creek, and Severn River, Annapolis, Maryland.

(a) Definitions—(1) Regulated area. The approaches to Annapolis Harbor, the waters of Spa Creek, and the Severn River, shore to shore, bounded on the south by a line drawn from Carr Point, at latitude 38°58′58.0″ North, longitude 76°27′40.0″ West, thence to Horn Point Warning Light (LLNR 17935), at 38°58′24.0″ North, longitude 76°28′10.0″ West, thence to Horn Point, at 38°58′20.0″ North, longitude 76°28′27.0″ West, and bounded on the north by the State Route 450 Bridge.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(b) Special local regulations—(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander,
Coast Guard, DOT

§ 100.513

American Diabetes Association Reach the Beach Triathlon, Choptank River, Cambridge, Maryland.

(a) Definitions—(1) Regulated area. The waters of the Choptank River between the Choptank River Bridge and a line drawn from the northern shore, at latitude 38°35'37" North, longitude 76°03'08" West, to the southwestern shore, at latitude 38°35'31" North, longitude 76°04'52" West.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Group Baltimore.

(b) Special Local Regulations. (1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the immediate vicinity of this area shall:

(i) Stop the vessel immediately upon being directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant, or petty officer.

(3) Any spectator vessel may anchor outside of the regulated area specified in paragraph (a) of this section but may not block a navigable channel.

(c) Effective period. The Commander, Fifth Coast Guard District, will publish a notice in the FEDERAL REGISTER and in the Fifth Coast Guard District Local Notice to Mariners announcing the date and times this section is in effect.

[CGD 05–89–03, 54 FR 23474, June 1, 1989]

§ 100.513 Wrightsville Channel, Wrightsville Beach, North Carolina.

(a) Definitions—(1) Regulated area. The waters of, and adjacent to, Wrightsville Channel, from Wrightsville Channel Daybeacon 14 (LLNR 28040), located at 34°12'18.0" N., longitude 77°48'10.0" W., to Wrightsville Channel Daybeacon 25 (LLNR 28080), located at 34°12'51.0" N., longitude 77°48'53.0" W.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer who has been designated by the Commander, Group Fort Macon.

(b) Special Local Regulations. (1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the immediate vicinity of this area shall:

(i) Stop the vessel immediately upon being directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant, or petty officer.

(3) Any spectator vessel may anchor outside of the regulated area specified in paragraph (a)(1) of this section but may not block a navigable channel.

(c) Effective Period. The Commander, Fifth Coast Guard District will publish a notice in the FEDERAL REGISTER and in the Fifth Coast Guard District Local Notice to Mariners announcing the date and times this section is in effect.

[CGD 05–89–03, 54 FR 39730, Sept. 28, 1989]
§ 100.514 Fourth of July Fireworks Display; Parker Island, Little Egg Harbor, New Jersey.

(a) Definitions—(1) Regulated Area. The waters of Little Egg Harbor bounded by the arc of a circle with a radius of 1,000 feet and with its center located at latitude 39°34′18.0″ North, longitude 74°14′43.0″ West.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Group Cape May, New Jersey.

(b) Special Local Regulations. (1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the immediate vicinity of this area shall:

(i) Stop the vessel immediately upon being directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(3) Any spectator vessel may anchor outside of the regulated area specified in paragraph (a)(1) of these regulations but may not block a navigable channel.

(c) Effective Period. The Commander, Fifth Coast Guard District will publish a Notice in the FEDERAL REGISTER and in the Fifth Coast Guard District Local Notice to Mariners announcing the date and times this section is in effect.

[CGD 05-89-17, 54 FR 30035, July 18, 1989, as amended by USCG-2000-7223, 65 FR 40056, June 29, 2000]

§ 100.517 Atlantic Ocean, Ocean City, MD.

(a) Definitions:

(1) Regulated area. The waters of the Atlantic Ocean commencing at a point on the shoreline at latitude 38°25′32″ North, longitude 75°05′06″ West; thence east southeast to latitude 38°25′30″ North, longitude 75°02′12″ West; thence south southwest parallel to the Ocean City shoreline to latitude 38°19′32″ North, longitude 75°03′48″ West; thence west northwest to the shoreline at latitude 38°19′30″ North, longitude 75°05′00″ West.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander will be a commissioned, warrant, or petty officer who will be designated by the Commander, Coast Guard Activities Baltimore.

(b) Special Local Regulations. (1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the immediate vicinity of this area shall:
§ 100.518 Severn River, College Creek, and Weems Creek, Annapolis, Maryland

(a) Definitions: (1) Regulated area. The waters of the Severn River enclosed by:

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<th>Longitude</th>
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<tr>
<td>38°58'40.0&quot; N</td>
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<td>76°29'36.0&quot; W</td>
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(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer who has been designated by the Commander, Coast Guard Activities Baltimore.

(b) Special local regulations. (1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the immediate vicinity of this area shall:

(i) Stop the vessel immediately when directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

§ 100.519 Assateague Channel, Chincoteague, Virginia.

(a) Definitions: (1) Regulated area. The waters of Assateague Channel from shoreline to shoreline, bounded to the east by a line drawn from latitude 37°54′01″ North, longitude 75°22′40″ West, to latitude 37°54′50″ North, longitude 75°22′46″ West, and to the west by a line drawn from latitude 37°54′54.0″ North, longitude 75°23′00″ West, to latitude 37°54′49″ North, longitude 75°22′49″ West.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Eastern Shore.

(b) Special local regulations. (1) Except for participants registered with the event sponsor and vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or re

(2) The operator of any vessel in the immediate vicinity of this area shall:

(i) Stop the vessel immediately when directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard ensign.

(3) The Coast Guard Patrol Commander may allow vessels to transit the regulated area up until the ponies are ready to enter the water.
§ 100.520

(4) Vessel operators are advised to remain clear of the advisory area during the effective periods of this regulation.

(c) Effective periods. This regulation is effective annually for the duration of each marine event listed in Table 1, or as otherwise specified in the Coast Guard Local Notice to Mariners and a FEDERAL REGISTER notice. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

<table>
<thead>
<tr>
<th>TABLE 1 of §100.519</th>
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<tbody>
<tr>
<td>Chincoteague Power Boat Regatta</td>
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<tr>
<td>Sponsor: Chincoteague Chamber of Commerce</td>
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<tr>
<td>Date: Third Saturday and Sunday in June</td>
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<tr>
<td>Pony Penning Swim</td>
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<tr>
<td>Sponsor: Chincoteague Volunteer Fire Department</td>
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<td>Date: Last Wednesday in July and the following Friday</td>
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[cgd 05-93-055, 59 fr 5323, Feb. 4, 1994]

§ 100.522 Fireworks Displays, Atlantic Ocean, Virginia Beach, Virginia.

(a) Regulated Area. The regulated area is defined as the waters of the Atlantic Ocean enclosed within the arc of a circle with a radius of 850 yards and with its center located at latitude 36°51'35" N, longitude 075°58'30" W. All coordinates reference Datum NAD 1983.

(b) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Hampton Roads.

(c) Special Local Regulations:

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the area shall:

(i) Stop the vessel immediately when directed to do so by the Coast Guard Patrol Commander; and

(ii) Proceed as directed by the Coast Guard Patrol Commander.

(d) Effective Dates: This section is effective:

(1) Annually from 9 p.m. to 11 p.m. eastern time every Friday, Saturday and Sunday between May 1 and October 31;

(2) Annually from 9 p.m. to 11 p.m. eastern time on July 4; and
§ 100.523 Southern Branch, Elizabeth River, Portsmouth, Virginia.

(a) Definitions—(1) Regulated area. The waters of the Southern Branch, Elizabeth River from shoreline to shoreline bounded to the south by a line drawn from latitude 36°49′11.0" North, longitude 76°17′33.0" West to latitude 36°49′11.0" North, longitude 76°17′22.0" West and bounded to the north by a line drawn from latitude 36°50′17.5" North, longitude 76°17′45.0" West to latitude 36°50′17.5" North, longitude 76°17′30.0" West.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Hampton Roads.

(b) Special Local Regulations. (1) Except for participants in the Crawford Bay Crew Classic and vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area without the permission of the Patrol Commander.

(2) The operator of any vessel in the immediate vicinity of this area shall:

(i) Stop the vessel immediately when directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard ensign.

(3) The Coast Guard Patrol Commander may allow vessels to transit the regulated area whenever a race heat is not being run.

(4) Vessel operators are advised to remain clear of the advisory area during the effective periods of this regulation.

(c) Effective periods. This regulation will be effective on the fourth Friday of April and on the fourth Saturday of April, unless otherwise specified in the Coast Guard Local Notice to Mariners and a Federal Register notice.

§ 100.525 Western Branch, Elizabeth River, Portsmouth, Virginia.

(a) Definitions:

(1) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Hampton Roads.

(2) Official Patrol. The Official Patrol is any vessel assigned or approved by Commander, Coast Guard Group Hampton Roads with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(3) Regulated Area. The regulated area includes all waters of the Western Branch, Elizabeth River bounded by a line connecting the following points:

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<td>36°50′18″</td>
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All coordinates reference Datum NAD 1983.

(b) Special Local Regulations:

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in this area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign; and

(ii) Proceed as directed by any Official Patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(c) Effective Dates. This section is effective annually from 6 a.m. to 6 p.m. on the fourth Friday and following Saturday in April, the second Friday and following Saturday in May, and the second Saturday and following Sunday in October.

§ 100.526 Fireworks Displays, Patapsco River, Baltimore, Maryland.

(a) Definitions—(1) Inner Harbor Regulated Area. The Inner Harbor Regulated
Area is defined as the waters of the Patapsco River enclosed within the arc of a circle with a radius of 400 feet and with its center located at latitude 39°16.9′ N, longitude 076°36.3′ W. All coordinates reference Datum NAD 1983.

(2) Northwest Harbor Regulated Area. The Northwest Harbor Regulated Area is defined as the waters of the Patapsco River enclosed within the arc of a circle with a radius of 500 feet and with its center located at latitude 39°16.6′ N, longitude 076°35.8′ W. All coordinates reference Datum NAD 1983.

(3) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(4) Official Patrol. The Official Patrol is any vessel assigned or approved by Commander, Coast Guard Activities Baltimore with a commissioned, warrant, or petty officer of the Coast Guard on board and displaying a Coast Guard ensign.

(b) Special Local Regulations—(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the Inner Harbor Regulated Area or the Northwest Harbor Regulated Area.

(2) The operator of any vessel in these areas shall:
(i) Stop the vessel immediately when directed to do so by any Official Patrol; and
(ii) Proceed as directed by any Official Patrol.

(c) Effective Dates. This section is effective annually from 8:30 p.m. on July 4 until 9:30 p.m. on July 4; and (2) Annually from 11:45 p.m. on December 31 until 12:45 a.m. on January 1.

§ 100.709 Annual Augusta Southern National Drag Boat Races; Savannah River, Augusta, GA.

(a) Definitions. (1) Regulated area. The regulated area is formed by a line drawn directly across the Savannah River at the U.S. Highway 1 (Fifth Street) Bridge at mile marker 199.45 and directly across the Savannah River at Eliot's Fish Camp at mile marker 197. The regulated area encompasses the width of the Savannah River between these two lines.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Charleston, Charleston, South Carolina.

(b) Special local regulations. (1) Entry into the regulated area is prohibited to all non-event participants.

(2) After the termination of the Augusta Southern National Drag Boat Races each day, and during intervals between scheduled events, at the discretion of the Coast Guard Patrol Commander, all vessels may resume normal operations.

(c) Effective Dates. This section is effective annually on Thursday, Friday, Saturday and Sunday of the third week of July from 6 a.m. to 8 p.m. EDT, except in 1996, the section is effective on July 18–21, 1996 from 6 a.m. to 8 p.m. EDT.

§ 100.710 Annual Greater Jacksonville Kingfish Tournament; Jacksonville, Florida.

(a) Regulated area. A regulated area is established for the waters of the St. Johns River lying between an eastern boundary formed by St. Johns River Lighted Buoy 7 (LLNR 7145) in approximate position 30°23.56N, 081°23.04W, and Lighted Buoy 8 (LLNR 7150) in position 30°24.03N, 081°23.01W, and the western boundary formed by Lighted Buoy 25 (LLNR 7305) in position 30°23.40N, 081°28.26W, and Short Cut Light 26 (LLNR 7130 in position 30°23.46N, 081°28.16W with the northern and southern
§ 100.714 Annual Miami Super Boat Race; Miami, FL.

(a) Definitions. (1) Regulated Areas. The regulated area includes the race course area, the spectator area, and a buffer zone.

(i) The race course area is formed by a line joining the following points: 25°46.3′ N, 080°07.85′ W; thence to, 25°46.3′ N, 080°06.82′ W; thence to, 25°51.3′ N, 080°06.52′ W; thence to, 25°51.3′ N, 080°07.18′ W; thence along the shoreline to the starting point. All coordinates referenced use datum: NAD 1983.

(ii) A spectator area is established in the regulated area for spectator traffic and is defined by a line joining the following points, beginning from: 25°51.3′ N, 080°06.15′ W; thence to, 25°51.3′ N, 080°05.85′ W; thence to, 25°46.3′ N, 080°06.55′ W; thence to, 25°46.3′ N, 080°06.77′ W; and back to the starting point. All coordinates referenced use datum: NAD 1983.

(iii) A buffer zone of 300 feet is established between the race course and the spectator area.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Charleston, Charleston, South Carolina.

(b) Special local regulations. (1) Entry into the race course area by other than event participants is prohibited unless otherwise authorized by the Coast Guard Patrol Commander. At the completion of scheduled races and departure of participants from the regulated area, traffic may resume normal operations. At the discretion of the Coast Guard Patrol Commander, between scheduled racing events, traffic may be permitted to resume normal operations.

(2) A succession of not fewer than 5 short whistle or horn blasts from a patrol vessel will be the signal for any and all vessels to take immediate steps to avoid collision. The display of an orange distress smoke signal from a patrol vessel will be the signal for any and all vessels to stop immediately.

(3) Spectators not in the designated spectator areas, as defined above, are required to keep clear of the race course area at all times.

(c) Effective Dates. This section is effective at 12 p.m. and terminates at 4
§ 100.715 Annual Beaufort Water Festival, Beaufort River, Beaufort, SC.

(a) Definitions.

(1) Regulated Area. A regulated area is established on that portion of the Beaufort River, between the Lady's Island swing bridge at 32°25′40″ N, 080°40′10″ W and a line drawn directly across the Beaufort River at Spanish Point, at 32°24′00″ N. All coordinates referenced use datum: NAD 1983.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the United States Coast Guard who has been designated by the Commander, Coast Guard Group Charleston, Charleston, South Carolina.

(b) Special local regulations. (1) No vessel may anchor seaward of the seaside spectator area formed by a line drawn from Canaveral Harbor Entrance Channel Lighted Buoy #13 to the Cape Canaveral southern jetty, position 28°24′29″ N, 080°35′18″ W, then following the southern shoreline of Cape Canaveral Harbor to the easternmost State Road 401 bascule bridge. The northern boundary will be a line extending from Cape Canaveral Harbor Entrance Channel Light #12, following the northern shoreline of Cape Canaveral Harbor, but excluding all navigable waters north of a line drawn across the mouth of the East Basin, Middle Basin, and West Basin.

(2) Spectator craft will be permitted to anchor shoreward of the seaside boundaries of the regulated area, from 11 a.m. to 3 p.m. EDT.

(3) All vessels may anchor shoreward of the seaside boundaries of the regulated area, except for vessels of the Billfish Tournament, who may anchor shoreward of the seaside boundaries of the regulated area, from 11 a.m. to 3 p.m. EDT.

(4) No vessel may anchor seaward of the seaside spectator area formed by a line drawn from Canaveral Harbor Entrance Channel Lighted Buoy #13 to the Cape Canaveral southern jetty, position 28°24′29″ N, 080°35′18″ W, then following the southern shoreline of Cape Canaveral Harbor to the easternmost State Road 401 bascule bridge. The northern boundary will be a line extending from Cape Canaveral Harbor Entrance Channel Light #12, following the northern shoreline of Cape Canaveral Harbor, but excluding all navigable waters north of a line drawn across the mouth of the East Basin, Middle Basin, and West Basin.

(c) Effective dates. The Commander, Coast Guard Group Mayport will publish the effective times and dates during which the regulations in this section will be effective in the Seventh Coast Guard District Local Notice to Mariners.

§ 100.717 Annual Fort Myers Beach Offshore Grand Prix; Fort Myers, FL.

(a) Regulated area. The regulated area is a line drawn from the start/finish position, at the Fort Myers Beach pier (26°28′07″ N, 81°58′30″ W), thence to position 26°26′08″ N, 81°55′29″ W, thence to position 26°24′76″ N, 81°54′48″ W, thence to position 26°23′74″ N, 81°55′10″ W, thence to position 26°23′91″ N, 81°55′40″ W, thence to position 26°24′94″ N, 81°55′24″ W, thence to position 26°26′93″ N, 81°58′53″ W, thence to position 26°27′32″ N, 81°58′16″ W, thence back to the start/finish position, at the Fort Myers Beach pier (26°28′07″, 81°58′30″ W). All coordinates referenced use datum: NAD 83.

(b) Special local regulations. (1) No vessel may anchor seaward of the seaside boundaries of the regulated area, from 11 a.m. to 3 p.m. EDT.

(2) Spectator craft will be permitted to anchor seaward of the seaside boundaries of the regulated area, in the spectator area formed by a line drawn from the position 29°26′54″ N, 81°58′12″ W, thence to position 28°25′06″ N, 81°55′42″ W, thence to position 28°24′45″ N, 81°55′50″ W, thence to position 28°26′54″ N, 81°58′30″ W, thence back to position

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§ 100.718 Annual Suncoast Kilo Run; Sarasota Bay, Sarasota, FL.

(a) Regulated area. The regulated area is established in Sarasota Bay with the northwest corner point at Whale Key, position 27°23′53″ N, 82°37′46″ W, extending to the northeast corner point at Bayside Gardens Channel, position 27°25′11″ N, 82°35′45″ W, and in the spectator area formed by a line drawn from the position 26°25′06″ N, 81°54′18″ W, thence to position 26°23′47″ N, 81°54′00″ W, thence to position 25°24′05″ N, 81°54′47″ W, thence back to position 26°25′06″ N, 81°54′18″ W. All coordinates referenced use datum: NAD 83.

(b) Special local regulations.

1. In accordance with these regulations, the regulated area is designated as a “no wake” zone. All vessel traffic is prohibited from entering the race course areas described in paragraphs (b)(2) of this section.

2. Spectator craft are permitted into the area, but are prohibited from entering the race course areas described in paragraphs (b)(2) of this section.

(c) Effective dates. This section is effective at 8 a.m. and terminates at 1 p.m. EDT, annually during the first Friday of July.

§ 100.719 Annual Suncoast Offshore Challenge; Gulf of Mexico, Sarasota, FL.

(a) Regulated area. The regulated area is established by a line drawn from the start/finish position 27°19′15″ N, 82°35′90″ W, thence to position 27°18′81″ N, 82°34′90″ W, thence to position 27°18′21″ N, 82°34′48″ W, thence to position 27°16′43″ N, 82°34′99″ W, thence to position 27°15′70″ N, 82°34′29″ W, thence to position 27°15′86″ N, 82°33′44″ W, thence to position 27°14′33′ N, 82°32′37″ W, thence to position 27°14′62″ N, 82°32′54″ W, thence to position 27°14′94″ N,
§ 100.720 Annual Suncoast Offshore Grand Prix, Gulf of Mexico, Sarasota, FL.  
(a) Regulated area. The regulated area is established by a line drawn from the start/finish position 27°20.03′ N, 82°37.38′ W, thence to position 27°20.32′ N, 82°37.16′ W, thence back to the start/finish position. All coordinates referenced use datum: NAD 1983.

(b) Special local regulations.
(1) No anchoring will be permitted seaward of the shoreside boundaries of the regulated area out to three nautical miles from shore, from 10 a.m. to 4 p.m. EDT, annually on the first Saturday of July.
(2) Anchoring for spectators will be permitted shoreward of the shoreside boundaries of the regulated area.
(3) All vessel traffic, not involved with the Suncoast Offshore Grand Prix, exiting New Pass between 10 a.m. and 4 p.m. EDT shall exist at New Pass Channel daybeacon #4 (27°26.4′ N, 82°41.68′ W, LLNR 18105), and shall proceed in a northerly direction shoreward of spectator craft taking action to avoid a close-quarters situation until finally past and clear of the racecourse. All coordinates referenced use datum: NAD 83.

(4) Big Sarasota Pass will be closed to all inbound and outbound vessel traffic, other than spectator craft, from 10 a.m. to 4 p.m. EDT.
(5) Entry into the regulated area shall be in accordance with this regulation. Spectator craft will stay clear of race area at all times.
(c) Effective date. This section is effective at 10 a.m. and terminates at 4 p.m. EDT, annually during the first Sunday of July.

[CGD07–96–008, 61 FR 32334, June 24, 1996]

§ 100.721 Charleston Christmas Parade of Boats, Charleston Harbor, SC.  
(a) Definitions. (1) Regulated Area. A regulated area includes the area 500 yards ahead of the lead parade vessel, 100 yards astern of the last parade vessel, and 50 yards to either side of all parade vessels along the parade route described in paragraph (a)(2) of this section.
(2) Parade Route. The parade will originate in the Middle Ground, north of Charleston South Channel. The parade will proceed north along the west edge of Commercial Anchorage A, entering Rebellion Reach in the vicinity of Charleston HBR N Chan LB 2 (Light List Number 2505) at approximately position 32°46.3′N, 079°53.3′W, thence proceeding up Folly Shutes, and Horse

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§ 100.723 Annual Holiday Boat Parade of the Palm Beaches; Palm Beach, FL.

(a) Regulated area. A regulated area is established to include the Port of Palm Beach Turning Basin and the Intracoastal Waterway extending south from Lake Worth South LT 1 (LLNR 42170) to Lake Worth South Daybeacon 23 (LLNR 42300).

(b) Special Local Regulations.

(1) These regulations are effective from 10 a.m. and terminates at 4 p.m. annually on the second Wednesday and Saturday in November.

§ 100.722 Annual Key West Super Boat Race; Key West, FL.

(a) Definitions.

(1) Regulated area. All navigable waters within a line drawn through the following points:

24°33.65N, 81°48.47W; thence to
24°33.65N, 81°48.30W; thence to
24°34.05N, 81°48.45W; thence to
24°33.88N, 81°48.70W; thence to
24°31.68N, 81°51.16W; thence to
24°31.18N, 81°44.45W; thence to
24°32.94N, 81°48.82W.

(b) Entry. The entry into the regulated area by other than event participants, is prohibited unless otherwise authorized by the patrol commander.

(c) Effective Date. These regulations are effective annually on the second...
§ 100.724 Annual Augusta Invitational Rowing Regatta; Savannah River, Augusta, GA.

(a) Definitions. (1) Regulated area. The regulated area is formed by a line drawn directly across the Savannah River at U.S. Highway 1 (Fifth Street) Bridge at mile marker 199.45 and directly across the Savannah River at Elliot’s Fish Camp at mile marker 197. The regulated area includes the width of the Savannah River between these two lines.

(2) Coast Guard Patrol Commander. The Coast Guard patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Charleston, SC.

(b) Special local regulations. (1) Entry into the regulated area is prohibited to all non-participants.

(2) After the termination of the Invitational Rowing Regatta each day, and during intervals between scheduled events, at the discretion of the Coast Guard Patrol Commander, all vessels may resume normal operations.

(c) Effective dates. This section is effective at 7 a.m. and terminates at 5 p.m. local time annually, on Thursday, Friday, Saturday and Sunday of the third weekend of March.


§ 100.728 Special Local Regulations; Hurricane Offshore Classic, St. Petersburg, FL.

(a) Regulated area. The regulated area is formed by a line drawn from position 27°46.9’N, 082°32.65’W (onshore at North Shore Park) east southeast to position 27°46.39’N, 082°32.65’W; thence due south to position 27°44.67’N, 082°32.65’W; thence due west to position 27°44.67’N, 082°37.45’W (onshore, just south of Lassing Park). All coordinates referenced use Datum: NAD 83.

(b) Special local regulations. (1) Entry into the regulated area by other than event participants is prohibited unless authorized by the patrol commander designated by Coast Guard Group St. Petersburg, Florida.

(2) Spectator craft will be permitted near the race area, but will be required to stay clear of the race lanes. Anchoring for spectator craft is permitted north of the northern straightaway and south of the southern straightaway, but only in the designated spectator area between 27°46.62’N, 082°37.00’W to 27°46.80’N, 082°37.42’W and 27°46.52’N, 082°37.00’W to 27°46.70’N, 082°37.42’W for the northern area and 27°46.25’N, 082°37.00’W to 27°45.90’N, 082°37.42’W and 27°45.15’N, 082°37.00’W to 27°45.80’N, 082°37.42’W for the southern area.

(c) Effective dates. This regulation is effective annually at 10 a.m. and terminates at 6 p.m. EDT on the third Saturday and Sunday of August.


§ 100.730 Annual Miami Super Boat Race; Miami Beach, Florida

(a) Regulated area. (1) A regulated area is established by a line joining the following points: 25°46.3’N, 080°07.85’W; thence to, 25°46.3’N, 080°06.82’W; thence to, 25°51.3’N, 080°06.20’W; thence to, 25°51.3’N, 080°07.18’W; thence along the shoreline to the starting point. All coordinate referenced use Datum: NAD 83.

(2) A spectator area is established in the vicinity of the regulated area for spectator traffic and is defined by a
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Annual River Race Augusta; Savannah River, Augusta GA.

(a) Definitions: (1) Regulated Area. The regulated area is formed by a line drawn directly across the Savannah River at the U.S. Highway 1 Bridge at mile marker 199 and directly across the Savannah River at mile marker 197. The regulated area would encompass the width of the Savannah River between these two lines.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Charleston, South Carolina.

(b) Special Local Regulations. (1) Entry into the regulated area is prohibited to all non-participants.

(2) After termination of the River Race Augusta each day, and during intervals between scheduled events, at the discretion of the Coast Guard Patrol Commander, all vessels may resume normal operations.

(3) The Captain of the Port Charleston will issue a Marine Safety Information Broadcast Notice to Mariners to notify the maritime community of the special local regulations and the restrictions imposed.

(c) Dates. These regulations become effective annually from 7 a.m. to 5 p.m. EDT each day, on the third Friday, Saturday and Sunday of May, unless fewer than five short whistle or horn blasts from a patrol vessel will be the signal for any non-participating vessel to stop immediately. The display of an orange distress smoke signal from a patrol vessel will be the signal for any all vessels to stop immediately.

[CGD07-98-004, 63 FR 15090, Mar. 30, 1998]

§ 100.731 Special local regulations; annual Ft. Lauderdale Air & Sea Show, Ft. Lauderdale, FL.

(a) Regulated area. The following is a regulated area: All waters of the Atlantic Ocean west of a line drawn from 26–10.22N, 080–05.9W to 26–06.36N, 080–05.58W. All coordinates referenced use Datum: NAD 83.

(b) Special local regulations. (1) All vessels, with the exception of event participants, are prohibited from entering the regulated area without the specific permission of the patrol commander.

(2) All vessels shall immediately follow any specific instructions given by event patrol craft and exercise extreme caution while operating in or near the regulated area. A succession of not
§ 100.733 Annual Deerfield Beach Super Boat Race; Deerfield Beach, Florida.

(a) Regulated Areas. (1) A regulated area is established by a line joining the following points:

Corner point 1: 26°17.7′N–080°08.4′W
Corner point 2: 26°19.7′N–080°03.9′W
Corner point 3: 26°15.7′N–080°04.4′W
Corner point 4: 26°15.7′N–080°04.9′W. All coordinates reference Datum NAD: 83.

(2) A spectator area is established in the vicinity of the regulated area for spectator traffic and is defined by a line joining the following points:

Corner point 1: 26°15.7′N–080°03.9′W
Corner point 2: 26°15.7′N–080°04.1′W
Corner point 3: 26°19.7′N–080°03.7′W
Corner point 4: 26°19.7′N–080°03.5′W. All coordinates reference Datum NAD: 83.

(3) A buffer zone of 406 yards separates the racecourse and the spectator fleet.

(b) Special Local Regulations.

(1) Entry into the regulated area by other than event participants is prohibited unless otherwise authorized by the Patrol Commander. After the completion of scheduled races and the departure of participants from the regulated area, traffic may resume normal operations. At the discretion of the Patrol Commander, traffic may be permitted to resume normal operations between scheduled racing events.

(2) A succession of not fewer than 5 short whistle or horn blasts from a patrol vessel will be the signal for any and all vessels to take immediate steps to avoid collision. The display of an orange distress smoke signal from a patrol vessel will be the signal for any and all vessels to stop immediately.

(3) Spectators are required to maintain a safe distance from the racecourse at all times.

(c) Effective Date. This section becomes effective annually on the third Sunday of July at 12 p.m. and terminates at 4:30 p.m. EDT.


§ 100.734 Annual Gasparilla Marine Parade; Hillsborough Bay, Tampa, FL

(a) Regulated Area. A regulated area is established consisting of all waters of Hillsborough Bay and its tributaries north of a line drawn along latitude 27°51.30′N. The regulated area includes the following in their entirety: Hillsborough Cut “D” Channel, Sparkman Channel, Ybor Channel, Seddon Channel and the Hillsborough River south of the John F. Kennedy Bridge. Coordinates Reference Datum: NAD 1983.

(b) Special Local Regulations.

(1) Entry into the regulated area is prohibited to all commercial marine traffic from 9 a.m. to 2:30 p.m. EST on the first Saturday in February.

(2) The regulated area is an idle speed, “no wake” zone.

(3) All vessels within the regulated area shall stay clear of and give way to all vessels in parade formation in the Gasparilla Marine Parade.

(4) When within the marked channels of the parade route, vessels participating in the Gasparilla Marine Parade may not exceed the minimum speed necessary to maintain steerage.

(5) Jet skis and vessels without mechanical propulsion are prohibited from the parade route.

(6) Northbound vessels in excess of 80 feet in length without mooring arrangements made prior to the first Saturday in February, are prohibited from entering Seddon Channel unless the vessel is officially entered in the Gasparilla Marine Parade. All northbound vessels in excess of 80 feet without prior mooring arrangements not officially entered in the Gasparilla Marine Parade, must use the alternate route through Sparkman Channel.

(c) Dates. This section becomes effective annually at 9 a.m. and terminates at 2:30 p.m. EST on the first Saturday in February.

[CGD 07–98–041, 64 FR 3841, Jan. 26, 1999]

§ 100.801 Annual Marine Events in the Eighth Coast Guard District.

The following regulations apply to the marine events listed in Table 1 of this section. These regulations will be effective annually, for the duration of
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Each event listed in Table 1. Annual notice of the exact dates and times of the effective period of the regulation with respect to each event, the geographical area, and details concerning the nature of the event and the number of participants and type(s) of vessels involved will also be published in local notices to mariners. Sponsors of events listed in Table 1 of this section must submit an application each year in accordance with 33 CFR 100.15.

(a) The Coast Guard will patrol the event area under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander may be contacted on Channel 16 VHF-FM (156.8 MHz) by the call sign “PATCOM.”

(b) All persons and vessels not registered with the sponsor as participants or official patrol vessels are considered spectators. The “official patrol vessels” consist of any Coast Guard, state or local law enforcement and sponsor provided vessels assigned or approved by the Commander, Eighth Coast Guard District, to patrol the event.

(c) Spectator vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander and when so directed by that officer and will be operated at a no wake speed in a manner which will not endanger participants in the event or any other craft.

(d) No spectator shall anchor, block, loiter, or impede the through transit of participants or official patrol vessels in the regulated area during the effective dates and times, unless cleared for entry by or through an official patrol vessel.

(e) The Patrol Commander may forbid and control the movement of all vessels in the regulated area. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the directions given. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(f) Any spectator vessel may anchor outside the regulated area specified in Table 1 of this section, but may not anchor in, block, or loiter in a navigable channel.

(g) The Patrol Commander may terminate the event or the operation of any vessel at any time it is deemed necessary for the protection of life or property.

(h) The Patrol Commander will terminate enforcement of the special regulations at the conclusion of the event.

Table 1 of §100.801—Eighth Coast Guard District Table of Annual Marine Events

I. GROUP UPPER MISSISSIPPI RIVER

1. Riverfest Power Boat Grand Prix
   Sponsor: Twin City Power Boat Association
   Date: 2 Days—2nd Saturday in June
   Regulated Area: Upper Mississippi River
   miles 980.0–981.0, Little Falls, MN

2. W.A.M.S.O. Ball Fireworks
   Sponsor: St. Paul Parks and Recreation
   Date: 2 Days—2nd or 3rd Saturday in June
   Regulated Area: Upper Mississippi River
   miles 839.1–839.7, St. Paul, MN

3. Winona Downtown Arts & River Festival
   Sponsor: Winona Downtown Cooperative
   Date: 3 Days—2nd or 3rd Weekend in June
   Regulated Area: Upper Mississippi River
   miles 725.0–726.0, Winona, MN

4. La Crosse Riverfest
   Sponsor: Riverfest, Inc.
   Date: 5 Days—Last Week of June or 1st Week of July
   Regulated Area: Upper Mississippi River
   miles 698.0–699.0, La Crosse, WI

5. Fair St. Louis
   Sponsor: Fair St. Louis Committee
   Date: 3 Days—1st Week in July
   Regulated Area: Upper Mississippi River
   miles 179.2–180.0, St. Louis, MO

6. Fourth of July River Front Blast
   Sponsor: Alton Exposition Commission
   Date: 1 Day—1st Week in July
   Regulated Area: River Front Park, Upper Mississippi River
   miles 202.5–203.5, Alton, IL

7. Steamboat days
   Sponsor: Winona Area Jaycees
   Date: 3 Days—1st Weekend in July
   Regulated Area: Upper Mississippi River
   miles 725.0–726.0, Winona, MN

8. Independence Day Celebration
   Sponsor: Marquette American Legion
   Date: 2 Days—1st Week in July
   Regulated Area: Upper Mississippi River
   miles 634.5–634.7, Marquette, IA

9. City of Redwing 4th of July Fireworks
   Sponsor: City of Redwing
   Date: 1 Day—4th of July
   Regulated Area: Upper Mississippi River
   miles 790.0–791.0, Red Wing, MN

10. City of Minneapolis 4th of July Fireworks
    Sponsor: City of Minneapolis
    Date: 1 Day—4th of July
    Regulated Area: Upper Mississippi River
    miles 834.7–835.8, Minneapolis, MN
11. The Great Steamboat Race  
Sponsor: Delta Queen Steamboat Company  
Date: 1 Day—4th of July  
Regulated Area: Upper Mississippi River miles 173.6-179.2, St. Louis, MO

12. Celebrate the Bridge Regatta  
Sponsor: Minneapolis Rowing Club  
Date: 1 Day—2nd or 3rd Saturday in July  
Regulated Area: Upper Mississippi River miles 849.6-850.4, Minneapolis, MN

13. Hastings Rivertown Days  
Sponsor: Hastings Chamber of Commerce  
Date: 3 Days—3rd Weekend in July  
Regulated Area: Upper Mississippi River miles 813.0-815.2, Hastings, MN

14. Lumberjack Days Festival  
Sponsor: St. Croix Events and/or City of Stillwater  
Date: 4 Days—3rd or 4th Weekend in July  
Regulated Area: Lower St. Croix River miles 22.9-23.5, Stillwater, MN

15. Minneapolis Aquatennial  
Sponsor: Minneapolis Aquatennial Association  
Date: 9 Days—3rd Weekend through 4th Weekend in July  
Regulated Area: Upper Mississippi River miles 634.5-636.0, Prairie du Chien, WI

16. Big Splash Festival  
Sponsor: City of Prairie du Chien and Lentzkow Racing  
Date: 4 Days—3rd Weekend of July  
Regulated Area: Upper Mississippi River miles 634.5-636.0, Prairie du Chien, WI

17. RiverFeast  
Sponsor: Capital City Partnership d.b.a. RiverFeast  
Date: 1 Day—3rd or 4th Saturday in July  
Regulated Area: Upper Mississippi River miles 639.0-639.8, St. Paul, MN

18. River City Days  
Sponsor: Red Wing Chamber of Commerce  
Date: 2 Days—1st or 2nd Weekend in August  
Regulated Area: Upper Mississippi River miles 790.0-792.0, Red Wing, MN

19. Riverboat Days  
Sponsor: City of Yankton, Twin City Power Boat Association, WNAX Radio  
Date: 3 Days—3rd Weekend in August  
Regulated Area: Missouri River miles 805.0-806.0, Yankton, SD

20. Labor Day Celebration  
Sponsor: City of McGregor Chamber of Commerce  
Date: 4 Days—Last Weekend in August  
Regulated Area: Upper Mississippi River miles 683.0-684.0, McGregor, IA

Sponsor: St. Louis Drag Boat Association  
Date: 2 Days—1st or 2nd Week of September  
Regulated Area: Kaskaskia River miles 28.0-29.0, New Athens, IL

22. Minnesota Orchestra on the Mississippi Fireworks Show

Sponsor: City of St. Paul Parks and Recreation  
Date: 1 Day—1st or 2nd Saturday in September  
Regulated Area: Upper Mississippi River miles 839.1-839.7, St. Paul, MN

II. GROUP OHIO VALLEY

1. Eskimo Escapades—Water Ski Race  
Sponsor: Skiers of Knoxville, TN  
Date: 1 Day—2nd Saturday in January  
Regulated Area: Tennessee River miles 649.0-649.6, Knoxville, TN

2. Tom White Invitational—Rowing  
Sponsor: Oak Ridge (Tennessee) Rowing Association  
Date: 1 Day—2nd or 3rd Saturday in March  
Regulated Area: Clinch River miles 49.8-51.1, Anderson County, TN

3. Thunder Over Louisville  
Sponsor: Thunder Over Louisville  
Date: 1 Day—3rd Saturday in April  
Regulated Area: Ohio River miles 602.0-605.0, Louisville, KY

4. Marietta Invitational Rowing Regatta  
Sponsor: Marietta High School  
Date: 1 Day—2nd Week of April  
Regulated Area: Muskingum River Mile 0.5-1.5, Marietta, OH

5. Southeast Intercollegiate Rowing Championships—Rowing Race  
Sponsor: Oak Ridge (Tennessee) Rowing Association  
Date: 2 Days—3rd Weekend in April  
Regulated Area: Clinch River miles 49.8-51.1, Anderson County, TN

6. Oak Ridge Scholastics—Rowing Shells  
Sponsor: Oak Ridge (Tennessee) Rowing Association  
Date: 1 Day—4th Saturday in April  
Regulated Area: Clinch River miles 49.8-51.1, Anderson County, TN

7. Kentucky Derby Festival Great Steamboat Race  
Sponsor: Kentucky Derby Festival/Belle of Louisville Operating Board  
Date: 1 Day—Last Week in April or First Week in May  
Regulated Area: Ohio River 597.0-604.0, Louisville, KY

8. Annual Boat Review—Marine Parade  
Sponsor: Chattanooga Marine Trade Association  
Date: 1 Day—1st Saturday in May  
Regulated Area: Tennessee River miles 471.0-478.0, Hamilton County, TN

9. TRRA Scholastic Sprint  
Sponsor: Three Rivers Rowing Association, Pittsburgh, PA  
Date: 1 Day—1st Sunday in May  
Regulated Area: Allegheny River miles 2.0-4.0, Pittsburgh, PA

10. UT Coaches Regatta—Rowing Race  
Sponsor: Oak Ridge (Tennessee) Rowing Association  
Date: 1 Day—2nd or 3rd Saturday in May
Regulated Area: Clinch River miles 49.8–51.1, Anderson County, TN
11. NCAA Regional Championships—Rowing Race
   Sponsor: Oak Ridge (Tennessee) Rowing Association
   Date: 1 Day—2nd or 3rd Saturday in May
   Regulated Area: Clinch River miles 49.8–51.1, Metropolis, IL, TN
12. Blessing of the Fleet—Parade of Boats
   Sponsor: Jonathan Aurora Action Committee, Aurora, KY
   Date: 1 Day—2nd or 3rd Weekend in May
   Regulated Area: Tennessee River miles 42.0–43.0, Aurora, KY
13. West Virginia Governors Cup Regatta
   Sponsor: University of Charleston
   Date: 3rd Week of May
   Regulated Area: Kanawha River Mile 59.5–62.0, Charleston, WV
14. Boats and Music Regatta
   Sponsor: The Great Kanawha River Navy
   Date: Last Week of May
   Regulated Area: Kanawha River Mile 57.9–58.9, Charleston, WV
15. Albert Gallatin Regatta
   Sponsor: Point Marion (Pennsylvania) Rotary Club
   Date: 2 Days—Saturday & Sunday of Memorial Day Weekend
   Regulated Area: Monongahela River miles 89.9–90.8, Point Marion, PA
16. West Virginia Symphony Fireworks
   Sponsor: West Virginia Symphony
   Date: 1st Week of June
   Regulated Area: Kanawha River Mile 59.4–60.4, Charleston, WV
17. Riverbend Festival—Concerts and Fireworks
   Sponsor: Friends of the Festival, Chattanooga, TN
   Date: 4 Days—1st & 2nd Weekend in June
   Regulated Area: Tennessee River miles 463.4–464.5, Chattanooga, TN
18. Annual Superman Celebration—Fireworks
   Sponsor: Metro Chamber, Metropolis, IL
   Date: 1 Day—2nd Saturday in June
   Regulated Area: Ohio River miles 942.0–943.0, Metropolis, IL
19. Saint Brendan Cup Rowing Race
   Sponsor: Pittsburgh Irish Rowing Club
   Date: 1 Day—2nd or 3rd Saturday in June
   Regulated Area: Ohio River miles 7.0–9.0, Pittsburgh, PA
20. Blessing of The Fleet
   Sponsor: Pittsburgh Safe Boating Committee
   Date: 1 Day—2nd or 3rd Sunday in June
   Regulated Area: Allegheny River miles 0.0–0.2, Pittsburgh, PA
21. Heritage Days Regatta And Powerboat Races
   Sponsor: River Heritage Days Committee
   Date: 2 Days—Saturday & Sunday—2nd or 3rd Weekend in June
   Regulated Area: Ohio River miles 127.6–128.5, New Martinsville, WV
22. Picnic With the Pops
   Sponsor: Huntington Symphony Orchestra
   Date: 2nd or 3rd week of June
   Regulated Area: Ohio River Mile 307.5–308.5, Huntington, WV
23. Point Pleasant Sternwheel Regatta and River Festival
   Sponsor: Point Pleasant Sternwheel Regatta
   Date: 3 Days—Last Weekend in June
   Regulated Area: Ohio River miles 256.0–256.3, Point Pleasant, WV
24. Thunder On The Ohio
   Sponsor: Evansville Freedom Festival
   Date: 3 Days—Last Weekend in June
   Regulated Area: Ohio River miles 762.0–793.0, Evansville, IN
25. Augusta Sternwheel Days
   Sponsor: City of Augusta/Sternwheel Days Committee
   Date: 1 Day—Last Saturday in June
   Regulated Area: Ohio River miles 426.0–429.0, Augusta, KY
26. Festival On The Lake—Rowing Race
   Sponsor: Oak Ridge (Tennessee) Rowing Association
   Date: 2 Days—4th Weekend in June
   Regulated Area: Clinch River miles 50.3–50.8, Anderson County, TN
27. Chattanooga Dam Triathlon—Lake Swim
   Sponsor: Chattanooga Track Club
   Date: 1 Day—4th Sunday in June
   Regulated Area: Tennessee River miles 471.9–471.5, Chattanooga, TN
28. Charleston 4th of July Celebration
   Sponsor: Charleston Festival Commission
   Date: 1st Week of July
   Regulated Area: Kanawha River Mile 50.9–51.9, Charleston, WV
29. Annual River Recreational Festival
   Sponsor: Gallia County Chamber of Commerce
   Date: 1st Week of July
   Regulated Area: Ohio River Mile 269.0–270.0, Gallipolis, OH
30. Civic Forum Fireworks and Entertainment
   Sponsor: Civic Forum
   Date: 1st Week of July
   Regulated Area: Ohio River Mile 355.5–356.5, Portsmouth, OH
31. Freedomfest
   Sponsor: WTCR FM
   Date: 1st Week of July
   Regulated Area: Ohio River Mile 307.5–308.5, Huntington, WV
32. City of Pittsburgh July 4th Celebration
   Sponsor: Citiparks
   Date: 1 Day—4th of July
   Regulated Area: Ohio River miles 0.0–0.2, Pittsburgh, PA
33. EZ Challenge Speedboat Race
   Sponsor: APR Events Group, New Martinsville, WV
 § 100.801

Date: 2 Days—Saturday & Sunday on or about 4th of July
Regulated Area: Ohio River miles 77.0-78.0, Brooke County, WV
34. St. Albans Riverfest
Sponsor: St. Albans Riverfest, Inc.
Date: 2 Days—1st Weekend in July
Regulated Area: Kanawha River miles 46.0-47.0, St. Albans, WV
35. Summer Motion Festival Tri-State Fireworks
Sponsor: Tri-State Fair and Regatta Committee
Date: 1 Day—4th of July
Regulated Area: Ohio River miles 322.4-322.6, Ashland, KY
36. Indiana Governor’s Cup
Sponsor: Madison Regatta Inc.
Date: 3 Days—1st Weekend in July
Regulated Area: Ohio River miles 557.0-558.0, Madison, IN
37. The New Kensington Recreational Commission’s Fireworks Display
Sponsor: New Kensington Recreation Commission
Date: One day—July 3rd
Regulated Area: Allegheny River mile 18.3-18.7
38. Toronto 4th of July Celebration
Sponsor: Toronto 4th of July Committee
Date: One day—July 3rd
Regulated Area: Ohio River between mile 58.1-59.1
39. Wheeling Symphony Conducky Derby
Sponsor: Wheeling Symphony Society Inc.
Date: One day—July 4th
Regulated Area: Ohio River between mile 90.2-90.7
40. Independence Day Celebration—Fireworks
Sponsor: Paducah Parks Department
Date: 1 Day—4th of July
Regulated Area: Ohio River miles 935.5-936.0, Paducah, KY
41. Independence Day Celebration—Boat Parade and Fireworks
Sponsor: Metropolitan Board of Parks and Recreation, Nashville, TN
Date: 1 Day—4th of July
Regulated Area: Cumberland River miles 190.0-191.0, Nashville, TN
42. 4th of July Celebration—Fireworks
Sponsor: Players Riverboat Casino, Metropolis, IL
Date: 1 Day—3rd or 4th of July
Regulated Area: Ohio River miles 943.0-944.0, Metropolis, IL
43. Lottie McAlice Rowing Race
Sponsor: Three Rivers Rowing Association, Pittsburgh, PA
Date: 2 Days—Saturday & Sunday Near July 15
Regulated Area: Allegheny River miles 2.0-3.0, Pittsburgh, PA
44. Rocketman Triathlon—Lake Swim
Sponsor: Spring City Triathletes, Huntsville, AL

Date: 1 Day—2nd or 3rd Saturday in July
Regulated Area: Tennessee River miles 324.0-324.5, Madison County, TN
45. Cross River Swim Paducah Summerfest
Sponsor: Paducah Tourist & Convention Commission
Date: 1 Day—3rd Saturday in July
Regulated Area: Ohio River miles 934.5-936.0, Paducah, KY
46. Oak Ridge Sprints—Rowing Race
Sponsor: Oak Ridge (Tennessee) Rowing Association
Date: 3 Days—3rd Weekend in July
Regulated Area: Clinch River miles 49.8-51.1, Anderson County, TN
47. Summerfest
Sponsor: Tri-State Fair and Regatta
Date: 3rd or 4th Week of July
Regulated Area: Ohio River Mile 307.5-308.5, Huntington, WV
48. Fitness System’s Lock Triathlon—Lake Swim
Sponsor: Greater Knoxville Triathlon Club
Date: 1 Day—4th Weekend in July
Regulated Area: Clinch River miles 22.0-23.0, Loudon County, TN
49. Paducah Summer Festival—Fireworks
Sponsor: Paducah Promotions
Date: 1 Day—4th Weekend In July
Regulated Area: Ohio River miles 934.0-935.0, Paducah, KY
50. Oakmont Regatta
Sponsor: Oakmont Yacht Club, Oakmont, PA
Date: 2 Days—Last Saturday and Sunday in July
Regulated Area: Allegheny River miles 118-123, Oakmont, PA
51. Pittsburgh Three Rivers Regatta
Sponsor: Pittsburgh Three Rivers Regatta, Inc.
Date: 7 Days—End of July or beginning of August
Regulated Area: One mile around point at confluence of Allegheny River miles 0.0-1.0, Monongahela River miles 0.0-0.2, and Ohio River miles 0.0-0.9, Pittsburgh, PA
52. Beaver County Riverfest
Sponsor: Beaver County Chamber of Commerce, Beaver, PA
Date: 3 Days—Friday, Saturday & Sunday nearest August 15
Regulated Area: Ohio River miles 25.1-25.8, Beaver River miles 0.1-0.3, Beaver County, PA
53. Belpre Ohio Homecoming
Sponsor: Belpre Ohio Chamber of Commerce
Date: 2nd Week of August
Regulated Area: Ohio River Mile 183.5-186.5, Belpre, OH
54. Rumble on the River
Sponsor: Southern Ohio Water Sports
Date: 2nd Week of August
Regulated Area: Ohio River Mile 355.5-356.5, Portsmouth OH
55. Steubenville (Ohio) Regatta Rumble On The River
   Sponsor: Steubenville Regatta And Racing Association, Inc.
   Date: 3 Days—Friday, Saturday & Sunday nearest August 15
   Regulated Area: Ohio River miles 65.0-67.0, Jefferson County, OH
56. Armstrong County (Pennsylvania) Regatta
   Sponsor: Three Rivers Outboard Racing Association
   Date: 2 Days—Saturday & Sunday nearest August 15
   Regulated Area: Allegheny River miles 43.8-45.7, Armstrong County, PA
57. Parkersburg Homecoming Festival
   Sponsor: Parkersburg Homecoming Festival
   Date: 2 Days—3rd Weekend in August
   Regulated Area: Ohio River miles 181.0-185.0, Parkersburg, WV
58. Kentucky Drag Boat Association Inc.: Drag Boat Races
   Sponsor: Kentucky Drag Boat Association Inc.
   Date: 3 Days—End of August
   Regulated Area: Green River miles 70.0-71.5, Livermore, KY
59. WEBN/Toyota Fireworks
   Sponsor: WEBN
   Date: 1 Day—Sunday before Labor Day
   Regulated Area: Ohio River 469.2-470.5, Cincinnati, OH
60. Charleston Sternwheel Regatta
   Sponsor: Charleston Festival Commission
   Date: 4 Days—The 2 Weekends before Labor Day
   Regulated Area: Kanawha River miles 57.0-59.0, Charleston, WV
61. Aurora APR Power Boat Races
   Sponsor: Aurora Riverfront Beautification
   Date: August 29
   Regulated Area: Ohio River, at approximately mile 496.0-499.0, mid-channel, Aurora, IN
62. Portsmouth River Days
   Sponsor: Portsmouth River Days Inc.
   Date: 1st Week of September
   Regulated Area: Ohio River Mile 355.5-356.5, Portsmouth, OH
63. Ohio River Sternwheel Festival
   Sponsor: Ohio River Sternwheel Festival Commission
   Date: 2 Days—1st or 2nd Weekend in September
   Regulated Area: Ohio River miles 170.0-180.0, Marietta, OH
64. My 102 Booms Day—Fireworks
   Sponsor: WMYU Radio, Knoxville, TN
   Date: 1 Day—1st Weekend in September
   Regulated Area: Tennessee River miles 465.0-469.0, Knoxville, TN
65. Ducks On The Ohio
   Sponsor: Goodwill Industries, Inc.
   Date: 1 Day—2nd or 3rd Weekend in September
   Regulated Area: Ohio River miles 792.0-793.0, Evansville, IN
66. Head of Licking Regatta
   Sponsor: Kendle, Cincinnati Rowing Club, City of Newport
   Date: 1 Day—Last Saturday in September
   Regulated Area: Licking River miles 0.0-3.5, Newport, KY
67. Fleur De Lis Regatta
   Sponsor: City of Louisville, KY
   Date: 2 Days—Last Weekend in September
   Regulated Area: Ohio River miles 602.0-604.0, Louisville, KY.
68. Head of The Ohio
   Sponsor: Pittsburgh Mercy Foundation
   Date: 1 Day—1st Saturday in October
   Regulated Area: Allegheny River miles 0.0-4.0, Pittsburgh, PA
69. Chattanooga Head Race—Rowing Race
   Sponsor: Look Out Rowing Club
   Date: 1 Day—2nd Saturday in October
   Regulated Area: Tennessee River miles 464.9-467.0, Chattanooga, TN
70. Head of Tennessee Regatta
   Sponsor: Knoxville Rowing Association
   Date: 1 Day—2nd Saturday in October
   Regulated Area: Tennessee River miles 641.5-645.0, Knoxville, TN
71. City of Pittsburgh Light Up Night Fireworks
   Sponsor: Citiparks
   Date: 1 Day—1st Friday in November
   Regulated Area: Ohio River miles 0.0-0.2, Pittsburgh, PA
72. Light Up Pittsburgh
   Sponsor: Kaufmans
   Date: 3rd Friday in November
   Regulated Area: Ohio River mile 0.9-0.1
73. Christmas on the River—Marine Parade
   Sponsor: Chattanooga Downtown Partnership
   Date: 1 Day—Last Weekend in November or 1st Weekend in December
   Regulated Area: Tennessee River miles 464.9-469.0, Chattanooga, TN
74. First Night Pittsburgh
   Sponsor: Forest City Management
   Date: One day—31 December
   Regulated Area: Ohio River mile 0.0-0.1

III. GROUP LOWER MISSISSIPPI RIVER

1. Memphis in May Canoe & Kayak Race
   Sponsor: Outdoors, Inc.
   Date: 1 Day—1st or 2nd Saturday in May
   Regulated Area: Lower Mississippi River miles 735.5-738.5, Memphis, TN
2. Duckin’ Down the River Rubber Duck Race
   Sponsor: Young Women’s Community Guild
   Date: 1 Day—1st or 2nd Saturday in May
   Regulated Area: Arkansas River miles 308.2-308.6, Fort Smith, AR
3. Memphis in May Sunset Symphony Fireworks Display
   Sponsor: Memphis in May International Festival, Inc.
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Date: 1 Day—Saturday before Memorial Day
Regulated Area: Lower Mississippi River miles 736.4–738.0, Memphis, TN

1. Air Sea Rescue
   Sponsor: Gulf Coast Shows
   Date: 1st or 2nd Weekend in February
   Regulated Area: Mobile River ½ mile upriver and ½ mile down river from the Mobile Convention Center, Mobile, AL

2. Bass Tournament Weigh-In
   Sponsor: Gulf Coast Shows
   Date: 2 Days—3rd or 4th Weekend in February
   Regulated Area: Mobile River ½ mile upriver and ½ mile down river from the Mobile Convention Center, Mobile, AL

3. Water Ski Demonstrations
   Sponsor: Gulf Coast Shows
   Date: 2 Days—3rd or 4th Weekend in February
   Regulated Area: Mobile River ½ mile upriver and ½ mile down river from the Mobile Convention Center, Mobile, AL

4. Mobile Boat and Sportsman Show
   Sponsor: Gulf Coast Shows
   Date: Last week of February
   Regulated Area: Mobile River, ½ mile upriver and 1 mile down river from Mobile Convention Center, Mobile, AL

5. Blessing of the Fleet—Biloxi, MS
   Sponsor: St. Michael’s Catholic Church
   Date: 1 Day—1st or 2nd Sunday in May
   Regulated Area: Entire Biloxi Channel, Biloxi, MS

6. Blessing of the Fleet—Bayou La Batre, AL
   Sponsor: St. Margaret Church
   Date: 1 Day—2nd or 3rd Sunday in May
   Regulated Area: Entire Bayou La Batre, Bayou La Batre, AL

7. Annual Krewe of Billy Bowlegs Pirate Festival
   Sponsor: Krewe of Billy Bowlegs of Okaloosa County, Inc.
   Date: First weekend in June
   Regulated Area: Santa Rosa Sound, east of the Brooks Bridge to Fort Walton Yacht Club at Smack Point at the western end of Choctowatchee Bay and Cinco Bayou

8. Independence Day Fireworks, Destin, FL
   Sponsor: City of Destin, FL
   Date: 1 Day—4th of July.
   Regulated Area: Destin East Pass between and including buoys 5 to 11, Destin, FL

9. Independence Day Fireworks, Gulf Shores, AL
   Sponsor: City of Gulf Shores
   Date: 1 Day—4th of July
   Regulated Area: 500 yard radius around fireworks platform adjacent to Main Pavilion at Gulf Shore Public Beach, Gulf Shores, AL

10. Independence Day Fireworks, Panama City, FL
    Sponsor: US Navy MWR NSWCCSS CP21
    Date: 1 Day—4th of July
    Regulated Area: 500 yard radius around fireworks platform adjacent to Hathaway
11. Independence Day Fireworks, Niceville & Valparaiso, FL
Sponsor: Niceville-Valparaiso Bay Chamber of Commerce
Date: 1 Day—4th of July
Regulated Area: Entire Boggy Bayou, Valparaiso, FL

12. Fourth of July Fireworks, Mobile
Sponsor: Mobile Register
Date: 1 Day—4th of July
Regulated Area: 500 feet from the east bank of the Lower Mobile River between latitudes 30°41’34”N and 30°41’24”N.

13. Flag Day Parade
Sponsor: Warrior River Boating Association
Date: 1 Day—July 5th
Regulated Area: Warrior River 5 Bankhead Lake River miles 368.4-386.4, Cottondale, AL

14. Blue Angels Air Show, Pensacola Beach
Sponsor: Naval Air Station Pensacola, FL
Date: 2nd weekend in July
Regulated Area: A 5 nautical mile radius from a center point located 1500 feet out from the Pensacola Beach shoreline in front of the Pensacola Beach water tank.

15. MWR Fort to Fort Swim
Sponsor: Morale, Welfare and Recreation, Naval Air Station Pensacola, FL
Date: First weekend in August
Regulated Area: Fort Pickens pier to Barrancas Beach, crossing the Gulf Intracoastal Waterway at statute mile 180 between buoys 13, 14, 15, and 16.

16. Annual Labor Day Fireworks
Sponsor: City of Destin, FL
Date: 1 Day—Day of or Day before Labor Day.
Regulated Area: Destin East Pass between and including buoys 5 to 11, Destin, FL.

17. Christmas Afloat, Tuscaloosa, AL
Sponsor: Christmas Afloat, Inc.
Date: 1 Day—2nd or 3rd Weekend in December
Regulated Area: Warrior River miles 338.0-341.0, Tuscaloosa County, AL

18. Independence Day Fireworks, Mobile, AL
Sponsor: The Mobile Register.
Date: 1 Day—4th of July
Regulated Area: From the shore of the east bank out 500 feet into the Mobile River between latitudes 30°6’41”N and 30°6’36”N, 120 minutes between latitudes 30°6’41”N and 30°6’36”N.

19. Blue Angels Air Show, Pensacola, FL
Sponsor: Naval Air Station Pensacola, FL
Date: 2 Days—2nd weekend in July
Regulated Area: A five nautical mile radius from a center point located 1,500 feet from the Pensacola Beach water tower in a direction perpendicular to the beachfront.

20. Fort-to-Fort Swim, Pensacola, FL
Sponsor: Naval Air Station Pensacola, FL
Date: 1 Day—1st weekend in August.
Regulated Area: Fort Pickens pier to Barrancas Beach, crossing the Gulf Intracoastal Waterway at statute mile 180 between buoys 13, 14, 15, and 16.

21. Keesler Air Force Base Air Show, Biloxi, MS
Sponsor: Keesler Air Force Base, Biloxi, MS.
Date: 2 Days—1st weekend in November.
Regulated Area: Bounded by the following coordinates: (1) Latitude 30°46’35”N, 108°56’00”W; (2) latitude 30°46’35”N, 108°56’00”W; (3) latitude 30°46’35”N, 108°56’00”W; (4) latitude 30°46’35”N, 108°56’00”W.

22. Annual Krewe of Billy Bowlegs Pirate Festival, Okaloosa County, FL
Sponsor: The Krewe of Billy Bowlegs of Okaloosa County, Inc.
Date: 2 Days—1st weekend in June.
Regulated Area: Santa Rosa Sound, east of the Brooks Bridge to Fort Walton Yacht Club at Smack Point on the western end of Choctowatchee Bay and Cinco Bayou.

V. GROUP NEW ORLEANS

1. Blessing of The Fleet
Sponsor: Our Lady of Prompt Succor Catholic Church, Golden Meadow, LA
Date: 1 Day—2nd Saturday in May
Regulated Area: Bayou Lafourche in the area between Galliano, LA to the area of downtown Golden Meadow, LA

2. The Blessing of the Fleet and Fireworks Display, Morgan City, LA
Sponsor: LA Shrimp And Petroleum Festival and Fair Assoc., Inc.
Date: 1 Day—Sunday of Labor Day Weekend
Regulated Area: Berwick Bay From Junction of the Lower Atchafalaya River at Morgan City, LA to Berwick Locks Buoy 1 (LLNR 18446)

3. July Fourth Fireworks Display
Sponsor: City of Morgan City, LA
Date: 1 Day—4th of July
Regulated Area: Mile marker 0.0-1.0, Morgan City Port Allen Route

4. Annual Patterson Pirogue Race, Patterson, LA
Sponsor: Rotary Club of Patterson
Date: 1 Day—4th of July
Regulated Area: Lower Atchafalaya River—Jennings Bridge to 1 mile South of Jennings Bridge, Patterson, LA

5. USS KIDD Star Spangled Celebration, Baton Rouge, LA
Sponsor: USS KIDD and Nautical Center
Date: 1 Day—4th of July
Regulated Area: Lower Mississippi River miles 229.4-229.6, Baton Rouge, LA

6. Uncle Sam Jam Fireworks, Alexandria, LA
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Sponsor: Champion Broadcasting of Alexandria
Date: 1 Day—4th of July
Regulated Area: Red River, miles 83.0–87.0, Alexandria, LA

7. Monroe Jaycees Fireworks, Monroe, LA
Sponsor: Monroe Jaycees
Date: 1 Day—4th of July
Regulated Area: Ouachita River, miles 164.0–169.0, at the Parish Court House, Monroe, LA

8. Boomtown Casino Fireworks, Harvey, LA
Sponsor: Boomtown Casino
Date: 1 Day—4th of July
Regulated Area: Harvey Canal, miles 3.5–5.5, the entire width of the canal, Harvey, LA

9. Kenner Fireworks, Kenner, LA
Sponsor: City of Kenner
Date: 1 Day—4th of July
Regulated Area: Harvey Canal, miles 3.5–5.5, the entire width of the canal, Harvey, LA

10. Bally’s Casino Fireworks, New Orleans, LA
Sponsor: Bally’s Casino
Date: 1 Day—4th of July
Regulated Area: 500 yard radius around fireworks platform in Lake Pontchartrain at Williams Blvd, Kenner, LA

11. Riverfront Marketing Fireworks, New Orleans, LA
Sponsor: Riverfront Marketing Group
Date: 1 Day—4th of July
Regulated Area: 500 yard radius around fireworks platform adjacent to Woldenberg Park in Mississippi River, New Orleans, LA

12. Annual Hogdown Fireworks, Mandeville, LA
Sponsor: Mr. R. C. Lunn
Date: 1 Day—4th of July
Regulated Area: 500 yard radius around fireworks platform adjacent to intersection of Tangipahoa River and Lake Pontchartrain, Mandeville, LA

13. Riverfront Marketing Fireworks, New Orleans
Sponsor: Jax Brewery
Date: 1 Day—December 31
Regulated Area: 500 yard radius around fireworks platform adjacent to Woldenberg Park, New Orleans, LA

14. Riverfront Marketing Fireworks, New Orleans
Sponsor: Riverfront Marketing Group
Date: 1 Day—Lundi Gras Day
Regulated Area: 500 yard radius around fireworks platform in Mississippi River adjacent to Algiers Point, New Orleans, LA

VI. GROUP GALVESTON

1. Neches River Festival, Beaumont, TX
Sponsor: Neches River Festival, Inc.
Date: 2 Days—2nd, 3rd, or 4th Weekend in April
Regulated Area: Neches River from Collier’s Ferry Landing to Lawson’s Crossing at the end of Pine St., Beaumont, TX.

2. Contraband Days Fireworks Display, Lake Charles, LA
Sponsor: Contraband Days Festivities, Inc.
Date: 1 Day—2nd Saturday of May
Regulated Area: 500 foot radius from the fireworks barge in Lake Charles anchored at approximate position 30°19’54” N-093°13’42” W, Lake Charles, LA

3. National Safe Boating Week
Sponsor: Houston Power Squadron
Date: Last weekend in May or first weekend in June
Regulated Area: Clear Creek Channel from Light 2 up to, but not including, the South Shore Harbor Marina.

4. Sylvan Beach Fireworks Display, Sylvan Beach, Houston, TX
Sponsor: City of LaPorte
Date: 1 Day—End of June or Early July
Regulated Area: Rectangle Extending 250 feet East, 250 feet West; 1000 feet North, and 1000 feet South, centered around fireworks barge at Sylvan Beach, Houston, TX

5. Neches River 4th of July Celebration, Beaumont, Texas
Sponsor: City of Beaumont
Date: 1 Day—4th of July
Regulated Area: River Front Park, Beaumont, TX—All waters of the Neches River, bank to bank, from the Trinity Industries Dry Dock to the northeast corner of the Port of Beaumont’s dock No. 5.

6. Clear Lake Fireworks Display, Clear Lake, Houston, TX
Sponsor: Clear Lake Chamber of Commerce
Date: 1 Day—4th of July
Regulated Area: Rectangle extending 500 feet East, 500 feet West; 1000 feet North, and 1000 feet South, centered around fireworks barge at Light #19 on Clear Lake, Houston, TX

7. Blessing of the Fleet
Sponsor: Clear Lake Elks Club
Date: First Sunday in August
Regulated Area: Clear Creek Channel from Light 2 up to, but not including, the South Shore Harbor Marina.

8. Galveston Harbor Lighted Boat Parade
Sponsor: Historic Downtown/Strand Partnership
Date: Last Saturday in November
Regulated Area: Galveston Channel from Pier 9 to the Pelican Island Bridge

9. Christmas on the Neches River, Port Neches Park
Sponsor: Port Neches Chamber of Commerce
Date: 1 Day—1st Saturday in December
Regulated Area: The areas of the Neches River from Neches River Light 26 to
§ 100.901 Great Lakes annual marine events.

Permanent special local regulations are hereby established for the marine events listed in Table 1. These regulations will be effective annually, for the duration of each event, on or about the dates indicated in Table 1. Annual notice of the exact dates and times of the effective period of the regulations with respect to each event, the geographical description of each regulated area, and details concerning the nature of the event and the number of participants.
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and type(s) of vessels involved will be published in local notices to mariners. To be placed on the mailing list for such notices, contact: Commander(oan), Ninth Coast Guard District, 1240 E. Ninth St., Cleveland, OH 44199-2060. Sponsors of events listed in Table 1 must still submit an application each year in accordance with 33 CFR 100.15.

(a) The Coast Guard will patrol the regatta area under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander may be contacted on Channel 16 (156.8 MHZ) by the call sign “Coast Guard Patrol Commander.” Vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander and when so directed by that officer. Vessels will be operated at a no wake speed to reduce the wake to a minimum, and in a manner which will not endanger participants in the event or any other craft. The rules contained in the above two sentences shall not apply to participants in the event or vessels of the patrol operating in the performance of their assigned duties.

(b) The Patrol Commander may direct the anchoring, mooring, or movement of any boat or vessel within the regatta area. A succession of sharp, short signals by whistle or horn from vessels patrolling the area under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Vessels so signaled shall stop and shall comply with the orders of the Patrol Commander. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(c) The Patrol Commander may establish vessel size and speed limitations and operating conditions.

(d) The Patrol Commander may restrict vessel operation within the regatta area to vessels having particular operating characteristics.

(e) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of life and property.

Table 1

<table>
<thead>
<tr>
<th>Group Buffalo, NY:</th>
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<tbody>
<tr>
<td>Fireworks by Grucci</td>
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<tr>
<td>Sponsor: New York Power Authority.</td>
</tr>
<tr>
<td>Date: Last weekend of July.</td>
</tr>
<tr>
<td>Location: Lake Ontario, Wright’s Landing/Oswego Harbor, NY within an 800 foot radius of the fireworks launching platform located in approximate position 43°28’10” N 076°31’04” W.</td>
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</tbody>
</table>

| Flagship International Kilo Speed Challenge |
| Sponsor: Presque Isle Powerboat Racing Association. |
| Date: 3rd or 4th weekend of June. |
| Location: That portion of Lake Erie, Presque Isle Bay, south of a line drawn from 42°08’34” N 080°05’42” W; to 42°07’ N 080°21’ W will be a regulated area. That portion of Lake Erie, Presque Isle Bay, north of a line drawn from 42°08’34” N 080°05’42” W; to 42°07’ N 080°21’ W will be a “caution area”. All vessels transiting the caution area will be operated at bare steerageway, keeping the vessel’s wake at a minimum, and will exercise a high degree of caution in the area. The bay entrance will not be effected. |

| Flagship International Offshore Challenge |
| Sponsor: Presque Isle Powerboat Racing Association. |
| Date: 3rd or 4th weekend of June. |
| Location: That portion of Lake Erie, Presque Isle Bay, Entrance Channel, and the enclosed area from Erie Harbor Pier Head Light (LLNR 3430) northeast to 42°12’48” N 079°57’24” W, thence south to shore just east of Shades Beach. |

| Friendship Festival Airshow |
| Sponsor: Friendship Festival|
| Date: 4th of July holiday. |
| Location: That portion of the Niagara River and Buffalo. Harbor from: |

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>42°54.4’ N</td>
<td>078°54.1’ W, thence to 42°54.4’ W, thence to 42°52.9’ N, thence to 42°52.5’ N.</td>
</tr>
<tr>
<td>42°52.9’ N</td>
<td>078°54.9’ W, thence to 42°52.5’ N.</td>
</tr>
<tr>
<td>42°52.5’ N</td>
<td>078°54.3’ W, thence to 42°52.9’ N.</td>
</tr>
</tbody>
</table>
NFBRA Red Dog Kilo Time Trials
Sponsor: Niagara Frontier Boat Racing Association.
Date: 4th or 5th weekend of September.
Location: That portion of the Niagara River, Tonawanda Channel, between Tonawanda Channel Buoy 31 to approximately ½ mile southwest of Twomile Creek along a line drawn from 43°00′45″ N 078°55′06″ W to 43°00′28″ N 078°51′56″ W (Sipco Oil Company).

Sodus Bay 4th of July Fireworks
Sponsor: Sodus Bay Historical Society.
Date: 4th of July holiday.
Location: Lake Ontario, within a 500 foot radius around a barge anchored in approximate position 43°15′.73″ N 076°58′.23″ W, in Sodus Bay.

Tailship Erie
Sponsor: Erie Maritime Programs, Inc.
Date: 1st or 2nd weekend of July.
Location: That portion of Lake Erie, Presque Isle Bay Entrance Channel and Presque Isle Bay from:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>42°10′N</td>
<td>080°03′W</td>
</tr>
<tr>
<td>42°08′.1″N</td>
<td>080°07′W</td>
</tr>
<tr>
<td>42°07′.9″N</td>
<td>080°06′.8″W</td>
</tr>
<tr>
<td>42°09′.2″N</td>
<td>080°02′.6″W</td>
</tr>
<tr>
<td>42°10′N</td>
<td>080°03′W</td>
</tr>
</tbody>
</table>

Thomas Graves Memorial Fireworks Display
Sponsor: Port Bay Improvement Association.
Date: 1st or 2nd weekend of July.
Location: That portion of Lake Ontario, Port Bay Harbor, NY within a 500 ft radius surrounding a barge anchored in approximate position 43°17′46″ N 076°50′02″ W.

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>42°52′.7″N</td>
<td>078°53′.9″W</td>
</tr>
<tr>
<td>42°52′.8″N</td>
<td>078°53′.8″W</td>
</tr>
<tr>
<td>42°53′.1″N</td>
<td>078°53′.6″W</td>
</tr>
<tr>
<td>42°53′.2″N</td>
<td>078°53′.6″W</td>
</tr>
<tr>
<td>42°53′.3″N</td>
<td>078°53′.7″W</td>
</tr>
</tbody>
</table>

Thunder Island Offshore Challenge
Sponsor: Thunder on the Water Inc.
Date: 3rd or 4th weekend of June.
Location: That portion of Lake Ontario, Oswego Harbor from the West Pier Head Light (LLNR 2080) north to:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>43°29′.02″N</td>
<td>076°32′.04″W</td>
</tr>
<tr>
<td>43°26′.18″N</td>
<td>076°39′.30″W</td>
</tr>
<tr>
<td>43°24′.55″N</td>
<td>076°37′.45″W</td>
</tr>
</tbody>
</table>

We Love Erie Days Fireworks
Sponsor: We Love Erie Days Festival, Inc.
Date: 3rd weekend of August.
Location: That portion of Lake Erie, Erie Harbor, within a 300 foot radius, surrounding the Erie Sand and Gravel Pier, located in position 42°08′16″ N 080°05′40″ W.

Group Detroit, MI:
Bay City Fireworks Display
Sponsor: Bay City Fraternal Order of Police, Lodge 103.
Date: 4th of July holiday.
Location: Saginaw River, from the Veterans Memorial Bridge to approximately 1000 yards south to the River Walk Pier, near Bay City, MI.

Detroit APBA Gold Cup Race
Date: 1st or 2nd weekend of June.
Location: Detroit River, between Belle Isle and the U.S. shoreline, near Detroit, MI. Bound on the west by the Belle Isle Bridge and on the east by a north-south line drawn through the Waterworks Intake Crib Light (LLNR 1022).

Buick Watersports Weekend
Sponsor: Adore Ltd. and APBA.
Date: 3rd or 4th weekend of July.
Location: That portion of the Saginaw River from the Liberty Bridge on the north to the Veterans Memorial Bridge on the south, near Bay City, MI.
§ 100.901

Cleveland National Air Show
Sponsor: Cleveland National Air Show.
Date: Labor Day Weekend.
Location: That portion of Lake Erie and Cleveland Harbor (near Burke Lakefront Airport) from a line running perpendicular from Dock No. 34 on the west, to 2000 feet north of the breakwater, then parallel to the breakwater, to a line running perpendicular from the east end of the Burke Lakefront Airport land fill.

International Bay City River Roar
Sponsor: Bay City River Roar, Inc.
Date: 3rd or 4th weekend of June.
Location: That portion of the Saginaw River from the Liberty Bridge on the north to the Veterans Memorial Bridge on the south, near Bay City, MI.

International Freedom Festival Fireworks
Sponsor: Detroit Renaissance Foundation.
Date: 3rd or 4th week of June.
Location: The Detroit River between 083°03' W (Cobo Hall) and 083°01'27" W (Huron Cement).

International Freedom Festival Tug Across the River
Sponsor: Detroit Renaissance Foundation.
Date: 3rd or 4th week of June.
Location: That portion of the Detroit River bounded on the south by the International Boundary, on the west by 083°03' W, on the east by 083°02' W, and on the north by the U.S. shoreline.

Parade of Lights
Sponsor: Lake Erie Marine Trade Association (LEMTA).
Date: 3rd or 4th weekend of July.
Location: Cuyahoga River, Conrail Railroad Bridge at Mile 0.8 above the mouth of the river to the Eagle Avenue Bridge, near Cleveland, OH.

Port Clinton Offshore Grand Prix
Date: 1st or 2nd weekend of July.
Location: That portion of western Lake Erie:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>41°31.2' N --------</td>
<td>082°56.1' W, thence along the shoreline and structures to</td>
</tr>
<tr>
<td>41°33.3' N --------</td>
<td>082°51.3' W, thence to</td>
</tr>
<tr>
<td>41°33.3' N --------</td>
<td>082°52.8' W, thence to</td>
</tr>
<tr>
<td>41°31.2' N --------</td>
<td>082°56.1' W.</td>
</tr>
</tbody>
</table>

Port Huron to Mackinac Island Race
Sponsor: Bayview Yacht Club.
Date: 2nd or 3rd weekend of July.
Location: That portion of the Black River, St. Clair River, and Lower Lake Huron from:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>42°58.8' N --------</td>
<td>082°26' W, to</td>
</tr>
<tr>
<td>42°58.4' N --------</td>
<td>082°24.8' W, thence northward along the International Boundary to</td>
</tr>
<tr>
<td>43°02.8' N --------</td>
<td>082°23.8' W, to</td>
</tr>
<tr>
<td>43°02.8' N --------</td>
<td>082°26.8' W, thence southward along the U.S. shoreline to</td>
</tr>
<tr>
<td>42°58.9' N --------</td>
<td>082°26' W, thence to</td>
</tr>
<tr>
<td>42°58.8' N --------</td>
<td>082°26' W.</td>
</tr>
</tbody>
</table>

Thunder on the River Hydroplane Race
Sponsor: Toledo Prop Spinners.
Date: 3rd or 4th weekend of August.
Location: Maumee River, between the Martin Luther King and Anthony Wayne bridges, near Toledo, OH.

Toledo 4th of July Fireworks
Sponsor: City of Toledo.
Date: 4th of July weekend.
Location: Maumee River, between the Martin Luther King and Anthony Wayne bridges, near Toledo, OH.

Toledo Labor Day Fireworks
Sponsor: Reams Broadcasting Corporation.
Date: Labor Day.
Location: Maumee River, between the Martin Luther King and Anthony Wayne bridges, near Toledo, OH.

Group Sault Ste. Marie, MI:

Bridgefest Regatta
Sponsor: Bridgefest Committee.
Date: 2nd weekend of June.
Location: Keweenaw Waterway, from the Houghton Hancock Lift Bridge to 1000 yards west of the bridge, near Houghton, MI.

Duluth Fourth Fest Fireworks
Sponsor: Office of the Mayor, Duluth, MN.
Coast Guard, DOT
§ 100.901

Date: 4th of July weekend.
Location: That portion of the Duluth Harbor Basin Northern Section bounded on the south by a line drawn on a bearing of 087° true from the Cargill Pier through Duluth Basin Lighted Buoy #5 (LLNR 15905) to the opposite shore on the north by the Duluth Aerol Bridge. That portion of Duluth Harbor Basin Northern Section within 600 yards of position 46°46'47" N 092°06'10" W.

July 4th Fireworks
Sponsor: City of Sault Ste Marie, MI.
Date: 4th of July weekend.
Location: That portion of the St. Marys River, Sault Ste. Marie, MI within a 1000 foot radius of Brady Park, located on the south shore of the river. These waters are enclosed by the Locks to the west and to the east from a line drawn from the pier light of the east center pier to the U.S. Coast Guard Base to the southeast.

National Cherry Festival Blue Angels Air Demonstration
Sponsor: National Cherry Festival Inc.
Date: 1st week of July.
Location: That portion of the Western arm of the Grand Traverse Bay, Traverse City, MI, enclosed by straight lines connecting the following geographic coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>44°46.8'N</td>
<td>085°38.3'W, to</td>
</tr>
<tr>
<td>44°46.5'N</td>
<td>085°35.5'W, to</td>
</tr>
<tr>
<td>44°46'N</td>
<td>085°35.8'W, to</td>
</tr>
<tr>
<td>44°46.8'N</td>
<td>085°38.5'W, thence to</td>
</tr>
</tbody>
</table>

Venetian Festival Yacht Parade
Sponsor: Charlevoix Chamber of Commerce.
Date: 3rd or 4th weekend of July.
Location: That portion of the upper and lower section of the Pine River, to include Round Lake, from:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>45°19.3'N</td>
<td>085°15.9'W, (North Pierhead Light, LLNR 17920) thence to,</td>
</tr>
<tr>
<td>45°18.9'N</td>
<td>085°14.7'W, (Pine River Light 3, LLNR 17945) thence to,</td>
</tr>
<tr>
<td>45°18.8'N</td>
<td>085°14.7'W, (Pine River Channel Lighted Buoy 2, LLNR 17950) thence to,</td>
</tr>
<tr>
<td>45°19'N</td>
<td>085°15.9'W, (South Pierhead Light, LLNR 17925) thence to,</td>
</tr>
</tbody>
</table>

Group Grand Haven, MI:
City Fireworks
Sponsor: City of Frankfort, MI.
Date: 4th of July Holiday.
Location: Lake Michigan, Frankfort, MI within a 1000 foot radius of the fireworks launching site located on Lake Michigan Beach in approximate position 44°38'N 086°14'50" W.

Coast Guard Festival Fireworks
Sponsor: Grand Haven Coast Guard Festival, Inc.
Date: 1st weekend of August.
Location: That portion of the Grand River, Grand Haven, MI, from a north-south line drawn from the North Pierhead Light Number 1 (LLNR 18045) on the north to the South Pierhead Entrance Light (LLNR 18055) on the south, thence down river to the US 31 Bascule Bridge (mile 2.89).

4th of July Fireworks
Sponsor: WSJM & WIRX RADIO.
Date: 4th of July Holiday.
Location: That portion of the Grand River, Grand Haven, MI, within a 1000 foot radius of the fireworks launching site located at the St. Joseph South Pier, in approximate position 42°06'48" N 086°29'15" W.

Grand Haven Area Jaycees Annual 4th of July Fireworks Display
Sponsor: Grand Haven Area Jaycees.
Date: 1st week of July.
Location: That portion of the Grand River, Grand Haven, MI from the pier heads (mile 0.0) to the US 31 Bascule Bridge (mile 2.89).

Holland Jaycees Fireworks
Sponsor: Holland Jaycees.
Date: 4th of July Holiday.
Location: That portion of the Lake Michigan, Holland, MI within a 1000 foot radius of the fireworks launching site, located in Kollen Park, in approximate position 42°47'20" N 086°07'12" W.
Ludington Area Jaycees Freedom Festival Fireworks
Sponsor: Ludington Area Jaycees
Date: 4th of July Holiday
Location: Lake Michigan, Ludington Harbor, MI, within a 1000 foot radius of the fireworks launching site located at the Loomis Street Boat Launch, in approximate position 43°57'16" N 086°27'42" W.

Muskegon Summer Celebration Fireworks
Sponsor: The Muskegon Summer Celebration
Date: 4th of July Holiday
Location: That portion of Muskegon Lake, in the vicinity of Heritage Landing, within a 1000 foot radius of the fireworks launching site, located in approximate position 43°13'52" N 086°15'48" W.

Impact on Special Anchorage Area regulations: Regulations for that portion of the Muskegon Lake East Special Anchorage Area, as described in 33 CFR 110.81(b), which are overlapped by this regulation, are suspended during this event. The remaining area of the Muskegon Lake East Special Anchorage Area not impacted by this regulation remains available for anchoring during this event.

South Haven 4th of July Fireworks
Sponsor: South Haven Jaycees
Date: 4th of July Holiday
Location: Lake Michigan, Black River, South Haven, MI within a 1000 foot radius of the fireworks launching site located on the North Pier, in approximate position 42°24'08" N 086°17'03" W. Datum: NAD 1902.

Tulip Time Fireworks and Water Ski Show
Sponsor: Holland Tulip Time Festival Inc.
Date: 1st weekend of May
Location: That portion of Lake Macatawa, Holland Harbor, east of a north-south line, from shore to shore, at position 086°08' W.

Tulip Time Water Ski Show
Sponsor: Holland Tulip Time Festival Inc.
Date: 2nd weekend of May.
Location: That portion of Lake Macatawa, Holland Harbor, east of a north-south line, from shore to shore, at position 086°08' W.

Van Andel Fireworks Show
Sponsor: Amway Corporation, Ada, MI
Date: 4th of July Holiday
Location: Lake Michigan, Holland Harbor, MI, South Pier, within a 1000 foot radius of the fireworks launching site located in approximate position 42°46'21" N 086°12'48" W.

Venetian Festival Fireworks Display
Sponsor: Venetian Festival on the St. Joseph River Inc.
Date: 3rd weekend of July
Location: St. Joseph River, within a 1,000-foot radius of the fireworks launching site, located at the St. Joseph South Pier, in approximate position 42°06'49" N 086°29'15" W.

Waves of Thunder Offshore Spectacular
Sponsor: Michigan Offshore Powerboat Racing Association
Date: 3rd weekend of June
Location: That portion of Lake Michigan, from the South Pierhead Light (LLNR 18520) south along the shoreline to:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>42°19'</td>
<td>086°19.3' W</td>
</tr>
<tr>
<td>42°19.5'</td>
<td>086°19.8' W</td>
</tr>
<tr>
<td>42°23.9'</td>
<td>086°18.7' W</td>
</tr>
<tr>
<td>42°23.9'</td>
<td>086°17.6' W</td>
</tr>
</tbody>
</table>

West Michigan Offshore Powerboat Challenge
Sponsor: Michigan Offshore Powerplant Racing Association
Date: 1st or 2nd weekend of September
Location: That portion of Lake Michigan from:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>43°03.4'</td>
<td>086°15.3' W</td>
</tr>
</tbody>
</table>

42°54.8' N, 086°13' W, thence to
42°54.8' N, 086°15.7' W, thence to
43°03.4' N, 086°15.7' W, thence to
Group Milwaukee, WI:

Chicago Air and Water Show
Sponsor: Chicago Park District
Date: 3rd or 4th weekend of August
Location: That portion of Lake Michigan from 41°55'54" N at the shoreline, then east to a point at 41°55'54" N 87°37'12" W, thence southeast to a point at 41°54' N 87°36' W, then a line drawn southwestward to the northeast corner of the Central District Filtration Plant Breakwall, thence due west to shore.

Festa Italiana
Sponsor: The Italian Community Center
Date: 3rd weekend of July
Location: The uncharted lagoon or basin in Milwaukee Harbor north of the mouth of the Milwaukee River and directly adjacent to the Summerfest grounds, enclosed by shore on the west and a “comma” shaped man-made rock wall on the east. The construction of the lagoon is such that a small “basin” has been created with one entrance located at the northwest end, thus, there is no “thru traffic”.

Milwaukee Summerfest
Sponsor: Milwaukee World Festival, Inc.
Date: Last week of June through 2nd weekend of July
Location: the unchartered lagoon or basin in Milwaukee Harbor north of the mouth of the Milwaukee River and directly adjacent to the Summerfest grounds, enclosed by shore on the west and a “comma” shaped man-made rock wall on the east. The construction of the lagoon is such that a small “basin” has been created with one entrance located at the northwest end, thus, there is no “thru traffic”. Four special buoys will be set by the sponsor to delineate the entrance to the lagoon.

Racine on the Lakefront Airshow
Sponsor: Rotary Club of Racine
Date: 2nd weekend of June
Location: That portion of Racine Harbor, Lake Michigan bounded by the following corner points:
Southeast Corner—42°41.95' N 87°45.5' W
Southwest Corner—42°41.95' N 87°47.2' W
Northwest Corner—42°45.6' N 87°46.2' W
Northeast Corner—42°45.6' N 87°45.5' W

§ 100.902  Macomb Daily Offshore Classic, Lake St. Clair, St. Clair Shores, MI.
(a) Race course.
Location: That portion of Lake St. Clair enclosed by:
Latitude  Longitude
42°34.2' N  082°48.3' W, to
42°33.8' N  082°47.5' W, to
42°31.2' N  082°49.7' W, to
42°34.2' N  082°48.3' W,
(b) No entry zone.
Location: That portion of Lake St. Clair, on the outside of the race course area from Point Huron southwest to:
Latitude  Longitude
42°32.9' N  082°57.8' W, thence to
42°33.9' N  082°50.3' W, thence northeast along the shoreline to Point Huron.
(c) Regulation: No vessel may enter the “No Entry Zone” or “Race Course” without prior approval of the Coast Guard Patrol Commander. The “No Entry Zone” will include all of the La Salle Creuse Bay area.
(d) Caution area—(1) Location: That portion of Lake St. Clair, on the outside of the race course area from a west-northwest line between:
Latitude  Longitude
42°32.9' N  082°47.8' W, and
42°33.9' N  082°50.3' W, southwest along the shoreline to:
42°31.5' N  082°52.3' W, thence to
42°32.9' N  082°49.8' W, thence to
42°30.5' N  082°47.8' W,
(2) Regulation: All vessels transiting the “Caution Area” will be operated at
§ 100.1101 Southern California annual marine events.

(a) Special local regulations will be established for the events listed in Table 1. Further information on exact dates, times, details concerning the number and type of participants and an exact geographical description of the areas are published by the Eleventh Coast Guard District in the Local Notice to Mariners at least 20 days prior to each event. To be placed on the mailing list contact: Commander (Pow), Eleventh Coast Guard District, Coast Guard Island, Building 50–6, Alameda, CA 94501–5100.

(b) Special local regulations. All persons and/or vessels not registered with the sponsor as participants or official patrol vessels are considered spectators. The “official patrol” consists of any Coast Guard, public, state or local law enforcement and/or sponsor provided vessels assigned and/or approved, by Commander, Eleventh Coast Guard District to patrol each event.

(b) Special local regulations. All persons and/or vessels not registered with the sponsor as participants or official patrol vessels are considered spectators. The “official patrol” consists of any Coast Guard, public, state or local law enforcement and/or sponsor provided vessels assigned and/or approved, by Commander, Eleventh Coast Guard District to patrol each event.

(b) Special local regulations. All persons and/or vessels not registered with the sponsor as participants or official patrol vessels are considered spectators. The “official patrol” consists of any Coast Guard, public, state or local law enforcement and/or sponsor provided vessels assigned and/or approved, by Commander, Eleventh Coast Guard District to patrol each event.
(1) No spectators shall anchor, block, loiter in, or impede the through transit of participants or official patrol vessels in the regulated area during the effective dates and times, unless cleared for such entry by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, a spectator shall come to an immediate stop. Vessels shall comply with all directions given, failure to do so may result in a citation.

(3) The Patrol Commander is empowered to forbid and control the movement of all vessels in the regulated area. The Patrol Commander shall be designated by the Commander, Eleventh Coast Guard District, and as his representative may terminate the event at any time it is deemed necessary for the protection of life and property. He may be reached on VHF Channel 16 (156.8 MHz) when required, by the call sign “PATCOM”.

### TABLE 1

<table>
<thead>
<tr>
<th>Race/Regatta</th>
<th>Sponsor/Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Del Rey to Puerto Vallarta Race</td>
<td>Sponsor: Del Rey Yacht Club</td>
</tr>
<tr>
<td>Date: February</td>
<td>Location: Santa Monica Bay, that portion bounded by the following coordinates:</td>
</tr>
<tr>
<td></td>
<td>Lat 33 degrees 58.3′ N, Long 118 degrees 26′ W; Lat 33 degrees 58.3′ N, Long</td>
</tr>
<tr>
<td></td>
<td>118 degrees 28′ W; Lat 33 degrees 58.3′ N, Long 118 degrees 28′55″ W; Lat 33</td>
</tr>
<tr>
<td></td>
<td>degrees 58.3′ N, Long 118 degrees 28′55″ W, Lat 33 degrees 58.3′ N, Long 118</td>
</tr>
<tr>
<td></td>
<td>degrees 28′ W; Lat 33 degrees 58.3′ N, Long 118 degrees 28′ W; Lat 33 degrees</td>
</tr>
<tr>
<td></td>
<td>58.3′ N, Long 118 degrees 28′ W; Lat 33 degrees 58.3′ N, Long 118 degrees 28′</td>
</tr>
<tr>
<td></td>
<td>W; Lat 33 degrees 58.3′ N, Long 118 degrees 28′ W. This area is for the start of</td>
</tr>
<tr>
<td></td>
<td>the race only.</td>
</tr>
<tr>
<td>San Diego Crew Classic</td>
<td>Sponsor: San Diego Crew Classic</td>
</tr>
<tr>
<td>Date: April</td>
<td>Location: Mission Bay, that portion bounded by Enchanted Cove, Fiesta Island,</td>
</tr>
<tr>
<td></td>
<td>Pacific Passage and DeAnza Point.</td>
</tr>
<tr>
<td>Newport to Ensenada Race</td>
<td>Sponsor: Newport Ocean Sailing Association</td>
</tr>
<tr>
<td>Date: Late April</td>
<td>Location: That portion of the Pacific Ocean off Newport, bounded by the following</td>
</tr>
<tr>
<td></td>
<td>coordinates: Lat 33 degrees 53.3′ W; Lat 33 degrees 53.3′ W, Lat 33 degrees</td>
</tr>
<tr>
<td></td>
<td>34.9′ N, Long 117 degrees 34.9′ W; Lat 33 degrees 34.9′ N, Long 117 degrees 54.5′</td>
</tr>
<tr>
<td></td>
<td>W; Lat 33 degrees 35.3′ N, Long 117 degrees 54.5′ W. This area is for the start</td>
</tr>
<tr>
<td></td>
<td>of the race only.</td>
</tr>
<tr>
<td>California Cup</td>
<td>Sponsor: California Yacht Club</td>
</tr>
<tr>
<td>Date: Late May (4 day event)</td>
<td>Location: Santa Monica Bay, that portion bounded by the following coordinates:</td>
</tr>
<tr>
<td></td>
<td>Lat 34 degrees 01.4′ N, Long 118 degrees 31.8′ W; Lat 33 degrees 59.7′ N, Long</td>
</tr>
<tr>
<td></td>
<td>118 degrees 37.9′ W; Lat 33 degrees 59.2′ N, Long 118 degrees 37.7′ W; Lat 33</td>
</tr>
<tr>
<td></td>
<td>degrees 59.5′ N, Long 118 degrees 33.4′ W; Lat 33 degrees 57.6′ N; Lat 33 degrees</td>
</tr>
<tr>
<td></td>
<td>57.2′ N, Long 118 degrees 30.1′ W.</td>
</tr>
<tr>
<td>Coronado 4th of July Demonstration, Fireworks and Rehearsals</td>
<td>Sponsor: Citizens Committee Coronado 4th of July</td>
</tr>
<tr>
<td>Date: 4 July (4 days of rehearsals prior to)</td>
<td>Location: Glorietta Bay, Coronado, the following portions: (1) Demonstration</td>
</tr>
<tr>
<td></td>
<td>Area—from the tip of the marina, Lat 32 degrees 40′34.5″ N, Long 117 degrees</td>
</tr>
<tr>
<td></td>
<td>10′26.5″ W; northeast to Lat 32 degrees 40′48.5″ N, Long 117 degrees 10′10.5″ W;</td>
</tr>
<tr>
<td></td>
<td>east along the shoreline to Lat 32 degrees 40′43.5″ N, Long 117 degrees 10′00″ W;</td>
</tr>
<tr>
<td></td>
<td>to Lat 32 degrees 40′46″ N, Long 117 degrees 09′36″ W; south to Lat 32 degrees</td>
</tr>
<tr>
<td></td>
<td>40′41″ N, Long 117 degrees 09′36.5″ W, east to Lat 32 degrees 40′41″ N, Long 117</td>
</tr>
<tr>
<td></td>
<td>degrees 09′49″ W; northeast to Lat 32 degrees 40′54″ N, Long 117 degrees 09′30″ W;</td>
</tr>
<tr>
<td></td>
<td>(Navy Restricted Area); thence southwest along shoreline to the initial point.</td>
</tr>
<tr>
<td></td>
<td>(2) Fireworks Display Area—from Lat 32 degrees 40′41″ N, Long 117 degrees 09′36.5″</td>
</tr>
<tr>
<td></td>
<td>W; northeast to Lat 32 degrees 40′41″ N, Long 117 degrees 09′49″ W; thence west</td>
</tr>
<tr>
<td></td>
<td>to the initial point.</td>
</tr>
<tr>
<td>Los Angeles to Honolulu Yacht Race (Transpac)</td>
<td>Sponsor: Transpacific Yacht Club</td>
</tr>
<tr>
<td>Date: 4 July (biennially)</td>
<td>Location: San Pedro Channel, that portion between Point Fermin and Portuguese</td>
</tr>
<tr>
<td></td>
<td>Bend bounded between the following coordinates: Lat 33 degrees 42.6′ N, Long 118</td>
</tr>
<tr>
<td></td>
<td>degrees 19.5′ W; Lat 33 degrees 41.7′ N, Long 118 degrees 21.2′ W; Lat 33</td>
</tr>
<tr>
<td></td>
<td>degrees, 43.4′ N, Long 118 degrees 21.2′ W. This area is for the start of the</td>
</tr>
<tr>
<td></td>
<td>race only.</td>
</tr>
<tr>
<td>Thunderboat Regatta</td>
<td>Sponsor: Thunderboats Unlimited of San Diego</td>
</tr>
<tr>
<td>Date: Late September (4 day event)</td>
<td>Location: Fiesta Bay, Mission Bay, that portion bounded by the following</td>
</tr>
<tr>
<td></td>
<td>coordinates: starting at Lat 32 degrees 47′26″ N, Long 117 degrees 13′00″ W,</td>
</tr>
<tr>
<td></td>
<td>thence due west to Long 117 degrees 13′25″ W, thence along the eastern shoreline</td>
</tr>
<tr>
<td></td>
<td>of Crown Point to the Vacation Isle Bridge, thence south along the bridge to</td>
</tr>
<tr>
<td></td>
<td>Vacation Isle, thence along the eastern shoreline of Vacation Isle to Lat 32</td>
</tr>
<tr>
<td></td>
<td>degrees 46′18″ N; Long 117 degrees 14′01″ W, thence southeasterly to Lat 32</td>
</tr>
<tr>
<td></td>
<td>degrees 46′14″ N, Long 117 degrees 13′43″ W, thence along the western shoreline of</td>
</tr>
<tr>
<td></td>
<td>Fiesta Island to Lat 32 degrees 47′20″ N, Long 117 degrees 15′00″.</td>
</tr>
</tbody>
</table>
§ 100.1102  Marine Events on the Colorado River, between Davis Dam (Bullhead City, Arizona) and Headgate Dam (Parker, Arizona).

(a) General. Sponsors are informed that ample lead time is required to inform all Federal, state, local agencies and/or other interested parties and to provide the sponsor the best support to ensure the safety of life and property. A Coast Guard-National Park Service agreement exists for both the Glen Canyon and Lake Mead National Recreation Areas; applicants shall contact the cognizant authority for approval of events in these areas.

(b) The following Special Local Regulations will be issued for the events listed in Table 1. Further information on exact dates, times, and details concerning number and type of participants and an exact geographical description of the areas will be published by the Eleventh Coast Guard District in the Local Notice to Mariners at least 20 days prior to each event. To be placed on the mailing list, contact: Commander (pow), Eleventh Coast Guard District, Coast Guard Island, Building 50-6, Alameda, CA 94501–5100.

(c) Special local regulations. All persons and/or vessels not registered with the sponsor as participants or official patrol vessels are considered spectators. The “official patrol” consists of any Coast Guard, public, state, local law enforcement, and/or sponsor provided vessels assigned and/or approved by Commander, Eleventh Coast Guard District, to patrol each event.

(1) No spectators shall anchor, block, loiter in, or impede the through transit of participants or official patrol vessels
in the regulated area during the effective dates and times unless cleared for such entry by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, a spectator shall come to an immediate stop. Vessels shall comply with all directions given. Failure to do so may result in a citation.

(3) The Patrol Commander is empowered to forbid and control the movement of all vessels in the regulated area. The Patrol Commander shall be designated by the Commander, Eleventh Coast Guard District. As the Commander's representative, the Patrol Commander may terminate the event at any time it is deemed necessary for the protection of life and property. The Patrol Commander may be reached on VHF Channel 16 (156.8 MHz) when required, by the call sign “PATCOM”.

Table 1

National Jet Boat Association Regatta
Sponsor: National Jet Boat Association
Date: 3 weekend events between February and June; 3 weekend events between September and December
Where: that portion of Lake Moovalya, Parker, Arizona between Headgate Dam and 1.5 miles north.

Parker Enduro
Sponsor: Parker Area Chamber of Commerce
Date: Early weekend in March
Where: that portion of Lake Moovalya, Parker, Arizona between river miles 179 and 185 (between the Roadrunner Resort and Headgate Dam).

Bullhead City Boat Drags
Sponsor: Sunshine Promotions
Date: 2 to 4 weekend events between March and October
Where: that portion of the Colorado River starting from the entrance of Riviera Marina, Riviera, Arizona to 2200 feet north.

Laughlin Classic
Sponsor: Laughlin Chamber of Commerce
Date: Weekend in May or June
Where: that portion of the Colorado River at Laughlin, Nevada, from the Pioneer Hotel to the Edgewater Hotel.

Laughlin Aquamoto Sports Challenge and Expo
Sponsor: Baja Promotions

Dates: The last Thursday of May every year, lasting a total of 4 days, ending on Sunday, per the following schedule: 1.) the first day of the event, the last Thursday of May each year, from 3 p.m. PDT to 5 p.m. PDT, 2.) the second day of the event, Friday, from 8 a.m. PDT to 2 p.m. PDT, and from 3:30 p.m. PDT to 6 p.m. PDT, 3.) the third day of the event, Saturday, from 8 a.m. PDT to 1:30 p.m. PDT, and from 4 p.m. PDT to 5 p.m. PDT; and, 4.) the fourth and final day of the event, Sunday, from 9 a.m. PDT to 1:30 p.m. PDT, from 3 p.m. PDT to 4 p.m. PDT, and from 6 p.m. PDT to 7 p.m. PDT.

Where: That portion of the Colorado River near Laughlin, Nevada, from Davis Dam to Harrah’s Hotel and Casino.

Laughlin Aquamoto Sports Challenge and Expo
Sponsor: Baja Promotions
Dates: The last Thursday of May every year, lasting a total of 4 days, ending on Sunday, per the following schedule: 1.) the first day of the event, the last Thursday of May each year, from 3 p.m. PDT to 5 p.m. PDT, 2.) the second day of the event, Friday, from 8 a.m. PDT to 2 p.m. PDT, and from 3:30 p.m. PDT to 6 p.m. PDT, 3.) the third day of the event, Saturday, from 8 a.m. PDT to 1:30 p.m. PDT, and from 4 p.m. PDT to 5 p.m. PDT; and, 4.) the fourth and final day of the event, Sunday, from 9 a.m. PDT to 1:30 p.m. PDT, from 3 p.m. PDT to 4 p.m. PDT, and from 6 p.m. PDT to 7 p.m. PDT.

Where: That portion of the Colorado River near Laughlin, Nevada, from Davis Dam to Harrah’s Hotel and Casino.
§ 100.1103 Northern California annual marine events.

(a) General. Special local regulations are established for the events listed in table 1 of this section. Further information on exact dates, times, and other details concerning the number and type of participants and an exact geographical description of the areas are published by the Eleventh Coast Guard District in the Local Notice to Mariners at least 20 days prior to each event. To be placed on the mailing list contact: Commander (oan), Eleventh Coast Guard District, Coast Guard Island, Building 50-6, Alameda, CA 94501–5100.

NOTE TO PARAGRAPH (A): Sponsors of events listed in Table 1 of this section must submit an application each year as required by 33 CFR Part 100, Subpart A, to Commander, Coast Guard Group San Francisco, Yerba Buena Island, San Francisco, CA 94130–6309.

(b) Special local regulations. All persons and vessels not registered with the sponsor as participants or with Commander, Coast Guard Group San Francisco as official patrol vessels are considered spectators. The “official patrol” consists of any Coast Guard, other Federal, state or local law enforcement, and any public or sponsor-provided vessels assigned or approved by Commander, Coast Guard Group San Francisco, to patrol each event.

(1) No spectator shall anchor, block, loiter, nor impede the through transit of participants or official patrol vessels, in the regulated areas during all applicable effective dates and times, unless cleared to do so by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, any spectator located within a regulated area during all applicable effective dates and times shall come to an immediate stop.

(3) The Patrol Commander (PATCOM) is empowered to forbid and control the movement of all vessels in the regulated area. The Patrol Commander shall be designated by the Commander, Coast Guard Group San Francisco; will be a U.S. Coast Guard commissioned officer, warrant officer or petty officer to act as the Group Commander’s official representative; and will be located aboard the lead official patrol vessel. As the Group Commander’s representative, the PATCOM may terminate the event any time it is deemed necessary for the protection of life and property. PATCOM may be reached on VHF–FM Channel 13 (156.65MHz) when required, by the call sign “PATCOM”.

(4) The Patrol Commander may, upon request, allow the transit of commercial vessels through regulated areas when it is safe to do so.

<table>
<thead>
<tr>
<th>TABLE 1 TO § 100.1103</th>
</tr>
</thead>
<tbody>
<tr>
<td>(All coordinates referenced use datum NAD 83.)</td>
</tr>
</tbody>
</table>

### San Francisco Grand Prix
- **Sponsor**: Pacific Offshore Powerboat Racing Association.
- **Event Description**: Professional High-speed powerboat race.
- **Date**: Saturday or Sunday in April.
- **Location**: San Francisco Waterfront to South Tower of Golden Gate Bridge.
- **Regulated Area**: 37° 49′ 10″N, 122° 24′ 07″W; thence to 37° 48′ 50″N, 122° 24′ 07″W; thence to 37° 48′ 58″N, 122° 28′ 48″W; thence to 37° 48′ 48″N, 122° 28′ 48″W; thence returning to the point of origin.

### Blessing of the Fleet
- **Sponsor**: Corinthian Yacht Club.
- **Event Description**: Boat parade during which vessels pass by a pre-designated platform or vessel.
- **Location**: Raccoon Strait.
### Opening Day on San Francisco Bay

**Sponsor**
Pacific inter-Club Yacht Association and Corinthian Yacht Club.

**Event Description**
Boat parade during which vessels pass by a pre-designated platform or vessel.

**Date**
Sunday in April.

**Location**
San Francisco waterfront, Crissy Field to Pier 35.

**Regulated Area**
The area defined by a line drawn from Fort Point (37°48.66N, 122°28.64W); thence easterly approximately 5,000 yards to a point located at 37°49.15N, 122°25.61W; thence easterly to the Blossom Rock Bell Buoy (37°49.10N, 122°24.20W); thence westerly to the Northeast corner of Pier 35; thence returning along the shoreline to the point of origin.

**Special Requirements.** All vessels entering the regulated area shall follow the parade route established by the sponsor and be capable of maintaining an approximate speed of 6 knots.

**Commercial Vessel Traffic Allowances.** The parade will be interrupted, as necessary, to permit the passage of commercial vessel traffic. Commercial traffic must cross the parade route at a no-wake speed and perpendicular to the parade route.

### Race the Straits Offshore Grand Prix Festival

**Sponsor**
Pacific Offshore Powerboat Racing Association.

**Event Description**
Professional high-speed powerboat race.

**Date**
Sunday in July.

**Location**
Carquinez Strait and San Pablo Strait.

**Regulated Area**
38°02'12"N, 122°08'31"W thence to 38°02'38"N, 122°10'00"W thence to 38°03'20"N, 122°10'20"W thence to 38°03'48"N, 122°13'32"W thence to 38°03'36"N, 122°17'37"W thence to 38°03'19"N, 122°17'34"W thence to 38°03'35"N, 122°13'32"W thence to 38°03'24"N, 122°12'01"W thence to 38°02'58"N, 122°10'58"W thence to 38°01'55"N, 122°09'47"W thence to 38°01'58"N, 122°08'31"W thence returning to the point of origin.

### Delta Thunder Powerboat Race

**Sponsor**
Pacific Offshore Power Racing Association.

**Event Description**
Professional high-speed powerboat race.

**Date**
Sunday in September.

**Location**
Off Pittsburgh, CA in the waters around Winter Island and Brown Island.

**Regulated Area**
The water area of Suisun Bay commencing at Simmons Point on Chippis Island; thence southwesterly to Stake Point on the southern shore of Suisun Bay; thence easterly following the southern shoreline of Suisun Bay and New York Slough to New York Slough Buoy 13; thence north-northwesterly to the Northwestern corner of Fraser Shoal; thence northwesterly to the western tip of Chain Island; thence west-northwesterly to the northeast tip of Van Sickle Island; thence following the shoreline of Van Sickle Island and Chippis Island and returning to the point of origin.

### Festival of the Sea

**Sponsor**
San Francisco Maritime National Historical Park.

**Event Description**
Tugboat Race.

**Date**
Sunday in September.

**Location**
From Crissy Field to Aquatic Park.
§ 100.1105 San Francisco Bay Navy Fleetweek Parade of Ships and Blue Angels Demonstration.

(a) Effective Periods. This section is effective during the U.S. Navy/City of San Francisco Fleetweek Parade of Navy Ships and Navy Blue Angels and other airshow activities held annually in early October, from Thursday through Saturday (with a possible Sunday Blue Angels Flight Demonstration if weather prevents a Saturday performance). Annual notice of the specific effective dates and times of these regulations will be published by the Coast Guard in the Local Notice to Mariners and in the FEDERAL REGISTER. To be placed on the Local Notice to Mariners mailing list contact: Commander, Coast Guard Group San Francisco, California.

(b) Regulated Areas: The following areas are designated “regulated areas” during the Navy Parade of Ships and Blue Angels’ Flight activities.

(1) Regulated Area “Alpha” for Navy Parade of Ships. The waters of San Francisco Bay bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>37°49′40″ N</td>
<td>122°29′38″ W</td>
</tr>
<tr>
<td>37°49′31″ N</td>
<td>122°29′41″ W</td>
</tr>
<tr>
<td>37°49′06″ N</td>
<td>122°29′08″ W</td>
</tr>
<tr>
<td>37°47′35″ N</td>
<td>122°23′42″ W</td>
</tr>
<tr>
<td>37°46′00″ N</td>
<td>122°23′00″ W</td>
</tr>
</tbody>
</table>

and thence along the shore to the point of beginning.

(2) Regulated Area “Bravo” for U.S. Navy Blue Angels Activities. The waters of San Francisco Bay bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>37°49′00″ N</td>
<td>122°27′32″ W</td>
</tr>
<tr>
<td>37°48′19″ N</td>
<td>122°27′40″ W</td>
</tr>
</tbody>
</table>

and thence along the shore to the point of beginning.

(c) Regulations: All persons and/or vessels not authorized as participants or official patrol vessels are considered spectators. The “official patrol” consists of any Coast Guard, public, state or local law enforcement vessels assigned and/or approved by Commander, Coast Guard Group San Francisco to patrol the Fleetweek event.

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, in regulated area “Alpha” no person or vessel may enter or remain within 500 yards ahead of the lead Navy parade vessel, within 200 yards astern of the last parade vessel, and within 200 yards on either side of all parade vessels. No person or vessel shall anchor, block, loiter in, or impede the through transit of ship parade participants or official patrol vessels in regulated area “Alpha.”

(2) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain within regulated area “Bravo.”

(3) When hailed and/or signaled by an official patrol vessel, a person or vessel shall come to an immediate stop. Persons or vessels shall comply with all directions given.

(4) The Patrol Commander shall be designated by the Commander, Coast Guard Group San Francisco, California. The Coast Guard Patrol Commander is empowered to forbid and control the movement of all vessels in the regulated areas.

[CGD11–99–007, 64 FR 39929, July 21, 1999]

§ 100.1103 — Continued

<table>
<thead>
<tr>
<th>Regulated Area</th>
<th>San Francisco Bay approximately 500 yards offshore of Golden Gate Yacht Club, Gas house Cove, and extending east to Pier 45. All mariners may proceed with caution but must keep at least 500 foot distance from the competing tugboats.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Latitude</td>
<td>Longitude</td>
</tr>
<tr>
<td>37°49′00″ N</td>
<td>122°27′32″ W</td>
</tr>
<tr>
<td>37°48′19″ N</td>
<td>122°27′40″ W</td>
</tr>
</tbody>
</table>

§ 100.1301 Seattle seafair unlimited hydroplane race.

(a) This section is in effect annually during the last week in July and the first two weeks of August from 8 a.m. until 8 p.m. Pacific Daylight Time, as published in the Local Notice of Mariners. The event will be one week or less in duration. The specific dates during this time frame will be published in the Local Notice to Mariners.

(b) The area where the Coast Guard will restrict general navigation by this regulation during the hours it is in effect is: The waters of Lake Washington bounded by the Interstate 90 (Mercer Island/Lacey V. Murrow) Bridge, the western shore of Lake Washington, and the east/west line drawn tangent to Bailey Peninsula and along the shoreline of Mercer Island.

(c) The area described in paragraph (b) of this section has been divided into two zones. The zones are separated by a line perpendicular from the I-90 Bridge to the northwest corner of the East log boom and a line extending from the southeast corner of the East log boom to the southeast corner of the hydroplane race course and then to the northerly tip of Ohlers Island in Andrews Bay. The western zone is designated Zone I, the eastern zone, Zone II. (Refer to NOAA Chart 18447).

(d) The Coast Guard will maintain a patrol consisting of Coast Guard vessels, assisted by Auxiliary Coast Guard vessels, in Zone II. The Coast Guard patrol of this area is under the direction of the Coast Guard Patrol Commander (the ’Patrol Commander’). The Patrol Commander is empowered to control the movement of vessels on the racecourse and in the adjoining waters during the periods this regulation is in effect. The Patrol Commander may be assisted by other federal, state and local law enforcement agencies.

(e) Only authorized vessels may be allowed to enter Zone I during the hours this regulation is in effect. Vessels in the vicinity of Zone I shall maneuver and anchor as directed by Coast Guard Officers or Petty Officers.

(f) During the times in which the regulation is in effect, swimming, wading, or otherwise entering the water in Zone I by any person is prohibited while hydroplane boats are on the race-course. At other times in Zone I, any person entering the water from the shoreline shall remain west of the swim line, denoted by buoys, and any person entering the water from the log boom shall remain within ten (10) feet of the log boom.

(g) During the times in which the regulation is in effect, any person swimming or otherwise entering the water in Zone II shall remain within ten (10) feet of a vessel.

(h) During the times this regulation is in effect, rafting to a log boom will be limited to groups of three vessels.

(i) During the times this regulation is in effect, up to six (6) vessels may raft together in Zone II if none of the vessels are secured to a log boom.

(j) During the times this regulation is in effect, only vessels authorized by the Patrol Commander, other law enforcement agencies or event sponsors shall be permitted to tow other watercraft or inflatable devices.

(k) Vessels proceeding in either Zone I or Zone II during the hours this regulation is in effect shall do so only at speeds which will create minimum wake, seven (07) miles per hour or less. This maximum speed may be reduced at the discretion of the Patrol Commander.

(l) Upon completion of the daily racing activities, all vessels leaving either Zone I or Zone II shall proceed at speeds of seven (07) miles per hour or less. The maximum speed may be reduced at the discretion of the Patrol Commander.

(m) A succession of sharp, short signals by whistle or horn from vessels patrolling the areas under the direction of the Patrol Commander shall serve as signal to stop. Vessels signaled shall stop and shall comply with the orders of the patrol vessel; failure to do so may result in expulsion from the area, citation for failure to comply, or both. The Coast Guard may be assisted by other federal, state and local law enforcement agencies, as well as official Seafair event craft.

[CGD13-01-004, 66 FR 34822, July 2, 2001]
§ 100.1302 Annual Clarkston, Washington, Limited Hydroplane Races.

(a) On Friday and Saturday, 5 and 6 July 1985, this regulation will be in effect from 8:00 a.m. to 6:00 p.m. On Sunday, 7 July 1985, this regulation will be in effect from 8:00 a.m. until one hour after the conclusion of the last race. This section will be effective thereafter annually on the first Friday, Saturday, and Sunday in July as published in the Local Notices to Mariners.

(b) The Coast Guard will restrict general navigation and anchorage by this regulation during the hours it is in effect on the waters of the Snake River at Clarkston, Washington from the area west of the confluence of the Snake and Clearwater Rivers, to the area east of the Red Wolf Crossing Bridge.

(c) When deemed appropriate, the Coast Guard may establish a patrol consisting of active and auxiliary Coast Guard personnel and vessels in the area described in paragraph (b) of this section. The patrol shall be under the direction of a Coast Guard officer or petty officer designated as Coast Guard Patrol Commander. The Patrol Commander is empowered to forbid and control the movement of vessels and persons in the area described in paragraph (b) of this section.

(d) The Patrol Commander may authorize vessels to be underway in the area described in paragraph (b) of this section during the hours this regulation is in effect. All vessels permitted to be underway in the controlled area (other than racing or official vessels) shall do so only at speeds which will create minimum wake consistent with maintaining steerageway, and not to exceed seven (7) miles per hour. This speed limit may be adjusted at the discretion of the Patrol Commander to enhance the level of safety.

(e) A succession of sharp, short signals by whistle, siren, or horn from vessels patrolling the area under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Vessels signalled shall stop and shall comply with the orders of the patrol vessel personnel; failure to do so may result in expulsion from the area, citation for failure to comply, or both.


§ 100.1303 Annual Kennewick, Washington, Columbia Unlimited Hydroplane Races.

(a) This regulation is effective each year on the last Tuesday through Sunday in July from 8:30 a.m. local time until the last race is completed each day at approximately 7:30 p.m. local time, unless sooner terminated by the Patrol Commander.

(b) The Coast Guard will restrict general navigation and anchorage by this regulation during the hours it is in effect on all waters of the Columbia River bounded by two lines drawn from shore to shore; the first line running between position latitude 46°14′07″ N, longitude 119°10′42″ W and position latitude 46°13′42″ N, longitude 119°10′31″ W; and the second line running between position latitude 46°13′35″ N, longitude 119°07′34″ W and position latitude 46°13′10″ N, longitude 119°07′47″ W. [Datum: NAD 83]

(c) When deemed appropriate, the Coast Guard may establish a patrol consisting of active and auxiliary Coast Guard personnel and vessels in the area described in paragraph (b) of this section. The patrol shall be under the direction of a Coast Guard officer or petty officer designated as Coast Guard Patrol Commander. The Patrol Commander is empowered to forbid and control the movement of vessels in the area described in paragraph (b) of this section.

(d) The Patrol Commander may authorize vessels to be underway in the area described in paragraph (b) of this section during the hours this regulation is in effect. All vessels permitted to be underway in the controlled area (other than racing or official vessels) shall do so only at speeds which will create minimum wake consistent with maintaining steerageway, and not to exceed seven (7) miles per hour. This speed limit may be adjusted at the discretion of the Patrol Commander to enhance the level of safety.

(e) A succession of sharp, short signals by whistle, siren, or horn from vessels patrolling the area under the

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Coast Guard, DOT

§ 100.1305 Richland, Washington, west coast outboard championship hydro races.

(a) Regulated area. By this regulation, the Coast Guard will restrict general navigation and anchorage on the waters of the Columbia River between River Mile 337 and River Mile 339. This restricted area includes all waters between the above mile marks in Richland, Washington, and is approximately 2 miles long.

(b) Special local regulations. (1) This event will take place from 6 a.m. p.d.t. to approximately 5 p.m. p.d.t. on the third Friday, Saturday, and Sunday of August, annually, in the described waters of the Columbia River, Richland, Washington.

(2) No person or vessel may enter or remain in the regulated area except for participants in the event, supporting personnel, vessels registered with the event organizer, and personnel or vessels authorized by the Coast Guard Patrol Commander.

(3) Patrol of the described area will be under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander is empowered to control the movement of vessels in the regulated area and adjoining waters during the hours these regulations are in effect.

(4) A succession of sharp, short signals by whistle, siren, or horn, from vessels patrolling the area under the direction of the Patrol Commander shall serve as a signal to stop. Vessels signaled shall stop and shall comply with the orders of the patrol vessel. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

[CGD13-89-02, 54 FR 19167, May 4, 1989]
§ 100.1306 National Maritime Week Tugboat Races, Seattle, WA.

(a) Regulated Area. A regulated area is established on that portion of Elliott Bay along the Seattle waterfront in Puget Sound bounded by a line beginning at: 47°37'36" N, 122°22'42" W; thence to 47°37'24.5" N, 122°22'58.5" W; thence to 47°36'08" N, 122°20'33" W; thence to 47°36'21" N, 122°20'31" W; thence returning to the origin. This regulated area resembles a rectangle measuring approximately 3,900 yards along the shoreline between Pier 57 and Pier 89, and extending approximately 650 yards into Elliott Bay. Temporary floating markers will be placed by the race sponsors to delineate the regulated area. [Datum: NAD 1983]

(b) Special Local Regulations. (1) No person or vessel may enter or remain in the regulated area except for participants in the event, supporting personnel, vessels registered with the event organizer, and personnel or vessels authorized by the Coast Guard Patrol Commander.

(2) When deemed appropriate, the Coast Guard may establish a patrol consisting of active and auxiliary Coast Guard vessels and personnel in the area described in paragraph (a) of this section. The patrol shall be under the direction of a Coast Guard officer or petty officer designated by the Captain of the Port as the Coast Guard Patrol Commander. The Patrol Commander may forbid and control the movement of vessels in the area described in paragraph (a) of this section.

(3) A succession of sharp, short blasts from whistle or horn from vessels patrolling the area under the direction of the Patrol Commander shall serve as a signal to stop. Vessels signaled shall stop and comply with the orders of the patrol vessel. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(c) Effective dates. This section is effective annually on the third Saturday of May from 12 p.m. to 4:30 p.m., unless otherwise specified by FEDERAL REGISTER notice.

[CGD13-95-003, 61 FR 16710, Apr. 17, 1996]
## INDEX

### SUBCHAPTER G—REGATTAS AND MARINE PARADES

**Editorial Note:** This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Transportation. This index is updated as of July 1, 2001.

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PART 109—GENERAL

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§ 109.01 Purpose.
The purpose of the rules and regulations in this subchapter is to implement certain laws and set forth the requirements for anchorage areas.

(33 U.S.C. 471, 180, 258, 322, and 499; 49 CFR 1.46(c) and 1.45(b))


§ 109.05 Anchorage grounds.

(a) Section 7 of the River and Harbor Act of March 4, 1915 (33 U.S.C. 471), authorizes the establishment of anchorage grounds for vessels in navigable waters of the United States whenever it is apparent that these are required by the maritime or commercial interests of the United States for safe navigation. The statute also authorizes the adoption of suitable rules and regulations regarding the establishment of anchorage grounds, which are enforced by the Coast Guard. The authority conferred by this statute was transferred to and vested in the Secretary of Transportation by section 6(g)(1)(A) of the Department of Transportation Act (80 Stat. 931) and delegated to the Commandant of the U.S. Coast Guard in §1.46 of Title 49 CFR, and redelegated the authority to establish anchorage grounds to each Coast Guard District Commander in §1.05–1(e)(1)(i) of this title.

(b) District Commanders will, whenever matters relating to the anchorage of vessels are under consideration, ascertain the view of the District and Division Engineer, Corps of Engineers, U.S. Army, and the proper representatives of other departments likely to be interested, including the Commandant of the Naval District concerned and the medical officer in charge of the quarantine station at localities where quarantine anchorages are involved, in order that they may arrange for suitable representation at such hearings. The views of the medical officer in charge of the quarantine station relating to the proposed location and boundaries of the quarantine anchorage will be accepted insofar as practicable and consistent with the establishment of other anchorage areas. (An Act of Congress approved July 1, 1944, as amended (42 U.S.C. 267), authorizes the Surgeon General, with the approval of the Secretary of Health, Education, and Welfare, to designate the boundaries of the quarantine grounds and quarantine anchorages for vessels which are reserved for use at each United States quarantine station.) A notice of public hearing concerning changes to the Anchorage Regulations will be issued by the District Commander and will be mailed to all known interested parties. After providing an opportunity for public participation, the District Commander will, if circumstances so warrant, issue changes to the Anchorage Regulations, or in appropriate cases forward recommendations for such changes to the Commandant.

(c) As soon as publication has been noted in the Federal Register, the District Commander will publish changes to the Anchorage Regulations in the Local Notice to Mariners.

(33 U.S.C. 471, 180, 258, 322, and 499; 49 CFR 1.46(c) and 1.45(b))

The provisions of section 4 (a) and (b) of the Ports and Waterways Safety Act as delegated to the Commandant of the U.S. Coast Guard in 49 CFR 1.46(n)(4) authorize the Commandant to specify times of movement within ports and harbors, restrict vessel operations in hazardous areas and under hazardous conditions, and directs the anchoring of vessels. The sections listed in §110.1a of this subchapter are regulated under the Ports and Waterways Safety Act.

(33 U.S.C. 1221 et seq.; 33 U.S.C. 471; 49 U.S.C. 1565(g)(1); 49 CFR 1.46(n); 49 CFR 1.46(c)(1))

CGD 3-81-1A, 47 FR 4063, Jan. 28, 1982

§ 109.10 Special anchorage areas.
An Act of Congress of April 22, 1940, provides for the designation of special anchorage areas wherein vessels not more than sixty-five feet in length, when at anchor, will not be required to carry or exhibit anchorage lights. Such designation is to be made after investigation, by rule, regulation, or order, the procedure for which will be similar to that followed for anchorage grounds under section 7 of the River and Harbor Act of March 4, 1915, as referred to in §109.05. The areas so designated should be well removed from the fairways and located where general navigation will not endanger or be endangered by unlighted vessels. The authority to designate special anchorage areas was transferred to and vested in the Secretary of Transportation by section 6(g)(1)(D) of the Department of Transportation Act (50 Stat. 931) and delegated to the Commandant of the U.S. Coast Guard under §1.46 of Title 49 CFR, who has redelegated pursuant to the authority under which the rule is proposed.

(33 U.S.C. 471, 180, 258, 322, and 499; 49 CFR 1.46(c) and 1.45(b))

CGD 79-096, 44 FR 51585, Sept. 4, 1979, as amended by USCG-1988-3799, 63 FR 35526, June 30, 1998

§ 109.15 Enforcement proceedings.
Proceedings against a vessel violating the Anchorage Regulations are to be brought in the name of the officer of the Coast guard assigned for the time being as Captain of the Port. When the vessel is at a port where there is no Coast Guard officer, proceedings will be initiated in the name of the District Commander.


§ 109.20 Publication; notice of proposed rule making.
(a) Section 4 of the Administrative Procedure Act (5 U.S.C. 553), requires publication of general notice of proposed rule making in the Federal Register (unless all persons subject thereto are named and either personally served or otherwise have actual notice thereof in accordance with law), except to the extent that there is involved (1) any military, naval, or foreign affairs function of the United States or (2) any matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts. Except where notice or hearing is required by statute, this requirement does not apply to interpretative rules, general statements of policy, rules of agency organization, procedure, or practice, or in any situation in which the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.

(b) General notice of proposed rule making published in accordance with the above will include (1) a statement of the time, place, and nature of public rule making proceedings; (2) reference to the authority under which the rule is proposed; and (3) either the terms or substance of the proposed rule or a description of the subjects and issues involved.


PART 110—ANCHORAGE REGULATIONS

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§ 110.1

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AUTHORITY: 33 U.S.C. 471, 1221 through 1236, 2030, 2035, 2071; 49 CFR 1.46 and 33 CFR 1.05–1(g).

SOURCE: CGFR 67–46, 32 FR 17728, Dec. 12, 1967, unless otherwise noted.

§ 110.1 General.

(a) The areas described in subpart A of this part are designated as special anchorage areas for purposes of 33 U.S.C. §§ 2030(g) and 2035(j). Vessels of less than 20 meters in length, and barges, canal boats, scows, or other nondescript craft, are not required to sound signals required by rule 35 of the Inland Navigation Rules (33 U.S.C. 2035). Vessels of less than 20 meters are not required to exhibit anchor lights or shapes required by rule 30 of the Inland Navigation Rules (33 U.S.C. 2030).

(b) The anchorage grounds for vessels described in Subpart B of this part are established, and the rules and regulations in relation thereto adopted, pursuant to the authority contained in section 7 of the act of March 4, 1915, as amended (38 Stat. 1053; 33 U.S.C. 471).

(c) All bearings in the part are referred to true meridian.

(d) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose reference horizontal datum is the North American
Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.

§ 110.5 Casco Bay, Maine.

(a) Beals Cove, West side of Orrs Island, Harpswell. The entire cove as defined by the shoreline and a line across the entrance bearing 215° and tangent to the shore on the north side.

(b) Mussel Cove and adjacent waters at Falmouth Foreside, Falmouth. All of the waters enclosed by a line beginning at the Dock House (F.S.) located at latitude 43°44′12″ N., longitude 70°02′05″ W.; thence 200 yards; thence 204° to a point on the shoreline at latitude 43°44′33″, longitude 69°59′14″, thence 20° to a point at latitude 43°44′50″, longitude 69°59′14″, thence extending 290° to a point at latitude 43°45′10″, longitude 69°59′20″, thence extending 20° to a point at latitude 43°45′34″, longitude 69°59′05″, thence extending 110° to a point on the shoreline at latitude 43°45′33″, longitude 69°58′38″, thence along the shoreline to the point of beginning.

NOTE: The area is principally for use by yachts and other recreational craft. Fore and aft moorings will be allowed. Temporary floats or buoys for marking anchors in place will be allowed. All moorings shall be so placed that no vessel, when anchored, shall at any time extend beyond the limits of the area. Fixed mooring piles or stakes are prohibited. All anchoring in the area shall be under the supervision of the local harbor master or such authority as may be designated by authorities of the Town of Harpswell, Maine.
§ 110.6 Portland Harbor, Portland, Maine (between Little Diamond Island and Great Diamond Island).

Beginning at the southeasterly corner of the wharf, at the most southerly point of Great Diamond Island at latitude 43°00′13″, longitude 70°12′06″; thence extending southerly to the northeasterly corner of the wharf on the easterly side of Little Diamond Island at latitude 43°40′03″, longitude 70°12′15″; thence extending along the northerly side of the wharf to its shoreward end at latitude 43°40′03″, longitude 70°12′17″; thence extending along the shoreline of Little Diamond Island to latitude 43°40′11″, longitude 70°12′20″; thence extending northeasterly to the shoreline of the southerly side of Great Diamond Island at latitude 43°40′21″, longitude 70°12′06″; thence extending along the shoreline of Great Diamond Island to the shoreward end of a wharf at latitude 43°40′15″, longitude 70°12′02″; thence extending along the southeasterly side of the wharf to the point of beginning.

Note: The area is principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors will be allowed. Fixed mooring piles or stakes are prohibited. The anchoring of vessels and placing of temporary moorings will be under the jurisdiction, and at the discretion of the local Harbor Master. All moorings shall be so placed that no moored vessels will extend beyond the limit of the area.

§ 110.8 Lake Champlain, N.Y. and Vt.

(a) Ticonderoga, N.Y. An area shoreward of a line bearing 312° from Ticonderoga Light to the southeast corner of the New York State Boat Launching Ramp.

(b) Essex, N.Y. A small cove at the westerly side of Lake Champlain, shoreward of a line connecting the offshore ends of two promontories located at Essex.

(c) Shelburne, Vt. An area shoreward of a line bearing 142° from the eastern point of Collymer Pt. to Allen Hill.

(1) Shelburne Bay. Beginning at a point on the shoreline at latitude 44°25′53.0″ N., longitude 73°14′47.3″ W.; thence north to a point at latitude 44°26′04.8″ N., longitude 73°14′46.6″ W.; thence northwesterly to a point on the shoreline at latitude 44°26′06.9″ N., longitude 73°14′50.2″ W.; thence along the shoreline to the point of beginning.

(2) Shelburne Bay Allen Hill to La Platte River. That portion of the waters of Shelburne Bay west of the line from a point at Allen Hill at latitude 44°24′35″ N., longitude 73°14′14″ W.: to a point near the mouth of the La Platte River at latitude 44°24′03″ N., longitude 73°14′05″ W.

Note: The anchoring of vessels and placement of temporary moorings in the anchor area described in paragraph (c-2) of this section are administered by the Harbormaster appointed by the Town of Shelburne, Vermont.

(d) Mallets Bay, Vt. The southerly portion of Mallets Bay, south of a line extending from the northeasterly end of Mallets Head to the northeasterly end of Marble Island, and west of a line extending from the northeasterly end of Marble Island to the northeasterly side of Cave Island, and southerly to the point on the lower east side of Mallets Head.

(e) Mallets Bay, Vt. An area in the northerly portion of Mallets Bay, south of a line extending from the northeasterly end of Mallets Head to the northeasterly end of Marble Island, and west of a line extending from the northeasterly end of Marble Island to the northeasterly side of Cave Island, and southerly to the point on the lower east side of Mallets Head.

(1) St. Albans Bay, Vt. An area in the northerly portion of St. Albans Bay westward of the State Pier at St. Albans Bay State Park, northeasterly of a line bearing 26°30′ from the southerly corner of the State Pier, and southeasterly of a line parallel to and

[CGD 01-87-02, 52 FR 9829, Mar. 27, 1987]
§ 110.25 Beverly and Salem Harbors, Mass.

(a) Beverly Harbor, north of Salem Neck. A line extending from the northerly end of the Salem Willows Yacht Club House 360 yards bearing 281° true to latitude 42°32′14″ N., longitude 70°52′26″ W.; thence north 275 yards to Monument Bar Beacon thence 540 yards bearing 080° to latitude 42°32′25″ N., longitude 70°52′04″ W., thence 365 yards bearing 175° to latitude 42°32′14″ N., longitude 70°52′03″ W.; thence 237° to the shore.

(b) Bass River. All of the area upstream of the highway bridge (Popes Bridge) outside of the dredged channel.

(c) South Channel. Bounded by a line commencing at the northern most point of Peach’s Point at latitude 42°31′08.3″ N., longitude 70°50′34.7″ W.; thence westerly to a point, at latitude 42°31′21.6″ N., longitude 70°51′17.0″ W off Fluen Point; thence westerly to a point at latitude 42°31′19.0″ N., longitude 70°51′49.3″ W off Naugus Head; thence southwesterly to a point at latitude 42°31′00.0″ N., longitude 70°52′18.5″ W east of Folger Point; thence to a point at latitude 42°30′38.0″ N., longitude 70°52′36.5″ W; thence easterly to a point on Long Point at latitude 42°30′32.3″ N., longitude 70°53′06.9″ W. The areas will be principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors will be allowed in the areas but fixed piles or stakes may not be placed. The anchoring of vessels, the placing of moorings, and the maintenance of fairways will be under the jurisdiction of the local Harbor Master.

(d) Beverly and Mackerel Coves, north side of Beverly Harbor. The water area enclosed by a line commencing at the southernmost point of Curtis Point in Beverly; thence bearing 238°, 1,400 yards to latitude 42°32′29.4″ N., longitude 70°51′34″ W.; thence 284°, 1,475 yards to the western shoreline of Mackerel Cove; thence north-easterly to the point of beginning.

(e) Collins Cove, Salem, Mass. The water area enclosed by a line beginning at Monument Bar Beacon; thence 242°, 580 yards to latitude 42°32′14.5″ N., longitude 70°52′46.3″ W.; thence 284°, 220 yards to latitude 42°32′16″ N., longitude 70°52′25″ W.; thence 231°, 525 yards to a point on the shoreline; thence following the shoreline and the western boundary of the special anchorage area as described in 33 CFR 110.25(a) to the point of beginning.

§ 110.26 Marblehead Harbor, Marblehead, Mass.

The area comprises that portion of the harbor lying between the extreme low water line and southwestward of a line bearing 336° from Marblehead Neck Light to a point on Peach Point at latitude 42°31′03″, longitude 70°56′30″.

Note: The area is principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors are allowed. Fixed mooring piles or stakes are prohibited. All moorings shall be so that no vessel, when anchored, shall at any time extend beyond the limits of the area. The anchoring of vessels and the placing of temporary moorings are under the jurisdiction and at the direction of the local harbormaster.


§ 110.30 Boston Harbor, Mass., and adjacent waters.

(a) Lynn Harbor. North of a line bearing 244° from the tower of the Metropolitan District Building, extending from the shore to a point 100 feet from the east limit of the channel; east of a line bearing 358°, extending thence to a point 100 feet east of the northeast corner of the turning basin; south of a line bearing 86°, extending thence to the shore; and south and west of the shore line to its intersection with the south boundary.

(b) Vicinity of Pleasant Park Yacht Club, Winthrop. Southerly of a line bearing 276° from a point on the west side of Pleasant Street, Winthrop, 300 feet from the southwest corner of its intersection with Main Street; westerly of a line bearing 186° from a point on the south side of Main Street 140 feet from the southwest corner of its intersection with Pleasant Street; northerly of a line bearing 226° from a point on the west side of Pleasant Street 550 feet from the southwest corner of its intersection with Main Street and easterly of a line bearing 182° from a point on the south side of Main Street 640 feet from the southwest corner of its intersection with Pleasant Street.

(c) Mystic River, east side of Chelsea Bridge North. Northerly of the northerly fender pier of Chelsea Bridge North; easterly of Chelsea Bridge North; southerly of the shore line; and westerly of a line bearing 7° from the easterly end of the aforesaid fender pier.

(d) Mystic River, west side of Chelsea Bridge North. Northerly of the northerly fender pier of Chelsea Bridge North and a line extending from the westerly end of the shoreward face of the aforesaid fender pier to the southerly corner of the wharf projecting from the Naval Hospital grounds; easterly of the aforesaid wharf; southerly of the shore of the Naval Hospital grounds; and westerly of Chelsea Bridge North.

(e) Vicinity of South Boston Yacht Club, South Boston. Northerly of a line bearing 96° from the stack of the heating plant of the Boston Housing Authority in South Boston; easterly of a line bearing 5° from the west shaft of the tunnel of the Boston Main Drainage Pumping Station; southerly of the shore line; and westerly of a line bearing 158° from the northeast corner of the iron fence marking the east boundary of the South Boston Yacht Club property.

(f) Dorchester Bay, in vicinity of Savin Hill Yacht Club. Northerly of a line bearing 64° from the stack of the old power plant of the Boston Elevated Railway on Freeport Street in Dorchester; westerly of a line bearing 163° from the stack of the Boston Main Drainage Pumping Station on the Cow Pasture in Dorchester; and southerly and easterly of the shore line.

(g) Dorchester Bay, in vicinity of Dorchester Yacht Club. Eastward of a line bearing 21° from the stack located a short distance northwestward of the Dorchester Yacht Club; southward of a line bearing 294° from the southerly channel pier of the highway bridge; westward of the highway bridge and the shore line; and northward of the shore line.

(h) Quincy Bay, in vicinity of Wollaston and Squantum Yacht Clubs. Northwesterly of a line bearing 36°00′ from a point on the shore 2,600 feet easterly of the east side of the Wollaston Yacht Club landing; southwesterly of a line bearing 129°15′ from the water tank in Squantum; and southeasterly and northeastward of the shore line.

(i) Quincy Bay, in vicinity of Merrymount Yacht Club. South of a line
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starting from a point bearing 246°, 3,510 yards, from the stack of the pumping station on Nut Island, and extending thence 306° to the shore; west of a line bearing 190° from the aforesaid point to the shore; and north and east of the shore line.

(j) Weymouth Fore River, in vicinity of Quincy Yacht Club. Southwesterly of a line bearing 119° from the outer end of the wharf at Nut Island; northwesterly of a line bearing 199° from Pig Rock Light to the eastern end of Raccoon Island; northerly of Raccoon Island and of a line from its western extremity bearing 245° from Beacon 2A; and easterly of the shore of Houghs Neck.

(k) Weymouth Fore River, in vicinity of Wessagussett Yacht Club. Southwesterly of a line bearing 117° from channel light “4”; southeasterly of a line 150 feet from and parallel to the meandering easterly limit of the dredged channel; easterly of a line bearing 188° from the eastern extremity of Rock Island Head; and northwesterly of the shore line.

(l) Weymouth Back River, in vicinity of Eastern Neck. The cove on the north side of the river lying northerly of a line leading 264°30′ from the southwesterly corner of the American Agricultural Chemical Company’s wharf (Bradley’s Wharf) to the shore of Eastern Neck, about 2,200 feet distant.

(m)(1) Boston Inner Harbor A. The waters of the western side of Boston Inner Harbor north of the entrance to the Fort Point Channel bounded by a line beginning at a point due east of the New England Aquarium, Latitude 42°21′31.62″ North, Longitude 71°02′32.37″ West. Thence ENE toward the Main Ship Channel to a point, Latitude 42°21′32.6″ North, Longitude 71°02′47.3″ West. Thence SE to a point due east of Harbor Towers, Latitude 42°21′26.4″ North, Longitude 71°02′40.66″ West. Thence W toward the Boston Shore to a point, Latitude 42°21′26.4″ North, Longitude 71°02′56.31″ West. Thence NE to the original point.

(2) [Reserved]

NOTE: Administration of Special Anchorage areas is exercised by the Harbormaster, City of Boston pursuant to local ordinances. The City of Boston will install and maintain suitable navigational aids to mark the limits of Special Anchorage areas.


§110.31 Hull Bay and Allerton Harbor at Hull, Mass.

(a) Area No. 1 in Allerton Harbor. That area north of Hog Island beginning at latitude 42°18′15″, longitude 70°53′46″; thence due east to latitude 42°18′15″, longitude 70°53′29.5″; thence due south to latitude 42°18′07.5″, longitude 70°53′29.5″; thence due west to latitude 42°18′07.5″, longitude 70°53′46″; thence due north to the point of beginning.

(b) Area No. 2 in Hull Bay. That area south of Hog Island beginning at latitude 42°17′50.5″, longitude 70°54′07″; thence due east to latitude 42°17′50.5″, longitude 70°53′29.5″; thence due south to latitude 42°17′30″, longitude 70°53′29.5″; thence due west to latitude 42°17′30″, longitude 70°54′07″; thence due north to the point of beginning.

(c) Area No. 3 in Hull Bay. That area north of Humkin Island beginning at latitude 42°17′22″, longitude 70°54′07″; thence due east to latitude 42°17′22″, longitude 70°53′17.5″; thence due south to latitude 42°17′01″, longitude 70°53′17.5″; thence due west to latitude 42°17′01″, longitude 70°54′07″; thence due north to the point of beginning.

NOTE: The areas will be principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors will be allowed. Fixed mooring piles or stakes are prohibited. The anchoring of vessels and the placing of temporary moorings is under the jurisdiction, and at the discretion, of the local Harbormaster, Hull, Mass.


§110.32 Hingham Harbor, Hingham, Mass.

(a) Area 1. Beginning at latitude 42°15′39″, longitude 70°53′24″; thence to latitude 42°15′35.5″, longitude 70°53′32″; thence to latitude 42°15′36″, longitude 70°53′23″; thence to latitude 42°15′42″, longitude 70°53′15″; thence to point of beginning.

(b) Area 2. Beginning at latitude 42°15′30″, longitude 70°53′02.5″; thence to latitude 42°15′30″, longitude 70°53′13.5″; thence to latitude 42°15′27.5″, longitude
§ 110.37

An area in the inner harbor easterly of the project channel and south of Chappaquiddick Point bounded as follows: Beginning at latitude 41°23′19″, longitude 70°30′32″; thence southeasterly along the shore to latitude 41°22′52″, longitude 70°30′12″; thence 287°30′1,600 feet; thence 327°30′, 700 feet; thence 359° true, 800 feet; thence 24°15′ approximately 900 feet to the point of beginning.

Note: The area is reserved for yachts and other small recreational craft. Fore and aft moorings and temporary floats or buoys for marking anchors in place will be allowed. All moorings shall be so placed that no vessel when anchored shall extend into waters beyond the limits of the area. Fixed mooring piles or stakes are prohibited.

§ 110.40 Silver Beach Harbor, North Falmouth, Mass.

All the waters of the harbor northward of the inner end of the entrance channel.

§ 110.45 Onset Bay, Mass.

Northerly of a line extending from the northernmost point of Onset Island to the easternmost point of Wickets Island; easterly of a line extending from the easternmost point of Wickets Island to the southwest extremity of Point Independence; southerly of the shore line; and westerly of the shore line and of a line bearing due north from the northernmost point of Onset Island.

§ 110.45a Mattapoisett Harbor, Mattapoisett, Mass.

(a) Area No. 1 beginning at a point on the shore at latitude 41°39′23″ N., longitude 70°48′50″ W.; thence 138.5° T. to latitude 41°36′45″ N., longitude 70°48′02″ W.; thence 031° T. to latitude 41°36′02″ N., longitude 70°47′48″ W.; thence along the shore to the point of beginning.

(b) Area No. 2 beginning at a point on the shore at latitude 41°39′24″ N., longitude 70°49′02″ W.; thence 142.5° T. to latitude 41°38′10″ N., longitude 70°47′45″ W.; thence 219° T. to latitude 41°37′54″ N., longitude 70°48′22″ W.; thence along the shore to the point of beginning.

Note: Administration of the Special Anchorage Area is exercised by the Harbormaster, Town of Mattapoisett pursuant to a local ordinance. The town of Mattapoisett will install and maintain suitable navigational aids to mark the perimeter of the anchorage area.
§ 110.46 Newport Harbor, Newport, R.I.

(a) Area No. 1. The waters of Brenton Cove south of a line extending from latitude 41°28'50" N., longitude 71°18'38" W.; to latitude 41°28'45" N., longitude 71°20'08" W.; thence along the shoreline to the point of beginning.

(b) Area No. 2. The waters east of Goat Island beginning at a point bearing 090°, 245 yards from Goat Island Shoal Light; thence 007°, 505 yards; thence 054°, 90 yards; thence 086°, 330 yards; thence 122°, 90 yards; thence 179°, 290 yards; thence 228°, 380 yards; thence 270°, 250 yards to the point of beginning.

(c) Area No. 3. The waters north of Goat Island Causeway Bridge beginning at Newport Harbor Light; thence 023° to the southwest corner of Anchorage E; thence 081° following the southerly boundary of Anchorage E to the shoreline; thence south along the shoreline to the east foot of the Goat Island Causeway Bridge; thence west following Goat Island Causeway Bridge to the shoreline of Goat Island; thence north following the east shore of Goat Island to the point of beginning.

[CGD 76-104, 44 FR 21792, Apr. 12, 1979]

§ 110.47 Little Narragansett Bay, Watch Hill, R.I.

All of the navigable waters of Watch Hill Cove southeasterly of a line beginning at the shore end of the United States project groin on the southerly shore of the cove and running 41°30' true, to the northerly shore of the cove at a point about 200 feet west of the west side of the shore end of Meadow Lane, with the exception of a 100-foot wide channel running from the westerly end of the cove in a southeasterly direction to the Watch Hill Yacht Club pier, thence along in front of the piers on the easterly side of the cove northerly to the shore at the north end of the cove.

[CGFR 68-164, 34 FR 1380, Jan. 29, 1969]

§ 110.48 Thompson Cove on east side of Pawtucket River below Westerly, R.I.

Eastward of a line extending from the channelward end of Thompson Dock at the northern end of Thompson Cove 184° to the shore at the southern end of Thompson Cove.

§ 110.50a Fishers Island Sound, Stonington, Conn.

An area on the east side of Mason Island bounded as follows:

Beginning at the shore line on the easterly side of Mason Island at latitude 41°20'06"; thence due east about 600 feet to latitude 41°20'06", longitude 71°57'37"; thence due south about 2,400 feet to latitude 41°19'42", longitude 71°57'37"; thence due west about 1,000 feet to the shore line on the easterly side of Mason Island at latitude 41°19'42"; thence along the shore line to the point of beginning.

Note: The area will be principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors will be allowed. Fixed mooring piles or stakes will be prohibited. The anchoring of vessels and the placing of temporary moorings will be under the jurisdiction and the discretion of the local Harbor Master.
§ 110.50b Mystic Harbor, Groton and Stonington, Conn.

(a) Area No. 1. Beginning at Ram Point on the westerly side of Mason Island at latitude 41°19′44″, longitude 71°58′42″; thence to latitude 41°19′30″, longitude 71°58′43″; thence to latitude 41°19′36″, longitude 71°58′50″; thence to latitude 41°19′45″, longitude 71°58′56″; thence to the point of beginning.

(b) Area No. 2. Beginning at a point about 250 feet southerly of Area 1 and on line with the easterly limit of Area 1 at latitude 41°19′27″, longitude 71°58′44″; thence to latitude 41°19′19″, longitude 71°58′45″; thence to latitude 41°19′25″, longitude 71°58′59″; thence to latitude 41°19′33″, longitude 71°58′58″; thence to the point of beginning.

NOTE: The areas will be principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors will be allowed. Fixed mooring piles or stakes are prohibited. All moorings shall be so placed that no vessel, when anchored, shall at any time extend beyond the limits of the areas. The anchoring of vessels and the placing of temporary moorings will be under the jurisdiction and at the discretion of the local Harbor Master.

§ 110.50c Mumford Cove, Groton, Conn.

(a) Area No. 1. Beginning at a point on the easterly shore of Mumford Cove at latitude 41°19′36″, longitude 72°01′06″; thence to latitude 41°19′30″, longitude 72°01′04″; thence to the shoreline at latitude 41°19′31″, longitude 72°01′00″; and thence along the shoreline to the point of beginning.

(b) Area No. 2. Beginning at a point on the easterly shore of Mumford Cove at latitude 41°19′15″, longitude 72°00′54″; thence to latitude 41°19′14.5″, longitude 72°00′59″; thence to latitude 41°19′11″, longitude 72°00′58″; thence to latitude 41°19′10″, longitude 72°00′54″; thence to latitude 41°19′12.5″, longitude 72°00′52″; thence to latitude 41°19′14″, longitude 72°00′55″; and thence to the point of beginning.

NOTE: The areas are principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors will be allowed. Fixed mooring piles or stakes will be prohibited. The anchoring of vessels and placing of temporary moorings will be under the jurisdiction, and at the discretion, of the local Harbor Master.

§ 110.50d Mystic Harbor, Noank, Conn.

(a) The area comprises that portion of the harbor off the easterly side of Morgan Point beginning at a point at latitude 41°19′15″, longitude 71°59′13.5″; thence to latitude 41°19′15″, longitude 71°59′00″; thence to latitude 41°19′02.5″, longitude 71°59′00″; thence to latitude 41°19′06″, longitude 71°59′13.5″; and thence to the point of beginning.

(b) The following requirements shall govern this special anchorage area:

(1) The area will be principally for use by yachts and other recreational craft.

(2) Temporary floats or buoys for marking anchors will be allowed but fixed piles or stakes are prohibited. All moorings shall be so placed that no vessel, when anchored, shall extend beyond the limits of the area.

(3) The anchoring of vessels and the placing of temporary moorings shall be under the jurisdiction and at the discretion of the local harbor master, Noank, Conn.

[CGFR 68–3, 33 FR 4738, Mar. 20, 1968]

§ 110.51 Groton, Conn.

The waters between an unnamed cove and Pine Island.

(a) Beginning at a point on the shoreline of Avery Point at latitude 41°19′01.4″, longitude 072°03′42.8″; thence to a point in the cove at latitude 41°19′02.5″, longitude 072°03′36.2″; thence southeasterly to a point at latitude 41°18′54.2″, longitude 072°03′34.2″; thence northeasterly to latitude 41°19′02.5″, longitude 072°03′19.2″; thence terminating at the tip of Jupiter Point at latitude 41°19′04.4″, longitude 072°03′19.7″. DATUM: NAD 83

(b) Beginning at a point on the shoreline of Pine Island at latitude 41°18′37.1″, longitude 072°03′36.8″; thence northerly to latitude 41°18′54.1″, longitude 072°03′35.4″; thence northeasterly to a point at latitude 41°19′01.2″, longitude 072°03′19.3″; thence terminating at a point at latitude 41°18′54.0″, longitude 072°03′17.5″. DATUM: NAD 83

NOTE: The areas designated by (a) and (b) are principally for the use of recreational vessels. Vessels shall be anchored so that part of the vessel obstructs the 135 foot wide channel. Temporary floats or buoys for
marking the location of the anchor of a vessel at anchor may be used. Fixed mooring pilings or stakes are prohibited.

[CGD1–97–014, 63 FR 34815, June 26, 1998]

§ 110.52 Thames River, New London, Conn.

(a) Area No. 1. An area in the westerly part of Greens Harbor bounded as follows: Beginning at a point on the shore 100 yards southeasterly of the southerly side of Thames Street extended; thence 94°, 420 yards; thence 156°, 425 yards; thence 240°, 210 yards, to the shore; and thence northwesterly along the shore to the point of beginning.

(b) Area No. 2. An area in the westerly part of Greens Harbor bounded as follows: Beginning at a point on the shore 15 yards southeasterly of the southerly side of Converse Place extended; thence 54°, 170 yards; thence 114°30′, 550 yards; thence 266°30′, 250 yards; thence 234°, 230 yards, to the shore; and thence northwesterly along the shore to the point of beginning.

(c) Area No. 3. An area on the westerly side of the Thames River in the vicinity of Jacobs Rock, the location of the U.S. Coast Guard Academy Sailing Center, bounded as follows: Beginning at the point on the shore where the north side of the Jacobs Rock causeway meets the western shoreline; thence northerly along the western shore of the Thames River a distance of 200 yards; thence 090°, 240 yards; thence 180°, 200 yards to the Jacobs Rock causeway; thence westerly along the causeway to the point of beginning.

(d) Area No. 4. An area in the western part of the Thames River, north of the highway bridge, bounded as follows: Beginning at a point 125 yards north of the highway bridge at latitude 41°21′56″ N., longitude 72°05′32″ W.; thence easterly to latitude 41°21′56″ N., longitude 72°05′27″ W.; thence northerly to latitude 41°22′12″ N., longitude 72°05′27″ W.; thence westerly to latitude 41°22′12″ N., longitude 72°05′47″ W.; thence southeasterly to latitude 41°22′22″ N., longitude 72°05′40″ W.; thence downriver along the charted foul grounds to the point of beginning.

NOTE: The area designated by paragraph (c) of this section is principally for the use of U.S. Coast Guard Academy and Academy-related boats. Temporary floats or buoys for marking anchors may be used. The anchoring of vessels and the placing of moorings will be under the jurisdiction and at the discretion of the Chief, Waterfront Branch, U.S. Coast Guard Academy, New London, Connecticut.


§ 110.53 Niantic, Conn.

Beginning on the shoreline at latitude 41°18′25.3″, longitude 72°12′16.3″; thence to latitude 41°18′23.3″, longitude 72°12′11.6″; thence to latitude 41°18′50.7″, longitude 72°11′51.5″; thence to the shoreline at latitude 41°18′56.5″, longitude 72°12′06.6″; thence along the shoreline to the point of beginning.

NOTE: This area is for public use, principally for vessels used for a recreational purpose. A temporary float or buoy for marking the location of the anchor of a vessel at anchor may be used. Fixed mooring pilings or stakes are prohibited.

[CGFR 69–24, 34 FR 6980, Apr. 15, 1969]

§ 110.54 Long Island Sound, on west side of entrance to Pataguanset River, Conn.

An area east of Giants Neck (formerly known as Grant Neck) described as follows: Beginning at a point bearing 114°, 75 feet, from the outer end of the breakwater at the south end of Giants Neck; thence 90°, 1,050 feet; thence 22°17′30″, 2,140 feet; thence 283°–2715.5″, 240 feet; thence 220°36′39″, 1,352.6 feet; thence 265°23′16″, 326.5 feet; thence 269°02′42.6″, 240 feet; thence 261°46′50.9″, 181.9 feet; thence 226°28′07″, 275.9 feet; thence 147°43′27.7″, 449.4 feet; thence 238°01′35.8″, 379.6 feet; and thence approximately 156°31′05.8″, 462.11 feet, to the point of beginning.

[CGFR 67–24, 34 FR 6980, Apr. 15, 1969]

§ 110.55 Connecticut River, Conn.

(a) West of Calves Island at Old Saybrook. Beginning at a point bearing 254°09′16″, 183 yards, from Calves Island 20 Light; thence 157°, 1,037 yards; thence 175°, 150 yards; thence 265°, 250 yards; thence 350°, 660 yards; thence 337°, 460 yards; and thence approximately 67°, 135 yards, to the point of beginning.

(a–1) Area No. 1, at Essex. Beginning at a point on the shore on the west side of Haydens Point bearing approximately 211°, 270 yards, from Haydens
§ 110.55  33 CFR Ch. I (7–1–02 Edition)

Point Light; thence 270°, 160 yards; thence due north, 140 yards; thence 300°, 190 yards; thence 330°, 400 yards; thence 90°, 60 yards; thence 150°, 350 yards; thence 120°, about 434 yards to a point on the shore; thence along the shore southwesterly to the point of beginning.

(b) Area No. 2, at Essex. Beginning at a point latitude 41°21′22″, longitude 72°22′53″; thence 205°30′, 375 yards; thence 194°31′, 100 yards; thence 185°00′, 440 yards; thence 153°30′, 60 yards; thence 121°00′, 220 yards; thence due north approximately 1060 yards to the point of beginning.

NOTE: The area will be principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors will be allowed. Fixed mooring piles or stakes are prohibited. The anchoring of vessels and the placing of temporary moorings will be under the discretion of the local Harbor Master. Area 2 will not be used during the shad fishing season.

(e–1) Area No. 1 at Chester. Beginning at a point about 600 feet southeasterly of the entrance of Chester Creek, at latitude 41°24′23″, longitude 72°25′41″; thence due south about 1,800 feet to latitude 41°24′05″, longitude 72°25′41″; thence due east about 600 feet to latitude 41°24′05″, longitude 72°25′32″; thence due north about 1,800 feet to latitude 41°24′23″, longitude 72°25′32″; thence due west about 600 feet to the point of beginning.

NOTE: The area is principally for use by yachts and other recreational craft. A mooring buoy is allowed. Fixed mooring piles or stakes are prohibited.

(e–2) Area No. 2 at Chester. That area south of latitude 41°24′43.9″, west of longitude 72°25′35″, north of latitude 41°24′33.4″, and east of longitude 72°25′40.8″.

NOTE: Area No. 2 may not be used during the shad fishing season, April 1 to June 15, inclusive. A mooring buoy is permitted at other times. Fixed mooring piles or stakes are prohibited.

(f) Vicinity of Mouse Island Bar below Portland. On the north side of the river shoreward of lines described as follows: (1) Beginning at a point bearing 02°, 175 yards, from Mouse Island 73 Light; thence 270°, 480 yards; and thence due north, approximately 280 yards, to the shore. (2) Beginning at the said point bearing 02°, 175 yards, from Mouse Island 73 Light; thence 70°, 400 yards; and thence 350°, approximately 250 yards, to the shore.

(g) Area at Portland. Beginning at a point on the shore, about 700 feet southeasterly from the easterly end of the New York, New Haven and Hartford
§ 110.55a Five Mile River, Norwalk and Darien, Conn.

The water area of the Five Mile River beginning at a point on the southeast shore of Butler Island at latitude 41°03’27.5” N., longitude 73°26’52” W.; thence following the shoreline northerly along the westerly side of Five Mile River to the highway bridge at Route 136 (White Bridge); thence easterly along the southerly side of the highway bridge to the easterly side of Five Mile River; thence following the shoreline southerly along the easterly side of Five Mile River to a point on the southwest shore at Rowayton at latitude 41°03’30” N., longitude 73°26’47” W.; thence 242° to the point of beginning, except those areas within the designated project channel as shown by dotted lines on the Five Mile River on Chart No. 12368 (formerly C and GS Chart No. 221) issued by National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

Note: Under an Act of the Connecticut State Legislature the harbor superintendent, appointed by the Five Mile River Commission, may control moorings and navigation including preventing vessels from anchoring in the Federal project channel.

[CGD 76-44, 41 FR 40467, Sept. 20, 1976]

§ 110.56 Noroton Harbor, Darien, Conn.

(a) Beginning at a point on the southwesterly side of Long Neck Point at latitude 41°02’10” N., longitude 73°28’44”; thence northwesterly to latitude 41°02’17”, longitude 73°29’11”; thence in a north-northwesterly direction to the southeast side of Pratt Island at latitude 41°02’28”, longitude 73°29’17”; thence following the shoreline around the easterly and northerly sides of Pratt Island, the westerly and northerly sides of Pratt Cove, and the westerly side of the Darien River to the causeway and dam at Gorham Pond on the north; then along the downstream side of the causeway and dam to the easterly side of the Darien River, thence along the easterly shoreline to the point of beginning.

Note: An ordinance of the town of Darien, Conn. requires the Darien Harbor Master’s approval of the location and type of any mooring placed in this special anchorage area.

§ 110.60 Port of New York and vicinity.

(a) Huntington Harbor. Beginning on the shoreline at latitude 40°54'19.5", longitude 73°26'07.9"; thence to latitude 40°54'19.5", longitude 73°26'02.4"; thence along the eastern shoreline to the Mill Dam Road Bridge; thence along the downstream side of the bridge to the westerly side of Huntington Harbor; thence along the western shoreline to the point of beginning.

(b) Centerport Harbor. Beginning at the shoreline at latitude 40°54'00", longitude 73°22'55.3"; thence to latitude 40°54'03.8", longitude 73°22'32.1"; thence along the eastern shoreline to the Mill Dam Bridge; thence along the downstream side of the bridge to the westerly side of Centerport Harbor; thence along the western shoreline to the point of beginning.

(c) Northport Harbor. Beginning on the shoreline at latitude 40°54'25", longitude 73°22'05"; thence to latitude 40°54'37.5", longitude 73°21'32.9"; thence along the eastern shoreline to latitude 40°53'33.1", longitude 73°21'28.2"; thence to latitude 40°53'25.8", longitude 73°21'37.7"; thence along the shoreline to the point of beginning.

NOTE: The areas designated by paragraphs (a), (b), and (c) of this section are principally for vessels used for a recreational purpose. A vessel shall be anchored so that no part of the vessel comes within 50 feet of the marked channel. A temporary float or buoy for marking the location of the anchor of a vessel at anchor may be used. Fixed mooring piles or stakes are prohibited.

(b) New Rochelle Harbor, west and south of Glen Island. That portion of Long Island Sound Anchorage No. 1 (described in §110.155) between Hog Island, Travers Island, Neptune Island and Glen Island and the mainland, to the westward of a line extending from the cupola at the southeast extremity of Glen Island and to the southeastern extremity of Hog Island; and to the southwest extremity of Hog Island to the southeastern tip of Premium Point.

NOTE: An ordinance of the Town of New Rochelle N.Y., requires a permit from the New Rochelle Harbor Master or the New Rochelle Superintendent of Bureau of Marinas, Docks and Harbors before any mooring is placed in this special anchorage area.

(c) New Rochelle Harbor, east of Glen Island. That portion of Long Island Sound Anchorage Grounds No. 1 (as described in §110.155(a)) between Glen Island and Goose Islands breakwater, northward of a line extending from the northwest end of Goose Islands breakwater to the cupola at the north end of the bathing beach on Glen Island.

(c–1) City Island Harbor, east of City Island. That portion of Long Island Sound Anchorage No. 1 (as described in §110.155) between City Island and Hart Island eastward of a line ranging 330° between the steeple on City Island and the westernmost corner of the Administration Building at Orchard Beach; southward of a line ranging 50° between the northerly abutment on the westerly end of the City Island drawbridge and tangent to Chimney Sweeps; westward of a line tangent to Chimney Sweeps and ranging 163° toward the west gable on Rat Island and westward of a line tangent to the easterly side of High Island and ranging 152°30' from the west gable on Rat Island; and northward of a line ranging 50° between the Buryea Pier at Belden Point, City Island to Hart Island Light, except for the cable and pipe line area extending between City Island and Hart Island.

(d) Eastchester Bay, west of City Island. That portion of Long Island Sound Anchorage No. 1 (as described in
§ 110.155(a)) west of City Island and within the following limits: Northward of a line ranging 244° from the Duryea Pier at the foot of City Island Avenue to Big Tom Nun Buoy No. 2 (latitude 40°50.01′, longitude 73°47.25′); thence northeastward of a line ranging 229° from Big Tom Nun Buoy No. 2 through the Nun Buoy (latitude 40°50.46′, longitude 73°48.01′) off the southern end of Rodman Neck; southeastward of a line ranging 205° from the east abutment of the City Island Bridge through the south tower of the Bronx-Whitestone Bridge; and southward of a line ranging 90° from the Pelham War Memorial in Pelham Bay Park and the steeple of the church at the southeast corner of Elizabeth Street and City Island Avenue.

(e) Eastchester Bay, along west shore. That portion of Long Island Sound Anchorage No. 1 (as described in §110.155(a)) along the west shore of Eastchester Bay north of and including Weir Creek, shoreward of a line ranging 349° from the end of the timber pier at the foot of Pope Place, Edgewater, and through the transmission tower at the northeast side of the draw of the New York, New Haven and Hartford Railroad Bridge over Eastchester Creek, and having as its northerly limit the line ranging 79° through the row of telephone poles along the north side of Watt Avenue.

(f) Eastchester Bay, Locust Point Harbor. That portion of Long Island Sound Anchorage No. 2 (as described in §110.155(a)) included within the limits of Locust Point Harbor between Wright Island and Throgs Neck and to the westward of a north and south line (longitude 73°47.58′) through the southerly corner of the concrete culvert at the southerly end of the stone wall at Locust Point on Wright Island.

(g) Manhasset Bay, west area at Manorhaven. That portion of Long Island Sound Anchorage No. 4 (as described in §110.155) westward of a line (longitude 73°42.53′) ranging 180° from the end of the Town of North Hempstead pier at Manorhaven; northwestward of a line ranging 233° from the intersection of the shore and the northerly line of Corchang Avenue (extended) on Tom Point toward Plum Point Shoal Buoy 3 (latitude 40°49.48.5′, longitude 73°43.25′); and northeastward of a line ranging 119° from the cupola on Plum Point toward the inshore end of the northerly side of the Purdy Boat Company pier at Port Washington; excluding therefrom the seaplane restricted area described in §207.35.

(h) Manhasset Bay, east area at Manorhaven. That portion of Long Island Sound Anchorage No. 4 (described in §110.155) bounded as follows: Beginning at the shoreline at 40°50.18′N, 73°42.31′W; thence 180° to 40°50.05′N, 73°42.51′W; thence 132° to 40°49.58′N, 73°42.41′W; thence 234° to 40°49.48.5′N, 73°42.58′W; thence 090° to 40°49.54.5′N, 73°42.25.5′W; thence 020° to 40°50.51.5′N, 73°42.16′W; thence due north to the point of land at Manorhaven northeast of Tom Point; thence southwesterly along the shore to and around Tom Point and north westerly along the shore to the point of beginning.

(i) Manhasset Bay, at Port Washington. That portion of Long Island Sound Anchorage No. 4 (described in §110.155) southward of latitude 40°49.44′; eastward of a line ranging 161° from the offshore end of the Yacht Service, Inc., pier on the Copp Estate at Manorhaven toward the flagpole on the end of the Whitney Dock at Plandome; and northward of latitude 40°49.06′.

(i-1) Manhasset Bay, at Kings Point. That portion of Long Island Sound Anchorage No. 4 (described in §110.155(a)(6)) bounded as follows: Beginning at a point on the shoreline at latitude 40°49.24′, longitude 73°43.41.5′; thence to a point at latitude 40°49.32.5′, longitude 73°43.30.1′; thence to a point at latitude 40°49.42.9′, longitude 73°43.55.2′; thence to a point on the shoreline at latitude 40°49.39′, longitude 73°43.59′; thence along the shoreline to the point of beginning.

(j) Manhasset Bay, at Plandome. That portion of Long Island Sound Anchorage No. 4 (described in §110.155) southward of the line of the Whitney Dock at Plandome extended; eastward of a line ranging 186° from the Manhasset-Lakeville Water District tank at Thomaston toward the tank at Tom Point; and northward of Thompson’s pier at Plandome extended.

(j-1) Kings Point. That portion of Long Island Sound Anchorage No. 4
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(described in §110.155) beginning on the shoreline at latitude 40°49'00.3", longitude 73°45'43.5"; thence to latitude 40°49'03.9", longitude 73°45'47.1"; thence to latitude 40°49'12.9", longitude 73°45'41.2"; thence to latitude 40°49'18.7", longitude 73°45'30.3"; thence to latitude 40°49'08.2", longitude 73°45'19"; thence along the shoreline to the point of beginning.

NOTE: Temporary floats or buoys for marking anchors in place are allowed. Fixed mooring piles or stakes are prohibited. An ordinance of the village of Kings Point regulates mooring and anchoring in the area which includes this special anchorage area. This special anchorage area is within the limits of Long Island Sound Anchorage No. 4 as described in §110.155(a)(6).

(k) Little Neck Bay. That portion of Long Island Sound Anchorage No. 5 (as described in §110.155(a)(7)), southeastward of a line ranging approximately 29°30' from the flagpole at Fort Totten, Willets Point to the outermost dolphin of the U.S. Merchant Marine Academy's pier at Kings Point, Long Island.

(l) Flushing Bay, north area. That portion of East River Anchorage No. 10 (described in §110.155), in the vicinity of College Point, southeastward of a line tangent to the west side of College Point ranging from College Point Reef Light to the offshore end of the most northerly rack of the former College Point Ferry slip.

1–1 Flushing Bay, north central area. That portion of East River Anchorage No. 10 (described in §110.155) on the east side of Flushing Bay, southeastward of a line projecting due west from the tank located on the north side of the foot of 15th Avenue, College Point, eastward of a line parallel to, and 50 feet east of the east channel line in Flushing Bay, and northward of a line ranging 42° from Flushing Bay Light 8 on the north end of the dike.

1–2 Flushing Bay, south central area. That portion of East River Anchorage No. 10 (described in §110.155) on the east side of Flushing Bay, southeastward of a line ranging 52° from a point at latitude 40°46'29", longitude 73°51'16"; eastward of a line parallel to, and 50 feet east of the east channel line in Flushing Bay, and northward of a line ranging 67° from a point at latitude 40°46'12", longitude 73°51'06" to the shore.

(m) Flushing Bay, southeast area. That portion of East River Anchorage No. 10 (described in §110.155) south of a line ranging 60° from the northeasterly corner of the municipal pier at the Flushing Bay Boat Basin toward the stack (latitude 40°45'54"; longitude 73°50'29") of the New York City Asphalt Plant.

(m–1) Flushing Bay, southwest area. That portion of East River Anchorage No. 10 (described in §110.155) southwest of the breakwater, projecting offshore and southeast of La Guardia Airport; southerly of a line extending from the offshore end of the breakwater at latitude 40°45'53", longitude 73°51'06" to Flushing Bay Light 12 on the southerly end of the dike; westerly of a line extending from Flushing Bay Light 12 to a point at latitude 40°45'38", longitude 73°51'00"; northerly of a line ranging 22° from the point at latitude 40°45'38", longitude 73°51'00" to the shore.

(m–2) Flushing Bay, west area. That portion of East River Anchorage No. 10 (described in §110.155) adjacent to the northeasterly side of La Guardia Airport, easterly of a line ranging 39° from the control tower at La Guardia Airport to College Point Reef Light, southward of a line extending due west from the tank on the north side of the foot of 15th Avenue, College Point, westward of a line parallel to, and 100 feet west of the west channel line in Flushing Bay and northerly of a line extending due west from Flushing Bay Light 8 on the north end of the dike.

Note: The anchoring of vessels and placing of temporary moorings in anchorage areas described in paragraphs (m) and (m–1) of this section will be under the jurisdiction, and at the discretion of the local Harbor Master appointed by the City of New York.

(n) Bowery Bay. All of that portion of East River Anchorage No. 10 (described in §110.155) on the west side of Bowery Bay.

(o) Hudson River, at Yonkers. Northward of a line on range with the footbridge across the New York Central Railroad Company tracks at the south-
tracks at Hastings-on-Hudson and the easterly yellow brick chimney of the Glenwood powerhouse of the Yonkers Electric Light and Power Company; and southward of a line on range with the first New York Central Railroad Company signal bridge north of the Yonkers Yacht Club.

(o-1) Hudson River, at Glenwood, Yonkers, New York. That portion of the waters of the easterly side of Hudson River and adjacent to the northerly limits of the City of Yonkers, New York, northward of the northerly face of an outfall sewer pipe which is 2,200 feet north of the Glenwood powerhouse; east of a line on range with the northwest corner of the powerhouse bulkhead and the westerly end of the outfall sewer pipe; and southward of a line ranging 110° true to the first New York Central Railroad Company’s signal bridge, north of the Yonkers Corinthian Yacht Club house.

(o-2) Hudson River, at Nyack. That portion of the waters north of a line ranging 270° from latitude 41°05’35.1″, longitude 73°54’27″, to the shoreline; west of a line connecting latitude 41°05’35.1″, longitude 73°54’27″, and latitude 41°06’06.3″, longitude 73°54’27″; and south of a line ranging 270° from latitude 41°06’06.3″, longitude 73°54’27″ to the shoreline.

Note: The area is principally for use by yachts and other recreational craft. A mooring buoy is permitted.

(o-3) Hudson River, North Manhattan. That area enclosed by coordinates starting at 40°51’08.0″ N., 073°56’36.1″ W., to 40°51’09.5″ N., 073°56’40.9″ W., to 40°52’08.1″ N., 073°55’57.0″ W., thence along the shoreline to the point of the beginning.

(p) Hudson River, at Hastings-on-Hudson. That portion of the waters north- erly of a line extending from a point at latitude 40°59’56.0″, longitude 73°53’11.3″ to the shore at latitude 40°59’55.7″, easterly of lines extending from the aforementioned point at latitude 40°59’56.0″, longitude 73°53’11.3″ through a point at latitude 41°00’04.6″, longitude 73°53’10.9″ to a point at latitude 41°00’14.6″, longitude 73°53’08.2″; and southerly of a line extending from the last mentioned point to the shore at latitude 41°00’14.2″.

(p-1) Hudson River, at Tarrytown, NY. Beginning at a point on the shoreline at latitude 41°04’20″ N. long. 73°52’04″ W.; thence due west to a point at lat. 41°04’20″ N. long. 73°52’12″ W.; thence due south to a point at lat. 41°04’13″ N., long. 73°52’12″ W.; thence due east to a point on the shoreline at lat. 41°04’13″ N., long. 73°52’00″ W.; thence along the shoreline to the point of beginning.

(p-2) Hudson River, at West Point. That portion of the waters of the west- erly side of the Hudson River, adjacent to the United States Military Academy, shoreward of a line connecting the extreme northwest corner of the south dock with a projection of land located approximately 1,575 feet north thereof.

(q) Newark Bay, southeast area. That portion of the waters on the southeastern side of Newark Bay, north of a line ranging from the offshore end of the breakwater north of the former Elco Boat Works through Newark Bay Channel Buoy 6; east of a line ranging from a point 200 yards east of the east pier of the lift span of the Central Railroad Company of New Jersey bridge to a point 200 yards east of the east end of the lift span of the Pennsylvania-Lehigh Valley Railroad bridge; and south of a line ranging from the southwest corner of the bulkhead at Bayonne City Park through Newark Bay Channel Buoy 11.

Note: This special anchorage is within the limits of General Anchorages No. 37, described in §110.155(h)(4).

(r) Newark Bay, southwest area. That portion of the waters on the southwest- erly side of Newark Bay, north of a line ranging from Kill Van Kull Light 16 through Kill Van Kull Light 18 and Kill Van Kull Channel Buoy 20, northeast of a line through Kill Van Kull Channel Buoy 20 perpendicular to the Singer Manufacturing Company’s bulkhead, and southeast of a line 150 feet east of and parallel to the Singer Manufacturing Company’s bulkhead, and south of a line 250 feet south of and parallel to the Central Railroad Company of New Jersey bridge and west of a line perpendicular to the dike at Kill Van Kull Light 16, excluding therefrom the “Pipe Line Area.”

Note: The greater portion of this special anchorage is within the limits of General Anchorages No. 34, described in §110.155(h)(1).
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(v–1) Great Kills Harbor. Beginning at a point on the shoreline at latitude 40°32’05.6″, longitude 74°08’24.2″; thence to latitude 40°32’06.7″, longitude 74°08’27.6″; thence to latitude 40°32’19″, longitude 74°08’23.1″; thence to latitude 40°32’27.8″, longitude 74°08’29.9″; thence to latitude 40°32’02.2″, longitude 74°08’10.5″; thence to latitude 40°32’14.2″; longitude 74°08’12.9″; thence along the northern and eastern shoreline to the point of beginning.

Note: The special anchorage area is principally for use by yachts and other recreational craft. A temporary float or buoy for marking the location of the anchor at anchor may be used. Fixed mooring piles or stakes are prohibited. Vessels shall be anchored so that no part of the vessel comes within 50 feet of the marked channel.

This special anchorage area is within the limits of General Anchorage No. 28 described in §110.155(f)(3).

(s) Jamaica Bay. That portion of the waters on the westerly side of Jamaica Bay, westerly of a line ranging from Island Channel Buoy 21 through Island Channel Buoy 23, northward of a line ranging from Island Channel Buoy 21 to the north abutment of the Shore Parkway Bridge across Paerdegat Basin, and southward of a line ranging 310° from Island Channel Buoy 23.

(s–1) Jamaica Bay, south area. That portion of Broad Channel westerly of a line bearing 190°30′ from the northerly terminus of the New York City Transit Authority trestle across Broad Channel to latitude 40°35’30″, longitude 73°49’06″, and thence northerly of a line bearing 254° to the shore.

Note: The area will be principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors will be allowed. The Captain of the Port of New York is authorized to issue permits for maintaining mooring buoys within the anchorage. The method of anchoring these buoys shall be as prescribed by the Captain of the Port. No vessel shall anchor in the anchorage in such manner as to interfere with the use of a duly authorized mooring buoy. The Captain of the Port, New York regulations in §110.155(t)(8) apply.

(t) Cold Spring Harbor. That portion of the waters of Cold Spring Harbor easterly of a line ranging from the cu-pola in the extreme inner harbor through Cold Spring Harbor Light; southerly of a line ranging from the southernmost point of an L-shaped pier

off Wawepex Grove through the Clock Tower at Laurelton and northerly of a line ranging from the outer end of the Socony Mobil Oil Company’s pier at Cold Spring Harbor through the Clock Tower at Laurelton, with the exception of an area within a 300-foot radius of the outer end of the Socony Mobil Oil Company’s pier.

(u) Oyster Bay Harbor, New York. That portion of Oyster Bay Harbor adjacent to the easterly side of Centre Island, westerly of a line on range with Cold Spring Harbor Light and the Stone House on the end of Plum Point, Centre Island.

(u–1) Hempstead Harbor, New York. That portion of the waters of Hempstead Harbor southerly of the Glen Cove Breakwater, northerly of a line ranging from “Dume” at Sea Cliff through Hempstead Harbor Buoy 9, and easterly of a line ranging from Glen Cove Breakwater Light through Hempstead Harbor Anchorage Buoys “A” and “B” and Hempstead Harbor Buoy 9, except for the entrance to Glen Cove Creek as defined by Hempstead Harbor Anchorage Buoy “A” and Glen Cove Entrance Buoy 1 on the north side of the entrance, and Hempstead Harbor Anchorage Buoy “B” the Glen Cove Entrance Buoy 2 on the south side of the entrance.

(u–2) Harbor of Oyster Bay, Oyster Bay, New York. The water area north of the town of Oyster Bay enclosed by a line beginning on the shoreline at latitude 40°52’39″, longitude 73°32’29″; thence to latitude 40°52’17″, longitude 73°32’17″; thence to latitude 40°52’29″, longitude 73°32’18″; thence to latitude 40°53’30″, longitude 73°30’13″; thence to latitude 40°53’02″, longitude 73°30’54″; thence to the shoreline at latitude 40°52’25″, longitude 73°31’18″; thence following the shoreline to the point of beginning.

(u–3) Harbor of Oyster Bay, New York, Moses Point to Brickyard Point. That portion of the waters of the Harbor of Oyster Bay enclosed by a line beginning at Moses Point on Centre Island at latitude 40°53’11″, longitude 73°31’14″; thence to latitude 40°53’02″, longitude 73°31’22″; thence to latitude 40°53’02″, longitude 73°32’06″; thence to Brickyard Point on Centre Island at 40°53’06″, longitude
§ 110.60

73°32'00" W.; thence following the shore-
line to the point of beginning.

NOTE: The anchoring of vessels and place-
ment of temporary moorings in anchorage
areas described in paragraphs (u), (u-2), and
(u-3) of this section will be under the juris-
diction of the local Harbormaster appointed
in accordance with Article 12 of the Village
Ordinance of the Village of Centre Island,
New York.

(v) Hudson River, at Coeymans, New
York. That portion of the westerly side of
Hudson River, west of Coeymans Middle Dike, north of a line
bearing due west from a point 700 feet
south of Upper Hudson River Light No.
43, and south of a line bearing due west
from Upper Hudson River Light No. 45,
except for an area 125 feet wide, adja-
cent to and east of the bulkhead front-
ing the Village of Coeymans and Bar-
ren Island Dike.

(w) Hudson River, at Cedar Hill, New
York. That portion of the westerly side
of the Hudson River, adjacent to Cedar
Hill Dike, 250 feet in width, bounded on
the north by the northerly side of the
cut in the dike at the junction of the
Vloman Kill and the Hudson River, and
extending northerly therefrom 1,600
feet.

(x) Sheepshead Bay—(1) Western Area.
South of a line 25 feet south of and par-
allel to the bulkhead wall along the
south side of Emmons Avenue; east of
a line 200 feet east of and parallel to
the prolonged west line of East 15th
Street; north of a line 75 feet north of
and parallel to the bulkhead wall along
the north side of Shore Boulevard be-
tween Amherst Street and Dover
Street and as prolonged to a point 315
feet south of the bulkhead wall along
the south side of Emmons Avenue and
25 feet west of the prolonged west
side of Ocean Avenue.

(2) Northern Area. South of the estab-
lished U.S. pierhead line on the north-
side of the bay; the prolonged west
line of Coyle Street; north of a line
ranging from a point 90 feet south of
said pierhead line in said prolonged
west line of Coyle Street to the inter-
section of the south line of Shore Bou-
levard and the west line of Kensington
Street; north of a line parallel to and
325 feet north of the bulkhead wall
along the north side of Shore Boule-
vard; northeast of a line ranging from
the point of intersection of the last-
mentioned line with the prolonged east
line of East 28th Street, toward a point
on the prolonged east line of East 27th
Street and 245 feet south of the estab-
lished U.S. pierhead line on the north
side of the bay; and east of the pro-
longed east side of East 27th Street.

(3) Southern Area. South of a line ex-
tending from a point 175 feet northerly
of the bulkhead wall along the north
side of Shore Boulevard (perpendicular
distance) and in the prolonged west
side of Hastings Street to a point on
the prolonged east side of Mackenzie
Street 125 feet north of the bulkhead
wall on the north side of Shore Boule-
vard; thence south of a line parallel to
and 125 feet northerly of the bulkhead
wall along the north side of Shore Bou-
levard from the last-mentioned point
to the prolonged west line of Coyle
Street; north of a line parallel to and
25 feet north of the bulkhead wall
along the north side of Shore Boule-
vard; and east of the prolonged west
side of Hastings Street.

(4) Captain of the Port Regulations. In
Sheepshead Bay, New York, Western,
Northern, and Southern Special An-
chorage Areas, the following applies:

(i) Two anchors shall be used. The an-
chor minimum weight and minimum
chain size shall be as shown in table
110.60(x)(4) and the anchor shall be
placed as shown in figure 110.60(x)(4).

(ii) The area is principally for vessels
used for a recreational purpose.

<table>
<thead>
<tr>
<th>Vessel length, in feet</th>
<th>Anchor weight, in pounds per anchor</th>
<th>Chain size, in inches</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 or less</td>
<td>100</td>
<td>3/4</td>
</tr>
<tr>
<td>Greater than 15 but not greater than 21.</td>
<td>150</td>
<td>5/8</td>
</tr>
<tr>
<td>Greater than 21 but not greater than 26.</td>
<td>200</td>
<td>5/8</td>
</tr>
</tbody>
</table>
| Greater than 26        | 10 per foot of vessel length       | 1/2 for each an-
anchor whose weight is not greater than 400 lbs. | 1/4 for each an-
anchor whose weigh weight is greater than 400 lbs. |
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and thence along the shoreline to the point of beginning.


EDITORIAL NOTE: For Federal Register citations affecting §110.60, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 110.65 Indian River Bay, Del.

Beginning at a point bearing 174°, 300 feet, from a point on the southerly edge of the project channel 5,500 feet westerly from the State highway bridge across Indian River Inlet; thence 175°, 600 feet; thence 264°, 800 feet; thence 354°, 600 feet; and thence 84°, 800 feet, to the point of beginning.

§ 110.67 Delaware River, Essington, Pa.

North of Little Tunicum Island, between the mouth of Darby Creek and Jansen Avenue, Essington, bounded as follows: Beginning at a point (approximately latitude 39°51′31″, longitude 75°17′43″) on a line in prolongation of the westerly line of Jansen Avenue 35 yards southerly from the mean high water line; thence 184°, 300 yards; thence 274°30′, 1,700 yards; thence 04°45′, 425 yards; thence 106°, 1,225 yards; and thence 95°, 490 yards, to the point of beginning.

§ 110.70 Chesapeake and Delaware Canal, easterly of Courthouse Point, Md.

The waters southerly of a line joining the northernmost extremity of Courthouse Point and the westernmost point of Herring Island; westerly of a line bearing 180° from a point on the aforesaid line 220 yards from the westernmost point of Herring Island; and northerly and easterly of the shoreline.

§ 110.70a Northeast River, North East, Md.

The water area west of North East Heights, Maryland enclosed by a line beginning on the shoreline at latitude 39°34′26″ N., longitude 75°57′18″ W.; thence westerly to latitude 39°34′26″ N., longitude 75°57′29″ W.; thence northeasterly to latitude 39°34′30″ N., longitude 75°57′27″ W.; thence easterly to the shoreline at latitude 39°34′30″ N., longitude 75°57′18″ W.; thence southerly.

FIGURE 110.60(X)(4)

(y) Coeles Harbor at Shelter Island, New York. That portion of Coeles Harbor bounded on the North by a line drawn between the northernmost point of land at Sungic Point and latitude 41°04′09″ North, longitude 72°17′54″ West, thence eastward along the shoreline to the point of origin.

(y) West Neck Harbor at Shelter Island, New York. That portion of West Neck Harbor bounded on the North by a line drawn between latitude 41°02′48″ North, longitude 72°20′27″ West and a point on Shell Beach located at latitude 41°02′29″ North, longitude 72°20′59″ West; thence eastward along the shoreline to the point of origin.

(a) Point Comfort at Keansburg, New Jersey. This special anchorage is adjacent to the amusement pier at Point Comfort on Raritan Bay and is bounded as follows: beginning on the Keansburg shore at latitude 40°27′19″ North longitude 74°08′23″ West; to latitude 40°27′38″ North longitude 74°08′52″ West; to latitude 40°27′32″ North longitude 74°08′32″ West; to latitude 40°27′50″ North longitude 74°07′45″ West; to latitude 40°27′14″ North longitude 74°07′46″ West; and thence returning westward along the shoreline to the point of origin.

(a) South of Perth Amboy, New Jersey. The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>40°30′19.0″</td>
<td>74°15′46.0″</td>
</tr>
<tr>
<td>40°30′17.0″</td>
<td>74°15′38.0″</td>
</tr>
<tr>
<td>40°30′02.8″</td>
<td>74°15′45.0″</td>
</tr>
<tr>
<td>40°29′36.0″</td>
<td>74°16′09.2″</td>
</tr>
<tr>
<td>40°29′30.8″</td>
<td>74°16′22.0″</td>
</tr>
<tr>
<td>40°29′47.2″</td>
<td>74°16′52.0″</td>
</tr>
<tr>
<td>40°30′02.0″</td>
<td>74°16′43.0″</td>
</tr>
</tbody>
</table>
§ 110.71 Jacobs Nose Cove, Elk River, Md.

The water area of Jacobs Nose Cove, on the west side of the mouth of Elk River, Maryland, comprising the entire cove south of Jacobs Nose as defined by the shoreline and a line bearing 046°—226° true across the entrance of the cove tangent to the shore on both the north and south sides.

[CGD 77–143, 44 FR 18683, Mar. 29, 1979]

§ 110.71a Cabin Creek, Grasonville, Md.

The waters of Cabin Creek, Maryland, enclosed by a line drawn from latitude 38°56′34″N., longitude 76°12′49″W., on the western shore to latitude 38°56′28″N., longitude 76°12′29″W., on the eastern shore; thence following the general line of the shore to the point of beginning.

[CGD 78–026, 44 FR 6910, Feb. 5, 1979]

§ 110.71b Wye River, Wye, Md.

The waters of a cove on the western shore of Wye River opposite Drum Point enclosed by a line drawn from latitude 38°53′17″N., longitude 76°11′32″W., to latitude 38°53′18″N., longitude 76°11′23″W., to latitude 38°53′18″N., longitude 76°11′10″W.; thence following the shoreline to the point of beginning.

[CGD 78–026, 44 FR 6910, Feb. 5, 1979]

§ 110.72 Blackhole Creek, Md.

The waters on the west side of Blackhole Creek, a tributary of Mag- othy River, southwest of a line bearing 310°30′ from the most northerly tip of an unnamed island located 0.16 mile upstream from the mouth of the creek approximately 660 feet to the west shore of the creek; northwest of a line ranging from the southwesterly tip of the island toward the point of land on the west shore of the creek immediately southwest thereof; and north of a line 100 feet from and parallel to the shore of the creek to its intersection with the south property line extended of the Potapskut Sailing Association, Inc., thence northwesterly along the said property line extended to the shore.

§ 110.72a Chester River, southeast of Chestertown, Md.

The waters of the Chester River enclosed by a line beginning at a point on the Rolph Marina pier at latitude 39°10′25″ N., longitude 76°02′17″ W.; thence 327° to a point 400 feet southwest of the entrance to Hambleton Creek at latitude 39°10′35″ N., longitude 76°02′40″ W.; thence northeasterly to the eastern side of the entrance to Hambleton Creek; thence southerly following the shoreline to the Rolph Point Marina pier; thence southwesterly along the Rolph Point Marina pier to the point of beginning.


§ 110.72aa Elizabeth River Spectator Vessel Anchorage Areas, between Norfolk and Portsmouth, Virginia.

(a) Special Anchorage Areas. (1) The waters of the Elizabeth River bounded by the shore and a line drawn between Hospital Point at latitude Latitude 36°50′50.5″ North, longitude 76°18′09.0″ West, and the tip of the channelside pier at the Holiday Inn Marina at latitude 36°50′29.5″ North, longitude 76°17′52.5″ West.

(2) The waters of the Elizabeth River adjacent to the Port Norfolk Reach section of the Elizabeth River, bounded by the shore and a line drawn between Hospital Point at latitude 36°50′50.5″ North, longitude 76°18′14.5″ West, and the tip of the southern most rail-road pier at Port Norfolk at latitude 36°51′14.5″ North, longitude 76°18′44.0″ West.

(b) Effective period. These special anchorage areas in paragraph (a) of this section are only in effect when the regulations in §100.501 of this title are in effect.

[CGD 85–88–12, 53 FR 20320, June 3, 1988]

§ 110.72b St. Simons Island, Georgia.

The area beginning at a point southwest of Frederica River Bridge, St. Simons Island Causeway at latitude 31°09′56″ N., longitude 81°24′35″ W.; thence southwesterly to latitude 31°09′42″ N., longitude 81°25′10″ W.; thence westerly to the shoreline at
§ 110.72c

latitude 31°09′45″ N., longitude 81°25′20″ W.; thence northeasterly along the shoreline to latitude 31°10′02″ N., longitude 81°25′00″ W.; thence southeast-erly to the point of origin.

[CGD 76-47, 42 FR 40694, Aug. 11, 1977]

§ 110.72c Lake Murray, S.C.

(a) The area beginning at the 125 foot pier of the Columbia Sailing Club, approximately latitude 34°03′31″ N., longitude 81°13′37″ W.; thence 167° to latitude 34°03′43.6″ N., longitude 81°13′39.2″ W.; thence easterly to latitude 34°03′43″ N., longitude 81°13′32.1″ W.; thence 34° to the shoreline, thence along the shoreline to the beginning.

[CGD 77–138, 43 FR 14470, Apr. 6, 1978]

§ 110.72d Ashley River anchorage areas, SC.

The following locations are special anchorage areas:

(a) Ashley River Anchorage 1. The waters lying within an area across the Ashley River Channel from the George M. Lockwood Municipal Marina bounded by the southwest side of the channel beginning at latitude 32°46′42.7″N., longitude 079°57′19.3″W.; thence to latitude 32°46′38.0″N., longitude 079°57′24.0″W.; thence to latitude 32°46′32.0″N., longitude 079°57′15.5″W.; thence to latitude 32°46′29.0″N., longitude 079°57′05.5″W.; thence back to the beginning following the southwest boundary of the Ashley River Channel. All coordinates referenced use datum: NAD 1983.

(b) Ashley River Anchorage 2. The waters lying within an area across the Ashley River Channel from the Ashley Marina bounded by the southwest side of the channel beginning at latitude 32°46′53.0″N., longitude 079°57′34.5″W.; thence to latitude 32°46′50.5″N., longitude 079°57′40.5″W.; thence to latitude 32°46′46.0″N., longitude 079°57′34.5″W.; thence to latitude 32°46′49.0″N., longitude 079°57′28.7″W.; thence back to the beginning following the southwest boundary of the Ashley River Channel. All coordinates referenced use datum: NAD 1983.


§ 110.73 St. Johns River, Fla.

(a) Area A. The waters lying within an area bounded by a line beginning at a point located at the west bank of St. Johns River at latitude 30°15′11″, longitude 81°41′23″; thence to latitude 30°15′13″, longitude 81°41′14″; thence to latitude 30°15′03″, longitude 81°41′11″; thence to latitude 30°15′04″, longitude 81°41′20″; and thence to the point of beginning.

(b) Area B. The waters lying within an area bounded by a line beginning at latitude 30°15′03″, longitude 81°41′28″; thence to latitude 30°15′02″, longitude 81°41′16″; thence to latitude 30°14′56″, longitude 81°41′08″; thence to latitude 30°14′54.5″, longitude 81°41′10.5″; and thence to the point of beginning.

§ 110.73a Indian River at Sebastian, Fla.

Beginning at a point on the shoreline at latitude 27°49′40″ N., longitude 80°28′26″ W.; thence 060° to latitude 27°49′46″ N., longitude 80°28′13″ W.; thence 156° to latitude 27°49′31″ N., longitude 80°28′05″ W.; thence 242° to latitude 27°49′25″ N., longitude 80°28′18″ W.; thence northerly along the shoreline to the point of beginning.

Note: This area is principally for use by commercial fishing vessels less than 65 feet in length.

[CGD 74–104, 40 FR 2689, Jan. 15, 1975]

§ 110.73b Indian River at Vero Beach, Fla.

(a) Area A. Beginning at a point located on the eastern shore of Pritz Is. at latitude 27°39′32.5″ N., longitude 80°22′20.6″ W. following the shoreline northward to the northwest point at latitude 27°39′46″ N., longitude 80°22′25.9″ W.; thence due east to a point on Orchid Is. at approximately latitude 27°39′46″ N., longitude 80°22′16.2″ W.; thence southerly along the shoreline of Orchid Is. to latitude 27°39′32.5″ N., longitude 80°22′13.4″ W., thence due west to the point of beginning.

(b) Area B. Beginning at a point located at the entrance channel marker No. 2 at latitude 27°39′12″ N., longitude 80°22′17.3″ W.; thence northeasterly to channel marker No. 4 at latitude 27°39′21″ N., longitude 80°22′15.8″ W.,
thence due east to Orchid Is. at approximately latitude 27°39′21″ N., longitude 80°22′11.8″ W., thence southerly along the western shoreline of Orchid Is. to latitude 27°39′12″ N., longitude 80°22′15.6″ W., thence due west to the point of beginning.

(c) Vessels shall be so anchored so that no part of the vessel obstructs the turning basin or channels adjacent to the special anchorage areas.

[CGFR 70-84-40, 51 FR 395, Jan. 6, 1986]

§ 110.73c. Okeechobee Waterway, St. Lucie River, Stuart, FL.

The following is a special anchorage area: Beginning on the Okeechobee Intracoastal Waterway between mile marker 7 and 8 on the St. Lucie River, bounded by a line beginning at 27°31′16.6″ N., 80°15′33.447″ W.; thence to 27°12′07.811″ N., 80°15′38.861″ W.; thence to 27°12′04.584″ N., 80°15′41.437″ W.; thence to 27°11′49.005″ N., 80°15′44.796″ W.; thence to 27°11′47.881″ N., 80°15′38.271″ W.; thence to the point of beginning. All coordinates reference Datum NAD 83.

NOTE: This area is principally used by recreational vessels. The mooring of vessels in this area is administered by the local Harbormaster, City of Stuart, Florida.

[CGD 7-80-63, 45 FR 79031, Nov. 28, 1980]

§ 110.74b Apollo Beach, Fla.

Beginning at a point approximately 300 feet south of the Tampa Sailing Squadron at latitude 27°46′50.2″ N., longitude 82°25′27.8″ W.; thence southeasterly to latitude 27°46′45.6″ N., longitude 82°25′23.2″ W.; thence southwesterly to latitude 27°46′35.8″ N., longitude 82°25′34.8″ W.; thence westerly to latitude 27°46′39.9″ N., longitude 82°25′39.6″ W., thence to the point of beginning.

[CGD 7-83-29, 49 FR 48540, Dec. 13, 1984]

§ 110.75 Corpus Christi Bay, Tex.

(a) South area. Southward of the southernmost T-head pier at the foot of Cooper Avenue and of a line bearing 186°44′, 340.6 feet, from the southerly corner of said pier to a point on the rubble breakwater; westward and northward of said breakwater; and eastward of the Corpus Christi seawall.

§ 110.77 Amistad Reservoir, Tex.

(a) Diablo East, Tex. That portion of the Amistad Reservoir enclosed by a line connecting the following points, excluding a 300-foot-wide fairway extending northerly from the launching ramp as established by the Superintendent of Amistad Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 29°28′54″ N.</td>
<td>101°01′10″ W.</td>
</tr>
<tr>
<td>&quot;b&quot; 29°28′21″ N.</td>
<td>101°01′08″ W.</td>
</tr>
<tr>
<td>&quot;c&quot; 29°28′34″ N.</td>
<td>101°00′32″ W.</td>
</tr>
<tr>
<td>&quot;d&quot; 29°28′54″ N.</td>
<td>101°00′32″ W.</td>
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</table>

(b) Rough Canyon, Tex. That portion of the Amistad Reservoir enclosed by a line connecting the following points,
§ 110.77a Duluth-Superior Harbor, Duluth, Minn.

The area adjacent to Park Point in Duluth-Superior Harbor within the following boundaries: beginning at latitude 46°45'19.3" N., longitude 92°04'43" W.; thence to latitude 46°45'11.7" N., longitude 92°05'01" W.; thence to latitude 46°44'21.2" N., longitude 92°04'15.7" W.; thence to latitude 46°44'29.4" N., longitude 92°03'57.5" W.; thence to the point of beginning.


§ 110.77b Madeline Island, WI.

The water are in La Pointe Harbor, Madeline Island, Wisconsin, enclosed by:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>46°46'21.5&quot; N.</td>
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</tr>
<tr>
<td>46°46'36&quot; N.</td>
<td>090°47'13&quot; W.</td>
</tr>
<tr>
<td>46°46'41&quot; N.</td>
<td>090°47'33&quot; W.</td>
</tr>
</tbody>
</table>

[cgdr1–95–016, 60 fr 15053, Mar. 22, 1995; 60 fr 21983, May 4, 1995]

§ 110.78 Sturgeon Bay, Sturgeon Bay, Wis.

(a) Area 1. Beginning at a point bearing 126°, 3,000 feet from the fixed green Sturgeon Bay Canal Leading Light mounted on the highway bridge; thence 120°, 1,200 feet, this line being parallel to and 150 feet from the channel edge; thence 222°, 500 feet; thence 300°, 1,200 feet; thence 042°, 500 feet to the point of beginning.

(b) Area 2. Beginning at a point 160 feet from the shoreline and on the east line of 15th Avenue extended; thence south 530 feet to a point 100 feet from the northern edge of the channel; thence southeasterly 2,350 feet along a line parallel to the northern edge of the channel to a point on the east line of 18th Avenue extended, using that portion of 18th Avenue that runs in a true north-south direction perpendicular to Utah Street; thence north 530 feet along this line of 18th Avenue extended to a point approximately 400 feet from the shoreline; thence northwesterly 2,350 feet along a line parallel to the northern edge of the channel to the point of beginning.

Note: An ordinance of the City of Sturgeon Bay, Wisconsin, requires moorings to be approved by the Harbor Master of the City of Sturgeon Bay and provides for other regulations of the use of vessels and moorings in this area.


§ 110.78a Neenah Harbor, Neenah, Wis.

(a) Area 1. The area of Neenah Harbor south of the main shipping channel within the following boundary: A line beginning at a point bearing 117.5°, 1,050 feet from the point where the southeasterly side of the First Street/Oak Street Bridge crosses the south shoreline of the river; thence 254°, 162 feet; thence 146°, 462 feet; 164°, 138 feet; 123°, 367 feet; 068°, 400 feet; 044°, 400 feet; thence 230°, 107 feet; thence 263°, 1,054 feet to the point of beginning.

(b) Area 2. Commencing at a point where the west line of Second Street extended meets the north edge of the harbor, thence south to intersect the north edge of the channel at latitude 44°11'41.2" North, longitude 88°27'13.2" West, thence northwesterly to a point
at latitude 44°11'06.3" North, longitude 88°27'16.4" West, thence north to the easterly end of the Neenah Dam Spillway.

NOTE: An ordinance of the City of Neenah, Wis., requires approval of the Neenah Police Department for the location and type of individual moorings placed in this special anchorage area.

[CGD 85-017, 50 FR 49844, Dec. 5, 1985]

§ 110.79b Milwaukee Harbor, Lake Winnebago, Oshkosh, WI

The area adjacent to Menominee Park in Millers Bay within the following boundaries: beginning at latitude 44°01'47" N., longitude 88°31'05" W.; thence to latitude 44°01'46" N., longitude 88°31'00" W.; thence to latitude 44°01'41" N., longitude 88°31'04" W.; thence to latitude 44°01'36" N., longitude 88°31'08" W.; thence to point of beginning.

[CGD 09-09-01, 47 FR 18333, Apr. 29, 1982]

§ 110.79c Fish Creek Harbor, Fish Creek, Wisconsin.

The area within the following boundaries: Beginning at latitude 45°07'58" N., longitude 87°14'31" W.; thence to latitude 45°07'58" N., longitude 87°14'35" W.; thence to latitude 45°07'50" N., longitude 87°14'30" W.; thence to latitude 45°07'47" N., longitude 87°14'38" W.; thence to the point of beginning.


§ 110.80 Milwaukee Harbor, Milwaukee, Wis.

(a) McKinley Park. The water area east of McKinley Park enclosed by a line beginning at McKinley Park Jetty Light; thence 690', 500 feet to a point on the breakwater; thence northerly and northwesterly following the breakwater, piers, jetty and natural shoreline to the point of beginning.

(b) South Shore Park. The water area northeast of South Shore Park enclosed by a line beginning at the northeast corner of the jetty at latitude 43°00'07.5" N., longitude 87°53'08" W.; thence to latitude 43°00'05" N., longitude 87°53'01" W.; thence to latitude 42°59'55" N., longitude 87°52'53" W.; thence to a point of the shoreline at latitude 42°59'34" N., longitude 87°52'43.5" W.; thence following the shoreline to the point of beginning.

(c) Bay View Park. The water area east of Bay View Park enclosed by a line beginning on the shoreline at latitude 42°59'28.5" N., longitude 87°52'35" W.; thence to latitude 42°59'35.5" N., longitude 87°52'27" W.; thence to latitude 42°59'08" N., longitude 87°51'37" W.; thence to a point on the shoreline at latitude 42°58'59" N., longitude 87°51'46" W.; thence following the shoreline to the point of beginning.

NOTE: An ordinance of the City of Milwaukee, Wisconsin requires the approval of the Milwaukee Harbor Master for the location and type of moorings placed in these special anchorage areas.


§ 110.80a Lake Macatawa, Mich.

An area located on the south side of Lake Macatawa near the entrance to Lake Michigan, shoreward (south) of a line commencing offshore of Macatawa Park at a point 960 feet S 156° E from the light on the south pier at the entrance to the Lake, and extending 1,550 feet N 82° E toward the northwest corner of the Macatawa Bay Yacht Club pier.

§ 110.80b Marquette Harbor, Marquette, Mich.

The area within Marquette Harbor beginning at latitude 46°32'38" N., longitude 87°22'46" W.; thence to latitude 46°32'37" N., longitude 87°22'34" W.; thence to latitude 46°32'33" N., longitude 87°22'34" W.; thence to latitude 46°32'33" N., longitude 87°22'46" W., thence to point of origin.

NOTE: An ordinance of the City of Marquette authorizes the Harbormaster to direct the location and length of time any watercraft may anchor in this area.

[CGD 79-018, 44 FR 50040, Aug. 27, 1979]

§ 110.81 Muskegon Lake, Mich.

(a) Muskegon Lake West. The waters of the southwest side of Muskegon Lake enclosed by a line beginning at latitude 43°13'24" N., longitude 86°19'28.5" W.; thence 154° T to latitude 43°13'07.5" N., longitude 86°19'02.5" W.; thence 230° T to latitude 43°13'04" N., longitude 86°19'06.5" W.; thence along the shoreline to the point of origin.
§ 110.81a Lake Betsie, Frankfort, MI.

The area within the following boundaries:

Beginning at latitude 44°37'47" North, longitude 86°13'52.5" West; thence to latitude 44°37'51.4" North, longitude 86°13'49" West; thence to latitude 44°37'46.4" North, longitude 86°13'37.6" West; thence to latitude 44°37'44.2" North, longitude 86°13'44.2" West; thence to point of beginning.

[CGD 09-82-06, 48 FR 33263, July 21, 1983]

§ 110.82 Charlevoix Harbor, Mich.

The waters on the north side of Round Lake northward of a line beginning at a point approximately 200 feet south of the north shore bearing 60°. 280 feet, from the northeast corner of the Charlevoix Municipal Wharf, and bearing thence 92°, 400 feet, thence 129°, 1,160 feet, and thence 110° to the westerly end of the southwest side of Park Island.


§ 110.82a Little Traverse Bay, Lake Michigan, Harbor Springs, Mich.

(a) Area 1. Beginning at latitude 45°25’42.2” N., longitude 84°58’7.5” W.; thence to latitude 45°25’39.5” N., longitude 84°59’07” W.; thence to latitude 45°25’35” N., longitude 84°59’09” W.; thence to latitude 45°25’42.2” N., longitude 84°59’09” W.; thence to the point of beginning.

(b) Area 2. Beginning at latitude 45°25’42.2” N., longitude 84°58’54” W.; thence to latitude 45°25’35” N., longitude 84°58’53” W.; thence to latitude 45°25’42.2” N., longitude 84°58’24.8” W.; thence to latitude 45°25’36.1” N., longitude 84°58’23” W.; thence to latitude 45°25’42.2” N., longitude 84°58’39” W., thence to the point of beginning.

[CGD 09-85-02, 50 FR 24194, June 10, 1985]

§ 110.83 Chicago Harbor, Ill.

(a) Grant Park North-A. Beginning at a point 2,120 feet South of the intersection of the North line of the Chicago Yacht Club bulkhead, as constructed in 1927, and the harbor line approved by the Department of the Army on August 3, 1940, along the West side of the harbor, said harbor line runs parallel to the overall alignment of said Grant Park bulkhead between its North and South ends, said intersection is approximately 800 feet South of the South face of the former Naval Armory Dock, and 100 feet East of said bulkhead, that point being approximately on the harbor line; thence North along a straight line parallel to said harbor line and bulkhead, 1,705 feet to a point that is 100 feet East of said harbor line and 150 feet East of the Grant Park bulkhead; thence East at a right angle, 150 feet; thence North at a right angle, parallel to the first described line, passing 100 feet East of the Chicago Yacht Club bulkhead, 440 feet; thence Northeasterly 850 feet to a point 1,070 feet East of the aforesaid Grant Park bulkhead; thence Southeasterly 740 feet to a point 1,600 feet East of said harbor line; thence Southerly 1,900 feet to a point approximately 1,555 feet East of said harbor line and about 1,560 feet East of said Grant Park bulkhead; thence Southwesterly 295 feet to a point 1,180 feet due East, in a direction perpendicular to the West line hereof, from the point of beginning; and thence West to the point of beginning.

(b) Grant Park North-B. Beginning at a point 145 feet North of the North line of the Chicago Yacht Club bulkhead, as constructed in 1927, and 320 feet East of the harbor line approved by the Department of the Army on August 3, 1940, along the West side of the harbor, said Chicago Yacht Club bulkhead extends due East, perpendicular to the Grant Park bulkhead’s overall alignment between its North and South ends, said bulkhead runs parallel to the aforesaid harbor line and is approximately 800 feet South of the South face of the former Naval Armory Dock, said point is 20 feet East of the East face of the Chicago Park District jetty; thence North parallel to said jetty, 230 feet to a point 20 feet South of the South face of the Lake Shore Drive bulkhead, said
bulkhead runs Easterly and Westerly in a curved direction; thence Easterly along a line parallel to said curved bulkhead to a point 20 feet Southwest and perpendicular to a line extended along the Southwest side of the Columbia Yacht Club pier to said curved bulkhead; thence Southwesterly parallel to said extended line, 160 feet; thence Southwesterly to the point of beginning.

(c) Grant Park North-C. Beginning at a point 970 feet North of the North line of the Chicago Yacht Club bulkhead, as constructed in 1927, which extends due East and perpendicular from the harbor line approved by the Department of the Army on August 3, 1940, said Chicago Yacht Club bulkhead line is approximately 800 feet South of the South face of the former Naval Armory Dock, and 1,170 feet East of said harbor line, said point of beginning is 20 feet East of the East face of the Columbia Yacht Club pier and 20 feet South of the South face of a breakwater, which runs in a East and West direction; thence East along a line parallel to the South face of said East-West breakwater, 540 feet to a point 20 feet West of the West face of a breakwater, which runs in a North and South direction; thence South along a line parallel to the West face of said North-South breakwater, approximately 965 feet; thence Northwesterly to a point 20 feet Southeast and perpendicular to the Southeast side of the aforesaid Columbia Yacht Club pier; thence Northerly along a line parallel to the East face of said pier to the point of beginning.

(d) Grant Park South. Beginning at a point 2,220 feet South of the intersection of the North line of the Chicago Yacht Club bulkhead, as constructed in 1927, and the harbor line approved by the Department of the Army on August 3, 1940, along the West side of the harbor, said harbor line runs parallel to the overall alignment of the Grant Park bulkhead between its North and South ends, said intersection is approximately 800 feet South of the South face of the former Naval Armory Dock, and 100 feet East of said Grant Park bulkhead, that point being approximately on the harbor line; thence East perpendicular to the overall alignment of the Grant Park bulkhead, and perpendicular to said harbor line, 1,180 feet; thence Southeasterly 330 feet to a point 1,510 feet East of said Grant Park bulkhead and 225 feet South of an extension of the first described line; thence South perpendicular to the first described line, 220 feet; thence Southwesterly 2,375 feet along a line generally 100 feet Northwesterly from and parallel to the Northwesterly face of the narrow section of the U.S. Inner Breakwater; thence Northwesterly 100 feet to a point 150 feet East of said Grant Park bulkhead (or 100 feet East of the aforesaid harbor line), and 4,570 feet South of the North line of the aforesaid Chicago Yacht Club bulkhead; and thence North 2,350 feet of the point of beginning.

NOTE: The Chicago Park District controls the location and type of any moorings placed in the special anchorage areas in this section.

[CGD09-83-02, 50 FR 27581, July 5, 1985]

§ 110.83a Cedar Point, Sandusky, Ohio.

The water area enclosed by the break wall beginning at latitude 41°28′21″ N., longitude 82°40′39″ W.; thence along the break wall to latitude 41°28′21″ N., longitude 82°40′53″ W.; thence along a straight line southwesterly to latitude 41°28′20″ N., longitude 82°40′55″ W.; thence along the break wall to latitude 41°28′33″ N., longitude 82°40′58″ W.; thence along the shoreline to the point of beginning.

[CGD 79–169, 45 FR 32674, May 19, 1980]

§ 110.84 Black Rock Channel opposite foot of Porter Avenue, Buffalo, N.Y.

An area extending northwesterly between Black Rock Channel and Bird Island Pier opposite the foot of Porter Avenue, bounded as follows: Beginning at Triangulation Marker “N-5” on Bird Island Pier; thence southeasterly along the pier a distance of approximately 745 feet; thence 60°52′ true, approximately 300 feet to a point 50 feet westerly of the westerly limit of Black Rock Channel; thence northwesterly along an arc of a circle parallel to and 50 feet westerly of the westerly limit of the channel to a point approximately 360 feet southerly of Bird Island Pier Light No. 17; thence 276°20′ true, approximately 135 feet to Bird Island Pier.
§ 110.84b Buffalo, N.Y.

The area within the Port of Buffalo known as Port of Buffalo Small Boat Harbor commencing at a point on shore at latitude 42°51'05" N., longitude 78°51'55" W.; thence northwesterly along the pier a distance of approximately 1,355 feet to the point of beginning.

§ 110.85 Niagara River, Youngstown, N.Y.

(a) Area 1. Beginning at a point at the intersection of the south line of Swain Pier; thence southerly and southerly along the pier a distance of approximately 1,355 feet to the point of beginning.

(b) Area 2. Beginning at a point at latitude 43°14'33" N., longitude 79°03'7.5" W.; thence westerly to a point at latitude 43°14'33" N., longitude 79°03'9.5" W.; thence southerly to a point at latitude 43°14'15.5" N., longitude 79°03'17" W.; thence northerly to a point at latitude 43°14'54.5" N., longitude 79°03'14" W.; thence southerly to a point at latitude 43°14'51.4" N., longitude 73°03'09" W.; thence easterly to a point at latitude 43°14'51.5" N., longitude 79°03'6.5" W.; thence along the shoreline to the point of beginning.

(c) Area 3. Beginning at a point at latitude 43°15'7.9" N., longitude 79°03'03" W.; thence westerly to a point at latitude 43°15'7.9" N., longitude 79°03'04" W.; thence northwesterly to a point at latitude 43°15'11.8" N., longitude 79°03'14" W.; thence northerly to a point at latitude 43°15'14" N., longitude 79°03'14" W.; thence northwesterly to a point at latitude 43°15'22" N., longitude 79°03'21.5" W.; thence northeasterly to a point at latitude 43°15'25.5" N., longitude 79°03'13" W.; thence along the shoreline to the point of beginning.

Note: The Youngstown Harbor Commission controls the location, type, and assignment of moorings placed in the special anchorage areas in this section.


§ 110.86 Sodus Bay, N.Y.

The water area in Sodus Bay, New York, south of Sand Point, two separate sections, enclosed by:

(a) Eastern Section, beginning at a point on the shoreline at:

(b) Western Section, beginning at a point on the shoreline at:

[CGD 81–83 at 58 FR 40740, July 30, 1993]

§ 110.87 Henderson Harbor, N.Y.

(a) Area A. The area in the southern portion of Henderson Harbor west of the Henderson Harbor Yacht Club bounded by a line beginning at latitude 43°51'08.8" N., longitude 76°12'06.9" W., thence to latitude 43°51'09.0" N., longitude 76°12'19.0" W., thence to latitude 43°51'33.4" N., longitude 76°12'09.6" W., thence to the point of beginning. All nautical positions are based on North American Datum of 1983.
(b) **Area B.** The area in the southern portion of Henderson Harbor north of Graham Creek Entrance Light bounded by a line beginning at latitude 43°51′21.8″ N., longitude 76°11′38.2″ W., thence to latitude 43°51′21.7″ N., longitude 76°12′05.5″ W., thence to latitude 43°51′33.4″ N., longitude 76°12′06.2″ W., thence to latitude 43°51′33.6″ N., longitude 76°12′00.8″ W., thence to the point of beginning. All nautical positions are based on North American Datum of 1983.

NOTE: Permission must be obtained from the Town of Henderson Harbormaster before any vessel is moored oranchored in this special anchorage area.

[CGD09-99-061, 65 FR 11893, Mar. 7, 2000]

§ 110.90 San Diego Harbor, Calif.

(a) **Area A–J.** In North San Diego Bay, the Shelter Island Yacht Basin Anchorage, the water area enclosed by a line beginning at latitude 32°42′56.7″ N., longitude 117°13′47.1″ W.; thence southeasterly to latitude 32°42′33.6″ N., longitude 117°13′51.3″ W.; thence northwesterly to latitude 32°43′01.3″ N., longitude 117°13′59.1″ W.; thence northeasterly to latitude 32°43′02.6″ N., longitude 117°13′55.5″ W.; thence southeasterly to latitude 32°42′59.8″ N., longitude 117°13′50.4″ W.; thence southeasterly to the point of beginning.

(b) **Area A–Ia.** In North San Diego Bay, the Shelter Island Roadstead Anchorage east of Shelter Island, the water area 55 feet either side of a line beginning at latitude 32°42′23.6″ N., longitude 117°13′48.3″ W.; thence northeasterly to latitude 32°42′36.0″ N., longitude 117°13′45.1″ W.

(c) **Area A–Ib.** The water area off Shelter Island’s eastern shore, 210 feet shoreward of a line beginning at latitude 32°42′43.9″ N., longitude 117°13′34.3″ W.; thence northeasterly to latitude 32°42′52.8″ N., longitude 117°13′24.2″ W.

(d) **Area A–Ic.** The water area off Shelter Island’s eastern shore, 210 feet shoreward of a line beginning at latitude 32°42′55.0″ N., longitude 117°13′19.4″ W.; thence northeasterly to latitude 32°43′03.5″ N., longitude 117°13′07.6″ W.

(e) **Area A–2.** In North San Diego Bay, the America’s Cup Harbor Anchorage, the water area enclosed by a line beginning at latitude 32°43′13.7″ N., longitude 117°13′23.8″ W.; thence northeasterly to latitude 32°43′16.7″ N., longitude 117°13′16.4″ W.; thence northwesterly to latitude 32°43′22.6″ N., longitude 117°13′25.8″ W.; thence westerly to latitude 32°43′22.5″ N., longitude 117°13′29.6″ W.; thence southwesterly to latitude 32°43′19.0″ N., longitude 117°13′32.6″ W.; thence southeasterly to the point of beginning.

(f) **Area A–3.** In North San Diego Bay, the Laurel Street Roadstead Anchorage, the water area enclosed by a line beginning at latitude 32°43′30.5″ N., longitude 117°10′28.5″ W.; thence southwesterly to latitude 32°43′29.8″ N., longitude 117°10′34.2″ W.; thence southeasterly to latitude 32°43′20.2″ N., longitude 117°10′36.1″ W.; thence westerly to latitude 32°43′20.2″ N., longitude 117°10′52.9″ W.; thence northeasterly to latitude 32°43′20.2″ N., longitude 117°10′48.0″ W., thence northeasterly following a line parallel to, and 200 feet bayward of, the shoreline of San Diego Bay adjoining Harbor Drive to the point of beginning.

(g) **Area A–4.** In Central San Diego Bay, the Bay Bridge Roadstead Anchorage, the water area enclosed by a line beginning at latitude 32°41′32.1″ N., longitude 117°09′43.1″ W.; thence southwesterly to latitude 32°41′19.1″ N., longitude 117°09′56.1″ W.; thence southeasterly to latitude 32°41′17.8″ N., longitude 117°09′41.3″ W.; thence southeasterly to latitude 32°41′14.9″ N., longitude 117°09′37.9″ W.; thence northeasterly to latitude 32°41′26.9″ N., longitude 117°09′35.1″ W., thence southeasterly to the point of beginning.

(h) **Area A–5.** In Central San Diego Bay, the Glorietta Bay Anchorage, the water area enclosed by a line beginning at latitude 32°40′12.2″ N., longitude 117°10′03.1″ W.; thence southeasterly to latitude 32°40′41.2″ N., longitude 117°10′06.6″ W.; thence northwesterly to latitude 32°40′46.2″ N., longitude 117°10′15.6″ W.; thence northeasterly to latitude 32°40′56.7″ N., longitude 117°10′14.1″ W., thence southeasterly to the point of beginning.

(i) **Area A–6.** In Fiddler’s Cove, the water enclosed by a line beginning at latitude 32°39′10.4″ N., longitude 117°08′49.4″ W.; thence westerly to latitude 32°39′14.9″ N., longitude 117°08′51.8″ W.; thence northeasterly to
§ 110.91 33 CFR Ch. I (7–1–02 Edition)

latitude 32°39’17.6″ N., longitude 117°08’47.5″ W.; hence northwesterly to latitude 32°39’19.8″ N., longitude 117°08’48.8″ W.; thence northeasterly to latitude 32°39’24.4″ N., longitude 117°08’41.4″ W.; thence southeasterly to latitude 32°39’15.7″ N., longitude 117°08’36.0″ W.; thence southwesterly to the point of beginning.

NOTE: This area is located on Federal property owned by the United States Navy, and it is reserved for active duty military, their dependents, retirees, and DOD employees only.

(j) Area A–6. In South San Diego Bay, the Sweetwater Anchorage, the water enclosed by a line beginning at latitude 32°39’12.2″ N., longitude 117°07’45.1″ W.; thence easterly to latitude 32°39’12.2″ N., longitude 117°07’30.1″ W.; thence southerly to latitude 32°38’45.2″ N., longitude 117°07’30.1″ W.; thence westerly to latitude 32°38’45.2″ N., longitude 117°07’45.1″ W.; thence northerly to the point of beginning.

(k) Area A–9. In North San Diego Bay, the Cruiser Anchorage, the water enclosed by a line beginning at latitude 32°43’35.9″ N., longitude 117°11’06.2″ W.; thence southerly to latitude 32°43’31.5″ N., longitude 117°11’13.2″ W.; thence southeasterly to latitude 32°43’28.9″ N., longitude 117°11’11.0″ W.; thence southeasterly to latitude 32°43’25.9″ N., longitude 117°11’07.7″ W.; thence northeasterly to latitude 32°43’34.8″ N., longitude 117°11’03.2″ W.; thence northerly to the point of beginning. All coordinates in this section use Datum: NAD 83.

NOTE: Mariners anchoring in these anchorages, excluding Anchorage A–6, should consult applicable local ordinances of the San Diego Unified Port District. Temporary floats or buoys for marking anchors are allowed. Fixed moorings, piles or stakes are prohibited. All moorings shall be positioned so that no vessel, when anchored, shall at any time extend beyond the limits of the area. See Captain of the Port Notice 6–97, a copy of which can be obtained by calling (619) 683–6495.

[CGD11–97–007, 63 FR 16688, Apr. 6, 1998]

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Mission Bay, Calif.

(a) Area M–1. In San Juan Cove, the entire water area west of a line drawn from latitude 32°46’53.6″ N., longitude 117°14’52.5″ W.; to El Carmel Point

North Light; latitude 32°46’48.0″ N., longitude 117°14’50.1″ W.

NOTE: Control over the anchoring of vessels and placing of temporary moorings in this area is exercised by the City of San Diego Park and Recreation Department pursuant to local ordinances.

(b) Area M–2. In Santa Barbara Cove, the entire water area west of a line drawn from latitude 32°46’40.0″ N., longitude 117°14’47.0″ W.; to latitude 32°46’33.5″ N., longitude 117°14’45.5″ W.

NOTE: Control over the anchoring of vessels and the placing of temporary moorings in this area is exercised by the City of San Diego Park and Recreation Department pursuant to local ordinances.

(c) Area M–3. In Mariners Basin, the entire water area west of a line drawn from latitude 32°45’49.2″ N., longitude 117°14’42.9″ W.; to Mission Point Light; latitude 32°45’43.7″ N., longitude 117°14’41.9″ W.

NOTE: Control over the anchoring of vessels and the placing of temporary moorings in this area is exercised by the City of San Diego Park and Recreation Department pursuant to local ordinances.

(d) Area M–4. In Quivira Basin, the entire water area enclosed by that portion of a circle of 45 yard radius from latitude 32°45’42.8″ N., longitude 117°14’25.6″ W.; through the arc from 35° T to 088° T.

NOTE: Control over the anchoring of vessels and the placing of temporary moorings in this area is exercised by the City of San Diego Park and Recreation Department pursuant to local ordinances.

[CGD11–85–02, 51 FR 2882, Jan. 22, 1986]
§ 110.95 Newport Bay Harbor, Calif.

(a) Area A-1. In Lido Channel, northeast of a line parallel to and 195 feet from the pierhead line along the southwest shore of Lido Isle; north of the south U.S. Bulkhead line off Lido Isle extended; southwest of a line parallel to and 120 feet from the pierhead line along the southwest shore of Lido Isle; and southeast of the north side of Via Barcelona, on Lido Isle, extended.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(b) Area A-2. East of the east side of 15th Street extended; north of a line parallel to and 250 feet from the pierhead line between 14th and 15th Streets, this line being the north line of Newport Channel, and extending east in a straight line to an intersection with a line bearing 268° from Lido Isle East Light 2, this line being the northwest line of the main fairway; west of the east side of 13th Street extended; and south of a line parallel to and 220 feet from the pierhead line off the south shore of Lido Isle.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(c) Area A-3. A rectangular area, 40 feet wide and 865 feet long, on the west side of Upper Bay Channel, 120 feet east of and parallel to the west pierhead line, the south end being 50 feet north from U.S. Bulkhead Station 130.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to Orange County Harbor Ordinance No. 490 for recreational and small craft of such size and alignment as permitted by the harbor master.

(d) Area A-4. South of a line bearing 268° from Newport Bay Channel Light 11, this line being the south line of the main fairway; north of a line parallel to and 200 feet from the pierhead line off 11th to 8th Streets; and west of a line bearing 203° from Newport Bay Channel Light 12, passing through the pierhead line at the east end of Lido Isle.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(e) Area A-5. (Newport Harbor Yacht Club). East of a line bearing 23° from the center of the north end of 8th Street, being parallel to and 150 feet distant from the east end of Area A-4; north of a line parallel to and 200 feet from the pierhead line off 7th and 8th Streets; northwest of a line parallel to and 200 feet from the northwest pierhead line off Bay Island; and south of a line bearing 268° from Newport Bay Channel Light 11, this line being the southerly line of the main fairway.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(f) Area A-6. Northwest of Harbor Island, beginning at a point on the Newport City line 107 feet from the angle point northwest of Harbor Island; thence 36°27', 55 feet; thence 303°18', 300 feet; thence 216°27', 72 feet; thence 165°12', 211 feet; thence 75°11'44″, approximately 216 feet, to the point of beginning.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(g) Area A-7. East of a line parallel to and 150 feet from the east pierhead line off Bay Island; north of a line parallel to and 150 feet from the pierhead line off Fernando Street; northwest of the east side of Adams Street extended; and southwest of a line bearing 131° from Newport Bay Channel Light 11, being parallel to and 100 feet southwest.
§ 110.95

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of the southwest line of the main channel.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(h) Area A–8. Northeast of a line parallel to and 270 feet from the southwest pierhead line from Collins Isle to Balboa Island; north of a line bearing 311° from Newport Bay Channel Lighted Buoy 10 and passing through Newport Bay Channel Light 12, this line being the northeast line of the main channel; southwest of a line parallel to and 150 feet from the southwest pierhead line from Collins Isle to Balboa Island; and southeast of a line bearing 238° from U.S. Station 160.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(i) Area A–9. In Balboa Island Channel, east of a line bearing due north from U.S. Station 151, being 25 feet west of the end of Emerald Avenue; north of a line parallel to and 75 feet from the north pierhead line off Balboa Island; west of the east side of Amethyst Avenue extended; and south of a line parallel to and 150 feet from the north pierhead line of Balboa Island.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(j) Area A–10. Southeast of a line bearing 209° from Newport Bay Channel Lighted Buoy 10 and passing through the east side of the end of “A” Street; north of an irregular line parallel to and 150 feet from the north pierhead line off Balboa Peninsula from “A” to “K” Streets; south of the south line of the main channel; and south and southeast of an irregular line parallel to and 375 feet from the north pierhead line off Balboa Peninsula.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(k) Area A–11. Northeast of a line bearing 108°30’ from Newport Bay Channel Lighted Buoy 10, this line being the northeast line of the main channel; north of a line parallel to and 350 feet from the south pierhead line off Balboa Island; west of the west bulkhead line of the Grand Canal extended; and south of a line parallel to and 150 feet from the south pierhead off Balboa Island.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for recreational and small craft of such size and alignment as permitted by the harbor master.

(l) Area A–12 (Balboa Yacht Club). South of a line parallel to and 150 feet from the south pierhead line off Balboa Island; west of the east end pierhead line off Balboa Island extended and bearing 161°; north of a line parallel to and 700 feet from the south pierhead line off Balboa Island; and east of a line parallel to and 1,000 feet from the east boundary, bearing 161° from the point of intersection of the east bulkhead line of Grand Canal and the south bulkhead line off Balboa Island.

NOTE: This area is reserved for recreational and other small craft. Single moorings will be allowed in this area conforming to the City of Newport Beach Harbor Ordinance No. 543 for pleasure boats and yachts of such sizes and alignments as permitted by the harbor master.

(m) [Reserved]

(n) Area B–1. Southeast of a line bearing 237° from Lido Isle West Light 4 and being parallel to and 200 feet from the pierhead line off the southeast end of Rhine Point; northeast of the southwest bulkhead line off Rhine Point extended; north of a line parallel to and 250 feet from the pierhead line between 15th and 18th Streets, this line being the north line of Newport Channel; west of the west side of 15th Street extended; and south of a line parallel to and 220 feet from the pierhead off the south shore of Lido Isle.

NOTE: This area is reserved for recreational and other small craft. Fore and aft moorings will be allowed in this area conforming to
§ 110.100 Los Angeles and Long Beach Harbors, Calif.

(a) [Reserved]

(b) Area A–2. Consisting of two parts in the outer basin of Fish Harbor on the east and west sides of Fish Harbor Entrance Channel described as follows:

(1) Part 1. Beginning at a point at the intersection of westerly side of Fish Harbor Entrance Channel and the outer jetty; thence southwesterly along the jetty about 900 feet to the shore; thence northerly about 500 feet; thence northeasterly about 650 feet, on a line parallel to jetty; thence southeasterly about 500 feet, along the westerly side of Fish Harbor Entrance Channel to the point of beginning.

(2) Part 2. Beginning at a point at the intersection of the east side of Fish Harbor Entrance Channel and Fish Harbor mole (outer Fish Harbor); thence northwesterly along channel line about 650 feet to the southerly side of the Fairway; thence northwesterly and easterly along the southerly side of the Fairway, about 478 and 565 feet respectively to its intersection with Fish Harbor mole; thence southerly and southwesterly along the mole to the point of beginning.

§ 110.115 Santa Barbara Harbor, Calif.

North of the Santa Barbara breakwater; seaward of the line of mean high water; and southwest of a line bearing 46°30′ from the north corner of Bath Street and Cabrillo Boulevard to the end of the Santa Barbara breakwater; excluding a fairway 225 feet wide, 100 feet from each side of and parallel to the Navy pier.

Note: Fore and aft moorings will be allowed in this area conforming to the City of Santa Barbara Harbor Ordinance No. 2106 for yachts and small craft of such size and alignment as permitted by the harbor master.

§ 110.120 San Luis Obispo Bay, Calif.

(a) Area A–1. Area A–1 is the water area bounded by the San Luis Obispo County wharf, the shoreline, a line drawn from the southernmost point of Fossil Point to latitude 35°10′18.5″ N., longitude 120°43′38.5″ W.; thence to the southeast corner of the San Luis Obispo County wharf.

(b) Area A–2. Area A–2 is the water area enclosed by a line drawn from the outer end of Whaler Island breakwater at latitude 35°09′22″ N., longitude 120°44′56″ W., to the Marré Chimney at latitude 35°10′36″ N., longitude 120°44′31″ W.

Note: The Port San Luis Harbor District prescribes local regulations for mooring and boating activities in these areas.


§ 110.125 Morro Bay Harbor, Calif.

(a) Area A–1. Opposite the City of Morro Bay, beginning 50 feet west of the intersection of the west channel line and the prolongation of the center line of Seventh Street; thence in a generally southeasterly direction and parallel to the channel line for a distance of 450 yards; thence 166° and parallel to the revetment for a distance of 1,025 yards; thence 270° for a distance of 200 yards; thence 346° for a distance of about 1,425 yards to meet the prolongation of the center line of Seventh Street; and thence to the point of beginning.

(b) Area A–2. Beginning at a point 322° and 150 feet from the high water line on
§ 110.126 Monterey Harbor, Calif.

The waters of Monterey Harbor between the shoreline and the following coordinates: Beginning at a point on the shoreline at latitude 36°36'27.5" N., longitude 121°53'35.0" W.; thence to latitude 36°36'32.4" N., longitude 121°53'31.0" W., then an easterly direction to latitude 36°36'28.9" N., 121°53'19.0" W.; thence south to latitude 36°36'23.1" N., longitude 121°53'19.0" W.; thence to the north end of Municipal Wharf No. 1 at latitude 36°36'20.0" N., longitude 121°53'28.0" W.


§ 110.126a San Francisco Bay, Calif.

Richardson Bay Anchorage. That portion of Richardson Bay, north of a line bearing 257° from Peninsula Point to the shore at Sausalito, except for federally-maintained channels, and all channels approved for private use therein.

Note: Mariners anchoring in the special anchorage area should consult applicable ordinances of the Richardson Bay Regional Agency and the County of Marin. These ordinances establish requirements on matters including the anchoring of vessels, placement of moorings, and use of anchored and moored vessels within the special anchorage area. Information on these local agency requirements may be obtained from the Richardson Bay Harbor Administrator.


§ 110.127 Lake Mohave and Lake Mead, Nevada and Arizona.

(a) Willow Beach, Ariz. That portion of Lake Mohave enclosed by the shore and a line connecting the following points, excluding a 100-foot-wide fairway, extending westerly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 35°52'30&quot; N.</td>
<td>114°39'35&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 35°52'10&quot; N.</td>
<td>114°39'35&quot; W.</td>
</tr>
</tbody>
</table>

(b) Katherine, Ariz. That portion of Lake Mohave inclosed by the shore and a line connecting the following points, excluding a 100-foot-wide fairway, extending westerly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 35°13'33&quot; N.</td>
<td>114°39'38&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 35°13'05&quot; N.</td>
<td>114°39'40&quot; W.</td>
</tr>
</tbody>
</table>

(c) El Dorado Canyon, Nev. That portion of Lake Mohave inclosed by the shore and a line connecting the following points, excluding a 50-foot-wide fairway, extending easterly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 35°42'37&quot; N.</td>
<td>114°42'21&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 35°42'08&quot; N.</td>
<td>114°42'10&quot; W.</td>
</tr>
</tbody>
</table>

(d) Cottonwood Cove, Nev. That portion of Lake Mohave inclosed by the shore and a line connecting the following points, excluding a 200-foot-wide fairway extending northeasterly from the launching ramp, as established by the Superintendent Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
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<tr>
<td>&quot;a&quot; 35°29'46&quot; N.</td>
<td>114°40'55&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 35°29'35&quot; N.</td>
<td>114°40'45&quot; W.</td>
</tr>
</tbody>
</table>

(e) Overton Beach, Nev.—(1) Area “A”. That portion of Lake Mead inclosed by the shore and lines connecting the following points, excluding two 300-foot-wide fairways, extending northwesterly and southwesterly from the launching ramps, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 36°27'05&quot; N.</td>
<td>114°21'48&quot; W.</td>
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<tr>
<td>&quot;b&quot; 36°27'15&quot; N.</td>
<td>114°21'20&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 36°26'32&quot; N.</td>
<td>114°20'45&quot; W.</td>
</tr>
<tr>
<td>&quot;d&quot; 36°25'49&quot; N.</td>
<td>114°20'50&quot; W.</td>
</tr>
<tr>
<td>&quot;e&quot; 36°25'00&quot; N.</td>
<td>114°21'37&quot; W.</td>
</tr>
<tr>
<td>&quot;f&quot; 36°25'19&quot; N.</td>
<td>114°22'10&quot; W.</td>
</tr>
</tbody>
</table>

(f) Echo Bay, Nev. That portion of Lake Mead inclosed by the shore and lines connecting the following points,
excluding a 100-foot-wide fairway, extending southwesterly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
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<th>Longitude</th>
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<tbody>
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<td>114°25'10&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 36°18'20&quot; N.</td>
<td>114°24'00&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 36°17'35&quot; N.</td>
<td>114°23'05&quot; W.</td>
</tr>
<tr>
<td>&quot;d&quot; 36°17'40&quot; N.</td>
<td>114°24'27&quot; W.</td>
</tr>
</tbody>
</table>

(g) Callville Bay, Nev. That portion of Lake Mead inclosed by the shore and lines connecting the following points, excluding a 200-foot-wide fairway, extending southwesterly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 36°06'00&quot; N.</td>
<td>114°42'40&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 36°06'10&quot; N.</td>
<td>114°42'25&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 36°06'06&quot; N.</td>
<td>114°42'40&quot; W.</td>
</tr>
</tbody>
</table>

(h) Las Vegas Wash, Nev. That portion of Lake Mead inclosed by the shore and a line connecting the following points, excluding a 200-foot-wide fairway, extending easterly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 36°07'23&quot; N.</td>
<td>114°49'45&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 36°06'29&quot; N.</td>
<td>114°49'45&quot; W.</td>
</tr>
</tbody>
</table>

(i) Hemenway Harbor, Nev. That portion of Lake Mead inclosed by the shore and lines connecting the following points, excluding a 100-foot-wide fairway, extending easterly from the launching ramp at Boulder Beach and a 600-foot-wide fairway, extending northerly from the launching ramp at Hemenway Harbor, both as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 36°04'05&quot; N.</td>
<td>114°46'15&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 36°03'25&quot; N.</td>
<td>114°46'10&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 36°01'20&quot; N.</td>
<td>114°45'15&quot; W.</td>
</tr>
</tbody>
</table>

(j) Kingman Wash, Ariz. That portion of Lake Mead inclosed by the shore and a line connecting the following points, excluding a 100-foot-wide fairway, extending westerly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 36°02'24&quot; N.</td>
<td>114°42'20&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 36°02'05&quot; N.</td>
<td>114°43'05&quot; W.</td>
</tr>
</tbody>
</table>

(k) Temple Bar, Ariz. That portion of Lake Mead inclosed by the shore and lines connecting the following points, excluding a 200-foot-wide fairway, extending southwesterly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 36°02'21&quot; N.</td>
<td>114°19'29&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 36°02'34&quot; N.</td>
<td>114°18'46&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 36°02'03&quot; N.</td>
<td>114°18'13&quot; W.</td>
</tr>
</tbody>
</table>

(1) Gregg's, Ariz. That portion of Lake Mead inclosed by the shore and a line connecting the following points, excluding a 100-foot-wide fairway, extending northerly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 36°00'35&quot; N.</td>
<td>114°13'49&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 36°00'35&quot; N.</td>
<td>114°14'10&quot; W.</td>
</tr>
</tbody>
</table>

(m) Pierce Ferry, Ariz. That portion of Lake Mead inclosed by the shore and a line connecting the following points, excluding a 100-foot-wide fairway, extending easterly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 36°06'42&quot; N.</td>
<td>113°59'24&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 36°07'18&quot; N.</td>
<td>113°58'32&quot; W.</td>
</tr>
</tbody>
</table>

(n) South Bay, Ariz. That portion of Lake Mead inclosed by the shore and a line connecting the following points, excluding one 100-foot-wide fairway, extending westerly from the launching ramp, as established by the Superintendent, Lake Mead Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 36°06'26&quot; N.</td>
<td>114°06'13&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 36°05'00&quot; N.</td>
<td>114°06'50&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 36°05'00&quot; N.</td>
<td>114°06'13&quot; W.</td>
</tr>
</tbody>
</table>

Note: Fixed moorings, piles, or stakes are prohibited. Single and fore-and-aft temporary moorings will be allowed. The anchoring of vessels and the placing of temporary moorings will be under the jurisdiction and at the discretion of the Superintendent, Lake Mead Recreation Area, National Park Service.
§ 110.127a  Lake Powell, Utah-Arizona.

(a) Castel Butte, Utah. That portion of Lake Powell inclosed by the shore and a line connecting the following points, excluding a 300-foot-wide fairway extending in an east-west direction perpendicular to the launching ramp, as established by the Superintendent, Glen Canyon National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 37°42'45&quot; N.</td>
<td>110°27'00&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 37°42'30&quot; N.</td>
<td>110°27'37&quot; W.</td>
</tr>
</tbody>
</table>

(b) Bullfrog Basin, Utah. That portion of Lake Powell inclosed by the shore and a line connecting the following points, excluding a 300-foot-wide fairway, extending southeasterly from the launching ramp, as established by the Superintendent, Glen Canyon National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 37°26'17&quot; N.</td>
<td>110°42'28&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 37°28'44&quot; N.</td>
<td>110°43'40&quot; W.</td>
</tr>
</tbody>
</table>

(c) Halls Crossing, Utah. That portion of Lake Powell inclosed by the shore and a line connecting the following points, excluding a 300-foot-wide fairway, extending northwesterly from the launching ramp, as established by the Superintendent, Glen Canyon National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 37°28'24&quot; N.</td>
<td>110°42'37&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 37°28'00&quot; N.</td>
<td>110°43'21&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 37°27'46&quot; N.</td>
<td>110°43'16&quot; W.</td>
</tr>
</tbody>
</table>

(d) Dangling Rope Canyon, Utah. That portion of Dangling Rope Canyon, Lake Powell, enclosed by the shoreline and a line connecting the following points, excluding a 300-foot-wide fairway, extending southerly from the marina, as established by the Superintendent, Glen Canyon National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 37°06'48&quot; N.</td>
<td>111°06'00&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 37°07'15&quot; N.</td>
<td>111°06'33&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 37°07'18&quot; N.</td>
<td>111°04'49&quot; W.</td>
</tr>
<tr>
<td>&quot;d&quot; 37°08'08&quot; N.</td>
<td>111°04'00&quot; W.</td>
</tr>
<tr>
<td>&quot;e&quot; 37°07'30&quot; N.</td>
<td>111°04'30&quot; W.</td>
</tr>
<tr>
<td>&quot;f&quot; 37°07'20&quot; N.</td>
<td>111°04'15&quot; W.</td>
</tr>
</tbody>
</table>

(e) Wahweap, Arizona-Utah. That portion of Lake Powell inclosed by the shore and a line connecting the following points, excluding a 200-foot-wide fairway, extending northeasterly from the northerly launching ramp and a 300-foot-wide fairway, extending easterly from the southerly launching ramp, as established by the Superintendent, Glen Canyon National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 37°06'21&quot; N.</td>
<td>111°39'30&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 37°06'40&quot; N.</td>
<td>111°39'00&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 36°59'10&quot; N.</td>
<td>111°29'48&quot; W.</td>
</tr>
<tr>
<td>&quot;d&quot; 36°59'10&quot; N.</td>
<td>111°29'24&quot; W.</td>
</tr>
</tbody>
</table>

NOTE: Fixed moorings, piles, or stakes are prohibited. Single and fore-and-aft temporary moorings will be allowed. The anchoring of vessels and the placing of temporary moorings will be under the jurisdiction and at the discretion of the Superintendent, Glen Canyon National Recreation Area.

(f) Hite, Utah. That portion of Lake Powell inclosed by the shore and by lines connecting the following two sets of points, excluding a 200-foot-wide fairway extending westerly from the launching ramp on the far shore, as established by the Superintendent, Glen Canyon National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Shore</td>
<td></td>
</tr>
<tr>
<td>&quot;a&quot; 37°51'40&quot; N.</td>
<td>110°23'45&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 37°51'40&quot; N.</td>
<td>110°24'05&quot; W.</td>
</tr>
<tr>
<td>&quot;c&quot; 37°52'30&quot; N.</td>
<td>110°24'10&quot; W.</td>
</tr>
<tr>
<td>&quot;d&quot; 37°52'30&quot; N.</td>
<td>110°23'35&quot; W.</td>
</tr>
</tbody>
</table>

| North Wash |           |
| "a" 37°52'30" N. | 110°24'45" W. |
| "b" 37°52'40" N. | 110°24'45" W. |


§ 110.127b  Flaming Gorge Lake, Wyoming-Utah.

(a) Buckboard Crossing, Wyo. That portion of Flaming Gorge Lake inclosed by the shore and a line connecting the following points, excluding a 150-foot-wide fairway, extending southeasterly from the launching ramp, as established by the Superintendent, Flaming Gorge National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 41°14'50&quot; N.</td>
<td>109°35'22&quot; W.</td>
</tr>
<tr>
<td>&quot;b&quot; 41°14'37&quot; N.</td>
<td>109°35'12&quot; W.</td>
</tr>
</tbody>
</table>
Coast Guard, DOT

§ 110.128c

(b) Squaw Hollow, Wyo. That portion of Flaming Gorge Lake inclosed by the shore and a line connecting the following points, excluding a 100-foot-wide fairway, extending southeasterly from the launching ramp, as established by the Superintendent, Flaming Gorge National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 41°09′55″ N.</td>
<td>109°33′18″ W.</td>
</tr>
<tr>
<td>&quot;b&quot; 41°09′48″ N.</td>
<td>109°33′30″ W.</td>
</tr>
</tbody>
</table>

(c) Antelope Flat, Utah. That portion of Flaming Gorge Lake inclosed by the shore and a line connecting the following points, excluding a 150-foot-wide fairway, extending southeasterly from the launching ramp to a point beyond the floating breakwater and then westerly, as established by the Superintendent, Flaming Gorge National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 40°37′46″ N.</td>
<td>109°33′30″ W.</td>
</tr>
<tr>
<td>&quot;b&quot; 40°37′37″ N.</td>
<td>109°33′37″ W.</td>
</tr>
</tbody>
</table>

(d) Lucerne Valley, Utah. That portion of Flaming Gorge Lake inclosed by the shore and a line connecting the following points, excluding a 300-foot-wide fairway extending southeasterly from the launching ramp, as established by the Superintendent, Flaming Gorge National Recreation Area:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;a&quot; 40°59′07″ N.</td>
<td>109°34′54″ W.</td>
</tr>
<tr>
<td>&quot;b&quot; 40°58′54″ N.</td>
<td>109°35′00″ W.</td>
</tr>
</tbody>
</table>

Note: Fixed moorings, piles, or stakes are prohibited. Single and fore-and-aft temporary moorings will be allowed. The anchoring of vessels and the placing of temporary moorings will be under the jurisdiction and at the discretion of the Superintendent, Flaming Gorge National Recreation Area.

§ 110.127c Trinidad Bay, Calif.

The waters of Trinidad Bay, beginning at the southernmost point of Trinidad Head at latitude 41°03′04″ N., longitude 124°08′36″ W.; thence east to Prisoner Rock at latitude 41°03′09″ N., longitude 124°08′37″ W.; thence east to latitude 41°03′09″ N., longitude 124°08′19″ W., thence north to latitude 41°03′26″ N., longitude 124°08′21″ W.; thence following the shoreline to Trinidad Bay in a westerly and southerly direction to the point of beginning.

Note: The area will be principally for use by sport and commercial fishing vessels. Temporary floats and buoys for anchoring will be allowed in the area. Fixed moorings, piles or stakes are prohibited. All moorings shall be placed so that no vessel when anchored or moored shall at any time extend beyond the limits of the area. The anchoring of all vessels and placing of all moorings will be under the supervision of the City of Trinidad or such other authority as may be designated by the City Council of the City of Trinidad, California.


§ 110.128 Columbia River at Portland, Oreg.

The waters of the Columbia River between Sand Island and Government Island, bounded on the west by pile dike U.S. 5.75 and a line extending true north from the northerly end of the dike to the south shore of Sand Island and bounded on the east by a line bearing 339°15′ true, from a point on Government Island at latitude 45°35′10″, longitude 122°32′41″, to the southerly shore of Sand Island.

§ 110.128b Island of Hawaii, Hawaii.

(a) Hilo Bay. The waters of Hilo Bay enclosed by a line beginning at 19°43′35.5″ N. latitude, 155°03′30″ W. longitude; thence to 19°44′08″ N. latitude, 155°04′19″ W. longitude; thence to 19°43′31″ N. latitude, 155°04′30″ W. longitude; thence to 19°44′10″ N. latitude, 155°05′29″ W. longitude; thence along the shoreline to the beginning point. (Datum: OHD)

(b) Kuhio Bay. The waters of Kuhio Bay enclosed by a line beginning at 19°44′13″ N. latitude, 155°03′26″ W. longitude; thence to 19°44′15″ N. latitude, 155°03′25″ W. longitude; thence along the shoreline to the beginning point. (Datum: OHD)


§ 110.128c Island of Kauai, Hawaii.

(a) Nawiliwili Bay. The waters of Nawiliwili Bay enclosed by a line beginning at 21°57′12.5″ N. latitude, 159°21′38″ W. longitude; thence to
21°57'26" N. latitude, 159°21'39.5" W. longitude; thence along the shoreline to the beginning point. (Datum: OHD)

(b) [Reserved]


§ 110.128d Island of Oahu, Hawaii.
(Datum: OHD)

(a) Kaneohe Bay (1). The waters of Kaneohe Bay enclosed by a line beginning at 21°25'28" N. latitude, 157°46'00" W. longitude; thence to 21°26'00" N. latitude, 157°46'14" W. longitude; thence to 21°26'20" N. latitude, 157°47'24" W. longitude; thence to 21°27'00" N. latitude, 157°48'25" W. longitude; thence to 21°26'46" N. latitude, 157°48'37" W. longitude; thence along the shoreline to the beginning point.

(b) Kaneohe Bay (2). The waters of Kaneohe Bay enclosed by a line beginning at 21°27'28" N. latitude, 157°49'08" W. longitude; thence to 21°28'10" N. latitude, 157°50'03" W. longitude; thence to 21°29'10" N. latitude, 157°50'40" W. longitude; thence to 21°30'46" N. latitude, 157°50'14" W. longitude; thence along the shoreline to the beginning point.

(c) Kokei Lagoon. The waters of Kokei Lagoon bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>21°19'35.0&quot; N</td>
<td>157°54'06.0&quot; W</td>
</tr>
<tr>
<td>21°19'37.7&quot; N</td>
<td>157°54'08.0&quot; W</td>
</tr>
<tr>
<td>21°19'06.4&quot; N</td>
<td>157°55'41.9&quot; W</td>
</tr>
<tr>
<td>21°19'00.8&quot; N</td>
<td>157°55'44.1&quot; W</td>
</tr>
<tr>
<td>21°18'39.9&quot; N</td>
<td>157°53'49.7&quot; W</td>
</tr>
<tr>
<td>21°19'04.9&quot; N</td>
<td>157°53'50.0&quot; W</td>
</tr>
</tbody>
</table>

and thence to the point of beginning.

(d) Sans Souci Beach. The waters of Sans Souci Beach enclosed by a line beginning at 21°15'49" N. latitude, 157°49'31" W. longitude; thence to 21°15'49.2" N. latitude, 157°49'29" W. longitude; thence to 21°15'56" N. latitude, 157°49'37" W. longitude; thence to the beginning point.

(e) Iroquois Point Lagoon. The waters of Iroquois Point Lagoon enclosed by a line beginning at 21°19'53" N. latitude, 157°56'30" W. longitude; thence to 21°19'56" N. latitude, 157°58'31" W. longitude; thence along the shoreline to the beginning point.

(f) Hickam AFB Marina (1)a. The waters of Hickam AFB Marina enclosed by a line beginning at 21°19'13" N. latitude, 157°57'40" W. longitude; thence to 21°18'45" N. latitude, 157°57'40" W. longitude; thence to 21°18'45" N. latitude, 157°57'28.5" W. longitude; thence to 21°19'10" N. latitude, 157°57'28.5" W. longitude; thence along the shoreline to the beginning point.

[g] Hickam AFB Marina (2). The waters of Hickam AFB Marina enclosed by a line beginning at 21°19'11" N. latitude, 157°57'10" W. longitude; thence to 21°18'46.2" N. latitude, 157°57'20" W. longitude; thence to 21°18'46.2" N. latitude, 157°57'05.2" W. longitude; thence along the shoreline to the beginning point.

(h) Aiea Bay. The waters of Aiea Bay enclosed by a line beginning at 21°22'20" N. latitude, 157°56'30" W. longitude; thence to 21°22'27" N. latitude, 157°56'40.5" W. longitude; thence to 21°22'30" N. latitude, 157°56'40.5" W. longitude; thence to 21°22'37" N. latitude, 157°56'22.5" W. longitude; thence to 21°22'37" N. latitude, 157°56'19" W. longitude; thence along the shoreline to the beginning point.


§ 110.129a Apra Harbor, Guam.
(Datum: WGS 84)

(a) The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>13°27'45.5&quot; N</td>
<td>144°39'34.8&quot; E</td>
</tr>
<tr>
<td>13°27'32.0&quot; N</td>
<td>144°39'36.3&quot; E</td>
</tr>
</tbody>
</table>

and thence along the shoreline to the point of beginning.

(b) The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>13°26'53.6&quot; N</td>
<td>144°40'03.8&quot; E</td>
</tr>
<tr>
<td>13°27'04.0&quot; N</td>
<td>144°40'04.0&quot; E</td>
</tr>
<tr>
<td>13°27'10.0&quot; N</td>
<td>144°40'09.8&quot; E</td>
</tr>
<tr>
<td>13°27'10.0&quot; N</td>
<td>144°40'23.8&quot; E</td>
</tr>
<tr>
<td>13°26'51.0&quot; N</td>
<td>144°40'23.8&quot; E</td>
</tr>
<tr>
<td>13°26'51.0&quot; N</td>
<td>144°40'06.0&quot; E</td>
</tr>
</tbody>
</table>

and thence to the point of beginning.

[CGD 14–89–01, 55 FR 27465, July 3, 1990]
Coast Guard, DOT

Subpart B—Anchorage Grounds

§ 110.130 Rockland Harbor, Maine.

(a) The anchorage grounds—(1) Anchorage A. Beginning at a point bearing 158°, 1,075 yards, from Rockland Breakwater Light; thence 225°, 2,000 yards, to a point bearing 345°, 700 yards, to a point bearing 244° from Rockland Breakwater Light; thence 75°, 1,200 yards, to a point bearing 222° from Rockland Breakwater Light; and thence 120°, 1,000 yards, to the point of beginning.

(2) Anchorage B. Beginning at a point bearing 273°, 400 yards, from Rockland Breakwater Light; thence 273°, 700 yards, to a point bearing 273° from Rockland Breakwater Light; thence 349°, 850 yards, to a point bearing 303° from Rockland Breakwater Light; thence 89°, 700 yards, to a point bearing 328° from Rockland Breakwater Light; and thence 169°, 900 yards, to the point of beginning.

(3) Anchorage C. Beginning at a point bearing 244°, 1,715 yards, from Rockland Breakwater Light; thence 260°, 490 yards, to a point bearing 248° from Rockland Breakwater Light; thence 350°, 580 yards, to a point bearing 263° from Rockland Breakwater Light; thence 83°, 480 yards, to a point bearing 263° from Rockland Breakwater Light; and thence 169°, 550 yards, to the point of beginning.

(b) The regulations. (1) Anchorages A and B are general anchorages reserved for merchant vessels over 100 feet in length. Anchorage C is reserved for small commercial and pleasure craft.

(2) A distance of approximately 500 yards shall be left between Anchorages A and B for vessels entering or departing from the Port of Rockland. Any vessel not anchoring in these areas shall be ready to move on short notice when ordered to do so by the Captain of the Port.

(3) All other vessels within the Rockland Harbor area are prohibited from anchoring within 300 yards or operating within 100 feet of any navy yard, shipbuilding plant, power plant, oil terminal, marine terminal, munitions plant, military or naval arsenal or depot, warehouse, or freight pier without permission from the Captain of the Port, Rockland, Maine, or his authorized representative.

§ 110.131 Kennebec River in vicinity of Bath, Maine.

(a) The anchorage grounds. Vessels may anchor only within the following limits:

(1) Northward of a line bearing 54° true and extending from a point on Passmore’s wharf in prolongation with the north side of Commerce Street, Bath, Maine, to a point on the shore in Woolwich, approximately 1,200 feet north of the Maine Central Railroad wharf.

(2) Southward of a line drawn from the derrick on the Bath Iron Works wharf to Sassanoa Point in Woolwich.

(b) The regulations. (1) Vessels in the north anchorage shall be so anchored as to leave a clear fairway of 150 feet channelward of the established harbor lines at Bath, and a clear fairway 200 feet from the east or Woolwich shore, for the passage of steamers, tows, rafts, and other watercraft.

(2) The launching of vessels into the waters between the anchorages or the bringing up of such vessels by their anchors will be permitted: Provided, That the vessels so launched shall be removed therefrom within 12 hours from the time of anchorage.

§ 110.132 Portland Harbor, Maine.

(a) The anchorage grounds—(1) Anchorage A (general). Beginning at latitude 43°35′37″N, longitude 070°14′35″W; thence approximately 090° for 1550 yards to Fort Gorges Island Ledge Buoy 4; thence 350° for 300 yards; thence 025° for 780 yards; thence 303° for 750 yards; thence 254° for 560 yards; thence 186° for 750 yards and thence to the point of beginning.

(2) Anchorage B (general—primarily intended for deep draft vessels). Beginning at Fort Gorges Island Ledge Buoy 4; thence 062° to Little Diamond Island; thence along the southwestern shore to the pier on the southern end of Little Diamond Island; 133° for 1200 yards; 270° to House Island Light; thence along the western shore of House Island to Fort Scammel Point Light; thence 323° for 1700 yards to the point of beginning.

(3) Anchorage C. Bounded on the northwest by House Island; on the
north by a line running 90° from House Island Light to Peak Island; on the east by the western shore of Peak Island, by a line running 198° from the westernmost point on Peak Island to Cushing Island, and by the shore of Cushing Island to its westernmost point; and on the southwest by a line running from the westernmost point on Cushing Island to Fort Scammel Point Light.

(b) The regulations. (1) Anchorage B is intended for general purposes, but especially for use by oil tankers and other large deep-draft ships entering harbor at night and intending to proceed to the dock allotted at daylight the following morning or as soon as practicable. This area is also to be used for quarantine anchorage. Vessels must be so anchored in this area as to leave at all times an open usable channel at least 100 feet wide for passage of ferry and other boats between Portland, Peak Island, and Bay Points. Any vessels anchored in this area shall be ready to move on short notice when ordered to do so by the Captain of the Port.

(2) Anchorage C is intended for use only by small vessels and for temporary anchorage.

§ 110.133 Burlington Harbor, Vt. (1) The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>44°28'26.9&quot; N</td>
<td>73°13'31.9&quot; W</td>
</tr>
<tr>
<td>44°28'26.4&quot; N</td>
<td>73°13'25.6&quot; W</td>
</tr>
<tr>
<td>44°28'22.0&quot; N</td>
<td>73°13'24.6&quot; W</td>
</tr>
<tr>
<td>44°28'12.0&quot; N</td>
<td>73°13'32.5&quot; W</td>
</tr>
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and thence along the breakwater to the point of the beginning. These positions have been converted to North American Datum 83.

(2) No vessel greater than 35 feet in length may use this anchorage and no vessel may remain at anchor longer than 7 days in any period unless specifically permitted to do so by the City of Burlington, Harbormaster.

(b) [Reserved]


(a) The anchorage grounds—(1) Bird Island Anchorage. Beginning at a point bearing 93°, 1,400 yards, from the aerial beacon on top of the Boston Custom House tower; thence to a point bearing 81°, 1,600 yards, from the aerial beacon on top of the Boston Custom House tower; thence to a point bearing 109°, 3,100 yards, from the aerial beacon on top of the Boston Custom House tower; thence to a point bearing 109°, 3,050 yards, from the aerial beacon on top of the Boston Custom House tower; and thence to the point of beginning.

(2) President Roads Anchorage—(i) 40-foot anchorage. Beginning at a point bearing 237°, 522 yards from Deer Island Light; thence to a point bearing 254°, 2,280 yards from Deer Island Light; thence to a point bearing 261°, 2,250 yards from Deer Island Light; thence to a point bearing 278°, 2,438 yards from Deer Island Light; thence to a point bearing 319°, 933 yards from Deer Island Light; thence to a point bearing 319°, 666 yards from Deer Island Light; and thence to point of beginning.

(ii) 35-foot anchorage. Beginning at a point bearing 256°, 2,603 yards from Deer Island Light; thence to a point bearing 258°30', 3,315 yards from Deer Island Light; thence to a point bearing 264°, 3,967 yards from Deer Island Light; thence to a point bearing 261°, 2,250 yards from Deer Island Light; and thence to point of beginning.

(3) Long Island Anchorage. East of Long Island, bounded as follows: Beginning at the southwesternmost point of Gallups Island; thence 270° to Long Island; thence southerly along the eastern shore line of Long Island to Bass Point; thence to the northernmost point of Rainsford Island; thence to Georges Island Gong Buoy 6; and thence to the point of beginning.

(4) Castle Island Anchorage. Bounded on the north by Castle Island and adjacent land; on the east by a line between Castle Rocks Fog Signal Light and Old Harbor Shoal Buoy 2; on the southeast by a line between Old Harbor Shoal Buoy 2 and Old Harbor Buoy 4; and on the west by a line running due north...
from Old Harbor Buoy 4 to the shore line at City Point.

(5) Explosives anchorage. In the lower harbor, bounded on the northeast by a line between the northeast end of Peddocks Island and the northeast end of Rainsford Island; on the northwest by Rainsford Island; on the southwest by a line between the western extremity of Rainsford Island and the westernmost point of Peddocks Island; and on the southeast by Peddocks Island.

(b) The regulations. (1) The Captain of the Port may authorize the use of the President Roads Anchorage as an explosives anchorage when he finds that the interests of commerce will be promoted and that safety will not be prejudiced thereby. Vessels anchored in this area shall move promptly upon notification by the Captain of the Port.

(2) In the Long Island Anchorage vessels shall anchor in the position designated by the Captain of the Port.

(3) Floats or buoys for marking anchors or moorings in place will be allowed in all areas. Fixed mooring piles or stakes are prohibited.

§ 110.140 Buzzards Bay, Nantucket Sound, and adjacent waters, Mass.

(a) New Bedford Outer Harbor—(1) Anchorage A. West of Sconticut Neck, and shoreward of a line described as follows: Beginning at a point 100 yards southwest of Fort Phoenix Point; thence 154° along a line which passes 160 yards east of New Bedford Channel Buoys 6, 6, and 4, to a point bearing approximately 190°, 225 yards, from New Bedford Channel Buoy 4; thence 87°, 340 yards; thence 156° along a line approximately one mile to its intersection with a line ranging 87° from the cupola on Clarks Point; thence 87° to Sconticut Neck.

(2) Anchorage B. Southeast of a line ranging 222° from the southwest corner of Fort Phoenix to the New Bedford shore; west of a line ranging 154° from Palmer Island Light to Butler Flats Light; and north of a line bearing 207° from Butler Flats Light to the shore.

(b) Buzzards Bay near entrance to approach channel to Cape Cod Canal—(1) Anchorage C. West of a line parallel to and 850 feet westward from the centerline of Cleveland Ledge Channel; north of a line bearing 129° from the tower on Bird Island; east of a line bearing 25°30′ and passing through Bird Island Reef Bell Buoy 13; and south of a line bearing 276° from Wings Neck Light. Each vessel must obtain permission to proceed to Anchorage C from the U.S. Army Corps of Engineers Cape Cod Canal Control traffic controller.

(2) Anchorage D. Beginning at a point bearing 185°, 1,200 yards, from Hog Island Channel 4 Light; thence 129° to a point bearing 209°, approximately 733 yards, from Wings Neck Light; thence 209° to Southwest Ledge Buoy 10; thence 190° along a line to its intersection with a line bearing 129° from the tower on Bird Island; thence 309° to a point 850 feet easterly, right angle distance, from the centerline of Cleveland Ledge Channel; thence northeasterly along a line parallel to and 850 feet eastward from the centerline of Cleveland Ledge Channel to its intersection with a line bearing 218° 30′ from the point of beginning. Each vessel must obtain permission to proceed to Anchorage D from the U.S. Army Corps of Engineers Cape Cod Canal Control traffic controller.

(3) Anchorage L—(East side is preferred). The waters bounded by a line connecting the following points: 41°34′44N/70°42′42W to 41°35′16N/70°43′23W to 41°33′22N/70°46′02W to 41°32′50N/70°45′22W and thence to the beginning.

(4) Anchorage M—(west side). The waters bounded by a line connecting the following points: 41°35′35N/70°44′47W to 41°36′24N/70°45′53W to 41°35′00N/70°47′53W to 41°34′12N/70°46′47W and thence to the beginning.

(5) Each vessel that anchors in these anchorages must notify the U.S. Army Corps of Engineers Cape Cod Canal Control traffic controller when it anchors, and provide the vessel’s name, length, draft, cargo, and its position.

(6) Each vessel anchored in these anchorages must notify U.S. Army Corps of Engineers Cape Cod Canal Control traffic controller when it weighs anchor.

(7) No vessel may anchor unless it maintains a bridge watch, guards and answers Channel 16 FM, and maintains an accurate position plot.
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(8) No vessel may anchor unless it maintains the capability to get underway within 30 minutes; except with prior approval of the Coast Guard Captain of the Port Providence.

(9) No vessel may anchor in a “dead ship” status (propulsion or control unavailable for normal operations) without prior approval of the Coast Guard Captain of the Port Providence.

(10) No vessel may conduct lightering operations within these anchorages.

(c) Vineyard and Nantucket Sounds—

(1) Anchorage E. South of a line beginning at a point bearing 180° about 3.25 miles from Cuttyhunk Light; thence 65° to a point bearing 180°, 0.625 mile from Nobska Lighted Whistle Buoy; thence 57°30′ passing 600 yards northerly of Middle Ground Lighted Bell Buoy 25A, to a point bearing 145°, 1.25 miles from Nobska Point Light; southwest of a line ranging 113° through West Chop Buoy 25 to East Chop Flats Bell Buoy 23; and west of a line bearing 163° between East Chop Flats Bell Buoy 23 and Lone Rock Buoy 1; and northerly of a line bearing 269° between Lone Rock Buoy 1 and a point on the mainland at Oak Bluffs about 0.30 mile southerly of Oak Bluffs Wharf.

(2) Anchorage F. Southeast of the Elizabeth Islands, north of a line ranging 97°30′ from Cuttyhunk Light toward Nobska Lighted Whistle Buoy to a point 0.375 mile from that buoy; northeasterly of a line bearing 57°30′ from the last-named point to a point opposite the entrance to Woods Hole; and southwest of a line from the shore of Nonamesset Island bearing 114° and ranging through West Chop Light and East Chop Light.

(3) Anchorage G. South of a line beginning at a point on the mainland at Oak Bluffs about 0.30 mile southerly of Oak Bluffs Wharf bearing 89° to Lone Rock Buoy 1; thence 113° from Lone Rock Buoy 1 to Outer Flats Bell Buoy 17; thence 86° to Cross Rip Lightship; thence 118°30′ to Tuckernuck Shoal Bell Buoy 7; thence ranging 149° toward Brant Point Light to the breakwater at Brant Point.

(4) Anchorage H. In the vicinity of Squash Meadow shoal, east of a line ranging 163° through Squash Meadow West End Buoy 21; north of lines parallel to and 0.5 mile northerly from lines joining Lone Rock Buoy 1, Outer Flats Bell Buoy 17, and Cross Rip Lightship; and south of a line ranging 97° from East Chop Light toward Cross Rip Lightship.

(5) Anchorage I. Northerly of a line ranging 108° from Nobska Point Light toward Hedge Fence Lighted Horn and Gong Buoy 16, and of a line ranging 97°30′ through Hedge Fence East End Buoy to Halfmoon Shoal Lighted Bell Buoy 12, thence 73° to Handkerchief Shoal Buoy 16, and thence to the westernmost point of Monomoy Island.

(6) Anchorage J. East of a line bearing 329° parallel to and 0.875 mile north-easterly of a line running from Brant Point Light through Tuckernuck Shoal Bell Buoy 7, from Coatue Beach to a point 1.25 miles southeasterly from a line between Halfmoon Shoal Lighted Bell Buoy 12 and Handkerchief Shoal Buoy 16; thence 73°, parallel to and 1.25 miles southeasterly from a line running from Halfmoon Shoal Lighted Bell Buoy 12 through Handkerchief Shoal Buoy 16, to a point bearing 215° from Stone Horse North End Lighted Bell Buoy 9; thence 35° to Stone Horse North End Lighted Bell Buoy 9; thence 76° to a point bearing 207° from Pollock Rip Lightship; and thence 27° through, and to a point 5.0 miles northeasterly from, Pollock Rip Lightship.

(7) Anchorage K. North of a line tangent to the southeasterly edge of Monomoy Point and extending to Bearse Shoal North End Buoy 2A and west of a line bearing 7° from Bearse Shoal North End Buoy 2A to Chatham Bar Buoy 2.

(d) The regulations. (1) Floats or buoys for marking anchors or moorings in place will be allowed in all areas. Fixed mooring piles or stakes are prohibited.

(2) Except in cases of great emergency, no vessels shall be anchored in New Bedford Outer Harbor, Buzzards Bay near the entrance to the approach channel to Cape Cod Canal, or Vineyard and Nantucket Sounds, outside of the anchorage areas defined in paragraphs (a) to (c) of this section.

(3) Anchors must not be placed outside the anchorage areas, nor shall any vessel be so anchored that any portion of the hull or rigging will at any time
§ 110.145 * Nantucket Harbor, Mass.*

(a) *The anchorage grounds.* In the Nantucket Harbor, beginning at a point 210 yards, 90°, from Brant Point Light; thence easterly to latitude 41°17'23", longitude 70°05'14.5"; thence southerly to latitude 41°17'03", longitude 70°05'14.5"; thence southwesterly to latitude 41°16'54", longitude 70°05'23"; thence northwesterly to latitude 41°16'55", longitude 70°05'31"; thence northeasterly to latitude 41°17'07.5", longitude 70°05'27"; thence northeasterly to the point of beginning.

(b) *The regulations.* The anchorage is for the use of commercial and pleasure craft. Temporary floats or buoys for marking anchors or moorings in place will be allowed. Fixed mooring piles or stakes are prohibited. The anchoring of vessels including the placing of anchors and moorings is subject to the supervision and approval of the local harbor master.

§ 110.145 *Narragansett Bay, R.I.*

(a) *East Passage—(1) Anchorage A.*

East of Conanicut Island, beginning at the easterly extremity of the Dumplings; extending 9° to a point at latitude 41°29'28", longitude 71°21'05.5"; thence 356° for 5,350 feet; thence 24° for 5,700 feet; thence 12° for 1,100 feet; thence 311°30' for 2,300 feet; thence 351° for 5,350 feet; thence 270° for 3,200 feet to the easterly side of Conanicut Island; thence generally along the easterly side of the island to a point on the easterly side of the island due west of the Dumplings; and thence due east to the point of beginning; excluding the approach of the Jamestown Ferry, a zone 900 feet wide to the southward of a line ranging 103° from a point, 300 feet north of the existing ferry landing toward the spire of Trinity Church, Newport.

(i) That portion of the area to the northward of the approach of the Jamestown Ferry shall be restricted for the anchorage of vessels of the U.S. Navy. In that portion of the area to the southward of the approach of the Jamestown Ferry, the requirements of the Navy shall predominate.

(ii) Temporary floats or buoys for marking anchors or moorings in place shall be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(2) *Anchorage B.* Off the west shore of Aquidneck Island to north of Coggeshall Point, northerly of a line ranging 075° from a point on the easterly end of Gould Island, latitude 41°32'13", longitude 71°20'40.5"; toward the shore of Aquidneck Island; east of a line ranging 019° from the easternmost of the Dumplings to latitude 41°36'16", longitude 71°17'48"; thence northeast to latitude 41°36'53", longitude 71°17'07.5"; thence east to latitude 41°36'53", longitude 71°16'40"; thence southeasterly to latitude 41°35'34", longitude 71°17'17.5"; thence southeasterly to the
§ 110.145  33 CFR Ch. I (7–1–02 Edition)

Anchorage B–1. Off the southerly end of Prudence Island beginning at a point at latitude 41°34′9″, longitude 71°19′25.8″; thence 19° for 1,900 feet; thence 289° for 1,900 feet; thence 19° for 1,900 feet; thence 109° for 1,900 feet to the point of beginning.

(a) In this area the requirements of the Navy shall predominate.

(b) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(i) Anchorage X–1, Naval explosives and ammunition handling anchorage. The waters of Narragansett Bay north-easterly of Gould Island within a circle having a radius of 500 yards with its center at latitude 41°33′18″, longitude 71°20′03″.

(a) This area will be used for anchoring naval vessels carrying or transferring ammunition or explosives under standard military restrictions as established by the Safety Manual, Armed Services Explosive Board. Explosives or dangerous materials include inflammable liquid or inflammable solids, oxidizing materials, corrosive liquids, compressed gases and poisonous substances.

(b) No vessel shall anchor within 500 yards of the explosive anchorage area when occupied by vessels carrying explosives.

(c) No more than 2,000 tons Net High Explosives limit will be handled in the anchorage area.

(d) No vessel shall be so anchored in the anchorage that it will at any time extend beyond the limits of the area.

(e) Naval vesselsanchoring in the area will display the proper signals, and will be under the supervision of the Commander, U.S. Naval Base, Newport, Rhode Island.

(3) Anchorage C.

(i) [Reserved]

(ii) West of Coasters Harbor Island, west of a line bearing 351° from Tracey Ledge Buoy 5 through Seventeen-foot Spot Buoy northeast of Gull Rocks; south of a line bearing 292° from the compass point of the Dumplings toward Dyer Island; north of a line bearing 3° from the easternmost point of the Dumplings toward Dyer Island North Point Shoal Lighted Bell Buoy 12A; and north of latitude 41°30′22″ which parallel passes through a point 230 yards north of Rose Island Shoal Northeast End Buoy 8.

(iii) In this area the requirements of the Navy shall predominate.

(iv) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(4) Anchorage D. West of Goat Island, south of a line bearing 247° from Newport Harbor Light; east of a line bearing 176°30′ from the northwesterly end of Rose Island; north of a line bearing 117° from the northerly end of the ferry slip at Jamestown to longitude 71°20′ and west of a line running north and south along longitude 71°20′.

(a) In this area the requirements of the Navy shall predominate from May 1 to October 1, subject at all times to such adjustments as may be necessary to accommodate all classes of vessels which may require anchorage room.

(b) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(5) Anchorage E. South of Coasters Harbor Island, east of a line bearing 341° from the outer end of Briggs Wharf to the southwestern shore of Coasters Harbor Island near the War College Building; and north of a line ranging 265° from the flagstaff at Fort Greene toward Rose Island Light.

(a) In this area the requirements of the naval service will predominate from May 1 to October 1, but will at all times be subject to such adjustment as may be necessary to accommodate all classes of vessels that may require anchorage room.

(b) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

West Passage—(1) Anchorage H. North of a line 1,000 yards long bearing 88° from Bonnet Point; west of a line bearing 3° from the eastern end of the
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last-described line; and south of a line ranging 302° through a point 200 yards south of the Kearny wharf toward the church spire at South Ferry, Boston Neck.

(i) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(2) Anchorage I. North of a line 1,000 yards long bearing 88° from Bonnet Point to the shore at Austin Hollow; east of a line bearing 183° from Dutch Island Light; and south of a line ranging 302° through a point 200 yards south of the Kearny wharf toward the church spire at South Ferry, Boston Neck.

(i) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(3) Anchorage J. At Saunderstown, south of a line ranging 110° from the south side of the ferry wharf toward the cable crossing sign on Dutch Island; west of a line ranging 108° from Plum Beach Shoal Buoy 1 PB toward the east shore of The Bonnet; and north of a line from the shore ranging 108° toward Dutch Island Light and the north end of the wharf at Beaver Head.

(i) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(4) Anchorage K. In the central and southern portion of Dutch Island Harbor, north of a line ranging 106° from Beaver Head Point Shoal Buoy 2 toward the Jamestown standpipe; east of a line ranging 14° from Beaver Head Point Shoal Buoy 2 toward the inshore end of the engineer wharf, Dutch Island; southeast of a line ranging 50° from Dutch Island Light toward the windmill north of Jamestown; and southwesterly from a line ranging 132° from the engineer wharf, Dutch Island, and the west ferry wharf, Jamestown.

(i) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(5) Anchorage L. North of a line ranging 101° from a point on shore 300 yards northerly of the Saunderstown ferry wharf toward the entrance to Round Swamp, Conanicut Island; west of a line bearing 15° parallel to and 1,000 feet westerly from a line joining the western point of Dutch Island and Twenty-three Foot Rock Buoy 4, and a line ranging 6° from Dutch Island Light toward Warwick Light; and south of a line ranging 290° from Sand Point, Conanicut Island, to Wickford Harbor Light, and a line bearing 226° from Wickford Harbor Light to Poplar Point tower.

(i) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(6) Anchorage M. East and north of Dutch Island, northeast of a line ranging 315° from the inshore end of the west ferry wharf, Jamestown, toward the north end of Dutch Island to a point bearing 88°, 200 yards, from the engineer wharf, Dutch Island, thence ranging 3° toward the shore of Conanicut Island at Slocum Ledge; north of a line 200 yards off the Dutch Island shore ranging 281° from the entrance to Round Swamp toward a point on shore 300 yards northerly from the Saunderstown ferry wharf; east of a line ranging 15° from the western point of Dutch Island to Twenty-three Foot Rock Buoy 4; and south of a line bearing 77° from Twenty-three Foot Rock Buoy 4 to the shore.

(i) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(7) Anchorage N. West of the north end of Conanicut Island, south of a line bearing 262° from Conanicut Island Light; east of a line bearing 8° from Twenty-three Foot Rock Buoy 4; and north of a line ranging 290° from Sand Point toward Wickford Harbor Light.

(i) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(c) Bristol Harbor—(1) Anchorage O. South of the south line of Franklin
§ 110.147 New London Harbor, Conn.

(a) The anchorage grounds—(1) Anchorage A. In the Thames River east of Shaw Cove, bounded by lines connecting points which are the following bearings and distances from Monument, Groton (latitude 41°21′18″ N., longitude 72°04′48″ W.): 243°, 1,400 yards; 246°, 925 yards; 217°, 1,380 yards; and 235°, 1,450 yards.

(2) Anchorage B. In the Thames River southward of New London, bounded by lines connecting points which are the following bearings and distances from New London Harbor Light (latitude 41°18′39″ N., longitude 72°05′25″ W.): 002°, 2,460 yards; 009°, 2,460 yards; 026°, 1,175 yards; and 008°, 1,075 yards.

(3) Anchorage C. In the Thames River southward of New London Harbor, bounded by lines connecting a point bearing 100°, 450 yards from New London Harbor Light, a point bearing 270°, 575 yards from New London Ledge Light (latitude 41°18′21″ N., longitude 72°04′41″ W.), and a point bearing 270°, 1,450 yards from New London Ledge Light.

(4) Anchorage D. In Long Island Sound approximately two miles west-southwest of New London Ledge Light, bounded by lines connecting points which are the following bearings and distances from New London Ledge Light: 246°, 2.6 miles; 247°, 2.1 miles; 233°, 2.1 miles; and 235°, 2.6 miles.

(5) Anchorage E. The waters at the mouth of New London Harbor one mile southeast of New London Ledge Light beginning at latitude 41°17′26″ N., longitude 72°04′21″ W.; thence northeasterly to latitude 41°17′38″ N., longitude 72°03′34″ W.; thence southeasterly to latitude 41°16′50″ N., longitude 72°03′16″ W.

Street extended westerly; west of a line bearing 164°30′ parallel to and 400 feet westerly from the State harbor line between Franklin and Constitution Streets, and of a line ranging 244° from a point on the north line of Constitution Street extended 400 feet beyond the State harbor line toward Usher Rock Buoy 3; and north of the north line of Union Street extended to the Popasquash Neck shore.

(i) Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(d) The regulations. (1) Except in cases of great emergency, no vessel shall be anchored in the entrances to Narragansett Bay, in Newport Harbor, or in Bristol Harbor, outside of the anchorage areas defined in paragraphs (a), (b) and (c) of this section.

(2) Anchors must not be placed outside the anchorage areas, nor shall any vessel be so anchored that any portion of the hull or rigging shall at any time extend outside the boundaries of the anchorage area.

(3) Any vessel anchoring under the circumstances of great emergency outside the anchorage areas must be placed near the edge of the channel and in such position as not to interfere with the free navigation of the channel, nor obstruct the approach to any pier, nor impede the movement of any boat, and shall move away immediately after the emergency ceases, or upon notification by an officer of the Coast Guard.

(4) A vessel upon being notified to move into the anchorage limits or to shift its position on anchorage grounds must get under way at once or signal for a tug, and must change position as directed with reasonable promptness.

(5) Whenever the maritime or commercial interests of the United States so require, any officer of the Coast Guard is hereby empowered to shift the position of any vessel anchored within the anchorage areas, of any vessel anchored outside the anchorage areas, and of any vessel which is so moored or anchored as to impede or obstruct vessel movements in any channel.

(6) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel from the penalties of the law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating the law.


EDITORIAL NOTE: For Federal Register citations affecting §110.145, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.
§ 110.155 Port of New York.

(a) Long Island Sound.—(1) Anchorage No. 1. Southwest of a line between Neptune Island and Glen Island ranging from Aunt Phebe Rock Light and tangent to the north edge of Glen Island; southwest of a line tangent to the northeast edge of Glen Island and Goose Island breakwater; southwest of a line bearing southeasterly from the southwest end of Goose Island breakwater and on range with the south gable of the Casino on the northeast end of Glen Island; west of a line ranging from the east edge of Goose Island breakwater to the west edge of the north end of Hart Island; west of Hart Island; and northwest of a line extending from Hart Island Light to Locust Point; excluding from this area, however, (i) the waters northeast of a line ranging 303° from the southeast end of Hart Island; northwest of a line ranging from the water tank at the north end of Davids Island 207°40′ to the northwest end of City Island; and south of latitude 40°52′12″; and (ii) the waters west of Hunter Island; and south of a line ranging from the most southerly end of Glen Island tangent to the most northerly end of Hunter Island.

(i) Boats shall not anchor in this area in buoyed channels.

§ 110.150 Block Island Sound, N.Y.

(a) The anchorage ground. A ¾- by 2-mile rectangular area approximately 3 miles east-northeast of Gardiners Island with the following coordinates: latitude 41°06′12″ N., longitude 72°00′05″ W., latitude 41°07′40″ N., longitude 72°01′54″ W.; latitude 41°08′12″ N., longitude 72°01′10″ W.; latitude 41°06′46″ N., longitude 71°59′18″ W.

(b) The regulations. This anchorage ground is for use of U.S. Navy submarines. No vessel or person may approach or remain within 500 yards of a U.S. Navy submarine anchored in this anchorage ground.

[CGFR 70–114A, 36 FR 5604, Mar. 23, 1971]

§ 110.148 Johnsons River at Bridgeport, Conn.

(a) The anchorage grounds. In Johnsons River, beginning at a point “A” latitude 41°10′12.3″, longitude 73°09′50.2″; thence westerly to a point “B” latitude 41°10′12.3″, longitude 73°09′52.1″; thence southerly to point “C” latitude 41°10′10″, longitude 73°09′54.9″; thence south southerly to point “D” latitude 41°10′05″, longitude 73°09′56.1″; thence southeasterly to point “E” latitude 41°10′04″, longitude 73°09′55.9″; thence northeasterly to point “F” latitude 41°10′05″, longitude 73°09′54.5″; thence northerly to point “G” latitude 41°10′05.8″, longitude 73°09′54.5″; thence northeasterly to the point of beginning.

(b) The regulations. The anchorage is for use by commercial and pleasure craft. Temporary floats or buoys for marking anchors or moorings will be allowed. The anchoring of vessels and placing of temporary anchors or mooring piles are under the jurisdiction of the local harbor master. Fixed mooring piles or stakes will not be allowed.
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(1) Boats shall be so anchored as to leave at all times an open, usable channel, at least 50 feet wide, west and south of Glen Island.

NOTE: Special anchorage areas in this anchorage are described in §110.60.

(2) Anchorage No. 1—A. Southwest of a line ranging from Duck Point, Echo Bay, through Bailey Rock Lighted Buoy 3 BR; northwest of a line ranging from Hicks Ledge Buoy 2H to Old Tom Head Rocks Buoy 4; and north of a line ranging from Old Tom Head Rocks Buoy 4 to the southernmost point of Davenport Neck.

NOTE: The special anchorage area in this anchorage is described in §110.60(b-1).

(3) Anchorage No. 1—B. West of a line ranging from the point on the south-west side of the entrance to Horseshoe Harbor, Larchmont, to Hicks Ledge Buoy 2H; north of a line ranging from Hicks Ledge Buoy 2H to Duck Point; and in Echo Bay north and west of the channel.

NOTE: The special anchorage area in this anchorage is described in §110.60.

(4) Anchorage No. 2. West of a line from Locust Point tangent to the northeasterly sea wall at Throgs Neck.

NOTE: Special anchorage areas in this anchorage are described in §110.60.

(5) Anchorage No. 3. Northeast of a line from the south side of Barker Point to Gangway Rock Bell Buoy 27; southeast of a line from Gangway Rock Bell Buoy 27 to Sands Point Reef Lighted Buoy 25; and southwest of a line from Sands Point Reef Lighted Buoy 25 through Sands Point Reef Light to Sands Point.

(6) Anchorage No. 4. Manhasset Bay, excluding the seaplane restricted area described in §207.35; and that portion of Long Island Sound northeast of a line ranging from Stepping Stones Light through Elm Point Buoy 2 to Elm Point; southeast of a line ranging from Stepping Stones Light to Gangway Rock Bell Buoy 27; and southwest of Anchorage No. 3.

NOTE: Special anchorage areas in this anchorage are described in §110.60.

(7) Anchorage No. 5. In Little Neck Bay; and east of a line ranging from Fort Totten flagpole to Hart Island Light; and south of Anchorage No. 4.

NOTE: Special anchorage areas in this anchorage are described in §110.60.

(b) East River—(1) Anchorage No. 6. On Hammond Flats north of a line bearing 260° from the head of the pier on Throgs Neck at the foot of Pennyfield Avenue to the north tower of Bronx-Whitestone Bridge at Old Ferry Point.

(2) Anchorage No. 7. South of a line from Whitestone Point to the outer end of Willets Point Wharf.

(3) Anchorage No. 8. North of a line bearing 290° between the north tower of the Bronx-Whitestone Bridge at Old Ferry Point and a point at latitude 40°47′57″, longitude 73°52′16″; thence east of a line bearing 0° to latitude 40°48′06″; thence southeast of a line parallel to the bulkhead extending northeasterly to latitude 40°48′20″; thence north of a line bearing 296° to shore.

(4) Anchorage No. 9. East of a line from College Point Reef Light tangent to the west side of College Point; and south of a line from College Point Reef Light to Whitestone Point.

(5) Anchorage No. 10. An area in Flushing Bay, beginning at a point on shore at La Guardia Airport at latitude 40°46′49″, longitude 73°52′21″; thence to latitude 40°47′29″, longitude 73°51′55″; and thence to a point on shore at College Point at latitude 40°47′38″, longitude 73°51′15″; and an area on the west side of Bowery Bay, beginning at a point on shore at latitude 40°46′58″, longitude 73°53′39″; thence to a point on shore at latitude 40°47′00″, longitude 73°53′31″; thence to a point on shore at latitude 40°46′55″, longitude 73°53′32″; and thence to a point on shore at latitude 40°46′49″, longitude 73°53′39″.

NOTE: Special anchorage areas in this anchorage are described in §110.60.

(6) Anchorage No. 11. An area in East River beginning at a point on a pierhead at latitude 40°47′55″, longitude 73°53′19.5″; thence to latitude 40°47′40″, longitude 73°51′58″; and thence to a point on shore at latitude 40°47′16″, longitude 73°52′15″.

(7) [Reserved]

(8) Anchorage No. 14. In Hallets Cove, east of a line from a point on shore 100 feet west of the southerly prolongation of 2d Street, Astoria, to Gibbs Point.

(c) Hudson River—(1) Anchorage No. 16. North of a line on a range with the north side of the north pier of the
Union Dry Dock and Repair Company Shipyard, Edgewater, New Jersey; west of a line ranging 25° from a point 120 yards east of the east end of said pier to a point (500 yards from the shore and 915 yards from the Port Lee flagpole) on a line ranging approximately 100°22' from the Port Lee flagpole toward the square chimney on the Medical Center Building at 168th Street, Manhattan; and south of said line ranging between the Port Lee flagpole and the square chimney on the Medical Center Building.

(i) When the use of Anchorage No. 16 is required by naval vessels, the vessels anchored therein shall move when the Captain of the Port directs them.

(ii) Each vessel shall report its position within Anchorage No. 19 to the Captain of the Port immediately after anchoring.

(iii) No vessel may conduct lightering operations in Anchorage No. 19 without permission from the Captain of the Port.

(iv) When the use of Anchorage No. 19 is required by naval vessels, the vessels anchored therein shall move when the Captain of the Port directs them.

(v) No vessel over 800 feet, in length or over 150,000 tons displacement, shall anchor in Anchorage No. 19 unless it notifies the Captain of the Port at least 48 hours before it arrives in New York Harbor.

(6) Anchorage No. 19-A. An area located west of Hyde Park enclosed by the coordinates starting at 41°42'35" N., 073°57'00" W.; to 41°48'35" N., 073°57'10" W.; thence to 40°51'02.3" N., 73°56'59" W.; thence to a point on the Manhattan shoreline at latitude 40°51'00.8" N., longitude 73°56'51" W.; thence following the shoreline to the point of beginning.

(i) No vessel may anchor in Anchorage No. 19 without permission from the Captain of the Port.

(ii) Each vessel shall report its position within Anchorage No. 19 to the Captain of the Port immediately after anchoring.

(iii) No vessel may conduct lightering operations in Anchorage No. 19 without permission from the Captain of the Port.

(iv) When the use of Anchorage No. 19 is required by naval vessels, the vessels anchored therein shall move when the Captain of the Port directs them.

(v) No vessel over 800 feet, in length overall, or 40 feet in draft may anchor in Anchorage No. 19 unless it notifies the Captain of the Port at least 48 hours before it arrives in New York Harbor.

(6) Anchorage No. 19-A. An area located west of Hyde Park enclosed by the coordinates starting at 41°42'35" N., 073°57'00" W.; to 41°48'35" N., 073°57'10" W.; thence to 40°51'02.3" N., 73°56'59" W.; thence to a point on the Manhattan shoreline at latitude 40°51'00.8" N., longitude 73°56'51" W.; thence following the shoreline to the point of beginning.

(i) No vessel may anchor in Anchorage No. 19 without permission from the Captain of the Port.

(ii) Each vessel shall report its position within Anchorage No. 19 to the Captain of the Port immediately after anchoring.

(iii) No vessel may conduct lightering operations in Anchorage No. 19 without permission from the Captain of the Port.

(iv) When the use of Anchorage No. 19 is required by naval vessels, the vessels anchored therein shall move when the Captain of the Port directs them.

(v) No vessel over 800 feet, in length overall, or 40 feet in draft may anchor in Anchorage No. 19 unless it notifies the Captain of the Port at least 48 hours before it arrives in New York Harbor.
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74°02'04.2" W., to 40°41'29.9" N., 74°02'07.8" W.; to 40°41'26.2" N., 74°02'32.7" W.; thence back to 40°41'47.0" N., 74°02'31.5" W.

(i) See 33 CFR 110.155 (d)(6), (d)(16), and (1).

(3) Anchorage No. 20–C. That area enclosed by coordinates starting at 40°41'42.0" N., 74°02'43.0" W.; to 40°41'25.4" N., 74°02'10.7" W.; to 40°41'01.7" N., 74°02'26.2" W.; to 40°41'00.0" N., 74°02'41.5" W.; to 40°41'20.0" N., 74°02'59.2" W.; thence back to 40°41'42.0" N., 74°02'43.0" W.

(i) See 33 CFR 110.155 (d)(6), (d)(16), and (1).

(4) Anchorage No. 20–D. That area enclosed by coordinates starting at 40°41'09.5" N., 74°02'49.5" W.; to 40°40'59.2" N., 74°02'27.9" W.; to 40°40'44.5" N., 74°02'37.5" W.; to 40°40'42.7" N., 74°03'07.6" W.; thence back to 40°41'09.5" N., 74°02'49.5" W.

(i) See 33 CFR 110.155 (d)(6), (d)(16), and (1).

(5) Anchorage No. 20–E. That area enclosed by coordinates starting at 40°40'38.2" N., 74°02'59.6" W.; to 40°40'39.4" N., 74°02'40.9" W.; to 40°40'09.2" N., 74°03'00.7" W.; to 40°40'24.4" N., 74°03'24.6" W.; thence back to 40°40'38.2" N., 74°02'59.6" W.

(i) See 33 CFR 110.155 (d)(6), (d)(16), and (1).

(6) No vessel may occupy this anchorage for a period of time in excess of 72 hours without the prior approval of the Captain of the Port.

(7) Anchorage No. 20–F. That area enclosed by coordinates starting at 40°40'12.1" N., 74°03'41.6" W.; to 40°39'53.7" N., 74°03'10.8" W.; to 40°39'34.7" N., 74°03'23.3" W.; to 40°39'49.9" N., 74°03'37.8" W.; thence back to 40°40'12.1" N., 74°03'41.6" W.

(i) See 33 CFR 110.155 (d)(9), (d)(16), and (1).

(8) Anchorage No. 20–G. That area enclosed by coordinates starting at 40°39'30.1" N., 74°04'08.0" W.; to 40°39'32.0" N., 74°03'53.5" W.; to 40°39'37.5" N., 74°03'42.5" W.; to 40°39'13.0" N., 74°03'51.0" W.; to 40°39'09.5" N., 74°04'21.1" W.; thence back to 40°39'30.1" N., 74°04'08.0" W.

(i) See 33 CFR 110.155 (d)(9), (d)(16), and (1).

(9) This anchorage is designated a naval anchorage. The Captain of the Port may permit commercial vessels to anchor temporarily in this anchorage, ordinarily not more than 24 hours, when the anchorage will not be needed for naval vessels. Upon notification of an anticipated naval arrival, any commercial vessel so anchored must relocate at its own expense.

(10) Anchorage No. 21–A. That area enclosed by coordinates starting at 40°40'22.5" N., 74°01'35.2" W.; to 40°40'20.5" N., 74°01'27.7" W.; to 40°39'48.9" N., 74°01'22.4" W.; to 40°38'54.7" N., 74°02'18.9" W.; to 40°39'03.0" N., 74°02'26.3" W.; thence back to 40°40'22.5" N., 74°01'35.2" W.

(i) See 33 CFR 110.155 (d)(16) and (1).

(11) Anchorage No. 21–B. That area enclosed by coordinates starting at 40°40'23.8" N., 74°01'20.9" W.; to 40°40'26.2" N., 74°01'49.5" W.; to 40°40'22.5" N., 74°01'35.2" W.; to 40°39'03.0" N., 74°02'26.3" W.; to 40°38'54.7" N., 74°02'18.9" W.; to 40°38'43.7" N., 74°02'30.3" W.; to 40°38'19.3" N., 74°03'03.3" W.; to 40°39'23.3" N., 74°03'24.4" W.; to 40°40'18.6" N., 74°02'25.5" W.; thence back to 40°40'23.8" N., 74°02'10.9" W.

(i) See 33 CFR 110.155 (d)(16) and (1).

(ii) No vessel with a draft of 10 feet (3.048 meters) or less may occupy this anchorage without the prior approval of the Captain of the Port.

(12) Anchorage No. 21–C. That area enclosed by coordinates starting at 40°39'19.3" N., 74°03'03.3" W.; to 40°39'43.7" N., 74°02'30.3" W.; to 40°38'16.6" N., 74°02'32.5" W.; to 40°38'03.0" N., 74°02'48.7" W.; to 40°39'03.0" N., 74°03'03.5" W.; to 40°38'38.4" N., 74°03'15.5" W.; thence back to 40°39'19.3" N., 74°03'03.3" W.

(i) See 33 CFR 110.155 (d)(16) and (1).

(ii) No vessel with a draft of 33 feet (10.054 meters) or less may occupy this anchorage without the prior approval of the Captain of the Port.

(13) Anchorage No. 23–A. That area enclosed by coordinates starting at 40°38'36.5" N., 74°04'13.5" W.; to 40°38'37.0" N., 74°03'49.0" W.; to 40°38'23.4" N., 74°03'37.2" W.; to 40°37'49.5" N., 74°03'25.7" W.; to 40°37'49.8" N., 74°03'50.1" W.; to 40°37'50.0" N., 74°03'50.2" W.; to 40°37'53.0" N., 74°04'07.0" W.; thence back to 40°38'36.5" N., 74°04'13.5" W.

(i) See 33 CFR 110.155 (d)(16) and (1).

(ii) No vessel may occupy this anchorage for a period of time in excess
of 48 hours without the prior approval of the Captain of the Port.

(iii) No vessel with a length overall in excess of 670 feet (204.216 meters) may occupy this anchorage without the prior approval of the Captain of the Port.

(iv) No vessel with a draft of 40 feet (12.192 meters) or more may occupy this anchorage without the prior approval of the Captain of the Port unless it anchors within 5 hours after ebb current begins at the Narrows.

(v) See 33 CFR 334.85 for information on anchoring near the U.S. Navy restricted area adjacent to this anchorage.

(14) Anchorage No. 23-B. That area enclosed by coordinates starting at 40°37′49.8″ N., 74°03′50.1″ W.; to 40°37′49.5″ N., 74°03′25.7″ W.; to 40°37′27.0″ N., 74°03′18.1″ W.; to 40°37′23.0″ N., 74°03′39.0″ W.; to 40°37′30.0″ N., 74°04′04.0″ W.; to 40°37′37.5″ N., 74°03′46.0″ W.; thence back to 40°37′49.8″ N., 74°03′50.1″ W.

(i) See 33 CFR 110.155(d)(13) (ii) and (iv), (d)(16), and (l).

(ii) No vessel with a length overall of 670 feet (204.216 meters) or less may occupy this anchorage without the prior approval of the Captain of the Port.

(iii) See 33 CFR 334.85 for information on anchoring near the U.S. Navy restricted area adjacent to this anchorage.

(15) Anchorage No. 24. That area enclosed by coordinates starting at 40°37′23.0″ N., 74°03′39.0″ W.; to 40°37′27.0″ N., 74°03′18.1″ W.; to 40°36′40.1″ N., 74°03′02.2″ W.; to 40°36′25.5″ N., 74°02′36.4″ W.; to 40°36′21.0″ N., 74°03′11.0″ W.; to 40°36′25.0″ N., 74°03′17.5″ W.; thence back to 40°37′23.0″ N., 74°03′59.0″ W.

(i) See 33 CFR 110.155(d)(13) (ii) and (iv), (d)(16), and (l).

(ii) No vessel with a length overall of less than 800 feet (243.84 meters), or with a draft of less than 40 feet (12.192 meters) may occupy this anchorage without the prior approval of the Captain of the Port.

(16) Any vessel anchored in or intending to anchor in Federal Anchorage 20-A through 20-G, 21-A through 21-C, 23-A and 23-B, 24 or 25 must comply with the following requirements:

(i) No vessel may anchor unless it notifies the Captain of the Port when it anchors, of the vessel's name, length, draft, and its position in the anchorage.

(ii) Each vessel anchored must notify the Captain of the Port when it weighs anchor.

(iii) No vessel may conduct lightering operations unless it notifies the Captain of the Port before it begins lightering operations.

(iv) Each vessel lightering must notify the Captain of the Port at the termination of lightering.

(v) No vessel may anchor unless it maintains a bridge watch, guards and answers Channel 16 FM, and maintains an accurate position plot.

(vi) If any vessel is so close to another that a collision is probable, each vessel must communicate with the other vessel and the Captain of the Port on Channel 16 FM and shall act to eliminate the close proximity situation.

(vii) No vessel may anchor unless it maintains the capability to get underway within 30 minutes except with prior approval of the Captain of the Port.

(viii) No vessel may anchor in a "dead ship" status (propulsion or control unavailable for normal operations) without the prior approval of the Captain of the Port.

(ix) Each vessel in a "dead ship" status must engage an adequate number of tugs alongside during tide changes. A tug alongside may assume the Channel 16 FM radio guard for the vessel after it notifies the Captain of the Port.

(x) No vessel may light a "dead ship" status without prior approval from the Captain of the Port.

(e) Lower Bay—(1) Anchorage No. 25. That area enclosed by coordinates starting at 40°35′58.2″ N., 74°02′18.4″ W.; to 40°36′12.0″ N., 74°01′29.0″ W.; to 40°36′03.0″ N., 74°00′32.5″ W.; to 40°34′57.5″ N., 74°00′25.0″ W.; to 40°34′40.0″ N., 74°01′03.0″ W.; to 40°34′53.0″ N., 74°01′56.1″ W.; to 40°35′29.0″ N., 74°02′04.8″ W.; thence back to 40°35′58.2″ N., 74°02′18.4″ W.

(i) See 33 CFR 110.155(d)(16) and (l).

(ii) When the use of this anchorage is required by naval vessels, any commercial vessels anchored therein must move when directed by the Captain of the Port.
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110.60(r–1). Lower Bay—(1) Anchorage No. 26. In Sandy Hook Bay south of a line extending from Point Comfort to Sandy Hook Point Light.

NOTE: Anchorage Nos. 49–F and 49–G in this area are reserved for vessels carrying explosives (see paragraphs (m)(2) and (3) of this section) and are excluded from use as general anchorages.

(i) Pleasure or commercial craft may not navigate or moor within 750 yards of the Naval Ammunition Depot Pier at Leonardo, New Jersey, nor anchor in the approach channel or the turning basin adjacent thereto.

(ii) When immediate action is required and representatives of the Coast Guard are not present in sufficient force to exercise effective control of shipping, the Commanding Officer of the Naval Ammunition Depot at Earle, New Jersey, may control the anchorage or movement of any vessel, foreign or domestic, to the extent he deems necessary to insure the safety and security of his command.

(2) Anchorage No. 27—(1) Atlantic Ocean. Beginning at Sandy Hook Light 15 to latitude 40°28′32″, longitude 74°00′03″; thence to latitude 40°28′41″, longitude 73°58′54″; thence to latitude 40°25′38″, longitude 73°55′00″; thence 180° to latitude 40°23′46″, thence 270° toward Highland Light and Sandy Hook shore; thence following the easterly shoreline of Sandy Hook to the point of beginning.

(ii) Romer Shoal. Beginning at latitude 40°27′30″, longitude 73°55′00″; thence north to latitude 40°29′05″; thence to latitude 40°31′25″, longitude 74°00′55″; thence to latitude 40°32′11″, longitude 74°01′41″; thence to latitude 40°32′12″, longitude 74°02′07″; thence 180° to latitude 40°31′27″; thence to latitude 40°30′13″, longitude 74°00′07″; thence to the point of beginning.

(iii) Flynns Knoll. Beginning at Sandy Hook Channel Lighted Bell Buoy 18; thence along the north side of Sandy Hook Channel to Sandy Hook Channel Lighted Buoy; thence along the southwest side of Swash Channel to Junction Buoy; thence along the east side of Chapel Hill Channel to Chapel Hill Channel Buoy 2; and thence to the point of beginning.

(3) Anchorage No. 28. West of lines bearing 154°30′ from Fort Wadsworth Light to Craven Shoal Lighted Bell Buoy 19A, thence in succession to the buoys marking the east side of West Bank and the buoys on the west side of Chapel Hill Channel to Southwest Spit Junction Lighted Gong Buoy, thence 182° to a line extending from Sandy Hook Point Light to Point Comfort; north of the latter line and the New Jersey shore; and east of a line bearing 353° from the head of the Keansburg Steamboat Pier at Point Comfort, through Great Kills Flat Buoy 4, to the Staten Island shore; excluding from this area, however, (i) the waters west of a line ranging from the stack on Hoffman Island 344° through the northeast corner of the T-shaped pier at South Beach; northwest of a line ranging from Great Kills Light 39° and tangent to the offshore face of the T-shaped pier at Midland Beach; and northeast of a line ranging from Conover Light at Leonardo, New Jersey, 340° through Old Orchard Shoal Light; northwest of a line bearing 230° from the stack on Hoffman Island; and northeast of a line ranging from Great Kills Light 332° through Marine Park Light at Crooks Point.

NOTE: A special anchorage area in this anchorage is described in §110.60(r–1).

(g) [Reserved]

(h) Newark Bay—(1) Anchorage No. 34. South of the bridge of the Central Railroad Company of New Jersey; west of lines from a point on the bridge 100 yards west of the west pier of the west lift span to Newark Bay Channel Buoy 5, thence to the east end of the dikes north of Shooters Island; north of the dikes and a line ranging from the west end of the dikes through Kill Van Kull Light 18 and Kill Van Kull Buoy 20; and east of a line 250 feet east of and parallel to the Singer Manufacturing Company bulkhead.

NOTE: A portion of this general anchorage is described as a special anchorage in §110.60(t).

(2) [Reserved]

(3) Anchorage No. 36. South of Port Newark Terminal Channel; west of a line ranging from a point 200 yards
west of Newark Bay Light 3 to a point
100 yards west of the west pier of the
west lift span of the Central Railroad
of New Jersey Bridge; and north of said
bridge.

(4) Anchorage No. 37. North of the
Central Railroad of New Jersey bridge;
east of a line ranging from a point 200
yards east of the east pier of the east
lift span of the bridge to a point 200
yards east of the east end of the lift
span of the Pennsylvania-Lehigh Val-
ley Railroad bridge; and south of the
latter bridge.

Note: A portion of this general anchorage
is described as a special anchorage in
§110.60(p).

(5) Anchorage No. 38. North of the
Pennsylvania-Lehigh Valley Railroad
bridge; east of lines ranging through a
point 200 yards east of the east end of
the lift span of the said bridge and the
red channel buoys marking the dredged
channel in Newark Bay and Hacken-
sack River; and south of the Central
Railroad Company of New Jersey
bridge.

(6) Anchorage No. 39. Between the en-
trance channels of the Hackensack and
Passaic Rivers, northwest of lines from
the abutment of the Central Railroad
of New Jersey bridge on the west side
of the Hackensack River to Hacken-
sack River Light 1, and thence to New-
ark Bay Light 5, and east of a line from
said light ranging toward the southeast
corner of the Texas Company wharf,
and of a line ranging from the south-
east corner of Gross Wharf to the abut-
ment and end of fill of the Central
Railroad of New Jersey bridge on the east
side of the Passaic River.

(i) Arthur Kill—(1) Anchorage No. 41.
The passage between Pralls Island and
Staten Island included between a line
running 29° from the extreme north-
west point of Pralls Island to a point
on Staten Island and a line from the
southern point of Pralls Island to the
north side of the mouth of Neck Creek
at Travis, Staten Island.

(ii) Anchorage No. 42. East of lines
ranging from the head of the
Tottenville Shipyard Company pier at
Tottenville, Staten Island, to the first
pier of the Outerbridge Crossing west
from the Staten Island shore, thence to
Arthur Kill Light 1; thence to Arthur
Kill Light 14, and thence to Arthur Kill
Lighted Buoy 16; and south of a line
from thence to Smoking Point.

(j) Raritan Bay—(1) Anchorage No. 44.
An area in Raritan Bay located at the
junction of Arthur Kill and Raritan
River, beginning at a point at latitude
40°30′07″, longitude 74°15′13″; thence to
latitude 40°30′01″, longitude 74°15′39″;
thence to latitude 40°29′27″, longitude
74°15′06″; thence to latitude 40°29′24″,
longitude 74°15′01″; thence to latitude
40°29′15″, longitude 74°14′55″; thence to
latitude 40°29′14″, longitude 74°15′25″;
thence to latitude 40°29′48″, longitude
74°15′48″; and thence to the point of
beginning.

(i) The anchorage is restricted to
deep-draft vessels except that barges
may moor in that portion of the an-
chorage southerly of latitude 40°29′22″.

(ii) No vessel shall occupy the deep-
draft portion of the anchorage for a
longer period than 48 hours without a
permit from the Captain of the Port.

(2) Anchorage No. 45. West of the Rari-
tan Bay Channel leading into Arthur
Kill; north of the Raritan River Chan-
nel leading into Raritan River; and east
of the Cutoff Channel between
Raritan River and Arthur Kill, except
that part of the said area occupied by
Anchorage No. 44.

(3) [Reserved]

(4) Anchorage No. 46. West of the west
limit of Anchorage No. 28, as defined by
a line bearing 353° from the head of the
Keansburg Steamboat Pier at Point
Comfort, through Great Kills Flat
Buoy 4 to the Staten Island shore; north
of Raritan Bay Channel as de-

fined by the buoys and lights marking
the north side of the channel, including
Princess Bay; northeast of Raritan Bay
Channel leading into Arthur Kill; and
south of a line bearing 263° from the
gable of a house at Ward Point, Staten
Island.

(5) Anchorage No. 47. South of the
Raritan River Channel from opposite
the Sun Oil Company pier at South
Amboy to Raritan River Buoy 3; thence
south of a line in the direction of
Boundary Daybeacon to latitude
40°28′48.5″, longitude 74°14′31.6″; thence
south of lines through Raritan Bay
Light 7B, Raritan Bay Light 3A, and
the buoys marking the south side of
Raritan Bay Channel Off Seguine Point
to the west limit of Anchorage No. 28
as defined by a line bearing 353° from the head of the Keansburg Steamboat Pier through Great Kills Flat Buoy 4 to the Staten Island shore; and west of the latter line.

(i) Vessels shall not anchor in the channel to Keyport Harbor west of lines ranging from Keyport Channel Buoy 1 to Keyport Channel Buoy 9, thence through Keyport Channel Buoys 11 and 13 to the northeast corner of the easterly steamboat wharf; and east of a line extending from a point 400 yards west of Keyport Channel Buoy 1 tangent to the west shore at the mouth of Matawan Creek.

(k) [Reserved]

(1) General regulations. (1) No vessel in excess of 800 feet (243.84 meters) in length overall or 40 feet (12.192 meters) in draft may anchor unless it notifies the Captain of the Port at least 48 hours prior to entering Ambrose Channel.

(2) Except in cases of great emergency, no vessel shall be anchored in the navigable waters of the Port of New York outside of the anchorage areas established in this section, nor cast anchor within a cable or pipe line area shown on a Government chart, nor be moored, anchored, or tied up to any pier, wharf, or vessel in such manner as to obstruct or endanger the passage of any vessel in transit by, or to or from, adjacent wharves, piers, or slips.

(3) No vessel shall occupy for a longer period than 30 days, unless a permit is obtained from the Captain of the Port for that purpose, any anchorage for which the time of occupancy is not otherwise prescribed in this section. No vessel in a condition such that it will not have sufficient men on board to weigh anchor at any time shall be anchored with two anchors, with mooring swivel put on before the crew shall be reduced or released, unless the Captain of the Port waive the requirement of a mooring swivel.

(6) Anchors of all vessels must be placed well within the anchorage areas, so that no portion of the hull or rigging shall at any time extend outside the boundaries of the anchorage area.

(7) Any vessel anchoring under circumstances of great emergency outside of the anchorage areas must be placed near the edge of the channel and in such position as to not to interfere with the free navigation of the channel nor obstruct the approach to any pier nor impede the movement of any boat, and shall move away immediately after the emergency ceases, or upon notification by the Captain of the Port.

(8) The Captain of the Port may grant a revocable permit for the habitual maintenance and use of a given mooring space in an anchorage area. Application information for a mooring permit is available from:

Coast Guard Activities New York, Waterways Oversight Branch, 212 Coast Guard Drive, Staten Island, NY 10305.

(i) A mooring permit is issued to an individual, for his exclusive use, of a specific mooring, of a specific type, at a specific location, for a specific vessel.

(ii) Mooring permits shall expire on April 30 of the year after issuance.

(iii) Mooring permits are not transferable.

(iv) Moorings are shown on the large scale chart which may be seen at the office of the Captain of the Port—New York.

(v) Mooring anchor, chain, and pendant (if applicable) requirements are shown in Table 110.155(1)(7). These requirements may be waived or modified by the Captain of the Port upon written request from the applicant for such waiver or modification.

(vi) The mooring buoy shall be white in color with the Captain of the Port mooring permit number, in black letters, clearly visible at all times. The buoy is to extend not less than 1 foot above the surface of the water at all times, exclusive of flagstaffs, rings, quick pickup devices, etc.
Coast Guard, DOT

§ 110.155

(vii) All required equipment shall be provided by, installed by, and remain the property of the permit holder.

(viii) Mooring equipment should be raised at least every 2 years, inspected for deterioration and replaced if necessary.

(ix) Each person holding a mooring permit shall make what the Captain of the Port—New York considers reasonable use of the mooring. Nonuse of a mooring up to 30 days during the boating season is deemed reasonable.

(x) Moorings for which permits have expired without renewal or have been revoked by the Captain of the Port—New York shall be removed by the owner within 10 days of such expiration or revocation.

(xi) Granting of a Captain of the Port—New York mooring permit does not give a right of access across private property. Arrangements for access shall be made by the permit holder.

(xii) Each person to whom a Captain of the Port—New York mooring permit is issued agrees to hold harmless the United States, its officers, agents, and employees, for any death, personal injury, or damage which may result from the use of the permit or the rights granted under the permit.

(xiii) No vessel shall continuously occupy a mooring when a vessel in regular traffic requires the berth or when navigation would be menaced or inconvenienced thereby.

(xiv) No vessel shall moor in any anchorage in such a manner as to interfere with the use of a duly authorized mooring buoy. Nor shall any vessel moored to a buoy authorized by a Captain of the Port—New York permit be moored such that any portion of that vessel comes within 50 feet of a marked or dredged channel.

(xv) No vessel shall be navigated within the limits of an anchorage at speed exceeding 6 knots when in the vicinity of a moored vessel.

(xvi) In an emergency the Captain of the Port may shift the position of any unattended vessel moored in or near any anchorage.

<table>
<thead>
<tr>
<th>Vessel length, in feet</th>
<th>Anchor weight, in pounds</th>
<th>Anchor type</th>
<th>Anchor scope</th>
<th>Chain size in inches</th>
<th>Pendant length in feet</th>
<th>Pendant safe working load minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 or less</td>
<td>100</td>
<td>Mushroom or navy</td>
<td>3x MHW</td>
<td>%</td>
<td>4</td>
<td>4x anchor weight. Do.</td>
</tr>
<tr>
<td>Greater than 15 but not greater than 21</td>
<td>150</td>
<td>Mushroom or navy</td>
<td>3x MHW</td>
<td>%</td>
<td>8</td>
<td>Do.</td>
</tr>
<tr>
<td>Greater than 21 but not greater than 26</td>
<td>200</td>
<td>Mushroom or navy</td>
<td>3x MHW</td>
<td>%</td>
<td>10</td>
<td>Do.</td>
</tr>
<tr>
<td>Greater than 26</td>
<td>10 per foot of vessel length</td>
<td>Mushroom or navy</td>
<td>3x MHW</td>
<td>½ for anchor of 400 t or less, ½ if greater than 400 t.</td>
<td>10</td>
<td>Do.</td>
</tr>
</tbody>
</table>

(9) Barge dispensing stations and stake boats may be anchored in such places as the Captain of the Port may designate.

(10) Upon approval of the District Engineer, Corps of Engineers, the Captain of the Port may permit wrecking plant or other vessels legally engaged in recovering sunken property, or in laying or repairing pipe lines or cables legally established, or plant engaged in dredging operations, to anchor within channels of the Port of New York. Permit issued by the Captain of the Port is not necessary for plant engaged upon works of river and harbor improvement under the supervision of the District Engineer, but the District Engineer will notify the Captain of the Port in advance of all such proposed work.

(11) Whenever the maritime or commercial interests of the United States so require, the Captain of the Port is hereby empowered to shift the position of any vessel anchored within the anchorage areas, of any vessel anchored outside the anchorage areas, of any vessel which is so moored or anchored as to impede or obstruct vessel movements in any channel or obstruct or interfere with range lights and of any vessel which, lying at the exterior end
§ 110.155 33 CFR Ch. I (7–1–02 Edition)

of a pier or alongside an open bulkhead, obstructs or endangers the passage of vessels in transit by, or to or from, adjacent wharf property or impedes the movements of vessels entering or leaving adjacent slips.

(12) A vessel upon being notified to move into the anchorage limits or to shift its position on anchorage grounds, shall get under way at once or signal for a tug, and shall change position as directed, with reasonable promptness.

(13) Nothing in this section shall be construed as relieving any vessel or the owner or person in charge of any vessel from the penalties of law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating law.

(14) Any vessel prohibited by these rules from anchoring in a specific anchorage because of the vessel’s length or draft may anchor in the anchorage with permission from the Captain of the Port.

(m) Anchorages for vessels carrying explosives.

(1) [Reserved]

(2) Anchorage No. 49–F (emergency naval anchorage). That portion of Sandy Hook Bay bounded by a line bearing 170°, 3,800 yards, from a point bearing 281°30′, 2,050 yards from Sandy Hook Light; thence 260°, 500 yards; thence 350°, 3,800 yards; thence 080°, 500 yards, to the point of beginning.

(i) This anchorage is to be used for the anchorage of naval vessels during emergencies only.

(ii) No pleasure or commercial craft shall navigate or moor within this area at any time when naval vessels which are moored in the area display a red flag by day or a red light by night.

(3) Anchorage No. 49–G (naval anchorage). That portion of Sandy Hook Bay bounded by a line bearing 292°30′, 3,600 yards, from Sandy Hook Light; thence 298°, 620 yards; thence 002°, 1,250 yards; thence 107°, 1,150 yards, to the point of beginning.

(i) No pleasure or commercial craft shall navigate or moor within this area at any time when vessels which are moored in the area display a red flag by day or a red light by night.

(n) Regulations for explosive anchorages. (1) Anchorages Nos. 49–F and 49–G are reserved for vessels carrying explosives. All vessels carrying explosives shall be within these areas when anchored, except as provided in paragraph (n)(6) of this section.

(2) A written permit shall be obtained from the Captain of the Port before vessels carrying explosives, or on which explosives are to be loaded, may proceed to the anchorages provided for them; and no vessel shall occupy a berth in such anchorage except by authority of such permit, which permit may be revoked at any time.

(3) Vessels used in connection with loading or unloading explosives on vessels in anchorage areas, including tugs and stevedore boats, shall carry a written permit from the Captain of the Port. The Captain of the Port may, in his discretion, require every person having business on board vessels which are being loaded with explosives, other than members of the crew, to have a pass from the Captain of the Port in such form as he shall prescribe. Such permit or pass shall be shown whenever required by him or by his authorized agents.

(4) Whenever any vessel not fitted with mechanical power anchors in the explosives anchorages while carrying explosives, the Captain of the Port may require the attendance of a tug upon such vessel when in his judgment such action is necessary.

(5) Vessels carrying explosives shall comply with the general regulations in paragraph (l) of this section when applicable.

(6) The District Engineer, Corps of Engineers, may authorize, in writing, a vessel carrying explosives for use on river and harbor works or on other work under Federal permit issued by the District Engineer to anchor in or near the vicinity of such work without a permit from the Captain of the Port. The District Engineer will prescribe the quantities of such explosives allowed on such vessel and the conditions under which they are to be stored and handled, and will furnish the Captain of the Port with a copy of such safety
instructions together with a copy of his written authorization.

(7) Every vessel loading, unloading, transporting, or containing explosives shall display by day a red flag at least 16 square feet in area at its masthead, or at least 10 feet above the upper deck if the vessel has no mast, and shall display by night a red light in the same position specified for the flag.

(8) When local regulations of any place require previous local authority for the transfer of explosives or fire-works between vessels or between a vessel and a wharf or other place ashore, the Captain of the Port will permit the removal from the anchorage of such vessel containing explosives to any place covered by such local regulations only when he is satisfied that the required local authority has been granted.

NOTE: The anchorage in this section are regulated under Title I, Ports and Water-ways Safety Act of 1972 as stated in §110.1a(a) of this part. The penalties for violat-ing regulations under this Act are stated in §110.1a(b) of this part.


EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §110.155, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 110.156 Randall Bay, Freeport, Long Island, N.Y.

(a) The anchorage grounds. Southward of a line 312 feet south of and parallel to the south side of Casino Street; eastward of a line 215 feet east of and parallel to the east side of West Side Avenue, said line extending southerly to a point 233 feet north of the prolonged north side of Clinton Street; northeastward of a line from the last-mentioned point to a point 243 feet southerly of the prolonged south side of Clinton Street and 210 feet east of the east side of Prospect Street; eastward of a line 210 feet east of and parallel to the east side of Prospect Street; southward of a line 25 feet north of and parallel to the prolonged north side of Suffolk Street; westward of a line 210 feet west of and parallel to the west side of South Long Beach Avenue, said line extending northerly to a point 222 feet south of the prolonged south side of Queens Street; southwestward of a line from the last-mentioned point to a point 74 feet northerly of the prolonged north side of Queens Street and 120 feet west of the west side of Roosevelt Avenue; and westward of a line 120 feet west of and parallel to the west side of Roose-velt Avenue.

(b) The regulations. (1) When applied for, a berth in this anchorage, if available, may be assigned to any vessel by the Captain of the Port of New York.

(2) The Captain of the Port is authorized to issue permits for maintaining mooring buoys within the anchorage. The method of anchoring these buoys shall be as prescribed by the Captain of the Port.

(3) No vessel shall anchor in the anchorage in such manner as to interfere with the use of a duly authorized mooring buoy.

(4) No vessel shall be navigated within the anchorage at a speed exceeding six knots.

(5) In case of emergencies, the Captain of the Port is authorized to shift the position of any unattended vessel moored in or near the anchorage.

§ 110.157 Delaware Bay and River.

(a) The anchorage grounds—(1) Anchorage A off the entrance to the Mispillion River. In Delaware Bay southwest of Brandywine Channel begin-ning at latitude 38°53′57″ N., longi-tude 75°08′00″ W., thence northwest-erly to latitude 39°01′22″ N., longitude 75°13′25″ W., thence southwesterly to latitude 39°00′49″ N., longitude 75°14′57″ W., thence southeasterly to latitude 38°53′22″ N., longitude 75°09′26″ W., thence northeasterly to the point of be-ginning. Supervision over the anchor-ing of vessels and over all cargo trans-fer operations in Anchorage A is exer-cised by the Captain of the Port, Phila-delphia. The regulations of paragraphs (b)(1) and (b)(2) of this section do not apply to this anchorage.

(2) Anchorage 1 off Bombay Hook Point. On the southwest side of the channel along Liston Range, bounded as fol-lows: Beginning at a point (approximat-ely latitude 39°17′59″, longitude 75°23′07″) bearing 226 from Ship John Shoal Light, 167 yards southwest of the southeast edge of the channel along Liston Range; thence 228°, 2,000 yards;
thence 318°, 8,000 yards; thence 48°, 2,000 yards; and thence 138°, 8,000 yards, to the point of beginning.

(3) Anchorage 2 northwest of Artificial Island. On the east side of the channel along Reedy Island Range, bounded as follows: Beginning at a point bearing 105° from the northernmost point of Reedy Island, 167 yards easterly of the east edge of the channel along Reedy Island Range; thence 105°, 800 yards; thence 195°, 4,500 yards; thence 265°, 800 yards to a point (approximately latitude 39°49′38″, longitude 75°33′37″) opposite the intersection of Reedy Island and Baker Ranges; and thence 15°, 4,500 yards, to the point of beginning.

(4) Anchorage 3 southeast of Reedy Point. Southeast of the entrance to the Chesapeake and Delaware Canal at Reedy Point, bounded on the east by the west edge of the channel along Reedy Island and New Castle Ranges; on the west by a line beginning at a point on the west edge of the channel along Reedy Island Range at latitude 39°31′43″, thence to a point bearing 168°30′, 3,150 yards, from Chesapeake and Delaware Canal Light 2; thence to a point bearing 131°, 1,160 yards, from Chesapeake and Delaware Canal 2 Light; and on the north by a line running from the last-described point 113°30′, approximately 813 yards, to the west edge of the channel along New Castle Range.

(5) Anchorage 4 north of Reedy Point. North of the entrance to the Chesapeake and Delaware Canal at Reedy Point, on the west side of the river, bounded as follows: Beginning at a point (approximately latitude 39°33′51″, longitude 75°33′35″) 344°58′ true, 160 yards from Chesapeake and Delaware Canal Light 2; thence 306°26′, 1,442 yards; thence 36°26′, 377 yards; thence 126°26′, 1,442 yards; thence 216°26′, 377 yards to the point of beginning.

(6) Anchorage 5 southeast of Pea Patch Island. On the northeast side of the channel along New Castle Range, bounded as follows: Beginning at latitude 39°34′28″, longitude 75°33′06″; thence 334°, 2,343 yards; thence 64°, 512 yards; thence 154°, 2,343 yards; and thence 244°, 512 yards, to the point of beginning.

(7) Anchorage 6 off Deepwater Point. Southeast of the entrance to Christina River, on the east side of the channel along Cherry Island Range, bounded as follows: Beginning at latitude 39°41′31″, longitude 75°30′55″; thence 17°, 2,747 yards; thence 112°, 847 yards; thence 215°, 1,340 yards; thence 204°, 893 yards; thence 186°30′, 500 yards; and thence 286°, 377 yards, to the point of beginning. Vessels must not anchor in the cable area at the lower end of this anchorage except in case of emergency.

(8) Anchorage 7 off Marcus Hook. (1) On the southeast side of the channel along Marcus Hook Range, bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>39°49′17.254″ N</td>
<td>75°22′50.0994″ W</td>
</tr>
<tr>
<td>39°48′39.984″ N</td>
<td>75°23′17.338″ W</td>
</tr>
<tr>
<td>39°47′45.399″ N</td>
<td>75°23′01.278″ W</td>
</tr>
<tr>
<td>39°47′43.111″ N</td>
<td>75°26′00.186″ W</td>
</tr>
</tbody>
</table>

(DATUM: NAD 83)

(ii) A vessel that is arriving from or departing for sea and that requires an examination by public health, customs, or immigration authorities shall anchor in the preferential area of this anchorage designated for the use of vessels awaiting quarantine inspection. This area being the waters bounded by the arc of a circle with a radius of 360 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>39°48′46.334″ N</td>
<td>75°23′26.881″ W</td>
</tr>
</tbody>
</table>

(DATUM: NAD 83)

(iii) Should the remainder of the anchorage be in use, the preferential area, when available, may be used by vessels not subject to quarantine inspection.

(9) Anchorage 8 off Thompson Point. On the south side of the channel along Tinicum Range, between Thompson Point and the east side of Crab Point, bounded as follows: Beginning at a point on the south edge of the channel along Tinicum Range at longitude 75°18′24″; thence easterly along the edge of the channel to longitude 75°17′54″; thence 179°, 267 yards; thence 260°30′, 793 yards; thence 338°, 425 yards, to the point of beginning.

(10) Anchorage 9 near entrance to Mantua Creek. On the southeast side of the channel along Mifflin Range, bounded as follows: Beginning at a point on the southeast edge of the channel at longitude 75°14′26″; thence northeasterly
along the edge of the channel to longitude 75°12′01.5″; thence 203′30″, 933 yards; thence 233′30″, 3,058 yards; and thence 263′30″, 933 yards, to the point of beginning. Vessels must not cast anchor in this anchorage in such manner as to interfere unreasonably with the passage of other vessels to and from Mantua Creek.

(11) **Anchorage 10 (naval) at Naval Base, Philadelphia.** On the north side of the channel along West Horseshoe Range, bounded as follows: Beginning at the southeasterly corner of Pier 7 (approximately latitude 39°53′11″, longitude 75°09′38.5″); thence 174°, 525 yards, to the north edge of the channel along West Horseshoe Range; thence 273′30″ along the edge of the channel, 880 yards; thence 354°, 433 yards, to the southeasterly corner of Pier 1; and thence 88°30″, 875 yards, to the point of beginning. This is a restricted naval anchorage.

(12) **Anchorage 11 at Gloucester.** On the east side of the channel south of the Walt Whitman Bridge at Gloucester, bounded as follows: Beginning at a point on the east edge of the channel at latitude 39°54′16″; thence 174°30″, 500 yards, to latitude 39°54′02″, longitude 75°07′49″; thence 282°, 1,133 yards; thence 217°30″, 1,142 yards, to the east edge of channel; thence northeasterly along the edge of the channel to the point of beginning.

(13) **Anchorage 12 between Gloucester and Camden.** On the east side of the channel adjoining and on the upstream side of Anchorage 11, from the Gloucester to Camden, bounded as follows: Beginning at a point on the east edge of the channel at latitude 39°54′16″; thence northerly along the edge of the channel to latitude 39°56′32.5″; thence 133°, 283 yards to a point on a line 100 feet west of the established pierhead line; thence southerly along this line to latitude 39°54′34″; thence 196′16″, 882 yards to latitude 39°54′08.5″; thence 354°36″, 267 yards to the point of beginning. The area between New York Shipbuilding Corporation Pier No. 2 and the MacAndrews and Forbes Company pier, Camden, shall be restricted to facilitate the movement of carfloats to and from Bulson Street, Camden. The area in front of the Public Service Electric and Gas Company pier shall be restricted to facilitate the movement of vessels to and from the pier. Should the anchorage become so congested that vessels are compelled to anchor in these restricted areas, they must move immediately when another berth is available.

(14) **Anchorage 13 at Camden.** On the east side of the channel adjoining and on the upstream side of Anchorage 12, to Cooper Point, Camden, bounded as follows: Beginning at a point on the east edge of the channel at latitude 39°56′25.5″; thence northerly along the edge of the channel to latitude 39°57′39.7″; thence 139°, 217 yards to a point on a line 100 feet west of the established pierhead line; thence southerly along this line to latitude 39°56′32.5″; thence 313°, 283 yards to the point of beginning.

(15) **Anchorage 14 opposite Port Richmond.** On the southeast side of the channel, north of Petty Island, bounded as follows: Beginning at a point on the southeast edge of the channel at longitude 75°05′43″; thence 163°, 248 yards; thence 253°, 1,978 yards, to the southeast edge of the channel; and thence northeasterly along the edge of the channel to the point of beginning. Vessels having a draft of less than 20 feet must anchor southwest of Pier No. 11, Port Richmond. The area off the Cities Service Oil Company wharves, Petty Island, shall be restricted to facilitate the movement of vessels to and from the wharves.

(16) **Anchorage 15 off northeasterly end of Petty Island.** On the southeast side of the channel, bounded as follows: Beginning at a point on the southeast edge of the channel at longitude 75°05′34.7″; thence northeasterly along the southeast edge of the channel to longitude 75°05′09.5″; thence 171°, 198 yards; thence 260°30″, 667 yards; and thence 351°, 198 yards, to the point of beginning. When necessary, this anchorage will be reserved for vessels under the custody of the United States, at which time other vessels may be required by the Captain of the Port to shift position.

(17) **Anchorage 16 between Port Richmond and Five Mile Point.** On the northwest side of the channel, bounded as follows: Beginning at a point on the northwest edge of the channel at longitude 75°05′35″; thence northeasterly.
along the edge of the channel to longitude 75°04'20"; thence 328°, 125 yards; thence 243°, 450 yards; thence 251°, 475 yards; thence 174°30', 122 yards, to the point of beginning. When necessary, this anchorage will be reserved for vessels under the custody of the United States, at which time other vessels may be required by the Captain of the Port to shift position.

(b) General regulations. (1) Except in cases of great emergency, no vessel shall be anchored in Delaware Bay and River between Ship John Light and The Pennsylvania Railroad Company bridge at Delair, New Jersey, outside of the anchorage areas established in this section, or within a cable or pipe line area shown on a Government chart, or be moored, anchored, or tied up to any pier, wharf, or other vessel in such manner as to obstruct or endanger the passage of any vessel. When an emergency condition exists due to congestion in the prescribed anchorage areas in the Delaware River, the Captain of the Port may authorize the anchorage of vessels in locations other than the prescribed areas. Vessels so anchored must not be anchored within the channel limits. Any vessel anchored outside of the prescribed anchorage limits must move to a prescribed anchorage area when space becomes available.

(2) No vessel shall occupy any prescribed anchorage for a longer period than 48 hours without a permit from the Captain of the Port. Vessels expecting to be at anchor for more than 48 hours shall obtain a permit from the Captain of the Port for that purpose. No vessel in such condition that it is likely to sink or otherwise become a menace or obstruction to navigation or anchorage of other vessels shall occupy an anchorage except in an emergency, and then only for such period as may be permitted by the Captain of the Port.

(3) Whenever, in the opinion of the Captain of the Port such action may be necessary, he may require any or all vessels in any designated anchorage area to moor with two or more anchors.

(4) [Reserved]

(5) Anchors shall be placed well within the anchorage areas, so that no portion of the hull or rigging will at any time extend outside of the anchorage area.

(6) Light-draft barges using the anchorages shall be anchored away from the deeper portions of the anchorages, so as not to interfere with the anchoring of deep-draft vessels. Any barges towed in tandem to an anchorage area shall be bunched together when anchoring.

(7) Upon approval of the District Engineer, Corps of Engineers, the Captain of the Port may permit wrecking plant or other vessels legally engaged in recovering sunken property, or in laying or repairing pipe lines or cables, or plant engaged in dredging operations, to anchor in channels. Such permission is not necessary for plant engaged upon works of river and harbor improvement under the supervision of the District Engineer, but the District Engineer will notify the Captain of the Port in advance of all such proposed work.

(8) [Reserved]

(9) A vessel upon being notified to shift its position shall get under way at once or signal for a tug and shall change position as directed with reasonable promptness.

(10) Nothing in this section shall be construed as relieving any vessel or the owner or person in charge of any vessel from the penalties of law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the laws relating to lights and fog signals or other navigation laws and regulations.

(c) Regulations for vessels carrying and handling explosives. (1) All vessels carrying explosives as defined in and subject to Title 49 Code of Federal Regulations, Parts 171 through 177, or on which such explosives are to be loaded, shall obtain a permit from the Captain of the Port, except as provided in paragraph (c)(5) of this section. The maximum amount of explosives for which a permit is required in 49 CFR Parts 171 through 177, which may be carried or loaded at any time by a vessel shall not exceed 800 tons, except in cases of great emergency or by special permit from the Captain of the Port. This written permit shall be obtained from the Captain of the Port before vessels carrying explosives or on which explosives are
to be loaded within the weight limit specified in paragraph (c)(1) of this section, may anchor in any anchorage. Permits will not be issued for Anchorage 2 under any circumstances. Such permit may be revoked at any time. All vessels used in connection with loading, or unloading explosives shall carry written permits from the Captain of the Port, and shall show such permit whenever required by him or his representative.

(2) Vessels handling explosives shall be anchored so as to be at least 2,200 feet from any other vessel, but the number of vessels which may anchor in an anchorage at any one time shall be at the discretion of the Captain of the Port. This provision is not intended to prohibit barges or lighters from tying up alongside the vessels for the transfer of cargo.

(3) Whenever a vessel or barge not mechanically self-propelled anchors while carrying explosives or while awaiting the loading of explosives, the Captain of the Port may require the attendance of a tug upon such vessel or barge when in his judgment such action is necessary.

(4) Fishing and navigation are prohibited within an anchorage whenever occupied by an anchored vessel displaying a red flag.

(5) The District Engineer, U.S. Army Corps of Engineers, may authorize, in writing, a vessel carrying explosives for use on river and harbor works or on other work under Department of the Army permit, to anchor in or near the vicinity of such work. The Captain of the Port will prescribe the conditions under which explosives shall be stored and handled in such cases.

(6) Vessels carrying explosives or on which explosives are to be loaded, within the weight limit specified in paragraph (c)(1) of this section, shall comply with the general regulations in paragraph (b) of this section when applicable.

(7) Nothing in this section shall be construed as relieving any vessel or the owner or person-in-charge of any vessel, and all others concerned, of the duties and responsibilities imposed upon them to comply with the regulations governing the handling, loading or discharging of explosives entitled “Sub-

chapter C—Hazardous Materials Regulations” (49 CFR Parts 171 through 177).

§ 110.158 Baltimore Harbor, MD.

(a) The anchorage grounds—(1) Anchorage No. 1, general anchorage. In the Patapsco River at Fort McHenry angle beginning at latitude 39°15'13" N., longitude 76°34'06.5" W.; thence southwest to latitude 39°15'10.5" N., longitude 76°34'12.5" W.; thence southeast to latitude 39°14'52.3" N., longitude 76°33'54" W.; thence east-southeast to latitude 39°14'48" N., longitude 76°33'42" W.; thence northwest to the point of beginning. This anchorage shall be reserved for deep draft vessels and shall be used only by vessels waiting over-night to proceed to pier facilities. No vessel shall remain in this anchorage for more than 12 hours without a written permit from the Captain of the Port. Vessels anchored in this anchorage shall insure that they do not project into Fort McHenry Channel.

(2) Anchorage No. 2, general anchorage. In the Patapsco River beginning at latitude 39°15'01.43" N., longitude 76°33'43.39" W.; thence southeast to latitude 39°14'49.09" N., longitude 76°33'30.37" W.; thence northeast to latitude 39°14'38.49" N., longitude 76°33'15.63" W.; thence southeast to latitude 39°14'40.5" N., longitude 76°32'37" W.; thence northeast to latitude 39°14'50" N., longitude 76°32'11.5" W.; thence southwest to latitude 39°15'17.2" N., longitude 76°33'10.0" W.; thence northwest to latitude 39°15'18.95" N., longitude 76°33'15.46" W.; thence west to latitude 39°15'18.90" N., longitude 76°33'25.63" W.; thence southwest to latitude 39°15'08.17" N., longitude 76°33'38.79" W.; thence southwest to point of beginning. A vessel with a draft of over 24 feet may not use the anchorage. No vessel may remain in this anchorage for more than 72 hours without a written permit from the Captain of the Port.

(3) Anchorage No. 3, general anchorage. In the Patapsco River beginning at latitude 39°14'49.09" N., longitude
§ 110.158  33 CFR Ch. I (7–1–02 Edition)

76°33'30.37" W; thence southeast to latitude 39°14'14.70" N, 76°32'54.10" W; thence northeast to latitude 39°14'24.10" N, longitude 76°32'39.36" W; thence northwest to latitude 39°14'58.49" N, longitude 76°33'15.83" W; thence southwest to point of beginning. A vessel with a draft of less than 24 feet may not use the anchorage. No vessel may remain in this anchorage for more than 72 hours without a written permit from the Captain of the Port.

(4) Anchorages No. 4, general anchorage. In the Patapsco River 1,000 yards southwest of Dundalk Marine Terminal beginning at latitude 39°14'18.5", longitude 76°32'38.5"; thence southeast to latitude 39°14'00", longitude 76°32'19"; thence southwest to latitude 39°13'53", longitude 76°32'31"; thence northwest to latitude 39°14'11", longitude 76°32'50"; thence northeast to the point of beginning. This is a general anchorage for vessels with drafts of less than 30 feet. No vessel shall remain in this anchorage for more than 72 hours without a written permit from the Captain of the Port.

(5) Anchorages No. 5, general anchorage. In the Patapsco River in the angle between Fort McHenry Channel and Curtis Bay Channel beginning at latitude 39°14'07", longitude 76°32'38.5"; thence southeast to latitude 39°13'34", longitude 76°32'24"; thence south-southwest to latitude 39°13'22", longitude 76°32'29"; thence west to latitude 39°13'21", longitude 76°33'12"; thence north-northeast to the point of beginning. This is a general anchorage for vessels having drafts of 19 feet or less. No vessel shall remain in this anchorage for more than 72 hours without a written permit from the Captain of the Port.

(6) Anchorages No. 6, general anchorage. In the Patapsco River approximately 2,000 yards west of Sollars Point beginning at latitude 39°13'42.58" N, longitude 76°32'20.24" W thence southeast to latitude 39°13'20" N., longitude 76°31'56" W., thence northeast to latitude 39°13'34" N., longitude 76°31'33.5" W., thence northwest to latitude 39°14'02" N., longitude 76°32'02.9" W., thence southwest to latitude 39°13'50.5" N., longitude 76°32'20" W., thence south to point of beginning. A vessel with a draft over 20 feet may not use this general anchorage. No vessel may remain in this anchorage for more than 72 hours without a written permit from the Captain of the Port.

(7) [Reserved]

(8) Dead ship anchorage. The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>39°13'00.0&quot;N</td>
<td>76°34'11.5&quot;W</td>
</tr>
<tr>
<td>39°13'13.0&quot;N</td>
<td>76°34'11.9&quot;W</td>
</tr>
<tr>
<td>39°13'13.5&quot;N</td>
<td>76°34'06.8&quot;W</td>
</tr>
<tr>
<td>39°13'14.4&quot;N</td>
<td>76°33'39.3&quot;W</td>
</tr>
<tr>
<td>39°13'00.0&quot;N</td>
<td>76°33'31.0&quot;W</td>
</tr>
</tbody>
</table>

and thence to the point of beginning.

Datum: NAD 27

The primary use of this anchorage is to lay up dead ships. Such use has priority over other uses. A written permit from the Captain of the Port must be obtained prior to use of this anchorage for more than 72 hours.

(b) General regulations. (1) Except in cases where unforeseen circumstances create conditions of imminent peril, or with the permission of the Captain of the Port, no vessel shall be anchored in Baltimore Harbor and Patapsco River outside of the anchorage areas established in this section for more than 24 hours. No vessel shall anchor within a tunnel, cable or pipeline area shown on a Government chart. No vessel shall be moored, anchored, or tied up to any pier, wharf, or other vessel in such manner as to extend into established channel limits. No vessel shall be positioned so as to obstruct or endanger the passage of any other vessel.

(2) No vessel in such condition that it is likely to sink or otherwise become a menace or obstruction to navigation or anchorage of other vessels, shall occupy an anchorage except in cases where unforeseen circumstances create conditions of imminent peril to personnel and then only for such period as may be authorized by the Captain of the Port.

(3) Whenever, in the opinion of the Captain of the Port, such action may be necessary, he may require any vessel in a designated anchorage area to moor with two or more anchors.

(4) Every vessel that will not have sufficient personnel on board to weigh anchor at any time shall be anchored with two anchors with mooring swivel, unless the Captain of the Port, upon application, waives this requirement.
§ 110.159 Annapolis Harbor, MD.

(5) Light-draft barges shall be anchored away from the deeper portions of the anchorages, so as not to interfere with the anchoring of deep-draft vessels. Any barges towed in tandem to an anchorage area shall be nested together when anchoring.

(6) No vessel shall be navigated within an anchorage at a speed exceeding 6 knots.

(7) A vessel being notified by the Captain of the Port or his authorized representative to shift its position shall take steps to promptly make the change.

(8) Nothing in this section shall be construed as relieving any vessel, or the owner or person in charge of any vessel, from the penalties of law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the laws relating to lights, day signals and fog signals or other navigation laws and regulations.

Editorial Note: For Federal Register citations affecting §110.158, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 110.159 Annapolis Harbor, MD.

(a) The Anchorage Grounds—(1) Naval Anchorage for Deep Draft Vessels. In the Chesapeake Bay, bounded on the north by latitude 38°58'00"; on the east by a line bearing 203° from latitude 38°58'00", longitude 76°24'00"; on the south by latitude 38°56'30"; and on the west by a line bearing 139° from Greenbury Point Shoal Light. This anchorage is reserved for deep draft naval vessels. Berths in the area will be assigned upon application to the Superintendent, U.S. Naval Academy.

(2) Middle Ground Anchorage. Beginning at a point in the Severn River 139°, 620 yards from Triton Light (located at the intersection of the northeast and southeast seawall of the Naval Academy grounds); thence easterly to a point 112°30', 970 yards from Triton Light; thence southeasterly to a point 274°, 1,045 yards from the radio tower at the tip of Greenbury Point; thence south-southeasterly to a point 233°30', 920 yards from the radio tower at the tip of Greenbury Point; thence west to a point 295°, 1,015 yards from Greenbury Point Shoal Light; thence northwesterly to the point of beginning.

(3) South Anchorage. In the Severn River, beginning at a point on the shoreline at Horn Point, Eastport, 168°, 1,190 yards from Triton Light; thence east to a point 294°, 1,075 yards from Greenbury Point Shoal Light; thence northwesterly to a point 143°, 596 yards from Triton Light; thence westerly to a point 209° 700 yards from Triton Light; thence 180° to a point on the shoreline at Eastport. No vessel shall anchor within 100 feet of any wharf, marine railway, or other structure without the permission of the owner thereof.

(4) Naval Anchorage for Small Craft. In the Severn River, beginning at a point 80 feet off the southeast seawall of the Naval Academy bearing 132° from Triton Light; thence easterly to a point 072°30', 285 yards from Triton Light; thence southeasterly to a point 109°, 765 yards from Triton Light; thence westerly to a point 211°, 537 yards from Triton Light; thence northwesterly to a point 45 yards off the southeast seawall of the Naval Academy bearing 214°, 535 yards from Triton Light; thence northeasterly to the point of beginning. Except in the case of emergency, no vessel shall be anchored in this area without the permission of the Superintendent, U.S. Naval Academy. Anchorages will be assigned upon request to the Superintendent, U.S. Naval Academy.

(5) Spa Creek Anchorage. In Spa Creek, those waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>38°58'37.3&quot; N</td>
<td>76°29'57.7&quot; W</td>
</tr>
<tr>
<td>38°58'16.1&quot; N</td>
<td>76°29'03.3&quot; W</td>
</tr>
<tr>
<td>38°58'26.7&quot; N</td>
<td>76°28'59.5&quot; W</td>
</tr>
</tbody>
</table>

Datum: NAD 83

Note: The City Council of Annapolis has promulgated local ordinances to the control building of structures, and mooring and anchorage of vessels in anchorages (a)(3), and (a)(5). These local ordinances will be enforced by the local Harbor Master.

(b) The regulations. (1) Except in the case of emergency, no vessel shall be anchored in the area to the north and east of the Annapolis Channel bounded on the east by Greenbury Point; on the
§ 110.166 York River, Va., naval anchorage.

(a) The anchorage grounds. Between Yorktown and the Naval Mine Depot, beginning at latitude 37°15′31″, longitude 76°32′21.5″; thence to latitude 37°15′25″, longitude 76°31′39.5″; thence to latitude 37°16′21.5″, longitude 76°32′46″; thence to latitude 37°17′07.5″, longitude 76°34′17″; thence to latitude 37°17′55″, longitude 76°35′14.5″; thence to latitude 37°18′05″, longitude 76°35′01″; thence to latitude 37°17′20″, longitude 76°34′07″; thence to latitude 37°16′33.5″, longitude 76°32′34″, and thence to the point of beginning.

(b) The regulations. This anchorage is reserved for the exclusive use of naval vessels and except in cases of emergency, no other vessel shall anchor therein without permission from the local naval authorities, obtained through the Captain of the Port, Norfolk, Virginia. Movement of vessels through the anchorage will not be restricted.

§ 110.168 Hampton Roads, Virginia, and adjacent waters.

(a) Anchorage Grounds—(1) Cape Henry Anchorage. Anchorage A (Naval Anchorage). The waters bounded by the shoreline and a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°55′33.0″ N.</td>
<td>76°02′47.0″ W.</td>
</tr>
<tr>
<td>36°57′02.8″ N.</td>
<td>76°07′02.6″ W.</td>
</tr>
<tr>
<td>36°56′45.0″ N.</td>
<td>76°01′39.0″ W.</td>
</tr>
<tr>
<td>36°55′54.0″ N.</td>
<td>76°01′37.0″ W.</td>
</tr>
</tbody>
</table>

(2) Chesapeake Bay, Thimble Shoals Channel Anchorage—(1) Anchorage B (Naval Anchorage). The waters bounded by a line connecting the following points:
Anchorage C (Naval Anchorage). The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°58′34.8″ N.</td>
<td>76°09′41.5″ W.</td>
</tr>
<tr>
<td>36°58′16.8″ N.</td>
<td>76°07′16.0″ W.</td>
</tr>
<tr>
<td>36°57′27.9″ N.</td>
<td>76°07′37.5″ W.</td>
</tr>
<tr>
<td>36°58′04.0″ N.</td>
<td>76°10′00.0″ W.</td>
</tr>
</tbody>
</table>

(ii) Anchorage D (Naval Anchorage). The waters bounded by the shoreline and a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°55′19.0″ N.</td>
<td>76°10′32.8″ W.</td>
</tr>
<tr>
<td>36°58′04.0″ N.</td>
<td>76°10′02.1″ W.</td>
</tr>
<tr>
<td>36°57′31.2″ N.</td>
<td>76°07′34.8″ W.</td>
</tr>
<tr>
<td>36°55′24.1″ N.</td>
<td>76°08′28.8″ W.</td>
</tr>
</tbody>
</table>

(iii) Anchorage E (Commercial Explosive Anchorage). The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°59′38.7″ N.</td>
<td>76°13′47.0″ W.</td>
</tr>
<tr>
<td>36°59′08.2″ N.</td>
<td>76°10′33.8″ W.</td>
</tr>
<tr>
<td>36°58′13.0″ N.</td>
<td>76°10′51.8″ W.</td>
</tr>
<tr>
<td>36°59′02.0″ N.</td>
<td>76°14′10.2″ W.</td>
</tr>
</tbody>
</table>

(A) Explosive Handling Berth E–1: (Explosives Anchorage Berth). The waters bounded by the arc of a circle with a radius of 500 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°59′05.0″ N.</td>
<td>76°11′23.0″ W.</td>
</tr>
</tbody>
</table>

(3) Hampton Roads Anchorages—(i) Anchorage F, Hampton Bar. The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°59′31.6″ N.</td>
<td>76°19′12.0″ W.</td>
</tr>
<tr>
<td>36°59′25.2″ N.</td>
<td>76°18′48.5″ W.</td>
</tr>
<tr>
<td>36°58′49.1″ N.</td>
<td>76°19′33.8″ W.</td>
</tr>
<tr>
<td>36°59′25.0″ N.</td>
<td>76°20′07.0″ W.</td>
</tr>
</tbody>
</table>

(A) Anchorage Berth F–1. The waters bounded by the arc of a circle with a radius of 400 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°59′16.7″ N.</td>
<td>76°19′39.0″ W.</td>
</tr>
</tbody>
</table>

(B) Anchorage Berth F–2. The waters bounded by the arc of a circle with a radius of 400 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°59′31.3″ N.</td>
<td>76°19′16.0″ W.</td>
</tr>
</tbody>
</table>

(ii) Anchorage G, Hampton Flats (Naval Explosives Anchorage). The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°58′25.0″ N.</td>
<td>76°20′07.0″ W.</td>
</tr>
<tr>
<td>36°58′49.1″ N.</td>
<td>76°19′33.8″ W.</td>
</tr>
<tr>
<td>36°57′41.4″ N.</td>
<td>76°21′07.7″ W.</td>
</tr>
<tr>
<td>36°57′34.6″ N.</td>
<td>76°21′26.7″ W.</td>
</tr>
<tr>
<td>36°57′31.1″ N.</td>
<td>76°22′01.9″ W.</td>
</tr>
<tr>
<td>36°56′07.0″ N.</td>
<td>76°22′03.0″ W.</td>
</tr>
<tr>
<td>36°58′54.8″ N.</td>
<td>76°21′42.6″ W.</td>
</tr>
</tbody>
</table>

(A) Explosives Handling Berth G–1. The waters bounded by the arc of a circle with a radius of 500 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°57′50.0″ N.</td>
<td>76°21′37.0″ W.</td>
</tr>
</tbody>
</table>

(B) Explosives Handling Berth G–2. The waters bounded by the arc of a circle with a radius of 500 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°58′14.0″ N.</td>
<td>76°21′01.5″ W.</td>
</tr>
</tbody>
</table>

(C) Explosives Handling Berth G–3. The waters bounded by the arc of a circle with a radius of 500 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°58′34.5″ N.</td>
<td>76°20′31.0″ W.</td>
</tr>
</tbody>
</table>

(D) Explosives Handling Berth G–4. The waters bounded by the arc of a circle with a radius of 500 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°58′33.4″ N.</td>
<td>76°20′05.0″ W.</td>
</tr>
</tbody>
</table>
§ 110.168

(iii) *Anchorage H, Newport News Bar.* The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°58′07.0″ N.</td>
<td>76°22′03.0″ W.</td>
</tr>
<tr>
<td>36°57′31.1″ N.</td>
<td>76°22′01.9″ W.</td>
</tr>
<tr>
<td>36°57′18.0″ N.</td>
<td>76°24′11.2″ W.</td>
</tr>
<tr>
<td>36°57′38.3″ N.</td>
<td>76°24′20.6″ W.</td>
</tr>
<tr>
<td>36°57′18.8″ N.</td>
<td>76°22′31.0″ W.</td>
</tr>
</tbody>
</table>

(4) *James River Anchorages—(i) Anchorage I, Newport News.* The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°57′06.7″ N.</td>
<td>76°24′44.3″ W.</td>
</tr>
<tr>
<td>36°56′22.8″ N.</td>
<td>76°24′26.0″ W.</td>
</tr>
<tr>
<td>36°56′03.0″ N.</td>
<td>76°24′37.0″ W.</td>
</tr>
<tr>
<td>36°57′33.7″ N.</td>
<td>76°26′41.5″ W.</td>
</tr>
<tr>
<td>36°58′23.0″ N.</td>
<td>76°27′11.0″ W.</td>
</tr>
<tr>
<td>36°58′46.5″ N.</td>
<td>76°27′11.0″ W.</td>
</tr>
<tr>
<td>36°58′35.4″ N.</td>
<td>76°26′38.4″ W.</td>
</tr>
<tr>
<td>36°57′31.7″ N.</td>
<td>76°26′02.8″ W.</td>
</tr>
<tr>
<td>36°57′30.6″ N.</td>
<td>76°25′34.5″ W.</td>
</tr>
</tbody>
</table>

(A) *Anchorage Berth I-1.* The waters bounded by the arc of a circle with a radius of 400 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°57′08.5″ N.</td>
<td>76°25′21.6″ W.</td>
</tr>
</tbody>
</table>

(B) *Anchorage Berth I-2.* The waters bounded by the arc of a circle with a radius of 400 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°57′22.4″ N.</td>
<td>76°25′47.7″ W.</td>
</tr>
</tbody>
</table>

(ii) *Anchorage J, Newport News Middle Ground.* The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°57′21.0″ N.</td>
<td>76°22′21.1″ W.</td>
</tr>
<tr>
<td>36°56′46.5″ N.</td>
<td>76°22′39.3″ W.</td>
</tr>
<tr>
<td>36°56′25.3″ N.</td>
<td>76°23′48.0″ W.</td>
</tr>
<tr>
<td>36°57′10.2″ N.</td>
<td>76°24′09.9″ W.</td>
</tr>
</tbody>
</table>

(iii) *Anchorage K, Newport News Middle Ground.* The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°57′35.8″ N.</td>
<td>76°20′31.9″ W.</td>
</tr>
<tr>
<td>36°57′07.9″ N.</td>
<td>76°20′32.2″ W.</td>
</tr>
<tr>
<td>36°56′48.8″ N.</td>
<td>76°20′20.1″ W.</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°55′59.9″ N.</td>
<td>76°22′11.7″ W.</td>
</tr>
<tr>
<td>36°55′59.9″ N.</td>
<td>76°22′09.0″ W.</td>
</tr>
<tr>
<td>36°56′25.3″ N.</td>
<td>76°22′48.0″ W.</td>
</tr>
<tr>
<td>36°56′46.5″ N.</td>
<td>76°22′39.3″ W.</td>
</tr>
<tr>
<td>36°57′21.0″ N.</td>
<td>76°22′22.1″ W.</td>
</tr>
<tr>
<td>36°57′28.1″ N.</td>
<td>76°21′11.7″ W.</td>
</tr>
</tbody>
</table>

(A) *Anchorage Berth K-1.* The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°57′56.1″ N.</td>
<td>76°20′31.5″ W.</td>
</tr>
<tr>
<td>36°57′08.0″ N.</td>
<td>76°20′32.2″ W.</td>
</tr>
<tr>
<td>36°57′28.1″ N.</td>
<td>76°21′11.7″ W.</td>
</tr>
</tbody>
</table>

(B) *Anchorage Berth K-2.* The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°57′23.4″ N.</td>
<td>76°20′38.5″ W.</td>
</tr>
<tr>
<td>36°57′20.1″ N.</td>
<td>76°21′11.7″ W.</td>
</tr>
<tr>
<td>36°57′15.0″ N.</td>
<td>76°20′46.4″ W.</td>
</tr>
<tr>
<td>36°57′02.1″ N.</td>
<td>76°21′09.5″ W.</td>
</tr>
</tbody>
</table>

(C) *Anchorage Berth K-3.* The waters bounded by the arc of a circle with a radius of 300 yards and with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°57′12.9″ N.</td>
<td>76°22′14.2″ W.</td>
</tr>
</tbody>
</table>

(iv) *Anchorage Berth L, Craney Island Flats.* The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°56′48.8″ N.</td>
<td>76°20′20.1″ W.</td>
</tr>
<tr>
<td>36°56′04.2″ N.</td>
<td>76°20′23.7″ W.</td>
</tr>
<tr>
<td>36°55′59.9″ N.</td>
<td>76°22′11.7″ W.</td>
</tr>
</tbody>
</table>

(5) *Norfolk Harbor Channel Anchorages—(i) Anchorage M.* The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°55′37.6″ N.</td>
<td>76°19′48.1″ W.</td>
</tr>
<tr>
<td>36°55′22.1″ N.</td>
<td>76°19′48.1″ W.</td>
</tr>
<tr>
<td>36°55′20.5″ N.</td>
<td>76°20′14.9″ W.</td>
</tr>
<tr>
<td>36°55′36.8″ N.</td>
<td>76°20′13.6″ W.</td>
</tr>
</tbody>
</table>

(ii) *Anchorage N.* The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°54′35.3″ N.</td>
<td>76°19′47.5″ W.</td>
</tr>
</tbody>
</table>
The following points:

(iii) **Anchorage O.** The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°53′29.0″N</td>
<td>76°19′16.3″W</td>
</tr>
<tr>
<td>36°53′00.0″N</td>
<td>76°19′29.9″W</td>
</tr>
<tr>
<td>36°53′10.9″N</td>
<td>76°20′01.2″W</td>
</tr>
<tr>
<td>36°53′00.0″N</td>
<td>76°20′06.1″W</td>
</tr>
</tbody>
</table>

(6) **Elizabeth River Anchorages**—(i) **Anchorage P, Lambert’s Point.** The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°52′10.0″N</td>
<td>76°20′07″W</td>
</tr>
<tr>
<td>36°52′39.5″N</td>
<td>76°20′37.8″W</td>
</tr>
<tr>
<td>36°52′18.8″N</td>
<td>76°20′34.3″W</td>
</tr>
<tr>
<td>36°52′22.2″N</td>
<td>76°20′06.8″W</td>
</tr>
</tbody>
</table>

(ii) **Anchorage Q.** The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°52′17.8″N</td>
<td>76°19′38.8″W</td>
</tr>
<tr>
<td>36°52′01.1″N</td>
<td>76°19′15.5″W</td>
</tr>
<tr>
<td>36°51′36.4″N</td>
<td>76°19′21.7″W</td>
</tr>
<tr>
<td>36°52′22.8″N</td>
<td>76°19′46.1″W</td>
</tr>
</tbody>
</table>

(iii) **Anchorage R, Port Norfolk.** The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°51′45.7″N</td>
<td>76°19′31.5″W</td>
</tr>
<tr>
<td>36°51′45.8″N</td>
<td>76°19′20.7″W</td>
</tr>
<tr>
<td>36°51′37.8″N</td>
<td>76°19′24.3″W</td>
</tr>
<tr>
<td>36°51′32.5″N</td>
<td>76°19′31.1″W</td>
</tr>
<tr>
<td>36°51′40.7″N</td>
<td>76°19′37.3″W</td>
</tr>
<tr>
<td>36°51′45.7″N</td>
<td>76°19′31.5″W</td>
</tr>
</tbody>
</table>

(iv) **Anchorage S, Port Norfolk.** The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°51′22.1″N</td>
<td>76°19′15.5″W</td>
</tr>
<tr>
<td>36°51′33.1″N</td>
<td>76°19′02.6″W</td>
</tr>
<tr>
<td>36°51′31.9″N</td>
<td>76°19′17.0″W</td>
</tr>
</tbody>
</table>

(v) **Anchorage T, Hospital Point.** The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>36°51′05.4″N</td>
<td>76°18′22.4″W</td>
</tr>
<tr>
<td>36°50′54.2″N</td>
<td>76°17′32.2″W</td>
</tr>
<tr>
<td>36°50′36.7″N</td>
<td>76°17′38.8″W</td>
</tr>
<tr>
<td>36°50′31.6″N</td>
<td>76°17′38.8″W</td>
</tr>
<tr>
<td>36°50′49.3″N</td>
<td>76°18′09.0″W</td>
</tr>
<tr>
<td>36°50′50.3″N</td>
<td>76°18′07.8″W</td>
</tr>
<tr>
<td>36°50′56.2″N</td>
<td>76°18′12.5″W</td>
</tr>
<tr>
<td>36°51′01.8″N</td>
<td>76°18′32.3″W</td>
</tr>
</tbody>
</table>

(7) **Anchorage U, The Hague.** The waters of the basin known as “The Hague”, north of the Brambleton Avenue Bridge, except for the area within 100 feet of the bridge span that provides access to and from the Elizabeth River.

(b) **Definitions.** As used in this section:

(1) “Dangerous cargo” means “certain dangerous cargo” as defined in §160.203 of this title.

(2) **Class 1 (explosive) materials** means Division 1.1, 1.2, 1.3, and 1.4 explosives, as defined in 49 CFR 173.50.

(c) **General regulations.** (1) Except as otherwise provided, this section applies to vessels over 20 meters long and vessels carrying or handling dangerous cargo or Class 1 (explosive) materials while anchored in an anchorage ground described in this section.

(2) Except as otherwise provided, a vessel may not occupy an anchorage for more than 30 days, unless the vessel obtains a permit from the Captain of the Port.

(3) Except in an emergency, a vessel that is likely to sink or otherwise become a menace or obstruction to navigation or the anchoring of other vessels may not occupy an anchorage, unless the vessel obtains a permit from the Captain of the Port.

(4) The Captain of the Port may, upon application, assign a vessel to a specific berth within an anchorage for a specified period of time.

(5) The Captain of the Port may grant a revocable permit to a vessel for a habitual use of a berth. Only the vessel that holds the revocable permit may use the berth during the period that the permit is in effect.

(6) The Commander, Fifth Coast Guard District, may authorize the establishment and placement of temporary mooring buoys within a berth. Placement of a fixed structure within an anchorage may be authorized by the
§ 110.168

District Engineer, U.S. Army Corps of Engineers.

(7) If an application is for the long-term lay up of a vessel, the Captain of the Port may establish special conditions in the permit with which the vessel must comply.

(8) Upon notification by the Captain of the Port to shift its position within an anchorage, a vessel at anchor shall get underway at once or signal for a tug. The vessel shall move to its new location in a prompt manner.

(9) The Captain of the Port may prescribe specific conditions for vessels anchoring within the anchorages described in this section, including, but not limited to, the number and location of anchors, scope of chain, readiness of engineering plant and equipment, usage of tugs, and requirements for maintaining communications guards on selected radio frequencies.

(10) A vessel that does not have a sufficient crew on board to weigh anchor at any time shall have two anchors in place with a mooring swivel, unless the Captain of the Port shall waive this requirement. Members of the crew may not be released until the required anchors have been set.

(11) No vessel at anchor or at a mooring within an anchorage may transfer oil to another vessel unless the vessel has given the Captain of the Port the four hours advance notice required by §156.118 of this title.

(12) Barges may not anchor in the deeper portions of anchorages or interfere with the anchoring of deep-draft vessels.

(13) Barges towed in tandem to an anchorage shall be nested together when anchored.

(14) Any vessel anchored or moored in an anchorage adjacent to the Chesapeake Bay Bridge Tunnel or I-664 Bridge Tunnel shall be capable of getting underway within 30 minutes with sufficient power to keep free of the bridge tunnel complex.

(15) A vessel may not anchor or moor in an anchorage adjacent to the Chesapeake Bay Bridge Tunnel or I-664 Bridge Tunnel if its steering or main propulsion equipment is impaired.

(d) Regulations for vessels handling or carrying dangerous cargoes or Class 1 (explosive) materials. (1) This paragraph (d) applies to every vessel, except a naval vessel, handling or carrying dangerous cargoes or Class 1 (explosive) materials.

(2) Unless otherwise directed by the Captain of the Port, each vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials must be anchored or moored within Anchorage Berth E-1.

(3) Each vessel, including each tug and stevedore boat, used for loading or unloading dangerous cargoes or Class 1 (explosive) materials in an anchorage, must carry a written permit issued by the Captain of the Port.

(4) The Captain of the Port may require every person having business aboard a vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials while in an anchorage, other than a member of the crew, to hold either a pass issued by the Captain of the Port or another form of identification prescribed by the Captain of the Port.

(5) Each person having business aboard a vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials while in an anchorage, other than a member of the crew, shall present the pass or other form of identification prescribed by paragraph (d)(4) of this section to any Coast Guard boarding officer who requests it.

(6) The Captain of the Port may revoke at any time a pass issued under the authority of paragraph (d)(4) of this section.

(7) Each non-self-propelled vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials must have a tug in attendance at all times while at anchor.

(8) Each vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials while at anchor must display by day a red flag in a prominent location and by night a fixed red light.

(e) Quarantine Anchorage Regulations.

(1) Anchorage Berth K-3 is the “Quarantine Anchorage”.

(2) Any vessel that requires examination by quarantine, customs, or immigration authorities, but whose draft or size prevents it from using Anchorage Berth K-3, may anchor in another anchorage that it is otherwise authorized to use, if the vessel notifies the Captain of the Port and the agency that...
ordered the vessel to the “Quarantine Anchorage”.

(f) Regulations for Specific Anchorages. 

(1) Anchorage A. Except for a naval vessel, military support vessel, or vessel in an emergency situation, a vessel may not anchor in Anchorage A without the permission of the Captain of the Port. The Captain of the Port shall consult with the Commander, Naval Amphibious Base Little Creek, before granting a vessel permission to anchor in Anchorage A.

(2) Anchorages B and C. Except for a naval vessel, a vessel may not anchor in Anchorage B or C without the permission of the Captain of the Port. The Captain of the Port shall consult with the Commander, Naval Amphibious Base Little Creek, before granting a vessel permission to anchor in Anchorage B or C.

(3) Anchorage D. Except for a naval vessel or vessel in an emergency situation, a vessel may not anchor in Anchorage D without the permission of the Captain of the Port. The Captain of the Port shall consult with the Commander, Naval Amphibious Base Little Creek, before granting a vessel permission to anchor in Anchorage D.

(4) Anchorage E. (i) A vessel may not anchor in Anchorage E without a permit issued by the Captain of the Port. The Captain of the Port shall give commercial vessels priority over naval and public vessels.

(ii) The Captain of the Port may at any time revoke a permit to anchor in Anchorage E issued under the authority of paragraph (f)(4)(i) of this section.

(iv) A vessel may not anchor in Anchorage Berth E-1, unless it is handling or carrying dangerous cargoes or Class 1 (explosive) materials.

(v) A vessel may not anchor within 500 yards of Anchorage Berth E-1 without the permission of the Captain of the Port, if the berth is occupied by a vessel handling or carrying dangerous cargoes or Class 1 (explosive) materials.

(5) Anchorage F. A vessel less than 700 feet long or having a draft less than 40 feet may not anchor in Anchorage F without the permission of the Captain of the Port.

(6) Anchorage G. (i) Except for a naval vessel, a vessel may not anchor in Anchorage G without the permission of the Captain of the Port.

(ii) When handling or transferring Class 1 (explosive) materials in Anchorage G, naval vessels must comply with Department of Defense Ammunition and Explosives Safety Standards, or the standards in this section, whichever are the more stringent.

(iii) When barges and other vessels carrying Class 1 (explosive) materials are berthed at the Ammunition Barge Mooring Facility, located at latitude 36°58′34″ N., longitude 76°31′12″ W., no other vessel, except a vessel that is receiving or offloading Class 1 (explosive) materials, may anchor within 1,000 yards of the Ammunition Barge Mooring Facility.

(iv) Whenever a vessel is handling or transferring Class 1 (explosive) materials while at anchor in Anchorage G, no other vessel may anchor in Anchorage G without the permission of the Captain of the Port. The Captain of the Port shall consult with the Commander, Naval Base Norfolk, before granting a vessel permission to anchor in Anchorage G.

(v) A vessel located within Anchorage G may not handle or transfer Class 1 (explosive) materials within 400 yards of Norfolk Harbor Entrance Reach.

(vi) A vessel may not handle or transfer Class 1 (explosive) materials within 850 yards of another anchored vessel, unless the other vessel is also handling or transferring Class 1 (explosive) materials.

(vii) A vessel may not handle or transfer Class 1 (explosive) materials within 850 yards of Anchorage F or H.

(7) Anchorage I—Anchorage Berths I-1 and I-2. A vessel that is 500 feet or less in length or that has a draft of 30 feet or less may not anchor in Anchorage Berth I-1 or I-2 without the permission of the Captain of the Port.

(8) Anchorage K—(i) Anchorage Berths K-1 and K-2. A vessel that is 500 feet or less in length or that has a draft of 30 feet or less may not anchor in Anchorage Berth K-1 or K-2 without the permission of the Captain of the Port.

(ii) A vessel that is arriving from or departing for sea and that requires an examination by public health, customs, or immigration authorities may anchor in the Anchorage Berth K-3.
§ 110.170 Lockwoods Folly Inlet, N.C.

(a) Explosives Anchorage. Beginning at a point southeast of Shallotte Inlet at latitude 33°52′31″, longitude 78°18′49″; thence south to latitude 33°51′31″, longitude 78°14′35″; thence north to latitude 33°52′32″, longitude 78°14′40″; thence west to the point of beginning.

(b) General regulations. (1) This anchorage is reserved for the exclusive use of vessels carrying explosives.

(2) Vessels in this anchorage shall not anchor closer than 1,500 yards to one another. This provision is not intended to prohibit barges or lighters from lying alongside vessels for transfer of cargo.

(3) The maximum quantity of explosives aboard any vessel that may be in this anchorage is 8,000 tons.

(4) Nothing in this section shall be construed as relieving the owner, master, or person in charge of any vessel from the penalties of the law for obstructing navigation or for not complying with the navigation laws in regard to lights, fog signals, etc.

[CGFR 69–1, 34 FR 839, Jan. 18, 1969]

§ 110.173 Port of Charleston, SC.

(a) The anchorage grounds. (1) Commercial Anchorage A. This anchorage is located adjacent to the western edge of Folly Island Channel and southwest of Rebellion Reach and is bounded by the following coordinates:

32°45′34″ N., 79°52′12″ W.; to 32°46′17″ N., 79°53′21″ W.; to 32°45′51″ N., 79°53′23″ W.; to 32°45′34″ N., 79°52′55″ W.; thence back to 32°45′34″ N., 79°52′12″ W.

(2) Commercial Anchorage B. This anchorage is located adjacent to the south side of South Channel and bounded by the following coordinates:

32°45′28″ N., 79°53′40″ W.; to 32°45′28″ N., 79°54′16″ W.; to 32°45′19″ N., 79°54′16″ W.; to 32°45′12″ N., 79°54′06″ W.; to 32°45′16″ N., 79°53′40″ W.; thence back to 32°45′28″ N., 79°53′40″ W.

(3) Commercial Anchorage C. This anchorage is located 1,800 yards, 118° true from St. Michaels Church Spire and has a diameter of 500 yards. Vessels using this anchorage must anchor in the center.

(4) Commercial Anchorage D. This anchorage is located 31°30′ true, 1375 yards from St. Michaels Church Spire and has a diameter of 1400 feet. The use of
Coast Guard, DOT

§ 110.179

this anchorage is limited to loaded vessels for a period of not more than 24 hours.

(b) The regulations. (1) Except in cases of great emergency, no vessel shall be anchored in the main ship channels as defined by broken lines marking their boundaries on NOAA Chart 11524. Vessels must be anchored in such a way as not to interfere with the free navigation of channels in the port, including Cooper, Ashley, Wando Rivers, and Town Creek, nor to obstruct the approach to any pier or entrance to any slip, nor to impede the movement of any vessel or craft.

(2) Vessels using the anchorages opposite the eastern waterfront of Charleston shall place their anchors as near as possible in the center of the anchorage. Vessels not using a designated commercial anchorage shall not place their anchors within the main ship channels, nor shall be so anchored as to swing within 400 feet of any wharf or pier on the eastern waterfront of Charleston. Vessels may be so anchored as to swing into the main ship channels only if they are so placed with reference to the customary winds, tides, and currents of the harbor, as to swing only during slack water, and that during this period there shall remain in the waters adjacent to the channel an area of sufficient depth as to permit the safe passage of loaded vessels.

(3) No vessel may anchor within the designated anchorages for more than 72 hours without the prior approval of the Captain of the Port.

(4) No vessel may anchor unless it maintains a bridge watch, guards and answers Channel 16 FM, and maintains an accurate position plot.

(5) If any anchored vessel is so close to another that a collision is probable, each vessel must communicate with the other vessel and the Captain of the Port on Channel 16 FM and shall act to eliminate the close proximity situation.

(6) No vessel may anchor unless it maintains the capability to get underway within 4 hours.

(7) No vessel may anchor in a “dead ship” status (propulsion or control unavailable for normal operations) without the prior approval of the Captain of the Port.

(8) Dragging of anchors in or across main ship channels and cable areas is prohibited.

(9) Vessels which, through force of great emergency, are anchored contrary to the foregoing regulations in this section shall be shifted to new berths in accordance with such regulations at the earliest opportunity.

(10) A vessel, upon notification from the Captain of the Port to shift its position in anchorage grounds must get underway at once or signal for a tug, and must change position as directed with reasonable promptness.

(11) No vessel may conduct lightering operations in an anchorage without permission from the Captain of the Port.

(12) When the use of an anchorage is required by naval vessels, the vessels anchored therein shall move when the Captain of the Port directs them.

(13) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel from the penalties of law for obstructing navigation, or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, etc.

[CGD7 83-15, 49 FR 26587, June 28, 1984]

§ 110.179 Skidaway River, Isle of Hope, Ga.

(a) The anchorage ground. An area in Skidaway River beginning at a point on the mean low water line 400 feet south of Brady Boat Works, thence 76°30′, 300 feet to a buoy; thence 152°30′, 900 feet to a buoy; thence 251°00′, 450 feet to the mean low water line at Wymberly Yacht Club dock.

(b) The regulations. (1) Except in cases of great emergency, no vessels shall anchor in Skidaway River between the north end of Barbee’s dock and southward to Day Marker 48 except in the anchorage area hereby defined and established: Provided, however, That vessels may moor to any lawfully constructed wharf.

(2) Except in cases of great emergency, no vessel shall be anchored where it can swing within 50 feet of any lawfully constructed wharf or within 50 feet of the mean low water line, nor shall any vessel be so anchored that any portion of the hull or rigging shall
§ 110.182 Atlantic Ocean off Fort George Inlet, near Mayport, Fla.

(a) The Anchorage areas—(1) Anchorages for aircraft carriers and other deep draft vessels. Four circular areas each with a radius of 600 yards and with their centers located at: “A”—latitude 30°25′35″, longitude 81°21′23″; “B”—latitude 30°26′13″, longitude 81°21′13″; “C”—latitude 30°26′19″, longitude 81°20′27″; “D”—latitude 30°26′55″, longitude 81°20′47″.

(2) No vessels with an overall length greater than 65 feet will use the anchorage area except in cases of great emergency.

(3) Any vessel anchoring under circumstances of great emergency outside the anchorage area should be placed in such a position as not to interfere with the free navigation of the channel nor obstruct the approach to any lawfully constructed wharf nor impede the movement of any boat, and shall move away immediately after the emergency ceases or upon notification of the District Commander.

(4) Vessels operating within the anchorage area will not exceed a speed of five (5) miles per hour.

(b) Anchorages for destroyers and other ships of similar size. Six circular areas each with a radius of 300 yards and with their centers located at: “1”—latitude 30°24′38″; longitude 81°21′57″; “2”—latitude 30°24′57″, longitude 81°21′53″; “3”—latitude 30°24′56″, longitude 81°21′38″; “4”—latitude 30°25′13″, longitude 81°22′05″; “5”—latitude 30°25′13″, longitude 81°21′43″; “6”—latitude 30°25′07″, longitude 81°21′24″.

(c) Explosives anchorage. The circular area “A” described in paragraph (a)(1) of this section is also designated as an explosives anchorage for use during periods when ammunition must be handled outside the limits of the U.S. Naval Station, Mayport, Fla.

(d) Prudent assignment of the anchorage areas. (1) Usage of these areas by naval vessels shall predominate only when necessary for military requirements; at such times other vessels shall remain clear of the areas.

(2) Prudent assignment of the anchorage areas shall be made by the Commanding Officer, U.S. Naval Station, Mayport, Fla.

(c) Additional regulations for Explosives Anchorage Area “A”. (1) When occupied by a vessel handling explosives, no other vessel may enter the area unless authorized by the enforcing agency.

(2) Only one vessel handling explosives may anchor in the area at one time. A patrol craft shall be utilized to assure that other vessels remain clear when explosives are exposed or being transferred to and from the anchorage.

(3) No more than 500,000 pounds net high explosives or equivalent may be exposed in the area at any one time.

(4) The regulations in this section shall be enforced by the Commanding Officer, U.S. Naval Station, Mayport, Fla., or other agencies that he may designate.

§ 110.183 St. Johns River, Florida.

(a) The anchorage grounds—(1) Anchorage A. (Upper Anchorage) The Anchorage is established within the following coordinates, the area enclosed by a line starting at the south shore westerly of the entrance to Miller Creek at 30°18′33.8″ N, 81°38′15.0″ W; thence to 30°18′32.8″ N, 81°38′15.0″ W; thence to 30°18′37.6″ N, 81°37′47.6″ W; thence to 30°18′55.0″ N, 81°37′29.0″ W; thence to 30°19′06.0″ N, 81°37′27.0″ W; thence to 30°19′06.0″ N, 81°37′02.0″ W; thence to 30°19′01.2″ N, 81°37′02.0″ W; thence returning to the point of beginning.

(2) Anchorage B. (Lower Anchorage) The Anchorage is established within the following coordinates, the area enclosed by a line starting at a point on the eastern shore of the river at ‘Floral Bluff’ at 30°21′00.0″ N, 81°36′41.0″ W; thence to 30°20′00.0″ N, 81°37′03.0″ W; thence to 30°21′00.0″ N, 81°37′06.0″ W; thence to 30′21′50.0″ N. 81°36′36.0″ W; thence to 30°21′54.0″ N, 81°36′48.0″ W; thence returning to the point of beginning.

(b) The regulations. (1) Except in cases of emergency, only vessels meeting the conditions and restrictions of this paragraph will be authorized by the Captain of the Port to anchor in the St. Johns River, as depicted on NOAA chart 11491, between the entrance buoy (STJ) and the Main Street Bridge (in...
(2) Anchorages A and B are temporary anchorages. Additionally, Anchorage B is used as a turning basin. Vessels may not anchor for more than 24 hours in either anchorage without specific written authorization from the Captain of the Port.

(3) Anchorages A and B shall notify the Captain of the Port prior to entering.

(4) All vessels at anchor must maintain a watch on VHF–FM channels 13 and 16 by a person fluent in English, and shall make a security broadcast on channel 13 upon anchoring and every 4 hours thereafter.

(5) Anchorage A is restricted to vessels less than 250 feet in length.

(6) Anchorage B is restricted to vessels with a draft of 24 feet or less, and any vessels transiting the area.

(7) Any vessel transferring petroleum products within Anchorage B shall have a pilot or Docking Master aboard, and employ sufficient assist tugs to assure the safety of the vessel at anchor and any vessels transiting the area.

(8) Any vessel over 300 feet in length within Anchorage B shall have a Pilot or Docking Master aboard, and employ sufficient assist tugs to assure the safety of the vessel at anchor and any vessels transiting the area.

§ 110.186 Port Everglades, Florida.

(a) The anchorage grounds. (1) Anchorage A. A rectangular area the center of which is approximately two miles northeast of the entrance to Port Everglades with the following NAD 83 coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>26°07'46&quot; N.</td>
<td>80°05'31&quot; W.</td>
</tr>
<tr>
<td>26°07'46&quot; N.</td>
<td>80°05'01&quot; W.</td>
</tr>
<tr>
<td>26°06'30&quot; N.</td>
<td>80°05'01&quot; W.</td>
</tr>
<tr>
<td>26°02'30&quot; N.</td>
<td>80°03'16&quot; W.</td>
</tr>
</tbody>
</table>

(2) Anchorage B. An area bounded by a line connecting points with the following NAD 83 coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>26°07'16&quot; N.</td>
<td>80°04'38&quot; W.</td>
</tr>
<tr>
<td>26°07'56&quot; N.</td>
<td>80°04'34&quot; W.</td>
</tr>
<tr>
<td>26°07'56&quot; N.</td>
<td>80°02'42&quot; W.</td>
</tr>
<tr>
<td>26°07'16&quot; N.</td>
<td>80°02'54&quot; W.</td>
</tr>
</tbody>
</table>

(b) The regulations. (1) Vessels in the Atlantic Ocean near Lake Worth Inlet awaiting berthing space at the Port of Palm Beach, shall only anchor within the anchorage areas hereby defined and established, except in cases of great emergency.

(2) Vessels anchoring under circumstances of great emergency outside the anchorage areas shall be shifted to new positions within the anchorage areas immediately after the emergency ceases.

[CGD 7-85-10, 51 FR 11726, Apr. 7, 1986]

§ 110.185 Atlantic Ocean, off the Port of Palm Beach, FL.

(a) The anchorage grounds. (1) Anchorage A. The waters lying within an area bounded by a line beginning at latitude 26°50'00" N., longitude 80°01'12" W.; thence westerly to latitude 26°50'00" N., longitude 80°01'30" W.; thence southerly to latitude 26°47'30" N., longitude 80°01'30" W.; thence easterly to latitude 26°47'30" N., longitude 80°01'12" W.; and thence northerly to the point of beginning.

(b) Anchorage B. The waters lying within an area bounded by a line begin-
§ 110.188 Deck officer monitoring VHF–FM channel 16. This individual shall perform frequent checks of the vessel’s position to ensure the vessel is not dragging anchor.

(4) Vessels experiencing casualties such as a main propulsion, main steering or anchoring equipment malfunction or which are planning to perform main propulsion engine repairs or maintenance, shall immediately notify the Coast Guard Captain of the Port via the Coast Guard Group Miami on VHF–FM Channel 16.

(5) The Coast Guard Captain of the Port may close the anchorage area and direct vessels to depart the anchorage during periods of adverse weather or at other times as deemed necessary in the interest of port safety.

(6) Commercial vessels anchoring under emergency circumstances outside the anchorage area shall shift to new positions within the anchorage area immediately after the emergency ceases.


§ 110.188 Atlantic Ocean off Miami and Miami Beach, Fla.

(a) The anchorage grounds. The area to the eastward of a line bearing 12° (N. 12° E.) through a point X, which is 1½ nautical miles due east of the intersection of the Miami Beach shore line with the north jetty; to the northward of a line bearing 102° (S. 78° E.) and intersecting the 12° line at a point A, one-half nautical mile north of the said point X; and to the southward of a line bearing 102° (S. 78° E.) and intersecting the 12° line at a point B, 2½ nautical miles north of the said point X. The northern and southern extremities of the 12° line are marked by spar buoys. The entire anchorage area lies north of the entrance channel to Miami Harbor.

(b) The rules and regulations. (1) Except in cases of great emergency, no vessel shall be anchored in the Atlantic Ocean in the vicinity of the entrances to the approach channels leading to the cities of Miami Beach and Miami, Fla., outside of the anchorage area hereby defined and established—that is, they shall not anchor shoreward of the line first nor southward of the second nor northward of the third line—but may anchor as far to the eastward as may be desired.

(2) Any vessel anchoring under circumstances of great emergency outside of the anchorage area shall be shifted to new berths within the area immediately after the emergency ceases.

(3) All vessels shall lie at anchor with as short a cable as conditions will permit.

(4) A vessel upon being notified to move into the anchorage limits or to shift its position on the anchorage ground must get under way at once or signal for a tug, and must change position as directed with reasonable promptness.

(5) Whenever the maritime or commercial interests of the United States so require, the Captain of the Port, U.S. Coast Guard, Miami, Fla., is hereby empowered to shift the position of any vessel anchored on the anchorage ground or outside thereof, or of any vessel moored or anchored so as to impede or obstruct vessel movements or obstruct or interfere with range lights.

(6) Vessels carrying explosives shall be anchored only under a written permit issued by the Captain of the Port and at such point as he may direct.

(7) Vessels carrying explosives shall be at all times in charge of a competent person, and must display by day a red flag, of not less than 16 square feet, at the masthead, or not less than 10 feet above the upper deck if the vessel has no mast; at night a red light shall be displayed in the positions specified for the red flag.

(8) Nothing in this paragraph shall be construed as relieving the owner or person in charge of any vessel from the penalties of the law for obstructing navigation, or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or other aids to navigation, or for otherwise violating law.

(9) All vessels desiring to use the Anchorage must notify the Coast Guard Captain of the Port, via the Biscayne Bay Pilots on VHF–FM Channel 12 or 16.

(10) All vessels anchored within the anchorage area shall maintain a 24-hour bridge watch by an English speaking licensed deck officer monitoring
§ 110.193 Tampa Bay, Fla.

(a) The anchorage grounds. (1) Explosives anchorage east of Mullet Key. A rectangular area in Tampa Bay, approximately 4,450 yards long and 1,419 yards wide, beginning at latitude 27°38′30″, longitude 82°39′09″, and extending northeasterly to latitude 27°39′48″, longitude 82°37′15″; thence southeasterly to latitude 27°39′17″, longitude 82°35′46″; thence southwesterly to latitude 27°37′52″, longitude 82°38′38″; thence northwesterly to the point of beginning.

(2) Temporary explosives anchorage south of Interbay Peninsula. Beginning at a point bearing 107°, 1,750 yards from Cut “F” Range Front Light; thence to a point bearing 125°, 2,050 yards, from Cut “F” Range Front Light; thence to a point bearing 180°, 1,725 yards, from Cut “F” Range Front Light; thence to a point bearing 222°, 2,180 yards, from Cut “F” Range Front Light; thence to a point bearing 251°, 1,540 yards, from Cut “F” Range Front Light; and thence to the point of beginning.

(3) Temporary explosives anchorage off Port Tampa. A circular area with a radius of 200 yards with the point at latitude 27°50′22″, longitude 82°34′15″.

(4) Quarantine Anchorage. Southeast of the temporary explosive anchorage, beginning at a point bearing 97° true, 4,370 yards, from Cut “F” Range Front Light; thence to a point bearing 113°30′, 5,370 yards, from Cut “F” Range Front Light; thence to a point bearing 161°30′, 3,770 yards, from Cut “F” Range Front Light; thence to a point bearing 163°30′, 2,670 yards, from Cut “F” Range Front Light; thence to the point of beginning.

(5) Barge Fleeting Area, Hillsborough Bay. Located 400 feet west of Cut “D” Channel at a point beginning at latitude 27°54′34″, longitude 82°26′35″; thence northwesterly 1,000 feet to latitude 27°54′43″, longitude 82°26′40″; thence westerly 500 feet to latitude 27°54′41″, longitude 82°26′45″; thence southerly 1,000 feet to
§ 110.193a St. Joseph Bay, Fla.

(a) The anchorage grounds. (1) Explosives Anchorage Area 1. A rectangular area 3,000 yards long by 700 yards wide, beginning at a point 1,350 yards west of U.S. Highway 98 Bridge over Gulf County Canal. The area is parallel to and 450 yards northeast of the north entrance to Port St. Joe, Florida.

(2) Explosives Anchorage Area 2. A circular area with a 500-yard radius around a center point located at latitude 27°54′32″, longitude 82°26′40″; thence easterly 500 feet to the point of beginning.

NOTE: This area is reserved for transient barges only. Barges shall not occupy this anchorage for a period longer than 96 hours unless permission is obtained from the Captain of the Port for this purpose.

(b) The regulations. (1) The explosives anchorage east of Mullet Key shall be used by vessels awaiting loading or unloading at Port Tampa that have explosives actually on board and where the duration of anchorage will exceed 72 hours.

(2) The temporary explosives anchorages south of Interbay Peninsula and off Port Tampa shall be used for vessels engaged in loading explosives when the duration of the anchorage is less than 72 hours.


§ 110.194a Mobile Bay, Ala., and Mississippi Sound, Miss.

(a) The anchorage grounds. (1) The waters of lower Mobile Bay, near Cedar Point, within an area bounded on the north by latitude 30°21′00″, on the east by longitude 88°05′00″, on the south by latitude 30°20′00″, and on the west by longitude 88°06′00″.

(2) The waters of Mississippi Sound, south of Biloxi, within an area bounded on the north by latitude 30°20′00″, on the east by longitude 88°54′00″, on the south by latitude 30°19′00″, and on the west by longitude 88°55′00″.

(b) The regulations. (1) The anchorages are exclusively for the use of unmanned barges, canal boats, scows, and other nondescript vessels. Such craft shall be so anchored that they will not at any time extend outside the limits of the anchorages.

(2) In emergencies or whenever maritime or commercial interests of the United States so require, the Captain of the Port is authorized to shift the position of any craft in the anchorages.

(3) Whenever in the opinion of the Captain of the Port, such action may be necessary, any or all craft in these anchorages may be required to be moored with two or more anchors.

(4) No vessel shall be navigated within the anchorages at a speed exceeding six knots.

§ 110.194b Mississippi Sound and Gulf of Mexico, near Petit Bois Island, Miss.

(a) The anchorage grounds—(1) Explosives Anchorage Area No. 1. A circular area with a one-half mile radius with its center located at latitude 30°14′09″, longitude 88°29′13″, in the waters of Mississippi Sound north of the west end of Petit Bois Island.
(2) Explosives Anchorage Area No. 2. A circular area with a three-fourths mile radius with its center located at latitude 30°11′12″, longitude 88°30′07″, in the waters of Gulf of Mexico south of the west end of Petit Bois Island.

(b) The regulations. (1) The areas shall be used as temporary anchorages for vessels engaged in loading and unloading explosives at the Port of Pascagoula, Miss.

(2) No vessel shall occupy the areas without obtaining a permit from the Captain of the Port.

§ 110.195 Mississippi River below Baton Rouge, LA, including South and Southwest Passes.

(a) The Anchorage Grounds. Unless otherwise specified, all anchorage widths are measured from the average low water plane (ALWP).

(1) Pilottown Anchorage. An area 5.2 miles in length along the right descending bank of the river from mile 1.5 to mile 6.7 above Head of Passes, extending in width to 1600 feet from the left descending bank of the river.

CAUTION: A wreck is located within the boundaries of this anchorage. Mariners are urged to use caution in this anchorage.

(2) Lower Venice Anchorage. An area 1.6 miles in length along the left descending bank of the river from mile 8.0 to mile 9.6 above Head of Passes with the west limit 1,200 feet from the ALWP of the right descending bank.

CAUTION: A pipeline crossing exists at mile 9.8 AHOP. Mariners are urged to use caution between mile 9.6 AHOP and mile 10.0 AHOP.

(3) Upper Venice Anchorage. An area 1.2 miles in length along the left descending bank of the river from mile 10.0 to mile 11.2 above Head of Passes with the west limit 1,200 feet from the ALWP of the right descending bank.

(4) Boothville Anchorage. An area 6.3 miles in length along the right descending bank of the river extending from mile 12.2 to mile 18.5 above Head of Passes. The width of the anchorage is 750 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 250 feet from the water’s edge into the river as measured from the Low Water Reference Plane (LWRP). The outer boundary of the anchorage is a line parallel to the nearest bank 1,000 feet from the water’s edge into the river as measured from the LWRP.

(5) Ostrica Anchorage. An area 1.4 miles in length along the right descending bank of the river extending from mile 23.0 to mile 24.4 above Head of Passes. The width of the anchorage is 800 feet.

(6) Port Sulphur Anchorage. An area 2.2 miles in length along the left descending bank of the river, 800 feet wide, extending from mile 37.5 to mile 39.7 above Head of Passes.

(7) Magnolia Anchorage. An area 2.1 miles in length along the right descending bank of the river extending from mile 45.5 to mile 47.6 above Head of Passes. The width of the anchorage is 700 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 400 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 1,100 feet from the water’s edge into the river as measured from the LWRP.

(8) Point Celeste Anchorage. An area 2.2 miles in length along the right descending bank of the river extending from mile 49.8 to mile 52.9 above Head of Passes. The width of the anchorage is 400 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 400 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 800 feet from the water’s edge into the river as measured from the LWRP.

(9) Davant Anchorage. An area 1.1 miles in length along the left descending bank of the river extending from mile 52.8 to mile 53.9 above Head of Passes. The width of the anchorage is 800 feet.

(10) Alliance Anchorage. An area 2.0 miles in length along the right descending bank of the river extending from mile 63.8 to mile 65.8 above Head of Passes. The width of the anchorage is 400 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 400 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest
bank 800 feet from the water’s edge into the river as measured from the LWRP.

(11) Wills Point Anchorage. An area 1.1 miles in length along the left descending bank of the river extending from mile 66.5 to mile 67.6 above Head of Passes. The width of the anchorage is 600 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 200 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 800 feet from the water’s edge into the river as measured from the LWRP.

(12) Cedar Grove Anchorage. An area 1.2 miles in length along the right descending bank of the river extending from mile 69.9 to mile 71.1 above Head of Passes. The width of the anchorage is 500 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 200 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 700 feet from the water’s edge into the river as measured from the LWRP.

(13) Belle Chasse Anchorage. An area 2.1 miles in length along the right descending bank of the river extending from mile 73.1 to mile 75.2 above Head of Passes. The width of the anchorage is 575 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 425 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 1,000 feet from the water’s edge into the river as measured from the LWRP.

(14) Lower 12 Mile Point Anchorage. An area 2.2 miles in length along the right descending bank of the river extending from mile 78.6 to mile 80.8 above Head of Passes. The width of the anchorage is 500 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 300 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 800 feet from the water’s edge into the river as measured from the LWRP.

(15) Lower 9 Mile Point Anchorage. An area 2.3 miles in length along the right descending bank of the river extending from mile 82.7 to mile 85.0 above Head of Passes. The width of the anchorage is 500 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 300 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 800 feet from the water’s edge into the river as measured from the LWRP.

NOTE: No vessel shall occupy this anchorage exceeding 24 hours without the authorization of the Captain of the Port.

(16) New Orleans General Anchorage. An area 0.8 miles in length along the right descending bank of the river extending from mile 90.1 to mile 90.9 above Head of Passes. The width of the anchorage is 550 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 250 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 800 feet from the water’s edge into the river as measured from the LWRP.

(17) New Orleans Emergency Anchorage. An area 0.7 miles in length along the right descending bank of the river extending from mile 90.9 to mile 91.6 above Head of Passes. The width of the anchorage is 800 feet.

Caution: A wreck is located within the boundaries of this anchorage. Mariners are urged to use caution in this anchorage.

(18) Quarantine Anchorage. An area 0.7 miles in length along the right descending bank of the river extending from mile 90.9 to mile 91.6 above Head of Passes. The width of the anchorage is 800 feet.

Caution: A wreck is located within the boundaries of this anchorage. Mariners are urged to use caution in this anchorage.
NOTE: Vessels carrying cargos of particular hazard as defined in 33 CFR 126.10 or cargos of petroleum products in bulk may not be anchored in the New Orleans General Anchorage or the Quarantine Anchorage without permission from the Captain of the Port.

Except when required by the United States Public Health Service for quarantine inspection, the Quarantine Anchorage may be used as a general anchorage.

(19) Lower Kenner Bend Anchorage. An area 1.0 miles in length along the right descending bank of the river extending from mile 113.3 to mile 114.3 above Head of Passes. The width of the anchorage is 350 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 350 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 700 feet from the water’s edge into the river as measured from the LWRP.

(20) Kenner Bend Anchorage. An area 0.9 miles in length along the right descending bank of the river extending from mile 114.7 to mile 115.6 above Head of Passes. The width of the anchorage is 400 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 300 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 700 feet from the water’s edge into the river as measured from the LWRP.

(21) Ama Anchorage. An area 1.8 miles in length along the left descending bank of the river extending from mile 115.5 to mile 117.3 above Head of Passes. The width of the anchorage is 400 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 300 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 700 feet from the water’s edge into the river as measured from the LWRP.

Caution: A wreck is located at mile 115.4 left descending bank above Head of Passes marked by Mississippi River Wreck Lighted Buoy WR4. Mariners are urged to use caution when anchoring in the lower end of this anchorage.

(22) Bonnet Carre Anchorage. An area 1.5 miles in length along the left descending bank of the river extending from mile 127.3 to mile 128.8 above Head of Passes. This area is located adjacent to the river end of the Bonnet Carre Spillway. The width of the anchorage is 600 feet.

NOTE: When the Bonnet Carre Spillway is open, no vessel may be anchored in the Bonnet Carre Anchorage.

(23) La Place Anchorage. An area 0.7 miles in length along the left descending bank of the river extending from mile 134.7 to mile 135.4 above Head of Passes. The width of the anchorage is 600 feet.

(24) Reserve Anchorage. An area 0.5 miles in length along the right descending bank of the river extending from mile 137.0 to mile 137.5 above Head of Passes. The width of the anchorage is 500 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 300 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 800 feet from the water’s edge into the river as measured from the LWRP.

(25) Lower Grandview Reach Anchorage. An area 0.3 miles in length along the left descending bank of the river extending from mile 146.4 to mile 146.7 above Head of Passes. The width of the anchorage is 500 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 200 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 700 feet from the water’s edge into the river as measured for the LWRP.

(26) Middle Grandview Reach Anchorage. An area 0.4 miles in length along the left descending bank of the river extending from mile 146.8 to mile 147.2 above Head of Passes. The width of the anchorage is 500 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 200 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 700 feet from the water’s edge into the river as measured from the LWRP.

(27) Upper Grandview Reach Anchorage. An area 1.3 miles in length along the left descending bank of the river extending from mile 147.5 to mile 148.8 above Head of Passes. The width of the anchorage is 500 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 200 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the
§ 110.195  33 CFR Ch. I (7–1–02 Edition)

nearest bank 700 feet from the water’s edge into the river as measured from the LWRP.

(28) **Sunshine Anchorage.** An area 2.0 miles in length along the left descending bank of the river extending from mile 165.0 to mile 167.0 above Head of Passes. The width of the anchorage is 450 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 350 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 800 feet from the water’s edge into the river as measured from the LWRP.

(29) **White Castle Anchorage.** An area 0.7 miles in length along the right descending bank of the river extending from mile 190.4 to mile 191.1 above Head of Passes. The width of the anchorage is 300 feet. The inner boundary of the anchorage is a line parallel to the nearest bank 400 feet from the water’s edge into the river as measured from the LWRP. The outer boundary of the anchorage is a line parallel to the nearest bank 700 feet from the water’s edge into the river as measured from the LWRP.

(30) **Baton Rouge General Anchorage.** An area 1.5 miles in length along the right descending bank of the river, 1,400 feet wide, extending from mile 225.8 to mile 227.3 above Head of Passes.

*Caution:* Two wrecks are located within the boundaries of this anchorage. Mariners are urged to use caution in this anchorage.

(31) **Lower Baton Rouge Anchorage.** An area 0.5 miles in length near mid-channel between mile 228.5 and mile 229.0 above Head of Passes with the west limit 1,100 feet off the right descending bank and having a width of 700 feet at both the upper and lower limits.

(32) **Middle Baton Rouge Anchorage.** An area 0.2 miles in length near mid-channel between mile 229.6 and mile 229.8 above Head of Passes with the west limit 1,100 feet off the right descending bank and having a width of 700 feet at both the upper and lower limits.

(33) **Upper Baton Rouge Anchorage.** An area 0.4 miles in length near mid-channel between mile 230.6 and mile 231.0 above Head of Passes with the west limit 1,100 feet off the right descending bank and having a width of 1,075 feet at the upper limit and 1,200 feet at the lower limit.

(b) **Temporary Anchorages.** (1) Temporary anchorages are non-permanent anchorages established by the Commander, Eighth Coast Guard District to provide additional anchorage space. Establishment of temporary anchorages is based on recommendations by the Captain of the Port.

(2) Each vessel using temporary anchorages shall anchor as prescribed by the Captain of the Port.

(3) Establishment of each temporary anchorage and any requirement for the temporary anchorage will be published in the Local Notice of Mariners.

(4) Each person who has notice of any requirement prescribed for a temporary anchorage shall comply with that requirement.

(c) **The Regulations.** (1) Anchoring in the Mississippi River below Baton Rouge, LA., including South and Southwest Passes is prohibited outside of established anchorages except in cases of emergency. In an emergency, if it becomes necessary to anchor a vessel outside an established anchorage, the vessel shall be anchored so that it does not interfere with or endanger any facility or other vessel. The master or person in charge of the vessel shall notify the Captain of the Port of the location of the emergency anchoring by the most expeditious means and shall move the vessel as soon as the emergency is over.

(2) In an emergency, if it becomes necessary to anchor a vessel in South Pass or Southwest Pass, the vessel shall be positioned as close to the left descending bank as possible.

(3) No vessel may be anchored unless it maintains a bridge watch, guards and answers Channel 16 FM (or the appropriate VTS New Orleans sector frequency), maintains an accurate position plot and can take appropriate action to ensure the safety of the vessel, structure, and other vessels.

(4) When anchoring individually, or in fleets, vessels shall be anchored with sufficient anchors, or secured with sufficient lines, to ensure their remaining in place and withstand the actions of winds, currents and the suction of passing vessels.
§ 110.197 Galveston Harbor, Bolivar Roads Channel, Texas.

(a)(1) Anchorage area (A). The water bounded by a line connecting the following points:

Latitude    Longitude

29°20'48.5" N    94°42'54.0" W
29°20'43.0" N    94°44'46.5" W
29°21'15.0" N    94°44'27.0" W
29°21'05.0" N    94°42'32.0" W

and thence to the point of beginning.

(2) Anchorage area (B). The water bounded by a line connecting the following points:
§ 110.205 Chicago Harbor, Ill.

(a) The anchorage grounds—(1) Anchorage A, exterior breakwater. Southwest of a line parallel with and 150 feet southwestward of the exterior breakwater; west of a line parallel with and 150 feet west of the south extension of the exterior breakwater; northeast of a line parallel with and 1,500 feet southwestward of the exterior breakwater; and east of a line parallel with the south extension of the exterior breakwater and 500 feet eastward of the east face of the filtration plant.

(2) Anchorage B, south arm. West of a line parallel with and 150 feet west of the south arm of the exterior breakwater; north of a line perpendicular to the south arm at its south end; east of a line parallel with the south arm, about 2,200 feet therefrom and on line with the east face of the Municipal Pier; and south of a line perpendicular to the south arm 700 feet from its north end.

(3) Anchorage C, shore arm. South of a line parallel with and 150 feet southward of the shore arm of the exterior breakwater; west of a line parallel with the south extension of the exterior breakwater, 100 feet westward of the east end of the shore arm; northwest of a line perpendicular to the Lake Shore Drive revetment and 300 feet northwest of the northwest corner of the filtration plant; and east of a line parallel with and 600 feet lakeward of the Lake Shore Drive revetment.

(4) Anchorage D, Chicago Harbor Lock South. Beginning at a point 35.5 feet South of the South face of the Southeast guidewall and 28.0 feet West of the SE Guide Wall Light; thence Westerly and parallel to the guidewall 800 feet to a point that is 16 feet South of the South face of the Southeast guidewall; thence Southerly 80 feet to a point that is 96 feet South of the South face of the Southeast guidewall; thence Easterly 800 feet to a point that is 96 feet South of the south face of the southeast guidewall; thence Northerly 80 feet to the point of beginning.

(5) Anchorage E, Chicago Harbor Lock North. Beginning at a point 156.75 feet North of the North face of the Northeast guidewall and 590 feet West of the SE Guide Wall Light; thence Westerly and parallel to the guidewall 600 feet to a point that is 16 feet North of the North face of the Northeast guidewall; thence Northerly 80 Feet to a point that is 96 feet North of the North face of the Northeast guidewall; thence Easterly 600 feet to a point that  

\[
\begin{array}{ll}
\text{Latitude} & \text{Longitude} \\
29^\circ 20'43.0" \text{N} & 94^\circ 44'46.5" \text{W} \\
29^\circ 20'37.0" \text{N} & 94^\circ 46'06.0" \text{W} \\
29^\circ 21'45.0" \text{N} & 94^\circ 45'30.0" \text{W} \\
29^\circ 21'15.0" \text{N} & 94^\circ 44'37.0" \text{W}
\end{array}
\]
Coast Guard, DOT

§ 110.206

is North of the North face of the Northeast guidewall; thence Southerly 80 feet to the point of beginning.

(b) The rules and regulations. (1) Except in cases of emergency, no vessel may be anchored in Chicago Harbor outside of the anchorage grounds in paragraph (a) of this section or the special anchorage areas prescribed in §110.83.

(2) Anchors must not be placed outside the anchorage areas, nor shall any vessel be so anchored that any portion of the hull or rigging shall at any time extend outside the boundaries of the anchorage area.

(3) Any vessel anchoring under circumstances of great emergency outside of the anchorage areas must be placed near the edge of the channel and in such position as not to interfere with the free navigation of the channel nor obstruct the approach to any pier nor impede the movement of any boat, and shall move away immediately after the emergency ceases, or upon notification by the Captain of the Port.

(4) The maneuvering of a vessel by means of a dragged anchor, except within an established anchorage ground or in stress of weather or to avoid collision, is prohibited. Unnecessary maneuvering in any of the anchorage areas is prohibited.

(5) The directions of the Captain of the Port assigning vessels to parts of the anchorage grounds suitable to their draft, requiring vessels to anchor bow and stern, requiring shifting the anchorage of any vessel within any anchorage ground for the common convenience, or for otherwise enforcing this section, shall be promptly executed by owners, masters, and persons in charge of vessels.

(6) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel from the penalties of the law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating law.

(7) No vessel may use anchorages A, B, D, and E except commercial vessels operated for profit. No person may place fixed moorings piles or stakes in anchorages A and B. (Mooring facilities are available adjacent to the lakeside guidewalls of the Chicago Harbor Lock in anchorages D and E.) All vessels using anchorages D and E shall moor against pile clusters adjacent to the respective anchorage.

Any time barges are moored in anchorage D or E, a manned towing vessel shall be present in one of these anchorages. Exceptions to this surveillance requirement are allowable for periods not to exceed one hour.

(8) No commercial vessels operated for profit that measure 50 gross tons or more may anchor in anchorage C. Temporary floats or buoys for marking moorings or anchors in place may be used in anchorage C. No person may place a fixed mooring pile or stake in anchorage C.


§ 110.206 Detroit River, Michigan.

(a) The Anchorage grounds. Belle Isle Anchorage. The area is in the Detroit River immediately downstream from Belle Isle on the U.S. side of the International Boundary line within the following boundaries: beginning at a point bearing 250 T, 5400 feet from the James Scott Memorial Fountain (42°20′06″ N., 82°59′47″ W.) at the West end of Belle Isle; then 251 T, 3000 feet; thence 341 T, 800 feet; thence 071 T, 3000 feet; thence 161 T, 800 feet to the point of beginning.

(b) The regulations. (1) Vessels shall be anchored so as not to swing into the channel or across steering courses.

(2) The Belle Isle Anchorage area is for the temporary use of vessels of all types, but especially for naval and merchant vessels awaiting berths, weather, or other conditions favorable to the resumptions of their voyage.

(3) No vessel may be anchored unless it maintains a continuous bridge watch, guards and answers channel 16 FM and channel 12 FM (VTC SARNIA sector frequency), maintains an accurate position plot and can take appropriate action to ensure the safety of the vessel, structures and other vessels.
§ 110.207 Cleveland Harbor, Ohio.

(a) The anchorage grounds—(1) West anchorage. The northwesterly portion of the West Basin between the northwest limits of the West Basin and a line parallel to and 1,050 feet distant from the West Breakwater; and from the southwest limits of the West Basin to a line perpendicular to the West Breakwater, 2,050 feet southwesterly along the West Breakwater from Cleveland West Breakwater Light.

(2) East anchorage. The southeasterly portion of the East Basin between the mainland and a line parallel to and 1,250 feet distant from the East Breakwater; from opposite Cleveland East Entrance Light to a due north line passing through the flashing white light on the Allied Oil Company dock.

(3) Explosives anchorage. In Lake Erie, northwest of Cleveland Harbor East Breakwater, and including a rectangular area marked by four white spar buoys at the following true bearings and distances from Cleveland East Pierhead Light: 38°30', 2,050 feet; 68°, 2,050 feet; 57°, 7,050 feet; and 49°, 7,050 feet.

(b) The regulations. (1) The west and east anchorages are general anchorages.

(2) Use of the explosives anchorage shall be subject to the supervision of the Captain of the Port.

§ 110.208 Buffalo Harbor, N.Y.

(a) The anchorage grounds—(1) Explosives Anchorage A. Inside the south section of the main breakwater 700 feet wide starting at a point 500 feet southerly from the south end of the north section and extending approximately 153° true, 3,000 feet parallel to the line of the south section of the main breakwater.

§ 110.209 San Diego Harbor, CA.

(a) The anchorage grounds. (1) Special anchorage for U.S. Government vessels (NAD 83). The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>32°42′13.2″ N</td>
<td>117°14′11.0″ W</td>
</tr>
<tr>
<td>32°41′12.0″ N</td>
<td>117°14′00.3″ W</td>
</tr>
</tbody>
</table>

and thence along the shoreline to the point of beginning.

(2) Special anchorage for U.S. Government vessels (NAD 83). The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>32°43′25.6″ N</td>
<td>117°12′46.1″ W</td>
</tr>
<tr>
<td>32°43′23.3″ N</td>
<td>117°12′32.0″ W</td>
</tr>
<tr>
<td>32°43′08.2″ N</td>
<td>117°12′38.0″ W</td>
</tr>
<tr>
<td>32°42′57.9″ N</td>
<td>117°12′24.0″ W</td>
</tr>
</tbody>
</table>

and thence easterly along the northern boundary of the channel to:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>32°43′05.0″ N</td>
<td>117°11′30.5″ W</td>
</tr>
<tr>
<td>32°43′27.2″ N</td>
<td>117°11′14.0″ W</td>
</tr>
</tbody>
</table>

and thence along the shoreline of Harbor Island to the point of beginning.

(3) “B” Street Merchant Vessel Anchorage (NAD 83). The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>32°43′00.8″ N</td>
<td>117°10′36.3″ W</td>
</tr>
<tr>
<td>32°43′00.8″ N</td>
<td>117°11′23.0″ W</td>
</tr>
<tr>
<td>32°43′05.0″ N</td>
<td>117°11′30.5″ W</td>
</tr>
<tr>
<td>32°43′27.2″ N</td>
<td>117°11′14.0″ W</td>
</tr>
<tr>
<td>32°43′20.2″ N</td>
<td>117°10′53.0″ W</td>
</tr>
</tbody>
</table>

and thence due east to the shoreline, and thence along the shoreline and pier to the point of beginning.

(b) The regulations. (1) The anchorages described in paragraphs (a)(1) and (a)(2) of this section are reserved exclusively for the anchorage of vessels of the United States Government and of authorized harbor pilot boats. No other vessels shall anchor in this area except by special permission obtained in advance from the Commander, Naval Base, San Diego, CA. The administration of these anchorages is exercised by
§ 110.214 Los Angeles and Long Beach harbors, California.

(a) General Regulations—(1) Anchorage Assignment. (i) Unless otherwise directed by the Captain of the Port Los Angeles-Long Beach, the pilot stations for the Port of Long Beach and the Port of Los Angeles will assign the use of commercial anchorages within their jurisdictions (Long Beach and Los Angeles Harbors respectively). All anchorages outside (seaward) of the federal breakwater will be assigned by the Los Angeles-Long Beach Vessel Traffic Information Service (VTIS). The master, pilot, or person in charge of a vessel must notify the appropriate pilot station (for anchorages inside the federal breakwater) or the VTIS (for anchorages outside the federal breakwater) of their intention to anchor, upon anchoring, and at least fifteen minutes prior to departing an anchorage. All anchorage assignments will be made as described in this part unless modified by the Captain of the Port.
§ 110.214

(ii) Radio communications for port entities governing anchorages are as follows: Los Angeles-Long Beach Vessel Traffic Information Service, call sign “LA-Long Beach Traffic,” Channel 14 VHF–FM; Los Angeles Port Pilots, Channel 73 VHF–FM; Long Beach Port Pilots, Channel 74 VHF–FM.

(iii) The exact boundary separating the Port of Long Beach from the Port of Los Angeles is published in local Port Tariffs. For purposes of this rule, Long Beach waters are those east, and Los Angeles waters are those west, of the following locations:

(A) Inner Harbor: The Henry Ford (Badger Avenue) Bridge.

(B) Middle Harbor: The Pier 400 Transportation Corridor.

(C) Outer Harbor: The western boundary of Commercial Anchorage B.

(2) Required approvals, permits and notifications.

(i) No vessel may anchor anywhere within Los Angeles or Long Beach harbors for more than 10 consecutive days unless an extended anchorage permit is obtained from the Captain of the Port. In determining whether an extended anchorage permit will be granted, consideration will be given, but not necessarily limited to: the current and anticipated demands for anchorage space within the harbor, the duration requested, the condition of the vessel, and the reason for the request.

(ii) No vessel while carrying, loading, or unloading division 1.1 or 1.2 materials as defined in 49 CFR 173.50, or Cargoes of Particular Hazard (COPH) as defined in 33 CFR 126.10, or Certain Dangerous Cargoes (CDC) as defined in 33 CFR 160.203, may anchor without first obtaining a permit issued by the Captain of the Port.

(iii) Vessels requiring use of an explosives anchorage should contact the Captain of the Port at least 24 hours prior to the anticipated need for the explosives anchorage to allow for proper activation of that anchorage.

(iv) Except with the prior approval of the Captain of the Port, or, in the case of an emergency, with approval of the Captain of the Port immediately subsequent to anchoring, no commercial vessel greater than 1600 gross tons may anchor in Los Angeles-Long Beach Harbor unless it maintains the capability to get underway within 30 minutes. Any vessel unable to meet this requirement must immediately notify the Captain of the Port and make arrangements for an adequate number of tugs to respond to the vessel within 30 minutes notice.

(v) In anchorages where lightering is authorized, the Captain of the Port must be notified at least 4 hours in advance of a vessel conducting lightering operations (see 33 CFR 156.118).

(3) Other General Requirements.

(i) When at anchor, all commercial vessels greater than 1600 gross tons shall, at all times, have a licensed deck officer on watch and maintain a continuous radio listening watch unless subject to one of the exemptions in this paragraph. The radio watch must be on CH–13 VHF–FM when anchored inside the federal breakwater, and on CH–14 VHF–FM or on CH–16 VHF–FM when anchored outside the federal breakwater, except for unmanned barges; vessels which have less than 100 gallons of oil or fuel onboard regardless of how the fuel is carried; and other vessels receiving advance approval from the Captain of the Port.

(ii) When sustained wind speeds exceed 40 knots, all anchored commercial vessels greater than 1600 gross tons shall ensure their propulsion plant is placed in immediate standby and a second anchor is made ready to let go. Vessels unable to comply with this requirement must immediately notify the Captain of the Port. In such case, the Captain of the Port may require the vessel to have one or more tugs standing by to render immediate assistance.

(4) Prohibitions. Within Los Angeles Harbor, Long Beach Harbor, and the Los Angeles-Long Beach Precautionary Area, except for emergency reasons, or with the prior approval of the Captain of the Port, vessels are prohibited from anchoring outside of designated anchorage areas. In the event a vessel anchors outside a designated anchorage area for emergency reasons, the master, pilot, or person in charge of the vessel shall:

(i) Position the vessel so as to minimize the danger to other vessels and facilities;
(i) Immediately notify the Captain of the Port by the most expeditious means of the vessel’s location and the reason(s) for the emergency anchoring; and

(ii) Move the vessel as soon as the emergency condition prompting anchoring outside a designated area abates, or as soon as ordered to move by the Captain of the Port, whichever occurs sooner.

(5) Exemption from rules. The Captain of the Port may, upon request, or whenever he/she deems appropriate, authorize a deviation from any rule in this section.

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An area enclosed by a line joining the following coordinates:

\[
\begin{array}{ccc}
\text{Latitude} & \text{Longitude} \\
33^\circ 44' 37.0'' N & 118^\circ 13' 00.0'' W \\
33^\circ 44' 12.0'' N & 118^\circ 12' 36.2'' W \\
33^\circ 43' 38.2'' N & 118^\circ 11' 36.9'' W \\
33^\circ 43' 26.1'' N & 118^\circ 11' 47.3'' W \\
33^\circ 42' 58.9'' N & 118^\circ 13' 53.0'' W \\
33^\circ 44' 15.3'' N & 118^\circ 14' 26.6'' W \\
33^\circ 44' 25.1'' N & 118^\circ 14' 15.6'' W \\
33^\circ 44' 22.8'' N & 118^\circ 13' 51.0'' W \\
\end{array}
\]

(3) Commercial Anchorage C (Long Beach Harbor). An area enclosed by a line joining the following coordinates:

\[
\begin{array}{ccc}
\text{Latitude} & \text{Longitude} \\
33^\circ 44' 20.0'' N & 118^\circ 08' 26.2'' W \\
33^\circ 44' 22.5'' N & 118^\circ 09' 32.6'' W \\
33^\circ 44' 52.8'' N & 118^\circ 09' 33.2'' W \\
33^\circ 44' 25.2'' N & 118^\circ 08' 26.2'' W \\
\end{array}
\]

(4) Commercial Anchorage D (Long Beach Harbor). An area enclosed by a line beginning near the east end of the Long Beach Breakwater and joining the following coordinates:

\[
\begin{array}{ccc}
\text{Latitude} & \text{Longitude} \\
33^\circ 43' 27.2'' N & 118^\circ 08' 12.6'' W \\
33^\circ 43' 27.2'' N & 118^\circ 10' 46.5'' W \\
33^\circ 43' 51.0'' N & 118^\circ 10' 46.5'' W \\
33^\circ 44' 18.5'' N & 118^\circ 10' 27.2'' W \\
33^\circ 44' 18.5'' N & 118^\circ 08' 12.6'' W \\
\end{array}
\]

(5) Commercial Anchorage E (Long Beach Harbor). An area enclosed by a line joining the following coordinates:

\[
\begin{array}{ccc}
\text{Latitude} & \text{Longitude} \\
33^\circ 44' 55.3'' N & 118^\circ 09' 40.2'' W \\
33^\circ 44' 18.5'' N & 118^\circ 09' 58.6'' W \\
33^\circ 44' 27.6'' N & 118^\circ 10' 41.0'' W \\
33^\circ 44' 29.0'' N & 118^\circ 10' 57.4'' W \\
33^\circ 45' 06.4'' N & 118^\circ 11' 09.5'' W \\
33^\circ 45' 15.2'' N & 118^\circ 10' 46.1'' W \\
\end{array}
\]

\textit{The anchorage grounds}. Locations of anchorage grounds are as described in this section. Specific requirements for individual anchorages are contained in paragraphs (c) and (d) of this section. All coordinates referenced use datum: NAD 83.

(1) Commercial Anchorage A (Los Angeles Harbor). A circular area with a radius of 400 yards (approximately 366 meters), centered in position 33°43'−19.2"N, 118°14'−18.5"W.

(2) Commercial Anchorage B (Long Beach Harbor). An area enclosed by a line joining the following coordinates:

\[
\begin{array}{ccc}
\text{Latitude} & \text{Longitude} \\
33^\circ 44' 37.0'' N & 118^\circ 13' 00.0'' W \\
33^\circ 44' 12.0'' N & 118^\circ 12' 36.2'' W \\
33^\circ 43' 38.2'' N & 118^\circ 11' 36.9'' W \\
33^\circ 43' 26.1'' N & 118^\circ 11' 47.3'' W \\
33^\circ 42' 58.9'' N & 118^\circ 13' 53.0'' W \\
33^\circ 44' 15.3'' N & 118^\circ 14' 26.6'' W \\
33^\circ 44' 25.1'' N & 118^\circ 14' 15.6'' W \\
33^\circ 44' 22.8'' N & 118^\circ 13' 51.0'' W \\
33^\circ 44' 08.0'' N & 118^\circ 08' 26.2'' W \\
33^\circ 44' 22.5'' N & 118^\circ 09' 32.6'' W \\
33^\circ 44' 52.8'' N & 118^\circ 09' 33.2'' W \\
33^\circ 44' 25.2'' N & 118^\circ 08' 26.2'' W \\
33^\circ 43' 27.2'' N & 118^\circ 08' 12.6'' W \\
33^\circ 43' 27.2'' N & 118^\circ 10' 46.5'' W \\
33^\circ 43' 51.0'' N & 118^\circ 10' 46.5'' W \\
33^\circ 44' 18.5'' N & 118^\circ 10' 27.2'' W \\
33^\circ 44' 18.5'' N & 118^\circ 08' 12.6'' W \\
33^\circ 44' 55.3'' N & 118^\circ 09' 40.2'' W \\
33^\circ 44' 18.5'' N & 118^\circ 09' 58.6'' W \\
33^\circ 44' 27.6'' N & 118^\circ 10' 41.0'' W \\
33^\circ 44' 29.0'' N & 118^\circ 10' 57.4'' W \\
33^\circ 45' 06.4'' N & 118^\circ 11' 09.5'' W \\
33^\circ 45' 15.2'' N & 118^\circ 10' 46.1'' W \\
\end{array}
\]
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(6) Commercial Anchorage F (outside of Long Beach Breakwater). The waters southeast of the Long Beach Breakwater bounded by a line connecting the following coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning point</td>
<td>33°43′-05.1″N</td>
</tr>
<tr>
<td>Thence west to</td>
<td>33°45′-05.1″N</td>
</tr>
<tr>
<td>Thence south/southeast to</td>
<td>33°40′-23.0″N</td>
</tr>
<tr>
<td>Thence east to</td>
<td>33°40′-23.0″N</td>
</tr>
</tbody>
</table>

And thence north/northeast to the beginning point.

(7) Commercial Anchorage G (outside of the Middle Breakwater). The waters south of the Middle Breakwater bounded by a line connecting the following coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning point</td>
<td>33°43′-05.4″N</td>
</tr>
<tr>
<td>Thence west to</td>
<td>33°43′-05.4″N</td>
</tr>
<tr>
<td>Thence west/southwest to</td>
<td>33°42′-25.9″N</td>
</tr>
<tr>
<td>Thence southeast to</td>
<td>33°41′-40.3″N</td>
</tr>
<tr>
<td>Thence east/northeast to</td>
<td>33°42′-08.8″N</td>
</tr>
</tbody>
</table>

And thence north/northeast to the beginning point.

(8) General Anchorage N (Los Angeles Harbor). The waters near Cabrillo Beach shoreward of a line connecting the following coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning point</td>
<td>33°42′-55.9″N</td>
</tr>
<tr>
<td>Thence west to</td>
<td>33°42′-26.8″N</td>
</tr>
</tbody>
</table>

(9) General Anchorage P (Long Beach Harbor). The waters within an area beginning at Alamitos Bay West Jetty Light “1” and connecting the following coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning point</td>
<td>33°44′-14.5″N</td>
</tr>
<tr>
<td>Thence northwest to</td>
<td>33°44′-20.6″N</td>
</tr>
<tr>
<td>Thence northwest</td>
<td>33°45′-06.5″N</td>
</tr>
<tr>
<td>Thence along the eastern shoreline of Island White to the lighted marker at</td>
<td>33°45′-13.5″N</td>
</tr>
<tr>
<td>Thence north/northeast to</td>
<td>33°45′-37.1″N</td>
</tr>
<tr>
<td>Thence east/southeast along the Long Beach shoreline and the Alamitos Bay West Jetty to the beginning point.</td>
<td>33°45′-49.4″N</td>
</tr>
</tbody>
</table>

(10) General Anchorage Q (Long Beach Harbor/Alamitos Bay/Anaheim Bay). The waters within an area described as follows:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning point</td>
<td>33°44′-36.0″N</td>
</tr>
<tr>
<td>Thence east/southeast to</td>
<td>33°44′-20.6″N</td>
</tr>
<tr>
<td>Thence along a line described as an arc, radius of 460 meters (approximately 1500 feet) centered on</td>
<td>33°44′-12.5″N</td>
</tr>
<tr>
<td>To</td>
<td>33°44′-04.8″N</td>
</tr>
<tr>
<td>Thence northwest to</td>
<td>33°44′-11.1″N</td>
</tr>
<tr>
<td>Thence northwest</td>
<td>33°44′-24.0″N</td>
</tr>
<tr>
<td>Thence along the shoreline of Seal Beach and Anaheim Bay W. Jetty to</td>
<td>33°43′-39.1″N</td>
</tr>
<tr>
<td>Thence west/southwest to</td>
<td>33°43′-27.8″N</td>
</tr>
<tr>
<td>Thence southwest to</td>
<td>33°43′-38.4″N</td>
</tr>
<tr>
<td>Thence west to</td>
<td>33°43′-38.4″N</td>
</tr>
</tbody>
</table>

(11) Explosives Anchorage (Long Beach Harbor). A circular area with a radius of 1,909 yards (1,745 meters), centered in position 33°43′37.0″N, 118°09′05.3″W.

(c) Individual anchorage requirements:

(1) Table 110.214(c) lists anchorage grounds, identifies the purpose of each anchorage, and contains specific regulations applicable to certain anchorages. Re-
requirements for the explosives anchorage are contained in paragraph (d) of this section.

(2) The geographic boundaries of each anchorage are contained in paragraph (b) of this section.

TABLE 110.214(c)

<table>
<thead>
<tr>
<th>Anclage</th>
<th>General location</th>
<th>Purpose</th>
<th>Specific regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Los Angeles Harbor</td>
<td>Commercial</td>
<td>Note a.</td>
</tr>
<tr>
<td>B</td>
<td>Long Beach Harbor</td>
<td>....do</td>
<td>....Do.</td>
</tr>
<tr>
<td>C</td>
<td>....do</td>
<td>Commercial &amp; Naval</td>
<td>Notes a, g.</td>
</tr>
<tr>
<td>D</td>
<td>....do</td>
<td>Commercial</td>
<td>Note c.</td>
</tr>
<tr>
<td>E</td>
<td>Outside Breakwater</td>
<td>....do</td>
<td>Notes c, g.</td>
</tr>
<tr>
<td>F</td>
<td>Outside Breakwater</td>
<td>....do</td>
<td>Notes c, d.</td>
</tr>
<tr>
<td>G</td>
<td>Los Angeles Harbor</td>
<td>Small Craft</td>
<td>Note e.</td>
</tr>
<tr>
<td>H</td>
<td>Long Beach Harbor</td>
<td>....do</td>
<td>Note f.</td>
</tr>
<tr>
<td>I</td>
<td>....do</td>
<td></td>
<td>Notes c, g.</td>
</tr>
</tbody>
</table>

NOTES:

a. Bunkering and lightering are permitted.

b. West of 118°05'48"W priority for use of the anchorage will be given to commercial vessels over 244 meters (approximately 800 feet). East of 118°05'48"W priority for use of the anchorage will be given to Naval and Public vessels, vessels under Department of Defense charter; and vessels requiring use of the explosives anchorage.

c. Bunkering and lightering are prohibited.

d. This anchorage is within a Regulated Navigation Area and additional requirements apply as set forth in 33 CFR 165.1109(e).

e. This anchorage is controlled by the Los Angeles Port Police. Anchoring, mooring and recreational boating activities conforming to applicable City of Los Angeles ordinances and regulations are allowed in this anchorage.

f. This anchorage is controlled by the Long Beach Harbor Master. Anchoring, mooring and recreational boating activities conforming to applicable City of Long Beach ordinances and regulations are allowed in this anchorage.

g. When the explosives anchorage is activated portions of this anchorage lie within the explosives anchorage and the requirements of paragraph (d) of this section apply.

(d) Explosives Anchorage (Long Beach Harbor).

(1) Priority for use of this anchorage shall be given to vessels carrying, loading, or unloading division 1.1, 1.2, 1.3, or 1.4 (explosive) materials as defined in 49 CFR 173.50, or Cargoes of Particular Hazard (COPH) as defined in 33 CFR 126.10, or Certain Dangerous Cargoes (CDC) as defined in 33 CFR 160.203.

(2) Vessels requiring the use of this anchorage shall notify the Captain of the Port at least 24 hours in advance of their intentions including the estimated times of arrival, departure, net explosive weight, and whether the vessel will be loading or unloading. Vessels may not use this anchorage without first obtaining a permit issued by the Captain of the Port.

(3) No vessel containing more than 680 metric tons (approximately 749 tons) of net explosive weight (NEW) may anchor in this anchorage;

(4) Bunkering and lightering operations are permitted in the explosives anchorage, except that vessels engaged in the loading or unloading of explosives shall not simultaneously conduct bunkering or lightering operations.

(5) Each anchored vessel loading, unloading or laden with explosives, must display a red flag of at least 1.2 square meters (approximately 16 square feet) in size by day, and at night the flag must be illuminated by spotlight;

(6) When a vessel displaying the red flag occupies the explosives anchorage, no other vessel may anchor within the Explosives Anchorage.

NOTE: When the explosives anchorage is activated, portions of Anchorages “C”, “D”, “F” and “Q” are encompassed by the explosives anchorage.

[CGDI1-99-008, 65 FR 10710, Feb. 29, 2000]

§ 110.215 Anaheim Bay Harbor, California; U.S. Naval Weapons Station, Seal Beach, California; Naval Explosives Anchorage.

(a) The anchorage ground. The waters of Anaheim Bay Harbor between the east side of the Entrance Channel and the East Jetty, and the west side of the Entrance Channel and the West Jetty as outlined in the following two sections:

Latitude          Longitude

(1) East Side:
33°44'03.0" N    118°05'35.0" W
§ 110.216 Pacific Ocean at Santa Catalina Island, Calif.

(a) The anchorage grounds—(1) Descanso Bay. Shoreward of a line connecting the promontories known as White Rock and Casino Point.

(2) Isthmus Cove. All the waters bounded by a line connecting the following coordinates, beginning at 33°27′–12″ N, 118°30′–05″ W (the promontory known as Lion Head); thence southeast to 33°26′–55.5″ N, 118°28′–44″ W; thence west-southwest to 33°26′50″ N, 118°29′–08″ W; thence southwest to 33°26′39″ N, 118°29′–19″ W; thence along the shoreline returning to the point of origin, excluding the following-described non-anchorage area: an area 300 feet wide (170 feet west and 130 feet east of the centerline of the Catalina Island Steamship Line pier), extending 1600 feet from the foot of the pier, and an area 150 feet seaward of the shoreline extending approximately 1500 feet east and 1500 feet northwest of the centerline of said pier.

(b) The regulations. (1) This area is reserved for use of naval vessels carrying or transferring ammunition or explosives under standard military restrictions as established by the Safety Manual, Armed Service Explosives Board.

(2) No pleasure or commercial craft shall navigate or anchor within this area at any time without first obtaining permission from the Commanding Officer, Naval Weapons Station, Seal Beach, California. This officer will extend full cooperation relating to public use of the area and will fully consider every reasonable request for the passage of small craft in light of requirements for national security and safety of persons and property.

(3) Nothing in this section shall be construed as relieving the owner or operator of any vessel from the regulations contained in §204.195 of Title 33, covering navigation in Anaheim Bay Harbor.

(4) The regulations in this section shall be administered by the Commanding Officer U.S. Naval Weapons Station, Seal Beach, California and by such agencies as he may designate, and enforced by the Captain of the Port, Los Angeles-Long Beach, California.

§ 110.218 Pacific Ocean at San Clemente Island, Calif.; in vicinity of Wilson Island.

(a) The anchorage grounds. Shoreward on a line beginning at a point on the beach bearing 153° true, 1,400 yards, from Wilson Cove Light; thence 62° true, 0.67 nautical mile, thence 332° true, 1.63 nautical miles; thence 241°31' true to the shore line.

(b) The regulations. (1) This area is reserved exclusively for anchorage of United States Government vessels or vessels temporarily operating under Government direction, and no vessel, except in an emergency, shall anchor in the area without first obtaining permission from the Commandant, Eleventh Naval District, or the Senior Naval Officer present who shall in turn notify the Commandant promptly.

(2) No vessel shall anchor in such a manner as to unreasonably obstruct the approach to the wharf.

§ 110.220 Pacific Ocean at San Nicolas Island, Calif.; restricted anchorage areas.

(a) The restricted areas—(1) East area. All waters within a circle having a radius of one nautical mile centered at latitude 33°13'45", longitude 119°25'30" (the former position of San Nicolas Island East End Light), which point bears approximately 101°, 420 yards, from San Nicolas Island East End Light.

(2) West area. Shoreward of a line bearing 276° true from San Nicolas Island south side light a distance of six nautical miles; thence to a point bearing 276° true, two nautical miles, from the westernmost point of the island; thence 60° to a point due north of the northernmost point of the island; thence 180° true to the shore.

(b) The regulations. Except in an emergency, no vessel shall anchor in these restricted areas without authority of the Commandant, Eleventh Naval District. Cargo vessels destined for San Nicolas Island may anchor in the east area for unloading or loading.

§ 110.222 Pacific Ocean at Santa Barbara Island, Calif.

(a) The anchorage grounds. Shoreward of a line beginning at the Santa Barbara Island Light on the northeast end of the island and bearing 23° true a distance of 1.515 nautical miles seaward from the beach; thence 140°30' true, 2.54 nautical miles; thence 212°30' true, 2.30 nautical miles; thence 296°30' true, 0.96 nautical mile; and thence 325° true to the beach.

(b) The regulations. The anchorage shall be available for anchorage of all types of craft. Temporary floats or buoys for marking anchors in place will be permitted in this area.

§ 110.224 San Francisco Bay, San Pablo Bay, Carquinez Strait, Sacramento River, San Joaquin River, and connecting waters, CA.

(a) General regulations. (1) Within the navigable waters of San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, New York Slough, San Joaquin River Deep Water Channel, the Stockton Turning Basin, the Sacramento River Deep Water Channel between Suisun Bay and the east end of the West Sacramento Turning Basin, and connecting waters, anchoring is prohibited outside of designated anchorage areas except when required for safety or with the written permission of the Captain of the Port. Each vessel anchoring outside an established anchorage area shall immediately notify the Captain of the Port of her position and reason for anchoring.

(2) No vessel may permanently moor in areas adjacent to the San Joaquin River Deep Water Channel except with the written permission of the Captain of the Port.

(3) Each vessel anchoring for safety reasons in the San Joaquin River Deep Water Channel, the Sacramento River Deep Water Ship Channel, or the Stockton or West Sacramento Turning Basins shall be positioned as near to
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the edge of the channel or turning basin as possible so as not to interfere with navigation, or obstruct the approach to any pier, wharf, slip, or boat harbor and shall move as soon as the reason for anchoring no longer exists or when notified to move by the Captain of the Port.

(4) No vessel may anchor within a tunnel, cable, or pipeline area shown on a Government chart.

(5) No vessel may moor, anchor, or tie up to any pier, wharf, or other vessel in such a manner as to extend into an adjacent channel or fairway.

(6) No vessel in such a condition that it is likely to sink or otherwise become a menace or obstruction to navigation or anchorage of other vessels may occupy an anchorage, except when unforeseen circumstances create conditions of imminent peril to personnel and then only for such period as may be authorized by the Captain of the Port.

(7) Each vessel carrying explosives shall only anchor in an explosives anchorage except as authorized by paragraph (a)(1) or (a)(17) of this section.

(8) No vessel other than a vessel under Federal supervision may go alongside or in any manner moor to any Government-owned vessel, mooring buoy, or pontoon boom, their anchor cables, or any of their appendages. No vessel other than a vessel under Federal supervision may obstruct or interfere in any manner with the mooring, unmooring, or servicing of vessels owned by the United States.

(9) The Captain of the Port may require any vessel in a designated anchorage area to moor with two or more anchors.

(10) Each vessel that will not have sufficient personnel on board to weigh anchor at any time shall anchor with two anchors with mooring swivel, unless otherwise authorized by the Captain of the Port.

(11) Deep-draft vessels shall take precedence over vessels of lighter draft in the deeper portions of all anchorages. Light-draft barges and vessels shall anchor away from the deeper portions of the anchorage so as not to interfere with the anchoring of deep-draft vessels. Should circumstances warrant, the Captain of the Port may require lighter draft vessels to move to provide safe anchorage, particularly in Anchorages 7 and 9, for deep-draft vessels.

(12) Barges towed in tandem to any anchorage shall nest together when anchoring.

(13) Each vessel that is notified by the Captain of the Port or his authorized representative to shift her position shall promptly shift her position.

(14) No person may use these anchorages for any purpose other than the purpose stated in these anchorage regulations.

(15) Where these regulations require that a vessel notify the Captain of the Port, the operator of the vessel shall transmit such report to the San Francisco Vessel Traffic Service.

NOTE: Vessel Traffic Service guards VHF–FM Channel 13 (156.65 MHz) and Channel 14 (156.70 MHz).

(16) Nothing in this section may be construed as relieving any vessel or the owner or person in charge of any vessel from the penalties of law for obstructing or interfering with range lights or for not complying with the laws relating to lights, day signals, and fog signals and other navigation laws and regulations.

(17) The District Engineer, Corps of Engineers, may issue written permission for anchoring a single barge carrying explosives in quantities considered by the District Engineer as safe and necessary in the vicinity of work being done directly under the District Engineer supervision or under a Department of the Army permit. When issuing such a permit, the District Engineer shall prescribe the conditions under which the explosives must be stored and handled and shall furnish a copy of the permit and a copy of the rules and regulations for storing and handling to the Captain of the Port.

(18) No vessel may anchor in a “dead ship” status (propulsion or control unavailable for normal operations) at any anchorage other than in Anchorage 9 as specified in Table 110.224(D)(1) without prior approval of the Captain of the Port.

(b) Naval anchorages. In addition to the general regulations in paragraph
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(a) of this section, the following regulations apply to each naval anchorage described in this section.

(1) Naval anchorages are intended for public vessels of the United States, but may be used by other vessels when not required for use by public vessels.

(2) Other vessels using a naval anchorage shall promptly notify the Captain of the Port upon anchoring and upon departure and shall be prepared to move within one hour upon notice should the anchorage be required for public vessels.

(c) Explosive anchorages. In addition to the general regulations in paragraph (a) of this section, the following regulations apply to each explosives anchorage described in this section.

(1) Explosives anchorages and, where established, surrounding forbidden anchorage zones, are temporarily activated as needed by the Captain of the Port. When not activated, explosives anchorages and surrounding forbidden anchorage zones become part of the general anchorage which encompasses them or, if not located within the boundaries of a general anchorage, become available for general navigation.

(2) Notice of activation and deactivation of explosives anchorages will be disseminated by Coast Guard Broadcast Notice to Mariners.

(3) Each vessel which anchors in an explosives anchorage or surrounding forbidden anchorage zone while such anchorage is not activated shall be prepared to move within one hour if the anchorage is activated.

(4) Unless otherwise authorized by the Captain of the Port:

(i) No vessel may anchor in an activated explosives anchorage except vessels loaded with, loading, or unloading explosives.

(ii) No vessel may enter or remain in an activated explosives anchorage except (A) vessels loaded with, loading or unloading explosives, (B) lighters or barges delivering cargo to or from such vessels, or (C) a tug authorized by paragraph (c)(7)(ii) of this section.

(iii) No vessel carrying explosives or on which explosives are to be loaded may enter or remain in an activated explosives anchorage without written permission from the Captain of the Port. Such a permit must be obtained before entering the anchorage and may be revoked at any time.

(iv) No vessel may anchor in the forbidden anchorage zone surrounding an activated explosives anchorage.

(5) Each vessel loaded with, loading, or unloading explosives, while within an explosives anchorage, shall display by day at her masthead, or at least 10 feet above the upper deck if the vessel has no mast, a red flag at least 16 square feet in area.

(6) Each passing vessel shall reduce speed as necessary so as to insure that its wake does not interfere with cargo transfer operations aboard any vessel displaying a red flag in an explosives anchorage.

(7) The Captain of the Port may:

(i) Issue permission to any vessel carrying flammable solids, oxidizing materials, corrosive liquids, flammable liquids, compressed gases, or poisonous substances to occupy a berth in an activated explosives anchorage. Such a permit must be obtained before entering the anchorage and may be revoked at any time.

(ii) Require any person having business on board a vessel which is loaded with, loading, or unloading explosives to have a document that is acceptable to the Coast Guard for identification purposes and to show that document to the Captain of the Port.

(iii) Require a non-self-propelled vessel, or a self-propelled vessel that is unable to maneuver under its own power, that occupies an activated explosives anchorage to be attended by a tug.

(d) Anchorage grounds. (1) Table 110.224(d)(1) lists anchorage grounds, identifies the purpose of each anchorage, and contains specific regulations applicable to certain anchorages.

(2) The geographic boundaries of each anchorage are contained in paragraph (e) of this section.

<table>
<thead>
<tr>
<th>Table 110.224(D)(1)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Anchorage No.</strong></td>
</tr>
<tr>
<td>4</td>
</tr>
</tbody>
</table>
NOTES: a. When sustained winds are in excess of 25 knots each vessel greater than 300 gross tons using this anchorage shall maintain a continuous radio watch on VHF channel 13 (156.65 MHz) and VHF channel 14 (156.70 MHz). This radio watch must be maintained by a person who fluently speaks the English language.
b. Each vessel using this anchorage may not project into adjacent channels or fairways.
c. This anchorage is primarily for use by vessels requiring a temporary anchorage waiting to proceed to pier facilities or other anchorage grounds. This anchorage may not be used by vessels for the purpose of loading any dangerous cargoes or combustible liquids unless authorized by the Captain of the Port.
d. Each vessel using this anchorage may not remain for more than 12 hours unless authorized by the Captain of the Port.
e. Each vessel using this anchorage shall be prepared to move within 1 hour upon notification by the Captain of the Port.
f. The maximum total quantity of explosives that may be on board a vessel using this anchorage shall be limited to 3,000 tons unless otherwise authorized with the written permission of the Captain of the Port.
g. The maximum total quantity of explosives that may be on board a vessel using this anchorage shall be limited to 50 tons except that, with the written permission of the Captain of the Port, each vessel in transit loaded with explosives in excess of 50 tons, may anchor temporarily in this anchorage provided that the hatches to the holds containing explosives are not opened.
h. Each vessel using this anchorage will be assigned a berth by the Captain of the Port on the basis of the maximum quantity of explosives that will be on board the vessel.
i. [Reserved]
j. Each vessel using this anchorage shall promptly notify the Captain of the Port, upon anchoring and upon departure.
k. See §162.270 of this title establishing restricted areas in the vicinity of the Maritime Administration Reserve Fleet.
l. Vessels using this anchorage must exceed 15 feet draft, have engines on standby, and have a pilot on board.
m. Any vessel anchoring in a “dead-ship” status shall have one assist tug of adequate bollard pull on standby and immediately available (maximum of 15 minute response time) to provide emergency maneuvering. When the sustained winds are 20 knots or greater, or when the wind gusts are 25 knots or greater, the tug must be alongside.

(e) Boundaries.

(1) Anchorage No. 4. Bounded by the west shore of San Francisco Bay and the following lines: Beginning on the shore southwest of Point San Quentin at latitude 37°56′28″ N., longitude 122°28′34″ W.; thence east-southeasterly to latitude 37°55′55″ N., longitude 122°26′49″ W., thence southeasterly to latitude 37°54′13″ N., longitude 122°27′24″ W., thence southeasterly to the shore of Tiburon Peninsula at Point Chauncey at latitude 37°53′40.5″ N., longitude 122°26′55″ W. When Explosives Anchorage No. 13 is activated by the Captain of the Port, it and the forbidden anchorage zone surrounding it are excluded from Anchorage No. 4.

(2) Anchorage No. 5, Southampton Shoal. In San Francisco Bay at Southampton Shoal bounded by a line connecting the following coordinates:

<table>
<thead>
<tr>
<th>Anchorage No.</th>
<th>General location</th>
<th>Purpose</th>
<th>Specific regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>do</td>
<td>do</td>
<td>Do.</td>
</tr>
<tr>
<td>6</td>
<td>do</td>
<td>do</td>
<td>Notes a, b, c, d, e.</td>
</tr>
<tr>
<td>7</td>
<td>do</td>
<td>do</td>
<td>Notes a, b, c.</td>
</tr>
<tr>
<td>8</td>
<td>do</td>
<td>do</td>
<td>Notes a, b, m.</td>
</tr>
<tr>
<td>9</td>
<td>do</td>
<td>do</td>
<td>Note a.</td>
</tr>
<tr>
<td>10</td>
<td>do</td>
<td>Explosives</td>
<td>Notes f.</td>
</tr>
<tr>
<td>11</td>
<td>do</td>
<td>do</td>
<td>Notes a, f.</td>
</tr>
<tr>
<td>12</td>
<td>do</td>
<td>do</td>
<td>Notes a, f.</td>
</tr>
<tr>
<td>13</td>
<td>do</td>
<td>do</td>
<td>Notes e, g.</td>
</tr>
<tr>
<td>14</td>
<td>do</td>
<td>do</td>
<td>Notes a, f, k.</td>
</tr>
<tr>
<td>15</td>
<td>San Pablo Bay</td>
<td>General.</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>do</td>
<td>do</td>
<td>Note b.</td>
</tr>
<tr>
<td>17</td>
<td>do</td>
<td>do</td>
<td>Note c, d, e.</td>
</tr>
<tr>
<td>18</td>
<td>Carquinez Strait</td>
<td>General.</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>do</td>
<td>do</td>
<td>Note j.</td>
</tr>
<tr>
<td>20</td>
<td>do</td>
<td>do</td>
<td>Note l.</td>
</tr>
<tr>
<td>21</td>
<td>do</td>
<td>Naval.</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Benicia</td>
<td>General.</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>do</td>
<td>do</td>
<td>Notes c, d, e, f.</td>
</tr>
<tr>
<td>24</td>
<td>do</td>
<td>do</td>
<td>Notes a, e, g.</td>
</tr>
<tr>
<td>25</td>
<td>do</td>
<td>do</td>
<td>Notes a, f, k.</td>
</tr>
<tr>
<td>26</td>
<td>do</td>
<td>do</td>
<td>Notes a, b, m.</td>
</tr>
<tr>
<td>27</td>
<td>do</td>
<td>do</td>
<td>Notes a, b, c.</td>
</tr>
<tr>
<td>28</td>
<td>do</td>
<td>do</td>
<td>Notes a, b, m.</td>
</tr>
<tr>
<td>29</td>
<td>do</td>
<td>do</td>
<td>Notes a, b, c.</td>
</tr>
<tr>
<td>30</td>
<td>do</td>
<td>do</td>
<td>Notes a, b, m.</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>37°55′48″ N.</td>
<td>122°25′52″ W.; to</td>
</tr>
<tr>
<td>37°55′50″ N.</td>
<td>122°25′32″ W.; to</td>
</tr>
<tr>
<td>37°55′40″ N.</td>
<td>122°26′06″ W.; to</td>
</tr>
<tr>
<td>37°53′25″ N.</td>
<td>122°23′30″ W.; to</td>
</tr>
<tr>
<td>37°53′23″ N.</td>
<td>122°23′09″ W.; to</td>
</tr>
<tr>
<td>37°55′19″ N.</td>
<td>122°23′33″ W.; to</td>
</tr>
<tr>
<td>37°55′42″ N.</td>
<td>122°25′45″ W.; thence</td>
</tr>
<tr>
<td>back to</td>
<td></td>
</tr>
<tr>
<td>37°55′48″ N.</td>
<td>122°25′52″ W.</td>
</tr>
</tbody>
</table>

(3) **Anchorage No. 6.** Bounded by the east shore of San Francisco Bay and the following lines: Beginning at the shore of the southernmost extremity of Point Isabel at latitude 37°53′56″ N., longitude 122°19′19″ W.; thence westerly along the north shore of Brooks Island to the jetty extending westerly therefrom; thence westerly along the jetty to its bayward end at latitude 37°54′13″ N., longitude 122°23′57″ W.; thence south-southeasterly to latitude 37°49′33″ N.; longitude 122°21′39″ W.; thence southeasterly to latitude 37°49′32.5″ N., longitude 122°21′20.5″ W.; thence easterly to latitude 37°49′34″ N., longitude 122°20′13″ W.; thence easterly to latitude 37°49′30″ N.; longitude 122°19′45.5″ W.; thence east-southeasternly to the shore at Emeryville at latitude 37°50′04″ N., longitude 122°17′41″ W.; excluding from this area, however, the channel to Berkeley Marina delineated by lines joining the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>37°52′08″ N.</td>
<td>122°19′07″ W.</td>
</tr>
<tr>
<td>37°52′03″ N.</td>
<td>122°19′17.5″ W.</td>
</tr>
<tr>
<td>37°52′00″ N.</td>
<td>122°19′15.5″ W.</td>
</tr>
<tr>
<td>37°51′01″ N.</td>
<td>122°19′07″ W.</td>
</tr>
<tr>
<td>37°50′43″ N.</td>
<td>122°22′00″ W.</td>
</tr>
<tr>
<td>37°50′33″ N.</td>
<td>122°21′32″ W.</td>
</tr>
<tr>
<td>37°50′17″ N.</td>
<td>122°18′36″ W.</td>
</tr>
</tbody>
</table>

(4) **Anchorage No. 7, Treasure Island.** In San Francisco Bay at Treasure Island bounded a line connecting the following coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>37°49′36″ N.</td>
<td>122°22′30″ W.; to</td>
</tr>
<tr>
<td>37°50′00″ N.</td>
<td>122°22′57″ W.; to</td>
</tr>
<tr>
<td>37°49′22.5″ N.</td>
<td>122°23′44″ W.; to</td>
</tr>
<tr>
<td>37°48′40.5″ N.</td>
<td>122°23′38″ W.; to</td>
</tr>
<tr>
<td>37°49′00″ N.</td>
<td>122°22′16″ W.; thence</td>
</tr>
<tr>
<td>along the shore to</td>
<td></td>
</tr>
<tr>
<td>37°49′36″ N.,</td>
<td>122°22′40″ W.</td>
</tr>
</tbody>
</table>

(5) **Anchorage No. 8.** In San Francisco Bay bounded by the west shore of Alameda Island and the following lines: Beginning at 37°47′52″ N, 122°19′58″ W.; thence west-northwesterly to 37°48′02.5″ N 122°21′01.5″ W; thence west-southwesterly to 37°47′51.5″ N, 122°21′40″ W; thence south-southwesterly to 37°47′35.5″ N, 122°21′50″ W; thence south-southeasterly to 37°46′40″ N, 122°21′23″ W; thence easterly to 37°46′36.5″ N, 122°19′52″ W; thence northerly to shore at 37°46′53″ N, 122°19′53.5″ W (NAD 83).

(6) **Anchorage No. 9.** In San Francisco Bay bounded on the east by the eastern shore of San Francisco Bay and on the north by the southern shore of Alameda Island and a line beginning at 37°46′21.5″ N, 122°19′07″ W; thence westerly to 37°46′30″ N, 122°21′56″ W; thence south-southeasterly to 37°41′45″ N, 122°20′22″ W (San Bruno Channel Light 1); thence south-southeasterly to 37°38′38.5″ N, 122°18′48.5″ W (San Bruno Channel Light 5); thence southeasterly to 37°36′05″ N, 122°14′16″ W; thence northeasterly to shore at 37°37′36″ N, 122°09′06.5″ W (NAD 83).

(7) **Anchorage No. 10.** In San Francisco Bay bounded by the east shore of Sausalito and the following lines: Beginning on the shore of Sausalito at latitude 37°51′20″ N., longitude 122°28′38″ W.; thence southeasterly to latitude 37°50′07″ N., longitude 122°27′57″ W.; thence southwesterly to the shore of Sausalito at latitude 37°50′36″ N., longitude 122°28′34″ W.

(8) **Anchorage No. 12.** In San Francisco Bay east of the city of San Francisco a circular area having a radius of 500 yards centered at latitude 37°44′32.5″ N., longitude 122°20′27.5″ W. A 667-yard-wide forbidden anchorage zone surrounds this anchorage.

(9) **Anchorage No. 11.** In San Francisco Bay east of the Tiburon Peninsula a circular area having a radius of 333 yards centered at latitude 37°55′26″ N., longitude 122°27′27″ W. A 667-yard-wide forbidden anchorage zone surrounds this anchorage except where such zone would extend beyond the limits of Anchorage No. 4.

Note: See §110.224(e)(2) for a description of Anchorage No. 4.

(10) **Anchorage No. 14.** In San Francisco Bay east of Hunters Point an area 1,000 yards wide and 2,760 yards long,
the end boundaries of which are semicircles, with a radii of 500 yards and center, respectively at latitude 37°42'37" N., longitude 122°19'48" W. and latitude 37°43'29" N., longitude 122°19'48" W. (NAD 83); and the side boundaries of which are parallel tangents joining the semicircles. A forbidden anchorage zone extends 667 yards out from the perimeter on each side.

(11) Anchorage No. 18. In San Pablo Bay bounded by the west shore of San Pablo Bay and the following lines: Beginning at the shore at Point San Pedro at latitude 37°59'16" N., longitude 122°26'47" W.; thence easterly to latitude 37°59'16" N., longitude 122°26'26" W.; thence northerly to latitude 38°03'46" N., longitude 122°25'52.5" W.; thence northwesterly to the shore south of the entrance to Novato Creek at latitude 38°05'13.5" N., longitude 122°29'04" W.; excluding from this area, however, the channel to Hamilton Field and the extension of this channel easterly to the boundary of the anchorage, and the pipeline area therein.

(12) Anchorage No. 19. In San Pablo Bay bounded by the northeast shore of San Pablo Bay and the following lines: Beginning at the shore at Tubbs Island at latitude 38°07'39" N., longitude 122°25'18" W.; thence southerly to latitude 38°00'36" N., longitude 122°25'20" W.; thence northeasterly to latitude 38°03'13" N., longitude 122°19'46" W.; thence east-northeasterly to latitude 38°03'37" N., longitude 122°17'13" W.; thence northerly to the long dike extending southwesterly from Mare Island at latitude 38°03'52.5" N., longitude 122°17'10" W.; thence along the long dike to the shore at Mare Island.

(13) Anchorage No. 20. In San Pablo Bay bounded by the southeast shore of San Pablo Bay and the following lines: Beginning at the northeast corner of Parr Terminal No. 4 at Point San Pablo at latitude 37°57'39" N., longitude 122°25'35" W.; thence northeasterly to latitude 38°01'27.5" N., longitude 122°21'33" W.; thence east-northeasterly to the Union Oil Co. pier at Oleum at latitude 38°03'18" N., longitude 122°15'37" W.; and thence along this pier to the shore.

(14) Anchorage No. 21. In San Pablo Bay south of Mare Island a rectangular area beginning at latitude 38°03'56" N., longitude 122°15'56" W.; thence easterly to latitude 38°04'02" N., longitude 122°15'20" W.; thence southerly to latitude 38°03'48" N., longitude 122°15'16" W.; thence westerly to latitude 38°03'42" N., longitude 122°15'52" W.; thence northerly to the point of beginning.

(15) Anchorage No. 22, Carquinez Strait. In Carquinez Strait an area bounded by a line connecting the following coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>38°02'36.8&quot; N.</td>
<td>122°09'59&quot; W; to 38°02'06.6&quot; N.</td>
</tr>
<tr>
<td>38°01'53.8&quot; N.</td>
<td>122°09'46.7&quot; W; to 38°01'00.0&quot; W; to</td>
</tr>
<tr>
<td>38°02'33.9&quot; N.</td>
<td>122°09'00&quot; W; thence back to 38°02'36.8&quot; N.</td>
</tr>
</tbody>
</table>

(16) Anchorage No. 23, Benicia. In Carquinez Strait an area bounded by a line connecting the following coordinates:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>38°02'33.9&quot; N.</td>
<td>122°09'06&quot; W; to 38°01'53.8&quot; N.</td>
</tr>
<tr>
<td>38°01'57.4&quot; N.</td>
<td>122°09'00&quot; W; to 38°02'33&quot; N.</td>
</tr>
<tr>
<td>38°02'33&quot; N.</td>
<td>122°08'18.6&quot; W; thence back to 38°02'33.9&quot; N.</td>
</tr>
</tbody>
</table>

(17) Anchorage No. 24. Bounded by the north shore of Carquinez Strait and the following points: Beginning on the shore at Dillon Point at 38°03'44" N., 122°11'34" W.; thence southeasterly to 38°03'21" N., 122°10'43" W.; thence south-easterly to 38°02'36" N., 122°10'03" W. (Carquinez Strait Lighthouse 23); thence to the shore at the Benicia City Wharf at 38°02'40" N., 122°09'55" W (NAD 83).

(18) Anchorage No. 26. On the west side of Suisun Bay, adjacent to and northeast of the city of Benicia within the following boundaries: Beginning on the shore northeast of Army Point at latitude 38°02'54" N., longitude 122°07'37" W.; thence south-southeasterly along the Southern Pacific bridge to latitude 38°02'38" N., longitude 122°07'24" W.; thence easterly to latitude 38°02'42" N., longitude 122°07'07.5" W.; thence north-easterly to latitude 38°05'42" N., longitude 122°04'06" W.; thence northwesterly to the shore at latitude 38°05'38" N., longitude 122°04'28" W.; thence along the shore to the point of beginning.
the north shore and the following lines: Beginning on the shore of Grizzly Island at latitude 38°08'13" N., longitude 123°02'42.5" W.; thence southerly to tripod at Preston Point on Roe Island at latitude 38°04'16" N., longitude 122°02'42" W.; thence along the south shore of Roe Island to latitude 38°04'05" N., longitude 122°01'35" W.; thence east-southeasterly to latitude 38°03'42.5" N., longitude 121°58'54" W.; thence easterly to the shore of Chippis Island at latitude 38°03'42.5" N., longitude 121°53'05" W.

(20) Anchorages No. 28. The area bounded on the east by the shore of Lower Sherman Island and the following lines: Beginning at Point Sacramento on Lower Sherman Island at latitude 38°03'45" N., longitude 121°50'17.5" W.; thence southwesterly to latitude 38°03'37.5" N., longitude 121°50'31" W.; thence south-southeasterly to latitude 38°02'11" N.; longitude 121°49'58" W.; thence to the shore of Lower Sherman Island at latitude 38°02'29" N., longitude 121°49'49" W.

(21) Anchorages No. 30. The portion of the Old San Joaquin River Channel bounded on the west by the shore of Mandeville Point and the following lines: Beginning on the shore of Mandeville Point at latitude 38°04'01" N., longitude 121°32'05" W.; thence northeasterly to latitude 38°04'07.5" N., longitude 121°31'58" W.; thence southerly to latitude 38°03'47" N., longitude 121°31'42.5" W.; thence westerly to the shore of Mandeville Point at latitude 38°03'47.5" N., longitude 121°31'56" W.


§ 110.228 Columbia River, Oregon and Washington.

(a) The anchorage grounds.—(1) Astoria North Anchorage. An area enclosed by a line beginning north of Astoria, Oregon, at latitude 46°11'47" N., longitude 123°49'39" W.; thence continuing northerly to latitude 46°12'05" N., longitude 123°49'35" W.; thence northeasterly to latitude 46°13'16" N., longitude 123°46'23" W.; thence southerly to latitude 46°13'01" N., longitude 123°46'12" W.; thence southwesterly to latitude 46°11'52" N., longitude 123°49'13" W.; thence westerly to the point of beginning.

(2) Astoria South Anchorage. An area enclosed by a line beginning north of Astoria, Oregon, at latitude 46°11'38" N., longitude 123°48'59" W.; thence continuing northerly to latitude 46°11'47" N., longitude 123°49'08" W.; thence northeasterly to latitude 46°13'03" N., longitude 123°45'37" W.; thence southerly to latitude 46°12'56" N., longitude 123°45'30" W.; thence southwesterly to latitude 46°12'44" N., longitude 123°46'33" W.; thence southwesterly to latitude 46°12'07" N., longitude 123°47'24" W.; thence westerly to the point of beginning.

(3) Longview Anchorage. An area enclosed by a line beginning southeast of Longview, Washington, at latitude 46°07'15" N., longitude 122°59'08" W.; thence continuing northeasterly to latitude 46°07'23" N., longitude 122°58'56" W.; thence southeasterly to latitude 46°06'58" N., longitude 122°58'20" W.; thence southeasterly to latitude 46°06'42" N., longitude 122°57'56" W.; thence southerly to latitude 46°06'33" N., longitude 122°57'04" W.; thence westerly to latitude 46°06'35" N., longitude 122°58'10" W.; thence northwesterly to latitude 46°06'42" N., longitude 122°58'23" W.; thence northwesterly to the point of beginning.

(4) Kalama Anchorage. An area enclosed by a line beginning northeaster of Sandy Island at latitude 46°00'59" N., longitude 122°51'31" W.; thence continuing southeasterly to latitude 46°00'55" N., longitude 122°51'27" W.; thence southeasterly to latitude 46°00'56" N., longitude 122°51'11" W.; thence southerly to latitude 45°59'32" N., longitude 122°50'48" W.; thence westerly to latitude 45°59'39" N., longitude 122°50'39" W.; thence northerly to latitude 46°00'35" N., longitude 122°51'26" W.; thence northwesterly to latitude 46°00'32" N., longitude 122°51'41" W.; thence northwesterly to the point of beginning.
§ 110.228 33 CFR Ch. I (7–1–02 Edition)

(5) Woodland Anchorage. An area enclosed by a line beginning east of Columbia City, Oregon, at latitude 45°53′56″ N, longitude 122°48′13″ W; thence continuing easterly to latitude 45°53′58″ N, longitude 122°47′58″ W; thence southerly to latitude 45°53′29″ N, longitude 122°47′41″ W; thence westerly to latitude 45°53′21″ N, longitude 122°47′59″ W; thence northerly to latitude 45°53′42″ N, longitude 122°48′09″ W; thence northerly to the point of beginning.

(6) Henrici Bar Anchorage. An area enclosed by a line beginning near the mouth of Bachelor Slough at latitude 45°47′25″ N, longitude 122°46′45″ W; thence continuing southeasterly to latitude 45°46′46″ N, longitude 122°46′10″ W; thence southeasterly to latitude 45°46′26″ N, longitude 122°45′56″ W; thence southerly to latitude 45°46′04″ N, longitude 122°45′46″ W; thence southerly to latitude 45°45′42″ N, longitude 122°45′41″ W; thence southerly to latitude 45°45′38″ N, longitude 122°45′48″ W; thence westerly to latitude 45°46′17″ N, longitude 122°46′06″ W; thence northwesterly to latitude 45°47′21″ N, longitude 122°46′55″ W; thence northeasterly to the point of beginning.

(7) Willow Bar Anchorage. An area enclosed by a line beginning northeast of Reeder Point at latitude 45°43′41″ N, longitude 122°45′36″ W; thence continuing easterly to latitude 45°43′40″ N, longitude 122°45′28″ W; thence southerly to latitude 45°41′28″ N, longitude 122°46′12″ W; thence westerly to latitude 45°41′30″ N, longitude 122°46′22″ W; thence northerly to the point of beginning.

(8) Kelley Point Anchorage. An area enclosed by a line beginning east of Kelley Point at latitude 45°39′07″ N, longitude 122°45′36″ W; thence continuing northeasterly to latitude 45°39′11″ N, longitude 122°45′32″ W; thence southerly to latitude 45°39′03″ N, longitude 122°45′17″ W; thence westerly to latitude 45°38′58″ N, longitude 122°45′22″ W; thence northerly to the point of beginning.

(9) Hayden Island Anchorage. An area enclosed by a line beginning south of Mathews Point at latitude 45°38′44″ N, longitude 122°44′35″ W; thence continuing easterly to latitude 45°38′27″ N, longitude 122°43′21″ W; thence southeasterly to latitude 45°38′12″ N, longitude 122°43′03″ W; thence westerly to latitude 45°38′19″ N, longitude 122°43′40″ W; thence northwesterly to latitude 45°38′42″ N, longitude 122°43′36″ W; thence northeasterly to the point of beginning.

(b) The regulations.

(1) All designated anchorages are intended for the primary use of deep-draft vessels over 200 feet in length.

(2) If a vessel under 200 feet in length is anchored in a designated anchorage, the master or person in charge of the vessel shall:

(i) Ensure that the vessel is anchored so as to minimize conflict with large, deep-draft vessels utilizing or seeking to utilize the anchorage; and

(ii) Move the vessel out of the area if requested by the master of a large, deep-draft vessel seeking to enter or depart the area or if directed by the Captain of the Port.

(3) No vessel may occupy a designated anchorage for more than 30 consecutive days without a permit from the Captain of the Port.

(4) No vessel being layed-up or dismantled or undergoing major alterations or repairs may occupy a designated anchorage without a permit from the Captain of the Port.

(5) No vessel carrying a Cargo of Particular Hazard listed in §126.10 of this chapter may occupy a designated anchorage without permission from the Captain of the Port.

(6) No vessel in a condition such that it is likely to sink or otherwise become a hazard to the operation of other vessels shall occupy a designated anchorage except in an emergency and then only for such periods as may be authorized by the Captain of the Port.

(7) Except as allowed for emergencies, no vessel may occupy either the Henrici Bar or Willow Bar Anchorages during the commercial drift fishing seasons established by the Oregon Department of Fish and Wildlife (ODFW). Vessels occupying either of these anchorages at the time a drift fishing season is announced must depart prior to commencement of the season. In no case, however, shall a
vessel have less than 48 hours to effect the move.

(8) ODFW will normally notify the Captain of the Port four days in advance of any commercial drift fishing season. Once notified, the Captain of the Port will inform the Portland Steamship Operators Association (PSOA) via the Merchant’s Exchange and will notify the Columbia River and Bar Pilots.


§ 110.229 Straits of Juan de Fuca, Wash.

(a) Anchorage grounds—(1) Nonanchorage area (Port Angeles Harbor). Beginning at a point on the shore at latitude 48°07′04.5″ N., longitude 123°24′15.6″ W.; thence to latitude 48°07′39.1″ N., longitude 123°24′00″ W.; thence to latitude 48°07′36.7″ N., longitude 123°23′36″ W.; thence to a point on the shoreline at latitude 48°06′57.4″ N., longitude 123°24′04″ W.

(b) The regulations. (1) No vessel may anchor in this nonanchorage area at any time.

(2) Dragging, seining, fishing, or other activities which may foul underwater installations within this nonanchorage area are prohibited.

(3) Vessels may transit his nonanchorage area, but must proceed by the most direct route and without unnecessary delay.

(4) The city of Port Angeles will mark this area with signs on the shoreline visible (during normal daylight) 1 mile to seaward reading, “Do not Anchor in This Area.”


§ 110.230 Puget Sound Area, Wash.

(a) The anchorage grounds—(1) Freshwater Bay emergency explosives anchorage, Strait of Juan de Fuca. All of Freshwater Bay and adjacent waters shoreward of a line beginning at Observatory Point, latitude 48°09′09″, longitude 123°38′12″; thence due north approximately 1,150 yards to latitude 48°09′36″, longitude 123°38′12″; thence 90°, approximately 6,450 yards, to latitude 48°09′36″, longitude 123°33′27″; thence 180° to the shoreline.

(1) This area does not constitute an explosives anchorage for loading or discharging explosives, but is established exclusively for use by explosives laden vessels enroute to the ammunition dumping area which encounter adverse weather and sea conditions and are forced to await more favorable conditions before proceeding to sea.

(1–a) Bellingham Bay Anchorage. The waters of Bellingham Bay within a circular area with a radius of 2,000 yards, having its center at latitude 48°44′15″, longitude 122°32′25″.

(1–b) Bellingham Bay Explosives Anchorage. The waters of Bellingham Bay within a circular area with a radius of 1,000 yards, having its center at latitude 48°42′48″, longitude 122°33′37″.

(2) Port Townsend Explosives Anchorage—(i) Fair weather anchorage area. A circular area having a radius of 300 yards, whose center is at latitude 48°06′26″, longitude 122°43′46″.

(ii) Foul weather anchorage area. A circular area having a radius of 300 yards, whose center is at latitude 48°04′08″, longitude 122°44′52″.

(3) Holmes Harbor General Anchorage. All of Holmes Harbor lying southerly of a line ranging 310° through Hackney Island, between the shores of Whidbey Island.

(4) Port Gardner General Anchorage, Possession Sound. Beginning at a point bearing 211°, 560 yards, from Snohomish River Light 5; thence 180°, 675 yards; thence 216°, 250 yards; thence 254°, 800 yards; thence 302°, 1,700 yards; thence 49°, 1,280 yards; thence approximately 115°, 1,525 yards, to the point of beginning.

(5) [Reserved]

(6) Thorndike Bay Emergency Explosives Anchorage, Hood Canal. Beginning at a point bearing 267°, 3,500 yards, from Hood Canal Light 7; thence 180°, 1,000 yards to a point approximately 251°, 3,725 yards, from Hood Canal Light 7; thence 276°, 1,350 yards to a point approximately 268°, 5,000 yards, from Hood Canal Light 7; thence due north 1,000 yards, to a point approximately 268°, 4,500 yards, from Hood Canal Light 7; thence approximately 90°, 1,350 yards, to the point of beginning.

(7) Smith Cove General Anchorage (west), Elliott Bay. Shoreward of a line beginning at Fourmile Rock Light; thence to a point bearing 207°, 1,100 yards, from Fourmile Rock Light;
§ 110.230

thence southeasterly to a point bearing 6°30’, 2,075 yards, from Duwamish Head Light 2; thence due north to the shore of Smith Cove.

(8) Smith Cove General Anchorage (east) Elliott Bay. Shoreward of a line beginning at latitude 47°37.36.3’ N., longitude 122°22.38’ W.; thence due south 1,350 yards to latitude 47°36.56.6’ N., Longitude 122°22.38’ W.; thence due east to the shore at latitude 47°36.56.6’ N., Longitude 122°21.18.8’ W.

(9) Elliott Bay General Anchorage (east). Shoreward of a line beginning at the northeast corner of Harbor Island at latitude 47°35.26.2’ N., longitude 122°20.41’ W.; thence due north 1,025 yards to latitude 47°35.56.5’ N., longitude 122°20.41’ W.; thence due west on said line to its intersection with the east line of the West Waterway at latitude 47°35.56.5’ N., longitude 130°21.25.5’ W.; thence due south to the northwest corner of Harbor Island at latitude 47°35.17.3’ N., longitude 122°21.25.5’ W.

(10) Elliott Bay General Anchorage (west). Shoreward of a line beginning at latitude 47°35.06.7’ N., longitude 122°21.36.8’ W.; thence due north to latitude 47°35.46’ N., longitude 122°21.36.8’ W.; thence on a bearing 335° T for 400 yards to latitude 47°35.56.5’ N., longitude 122°21.44’ W.; thence due west to Duwamish Head Light; thence due south to the shoreline.

(11) Orchard Point General Anchorage, Puget Sound. Beginning at Orchard Point Light; thence 106°, two miles; thence 180° to the northern shore of Blake Island; thence west and south along the shoreline to the southern end of Blake Island at approximate longitude 122°29.16’; thence 250° to the dock at Harper; thence westerly and northerly along the shoreline to the point of beginning.

(12) [Reserved]

(13) Commencement Bay General Anchorage. A quadrilateral area bounded as follows: Beginning at latitude 47°17.9’ N., longitude 122°26.00’ W.; thence due south to latitude 47°17.19’ N., longitude 122°26.00’ W.; thence due east to a point bearing 286° T from Hylebos Waterway Light I at a distance of 450 yards; thence due north to latitude 47°17.33’ N., longitude 122°25.00’ W.; thence west northwest to the point of beginning.

(14) Cherry Point General Anchorage. The waters within a circular area with a radius of 0.8 nautical mile, having its center at latitude 48°48’30” N., longitude 122°46’00” W.

(b) The regulations. (1) No vessel shall anchor in any general anchorage described in paragraph (a) of this section without prior permission from the Captain of the Port, or his authorized representative. No vessel shall occupy any general anchorage for a period longer than 30 days unless a permit is obtained from the Captain of the Port for that purpose. No vessel in a condition such that it is likely to sink or otherwise become a menace or obstruction to the navigation or anchorage of other vessels shall occupy a general anchorage except in an emergency and then only for such period as may be permitted by the Captain of the Port. A berth in a general anchorage, if available, may be assigned to any vessel by the Captain of the Port upon application and he may grant revocable permits for the continuous use of the same berth.

(2) Explosive anchorages are reserved for vessels carrying explosives. All vessels carrying explosives shall be within these areas when anchored.

(3) Whenever any vessel not fitted with mechanical power, anchors in an explosive anchorage, the Captain of the Port may require the attendance of a tug upon such vessel, when, in his judgment, such action is necessary.

(4) Vessels carrying explosives shall comply with the general regulations in paragraph (b)(1) of this section, when applicable.

(5) Every vessel at anchor in an explosives anchorage shall display by day a red flag at least 16 square feet in area at its mast head or at least 10 feet above the upper deck if the vessel has no mast, and by night a red light in the same position specified for the flag. These signals shall be in addition to day signals and lights required to be shown by all vessels when at anchor.

(6) Every vessel constructed of wood shall, unless there are steel bulwarks or metallic cases or cargo on board, be fitted with radar reflector screens of metal of sufficient size to permit target indication on the radar screen of commercial type radars.
§ 110.232  Southeast Alaska.

(a) The anchorage grounds—(1) Hassler Harbor—explosives anchorage. The waters of Hassler Harbor within a circular area with a radius of 1,500 yards, having its center at latitude 55°12′52″ N., longitude 131°25′32″ W.

(b) The regulations. (1) Except in an emergency, only a vessel that is transporting, loading or discharging explosives may anchor, moor, or remain within the Hassler Harbor explosives anchorage.

(2) A master or person in charge of a vessel shall obtain a written permit from the Captain of the Port, Southeast, Alaska, to anchor, moor, or remain within the explosives anchorage. The vessel shall anchor in the position specified by the permit.

(3) The net weight of the explosives laden aboard all vessels anchored, moored, or remaining within the anchorage shall not exceed 800,000 pounds.

(4) The Captain of the Port, Southeast, Alaska, may require a nonself propelled vessel to be attended by a tug while moored, anchored, or remaining within the explosives anchorage.

(5) A wooden vessel must:

(i) Be fitted with a radar reflector screen of metal of sufficient size to permit target indication on the radar screen of commercial type radar; or

(ii) Have steel bulwarks; or

(iii) Have metallic cases or cargo aboard.

(6) Each vessel moored, anchored, or remaining within the explosives anchorage and carrying, loading, or discharging explosives from sunrise to sunset shall display:

(i) A red flag from the mast; or

(ii) A sign posted on each side of the vessel reading “Explosive—Keep Clear—No Smoking or Open Flame” in letters that are 3 inches or larger and have sufficient contrast with the background to be seen from a distance of 200 feet.

(7) Each vessel moored, anchored, or remaining within the anchorage during the night shall display:

(i) Anchor lights; and

(ii) A 32 point red light located from the mast or highest part of the vessel

§ 110.231  Ketchikan Harbor, Alaska, Large Passenger Vessel Anchorages.

(a) The anchorage grounds. Ketchikan Harbor, Alaska, Large Passenger Vessel Anchorages. The waters of Ketchikan Harbor, Ketchikan, Alaska, enclosed by the following boundary lines: A line from Thomas Basin Entrance Light “2” to East Channel Lighted Buoy “4A”, to Pennock Island Reef Lighted Buoy “PR”, to Wreck Buoy “WR6”, then following a line bearing 064 degrees true to shore. This anchorage is effective 24 hours per day from 1 May through 30 September, annually.

(b) The regulations. (1) When transiting through the anchorage, all vessels using propulsion machinery shall proceed across the anchorage by the most direct route and without unnecessary delay. Sudden course changes within the anchorage are prohibited.

(2) No vessels, other than a large passenger vessel of over 1600 gross tons, (including ferries), may anchor within the anchorage without the express consent of the Captain of the Port, Southeast Alaska.

[CGD17–99–002, 64 FR 29558, June 2, 1999]

(a) **The anchorage grounds.** In Prince William Sound, Alaska, beginning at a point at latitude 60°40’00” N., longitude 146°40’00” W.; thence south to latitude 60°38’00” N., longitude 146°40’00” W.; thence east to latitude 60°38’00” N., longitude 146°30’00” W.; thence north to latitude 60°30’00” N., longitude 146°30’00” W.; thence northwesterly to the beginning point.

(b) **The regulations.** (1) This anchorage area is for the temporary use of vessels during:

(i) Adverse weather or tidal conditions;

(ii) Vessel equipment failure; or

(iii) Delays at Port Valdez;

(2) No vessel may anchor in this anchorage without notifying the vessel traffic center in Valdez; and

(3) Each vessel anchored shall notify the vessel traffic center in Valdez when it weighs anchor.

CGD 77–144, 43 FR 21459, May 18, 1978

§ 110.235 Pacific Ocean (Mamala Bay), Honolulu Harbor, Hawaii (Datum: NAD 83).

(a) The anchorage grounds—(1) **Anchorage A.** The waters bounded by the arc of a circle with a radius of 350 yards with the center located at:

<table>
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</tr>
</thead>
<tbody>
<tr>
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<td>157°53’12” W</td>
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</tbody>
</table>

(2) **Anchorage B.** The waters bounded by a line connecting the following coordinates:

<table>
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<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>21°17’22” N</td>
<td>157°54’40” W; to</td>
</tr>
<tr>
<td>21°17’06” N</td>
<td>157°54’19” W; and</td>
</tr>
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<td>157°54’40” W</td>
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</tbody>
</table>

(3) **Anchorage C.** The waters bounded by the arc of a circle with a radius of 450 yards with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>21°17’09” N</td>
<td>157°54’55” W</td>
</tr>
</tbody>
</table>

(4) **Anchorage D.** The waters bounded by the arc of a circle with a radius of 450 yards with the center located at:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>21°17’21” N</td>
<td>157°55’20” W</td>
</tr>
</tbody>
</table>

(b) The regulations. (1) Anchors must be placed inside the anchorage areas.

(2) The anchorages are general anchorages for commercial vessels. Anchorage A should be used only if Anchorages B, C, and D are full.

(3) No bunkering operations or vessel to vessel transfer of oil in bulk of any kind is permitted within Anchorage A.

(4) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel from complying with the rules of navigation and with safe navigation practice.

CGD 93–93, 59 FR 40820, Aug. 10, 1994

§ 110.236 Pacific Ocean off Barbers Point, Island of Oahu, Hawaii: Offshore pipeline terminal anchorages.

(a) **The anchorage grounds—** (1) **Anchorage A.** The waters within an area described as follows: A circle of 1,000 feet radius centered at latitude 21°17’43.6” N., longitude 158°07’36.1” W. (Datum NAD 83)

(2) **Nonanchorage area A.** The waters extending 300 feet on either side of a line bearing 059° from anchorage A to the shoreline at latitude 21°18’10.6” N., longitude 158°06’47.1” W. (Datum NAD 83)

(3) **Anchorage B.** The waters enclosed by a line beginning at latitude 21°16’30.1” N., longitude 158°04’59.1” W.; thence to latitude 21°15’52.5” N., longitude 158°06’57” W.; thence to latitude 21°15’39.7” N., longitude 158°05’35.9” W.; thence to latitude 21°16’27”.4” N., longitude 158°05’28” W.; thence to the point of beginning. (Datum NAD 83)

(4) **Nonanchorage area B.** The waters extending 300 feet on either side of a line bearing 334.5° from anchorage B to the shoreline at latitude 21°17’39.1” N., longitude 158°06’03.2” W. (Datum NAD 83)

(5) **Anchorage C.** The waters enclosed by a line beginning at latitude 21°16’46.6” N., longitude 158°04’29.1” W.; thence to latitude 21°16’46.6” N., longitude 158°04’02.1” W.;
the shoreline at latitude 21°16′32.6″ N., longitude 158°07′10.1″ W.; thence to latitude 21°17′48.6″ N., longitude 158°07′10.1″ W.; thence to latitude 21°17′44.6″ N., longitude 158°07′06.1″ W.; thence to latitude 21°17′37.6″ N., longitude 158°07′14.1″ W.; thence to latitude 21°17′41.6″ N., longitude 158°07′13.6″ W.; thence to the point of beginning. (Datum NAD 83)

(7) **Anchorage D.** The waters enclosed by a line beginning at latitude 21°17′48.6″ N., longitude 158°07′10.1″ W.; thence to latitude 21°17′44.6″ N., longitude 158°07′06.1″ W.; thence to latitude 21°17′37.6″ N., longitude 158°07′14.1″ W.; thence to latitude 21°17′41.6″ N., longitude 158°07′13.6″ W.; thence to the point of beginning. (Datum NAD 83)

(b) *The regulations.* (1) No vessels may anchor, moor, or navigate in anchorages A, B, C, or D except:

(i) Vessels using the anchorages and their related pipelines for loading or unloading;

(ii) Commercial tugs, lighters, barges, launches, or other vessels engaged in servicing the anchorage facilities or vessels using them;

(iii) Public vessels of the United States.

(2) When vessels are conducting loading or unloading operations as indicated by the display of a red flag (international code flag B) at the masthead, passing vessels of over 100 gross tons shall not approach within 1,000 yards at a speed in excess of 6 knots.

(3) The owner of any vessel wanting to use an anchorage ground and use of the related pipeline facilities shall notify the Captain of the Port, Honolulu, Hawaii, and the Commanding Officer, U.S. Naval Air Station, Barbers Point, Hawaii, at least 24 hours in advance of desired occupancy of the anchorage ground by the vessel. Such notification must include the maximum height above the waterline of the uppermost portion of the vessel’s mast and a description of the masts’ lighting including height of the highest anchor light and any aircraft warning lights to be displayed by the vessel at night.

(4) When, in the opinion of the Captain of the Port, or his authorized representative, oil transfer operations within these anchorages could jeopardize the safety of vessels or facilities in the area, or cause an undue risk of oil pollution, such oil transfer operations shall be immediately terminated until such time as the cognizant Coast Guard officer determines that the danger has subsided.

(5) Nonanchorage areas A, B, and C are established for the protection of submerged pipelines. Except for vessels servicing pipeline facilities, no anchoring, dragging, seining or other potential pipeline fouling activities are permitted within these areas.

(6) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel from complying with the rules of the road and safe navigation practice.

(7) The regulations of this section are enforced by the Captain of the Port or his duly authorized representative.


### § 110.237 Pacific Ocean at Waimea, Hawaii, Naval Anchorage.

(a) *The Anchorage grounds.* All the waters within a circle having a radius of 300 yards centered at latitude 21°56′50.7″ N., longitude 159°41′22.9″ W. (Datum NAD 83)

(b) *The regulation.* Except in an emergency, no vessel except a Naval vessel may anchor or moor in this anchorage without permission of the Captain of the Port, Honolulu, Hawaii.


### § 110.238 Apra Harbor, Guam.

(a) The anchorage grounds (Datum: WGS 84). (1) General Anchorage. The waters bounded by a line connecting the following points:

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>13°27′32.0″N</td>
<td>144°39′36.8″E</td>
</tr>
<tr>
<td>13°27′21.0″N</td>
<td>144°39′22.8″E</td>
</tr>
<tr>
<td>13°27′12.5″N</td>
<td>144°37′25.4″E</td>
</tr>
</tbody>
</table>

and thence along the shoreline to

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>13°27′45.5″N</td>
<td>144°39′34.8″E</td>
</tr>
</tbody>
</table>

and thence to the point of beginning.
§ 110.239 Island of Tinian, CNMI.

(a) The anchorage grounds (based on 1944 Saipan Datum):

(1) Explosives Anchorage A. A circular area intersecting the shoreline having a radius of 1,900 yards centered at latitude 14°58′37.0″ N, longitude 145°35′40.8″ E.

(2) Explosives Anchorage B. A circular area intersecting the shoreline having a radius of 1,900 yards centered at latitude 14°58′15.9″ N, longitude 145°35′54.8″ E.

(b) The regulations: Explosives Anchorage A and B; with the exception of explosives laden naval vessels at explosives anchorage A and B, no vessel...
may anchor within these areas without permission of the Captain of the Port. No vessel of more than 500 gross tons displacement may enter these areas except for the purpose of anchoring in accordance with this section.

[CGD 14–87–01, 52 FR 26146, July 13, 1987]

§ 110.240 San Juan Harbor, P.R.

(a) The anchorage grounds—(1) Temporary Anchorage E (general). Beginning at a point which bears 262° T, 878 yards from Isla Grande Aero Beacon; thence along a line 75°47′, 498 yards; thence along a line 134°49′, 440 yards; thence along a line 224°49′ to the northerly channel limit of Graving Dock Channel, and thence to the point of beginning.

(2) Restricted Anchorage F. Beginning at a point which bears 212°30′, 1,375.5 yards from Isla Grande Light; thence along a line 269°00′, 550 yards; thence along a line 330°00′ to the westerly channel limit of Anegado Channel; and thence along the westerly channel limit of Anegado Channel to the point of beginning.

(b) The regulations. (1) Vessels awaiting customs or quarantine shall use Temporary Anchorage E. No vessel shall remain in this anchorage more than 24 hours without a permit from the U.S. Coast Guard Captain of the Port.

(2) Restricted Anchorage F shall serve both as an additional general anchorage area in cases where the temporary anchorage is full, and as an explosives anchorage for vessels loading or unloading explosives in quantities no greater than forty (40) tons, Commercial Class "A" Explosives, when so authorized by the United States Coast Guard Captain of the Port. No vessel shall enter or anchor therein without first obtaining a permit from the United States Coast Guard Captain of the Port.


§ 110.245 Vieques Passage and Vieques Sound, near Vieques Island, P.R.

(a) The anchorage grounds—(1) Vieques Passage explosives anchorage and ammunition handling berth (Area 1). A circular area having a radius of 1,700 yards with its center at latitude 18°09′00″N., longitude 65°32′40″W.

(2) Vieques Sound explosives anchorage and ammunition handling berth (Area 2). A circular area having a radius of 2,000 yards with its center at latitude 18°11′48″, longitude 65°26′06″.

(3) Southern Vieques Passage explosives anchorage and ammunition handling berth (Area 3). A circular area having a radius of 2,000 yards with its center at latitude 18°05′51″, longitude 65°36′14″.

(b) The regulations. (1) No vessel or craft shall enter or remain in these anchorages while occupied by vessels having on board explosives or other dangerous cargo. Explosives in quantities no greater than 1,625 short tons will be handled in any area at one time.

(2) The regulations of this section shall be enforced by the Commander, Greater Antilles Section, U.S. Coast Guard Base, San Juan, Puerto Rico, and such agencies as he may designate.


§ 110.250 St. Thomas Harbor, Charlotte Amalie, V.I.

(a) The anchorage grounds—(1) Inner harbor anchorage. Beginning at a point bearing 85°, 525 yards from the outer end of a pier at latitude 18°20′19″, longitude 64°56′26″ (approximate); thence 146°, 800 yards; thence 70°, 860 yards; thence 340°, 500 yards; and thence to the point of beginning.

(2) Outer harbor anchorage. Beginning at Scorpion Rock lighted buoy No. 1 (latitude 18°19′25.6″, longitude 64°55′41.8″); thence 180°, 1,580 yards; thence 264°30′, 2,480 yards; thence due north 1,255 yards; thence due east to the southerly tip of Sprat Point, Water Island; thence to Cowell Point, Hassel Island; and thence to the point of beginning.

(3) East Gregerie Channel anchorage (general purpose). Bounded on the northeast by Hassel Island; on the southeast by the northwest boundary of the outer harbor anchorage; on the southwest by Water Island; and on the northwest by a line running from Banana Point, Water Island, 55° to Hassel Island.

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§ 110.255  Ponce Harbor, P.R.

(4) Small-craft anchorage. All the waters north of a line passing through the outer end of a pier at latitude 18°20′19″, longitude 64°56′26″ (approximate) and ranging 85°.

(5) Deep-draft anchorage. A circular area having a radius of 400 yards with its center at latitude 18°19′12.2″, longitude 64°58′47.8″.

(6) Long Bay anchorage. The waters of Long Bay bounded on the north by the southerly limit line of Anchorage E, on the west by the easterly limit line of Anchorage A to a point at latitude 18°20′18″, thence to latitude 18°20′13″, longitude 64°55′21″; and thence to the shoreline at latitude 18°20′15″, longitude 64°55′13″.

(b) The regulations. (1) The outer harbor anchorage shall be used by vessels undergoing examination by quarantine, customs, immigration, and Coast Guard officers. Upon completion of these examinations, vessels shall move promptly to anchorage. This anchorage shall also be used by vessels having drafts too great to permit them to use the inner harbor anchorage. No vessel shall remain more than 48 hours in this anchorage without a permit from the Harbor Master.

(2) The small-craft anchorage shall be used by small vessels undergoing examination and also by small vessels anchoring under permit from the Harbor Master.

(3) The requirements of the Navy shall predominate in the deep-draft anchorage. When occupied by naval vessels all other vessels and craft shall remain clear of the area. When the area is not required for naval vessels, the Harbor Master may upon application made in advance assign other vessels to the area. Vessels so assigned and occupying the area shall move promptly upon notification by the Harbor Master.

(4) The harbor regulations for the Port of St. Thomas, V.I. of the United States and approaches thereto, including all waters under its jurisdiction, as adopted by the Government of the Virgin Islands, will apply to the Long Bay Anchorage.

(5) In addition, the Long Bay Anchorage is reserved for all types of small vessels, including sailing and motor pleasure craft, and such craft shall anchor in no other area except Anchorage E, in the northern portion of the harbor of Charlotte Amalie.

(6) Floats for marking anchors in place will be allowed in the Long Bay anchorage; stakes or mooring piles are prohibited.

(7) Vessels not more than 65 feet in length are not required to exhibit or carry anchor lights within the Long Bay anchorage, but must display them if emergency requires anchoring in any other part of the harbor.

(8) No vessel may anchor in any of the St. Thomas Harbor Anchorages without a permit from the Harbor Master.

(9) The U.S. Coast Guard Captain of the Port of St. Thomas is hereby empowered, whenever the maritime or commercial interests of the United States so require, to shift the position of any vessel anchored within the Long Bay anchorage, and of any vessel which is so moored or anchored as to impede or obstruct vessel movement in the harbor, and to enforce all regulations of this section should the need arise.

§ 110.255  Ponce Harbor, P.R.

(a) Small-craft anchorage. On the northwest of Ponce Municipal Pier and northeast of Cayitos Reef, bounded as follows: Beginning at latitude 17°58′27″, longitude 66°37′29.5″, bearing approximately 325° true, 2,200 feet from the most southwest corner of Ponce Municipal Pier; thence 273°30′ true, 1,800 feet; thence 15° true, 900 feet; thence 93°30′ true, 1,800 feet; thence 195° true, 900 feet to the point of beginning.

(b) The regulations. (1) The Commonwealth Captain of the Port may authorize use of this anchorage whenever he finds such use required in safeguarding the maritime or commercial interests.

(2) No vessel shall anchor within the area until assigned a berth by the Commonwealth Captain of the Port. Application for permission to occupy the anchorage must be submitted in advance by the master or authorized representative of the vessel.

(3) Vessels occupying the anchorage will at all times keep within the limits of the area, and shall move or shift
their position promptly upon notification by the Commonwealth Captain of the Port.

(4) The anchorage is reserved for all types of small craft, including schooners, fishing vessels, yachts and pleasure craft.

(5) Floats for marking anchors in place will be allowed; stakes or mooring piles are prohibited.
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SUBCHAPTER I—ANCHORAGES

EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Transportation. This index is updated as of July 1, 2001.

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§ 114.01 Purpose.

(a) The purpose of the rules and regulations in this subchapter is to implement certain laws and set forth the requirements for:

1. Locations and clearances of bridges and causeways over the navigable waters (33 U.S.C. 401, 491 to 507, and 525 to 534).


(b) The rules and regulations in this subchapter also describe the procedures and practices, including forms and instructions, which are applicable to the public subject to certain laws governing bridges and causeways over the navigable waters of the United States.

(c) Subsection 6(g) of the Department of Transportation Act (Sec. 6(g), 80 Stat. 937, 49 U.S.C. 1656(g)) transferred and vested in the Secretary of Transportation all functions, powers and duties of the Secretary of the Army and other officers and offices of the Department of the Army under specified laws. The Secretary of Transportation by 49 CFR 1.45(b) and 1.46(c) (5), (6), (8), (9), and (10) delegated to the Commandant, U.S. Coast Guard, with the authority to redelegate within the Coast Guard, the authority to exercise the functions, powers, and duties of the Secretary with respect to the following provisions of law:


3. Section 9 of the Act of March 3, 1899, as amended (30 Stat. 1151; 33 U.S.C. 401), regarding construction of bridges, causeways, etc., to the extent that it relates generally to the location and clearances of bridges and causeways in the navigable waters of the United States.

4. The Act of March 23, 1906, as amended (34 Stat. 94; 33 U.S.C. 401 et seq.), regarding general bridge authority to the extent that it relates generally to the location and clearances of bridges and causeways in the navigable waters of the United States.

5. The General Bridge Act of 1946, as amended (60 Stat. 847; 33 U.S.C. 525 et seq.), to the extent that it relates generally to the location and clearances of bridges and causeways in the navigable waters of the United States.


(d) The Commandant has delegated within the Coast Guard authority for the issuance of drawbridge operation regulations and permits for the construction, reconstruction, or alteration of bridges across navigable waters of the United States. These delegations may be found in §§ 1.05-1 and 1.01-60 of this Chapter.


§ 114.05 Definitions.

(a) General. Certain terms as used in this subchapter are defined in this section.
§ 114.10 General policies on issuance of permits and drawbridge operation regulations.

The several bridge laws referenced in §114.01 Purpose, are intended to prevent any interference with navigable waters of the United States whether by bridges, dams, dikes or other obstructions to navigation except by express permission of the United States. The decision as to whether a bridge permit or a drawbridge operation regulation will be issued or promulgated must rest primarily upon the effect of the proposed action on navigation to assure that the action provides for the reasonable needs of navigation after full consideration of the effect of the proposed action on the human environment. The Coast Guard is not responsible for any other permits that the applicant may need from other federal, state, or local agencies and issuance of a bridge permit does not affect flood control projects or other governmental programs.


§ 114.20 Departure from permit plans.

(a) If the final inspection shows a minor departure from the authorized plans which does not materially affect navigation, the permittee will be required to furnish a tracing showing the work as actually constructed but no further action will be taken by the Coast Guard.

(b) It is not the practice of the Coast Guard to issue letters certifying that completed work conforms to that which was authorized. That question is a matter of fact to be determined in case of controversy by the usual rules of court procedure.
§ 114.25 Work constructed without prior authority.

The Commandant or District Commander will approve plans and issue permits authorizing bridges across navigable waters, in cases where the application therefor is submitted after the commencement or completion of the bridges subject to the following rules: Approval will be limited to those cases where the necessary primary authority, State or Federal as the case may be, validly existed, when the work was innocently constructed, and where the work will not unreasonably interfere with navigation. Upon issuance of the permit, applicant will be informed that the law contemplates prior approval and that in the future plans must be submitted in ample time for their consideration by the Commandant or District Commander before construction is begun.

(5 U.S.C. 559; 14 U.S.C. 633; 33 U.S.C. 401, 491, 499, and 525; 49 U.S.C. 1655(g), and 49 CFR 1.46(c) and (q))


§ 114.30 Revocation.

Permits may be revoked by the issuing official for failure on the part of the permittee to comply with any of the conditions therein, or where the structures or other work constitute an unreasonable obstruction to navigation or to operations of the United States in the interest of navigation or flood control.

[CGD 82–006, 47 FR 36640, Aug. 23, 1982]

§ 114.40 Violations of law.

The Coast Guard has the authority and responsibility for enforcement of the applicable provisions of law for the protection and preservation of navigable waters. It is the policy of the Coast Guard to secure compliance with these provisions of law short of legal proceedings. As a general principle, no action is taken when the violation is minor, unintentional, or accidental and the party responsible corrects the violation. It is the policy of the Coast Guard to implement civil or criminal proceedings in all other circumstances. These proceedings are in subpart 1.07 of Part 1 of this chapter.


§ 114.45 Applications, extensions of time.

Extensions of time to commence or complete construction of a bridge or remove a bridge that has been replaced as an element of a permitted bridge project must be submitted to, and received by the District Commander at least 30 days before the existing permit expires to allow the permit to remain in effect until the final agency action is taken.

(33 U.S.C. 401, 491, 525, 535; 49 CFR 1.46(c) (8), (9), (10), (q))

[CGD 76–144, 42 FR 28882, June 6, 1977]

§ 114.50 Right of appeal.

A District Commander’s decision to deny a bridge permit application or an application for drawbridge operation regulations may be appealed to the Commandant, U.S. Coast Guard. The appeal must be submitted in writing to the Chief, Office of Bridge Administration, 2100 Second Street SW., Washington, DC 20593–0001, within 60 days of the District Commander’s decision. The Commandant will take action on the appeal within 90 days of its receipt.

(5 U.S.C. 559; 14 U.S.C. 633; 33 U.S.C. 401, 491, 499, and 525; 49 U.S.C. 1655(g), and 49 CFR 1.46(c) and (q))


PART 115—BRIDGE LOCATIONS AND CLEARANCES; ADMINISTRATIVE PROCEDURES

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115.10 Limiting date in permits.
115.15 Permit bonds.
115.20 Transfer of permits.
115.30 Sufficiency of State authority for bridges.
115.40 Bridge repairs.
§ 115.01 Purpose.

This part states the requirements for applying for a permit for construction of or modification to bridges crossing the navigable waters of the United States. It also sets forth the procedures by which the application is processed by the Coast Guard.

§ 115.05 Necessary primary authority.

For bridges constructed by State or municipal agencies, the primary authority will be presumed without proof. If the law of the State requires a license for or approval of the bridge from a constituted State agency, a copy of such license or approval will be required and may be accepted as evidence of the primary authority. If there be no State regulation of bridges in navigable waters, the necessary primary authority may be that granted in the charter of a corporation, or the authority inherent in the ownership of the land on which the structure is placed. The applicant will in such cases be required to furnish an extract from the charter, or a statement of ownership. Especial care will be taken that Federal approval is not granted when there is doubt of the right of the builder to construct and utilize the bridge.

§ 115.10 Limiting date in permits.

(a) Specific time limitations are inserted in all permits for the commencement of construction and completion thereof. Normally three years for start of construction and two additional years for completion may be allowed.

(b) Specific time limitations are inserted in all permits for the removal of bridges being replaced in whole or in part by the newly permitted bridges where removal thereof is required as a condition of the permit. Normally 90 days for removal after completion of the new bridge or opening to land transportation, whichever occurs first, may be allowed.

§ 115.15 Permit bonds.

When compensatory works or the removal of temporary structures should be required of the permittee, or in other unusual cases when there is reason to anticipate that the permittee may fail to carry out parts of the work that are against his interest, an additional condition will be included in the permit requiring the permittee to furnish a bond insuring compliance with the permit requirements.

§ 115.20 Transfer of permits.

Permits express merely the assent of the Federal Government so far as concerns the public rights of navigation. Although issued to a specific party, the assent is not limited to execution of the work by that party and may be availed of by the assignees or purchasers of the property affected, provided the terms of the instrument are strictly complied with.

§ 115.30 Sufficiency of State authority for bridges.

An opinion of the attorney general of the State as to the sufficiency of State authority for the construction of a bridge is acceptable to the Coast Guard in doubtful cases.

§ 115.40 Bridge repairs.

Repairs to a bridge which do not alter the clearances, type of structure, or any integral part of the substructure or superstructure or navigation conditions, but which consist only in the replacement of worn or obsolete parts, may, if the bridge is a legally approved structure, be made as routine maintenance without approval of the U.S. Coast Guard.
§ 115.50 Application for bridge permits.

(a) Approval of plans. An application for authorization to construct a bridge across navigable waters of the United States must show the name and address of the applicant; the waterway and location of the bridge; citation to the act of Congress or the State legislature authorizing the bridge; be accompanied by a map of the location and plans of the bridge showing the features which affect navigation; and papers to establish the identity of the applicant.

(b) Prior authority necessary. Except as provided under paragraph (c) of this section, a bridge cannot lawfully be constructed across any navigable waterway of the United States until the location and plans have been approved by the Coast Guard.

(c) Prior authority not necessary. Coast Guard approval of the location and plans for construction or modification of a bridge or causeway is not required for any bridge or causeway over waters which are not subject to the ebb and flow of the tide and which are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce, whether or not such waters were used or were susceptible to use, at some previous time, to transport commerce (historic use). This provision does not apply to bridges which connect the United States with any foreign country.

(d) Form. The application for the approval of plans consists of a letter accompanied with maps and plans of the proposed structure.

(e) Signature. In case of signature by an agent or by an official of a corporation, a duly authenticated copy of the authority for the action must accompany the application.

(f) Identification. If the applicant is a corporation, it must furnish certified copies of the following papers, all properly authenticated: The charter or articles of incorporation; the minutes of organization; extract from minutes showing the names of the present officers of the corporation.

(1) Where State laws vest in State or county officers, such as boards of supervisors and county courts, the power to authorize the construction of bridges, they must furnish with their application certified extracts from their proceedings showing their action authorizing the proposed structure.

(g) Plans. Four sets of plans must be submitted with the application, on which the location of the work and the essential features covered by the application will be outlined in red. Each drawing must have a simple title, date and number, preferably in the lower righthand corner.

(h) Size of sheets. The drawings will be on letter size sheets. As few sheets will be used as necessary to show clearly what is proposed.

(i) Special instructions. (1) The scale will be shown graphically. The north and south line will be indicated by a meridian arrow. Soundings and elevations will be shown in feet and referred to the established Government datum plane at the locality.

(2) The direction of currents will be indicated by an arrow, and the strength of currents, both ebb and flow, or low water and high water, will be shown close to the proposed location of the bridge, and at both ends of the waterway shown on the map of location.

(3) The plans will show in figures the least clear height of the lowest part of the superstructure over navigation openings, with reference to the planes of mean high water and mean low water if the bridge is to cross tidal water. If the waters are nontidal, the least clear height will be shown with reference to the planes of extreme high water and mean low water. If records of river heights are available, the plane above which flood waters have not remained more than 2 percent of the time will be indicated. Reference will also be made to other datum planes if appropriate for the waterway in question.

(4) If harbor lines have been established at the site of the bridge, their position will be shown on the plans.

(j) Structural details. Only those should be shown which are needed to illustrate the effect of the proposed structure on navigation. If the bridge is to be equipped with a draw, the latter will be shown in two positions: closed and open.

(k) To whom application should be presented. The application and the papers
§ 115.60 Procedures for handling applications for bridge construction permits.

The following procedures will be observed in the handling of applications for permits to construct, modify, or replace bridges over navigable waters.

(a) District Commander’s review of application and plans. When an application is received, the District Commander verifies the authority for construction of the bridge, reviews the application and plans for sufficiency, ascertains the views of local authorities and other interested parties, and ensures that the application complies with relevant environmental laws, regulations, and orders. If the application contains any defects that would prevent issuance of a permit (as for example, if the proposed bridge provided insufficient clearance), the applicant is notified that the permit cannot be granted and given reasons for this determination. The applicant may then request that the application be considered by the Commandant. If the applicant makes such a request, or if the applicant is not found defective, the District Commander notifies the public that it has been received and continues its processing. A copy of this notification will be sent to the state, interstate agency or the Environmental Protection Agency (EPA) responsible for acting on requests for water quality certification for the project. If the state, interstate agency, or the EPA fails to issue or deny the water quality certification within 30 days after receiving the copy of this notification, the requirements for a water quality certification are waived. If the appropriate agency notifies the District Commander that the applicant has not filed a request for water quality certification, or requests additional time to review an application, additional time will be granted.

(b) Public hearing. (1) Public hearings will be held when there are substantial issues concerning the effect that the proposed bridge will have on the reasonable needs of navigation.

(2) Notice of the public hearing will be published in the Federal Register. Notice of the hearing is also mailed to State, county, and municipal authorities and all other known interested parties. It is also posted at the post office nearest the site and public places in the vicinity.

(3) Hearings are public and conducted in an informal manner. A designated Coast Guard official presides. The submission of written statements is invited and encouraged. Anyone desiring to do so may speak. Statements, written or oral, are not under oath, and cross-examination is not permitted. No fixed order has been established for the presentation of evidence or argument although proponents are generally heard first, followed by opponents with full opportunity afforded for rebuttals.

(c) Report and recommendations. After the close of the comment period and any public hearings, a detailed statement of findings, conclusions, and recommendations based on all available information (including Coast Guard records and experience) is prepared. The following factors may be discussed in this report:

(1) Comparison of proposed bridge with existing bridges over the waterway; attitude of local authorities; summary of objections raised by the public, and District Commander’s comments or responses; probable effect on navigation, present and prospective.

(2) Description of the navigation on the waterway past the site of the proposed bridge, the number and type of vessels, the number of vessel trips, and the principal method of handling traffic, whether in single vessels or in tows.

(3) Whether the District Commander approves, or recommends approval of the plans. If they are found objectionable, the reasons for this finding will be stated. If there are objectionable features in the plans which may be corrected, the applicant is given an opportunity to revise them. If approval is given or recommended, all conditions
to which the permit should be subject will be stated.

(d) Action on permit application. (1) The District Commander may issue the permit if authorized under §1.01–60(b) of this chapter; otherwise, a report with the application shall be submitted to the Commandant for final action.

(2) When an application is approved, the issuing official signs the permit and transmits it to the applicant.

(3) When an application is not approved, the applicant is notified and provided with reasons for the disapproval, and suggestions for modifications that would justify reconsideration, if appropriate.

(4) If an application is disapproved by the District Commander, the applicant may appeal this decision to the Commandant under §114.50 of this chapter. The Commandant’s determination shall constitute final agency action.

(e) Permit amendments. Applications for amendments to permits will be processed in the same manner as permit applications. The District Commander may approve amendments to any permits which that official is authorized to issue under §1.01–60(b) of this chapter. All other amendments must be approved by the Commandant.

§ 115.70 Advance approval of bridges.

(a) The General Bridge Act of 1946 requires the approval of the location and plans of bridges prior to start of construction (33 U.S.C. 525). The Commandant has given his advance approval to the location and plans of bridges to be constructed across reaches of waterways navigable in law, but not actually navigated other than by logs, log rafts, rowboats, canoes and small motorboats. In such cases the clearances provided for high water stages will be considered adequate to meet the reasonable needs of navigation.

(b) The term “small motorboats” shall be interpreted in the light of the things and conditions with which it is associated. The term means rowboats, canoes and other similar craft with outboard motors. It does not include sailing or cabin cruiser craft.

(14 U.S.C. 633; 33 U.S.C. 401, 491, and 525; 49 U.S.C. 1655(g); and 49 CFR 1.46(c))


PART 116—ALTERATION OF UNREASONABLY OBSTRUCTIVE BRIDGES

Secretary of Defense, DOT

§ 116.01 General.

(a) All bridges are obstructions to navigation and are tolerated only as long as they serve the needs of land transportation while allowing for the reasonable needs of navigation.

(b) This part describes the general procedures by which the U.S. Coast Guard determines a bridge to be an unreasonable obstruction to navigation and issues an Order to Alter under the authority of the following statutes, as appropriate: Title 10 of the Rivers and Harbors Appropriations Act of 1899, 33 U.S.C. 502; Section 4 of the Bridge Act of 1906, 33 U.S.C. 494; or the Truman-Hobbs Act of 1940, as amended, 33 U.S.C. 511–524.

(c) A bridge constructed across a navigable water of the United States shall not unreasonably obstruct the free navigation of the water over which it
was constructed, either due to insufficient height or width of the navigation span, or because of difficulty in passing through the draw opening. If any bridge unreasonably obstructs navigation, the Commandant, U.S. Coast Guard, will order the alteration of that bridge. Alterations may include structural changes, replacement, or removal of the bridge.

(d) Whenever the Coast Guard has good reason to believe that a bridge across any of the navigable waters of the United States is an unreasonable obstruction to navigation, the Coast Guard will give notice to the owner of the bridge and other interested parties, and hold a public hearing at which the interested parties will have a full opportunity to be heard and to offer evidence on the question of whether alterations to the bridge are necessary and, if so, the extent of alterations needed.

(e) If the Coast Guard determines that alterations to a bridge are necessary, the Commandant, U.S. Coast Guard, will issue to the bridge owner an Order to Alter containing details of the alterations necessary to render navigation through or under the bridge reasonably free, easy, and unobstructed.

(1) In the case of a railroad or publicly owned highway bridge, an Order to Alter is issued to the bridge owner under the provisions of the Truman-Hobbs Act (33 U.S.C. 511 et seq.). In ordering these alterations, the Coast Guard will give due regard to the necessities of free and unobstructed navigation and of rail and highway traffic. For alterations to bridges governed by the Truman-Hobbs Act, the Coast Guard must approve general plans, specifications, and contracts for the alteration project, as well as approving the apportionment of the total cost of the alterations between the United States and the bridge owner.

(2) For all other bridges, the Order to Alter will contain the required alterations for the bridge and will prescribe a reasonable time in which to accomplish the required alterations. The bridge owner is responsible for the entire cost of the required alterations.

§ 116.05 Complaints.

Any person, company, or other entity may submit to the District Commander of the Coast Guard district in which a bridge over a navigable water of the United States is located, a complaint that a bridge unreasonably obstructs navigation. The complaint must be in writing and include specific details to support the allegation.

§ 116.10 Preliminary review.

(a) Upon receipt of a written complaint, the District Commander will review the complaint to determine if, in the District Commander’s opinion, the complaint is justified and whether a Preliminary Investigation is warranted.

1. The District Commander’s opinion as to whether or not the complaint warrants a Preliminary Investigation will be formed through informal discussions with the complainant, users of the affected waterway, the owner of the bridge, and other interested parties.

2. In forming an opinion, the District Commander may also review the district files, records of accidents, and details of any additional written complaints associated with the bridge in question.

(b) In the absence of any written complaint, the District Commander may decide, based on a bridge’s accident history or other criteria, to conduct a Preliminary Investigation.

(c) The District Commander will inform the complainant and the Chief, Office of Bridge Administration of the determination of any Preliminary Review. If the District Commander decides that the bridge in question is not an unreasonable obstruction to navigation, the complainant will be provided with a brief summary of the information on which the District Commander based the decision and will be informed of the appeal process described in §116.55. There will be no further investigation, unless additional information warrants a continuance or reopening of the case.

§ 116.15 Preliminary investigation.

(a) During the Preliminary Investigation, the District Commander will prepare a written report containing all pertinent information and submit the report, together with a recommendation for or against the necessity of a Detailed Investigation, to the Chief, Office of Bridge Administration.

(b) The Preliminary Investigation Report will include a description of the nature and extent of the obstruction, the alterations to the bridge believed necessary to meet the reasonable needs of existing and future navigation, the type and volume of waterway traffic, and a calculation of the benefits to navigation which would result from the proposed bridge alterations.

(c) The Chief, Office of Bridge Administration will review the Preliminary Investigation Report and make a Preliminary Decision whether or not to undertake a Detailed Investigation and a Public Hearing.

(d) If after reviewing the Preliminary Investigation Report, the Chief, Office of Bridge Administration decides that further investigation is not warranted, the complainant will be notified of the decision. This notification will include a brief summary of information on which the decision was based and details of the appeal process described in §116.55.


§ 116.20 Detailed investigation.

(a) When the Chief, Office of Bridge Administration determines that a Detailed Investigation should be conducted, the District Commander will initiate an investigation that addresses all of the pertinent data regarding the bridge, including information obtained at a public hearing held under §116.25. As part of the investigation, the District Commander will develop a comprehensive report, termed the “Detailed Investigation Report”, which will discuss: the obstructive character of the bridge in question; the impact of that bridge upon navigation; navigational benefits derived; whether an alteration is needed to meet the needs of navigation; and, if alteration is recommended, what type.

(b) The District Commander will forward the completed Detailed Investigation Report to the Chief, Office of Bridge Administration for review together with a recommendation of whether the bridge should be declared an unreasonable obstruction to navigation and, if so, whether an Order to Alter should be issued.


§ 116.25 Public hearings.

(a) Any time the Chief, Office of Bridge Administration determines that a Detailed Investigation is warranted, or when Congress declares a bridge unreasonably obstructive, the District Commander will hold a public hearing near the location of the bridge to provide the bridge owner, waterway users, and other interested parties the opportunity to offer evidence and be heard, orally or in writing, as to whether any alterations are necessary to provide reasonably free, safe, and unobstructed passage for waterborne traffic. The District Commander will issue a public notice announcing the public hearing stating the time, date, and place of the hearing.

(b) When a bridge is statutorily determined to be an unreasonable obstruction, the scope of the hearing will be to determine what navigation clearances are needed.

(c) In all other cases, the scope of the hearing will be to address issues bearing on the question of whether the bridge is an unreasonable obstruction to navigation and, if so, what alterations are needed.

(d) The hearing will be recorded. Copies of the public hearing transcript will be available for purchase from the recording service.

§ 116.30 Chief, Office of Bridge Administration Review and Evaluation.

(a) Upon receiving a Detailed Investigation Report from a District Commander, the Chief, Office of Bridge Administration will review all the information and make a final determination of whether or not the bridge is an unreasonable obstruction to navigation and, if so, whether to issue an Order to Alter. This determination will be accompanied by a supporting written Decision Analysis which will include a Benefit/Cost Analysis, including calculation of a Benefit/Cost Ratio.

(b) The Benefit/Cost ratio is calculated by dividing the annualized navigation benefit of the proposed bridge alteration by the annualized government share of the cost of the alteration.

(c) Except for a bridge which is statutorily determined to be an unreasonable obstruction, an Order to Alter will not be issued under the Truman-Hobbs Act unless the ratio is at least 1:1.

(d) If a bridge is statutorily determined to unreasonably obstruct navigation, the Chief, Office of Bridge Administration will prepare a Decision Analysis to document and provide details of the required vertical and horizontal clearances and the reasons alterations are necessary.

(e) If the Chief, Office of Bridge Administration decides to recommend that the Commandant issue an Order to Alter, or a bridge is statutorily determined to unreasonably obstruct navigation, the Chief, Office of Bridge Administration will issue a letter to the bridge owner ("The 60-Day Letter") at least 60 days before the Commandant issues an Order to Alter. This letter will contain the reasons an alteration is necessary, the proposed alteration, and, in the case of a Truman-Hobbs bridge, an estimate of the total project cost and the bridge owner’s share.

(f) If the bridge owner does not agree with the terms proposed in the 60-Day Letter, the owner may request a reevaluation of the terms. The request for a reevaluation must be in writing, and identify the terms for which reevaluation is requested. The request may provide additional information not previously presented.

(g) Upon receipt of the bridge owner’s response, the Chief, Office of Bridge Administration will reevaluate the situation based on the additional information submitted by the bridge owner. If after the Chief, Office of Bridge Administration reviews the determination, there is no change, the Commandant may issue an Order to Alter as set out in §116.35. The Chief, Office of Bridge Administration determination based on the reevaluation will constitute final agency action.

§ 116.35 Order to Alter.

(a) If the bridge owner agrees with the contents of the 60-Day Letter, if no reply is received by 60 days after the issuance of the letter, or if after reevaluation a bridge is determined to be an unreasonable obstruction to navigation, the Commandant will issue an Order to Alter.

(1) If a bridge is eligible for funding under the Truman-Hobbs Act, the Order to Alter will specify the navigational clearances to be accomplished in order to meet the reasonable needs of navigation.

(2) An Order to Alter for a bridge that is not eligible for Truman-Hobbs funding will specify the navigational clearances that are required to meet the reasonable needs of navigation and will prescribe a reasonable time in which to accomplish them.

(b) If appropriate, the Order to Alter will be accompanied by a letter of special conditions setting forth safeguards needed to protect the environment or to provide for any special needs of navigation.

(c) If a proposed alteration to a bridge has desirable, non-navigational benefits, the Chief, Office of Bridge Administration may require an equitable contribution from any interested person, firm, association, corporation, municipality, county, or state benefiting from the alteration as a prerequisite to the making of an Order to Alter for that alteration.

(d) Failure to comply with any Order to Alter issued under the provisions of this part will subject the owner or controller of the bridge to the penalties
§ 116.40 Plans and specifications under the Truman-Hobbs Act.

(a) After an Order to Alter has been issued to a bridge owner under the Truman-Hobbs Act, the Chief, Office of Bridge Administration will issue a letter to the bridge owner outlining the owner’s responsibilities to submit plans and specifications to the Chief, Office of Bridge Administration for the alteration of the bridge. The plans and specifications, at a minimum, must provide for the clearances identified in the Order to Alter. The plans and specifications may also include any other additional alteration to the bridge that the owner considers desirable to meet the requirements of railroad or highway traffic. During the alteration process, balanced consideration shall be given to the needs of rail, highway, and marine traffic.

(b) The Chief, Office of Bridge Administration will approve or reject the plans and specifications submitted by the bridge owner, in whole or in part, and may require the submission of new or additional plans and specifications.

(c) When Chief, Office of Bridge Administration has approved the submitted plans and specifications, they are final and binding upon all parties, unless later changes are approved by the Chief, Office of Bridge Administration. Any changes to the approved plans will be coordinated with the District Commander.

§ 116.45 Submission of bids, approval of award, guaranty of cost, and partial payments for bridges eligible for funding under the Truman-Hobbs Act.

(a) Once the plans and specifications for a bridge eligible for funding under the Truman-Hobbs Act have been approved, the bridge owner must take bids for the alteration of the bridge consistent with the approved plans and specifications. Those bids must then be submitted to the Chief, Office of Bridge Administration for approval.

(b) After the bridge owner submits the guaranty of cost required by 33 U.S.C. 515, the Chief, Office of Bridge Administration authorizes the owner to award the contract.

(c) Partial payments of the government’s costs are authorized as the work progresses to the extent that funds have been appropriated.

§ 116.50 Apportionment of costs under the Truman-Hobbs Act.

(a) In determining the apportionment of costs, the bridge owner must bear such part of the cost attributable to the direct and special benefits which will accrue to the bridge owner as a result of alteration to the bridge, including expected savings in repairs and maintenance, expected increased carrying capacity, costs attributable to the requirements of highway and railroad traffic, and actual capital costs of the used service life. The United States will bear the balance of the costs, including that part attributable to the necessities of navigation.

(b) “Direct and special benefits” ordinarily will include items desired by the owner but which have no counterpart or are of higher quality than similar items in the bridge prior to alteration. Examples include improved signal and fender systems, pro rata share of dismantling costs, and improvements included, but not required, in the interests of navigation.

(c) During the development of the Apportionment of Costs, the bridge owner will be provided with an opportunity to be heard. Proportionate shares of cost to be borne by the United States and the bridge owner are developed in substantially the following form:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Total cost of project</td>
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<tr>
<td>Less salvage</td>
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<td>Less contribution by third party</td>
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<td>Cost of alteration to be apportioned</td>
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<tr>
<td>Share to be borne by the bridge owner: Direct</td>
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<td>and Special Benefits:</td>
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<td>a. Removing old bridge</td>
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<td>b. Fixed charges</td>
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</table>

§ 116.55

c. Betterments

Expected savings in repair or maintenance costs:
  a. Repair
  b. Maintenance

Costs attributable to requirements of railroad and/or highway traffic

Expenditure for increased carrying capacity

Expired service life of old bridge

Subtotal

Share to be borne by the bridge owner

Contingencies

Total

Share to be borne by the United States

Contingencies

Total

(d) The Order of Apportionment of Costs will include the guaranty of costs.

§ 116.55 Appeals.

(a) Except for the decision to issue an Order to Alter, if a complainant disagrees with a recommendation regarding obstruction or eligibility made by a District Commander, or the Chief, Office of Bridge Administration, the complainant may appeal that decision to the Assistant Commandant for Operations.

(b) The appeal must be submitted in writing to the Assistant Commandant for Operations, U.S. Coast Guard, 2100 Second Street, SW., Washington, DC 20353-0001, within 60 days after the District Commander’s or the Chief’s, Office of Bridge Administration decision. The Assistant Commandant for Operations will make a decision on the appeal within 90 days after receipt of the appeal. The Assistant Commandant for Operations’ decision of this appeal shall constitute final agency action.

(c) Any Order of Apportionment made or issued under section 6 of the Truman-Hobbs Act, 33 U.S.C. 516, may be reviewed by the Court of Appeals for any judicial circuit in which the bridge in question is wholly or partly located, if a petition for review is filed within 90 days after the date of issuance of the order. The review is described in section 10 of the Truman-Hobbs Act, 33 U.S.C. 520. The review proceedings do not operate as a stay of any order issued under the Truman-Hobbs Act, other than an order of apportionment, nor relieve any bridge owner of any liability or penalty under other provisions of that act.


PART 117—DRAWBRIDGE OPERATION REGULATIONS

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117.115 Three Mile Creek.
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<th>Delaware</th>
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<td>117.233 Broad Creek.</td>
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<td>117.125 Black River</td>
<td>117.235 Chesapeake and Delaware Canal.</td>
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<td>117.127 Current River</td>
<td>117.237 Christina River.</td>
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<td>117.129 Little Red River</td>
<td>117.239 Lees and Rehoboth Canal.</td>
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<td>117.131 Little River</td>
<td>117.241 Mispillion River.</td>
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<td>117.243 Nanticoke River.</td>
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<td>117.254 Potomac River.</td>
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<td>117.255 Atlantic Intracoastal Waterway</td>
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<td>117.263 Banana River.</td>
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117.1023 Pamunkey River.
117.1025 York River.
§ 117.4 Definitions.

The term “appurtenance” means an attachment or accessory extending beyond the hull or superstructure that is not an integral part of the vessel and is not needed for a vessel’s piloting, propelling, controlling, or collision avoidance capabilities.

The term “lowerable” means the nonstructural vessel appurtenance can be mechanically or manually lowered and raised again. The term “lowerable” also applies to a nonstructural vessel appurtenance which can be modified to make the item flexible, hinged, collapsible, or telescopic such that it can be mechanically or manually lowered and raised again. Failure to make the modification is considered equivalent to refusing to lower a lowerable nonstructural appurtenance that is not essential to navigation. Examples of appurtenances which are considered to be lowerable include, but are not limited to, fishing outriggers, radio antennae, television antennae, false stacks, and masts purely for ornamental purposes. Examples of appurtenances which are not considered to be lowerable include, but are not limited to, radar antennae, flying bridges, sailboat masts, piledriver leads, spud frames on hydraulic dredges, drilling derricks’ substructures and buildings, cranes on drilling or construction vessels, or other items of permanent and fixed equipment.

§ 117.3 Applicability.

The provisions of this subpart not in conflict with the provisions of Subpart B apply to each drawbridge.

Note: For all of the requirements applicable to a drawbridge listed in Subpart B, one must review the requirements in Subpart A and §§117.51 through 117.99 of Subpart B, as well as the requirements in Subpart B applicable to the particular drawbridge in question.

§ 117.4 Definitions.

Certain terms used in this part are defined in this section.

Appurtenance. The term “appurtenance” means an attachment or accessory extending beyond the hull or superstructure that is not an integral part of the vessel and is not needed for a vessel’s piloting, propelling, controlling, or collision avoidance capabilities.

Lowerable. The term “lowerable” means the nonstructural vessel appurtenance can be mechanically or manually lowered and raised again. The term “lowerable” also applies to a nonstructural vessel appurtenance which can be modified to make the item flexible, hinged, collapsible, or telescopic such that it can be mechanically or manually lowered and raised again. Failure to make the modification is considered equivalent to refusing to lower a lowerable nonstructural appurtenance that is not essential to navigation. Examples of appurtenances which are considered to be lowerable include, but are not limited to, fishing outriggers, radio antennae, television antennae, false stacks, and masts purely for ornamental purposes. Examples of appurtenances which are not considered to be lowerable include, but are not limited to, radar antennae, flying bridges, sailboat masts, piledriver leads, spud frames on hydraulic dredges, drilling derricks’ substructures and buildings, cranes on drilling or construction vessels, or other items of permanent and fixed equipment.

Nonstructural. The term “nonstructural” means that the item is not rigidly fixed to the vessel and is thus susceptible to relocation or alteration.

Subpart A—General Requirements

§ 117.1 Purpose.

This subpart prescribes general requirements relating to the use and operation of drawbridges across the navigable waters of the United States.

Note: The primary jurisdiction to regulate drawbridges across the navigable waters of the United States is vested in the Federal Government. Laws, ordinances, regulations, and rules which purport to regulate these bridges and which are not promulgated by the Federal Government have no force and effect.
§ 117.5 Not essential to navigation. The term “not essential to navigation” means the nonstructural vessel appurtenance does not adversely affect the vessel’s piloting, propulsion, control, or collision avoidance capabilities when in the lowered position.

[CGD 91–059, 59 FR 16563, Apr. 7, 1994]

§ 117.5 When the draw shall open. Except as otherwise required by this subpart, drawbridges shall open promptly and fully for the passage of vessels when a request to open is given in accordance with this subpart.

EDITORIAL NOTE: For Federal Register citations relating to temporary deviations from the regulatory provisions in §117.5, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 117.7 General duties of drawbridge owners and tenders.

(a) Drawbridge owners and tenders shall operate the draw in accordance with the requirement in this part.

(b) Except for drawbridges not required to open for the passage of vessels, owners of drawbridges shall ensure that:

(1) The necessary drawtenders are provided for the safe and prompt opening of the draw;

(2) The operating machinery of the draw is maintained in a serviceable condition; and

(3) The draws are operated at sufficient intervals to assure their satisfactory operation.

§ 117.9 Delaying opening of a draw.

No person shall unreasonably delay the opening of a draw after the signals required by §117.15 have been given.

Note: Trains are usually controlled by the block method. That is, the track is divided into blocks or segments of a mile or more in length. When a train is in a block with a drawbridge, the draw may not be able to open until the train has passed out of the block and the yardmaster or other manager has “unlocked” the drawbridge controls. The maximum time permitted for delay is defined in Subpart B for each affected bridge. Land and water traffic should pass over or through the draw as soon as possible in order to prevent unnecessary delays in the opening and closure of the draw.

§ 117.11 Unnecessary opening of the draw.

No vessel owner or operator shall—

(a) Signal a drawbridge to open if the vertical clearance is sufficient to allow the vessel, after all lowerable nonstructural vessel appurtenances that are not essential to navigation have been lowered, to safely pass under the drawbridge in the closed position; or

(b) Signal a drawbridge to open for any purpose other than to pass through the drawbridge opening.

[CGD 91–059, 59 FR 16563, Apr. 7, 1994]

§ 117.15 Signals.

(a) General. (1) The operator of each vessel requesting a drawbridge to open shall signal the drawtender and the drawtender shall acknowledge that signal. The signal shall be repeated until acknowledged in some manner by the drawtender before proceeding.

(2) The signals used to request the opening of the draw and to acknowledge that request shall be sound signals, visual signals, or radiotelephone communications described in this subpart.

(b) Sound signals. (1) Sound signals shall be made by whistle, horn, megaphone, hailer, or other device capable of producing the described signals loud enough to be heard by the drawtender.

(2) As used in this section, “prolonged blast” means a blast of four to six seconds duration and “short blast” means a blast of approximately one second duration.

(3) The sound signal to request the opening of a draw is one prolonged blast followed by one short blast sounded not more than three seconds after the prolonged blast. For vessels required to be passed through a draw during a scheduled closure period, the sound signal to request the opening of the draw during that period is five short blasts sounded in rapid succession.

(4) When the draw can be opened immediately, the sound signal to acknowledge a request to open the draw is one prolonged blast followed by one...
short blast sounded not more than 30 seconds after the requesting signal.

(5) When the draw cannot be opened immediately, or is open and shall be closed promptly, the sound signal to acknowledge a request to open the draw is five short blasts sounded in rapid succession not more than 30 seconds after the vessel’s opening signal. The signal shall be repeated until acknowledged in some manner by the requesting vessel.

(c) Visual signals. (1) The visual signal to request the opening of a draw is—
   (i) A white flag raised and lowered vertically; or
   (ii) A white, amber, or green light raised and lowered vertically.

(2) When the draw can be opened immediately, the visual signal to acknowledge a request to open the draw, given not more than 30 seconds after the vessel’s opening signal, is—
   (i) A white flag raised and lowered vertically;
   (ii) A white, amber, or green light raised and lowered vertically; or
   (iii) A fixed or flashing white, amber, or green light or lights.

(3) When the draw cannot be opened immediately, or is open and must be closed promptly, the visual signal to acknowledge a request to open the draw is—
   (i) A red flag or red light swung back and forth horizontally in full sight of the vessel given not more than 30 seconds after the vessel’s opening signal; or
   (ii) A fixed or flashing red light or lights given not more than 30 seconds after the vessel’s opening signal.

(4) The acknowledging signal when the draw cannot open immediately or is open and must be closed promptly shall be repeated until acknowledged in some manner by the requesting vessel.

(d) Radio telephone communications. (1) Radiotelephones may be used to communicate the same information provided by sound and visual signals.

   Note: Call signs and radio channels for drawbridges with radiotelephones are listed in Appendix A to this part.

(2) The vessel and the drawtender shall monitor the frequency used until the vessel has cleared the draw.

(3) When radiotelephone contact cannot be initiated or maintained, sound or visual signals under this section shall be used.


§ 117.17 Signalling for contiguous drawbridges.

When a vessel must pass two or more drawbridges close together, the opening signal is given for the first bridge. After acknowledgment from the first bridge that it will promptly open, the opening signal is given for the second bridge, and so on until all bridges that the vessel must pass have been given the opening signal and have acknowledged that they will open promptly.

§ 117.19 Signalling when two or more vessels are approaching a drawbridge.

When two or more vessels are approaching the same drawbridge at the same time, or nearly the same, time, whether from the same or opposite directions, each vessel shall signal independently for the opening of the draw and the drawtender shall reply in turn to the signal of each vessel. The drawtender need not reply to signals by vessels accumulated at the bridge for passage during a scheduled open period.

§ 117.21 Signalling for an opened drawbridge.

When a vessel approaches a drawbridge with the draw in the open position, the vessel shall give the opening signal. If no acknowledgment is received within 30 seconds, the vessel may proceed, with caution, through the open draw.

§ 117.23 Installation of radiotelephones.

(a) When the District Commander deems it necessary for reasons of safety of navigation, the District Commander may require the installation and operation of a radiotelephone on or near a drawbridge.

(b) The District Commander gives written notice of the proposed requirement to the bridge owner.
§ 117.24 Radiotelephone installation identification.

(a) The Coast Guard authorizes, and the District Commander may require the installation of a sign on drawbridges, on the upstream and downstream sides, indicating that the bridge is equipped with and operates a VHF radiotelephone in accordance with §117.23.

(b) The sign shall give notice of the radiotelephone and its calling and working channels—

(1) In plain language; or

(2) By a sign consisting of the outline of a telephone handset with the long axis placed horizontally and a vertical three-legged lightning slash superimposed over the handset. The slash shall be as long vertically as the handset is wide horizontally and normally not less than 27 inches and no more than 36 inches long. The preferred calling channel should be shown in the lower left quadrant and the preferred working channel should be shown in the lower right quadrant.

NOTE: It is recommended that the radiotelephone sign be similar in design to the Service Signs established by the Federal Highway Administration (FHWA) in U.S. Road Symbol Signs using Reflective Blue and Reflective White colors. Color and design information is available from the District Commander of the Coast Guard District in which the bridge is located.

[CGD 91–016, 58 FR 20, Jan. 4, 1993]

§ 117.31 Operation of draw for emergency situations.

(a) When a drawtender is informed by a reliable source that an emergency vehicle is due to cross the draw, the drawtender shall take all reasonable measures to have the draw closed at the time the emergency vehicle arrives at the bridge.

(b) When a drawtender receives notice, or a proper signal as provided in §117.15 of this part, the drawtender shall take all reasonable measures to have the draw opened, regardless of the operating schedule of the draw, for passage of the following, provided this opening does not conflict with local emergency management procedures which have been approved by the cognizant Coast Guard Captain of the Port:

(1) Federal, State, and local government vessels used for public safety;

(2) Vessels in distress where a delay would endanger life or property;

(3) Commercial vessels engaged in rescue or emergency salvage operations; and

(4) Vessels seeking shelter from severe weather.

§ 117.33 Closure of draw for natural disasters or civil disorders.

Drawbridges need not open for the passage of vessels during periods of natural disasters or civil disorders declared by the appropriate authorities unless otherwise provided for in Subpart B or directed to do so by the District Commander.

§ 117.35 Operations during repair or maintenance.

(a) When operation of the draw must deviate from the regulations in this part for scheduled repair or maintenance work, the drawbridge owner shall request approval from the District Commander at least 30 days before the date of the intended change. The request shall include a brief description of the nature of the work to be performed and the times and dates of requested changes. The District Commander’s decision is forwarded to the applicant within five working days of the receipt of the request. If the request is denied, the reasons for the denial are forwarded with the decision.

(b) When the draw is rendered inoperative because of damage to the structure or when vital, unscheduled repair or maintenance work shall be performed without delay, the drawbridge owner shall immediately notify the
§ 117.47 Clearance gauges.

(a) Clearance gauges are required for drawbridges across navigable waters of the United States discharging into the Atlantic Ocean south of Delaware Bay (including the Lewes and Rehoboth Canal, DE) or into the Gulf of Mexico...
§ 117.49  (including coastal waterways contiguous thereto and tributaries to such waterways and the Lower Atchafalaya River, LA), except the Mississippi River and its tributaries and outlets.

(b) Except for provisions in this part which specify otherwise for particular drawbridges, clearance gauges shall be designed, installed, and maintained according to the provisions of §118.160 of this chapter.

NOTE: Clearance gauge requirements, if any, for drawbridges other than those referred to in this section are listed in Subpart B under the appropriate bridge.


§ 117.49  Process of violations.

(a) Complaints of alleged violations under this part are submitted to the District Commander of the Coast Guard District in which the drawbridge is located.

(b) Penalties for violations under this part are assessed and collected under Subpart 1.07 of Part 1 of this chapter.

Subpart B—Specific Requirements

§ 117.51  Purpose.

This subpart prescribes specific requirements relating to the operation of certain drawbridges.

NOTE: The drawbridges under this subpart are listed by the waterway they cross and by the state in which they are located. Waterways are arranged alphabetically by state. The drawbridges listed under a waterway are generally arranged in order from the mouth of the waterway moving upstream. The drawbridges on the Atlantic Intracoastal Waterway are listed from north to south and on the Gulf Intracoastal Waterway from east to west.

§ 117.53  Applicability.

(a) The requirements in this subpart apply to the bridges listed and are in addition to, or vary from, the general requirements in Subpart A.

(b) A requirement in this subpart which varies from a general requirement in Subpart A supersedes the general requirement.

(c) All other general requirements in Subpart A not at variance apply to the bridges listed in this subpart.

(d) The draws of a number of the bridges listed in this subpart need not open for the passage of vessels during certain periods, however, this does not preclude the bridge owner from directing the drawtender to open the draw during these periods.

§ 117.55  Posting of requirements.

(a) The owner of each drawbridge under this subpart, other than removable span bridges, shall ensure that a sign summarizing the requirements in this subpart applicable to the bridge is posted both upstream and downstream of the bridge. The requirements to be posted need not include those in Subpart A or §§117.51 through 117.99.

(b) The signs shall be of sufficient size and so located as to be easily read at any time from an approaching vessel.

(c) If advance notice is required to open the draw, the signs shall also state the name, address, and telephone number of the person to be notified.

§ 117.57  Advance notice.

Owners and tenders of drawbridges requiring advance notice to open shall use all reasonable means to open the draw at the requested time and give due regard to the possibility that a brief delay may be experienced by the vessel giving the advance notice.

§ 117.59  Special requirements due to hazards.

For the duration of occurrences hazardous to safety or navigation, such as floods, freshets, and damage to the bridge or fender system, the District Commander may require the owner of an operational drawbridge listed in this subpart to have the bridge attended full time and open on signal.

ALABAMA

§ 117.101  Alabama River.

(a) The draw of the Burlington Northern Santa Fe railroad bridge, mile 105.3 at Coy, shall open on signal if at least 48 hours notice is given.

(b) The draw of the Canadian National/Illinois Central railroad bridge, mile 277 near Montgomery, shall open on signal if at least 24 hours notice is given.

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§ 117.123

(c) The draw of the US31 and 82 bridge, mile 278.2 near Montgomery, shall open on signal if at least 24 hours notice is given.

(d) The draw of the CSX Transportation Railroad bridge, mile 293.3 near Montgomery, shall open on signal if at least 24 hours notice is given.

§ 117.103 Bayou La Batre.

The draw of the S188 bridge, mile 2.3 at Bayou La Batre, shall open on signal; except that, the draw need not be opened from 8 p.m. to 4 a.m. daily, and from 6:30 to 8:30 a.m. and from 2 to 5 p.m. Monday through Saturday except holidays.

§ 117.105 Bayou Sara.

The draw of the CSX Transportation Railroad bridge, mile 0.1 near Saraland, shall open on signal; except that, from 6 p.m. to 10 a.m. the draw shall open on signal if at least eight hours notice is given. During periods of severe storms or hurricanes, from the time the National Weather Service sounds an “alert” for the area until the “all clear” is sounded, the draw shall open on signal.

§ 117.107 Chattahoochee River.

The draws of the CSX Transportation Railroad bridge, mile 117.1 near Omaha, GA, shall open on signal if at least six hours notice is given.

§ 117.109 Coosa River.

The draw of the CSX Transportation Railroad bridge, mile 175.0 at Gadsden, shall open on signal if at least six hours notice is given.

§ 117.113 Tensaw River.

The draw of the CSX Transportation Railroad bridge, mile 15.0 at Hurricane, shall open on signal; except that, from 5 p.m. to 9 a.m., the draw shall open on signal if at least eight hours notice is given. During periods of severe storms or hurricanes, from the time the National Weather Service sounds an “alert” for the area until the “all clear” is sounded, the draw shall open on signal.

§ 117.115 Three Mile Creek.

(a) The draw of the US43 bridge, mile 1.0 at Mobile, need not be opened from 7 a.m. to 9 a.m. and from 4:30 p.m. to 6:30 p.m. daily. At all other times, the draw shall open on signal if at least 12 hours notice is given.

(b) The draw of the Norfolk Southern railroad bridge, mile 1.1 at Mobile, shall open on signal if at least five days notice is given.

§ 117.121 Arkansas River

The draw of the Missouri Pacific Railroad bridge, mile 23.1 near Yancopin, shall open on signal if at least 96 hours notice is given.

§ 117.123 Arkansas Waterway-Automated Railroad Bridges.

(a) Across the Arkansas River, the draw of the Cotton Belt Railroad (Rob Roy) Bridge, Mile 67.4, is maintained in the closed position and is remotely operated. The following signals shall be used:

   (1) The opening signal from the vessel for each of these bridges is three short blasts.

   (2) The acknowledging signal is flashing white lights visible upstream and downstream. When the operator of the vessel sights the acknowledging signal, one prolonged blast shall be sounded.

   (3) This signal is acknowledged by the bridge controller when the draw is to open by changing the flashing white lights to continuous white lights, and sounding one blast on a horn. When the span is fully raised to a maximum clearance of 52 feet, the navigation lights at mid channel change from red to green, indicating that the draw is ready for passage.

   (4) If the draw cannot open, flashing amber warning lights are flashed and four blasts are sounded, indicating that a train is approaching or that maintenance work is in progress.

   (5) The vessel shall acknowledge that there is a delay by sounding four short blasts.
(6) When the draw opens (after the train crosses or when maintenance work permits), the amber lights are turned off, the continuous white lights turned on, and one blast sounded, to indicate the draw is ready for passage.

(7) The vessel acknowledges with one blast and, after the draw is fully open, may proceed through the draw.

(8) When the vessel clears the draw, the mid channel navigation light changes from green to red, the amber warning lights will flash, and, after one minute, the draw lowers and locks.

(b) The draws of the Junction Railroad Bridge at mile 118.7 and the Baring Cross Railroad Bridge at mile 119.6, Arkansas River, at Little Rock, are maintained in the closed position and are remotely operated. The draw of the Rock Island Railroad Bridge at mile 118.2, Arkansas River, at Little Rock, is maintained in the open position. Use the following procedures to request opening of these bridges when necessary for transit:

(1) Normal Flow Procedures. Any upbound or downbound vessel which requires opening the draw of any of these bridges shall establish contact by radiotelephone with the remote drawbridge operator on VHF–FM Channel 13 in North Little Rock, Arkansas. The remote drawbridge operator will advise the vessel whether the requested span can be immediately opened and maintain constant contact with the vessel until the requested span has opened and the vessel passage has been completed. If any or all of the drawbridges cannot be opened immediately, the remote drawbridge operator will notify the calling vessel and provide an estimated time for individual drawbridge openings.

(2) High Velocity Flow Procedures. The area from mile 118.2 to mile 125.4 is a regulated navigation area (RNA) as described in 33 CFR 165.817. During periods of high velocity flow, which is defined as a flow rate of 70,000 cubic feet per second or greater at the Murray Lock and Dam, mile 125.4, downbound vessels which require that the draw of these three bridges be opened for unimpeded passage shall contact the remote drawbridge operator on VHF–FM Channel 13 either before departing Murray Lock and Dam, or before departing the mooring cells at Mile 121.5 to ensure that the Rock Island, Junction, and Baring Cross Railroad drawbridges are opened. The remote drawbridge operator shall immediately respond to the vessel’s call, ensure that all three drawbridges are open for passage, and ensure that they remain in the open position until the downbound vessel has passed through each drawbridge. If a closed drawbridge cannot be opened immediately for unimpeded passage in accordance with 33 CFR 163.203, the remote drawbridge operator will immediately notify the downbound vessel and provide an estimated time for drawbridge openings. Upbound vessels shall request openings in accordance with the normal flow procedures as set forth above. The remote drawbridge operator shall keep all approaching vessels informed of the position of the drawbridge spans.

(c) The draw of the Arkansas Missouri Railroad Bridge, Mile 300.8 Arkansas River at Van Buren, and the Missouri Pacific Railroad Drawbridge, Mile 7.5 Arkansas Waterway at Benza, are maintained in the open position with a minimum vertical clearance of 52 feet except as follows:

(1) When a train approaches either bridge, amber lights attached to the bridge begin to flash and an audible signal on the bridge sounds. At the end of 10 minutes, the amber light continues to flash; however, the audible signal stops and the draw lowers and locks if the photoelectric boat detection system detects no obstruction under the span. If there is an obstruction, the draw opens to its full height until obstruction is cleared.

(2) After the train clears the bridge, the draw opens to its full height, the amber flashing light stops, and the mid channel lights change from red to green, indicating the navigation channel is open for the passage of vessels.

§117.125 Black River.

The following draws need not be opened for the passage of vessels:
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(a) Union Pacific railroad bridge, mile 3.4 at Paroquet.
(b) Burlington Northern railroad bridge, mile 68.4 at Black Rock.
(c) Arkansas State Highway Department bridge, mile 90.1 at Pocahontas.
(d) Burlington Northern railroad bridge, mile 90.4 at Pocahontas.
(e) Union Pacific railroad bridge, mile 144.4 at Corning.
(f) Arkansas State Highway Department bridge, mile 152.2 at Corning.

§ 117.127 Current River.

The draws of the Arkansas highway bridge, mile 10.2, and the Burlington Northern railroad bridge, mile 12.2, both at Biggers, need not be opened for the passage of vessels.

§ 117.129 Little Red River.

The draws of the Burlington Northern railroad bridge, mile 25.0, and Arkansas highway bridge, mile 25.2, both at Judsonia, and the Arkansas highway bridge, mile 30.5 at Searcy, need not be opened for the passage of vessels.

§ 117.131 Little River.

The draws of the Burlington Northern railroad bridge, mile 7.1 near Fulton, need not be opened for the passage of vessels.

§ 117.133 Ouachita River.

The draw of the St. Louis Southwestern Railroad Bridge, Mile 338.8 near Camden, need not be open for the passage of vessels.

§ 117.135 Red River.

The draws of the bridges above mile 276.0 at the Arkansas Louisiana border, need not be opened for the passage of vessels.

§ 117.137 St. Francis River.

The draws of the Chicago, Rock Island and Pacific railroad bridge, mile 59.7 at Madison, and all drawbridges above that point, need not be opened for the passage of vessels.

§ 117.139 White River.

(a) Requirements for the Missouri Pacific railroad bridge, mile 7.5 at Benton, are in § 117.123.
(b) The draws of the St. Louis Southwestern railroad bridge, mile 98.9 at Clarendon, the US 70 highway bridge, mile 121.7 at DeValls Bluff, the Chicago, Rock Island and Pacific Railroad bridge, mile 122.0 at DeValls Bluff, the Missouri Pacific railroad bridge, mile 196.3 at Augusta, and the Missouri Pacific railroad bridge, mile 254.8 at Newport, shall open on signal if at least eight hours notice is given. The draws of any of these bridges need not be opened for a vessel that arrives later than two hours after the time specified in the notice, unless a second notice of at least eight hours is given.
(c) The draws of the Arkansas highway bridge, mile 300.1 at Batesville, and the Missouri Pacific railroad bridge, mile 401.9 at Cotter, need not be opened for the passage of vessels.

CALIFORNIA

§ 117.140 General.

In California, when fog prevails by day or night, the drawtender, after sounding the opening signal, shall toll a bell continuously during the approach and passage of a vessel.

§ 117.141 American River.

The draw of the Jiboom Street bridge, mile 0.1 at Sacramento, need not be opened for the passage of vessels.

§ 117.143 Bishop Cut.

The draw of the San Joaquin County highway bridge, mile 1.0 between King Island and Bishop Tract, shall open on signal if at least 12 hours notice is given to the San Joaquin County Department of Public Works at Stockton.

§ 117.145 Burns Cutoff.

The draw of the Daggett Road bridge, mile 3.0 at Stockton, shall open on signal if at least 48 hours notice is given to the U.S. Naval Communications Station at Stockton.

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§ 117.147 Cerritos Channel.

(a) The draw of the Commodore Schuyler F. Heim highway bridge, mile 4.9 at Long Beach, shall open on signal; except that, from 6:30 a.m. to 8 a.m. and 3:30 p.m. to 6 p.m. Monday through Friday except Federal holidays, the draws need not be opened for the passage of vessels. The opening signal for the Commodore Schuyler Heim bridge is three prolonged blasts. The acknowledging signal is two prolonged blasts followed by one short blast when the draw will open immediately and five short blasts when the draw will not open immediately. Channel 13 (156.65 MHZ) or other assigned frequencies may be used.

(b) The draw of the Henry Ford Avenue railroad bridge, mile 4.8 at Long Beach, shall be maintained in the fully open position, except when a train is crossing or for maintenance. If the draw is in the closed position, the opening signal is two short blasts followed by one prolonged blast. The acknowledging signal is two prolonged blasts followed by one short blast when the draw will open immediately and five short blasts when the draw will not open immediately. Channel 13 (156.65 MHZ) or other assigned frequencies may be used.

§ 117.149 China Basin, Mission Creek.

The draws of the 3rd Street bridge, mile 0.0, and the 4th Street bridge, mile 0.2, both at San Francisco, shall open on signal if at least one hour notice is given.

§ 117.150 Connection Slough.

The draw of the Reclamation District No. 2027 bridge between Mandeville and Bacon Islands, mile 2.5 near Stockton, shall open on signal from May 1 through October 31 from 6 a.m. to 10 p.m., and from November 1 through April 30 from 9 a.m. to 5 p.m. At all other times, the draw shall open on signal if at least four hours notice is given to the drawtender during regular operating hours, or to the Rio Vista bridge across the Sacramento River, mile 12.8.

The draw shall open on signal if at least one hour notice is given for emergency vessels owned, operated or controlled by the United States or the State of California, for commercial vessels engaged in rescue or emergency salvage operations, or for vessels in distress.

§ 117.151 Cordelia Slough (a tributary of Suisun Bay).

The draws of the Union Pacific railroad bridge, mile 1.5 at Suisun, shall open on signal if at least 24 hours notice is given.

§ 117.153 Corte Madera Creek.

The draw of the Golden Gate Bridge, Highway and Transportation District bridge, mile 0.5 near Greenbrae, shall be maintained in the fully open position, except for the crossing of trains or for maintenance.

§ 117.155 Eureka Slough.

The draw of the Northwestern Pacific Railroad Company Bridge, mile 0.3 at Eureka, need not be opened for the passage of vessels. The owner or agency controlling the bridge shall restore the draw to full operation within six months of notification to take such action from the District Commander.

§ 117.157 Georgiana Slough.

The draws of the Sacramento County highway bridges, mile 4.5 near Isleton, and mile 12.4 near Walnut Grove, shall open on signal from 6 a.m. to 10 p.m. from May 1 through October 31. The draws shall open on signal from November 1 through April 30 from 9 a.m. to 5 p.m. At all other times, the draws of these bridges shall open on signal if at least four hours notice is given to the drawtender at the Rio Vista bridge across the Sacramento River, mile 12.8.
§ 117.159 Grant Line Canal.

The draw of the San Joaquin County highway bridge, mile 5.5 at Tracy, shall open on signal if at least 12 hours notice is given to the San Joaquin County Department of Public Works at Stockton.

§ 117.161 Honker Cut.

The draw of the San Joaquin County (Eightmile Road) bridge, mile 0.3 between Empire Tract and King Island at Stockton, shall open on signal if at least 12 hours notice is given to the San Joaquin County Department of Public Works at Stockton.

§ 117.163 Islais Creek (Channel).

The draw of the 3rd Street bridge, mile 0.4 at San Francisco, shall open on signal if at least one hour notice is given.

§ 117.165 Lindsey Slough.

The center span of the Hastings Farms highway bridge, mile 2.0 between Egbert and Lower Hastings Tracts, shall be removed for the passage of maintenance vessels if at least 72 hours notice is given to the Hastings Island Land Company office at Rio Vista.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984, as amended by CGD 12–85–02, 50 FR 31176, Aug. 1, 1985]

§ 117.167 Little Potato Slough.

The draw of the California Department of Transportation highway bridge, mile 0.1, at Terminus, shall open on signal if at least 4 hours notice is given to the drawtender at the Rio Vista bridge across the Sacramento River, mile 12.8.

[CGD11–95–02, 61 FR 17238, Apr. 19, 1996]

§ 117.169 Mare Island Strait, Napa River, and their tributaries.

(a) The draw of the U.S. Navy bridge (Mare Island Causeway), mile 2.8, at Vallejo—

(1) Must be opened on signal from 7:30 a.m. to 3:45 p.m. and 4:45 p.m. to 10 p.m. Monday through Friday except Federal holidays, and from 6:30 a.m. to 10 p.m. on Saturdays, Sundays, and holidays;

(2) Need not be opened for the passage of vessels, other than public vessels of the United States, from 6:30 a.m. to 7:30 a.m. and 3:45 p.m. to 4:45 p.m., except Saturdays, Sundays, and Federal holidays; and

(3) Must be opened on signal from 10 p.m. to 6:30 a.m. daily, if at least two hours notice is given, and as soon as possible during this period for public vessels of the United States.

(b) The draw of the Northwestern Pacific railroad bridge, mile 10.6 at Brazos, shall be maintained in the fully open position, except for the crossing of trains or for maintenance. When the draw is closed and visibility at the drawtender’s station is less than one mile, up or down the channel, the drawtender shall sound two prolonged blasts every minute. When the draw is opened, the drawtender shall sound three short blasts.

(c) The draw of the Maxwell highway bridge, mile 17.6 near Imola, shall open on signal if at least 72 hours notice is given to the California Department of Transportation office at Napa.


§ 117.171 Middle River.

(a) The draw of the San Joaquin County (Bacon Island Road) highway bridge, mile 8.6 between Bacon Island and Lower Jones Tract, shall open on signal from May 15 through September 15 from 9 a.m. to 5 p.m. From September 16 through May 14, the draw shall open on signal from 9 a.m. to 5 p.m. from Thursday through Monday. At all other times, the draw shall open on signal if at least 12 hours notice is given to the San Joaquin County Department of Public Works at Stockton.

(b) The draw of the Burlington Northern Santa Fe railroad bridge, mile 9.8 near Middle River Station, shall open on signal if at least 12 hours notice is given to the Burlington Northern Santa Fe Railway Manager of Structures at San Bernadino.

(c) The California Route 4 Bridge, mile 15.1, between Victoria Island and
§ 117.173  Drexler Tract need not open for the passage of vessels.


§ 117.173  Miner Slough.

The draw of the California Department of Transportation highway bridge, mile 5.5 between the northerly end of Ryer Island and Holland Tract, shall open on signal if at least 12 hours notice is given to the drawtender at the Rio Vista bridge across the Sacramento River, mile 12.8.

§ 117.175  Mokelumne River.

(a) The draw of the California Department of Transportation highway bridge, the Mokelumne River Bridge, mile 3.0, at East Isleton shall open upon signal as follows:

(1) From November 1 through April 30 from 9 a.m. to 5 p.m.

(2) From May 1 through October 31 from 6 a.m. to 10 p.m., except that during the following periods the draw need only open for recreational vessels on the hour, 20 minutes past the hour, and 40 minutes past the hour:

- Saturdays 10 a.m. until 2 p.m.
- Sundays 11 a.m. until 6 p.m.
- Memorial Day; 4th of July; and Labor Day 11 a.m. until 6 p.m.

(3) At all other times the draw shall open on signal if at least 4 hours notice is given to the drawtender at Rio Vista bridge over the Sacramento River, mile 12.8.

(4) Emergency vessels of the United States, state or commercial vessels engaged in rescue or emergency salvage operations, and vessels in distress shall be passed as soon as possible but no later than one hour after notice is given.

(b) The draw of the Sacramento and San Joaquin Counties (Millers Ferry) highway bridge, mile 12.1 over the North Fork of the Mokelumne River near Walnut Grove, shall open on signal from May 1 through October 31 from 9 a.m. to 5 p.m. At all other times, the draw shall open on signal if at least 12 hours notice is given to the San Joaquin County Department of Public Works at Stockton.

(c) The removable span of the San Joaquin County highway bridge over the South Fork of the Mokelumne River, mile 18.0 at New Hope Landing, shall be removed as soon as possible upon notification by the District Commander that an emergency exists which requires the removal.

(d) The draws of the bridges above New Hope Landing need not be opened for the passage of vessels.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984, as amended by CGD 11–92–10, 58 FR 33399, June 17, 1993]

§ 117.177  Mud Slough.

The draw of the Union Pacific railroad bridge, mile 0.7 near Alviso, shall open on signal if at least 24 hours notice is given.

§ 117.179  Newark Slough.

The draw of the San Mateo County Transportation Department railroad bridge, mile 0.5 near Newark, shall open on signal if at least 24 hours notice is given to the San Mateo Transportation Department, at San Carlos.


§ 117.181  Oakland Inner Harbor Tidal Canal.

The draws of the Alameda County highway drawbridges at Park Street, mile 5.2; Fruitvale Avenue, mile 5.6; and High Street, mile 6.0; and the U.S. Army Corps of Engineers railroad drawbridge, mile 5.6 at Fruitvale Avenue, shall open on signal; except that, from 8 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m. Monday through Friday except Federal holidays, the draws need not be opened for the passage of vessels. However, the draws shall open during the above closed periods for vessels which must, for reasons of safety, move on a tide or slack water, if at least two hours notice is given. The draws shall open as soon as possible for vessels in distress and emergency vessels, including commercial vessels engaged in rescue or emergency salvage operations.

[CGD 11–11–99–013, 66 FR 18725, Apr. 11, 2001]
§ 117.183 Old River.

The draw of the California Department of Transportation (Route 4) highway bridge, mile 14.8 between Victoria Island and Byron Tract, shall open on signal from May 1 through October 31 from 6 a.m. to 10 p.m. and from November 1 through April 30 from 9 a.m. to 5 p.m. At all other times, the draw shall open on signal if at least four hours notice is given to the drawtender at the Rio Vista bridge across the Sacramento River, mile 12.8.

§ 117.185 Pacheco Creek.

The draw of the Contra Costa County highway bridge, mile 1.0, and Union Pacific Railroad bridge, mile 1.1, both near Martinez, shall open on signal if at least 24 hours notice is given.

§ 117.187 Petaluma River.

(a) The draws of the Northwestern Pacific railroad bridges, mile 0.8 at Blackpoint and mile 12.4 at Haystack Landing, shall be maintained in the fully open position, except for the crossing of trains or for maintenance. When the draw is closed and visibility from the drawtender's station is less than one mile up or down the channel, the drawtender shall sound two long blasts every minute. When the draw is reopened, the drawtender shall sound three short blasts.

(b) The draw of the Petaluma highway bridge at “D” Street, mile 13.7 at Petaluma, shall open on signal if at least four hours notice is given for openings from 6 a.m. to 6 p.m., and if at least 24 hours notice is given for openings from 6 p.m. to 6 a.m. The draw shall open as soon as possible for vessels in distress and vessels, including commercial vessels, engaged in rescue or emergency salvage operations.

§ 117.189 Sacramento River.

(a) The draws of each bridge from Isleton to American River junction shall open on signal from May 1 through October 31 from 6 a.m. to 10 p.m. and from November 1 through April 30 from 9 a.m. to 5 p.m. At all other times, the draws shall open on signal if at least four hours notice is given to the drawtender at the Rio Vista bridge across the Sacramento River, mile 12.8.

(b) The draws of the California Department of Transportation bridges, mile 90.1 at Knights Landing, and mile 135.5 at Meridian, shall open on signal if at least 12 hours notice is given to the California Department of Transportation at Marysville.

(c) The draws of the bridges above Meridian need not be opened for the passage of vessels.

§ 117.191 San Joaquin River.

(a) The draw of the Port of Stockton railroad bridge, mile 39.7 at Stockton, shall open on signal if at least 12 hours notice is given to the Port Director.

(b) The draws of the U.S. Navy Drawbridge, mile 39.8, Burlington Northern Santa Fe railroad bridge, mile 40.6, and California Highway 4 bridge (Garwood Bridge), mile 41.6, need not be opened for the passage of vessels. The owners or agencies controlling the bridges shall restore the draws to full operation within six months of notification to take such action from the District Commander.

(c) Drawbridges above the Old River junction need not open for the passage of vessels.

§ 117.193 San Leandro Bay.

The draws of the California Department of Transportation highway bridge, mile 0.0 (kilometer 0.0) and the City of Alameda bicycle bridge, mile 0.1 (kilometer 0.2) between Alameda and Bay Farm Island, shall open on signal; except that, from 5 a.m. to 8 a.m. and 5 p.m. to 9 p.m., the draws shall open on signal if at least 12 hours notice is given. Notice shall be given to the drawtender of the Bay Farm Island bridges from 8 a.m. to 5 p.m. and to the drawtender of the Park Street bridge.
§ 117.195 at Alameda at all other times. The draws need not be opened for the passage of vessels from 9 p.m. to 5 a.m.

[CGD1–96–005, 61 FR 17249, Apr. 19, 1996]

§ 117.195 Snodgrass Slough.

The draw of the Sacramento County bridge, mile 4.4 at Walnut Grove, shall open on signal if at least 72 hours notice is given to Sacramento County Transportation Operations and Maintenance office at Sacramento. The draw shall open as soon as possible for vessels in distress, and vessels, including commercial vessels, engaged in rescue or emergency salvage operations or emergency flood control efforts.

[CGD1–93–02, 59 FR 13248, Mar. 21, 1994]

§ 117.197 Sonoma Creek.

The draw of the Northwestern Pacific railroad bridge, mile 5.4 at Wingo, shall open on signal if at least 24 hours notice is given.

§ 117.199 Steamboat Slough.

The draw of the California Department of Transportation highway bridge, mile 11.2 at the head of Grand Island, shall open on signal from May 1 through October 31 from 6 a.m. to 10 p.m. At all other times, the draw shall open on signal if at least four hours notice is given to the drawtender at the Rio Vista bridge across the Sacramento River, mile 12.8.

§ 117.201 Sutter Slough.

The draw of the Sacramento County highway bridge, mile 6.4 near Courtland, need not be opened for the passage of vessels. However, the draw shall be returned to operable condition within six months after notification by the District Commander to do so.

§ 117.202 Cold Spring Brook.

The draw of the footbridge, mile 0.1 at Saybrook, shall open within 15 minutes of a mariner’s request by telephone. To enable mariners to request bridge openings, the owner shall maintain and monitor a telephone at the bridge and provide a means for mariners to secure their boats upstream and downstream of the bridge in order to use this telephone.

[CGD3 86–33, 52 FR 5536, Feb. 25, 1987]

§ 117.205 Connecticut River.

(a) The owners of the AMTRAK Old Saybrook-Old Lyme Bridge, mile 3.4, the Route 82 Bridge, mile 16.8, and the CONRAIL Middletown-Portland Bridge, mile 32.0, shall provide, and keep in good legible condition, clearance gauges with figures not less than twelve (12) inches which designed, installed and maintained according to the provisions of § 118.160 of this chapter.

(b) The draws of the AMTRAK Old Saybrook-Old Lyme Bridge, mile 3.4, and the CONRAIL Middletown-Portland Bridge, mile 32.0, shall be opened as soon as practicable for all non-commercial vessels that cannot pass under the closed draws, but in no case shall the delay be more than 20 minutes from the time the opening was requested.

(c) The draw of the Route 82 Bridge, mile 16.8, at East Haddam, shall open on signal except that, from 15 May to 31 October, between 9 a.m. and 9 p.m., the draw need open for recreational vessels on the hour and half-hour only. The draw shall open on signal for commercial vessels at all times.

[CGD01–95–009, 63 FR 10140, Mar. 2, 1998]

§ 117.207 Housatonic River

(a) The draw of the US 1 Bridge, mile 3.5, at Stratford, shall open on signal; except that, from 7 a.m. to 9 a.m., Monday through Friday, and 4 p.m. to 5:45 p.m. daily, the draw need not open for the passage of vessels. From December 1 through March 31, from 8 p.m. to 4 a.m., the draw shall open on signal if at least six-hours notice is given by calling the number posted at the bridge.

(b) The draw of the Metro-North (Devon) bridge, mile 3.9 at Stratford, shall operate as follows:

(1) The draw shall open on signal; except as follows:

(i) From 7 a.m. to 9 a.m. and from 4 p.m. to 5:45 p.m. Monday through Friday except Federal holidays or an emergency, the draw need not be opened for the passage of vessels.
§ 117.213 New Haven Harbor, Quinnipiac and Mill Rivers.

The draws of the Tomlinson bridge, mile 0.0, the Ferry Street bridge, mile 0.7, and the Grand Avenue bridge, mile 1.3, across Quinnipiac River, and the Chapel Street bridge, mile 0.4 across Mill River, shall operate as follows:

(a) The draws shall open on signal; except as follows:

(1) From 7:30 a.m. to 8:30 a.m., noon to 12:15 p.m., 12:45 p.m. to 1 p.m., and 4:45 p.m. to 5:45 p.m., the draws need not be opened.

(2) From 9 p.m. to 5 a.m. from October 1 through April 30, the draw of the Ferry Street bridge, Quinnipiac River, shall open on signal if at least one hour notice is given. In the event that the drawtender is at the Grand Avenue or Chapel Street bridges, a delay of up to one and a half hours may be expected.

(3) From 11 p.m. to 7 a.m., the draw of the Grand Avenue bridge, Quinnipiac River, shall open on signal if at least one hour notice is given to the drawtender at the Ferry Street bridge. In the event that the drawtender is at the Chapel Street bridge, a delay of up to an additional hour may be expected.

(4) From 9 p.m. to 5 a.m., the draw of the Chapel Street bridge, Mill River, shall open on signal if at least one hour notice is given to the drawtender at Ferry Street bridge. In the event that
§ 117.215 Niantic River.

(a) The draw of the Amtrak bridge, mile 0.0 at Niantic, shall open on signal; except that, from April 1 through October 31 from 8 p.m. to 4 a.m. and from November 1 through March 31 from 6 p.m. to 6 a.m., the draw shall open on signal if at least one hour notice is given. When a train scheduled to cross the bridge without stopping has entered the drawbridge block, a delay in opening the draw may occur until the train has cleared the block.

(b) The draw of the S156 Bridge, mile 0.1, at Niantic, shall open on signal; except that, from 7 a.m. to 8 a.m. and 4 p.m. to 5 p.m., Monday through Friday, except holidays, the draw shall open only for the passage of commercial vessels. From December 1 through March 31, from 8 p.m. to 4 a.m., the draw shall open on signal if at least six hours notice is given by calling the number posted at the bridge.

§ 117.217 Norwalk River.

(a) The draw of the Washington Street S136 bridge, mile 0.0 at Norwalk, shall open on signal; except that, from 7 a.m. to 8:45 a.m., 11:45 a.m. to 1:15 p.m., and 4 p.m. to 6 p.m. Monday through Friday except holidays, the draw need not be opened for vessels drawing less than 14 feet of water. The opening signal is three short blasts. Vessels drawing 14 feet of water or more shall add one prolonged blast after the three short blasts.

(b) The draw of the Metro–North ‘‘WALK’’ bridge, mile 0.1 at Norwalk, shall open on signal as follows: (1) From 5 a.m. to 9 a.m., except that, from Monday through Friday excluding holidays, the draw need not be opened from 7 a.m. to 8:45 a.m. and 4 p.m. to 6 p.m. Monday through Friday except holidays, the draw need not be opened from 7 a.m. to 8:45 a.m. and 4 p.m. to 6 p.m. unless an emergency exists.

(2) Only once in any 60-minute period from 5:45 a.m. to 7 a.m. and 6 p.m. to 7:45 p.m.
(3) From 9 p.m. to 5 a.m., if at least four hours notice is given.
(4) A delay of up to 20 minutes may be expected if a train is approaching so closely that it may not be safely stopped.

(CGD 82–025, 49 FR 17452, Apr. 24, 1984, as amended by CGD 3 85–42, 50 FR 26711, June 28, 1985)

§ 117.219 Pequonnock River.

(a) Public vessels of the United States and vessels in distress shall be passed through the draw of each bridge as soon as possible.

(b) The Stratford Avenue Bridge, mile 0.1, at Bridgeport, shall open on signal; except that, from 6:45 a.m. to 7:15 a.m., 7:45 a.m. to 8:15 a.m., 11:45 a.m. to 1:15 p.m., and 4:30 p.m. to 6:10 p.m., the draw need not open for the passage of vessels. From December 1 through March 31, from 8 p.m. to 4 a.m., the draw shall open on signal if at least six-hours notice is given by calling the number posted at the bridge.

(c) The draw of the Metro-North "PECK" bridge, mile 0.3 at Bridgeport, shall open on the signal of three blasts as follows:

(1) From 5:45 a.m. to 9 p.m. except:
   (i) From Monday through Friday, excluding holidays or emergencies, the draw need not be opened from 6:45 a.m. to 7:15 a.m., 7:45 a.m. to 8:15 a.m., and 4:30 p.m. to 6:10 p.m.
   (ii) From Monday through Friday, excluding holidays or emergencies, the draws need not be opened more than once during the periods 5:45 a.m. to 6:45 a.m., 7:15 a.m. to 7:45 a.m., 8:15 a.m. to 9 a.m., and 6:10 p.m. to 8:15 p.m.
(2) From 9 p.m. to 5:45 a.m., the draws shall open on signal if at least eight hours notice is given.
(3) The draw need not open on signal if a train is approaching so closely that it may not be safely stopped; however, the delay in opening the draw shall not exceed 7 minutes from time of the request.

(d) The draw of the Congress Street Bridge, mile 0.4 at Bridgeport, shall open on signal as follows:

(1) From 8 a.m. to 9 p.m.; except that the draw need not open for the passage of other than commercial vessels from 11:45 a.m. to 1:15 p.m. and for all vessels from 4:30 p.m. to 6:10 p.m.
(2) From 9 p.m. to 8 a.m., if at least eight hours notice is given; except that the draw need not open for the passage of vessels from 6:45 a.m. to 7:15 a.m.; and from 7:45 a.m. to 8 a.m.
(3) The opening signal is two prolonged blasts followed by two short blasts.

(e) The draw of the East Washington Street bridge mile 0.6, shall open on the signal of one prolonged blast followed by two short blasts if at least 24 hours notice is given.

(f) The draw of the Grand Street bridge mile 0.9 at Bridgeport need not be opened for the passage of vessels. However, the draw shall be returned to operable condition within 12 months after notification by the District Commander to do so.


§ 117.221 Saugatuck River.

(a) The draw of each moveable bridge shall open at all times as soon as possible for passage of a public vessel of the United States, vessel in tow or for a vessel in distress.

(b) The draw of the Metro-North "SAGA" Bridge, mile 1.1 at Saugatuck shall operate as follows:

(1) Year-round need not open:
   (i) Weekdays from 7 a.m. to 8:10 a.m. and 5:30 p.m. to 7 p.m. except on Federal holidays;
   (ii) From 9 p.m. to 5 a.m.
(2) From October 1–May 31, open on signal:
   (i) Weekdays from 8:10 a.m. to 4 p.m.;
   (ii) Weekends and Federal holidays 7 a.m.–4 p.m.;
   (iii) If at least eight hours notice is given: daily, from 5 a.m.–7 a.m., 4 p.m.–5:30 p.m. and 7 p.m.–9 p.m., and weekends and Federal holidays from 5:30 p.m.–7 p.m.
(3) From June 1–September 30, open on signal 5 a.m.–9 p.m., except as provided in paragraph (b)(1)(i) of this section.

(c) A delay in opening the draw not to exceed 10 minutes may occur when a train scheduled to cross the bridge without stopping has entered the drawbridge block.

§ 117.223  
(c) The draw of the Route 136 Bridge, mile 1.3 at Saugatuck shall operate as follows:
   (1) Year-round, need not open weekdays, except Federal holidays, from 7 a.m. to 8:30 a.m. and 5:30 p.m. to 7:30 p.m.
   (2) From April 15–October 31, open on signal if at least two hours notice is given, except as provided in paragraph (c)(1) of this section.
   (3) From November 1–April 14, open on signal:
      (i) From 8:30 a.m. to 3 p.m. if at least eight hours notice is given;
      (ii) From 3 p.m. to 8:30 a.m. if at least 24 hours notice is given, except as provided in paragraph (c)(1) of this section.

[CGD 82–087, 50 FR 13319, Apr. 4, 1985]

§ 117.223  
Shaw Cove.

The draw of the Amtrak bridge, mile 0.0 at New London, shall open on signal from December 1 through March 31 from 8 a.m. to 5 p.m. Monday through Friday. From December 1 through March 31 from 5 p.m. to 8 a.m. and on Saturdays and Sundays, the draw shall open on signal if at least eight hours notice is given. From April 1 through November 30 from 5 a.m. to 10 p.m., the draw shall open on signal if at least one hour notice is given. A delay of up to 10 minutes may be expected if a train is approaching so closely that it may not be safety stopped. When a vessel is in an emergency that may endanger life or property, the draw shall open as soon as possible.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984, as amended by CGD3 85–42, 50 FR 26712, June 28, 1985]

§ 117.224  
Thames River.

The draw of the Amtrak bridge, mile 3.0 in New London, shall open:

   (a) Immediately on signal for vessels owned or operated by the United States Government, state and local vessels used for public safety, vessels in an emergency, and commercial vessels; except, when a train scheduled to cross the bridge without stopping has passed the Midway, Groton, or New London stations and is in motion toward the bridge, the draw shall not be opened for the passage of any vessel until the train has crossed the bridge; and
   (b) As soon as practicable for all other vessels but no later than 20 minutes after the signal to open is given.

[CGD 82–025, 49 FR 43459, Oct. 29, 1984]

§ 117.225  
Yellow Mill Channel.

The draw of the Stratford Avenue bridge, mile 0.3 at Bridgeport, shall open on signal if at least 24 hours notice is given. Public vessels of the United States and vessels in distress shall be passed as soon as possible.

DELAWARE

§ 117.231  
Brandywine Creek.

The draw of the Conrail bridge, mile 1.1, the Church Street bridge, mile 1.3, and the Sixteenth Street bridge, mile 1.7, all at Wilmington, need not be opened for the passage of vessels.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984, as amended by CGD3 85–42, 50 FR 26712, June 28, 1985]

§ 117.233  
Broad Creek.

The draws of the Conrail bridge, mile 8.0, the Poplar Street bridge, mile 8.2, and the US13A bridge, mile 8.2, all at Laurel, shall open on signal if at least four hours notice is given.

§ 117.235  
Chesapeake and Delaware Canal.

The draw of the Conrail bridge, mile 7.7, shall open on signal. The following light signals, located in the center of the drawspan on both sides of the bridge, shall be used:

   (a) When the draw is to be opened immediately, one fixed amber light.
   (b) When the draw is not ready to be opened, one flashing red light.

§ 117.237  
Christina River.

The owners of the bridges on this waterway:

   (a) Shall provide and keep in good legible condition two board gages painted white with black figures not less than six inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridges
that they are plainly visible to the operator of each vessel approaching the bridge either up or downstream.

(2) Shall open on signal except that the draw of a railroad bridge need not be opened when a train is in the bridge block, approaching the bridge, or within 5 minutes of the passage of a passenger train; but in no event shall the opening of the draw be delayed more than 10 minutes.

(b) The draw of the Third Street Bridge, mile 2.3 and Walnut Street bridge, mile 2.8, both at Wilmington shall open on signal. The draw of the Market Street Bridge, mile 3.0 at Wilmington shall open on signal if at least eight hours notice is given. From 7 a.m. to 8 a.m. and 4:30 p.m. to 5:30 p.m., Monday through Saturday except holidays, the draws of these three bridges need not be opened for the passage of vessels. Any vessel which has passed through one or more of these bridges immediately prior to a closed period and which requires passage through the other bridge or bridges in order to continue to its destination shall be passed through the draw or draws of the bridge or bridges without delay. The draws of these bridges shall open at all times as soon as possible for passage of a public vessel of the United States.

(c) The draws of the Conrail bridges, at miles 4.1 and 4.2, both at Wilmington, shall open on signal from May 1 through October 31 from 7 a.m. to 8 p.m. if at least 24 hours notice is given. From 8 p.m. to 6 a.m., the draws need not be opened for the passage of vessels.

(d) The draw of the SH141 bridge, mile 7.5 at Wilmington, shall open on signal if at least 24 hours notice is given.

§ 117.239 Lewes and Rehoboth Canal.

The draws of the Delaware highway bridges, mile 2.0 and 7.0, both at Rehoboth, shall open on signal from May 1 through October 1 from 7 a.m. to 8 p.m. and from 8 p.m. to 7 a.m. if at least two hours notice is given. From November 1 through April 30, the draws shall open on signal if at least 24 hours notice is given.

§ 117.241 Mispillion River.

The draws of the SH14 bridge, mile 11.0 at Milford, shall open on signal if at least two hours notice is given.

§ 117.243 Nanticoke River.

The draw of the Conrail bridge, mile 39.4 at Seaford, shall open on signal from May 1 through September 30 from 8 a.m. to 8 p.m. and need not be opened from 8 p.m. to 8 a.m. At all times from October 1 through April 30, the draw shall open on signal if at least four hours notice is given.

§ 117.245 Smyrna River.

The draw of the Delaware highway bridge, mile 4.0 at Flemings Landing, shall open on signal if at least 24 hours notice is given.

§ 117.253 Anacostia River.

(a) The draw of the Frederick Douglass Memorial (South Capitol Street) bridge, mile 1.2, shall open on signal if at least 24 hours notice is given. The draw is closed to the passage of vessels on each Presidential Inauguration Day and may occasionally be closed without advance notice to permit uninterrupted transit of dignitaries across the bridge.

(b) CONRAIL bridge, mile 3.4.

(1) The draw of the shall open on signal:

(i) At all times for public vessels of the United States, state and local government vessels, commercial vessels, and any vessels in an emergency involving danger to life or property.

(ii) Between 9 a.m. and 12 noon and between 1 p.m. and 6 p.m. from May 15 through September 30.

(iii) Between 6 p.m. and 7 p.m. from May 15 through September 30 if notice is given to the bridgertender not later than 6 p.m. on the day for which the opening is requested.

(iv) At all other times, if at least eight hours notice is given.

(2) The owners of the bridge shall provide and keep in good legible condition two board gages painted white with black figures not less than six inches high to indicate the vertical clearance under the closed draw at all stages of tide. The gages shall be
§ 117.255 Potomac River.

(a) The draw of the Woodrow Wilson Memorial (I–95) bridge, mile 103.8, between Alexandria, Virginia, and Oxon Hill, Maryland—

(1) Shall open on signal at any time only for a vessel in distress, notwithstanding the provisions of §117.31.

(2) Shall open for the passage of a commercial vessel at any time except:

(i) Monday through Friday (except Federal holidays), 5 a.m. to 10 a.m. and 2 p.m. to 8 p.m.

(ii) Saturday, Sunday, and Federal holidays, 2 p.m. to 7 p.m.

(3) Need not open for the passage of a commercial vessel under paragraph (a)(2) of this section unless—

(i) The owner or operator of the vessel provides the bridge tender with an estimate of the approximate time of that passage at least 12 hours in advance at (202) 727-5522; and

(ii) the owner or operator of the vessel notifies the bridge tender at least 4 hours in advance of the requested time for that passage.

(4) Shall open for the passage of a recreational vessel at any time except:

(i) Monday through Friday (except Federal holidays), 5 a.m. to 12 midnight;

(ii) Saturday, Sunday, and Federal holidays, 7 a.m. to 12 midnight, except as provided in paragraph (a)(4)(iii) of this section;

(iii) Notwithstanding paragraph (a)(4)(i) of this section, the bridge may open beginning at 10 p.m. on Saturday, Sunday, or a Federal holiday for the passage of a recreational vessel if the owner or operator of the vessel notifies the Bridge Tender of the time of that passage by not later than 12 hours before that time.

(5) Need not open for the passage of a recreational vessel under paragraph (a)(4) of this section unless—

(i) The owner or operator of the vessel provides the bridge tender with an estimate of the approximate time of that passage at least 12 hours in advance at (202) 727-5522; and

(ii) the owner or operator of the vessel notifies the bridge tender at least 4 hours in advance of the requested time for that passage.

(6) A recreational vessel may pass through the drawspan at any time it is open for the passage of a commercial vessel.

(b) The draws of all other bridges need not be opened for the passage of vessels.

[CGD 90–064, 57 FR 54178, Nov. 17, 1992]

Florida

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

(a) General. Public vessels of the United States, tugs with tows, and vessels in a situation where a delay would endanger life or property shall, upon proper signal, be passed through the draw of each bridge listed in this section at any time.

(b) McCormick Bridge, mile 747.5 at Jacksonville Beach. The draw shall open on signal; except that during April, May, October and November from 7 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m. Mondays through Friday except Federal holidays, the draw need open only on the hour and half hour. During April, May, October and November from 12 noon to 6 p.m. Saturdays, Sundays and Federal holidays, the draw need open only on the hour and half hour.

(c) Vilano Beach (SR A1A), Mile 778 at Vilano Beach. The draw shall open on signal, except that from March 15 through December 15, from 7 a.m. to 6 p.m. Mondays through Friday, except...
federal holidays, and from 9 a.m. to sunset on Saturdays, Sundays and federal holidays, the draw need open only on the hour, twenty minutes after the hour, and forty minutes after the hour.

(d) Bridge of Lions (SR A1A) bridge, mile 777.9 at St. Augustine. The draw shall open on signal; except that, from 7 a.m. to 6 p.m. the draw need open only on the hour and half-hour; however, the draw need not open at 8 a.m., 12 noon, and 5 p.m. Monday through Friday except Federal holidays. From 7 a.m. to 6 p.m. on Saturdays, Sundays and Federal holidays the draw need only open on the hour and half-hour.

(e)–(f) [Reserved]

(g) Memorial bridge, mile 830.6 at Daytona Beach. The draw shall open on signal; except that, from 7:45 a.m. to 8:45 a.m. and 4:45 p.m. to 5:45 p.m. Monday through Saturday except Federal holidays, the draw need open only at 8:15 a.m. and 5:15 p.m.

(h)–(i) [Reserved]

(j) NASA Railroad bridge, mile 876.6 at Kennedy Space Center.

(1) The draw is not constantly tended.

(2) The draw is normally in the fully open position displaying flashing green lights to indicate that vessels may pass.

(3) When a train approaches the bridge, it stops and the operator initiates a command to lower the bridge. The lights go to flashing red and the draw lowers and locks, providing scanning equipment reveals nothing under the draw. The draw remains down until a manual raise command is initiated, or will raise automatically 5 minutes after the intermediate track circuit is no longer occupied by a rail car.

(4) After the train has cleared, the draw opens and the lights return to flashing green.

(k) State Road 402, Max Brewer bridge, mile 878.9 at Titusville. The draw shall open on signal; except that, from 8 a.m. to 7:15 a.m. and 3:15 p.m. to 4:30 p.m. Monday through Friday, except federal holidays, the draw need not open.

(l) John F. Kennedy Space Center bridge, mile 885 at Addison Point. The draw shall open on signal; except that, from 6:30 a.m. to 8 a.m. and 3:30 p.m. to 5 p.m. Monday through Friday, except Federal holidays, the draw need not open.

(m)–(n) [Reserved]

(o) Jensen Beach (SR 707a) bridge, mile 981.4 at Stuart. The draw shall open on signal; except that from December 1 through May 1, from 7 a.m. to 6 p.m., Monday through Friday, except federal holidays, the draw need open only on the hour and half-hour.

(p) Ernest Lyons (SR A1A) bridge, mile 984.9 at Stuart. The draw shall open on signal; except that, from December 1 through May 1, from 7 a.m. to 6 p.m., Monday through Friday, except federal holidays, the draw need open only on the hour and half-hour.

(q) [Reserved]

(r) The draw of the Donald Ross Road Bridge, mile 1009.3 shall open on signal, except that from 1 October to 31 May, Monday through Friday, except federal holidays, the draw need open only on the hour, quarter-hour, half-hour, and three quarter-hour. On Saturdays, Sundays and Federal holidays from 8 a.m. to 6 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour. On weekdays except Federal holidays from November 1 through April 30 from 9 a.m. to 4 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(s) PGA Boulevard Bridge, mile 1012.6. The draw shall open on signal; except that, from 7 a.m. to 9 a.m. and 4 p.m. to 7 p.m., Monday through Friday except Federal holidays, the draw need open only on the hour and half-hour. On Saturdays, Sundays and Federal holidays from 8 a.m. to 6 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour. On weekdays except Federal holidays from November 1 through April 30 from 9 a.m. to 4 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(t) Parker (US 1) bridge, mile 1013.7. The draw shall open on signal; except that, from 7 a.m. to 9 a.m. and 4 p.m. to 7 p.m. Monday through Friday except Federal holidays, the draw need open only on the hour and half-hour. On Saturdays, Sundays and Federal holidays from 8 a.m. to 6 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour. On weekdays except Federal holidays from November 1 through April 30 from 9 a.m. to 4 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour.
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(u) Flagler Memorial (SR A1A) bridge, mile 1021.9 at Palm Beach. The draw shall open on signal, except that from October 1 to May 31, Monday through Friday except Federal holidays, from 7:30 a.m. to 9:30 a.m. and from 4 p.m. to 5:45 p.m., the draw need open only at 8:30 a.m. and 4:45 p.m.; and from 9:30 a.m. to 4 p.m., the draw need open only on the hour and half-hour.

(v) Royal Park (SR 704) bridge, mile 1022.6 at Palm Beach. The draw shall open on signal, except that from October 1 to May 31, Monday through Friday except Federal holidays, from 7:30 a.m. to 9:30 a.m. and from 4 p.m. to 5:45 p.m., the draw need open only at 8:30 a.m. and 4:45 p.m.; and from 9:30 a.m. to 4 p.m., the draw need open only on the hour and half-hour.

(w) Southern Boulevard (SR 700/80) bridge, mile 1024.7 at Palm Beach. The draw shall open on signal, except that, from October 1 through May 31, Monday through Friday except Federal holidays, from 7:30 a.m. to 9:30 a.m. and from 4:30 p.m. to 5:45 p.m., the draw need open only at 8:30 a.m., 4:30 p.m., and 5:15 p.m. and from 9:30 a.m. to 3:30 p.m., the draw need open only on the quarter-hour and three-quarter hour.

(x) Ocean Avenue bridge, mile 1031.0 at Lantana. The draw shall open on signal; except that, from December 1 to April 30, from 7 a.m. to 6 p.m., Monday through Friday, and from 10 a.m. to 6 p.m., Saturdays, Sundays and Federal holidays, the draw need open only on the hour, quarter-hour, half-hour, and three-quarter hour.

(y) N.E. 8th Street bridge, mile 1038.7 at Delray Beach. The draw shall open on signal; except that, from November 1 through May 31, from 11 a.m. to 6 p.m., on Saturdays, Sundays, and Federal holidays, the draw need open only on the hour, quarter-hour, half-hour, and three-quarter hour.

(bb) Hillsboro Boulevard (SR 810) bridge, mile 1050.0 at Deerfield Beach. The draw shall open on signal; except that, from October 1 through May 31, from 7 a.m. to 6 p.m., on Monday through Thursday, the draw need open only on the hour; from 7 a.m. to 6 p.m., on Friday through Sunday and federal holidays, the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour; and from 7 a.m. to 6 p.m., on Friday through Sunday and federal holidays, the draw need open only on the hour and half-hour.

(cc) N.E. 14th Street bridge, mile 1055.0 at Pompano. The draw shall open on signal; except that, from November 1 through May 31, from 7 a.m. to 6 p.m., the draw need open only on the quarter-hour and three-quarter hour.

(dd) Atlantic Boulevard (SR814) bridge, mile 1056.0 at Pompano. The draw shall open on signal; except that, from November 1 through May 15, from 8 a.m. to 6 p.m., Monday through Friday, the draw need open only on the hour, 20 minutes past the hour, and 40 minutes past the hour; and from 8 a.m. to 6 p.m., on Saturdays, Sundays, and Federal holidays, the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(ee) Commercial Boulevard bridge (SR 870), mile 1059.0 at Lauderdale-by-the-Sea. The draw shall open on signal; except that, from November 1 through May 31, from 8 a.m. to 6 p.m., Monday through Friday, the draw need open only on the hour, quarter-hour, half-hour, and three-quarter hour, and from 8 a.m. to 6 p.m., on Saturdays, Sundays, and Federal holidays, the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(ff) Oakland Park Boulevard Bridge, mile 1060.5 at Fort Lauderdale. The draw shall open on signal; except that from November 15 through May 15, from 7 a.m. to 6 p.m., Monday through Friday, the draw need open only on the hour, 20 minutes past the hour, and 40 minutes past the hour, and from 10 a.m. to 10 p.m., on Saturdays, Sundays, and Federal holidays, the draw need open only on the hour, quarter-hour, half-hour, and three-quarter hour.

(gg) The draw of the East Sunrise Boulevard drawbridge (SR 838), mile 1062.6, at Fort Lauderdale shall open on signal; except that from November 15 to May 15, from 10 a.m. to 6 p.m., the draw need open only on the hour, quarter-hour, half-hour and three-quarter hour.
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(hh) The draw of the Brooks Memorial (S.E. 17th Street) bridge, mile 1065.9 at Fort Lauderdale, shall open on signal; except that from 7 a.m. to 7 p.m. the draw need open only on the hour and half-hour.

(ii) [Reserved]

(jj) Hollywood Beach Boulevard (SR820) bridge, mile 1072.2 at Hollywood. The draw of the Brooks Memorial (S.E. 17th Street) bridge, mile 1065.9 at Fort Lauderdale, shall open on signal; except that from November 15 through May 15 from 10 a.m. to 6 p.m., the draw need open only on the hour and half-hour. From May 16 through November 14 on Saturdays, Sundays, and Federal holidays, from 9 a.m. to 7 p.m., the draw need open only on the hour and half-hour.

(kk) Hallandale Beach Boulevard (SR824) bridge, mile 1074.0 at Hallandale. The draw shall open on signal; except that, from 7 a.m. to 6:15 p.m., the draw need open only on the quarter-hour and three-quarter hour.

(ll) N.E. 163rd Street (SR826) bridge, mile 1078.0 at Sunny Isles. The draw shall open on signal; except that, from 7 a.m. to 6 p.m. on Monday through Friday except Federal holidays, and from 10 a.m. to 6 p.m. on Saturdays, Sundays, and Federal holidays, the draw need open only on the quarter-hour and three-quarter hour.

(mm) Broad Causeway bridge, mile 1081.4 at Bay Harbor Islands. The draw shall open on signal; except that, from 8 a.m. to 6 p.m., the draw need open only on the quarter-hour and three-quarter hour.

(nn) West Span of the Venetian Causeway, mile 1088.6 at Miami. The draw shall open on signal; except that, from November 1 through April 30, Monday through Friday except Federal holidays, from 7 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m., the draw need be opened only on the hour and half-hour.

(oo) MacArthur Causeway bridge, mile 1088.8 at Miami. The draw shall open on signal; except that, from November 1 through April 30 from 7 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m., the draw need open only on the hour and half-hour.

(pp) [Removed]

(qq) Jewfish Creek, mile 1134, Key Largo. The draw shall open on signal; except that from 10 a.m. to sunset, Thursday through Sunday and federal holidays, the draw need open only on the hour and half-hour.


EDITORIAL NOTE: For Federal Register citations to §117.261, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 117.263 Banana River.

(a) The draw of the Mathers (SR A–1–A) Bridge, mile 0.5 at Indian Harbor Beach, shall open on signal; except that, from 10 p.m. to 6 a.m. Monday through Friday except Federal holidays, the draw shall open on signal if at least two hours notice is given.

(b) The draw of the NASA Causeway bridge, mile 27.6 at Cape Canaveral, shall open on signal if at least four hours notice is given to the NASA Security Office by telephone or in person.

[CGD 82–025, 49 FR 26721, June 29, 1984]

§ 117.267 Big Carlos Pass.

The draw of the SR865 bridge, mile 0.0 between Estero Island and Black Island, shall open on signal; except that, the draw need not be opened from 7 p.m. to 8 a.m.

§ 117.268 Billy’s Creek.

The draw of the Round Bridge at Fort Myers need not be opened for the passage of vessels; however, the draw shall be restored to operable condition within 6 months after notification by the District Commander to do so.


§ 117.269 Biscayne Bay.

The draw of the East Span of the Venetian Causeway bridge, between Miami and Miami Beach, shall open on signal; except that, from November 1 through April 30 from 7:15 a.m. to 8:45 a.m. and 4:45 p.m. to 6:15 p.m. Monday through Friday, the draw need not be opened. However, the draws shall open at 7:45 a.m., 8:15 a.m., 5:15 p.m., and 5:45 p.m. if any vessels are waiting to pass. The draw shall open on signal on Thanksgiving Day, Christmas Day, New Year’s Day, and Washington’s Birthday. The draw shall open at any time for public vessels of the United States, tugs with tows, regularly
§ 117.271  scheduled cruise vessels, and vessels in distress.

§ 117.271  Blackwater River.
(a) The draw of the CSX Transportation Railroad bridge, mile 2.8 at Milton, shall open on signal; except that, from 8 p.m. to 4 a.m., the draw shall open on signal if at least eight hours notice is given.
(b) [Reserved]

§ 117.272  Boot Key Harbor.
The draw of the Boot Key Harbor drawbridge, mile 0.13, between Marathon and Bock Key, shall open on signal; except that during the evening hours from 10 p.m. to 6 a.m., the draw shall open on signal if at least two hours notice is given.

[CGD07–93–019, 58 FR 39146, July 22, 1993]

§ 117.273  Canaveral Barge Canal.
(a) The draw of the Christa McAuliffe bridge, SR 3, mile 1.0, near Indianola shall open on signal from 6 a.m. to 10 p.m. except that, from 6:15 a.m. to 7:45 a.m. and 3:30 p.m. to 5:15 p.m. Monday through Friday, except federal holidays, the draw need not open for the passage of vessels. From 10 p.m. to 6 a.m., the draw shall open on signal if at least three hours notice is given. The draw shall open as soon as possible for the passage of public vessels of the United States, tugs with tows and vessels in distress.
(b) The draw of the SR401 bridge, mile 5.5 at Port Canaveral, shall open on signal; except that, from 6:30 a.m. to 8 a.m. and 3:30 p.m. to 5:15 p.m. Monday through Friday except Federal holidays, the draw need not be opened for the passage of vessels. From 10 p.m. to 6 a.m., the draw shall open on signal if at least three hours notice is given. The draw shall open as soon as possible for the passage of public vessels of the United States, tugs with tows, and vessels in distress.
(c) The draws of the Christa McAuliffe bridge, SR 3, mile 1.0, near Indianola shall open on signal, except from 6:15 a.m. to 8:15 a.m. and from 3 p.m. to 6 p.m., Monday through Friday except Federal holidays the draws need not open. From 8:15 a.m. to 3 p.m., Monday through Friday except Federal holidays, the draws need only open on the hour and half hour for the passage of vessels. From 10 p.m. until 6 a.m., everyday, the draws shall open on signal if at least three hours notice is given to the bridge tender. The draws shall open as soon as possible for the passage of vessels. The draws need not open from 6:15 a.m. to 7:45 a.m. and 3:30 p.m. to 5:15 p.m. Monday through Friday except Federal holidays, the draws need not be opened for the passage of vessels. From 8:15 a.m. to 3 p.m., Monday through Friday except Federal holidays, the draws need only open on the hour and half hour for the passage of vessels. From 10 p.m. until 6 a.m., everyday, the draws shall open on signal if at least three hours notice is given to the bridge tender. The draws shall open as soon as possible for the passage of vessels of the United States, tugs with tows and vessels in distress.


EFFECTIVE DATE NOTE: By CGD07–02–034, 67 FR 35904, May 22, 2002, § 117.273 was amended by suspending paragraph (a) and adding paragraph (c) effective May 15, 2002 through Sept. 1, 2002

§ 117.277  Clearwater Pass.
(a) The draw of the SR 699 bridge shall open on signal except as provided below.
(b) From 11 a.m. to 6 p.m. on Saturdays, Sundays, and federal holidays the draw need open only on the hour, quarter hour, half hour, and three quarter hour. Public vessels of the United States, tugs with tows, and vessels in distress shall be passed at any time.
(c) Notwithstanding the provisions of paragraph (b), the draw shall open on signal whenever a National Weather Service small craft advisory or warning for winds of greater force is in effect.
(d) From 11 p.m. to 7 a.m. a delay of up to 10 minutes may be expected unless the drawtender has been contacted by telephone or radiotelephone.


§ 117.279  Coffeepot Bayou.
The draw of the Snell Isle Boulevard bridge, mile 0.4 at St. Petersburg, need not be opened for the passage of vessels.

§ 117.283  Dunns Creek.
The draw of the US17 bridge, mile 0.9 near Satsuma, shall open on signal if at least three hours notice is given.
§ 117.285 Grand Canal.

(a) The draw of the Lansing Island bridge, mile 0.7, shall open on signal, except that during the evening hours from 10 p.m. to 6 a.m. from Sunday evening until Friday morning, except on evenings preceding a Federal holiday, the draw shall open on signal if at least 2 hours notice is given.

(b) The draw of the Tortoise Island bridge, mile 2.6, shall open on signal; except that from 10 p.m. to 6 a.m. from Sunday evening through Friday morning, the draw shall open on signal if at least 2 hours advance notice is given. From 10 p.m. to 6 a.m. on Friday and Saturday and on evenings immediately preceding Federal holidays, the draw shall open on signal if at least 30 minutes advance notice is given.

§ 117.287 Gulf Intracoastal Waterway.

(a) Public vessels of the United States, tugs with tows, and vessels in distress shall be passed through the draw of each bridge listed in this section at any time.

(a–1) The draw of the Gasparilla Island Causeway drawbridge, mile 34.3, at Boca Grande shall open on signal; except that from January 1 to May 31, from 7 a.m. to 5 p.m., the draw need open only on the hour, quarter-hour, half-hour, and three quarter-hour.

(a–2) The draw of the Venice Avenue bridge, mile 56.6 at Venice, shall open on signal, except that from 7 a.m. to 4:30 p.m., Monday through Friday except Federal holidays, the draw need open only at 10 minutes after the hour, 30 minutes after the hour and 50 minutes after the hour and except between 4:35 p.m. and 5:35 p.m. when the draw need not open.

(b) The draw of the Hatchett Creek (US–41) bridge, mile 56.9 at Venice, shall open on signal, except that, from 7 a.m. to 4:20 p.m., Monday through Friday except Federal holidays, the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour and except between 4:25 p.m. and 5:25 p.m. when the draw need not open. On Saturdays, Sundays, and Federal holidays from 7:30 a.m. to 6 p.m. the draw need open only on the hour, quarter-hour, half-hour, and three quarter-hour.

(b–1) The draw of the Siesta Drive bridge, mile 71.6 at Sarasota, Florida shall open on signal, except that from 7 a.m. to 6 p.m. Monday through Friday, except Federal holidays, the draw need open only on the hour, 20 minutes past the hour, and 40 minutes past the hour. On weekends and Federal holidays, from 11 a.m. to 6 p.m., the draw need open only on the hour, 20 minutes past the hour, and 40 minutes past the hour.

(b–2) The draw of the Hatchett Creek (US–41) bridge, mile 87.4, shall open on signal; except that from 7 a.m. to 6 p.m., the draw need open only on the hour, twenty minutes past the hour and forty minutes past the hour.

(b–3) The draw of the Anna Maria (SR 64) bridge, mile 89.2, shall open on signal; except that from 7 a.m. to 6 p.m., the draw need open only on the hour, twenty minutes past the hour and forty minutes past the hour.

(b–4) The draw of the Pinellas Bayway, Structure “E” (SR 679) bridge, mile 113.0 at St. Petersburg Beach, shall open on signal; except that from 9 a.m. to 7 p.m. the draw need open only on the hour, 20 minutes past the hour and 40 minutes past the hour.

(b–5) The draw of the Pinellas Bayway, Structure “C” bridge, mile 114, at St. Petersburg Beach shall open on signal; except that from 7 a.m. to 7 p.m., the draw need open only on the hour, twenty minutes past the hour, and forty minutes past the hour.

(f) The draw of the Corey Causeway (SR693) bridge, mile 117.7 at South Pasadena, shall open on signal; except that, from 8 a.m. to 7 p.m. Monday through Friday, and 10 a.m. to 7 p.m. Saturdays, Sundays, and Federal holidays, the draw need be opened only on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(g) The draw of the Treasure Island Causeway bridge, mile 119.0, shall open on signal, except that from 7 a.m. to 7 p.m. the draw need open only on the hour, quarter-hour, half-hour, and three quarter-hour.

[CGD7–92–113, 58 FR 31474, June 3, 1993, as amended by CGD07–98–048, 64 FR 30391, June 8, 1999]
§ 117.289 Hillsboro Inlet.

The draw of the SR A–A bridge, mile 0.3 at Hillsboro Beach, shall open on signal; except that, from 7 a.m. to 6 p.m., the draw need be opened only on the hour, quarter hour, half hour, and three-quarter hour. From 6 p.m. to 10 p.m., the draw shall open on signal if at least 10 minutes advance notice is given.

(h) The draw of the Welch Causeway (SR699) bridge, mile 122.8 at Madiera Beach, shall open on signal; except that, from 9:30 a.m. to 6 p.m. on Saturdays, Sundays, and Federal holidays, the draw need be opened only on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(i) The draw of the Belleair Causeway bridge, mile 131.8 at Clearwater, shall open on signal; except that, from 12 noon to 6 p.m., on Saturdays, Sundays, and holidays, the draw need be opened only on the hour, quarter hour, half hour, and three-quarter hour.

(j) The draw of the Memorial Clearwater Causeway (SR60) bridge, mile 136.0 at Clearwater, shall open on signal; except that, from 9 a.m. to 6 p.m., the draw need be opened only on the hour, 20 minutes past the hour, and 40 minutes past the hour. From 2 p.m. to 6 p.m., Saturdays, Sundays, and Federal holidays, the draw need be opened only on the hour and half hour.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984]

EDITORIAL NOTE: For Federal Register citations to § 117.287, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 117.289 Hillsboro Inlet.

The draw of the SR A–A bridge, mile 0.3 at Hillsboro Beach, shall open on signal; except that, from 7 a.m. to 6 p.m., the draw need be opened only on the hour, quarter hour, half hour, and three-quarter hour. From 6 p.m. to 10 p.m., the draw shall open on signal if at least 10 minutes advance notice is given; except that, the draws shall open on signal as possible after a request by a public vessel of the United States, a vessel owned or operated by the State, county or local government and used for public safety purposes, or a vessel in distress.

(h) The draw of the Welch Causeway (SR699) bridge, mile 122.8 at Madiera Beach, shall open on signal; except that, from 9:30 a.m. to 6 p.m. on Saturdays, Sundays, and Federal holidays, the draw need be opened only on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(i) The draw of the Belleair Causeway bridge, mile 131.8 at Clearwater, shall open on signal; except that, from 12 noon to 6 p.m., on Saturdays, Sundays, and holidays, the draw need be opened only on the hour, quarter hour, half hour, and three-quarter hour.

(j) The draw of the Memorial Clearwater Causeway (SR60) bridge, mile 136.0 at Clearwater, shall open on signal; except that, from 9 a.m. to 6 p.m., the draw need be opened only on the hour, 20 minutes past the hour, and 40 minutes past the hour. From 2 p.m. to 6 p.m., Saturdays, Sundays, and Federal holidays, the draw need be opened only on the hour and half hour.


§ 117.295 Kissimmee River.

The draw of the DSX Railroad bridge, mile 37.0, near Fort Basinger, shall open if at least 96 hours notice is given.

[CGD07–93–091, 59 FR 21932, Apr. 28, 1994]

§ 117.297 Little Manatee River.

The draw of the Seaboard System Railroad bridge, mile 2.4 at Ruskin, shall open on signal if at least three hours notice is given.

§ 117.300 Loxahatchee River.

The draw of the Florida East Coast Railway bridge across the Loxahatchee River, mile 1.2 at Jupiter, operates as follows:

(a) The bridge is not constantly tended.

(b) The draw is normally in the fully open position, displaying flashing green lights to indicate that vessels may pass.

(c) When a train approaches, the lights go to flashing red and a horn starts four blasts, pauses, and then continues four blasts. After an eight minute delay, the draw lowers and locks, providing the scanning equipment reveals nothing under the draw. The draw remains down for a period of eight minutes or while the approach track circuit is occupied.

(d) After the train has cleared, the draw opens and the lights return to flashing green.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984; 49 FR 37381, Sept. 24, 1984]

§ 117.301 Massalina Bayou.

The draw of the Tarpon Dock bascule span bridge, Massalina Bayou, mile 0.0
§ 117.317 Okeechobee Waterway.

(a) Exempt vessels. This term means public vessels of the United States,
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(a) Tugs with tows, and vessels in a situation where a delay would endanger life or property.

(b) Evans Crary (SR A1A) bridge, mile 3.4 at Stuart. The draw shall open on signal; except that from December 1 through May 1, from 7 a.m. to 6 p.m., Monday through Friday, exempt federal holidays, the draw need open only on the hour and half-hour. On Saturdays, Sundays, and federal holidays, December 1 through May 1, from 8 a.m. to 6 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour. Exempt vessels shall be passed at any time.

(c) Florida East Coast Railroad bridge, mile 7.4 at Stuart. The draw shall operate as follows:

1. The bridge is not constantly tended.
2. The draw is normally in the fully open position, displaying flashing green lights to indicate that vessels may pass.
3. When a train approaches the bridge, the navigation lights go to flashing red and a horn sounds four blasts, pause, then repeat four blasts, then the draw will lower and lock, providing scanning equipment reveals nothing under the span.
4. After the train has cleared, the draw opens, and the lights will return to flashing green.

(d) Roosevelt (US1) bridge, mile 7.4 at Stuart. The draw shall open on signal; except from 10 p.m. to 6 a.m. the draw need not be opened for the passage of vessels.

(e) Seaboard System Railroad bridge, mile 28.2 at Indiantown. The draw shall open on signal; except that, from 10 p.m. to 6 a.m. the draw shall open on signal if at least three hours notice is given.

(f) Florida East Coast Railroad bridge, mile 38.0, at Port Mayaca.

1. The bridge is not constantly tended.
2. The draw is normally in the fully open position displaying flashing green lights to indicate that vessels may pass.
3. When a train approaches the bridge it will stop and a crewmember will observe the waterway for approaching vessels, which will be allowed to pass. Upon manual signal, the bridge lights will go to flashing red, and the horn will sound four blasts, pause, then repeat four blasts, then the draw will lower and lock, providing scanning equipment reveals nothing under the span.
4. After the train has cleared, the draw will open, and the lights will return to flashing green.

(g) Belle Glade Dike (SR 71) bridge, mile 60.7 between Torry Island and Lake Shore. The draw shall open on signal; except that, from 10 p.m. to 6 a.m. the draw shall open on signal if at least three hours notice is given.

(h) Highway bridges at Moore Haven (mile 78.4) La Belle (mile 103.0), Denau (mile 108.2), Alva (mile 116.0), and Olga (mile 126.3). The draw shall open on signal; except that, from 10 p.m. to 6 a.m. the draw shall open on signal if at least three hours notice is given.

(i) Sanibel Causeway bridge, mile 151 at Punta Rassa. The draw shall open on signal; except that from 11 a.m. to 6 p.m., the draw need open only on the hour, quarter hour, half hour, and three quarter hour. From 10 p.m. to 6 a.m. the draw will open on signal if at least a five minute advance notice is given.
given. Exempt vessels shall be passed at any time.

§ 117.327 St. Marks River.

The draw of the U.S. 98–SR30 bridge, mile 9.0 at Newport, need not be opened for the passage of vessels.

[CGD8–88–13, 54 FR 13064, Mar. 30, 1989]

§ 117.325 St. Johns River.

(a) The draw of the Main Street (US17) Bridge, mile 24.7, at Jacksonville, shall open on signal except that, from 7 a.m. to 8:30 a.m. and from 4:30 p.m. to 6 p.m., Monday through Saturday except Federal holidays, the draws need not be opened for the passage of vessels. The draws shall open at any time for vessels in an emergency involving life or property.

(b) The draw of the Fuller Warren (I10–I95) Bridge, mile 25.4, at Jacksonville, shall open on signal except that, from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m., Monday through Friday except Federal holidays, the draws need not be opened for the passage of vessels. From 9 a.m. to 4 p.m., Monday through Friday except Federal holidays, except for tugs with tows, the draws need open only on the hour for the passage of vessels. The draws shall open at any time for vessels in an emergency involving life or property.

(c) The draw of the Florida East Coast automated railroad bridge, mile 24.9, shall operate as follows:

(1) The bridge shall be constantly tended and have a mechanical override capability for the automated operation. A radiotelephone shall be maintained at the bridge for the safety of navigation.

(2) The draw is normally in the fully open position, displaying flashing green lights to indicate that vessels may pass.

(3) When a train approaches, large signs on both the upstream and downstream sides of the bridge flash "Bridge Coming Down," the lights go to flashing red, and siren signals sound. After an eight minute delay, the draw lowers and locks if there are no vessels under the draw. The draw remains down for a period of eight minutes or while the approach track circuit is occupied.

(4) After the train has cleared, the draw opens and the lights return to flashing green.

§ 117.329 St. Marys River.
   The draws of US17 bridge, mile 23.0, and the Seaboard System Railroad bridge, mile 23.1, both at Kingsland, shall open on signal if at least 48 hours notice is given.

§ 117.331 Snake Creek.
   The draw of the Snake Creek bridge, at Islamorada, Florida, shall open on signal, except that from 8 a.m. to 4 p.m., the draw need open only on the hour and half-hour.
   [CDG07–01–066, 66 FR 57385, Nov. 15, 2001]

§ 117.333 Suwannee River.
   The draw of Suwannee River bridge, mile 35 at Old Town need not be opened for the passage of vessels, however, the draw shall be restored to operable condition within 6 months after notification by the District Commander to do so.

§ 117.335 Taylor Creek.
   The draw of US441 bridge, mile 0.3 at Okeechobee, shall open on signal if at least two hours notice is given.
   [CDG 82–025, 49 FR 17452, Apr. 24, 1984; 49 FR 37381, Sept. 24, 1984]

§ 117.337 Trout River.
   The draw of the Seaboard System Railroad bridge, mile 0.9 at Panama Park, shall open on signal if at least 15 days notice is given.

§ 117.341 Whitcomb Bayou.
   The draw of the Beckett Bridge, mile 0.5, at Tarpon Springs, Florida shall open on signal if at least two hours notice is given.

§ 117.351 Altamaha River.
   (a) The draws of all bridges, except the Seaboard System Railroad bridge, mile 59.4 at Doctortown, shall open on signal if at least 24 hours notice is given.
   (b) The draw of the Seaboard System Railroad bridge, mile 59.4 at Doctortown, shall open on signal if at least seven days notice is given.

§ 117.353 Atlantic Intracoastal Waterway, Savannah River to St. Marys River.
   (a) General. Public vessels of the United States, tugs with tows, and vessels in a situation where a delay would endanger life or property shall, upon proper signal, be passed through the draw of each bridge in this section at any time.
   (b) Causton Bluff, SR 26, mile 579.9 near Causton Bluff. The draw shall open on signal, except that from 6:30 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m. Monday through Friday, except Federal holidays the draw need open only at 7 a.m., 8 a.m. and 5:30 p.m.
   [CGD7 82–025, 49 FR 17452, Apr. 24, 1984; 49 FR 37381, Sept. 24, 1984]

§ 117.359 Chattahoochee River.
   See §117.107, Chattahoochee River, listed under Alabama.
   [CGD 92–015, 57 FR 37860, Aug. 21, 1992]

§ 117.361 Flint River.
   The draws of the CSX Transportation Railroad bridges, miles 28.0 and 28.7, both at Bainbridge, shall open on signal if at least 15 days notice is given.

§ 117.363 Ocmulgee River.
   The draws of each bridge shall open on signal if at least 24 hours notice is given.

§ 117.365 Oconee River.
   The draw of the SR46 bridge, mile 44.3 near Soperton, shall open on signal if at least 24 hours notice is given.

§ 117.367 Ogeechee River.
   (a) The draw of the Seaboard System Railroad bridge, mile 30.7 at Richmond Hill, shall open on signal if at least 15 days notice is given.
   (b) The draw of the highway bridge, mile 37.8 near Richmond Hill, need not be opened for the passage of vessels.
   [CDG 82–025, 49 FR 17452, Apr. 24, 1984; 49 FR 37381, Sept. 24, 1984]

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§ 117.369 Satilla River.

The draw of the Seaboard System Railroad bridge, mile 25.7 at Woodbine, shall open on signal if at least 24 hours notice is given.

§ 117.371 Savannah River.

(a) The draw of the Houlihan bridge (US 17) mile 21.6 at Savannah shall open on signal if at least three hours advance notice is given to the Georgia Department of Transportation Area Engineer in Savannah.

(b) The draw of the Seaboard System Railroad bridge, mile 27.4 near Hardeeville, South Carolina shall open on a signal if at least three hours advance notice is given. VHF radiotelephone communications will be maintained at the railroad’s chief dispatcher’s office in Savannah.

(c) The draw of the CSX Transportation railroad bridge, mile 69.9, near Clyo, Georgia, shall open on signal if at least 48 hours advance notice is given. Openings can be arranged by contacting CSX Transportation on Channel 16 VHF or by telephone at 1 800 232-0146. VHF radiotelephone communications will be maintained at the dispatcher’s office in Savannah, Georgia.

(d) The draw of the Seaboard System Railroad bridge, mile 195.4 near Augusta, shall open on signal if at least three hours notice is given.


§ 117.373 St. Marys River.

See §117.329, St. Marys River, listed under Florida.

[CGD 92–015, 57 FR 37880, Aug. 21, 1992]

IDAHO

§ 117.381 Clearwater River.

The draws of the Camas Prairie railroad bridge, mile 0.6 at Lewiston, shall open on signal if at least three hours notice is given to the Camas Prairie Railroad in Lewiston.


§ 117.383 Pend Oreille River.

The draw of the Burlington Northern Santa Fe railroad bridge, mile 111.3 near Sand-point, need not be opened for the passage of vessels.

§ 117.385 Snake River.

The drawspan of the U.S. 12 bridge, mile 140.0, between Lewiston, Idaho, and Clarkston, Washington, operates as follows:

(a) The draw need not open for the passage of vessels except at these hours:

(1) From March 15 through November 15 at 6 a.m., 10 a.m., 3 p.m., 7 p.m., and 9 p.m.

(2) From November 16 through March 14 at 9 a.m., 10 a.m., 2 p.m., and 3 p.m.

(b) Requests for openings shall be given to the Washington State Department of Transportation.

(1) Monday through Thursday of every week, except holidays, the draw shall open if at least two hours notice is given.

(2) Friday through Sunday of every week, except holidays, the draw shall open if notice is given by 5 p.m. of the preceding Wednesday.

(3) The draw shall open on holidays if notice is given by 5 p.m. two workdays, excluding Friday, preceding the holiday.

(4) The draw shall open at any time for the passage of vessels engaged in an emergency.


ILLINOIS

§ 117.389 Calumet River.

The draws of the Conrail bridges, miles 1.4 and 1.5 at Chicago, operate as follows:

(a) The draws shall open on signal; except that, if either one of the bridges is inoperable because of equipment breakdown, the other bridge need not be opened.

(b) In addition to the signals prescribed in §117.15, the following special visual signals shall be used on the bridges:

(1) When the draw cannot be opened immediately, or is open and must be closed promptly, two red lights are flashed alternately.
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(2) When the draw can be opened immediately, two amber lights are flashed alternately.

(3) When the draw is open for passage, two green lights are flashed alternately.

§ 117.391 Chicago River.

The draws of the bridges operated by the City of Chicago over the Main Branch of Chicago River, the bridges on the North Branch of Chicago River from the Main Branch to North Halsted Street, mile 2.65, and bridges on the South Branch of Chicago River from the Main Branch to South Ashland Avenue, mile 4.47, shall operate as follows:

(a) For commercial vessels, all bridges shall open on signal if at least 12-hours advance notice is provided to the Chicago City Bridge Desk prior to the intended time of passage; except that, from Monday through Friday between the hours of 7 a.m. and 9:30 a.m., and between the hours of 4 p.m. and 6:30 p.m., except for Federal holidays, the draws need not open for the passage of vessels.

(b) For recreational vessels:

(1) From April 1 through November 30—

(i) The draws shall be scheduled to open, before 1 p.m., twice on Saturdays and twice on Sundays if requests for passage have been received at least 20 hours in advance. If the bridges have been authorized to remain closed for portions of a Saturday or Sunday to accommodate special events, openings shall be scheduled after 1 p.m. as necessary to provide two openings per day.

(ii) The draws shall open on Monday and Friday, after 6:30 p.m. Each opening requires notice that has been given at least 20 hours in advance of a vessel’s requested time of passage.

(iii) The draws shall open on Wednesdays at 10 a.m., or as soon thereafter as practical, if a request for passage has been given at least 20 hours in advance.

(iv) The draws shall open at times in addition to those listed in paragraphs (b)(1)(i) through (b)(1)(iii) of this section, after notice has been given at least 20 hours in advance requesting passage for a flotilla of at least five vessels. However, the bridges need not open Monday through Friday from 7 a.m. to 9:30 a.m., and 4 p.m. to 6:30 p.m., except for Federal holidays.

(2) From December 1 through March 31, the draws shall open on signal if at least 48 hours notice is given. However, the bridges need not open Monday through Friday from 7 a.m. to 9:30 a.m., and 4 p.m. to 6:30 p.m., except for Federal holidays.

(c) The following bridges need not be opened for the passage of vessels: The draws of South Damen Avenue, mile 6.14, over South Branch of Chicago River; all highway drawbridges between South Western Avenue, mile 6.7, and Willow Springs Road, mile 19.4, over Chicago Sanitary and Ship Canal; North Halsted Street, mile 2.65, and Division Street, mile 2.99, over North Branch Canal of Chicago River; and Division Street, mile 3.30, North Avenue, mile 3.81, Cortland Avenue, mile 4.48, Webster Avenue, mile 4.85, North Ashland Avenue, mile 4.90, and Union Pacific Railroad, mile 5.01, over North Branch of Chicago River.


§ 117.393 Illinois Waterway.

(a) The draw of the automated Burlington Northern Santa Fe railroad bridge, mile 88.8 at Beardstown, Illinois, operates as follows:

(1) The draw is normally maintained in the fully open position, displaying a green light to indicate that vessels may pass.

(2) When a vessel is approaching and the draw is in the open position, contact shall be established by radiotelephone with the remote operator to assure that the draw remains open until passage is complete.

(3) When a vessel is approaching and the draw is in the closed position, contact shall be established by radiotelephone with the remote operator. If the draw cannot be opened immediately, alternate flashing red lights are displayed. If the draw can be opened immediately, flashing amber lights are displayed.

(4) When a train approaches the bridge and the draw is in the open position, the operator shall activate alternate flashing red lights on top of the draw, sound four short blasts, and scan
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the river on radar to determine whether any vessel is approaching the bridge. The remote operator shall also broadcast that the draw is closing. If a vessel or vessels are approaching the bridge within one mile, as determined by radar scanning, response to radio broadcast, or electronic detector, the flashing red lights shall be changed to flashing amber and the operator shall keep the draw in the fully open position until the vessel or vessels have cleared the bridge. If no vessel is approaching the bridge or is beneath the draw, the draw may be lowered and locked in place.

(5) After the train has cleared the bridge, the draw shall be raised to its full height and locked in place, the red flashing lights stopped, and the draw lights changed from red to green.

(b) The draw of the Union Pacific railroad bridge, Mile 151.2, at Pekin, Illinois, is operated by a remote operator located at the Union Pacific offices in Chicago, Illinois, as follows:

(1) The draw is normally maintained in the fully open position, displaying green mid-channel lights to indicate that the span is fully open.

(2) The draw is equipped with the following:

(i) A radiotelephone link direct to the remote operator;

(ii) A horn for sound signals;

(iii) Eight high intensity amber warning lights, oriented upstream and downstream, with two secured to the uppermost chord and two secured to the lowermost chord of the drawspan;

(iv) A radar antenna on the lower portion of the drawspan capable of scanning one mile upstream and one mile downstream; and

(v) Infrared scanners located on the upstream and downstream ends of the channel span piers, to detect vessels or other obstructions under the bridge.

(3) The remote operator shall maintain a radiotelephone watch for mariners to establish contact as they approach the bridge to ensure that the draw is open or that it remains open until passage is complete.

(4) When a train approaches the bridge and the draw is in the open position, the remote operator initiates a ten minute warning period before closing the bridge. During this warning period, the amber lights begin flashing and a signal of four short blasts sounds on a horn. The four-blast signal will repeat after a five second interval. A synthesized-voice message is broadcast over the radiotelephone as follows: "The Union Pacific railroad bridge at Mile 151.2, Illinois River, will close to navigation in ten minutes." The announcement is repeated every two minutes, counting down the time remaining until closure.

(5) At the end of the ten minute warning period, the remote bridge operator scans under the bridge using infrared detectors and the upstream and downstream approaches to the bridge using radar to determine whether any vessels are under or are approaching the bridge. If any vessels are under or are approaching the bridge within one mile as determined by infrared or radar scanning or by a radiotelephone response, the remote operator shall not close the bridge until the vessel or vessels have cleared the bridge.

(6) If no vessels are under or approaching the bridge, the mid-channel navigation lights will change from green to red, the horn signal of four short blasts will sound, twice, and the radiotelephone message will change to: "The Union Pacific Railroad Bridge at Mile 151.2, Illinois River, is closed to navigation." The message will repeat every two minutes and the amber lights will continue to flash until the bridge is fully reopened.

(7) If the infrared scanners detect a vessel or other obstruction under the bridge before the drawspan is fully lowered and locked, the closing sequence is stopped, automatically, and the drawspan is raised to its fully open position until the channel is clear. When obstruction has cleared the navigation span, the remote operator confirms that the channel is clear, and reinitiates the ten-minute warning cycle.

(8) After the train has cleared the bridge, the remote operator initiates the lift span raising cycle. When the draw is raised to its full height and locked in place, the flashing lights stop and the mid-channel navigation lights change from red to green. The synthesized voice announcement broadcasts at two minute intervals for ten
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minutes that the bridge is reopened to navigation.

(c) The draws of the McDonough Street Bridge, mile 287.3; Jefferson Street bridge, mile 287.9; Cass Street bridge, mile 288.1; Jackson Street bridge, mile 288.4; and Ruby Street bridge, mile 288.7; all of Joliet, shall open on signal, except that they need not open from 7:30 a.m. to 8:30 a.m. and from 4:15 p.m. to 5:15 p.m. Monday through Saturday.

(d) The drawspan of the Elgin, Joliet and Eastern Railway bridge, mile 290.1 at Lockport, Illinois, is operated by remote operator located at the Elgin, Joliet & Eastern offices in East Joliet, Illinois as follows:

(1) The drawspan is normally maintained in the fully open to navigation position displaying green center span navigation lights to indicate that the drawspan is fully open.

(2) The bridge is equipped with the following:

(i) A radiotelephone link direct to the remote operator;
(ii) A radar antenna on top of the drawspan capable of scanning the river, one mile upstream and one mile downstream;
(iii) Infrared boat detectors under the drawspan, to allow the remote bridge operator to detect vessels under the drawspan;
(iv) Electronic motion detectors under the drawspan to allow the remote bridge operator to detect vessel movement under the drawspan;
(v) A siren for sound signals; and
(vi) Red and green center span navigation lights.

(3) The remote bridge operator shall maintain a 24 hour VHF marine radio watch for mariners to establish contact as they approach the bridge to ensure that the drawspan is open or that it remains open until passage of river traffic is complete.

(4) When rail traffic approaches the bridge, and the drawspan is in the open position, the remote bridge operator initiates a one minute warning period before closing the drawspan. During this warning period, the remote operator shall broadcast at least twice, via marine radio, that: "The drawspan of the EJ&E Railroad bridge will be lowered in one minute." A siren on the bridge sounds for 20 seconds, to warn anyone on or under the bridge that the drawspan will be lowered.

(5) If a vessel is approaching the bridge upbound or, departing the Lockport Lock and Dam at mile 291.1, downbound, with intentions of passing through the drawspan, they shall respond to the remote bridge operators' marine radio broadcast, or initiate radio contact, indicating their proximity to the bridge and requesting an opening of the drawspan or that the drawspan remain open until the vessel passes. If any approaching vessel is detected or if a radiotelephone response is received, the remote operator shall not close the drawspan until the vessel or vessels have cleared the bridge.

(6) At the end of the one minute warning period, if no river traffic is approaching or under the drawspan, the remote bridge operator may begin lowering the drawspan. Navigation lights located at the center of the drawspan change from green to red when the drawspan is not in the fully open to navigation position. The drawspan takes approximately 90 seconds to lower.

(7) If the presence of a vessel or other obstruction is discovered approaching or under the drawspan, during the lowering sequence, before the drawspan is fully lowered and locked, the drawspan shall be stopped and raised to the fully open position. When the vessel or obstruction has cleared the drawspan, the remote operator shall confirm that the channel is clear and reinitiate the one minute warning cycle before lowering the drawspan.

(8) If no marine traffic is present the drawspan may be lowered and seated. When the drawspan is lowered and locked in the closed to navigation position, the remote bridge operator periodically broadcasts, via marine radio, that: "The drawspan of the EJ&E Railroad bridge is closed to navigation."

(9) Failure of the radar system, radio telephone system, infrared boat detectors or electronic motion sensors shall prevent lowering the drawspan from the remote location.

(10) When rail traffic has cleared the bridge, the remote bridge operator shall raise the drawspan to the fully open to navigation position. When the
§ 117.411 - Missouri River.

(a) The draws of the bridges across the Missouri River from the mouth to Sioux City, Iowa, shall open on signal; except during the winter season between the date of closure and date of opening of the commercial navigation season as published by the Army Corps of Engineers, the draw need not open unless at least 24 hours advance notice is given.

(b) The lift span of the A-S-B highway and railroad bridge, Mile 365.6, between Kansas City, Kansas, and Kansas City, Missouri, is operated from a remote location. Radiotelephone contact may be established with the remotely located bridge/train controller to request bridge openings. The bridge is also equipped with a directional microphone and horn to receive and deliver signals to vessels not equipped with a radiotelephone. Closed circuit TV cameras located at the bridge enable the remotely located bridge/train controller to view both river traffic and the bridge itself.

(1) When an approaching vessel requires a bridge opening, contact shall be established with the bridge/train controller by radiotelephone or appropriate signals prescribed in §117.15.

(2) The bridge/train controller will confirm by radiotelephone or sound signal that the bridge will open promptly.

(3) When rail traffic is on bridge, the bridge/train controller will inform the vessel that bridge cannot be opened and will also give an approximate time...
§ 117.415 Green River.

(a) The draw of the CSX Transportation railroad bridge, Mile 8.3 at Spottsville, shall open on signal when there is 40 feet or less of vertical clearance beneath the draw. When vertical clearance is more than 40 feet, at least four hours notice shall be given. The owners of, or agencies controlling, the bridge shall arrange for ready telephone communication with the authorized representative at any time from the bridge or its immediate vicinity.

(b) The draw of the CSX Transportation Railroad bridge, Mile 79.6 at Small-house, is normally maintained in the fully open position and a vessel may pass through the draw without further signals. When the draw is in the closed position, it shall open on signal when there is 40 feet or less of vertical clearance. When the vertical clearance is more than 40 feet, at least four hours notice shall be given. During this period, if the drawtender is informed at the time the vessel passes through the draw that the vessel will return within four hours, the drawtender shall remain on duty until the vessel returns but is not required to remain for longer than four hours. The owners of, or agencies controlling, the bridge shall arrange for ready telephone communication with the authorized representative at any time from the bridge or its immediate vicinity.

(c) The bascule span of the Paducah and Louisville Railroad Bridge, Mile 94.8 at Rockport, is maintained in the closed position and is remotely operated. Bridge clearance in the closed position in 41.3 feet at pool stage. Vessels requiring more clearance for passage must contact the remote bridge operator by radio telephone to request opening. The bridge operator will confirm by radiotelephone whether the bridge can be opened safely and promptly. If rail traffic is on or approaching the bridge, the bridge operator will advise the vessel that the bridge cannot be opened, and provide an approximate time when the bridge can be opened safely. Continuous radio contact between the bridge operator and the vessel shall be maintained until the vessel has transited and cleared the bridge.

§ 117.417 Ohio River.

The draw of the Southern Railway railroad bridge, mile 607.4 at New Albany, Indiana, need not be opened for the passage of vessels.

§ 117.422 Amite River.

(a) The draw of the S22 bridge, mile 6.0 at Clio, shall open on signal if at least four hours notice is given.

(b) The draws of the S16 bridge, mile 21.4 near French Settlement, and the S42 bridge, mile 32.0 at Port Vincent, shall open on signal if at least 48 hours notice is given.
§ 117.423 Atchafalaya River.

The draw of the Kansas City Southern Railway bridge, mile 133.1 (mile 5.0 on N.O.S. Chart) above the mouth of the waterway, at Simmesport, shall open on signal if at least three hours advance notice is given.

[CGD8-88-05, 53 FR 27881, July 22, 1988]

§ 117.424 Belle River.

The draw of the S70 bridge, mile 23.8 (Landside Route) near Belle River, shall open on signal; except that, from 10 p.m. to 6 a.m., the draw shall open on signal if at least four hours notice is given. During the advance notice period, the draw shall open on less than four hours notice for an emergency and shall open on demand should a temporary surge in waterway traffic occur.


§ 117.437 Colyell Bayou.

The removable span of the Louisiana highway bridge, mile 1.0 near Port Vincent, shall be removed for the passage of vessels if at least 48 hours notice is given.

(b) The draw need open only on the hour and half-hour from 6 a.m. to 7 a.m. and from 3 p.m. to 6 p.m., Monday through Friday except Federal holidays.

(c) The draw shall open a signal from 9 p.m. to 5 a.m., if at least 4 hours notice is given to the Louisiana Department of Transportation and Development Security Service at (504) 375-0100.

(d) At all other times the draw shall open on signal.

[CGD08–96–053, 64 FR 8722, Feb. 23, 1999]
§ 117.438  Company Canal.

(a) The draw of the S1 bridge, mile 0.4 at Lockport, shall open on signal; except that, from 6 p.m. to 10 a.m. the draw shall open on signal if at least four hours notice is given. During the advance notice period, the draw shall open on less than four hours notice for an emergency and shall open on demand should a temporary surge in waterway traffic occur.

(b) The draw of the S24 bridge, mile 8.1 at Bourg, shall open on signal; except that, from 10 p.m. to 6 a.m. the draw shall open on signal if at least four hours notice is given. During the advance notice period, the draw shall open on less than four hours notice for an emergency and shall open on demand should a temporary surge in waterway traffic occur.


§ 117.439  Des Allemands Bayou.

(a) The draw of the S631 bridge, mile 13.9 at Des Allemands, shall open on signal if at least four hours notice is given.

(b) The draw of the Burlington Northern Santa Fe Railroad bridge, mile 14.0, shall open on signal Monday through Friday from 7 a.m. to 3 p.m. At all other times the draw shall open on signal if at least 4 hours notice is given.


§ 117.441  D’Inde Bayou.

The draw of the Union Pacific railroad bridge, mile 4.3, shall open on signal if at least 72 hours notice is given to the Defense Plant Corporation, Cities Service Refining Corporation Agent.

§ 117.443  Du Large Bayou.

The draw of the Terrebonne Parish bridge, mile 23.2, near Theriot, shall open on signal; except that, from 9 p.m. to 5 a.m., the draw shall open on signal if at least 12 hours notice is given.

[CGD 82–07, 50 FR 24195, June 10, 1985]

§ 117.444  Falgout Canal.

The draw of the LA 315 bridge across Falgout Canal, mile 3.1, shall open on signal; except that from 15 August to 5 June, the draw need not be opened from 7 a.m. to 8 a.m. and from 3 p.m. to 4 p.m., Monday through Friday except holidays. The draw shall open on signal at any time for an emergency aboard a vessel.

[CGD 91–11, 56 FR 43872, Sept. 5, 1991]

§ 117.445  Franklin Canal.

The draw of the Chatsworth bridge, mile 4.8 at Franklin, shall open on signal from 5 a.m. to 9 p.m. From October 1 through January 31 from 9 p.m. to 5 a.m., the draw shall be opened on signal if at least three hours notice is given. From February 1 through September 30 from 9 p.m. to 5 a.m., the draw shall open on signal if at least 12 hours notice is given.

§ 117.447  Grand Cabahanosse Bayou.

The draw of the S70 bridge, mile 7.6 near Paincourtville, shall open on signal if at least 24 hours notice is given.


§ 117.449  Grosse Tete Bayou.

(a) The draw of the Union Pacific railroad bridge, mile 14.7 at Grosse Tete, need not be opened for the passage of vessels.

(b) The removable span of the S377 bridge, mile 15.3 near Rosedale, shall be removed for the passage of vessels if at least 48 hours notice is given.

§ 117.451  Gulf Intracoastal Waterway.

(a) The draw of the Lapalco Boulevard Bridge, Harvey Canal Route, mile 2.8 at Harvey, shall open on signal; except that, from 6:30 a.m. to 8:30 a.m. and from 3:45 p.m. to 5:45 p.m. Monday through Friday except holidays, the draw need not be opened for the passage of vessels.

(b) The draw of the SR 23 bridge, Algiers Alternate Route, mile 3.8 at Belle Chasse, operates as follows:

(1) The draw shall open on signal; except that, from 6 a.m. until 8:30 a.m. and from 3:30 p.m. until 5:30 p.m. Monday through Friday, except Federal

(a) The draws of the SR 46 (St. Claude Avenue) bridge, mile 0.5 (GIWW mile 6.2 East of Harvey Lock), the SR 39 (Judge Seeber/Claiborne Avenue) bridge, mile 0.9 (GIWW mile 6.7 East of Harvey Lock), and the Florida Avenue bridge, mile 1.7 (GIWW mile 7.5 East of Harvey Lock), shall open on signal; except that, from 6:45 a.m. to 8:30 a.m. and from 4:45 p.m. to 6:45 p.m., Monday through Friday, except federal holidays, the draws need not be opened for the passage of vessels. The draws shall open at any time for a vessel in distress.

(b) The draw of the US90 (Danziger) bridge, mile 3.1, shall open on signal; except that, from 8 p.m. to 7 a.m. the draw shall open on signal if at least four hours notice is given, and the draw need not be opened from 7 a.m. to 8:30 a.m. and 5 p.m. to 6:30 p.m. Monday through Friday.

(c) The draw of the Leon C. Simon Blvd. (Seabrook) bridge, mile 4.6, shall open on signal; except that, from 7 a.m. to 8:30 a.m. and 5 p.m. to 6:30 p.m. Monday through Friday, the draw need not be opened.

[CGD8–89–01–002, 66 FR 27026, May 16, 2001]

§ 117.459 Kelso Bayou.

The draw of the S27 bridge mile 0.7 at Hackberry, shall operate as follows:

(a) From May 20, through October 31, the draw shall open on signal from 7 a.m. to 7 p.m. From 7 p.m. to 7 a.m., the draw shall open on signal if at least four hours notice is given.

(b) From November 1 through December 22, the draw shall open on signal from 7 a.m. to 3 p.m. From 3 p.m. to 7 a.m., the draw shall open on signal if at least four hours notice is given.

(c) From December 23 through May 19, the draw shall open on signal if at least 24 hours notice is given.

[CGD8–89–028, 63 FR 40654, July 30, 1998]
§ 117.461 the passage of vessels Monday through Friday except holidays from 7 a.m. to 8:30 a.m. and 4:30 p.m. to 6 p.m.
[CGD6–90–05, 55 FR 33289, Aug. 15, 1990]

§ 117.461 Lacassine Bayou.

The draws of the S14 bridge, mile 17.0, and the Southern Pacific railroad bridge, mile 20.4, both near Hayes, shall open on signal if at least 24 hours notice is given.
[CGD 82–025, 49 FR 17452, Apr. 24, 1984; 49 FR 37381, Sept. 24, 1984]

§ 117.463 Lacombe Bayou.

The draw of the US190 bridge, mile 6.8 at Lacombe, shall open on signal if at least 48 hours notice is given.

§ 117.465 Lafourche Bayou.

(a) The draws of the SR 1 bridge, mile 30.6, and the SR 1 bridge, mile 33.9, both near Cutoff, shall open on signal except that, from 2:30 p.m. to 3:30 p.m., and from 4:30 p.m. to 5:30 p.m. Monday through Friday except Federal holidays, the draws need not open for the passage of vessels.

(b) The draws of the S3220 bridge, mile 49.2 near Lockport, and the S655 bridge, mile 50.8 at Lockport, shall open on signal; except that, from 6 p.m. to 10 a.m. the draws shall open on signal if at least four hours notice is given. During the advance notice period, the draws shall open on less than four hours notice for an emergency and shall open on demand should a temporary surge in waterway traffic occur.

(c) The draw of the S364 bridge, mile 54.2 at Mathews, shall open on signal if at least four hours notice is given. During the advance notice period, the draw shall open on less than four hours notice for an emergency and shall open on demand should a temporary surge in waterway traffic occur.

(d) The draws of the S3199 bridge, mile 58.2, and the Lafourche Parish bridge, mile 58.7, both at Raceland, shall open on signal if at least six hours notice is given.

(e) The draw of the S649 bridge, mile 66.6, shall open on signal if at least forty-eight hours notice is given.

(f) The draws of the Burlington Northern Santa Fe railroad bridge, mile 69.0 at Lafourche, and all bridges upstream of the Burlington Northern Santa Fe railroad bridge need not be opened for the passage of vessels.

§ 117.467 Lake Pontchartrain.

(a) The south draw of the S11 bridge near New Orleans shall open on signal if at least 48 hours notice is given. In case of emergency, the draw shall open within 12 hours and shall be kept in condition for immediate operation until the emergency is over.

(b) The draw of the Greater New Orleans Expressway Commission Causeway shall open on signal if at least three hours notice is given; except that, the draw need not be opened for the passage of vessels Monday through Friday except Federal holidays from 5:30 a.m. to 9:30 a.m. and from 3 p.m. until 7 p.m. The draw will open on signal for any vessel in distress or vessel waiting immediately following the closures listed above.

§ 117.469 Liberty Bayou.

The draw of the S433 bridge, mile 2.0 at Slidell, shall open on signal; except that, from 9 p.m. to 5 a.m., the draw shall open on signal if at least 12 hours notice is given.

§ 117.471 Little Black Bayou.

The draw of the Southern Pacific railroad bridge, mile 1.3 at Southdown, need not be opened for the passage of vessels.

§ 117.473 Little River.

The draw of the Louisiana and Arkansas railroad bridge, mile 12.1 at Archie, shall open on signal if at least 12 hours notice is given.

§ 117.475 Little (Petit) Caillou Bayou.

(a) The draws of the S58 bridge, mile 25.7 at Sarah, and the Terrebonne Parish (Smithridge) bridge, mile 26.6 near
§ 117.483 Ouachita River.

The draws of the S8 bridge, mile 57.5 at Harrisonburg, and the US165 bridge, mile 110.1 at Columbia, shall open on signal if at least one hours notice is given.

§ 117.484 Pass Manchac.

The draw of the Canadian National/Illinois Central Railroad automated bridge, mile 6.7, at Manchac, operates as follows:

(a) The draw is not constantly manned and the bridge will normally be maintained in the open position, providing 56 feet vertical clearance above mean high tide to the raised tip of the bascule span for one-half the channel, and unlimited vertical clearance for the other half.

(b) Railroad track circuits will detect an approaching train, and initiate bridge closing warning broadcasts over marine radio and over the Public Address (PA) system six (6) minutes in advance of the train’s arrival. Navigation channel warning lights will be lit, and photelectric (infrared) boat detectors will monitor the waterway beneath the bridge for the presence of vessels. The waterway approaches to the bridge will be monitored by closed circuit TV (CCTV) cameras.

(c) Activation of the warning broadcasts also activates a marine radio monitor in the Mays Yard (New Orleans switch yard). The yardmaster will continuously monitor marine radio broadcasts on the normal and emergency marine radio channels throughout the warning period and at all times the bridge is closed. The yardmaster will communicate with waterway users via the marine radio, if necessary.

(d) At the end of warning period, if no vessels have been detected by the boat detectors, and no interruptions have been performed by the yardmaster based on his monitoring of the marine radio and the CCTV, the bridge lowering sequence will automatically proceed.

(e) Upon passage of the train, the bridge will automatically open. Railroad track circuits will initiate the automatic bridge opening and closing sequences. (Estimated duration that the bridge will remain closed for passage of rail traffic is 10 to 12 minutes.) The bridge will also be manually operable from two locked trackside control locations (key releases) on the approach spans, one on each side of the movable span.

(f) The yardmaster will be provided with a remote EMERGENCY STOP button which, if pressed, will stop the bridge operation, interrupt the lowering sequence, and immediately return the bridge to the open position. The yardmaster will utilize this control feature in the event a vessel operator issues an urgent radio call to keep the waterway open for immediate passage of the vessel.


§ 117.485 Patout Bayou.

The draw of the S83 bridge, mile 0.4 near Weeks, shall open on signal if at least four hours notice is given.

[CGD 08–84–05, 50 FR 1213, Jan. 10, 1985]

§ 117.486 Pierre Pass.

The draw of the S70 bridge, mile 1.0 at Pierre Part, shall open on signal; except that, from 10 p.m. to 6 a.m., the draw shall open on signal if at least four hours notice is given. During the advance notice period, the draw shall open on less than four hours notice for an emergency and shall open on demand should a temporary surge in waterway traffic occur.

[CGD 08–84–07, 50 FR 24195, June 10, 1985]

§ 117.487 Plaquemine Bayou.

(a) The draw of the S3066 (Spur) bridge, mile 6.5 at Indian Village, shall open on signal if at least four hours notice is given.

(b) The draws of the Union Pacific railroad bridge, mile 10.5 at Plaquemine, and the S1 bridge, mile 10.5 at Plaquemine, need not be opened for the passage of vessels.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984, as amended by CGD 08–84–01; 49 FR 28405, July 12, 1984]

§ 117.488 Pearl River.

(a) The draw of the CSX Transportation railroad bridge, mile 1.0 near English Lookout, shall open on signal; except that, from 9 p.m. to 5 a.m. the draw shall open on signal if at least four hours notice is given.

(b) The draw of the US 90 highway bridge, mile 8.8 near Pearlington, shall open on signal; except that, from 7 p.m.
§ 117.489 Plaquemine Brule Bayou.
(a) The draw of the Union Pacific railroad bridge, mile 5.1 near Midland, shall open on signal if at least 24 hours notice is given.
(b) The draw of the S91 bridge, mile 8.0 at Esterwood, shall open on signal from 5 a.m. to 9 p.m. if at least four hours notice is given. From 9 p.m. to 5 a.m., the draw shall open on signal if at least 12 hours notice is given.

§ 117.491 Red River.
(a) The draw of the Union Pacific Railroad bridge, mile 90.1, at Alexandria, shall open on signal if at least eight hours notice is given.
(b) The draw of the US 165 (Jackson St.) bridge, mile 88.6, at Alexandria, shall open on signal if at least eight hours notice is given; except that, from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m. the draw need not be opened Monday through Friday except holidays.
(c) The draws of the bridges above mile 105.8 through mile 234.4 shall open on signal if at least 48 hours notice is given.
(d) The draws of the bridges above mile 234.4 to mile 276 need not be opened for passage of vessels.
(e) When a vessel which has given notice fails to arrive at the time specified in the notice, the drawtender shall remain on duty for up to two additional hours to open the draw if that vessel appears. After that time, a new notice of the appropriate length of time is required.

§ 117.493 Sabine River.
(a) The draw of the Union Pacific railroad bridge, mile 19.3 near Echo shall open on signal if at least 24 hours notice is given.
(b) The Kansas City Southern railroad bridge, mile 36.2 near Ruliff and the draw of the S12 bridge, mile 40.8 at Starks, need not be opened for passage of vessels.

§ 117.494 Schooner Bayou Canal.
The draw of the S82 bridge, mile 4.0 from White Lake at Little Prairie Ridge, shall open on signal; except that, from 10 p.m. to 6 a.m. the draw shall open on signal if at least four hours notice is given. The draw shall open on less than four hours notice for an emergency and shall open on signal should a temporary surge in waterway traffic occur.

§ 117.495 Superior Oil Canal.
The draw of the S82 bridge, mile 6.3, in Cameron Parish shall open on signal if at least 8 hours notice is given. Public vessels of the United States and vessels in distress shall be passed as soon as possible.

§ 117.497 Stumpy Bayou.
The removable span of the Louisiana highway bridge, mile 1.0 near Weeks Island, shall be removed for the passage of vessels if at least six days notice is given.

§ 117.499 Tante Phine Pass.
The draw of the Tidewater Associated Oil Company bridge, mile 7.6 near Venice, shall open on signal if at least 24 hours notice is given.

§ 117.500 Tchefuncta River.
The draw of the SR 22 bridge, mile 2.5 at Madisonville, shall open on signal; except that, from 5 a.m. to 8 p.m., the draw need open only on the hour and half-hour. The draw shall open on signal at any time for a vessel in distress or for an emergency aboard a vessel.

§ 117.501 Teche Bayou.
(a) The draws of the following bridges shall open on signal if at least four hours notice is given:
   (1) St. Mary Parish bridge, mile 3.9 at Calumet.
   (2) St. Mary Parish bridge, mile 11.8 at Centerville. 
§ 117.503 Tensas River.

(a) The draw of the Missouri Pacific railroad bridge, mile 27.2 at Clayton, shall open on signal from May 1 through December 31 during normal river stages if at least 12 hours notice is given to the Dispatcher, Missouri Pacific Railroad, Little Rock, Arkansas. During high-water periods, the District Commander may require that the bridge be constantly tended and the draw opened on signal.

(b) The draws of the S15 bridge, mile 27.3 at Clayton, and the S128 bridge, mile 61.0 at New Light, shall open on signal if at least 48 hours notice is given.

§ 117.505 Terrebonne Bayou.

(a) The draw of the S58 bridge, mile 22.2 at Montegut, and the draw of the S55 bridge, mile 27.3 at Klondyke, shall open on signal; except that from 9 p.m. to 5 a.m. the draws shall open on signal if at least four hours notice is given.

(b) The draw of the S24 bridge, mile 31.3 at Presquille, need not be opened for the passage of vessels.

(c) The draw of the S3087 bridge, mile 33.9 at Houma, shall open on signal; except that, from 9 p.m. to 9 a.m. the draw shall open on signal if at least four hours notice is given.

(d) The draws of the Howard Avenue bridge, mile 35.0, and the Daigleville bridge, mile 35.5, at Houma, shall open on signal; except that, the draws need not open for the passage of vessels Monday through Friday, except holidays from 7 a.m. to 8:30 a.m. and 4:30 p.m. to 6 p.m. From 10 p.m. to 6 a.m., the draws shall open on signal if at least four hours notice is given.

(e) During advance notice periods, the draws of the bridges listed in this section shall open on less than four hours notice for an emergency and a temporary surge in waterway traffic occur.

§ 117.525 Kennebec River.

(a) The draw of the Carlton Bridge, mile 14.0, between Bath and Woolwich shall operate as follows:
   (1) From May 15 through September 30 the draw shall open on signal; except that, from 5 p.m. to 8 a.m., the draw shall open on signal if there are two-hour notice is given by calling the number posted at the bridge.
   (2) From October 1 through May 14 the draw shall open on signal; except that, from 5 p.m. to 8 a.m., the draw shall open on signal after a twenty-four hours notice is given and from 8 a.m. to 5 p.m., on Saturday and Sunday, after an eight-hour notice is given by calling the number posted at the bridge.

(b) The draw of the US 90 bridge, mile 7.9 near Pearlington, shall open on signal if at least four hours notice is given.


§ 117.527 Tigre Bayou.

The draw of the S330 bridge, mile 2.3 near Delcambre, shall open on signal if at least four hours notice is given. The draw shall open on less than four hours notice for an emergency and shall open on signal should a temporary surge in waterway traffic occur.


§ 117.529 Vermilion River.

(a) The draw of the S82 bridge, mile 22.4 at Perry, shall open on signal; except that, from 9 p.m. to 5 a.m., the draw shall open on signal if at least four hours notice is given.

(b) The draws of the following bridges shall open on signal; except that, from 6 p.m. to 10 a.m., the draws shall open on signal if at least four hours notice is given:
   (1) S14 bridge, mile 25.4 at Abbeville.
   (2) S14 Bypass bridge, mile 26.0 at Abbeville.
   (3) Vermilion Parish bridge, mile 34.2 near Milton.
   (4) S92 bridge, mile 37.6 at Milton.
   (c) The draws of the following bridge shall open on signal if at least four hours notice is given:
      (1) S733, mile 41.0 at Eloi Broussard.
      (2) S3073 bridge, mile 44.9 at New Flanders.
   (d) During the advance notice periods, the draws of the bridges listed in this section shall open on less than four hours notice for an emergency and shall open on signal should a temporary surge in waterway traffic occur.


§ 117.511 West Pearl River.

(a) The draw of the Norfolk Southern railroad bridge, mile 22.1 at Pearl River Station, shall open on signal if at least six hours notice is given.

(b) The draw of the US 90 bridge, mile 7.9 near Pearlington, shall open on signal if at least four hours notice is given.

§ 117.527 Kennebunk River.

The Dock Square drawbridge at mile 1.0, across the Kennebunk River, between Kennebunk and Kennebunkport, Maine, need not open for vessel traffic. The owners of the bridge shall provide and keep in good legible condition, two board gages in accordance with 33 CFR 118.160, of this chapter.

§ 117.529 Narraguagus River.

The draw of the highway bridge, mile 1.8 at Milbridge, shall open on signal if at least 24 hours notice is given to the Maine State Highway Commission, Division Office at Ellsworth.

§ 117.531 Piscataqua River.

(a) The following requirements apply to all bridges across the Piscataqua River:

(1) Public vessels of the United States, state and local vessels used for public safety, vessels in distress, commercial vessels over 100 gross tons, inbound ferry service vessels and inbound commercial fishing vessels shall be passed through the draws of each bridge as soon as possible without delay at any time. The opening signal from these vessels is four or more short blasts of a whistle, horn or a radio request.

(2) The owners of these bridges shall provide and keep in good legible condition clearance gauges for each draw with figures not less than 18 inches high designed, installed and maintained according to the provisions of § 118.160 of this chapter.

(3) Trains and locomotives shall be controlled so that any delay in opening the draw shall not exceed five minutes. However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, that train may continue across the bridge and must clear the bridge interlocks before stopping.

(b) Except as provided in paragraphs (b) through (c) of this section the draws shall open on signal.

(b) The draw of the Memorial (US 1) bridge, mile 3.5, shall open on signal; except that from 15 May through 31 October, from 7 a.m. to 7 p.m., the draw need be opened only on the hour and half hour for recreational vessels and commercial vessels less than 100 gross tons except as provided in (a)(1).

(c) The draw of the Sarah M. Long (Route 1 Bypass) bridge, mile 4.0, shall open as follows:

(1) The main ship channel draw shall open on signal; except that from 15 May through 31 October, from 7 a.m. to 7 p.m., the draw need be opened only at quarter of and quarter after the hour for recreational vessels and commercial vessels less than 100 gross tons except as provided in (a)(1).

(2) The secondary recreation draw shall be left in the fully open position from 15 May through 31 October except for the crossing of a train in accordance with (a)(3) above.

§ 117.533 Sheepscot River.

The draw of the Maine Central Railroad Bridge, mile 15.0, between Wiscasset and North Edgecombe, Maine, need not be opened for the passage of vessels. The draw of the Maine Central Railroad Bridge shall be returned to operable condition within six months after notification by the District Commander to do so.

§ 117.535 Taunton River.

The draw of the Maine highway bridge, mile 4.3 between Hancock and Sullivan, need not be opened for the passage of vessels.
§ 117.541 Baltimore Harbor—Patapsco River.

(a) The draw of the Hanover Street S2 bridge, mile 12.0 across the Middle Branch of the Patapsco River at Baltimore, shall open on signal from 5 a.m. to 6:30 a.m., from 9:30 a.m. to 4 p.m., and from 6 p.m. to 9:00 p.m. The draw need not be opened from 6:30 a.m. to 9:30 a.m. and 4 p.m. to 6 p.m.; however, fire boats, police boats, and other vessels engaged in emergency operations shall be passed immediately during this period. When a vessel desires to pass the draw from 9 p.m. to 5 a.m., notice shall be given to the superintendent of the bridge, either at the bridge before 9 p.m. or at the superintendent’s residence after 9 p.m. If the notice is given from 5 a.m. to 9 p.m. or if at least one half hour has elapsed since the notice was given, the draw shall open promptly at the time requested.

(b) The draw of the Western Maryland railroad bridge, mile 12.5 across the Middle Branch of the Patapsco River at Baltimore, shall open on signal from 7 a.m. to 12 noon and 1 p.m. to 4 p.m. Monday through Friday except legal holidays. At all other times, the draw shall open if at least six hours notice is given. Marine firefighting equipment and pollution control vessels shall be passed as soon as possible but in no event more than 15 minutes after notice is given.

§ 117.547 Bush River.

The draw of the Amtrak bridge, mile 6.8 at Perryman, operates as follows:

(a) When notice under paragraph (b) of this section is given, the draw shall open twice a day—

(1) From May 1 through September 30, on each Saturday, Sunday, and Federal holiday falling on a Friday or a Monday; and

(2) In October, on the Saturday and Sunday of one weekend.

(b) Notice of the need for an opening is given to the Amtrak Assistant Transportation Superintendent at 301–291–4278 by an authorized representative of the Bush River Yacht Club by noon on the Friday just preceding the day of opening or, if that Friday is a Federal holiday, by noon on the preceding Thursday.

(c) Amtrak determines the times for openings and shall schedule the times—

(1) During daylight hours;

(2) Six to ten hours apart; and

(3) One opening before noon and one after noon.

(d) Amtrak shall notify a representative of the Yacht Club of the times of all openings for the weekend (or extended weekend) in question by 6 p.m. on the Friday just preceding the weekend or, if that Friday is a Federal holiday, by 6 p.m. on the preceding Thursday.

(2) Each opening shall be of sufficient duration to pass waiting vessels.

[CGD 5–85–01, 50 FR 18480, May 1, 1985]

§ 117.549 Cambridge Harbor.

The draw of the S342 bridge, mile 0.1 at Cambridge, shall open on signal from 6 a.m. to 8 a.m.; except that, from 12 noon to 1 p.m. Monday through Friday, the draw need not be opened. The draw shall open on signal if at least four hours notice is given.

§ 117.551 Chester River.

The draw of the S213 bridge, mile 26.8 at Chestertown, shall open on signal from April 1 through September 30 from 6 a.m. to 6 p.m. At all other times, the draw shall open on signal if at least six hours notice is given.
§ 117.553 Choptank River.
(a) The draw of the Maryland 331 bridge, mile 35.3, at Dover, shall open on signal from 6 a.m. to 6 p.m., year-round, and the draw shall remain closed from 6 p.m. to 6 a.m., year-round, unless 24 hours advance notice is given by calling (301) 820–8592 or (301) 745–2086.
(b) The draw of the Conrail bridge, mile 50.9 at Denton, shall open on signal from May 30 through September 30 from sunrise to sunset and at all other times if at least four hours notice is given.

§ 117.555 College Creek.
The draws of the Naval Academy highway bridge, mile 0.3 at Annapolis, and the Maryland highway bridge, mile 0.4 at Annapolis, need not be opened for the passage of vessels.

§ 117.557 Curtis Creek.
The draw of the I695 bridge, mile 0.9 at Baltimore, shall open on signal if at least a one-hour notice is given to the Maryland Transportation Authority in Baltimore.

§ 117.559 Isle of Wight Bay.
The draw of the U580 bridge, mile 0.5, at Ocean City, shall open on signal; except that, from October 1 through April 30 from 6 p.m. to 6 a.m., the draw shall open if at least three hours notice is given and from May 25 through September 15 from 9:25 a.m. to 9:55 p.m. the draw shall open at 25 minutes after and 55 minutes after the hour for a maximum of five minutes to let accumulated vessels pass, except that, on Saturdays from 1 p.m. to 5 p.m., the draw shall open on the hour for all waiting vessels and shall remain in the open position until all waiting vessels pass.

§ 117.561 Kent Island Narrows.
The draw of the U.S. Route 50/301 bridge, mile 1.0, Kent Island Narrows, operates as follows:
(a) From November 1 through April 30, the draw shall open on signal from 6 a.m. to 6 p.m. but need not be opened from 6 p.m. to 6 a.m.
(b) From May 1 through October 31:
(1) On Monday (except when Monday is a holiday) through Thursday (except when Thursday is the day before a Friday holiday), the draw shall open on signal on the hour from 6 a.m. to 3 p.m. and at 8 p.m., but need not be opened at any other time.
(2) On Friday (except when Friday is a holiday) and on Thursday when it is the day before a Friday holiday, the draw shall open on signal on the hour from 6 a.m. to 3 p.m. and at 8 p.m., but need not be opened at any other time.
(3) On Saturday and on a Friday holiday, the draw shall open on signal at 6 a.m. and 12 noon and on signal on the hour from 3 p.m. to 8 p.m., but need not be opened at any other time.
(4) On Sunday and on a Monday holiday, the draw shall open on signal on the hour from 6 a.m. to 1 p.m. and at 3:30 p.m., but need not be opened at any other time.
(5) The draw shall open at scheduled opening times only if vessels are waiting to pass. At each opening, the draw shall remain open for a sufficient period of time to allow passage of all waiting vessels.
(6) If a vessel is approaching the bridge and cannot reach the bridge exactly on the hour, the drawtender may delay the hourly opening up to ten minutes past the hour for the passage of the approaching vessel and any other vessels that are waiting to pass.
(c) The draw shall open on signal for public vessels of the United States, State, or local government vessels used for public safety purposes, commercial vessels, and vessels in distress.

§ 117.563 Marshyhope Creek.
The draw of the S14 bridge, mile 5.8 at Brookview, need not be opened for the passage of vessels. The operating machinery shall be maintained in a serviceable condition.

§ 117.565 Miles River.
The draw of the Route S370 bridge, mile 10.0 at Easton, Maryland, shall
§ 117.567 Patuxent River.

The draw of S231 bridge, mile 18.5 at Benedict, shall open on signal; except that, from 6 p.m. to 6 a.m., the draw shall open on signal if notice is given to the Toll Captain at the Administration Building at the east end of the bridge before 6 p.m.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984; 49 FR 37382, Sept. 24, 1984]

§ 117.569 Pocomoke River.

(a) The Conrail railroad bridge, mile 15.2, at Pocomoke City, shall open on signal; except between November 1 and March 31 the draw must open only if at least five hours advance notice is given.

(b) The draw of the Route 675 bridge, mile 15.6, at Pocomoke City, shall open on signal, except between November 1 and March 31 the draw must open only if at least five hours advance notice is given.

(c) The draw of the S12 bridge, mile 29.9, at Snow Hill, shall open on signal if at least five hours advance notice is given.

[CGD5–87–063, 53 FR 16548, May 10, 1988]

§ 117.570 Sassafras River.

The draw of the Sassafras River (Route 213) bridge, mile 10.0 at Georgetown, Maryland, shall open on signal; except that from November 1 through March 31, from midnight to 8 a.m., the draw need only open if at least a six-hour advance notice is given.

[CGD05–99–006, 64 FR 61207, Nov. 10, 1999]

§ 117.571 Spa Creek.

The S181 bridge, mile 4.0, at Annapolis, Maryland:

(a) From May 1 to October 31, Monday through Friday, except Federal and State holidays:

(1) The draw shall remain closed from 7:30 a.m. to 9:00 a.m. and from 4:30 p.m. to 7:30 p.m., except the draw shall open at 6:00 p.m. and 7:00 p.m. for any vessels waiting to pass.

(2) The draw shall open on the hour and the half-hour, from 9:00 a.m. to 4:30 p.m.

(3) The draw shall open on the hour and half hour, from 7:30 p.m. to 7:30 a.m.

(b) From November 1 to April 30, Monday through Friday, except Federal and State holidays:

(1) The draw shall remain closed from 7:30 a.m. to 9:00 a.m. and from 4:30 p.m. to 6:00 p.m.

(2) The draw shall open on signal from 9:00 a.m. to 4:30 p.m. and from 6:00 p.m. to 7:30 a.m.

(c) On Saturdays, Sundays, and holidays year-round, the draw shall open on the hour and half-hour for vessels waiting to pass.

(d) The draw shall always open on signal for public vessels of the United States, or local vessels used for public safety, tugs with tows, and vessels in distress.


§ 117.573 Stoney Creek.

The draw of the Stoney Creek (S173) bridge, mile 0.9, in Riviera shall open on signal, except:

(a) From 6:30 a.m. to 9 a.m. and from 3:30 p.m. to 6:30 p.m., Monday through Friday except Federal and State holidays, the draw need be opened only at 7:30 a.m. and 5 p.m. if any vessels are waiting to pass.

(b) From 11 a.m. to 7 p.m. on Saturday and from 12 p.m. to 5 p.m. on Sunday, the draw need be opened only on the hour and half hour.

(c) Public vessels of the United States and vessels in an emergency involving danger to life or property shall be passed at any time.

[CGD5–92–012, 57 FR 14663, Apr. 22, 1992]

§ 117.575 Susquehanna River.

The draw of the Conrail bridge, mile 1.0 at Havre de Grace, shall open on signal if at least 24 hours notice is given.
§ 117.577 Weems Creek.

The draw of the S437 bridge, mile 0.7 at West Annapolis, shall open on signal from sunrise to sunset from May 1 through September 30. At all other times, the draw shall open on signal if at least five hours notice is given.

§ 117.579 Wicomico River (North Prong).

The draws of the Main Street and US 50 bridges, mile 22.4, Salisbury, Maryland shall open on signal, except from 7 a.m. to 9 a.m., from 12 noon to 1 p.m., and from 4 p.m. to 6 p.m., the draw need not be opened for the passage of vessels, except for tugs with tows, if at least three hours of advance notice is given, and the reason for passage through the bridges during a closure period is due to delay caused by inclement weather or other emergency or unforeseen circumstances.

§ 117.585 Acushnet River.

(a) The drawspan will be opened promptly, provided proper signal is given, on the following schedule:

1. On the hour between 6:00 a.m. and 10:00 a.m. inclusive;
2. At a quarter past the hour between 11:15 a.m. and 6:15 p.m. inclusive.
3. At all other times on call.

(b) The draw will be opened at any time for vessels whose draft exceeds 15 feet, for vessels owned or operated by the U.S. Government, the State of Massachusetts, or by local authorities.

(c) Each opening of the draw, from the time vehicular traffic flow is stopped until the draw resumes, shall not exceed 15 minutes except for vessels whose draft exceeds 15 feet or in extraordinary circumstances.

(d) From 6 p.m. on December 24 to midnight on December 25 and from 6 p.m. on December 31 to midnight on January 1, the draw shall open on signal if at least a two-hour notice is given by calling the number posted at the bridge.

§ 117.586 Annisquall River and Blynman Canal

The draw of the Blynman (SR127) Bridge shall open on signal; except that, from 6 p.m. on December 24 to midnight on December 25 and from 6 p.m. on December 31 to midnight on January 1, the draw shall open on signal if at least two-hour notice is given by calling the number posted at the bridge.

§ 117.587 Apponagansett River.

(a) The draw of the Padanaram Bridge mile 1.0 shall open on signal 1 May through 31 October from 5 a.m. to 9 p.m. daily as follows:

1. The bridge shall open on signal, twice an hour, on the hour and the half hour between 5 a.m. and 9 a.m. and between 8 p.m. and 9 p.m.
2. The bridge shall open on signal, once an hour, on the hour between 9 a.m. and 8 p.m.

(b) At all other times the bridge shall open if at least four (4) hours advance notice is given.

(c) The owners of this bridge shall provide and maintain mooring facilities for vessels to make fast while waiting for the bridge to open.

(d) The owners of this bridge shall provide and keep in good legible condition, clearance gauges for each draw with figures not less than twelve (12) inches high designed, installed and maintained according to the provisions of section 118.160 of this chapter.

§ 117.588 Bass River.

The Hall Whitaker Bridge, mile 0.6 at Beverly, shall operate as follows:

(a) Public vessels of the United States and state or local vessels used for public safety shall be passed as soon as possible.

(b) The owners of this bridge shall provide and keep in good legible condition clearance gauges for each draw with figures not less than 12 inches high designed, installed and maintained according to the provisions of § 118.160 of this chapter.

(c) That the draw of the Hall Whitaker bridge shall open on signal if
at least 24 hours notice is given by commercial and recreational vessels.

[CGD1–91–015, 56 FR 41460, Aug. 21, 1991]

§ 117.589 Cape Cod Canal.

The draw of the Conrail railroad bridge, mile 0.7 at Bourne, shall operate as follows:

(a) The draw is normally in the fully open position except for the passage of trains or for maintenance. No signal is required if the draw is in the fully open position.

(b) If the draw is not in the fully open position, the opening signal is one prolonged and one short blast.

(c) Signals to be sounded from the bridge are—

1. Immediately preceding the opening of the draw, one prolonged blast;
2. Immediately preceding the closing of the draw, two prolonged blasts;
3. When a vessel has sounded the opening signal and the draw cannot be opened immediately, five short blasts in a rapid succession; and
4. When the draw is closed and visibility is reduced in foggy weather, five short blasts in rapid succession every two minutes.

§ 117.591 Charles River and its tributaries.

(a) The following requirements apply to all bridges across the Charles River and its tributaries:

1. Public vessels of the United States, state or local vessels used for public safety, and vessels in distress shall be passed through the draw of each bridge as soon as possible without delay at any time. The opening signal from these vessels is four or more short blasts of a whistle or horn, or a radio request.

2. The owners of these bridges shall provide and keep in good legible condition clearance gauges for each draw with figures not less than 12 inches high designed, installed and maintained according to the provisions of §118.160 of this chapter.

3. Trains and locomotives shall be controlled so that any delay in opening the draw span shall not exceed ten minutes. However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, that train may continue across the bridge and must clear the bridge interlocks before stopping.

4. Except as provided in paragraph (b) through (f) of this section, the draws shall open on signal.

(b) The draw of the Charlestown Bridge, mile 0.4 at Boston, need not be opened for the passage of vessels.

(c) The draw of the Massachusetts Bay Transportation Authority (MBTA/Amtrak Bridge, mile 0.8, at Boston, shall open on signal; except that from 6:15 a.m. to 9:10 a.m. and 4:15 p.m. to 6:30 p.m., Monday through Friday, except holidays, the draw need not be opened for the passage of vessels, except as stated in paragraph (a)(1) of this section.

(d) The draw of the Massachusetts Bay Transportation Authority (East Cambridge Viaduct) railroad Bridge, mile 1.0 at Boston, need not be opened for the passage of vessels. However, the operating machinery of the draw shall be maintained in an operable condition.

(e) The draw of the Metropolitan District Commission (Craigie) Bridge, mile 1.0 at Boston, shall operate as follows:

1. Open on signal; except that from 6:15 a.m. to 9:10 a.m. and 3:15 p.m. to 6:30 p.m., Monday through Friday, except holidays, the draw need not open for the passage of vessels, except as stated in paragraph (a)(1) of this section.

2. From December 1 to March 31, the draw shall open on signal after a 24 hour advance notice is given.

(f) The draws of the bridges across Broad Canal, mile 0.0, need not open for the passage of vessels. However, the draws shall be returned to operable condition within one year after notification by the District Commander to do so.

[CGD1 91–141, 57 FR 30405, July 9, 1992]

§ 117.593 Chelsea River.

All drawbridges across the Chelsea River shall open on signal. The opening signal for each drawbridge is two prolonged blasts followed by two short blasts and one prolonged blast. The acknowledging signal is three prolonged blasts when the draw can be opened immediately and is two prolonged blasts.
when the draw cannot be opened or is open and must be closed.

§ 117.595 Danvers River.

(a) The requirements in this paragraph apply to all bridges across the Danvers River:
(1) The owners of these bridges shall provide and keep in good legible condition clearance gauges for each draw with figures not less than 12 inches high, designed, installed, and maintained according to the provisions of §118.160 of this chapter.
(2) Trains and locomotives shall be controlled so that any delay in opening the draw span shall not exceed ten minutes. However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, that train may continue across the bridge and must clear the bridge interlocks before stopping.
(b) The draw of the Massachusetts Bay Transportation Authority (MBTA)/AMTRAK Bridge, at mile 0.05, between Salem and Beverly, shall open on signal; except that, from midnight to 5 a.m., daily, and on December 25 and January 1, the draw shall open as soon as possible, but not more than one hour after notice is given to the drawtenders either at the bridge during the time the drawtenders are on duty or by calling the number posted at the bridge.
(c) The draw shall operate as follows:
(1) On signal from October 15 through May 14, from 7 a.m. to 5 p.m. except as provided in paragraph (c)(3)(i) of this section.
(2) Need open on signal only on the hour and half hour as follows:
   (i) From May 15 through June 14 and from September 16 through October 14, from 7 a.m. to 7 p.m.
   (ii) From June 15 through September 15, from 6 a.m. to 9 p.m.
(3) The draw shall open on signal if at least 8 hours advance notice is given:
   (i) At all times on Christmas, New Years, Easter and all Sundays in January and February.
   (ii) At all other times not stipulated in paragraphs (c)(1) and (c)(2) of this section.

§ 117.597 Dorchester Bay.

The draw of the William T. Morrissey Boulevard bridge, mile 0.0 at Boston, shall open on signal from April 16 through October 14; except that the draw need not open for the passage of vessels from 7:30 a.m. to 9 a.m. and from 4:30 p.m. to 6 p.m. except on Saturdays, Sundays, or holidays observed in the locality. From October 15 through April 15, the draw shall open on signal if at least 24 hours notice is given. Public vessels of the United States and state or local vessels used for public safety shall be passed as soon as possible.

§ 117.598 Eel Pond Channel.

The following requirements apply to the draw of Eel Pond (Water Street) drawbridge at mile 0.0 at Falmouth, Massachusetts.
(a) The draw shall open at all times as soon as possible for a public vessels of the United States, State or local vessels used for public safety, and vessels in distress. The opening signal for these vessels shall be four or more short blast of a whistle, horn, or radio request.
(b) The owners of this bridge shall provide and keep in good legible condition clearance gauges for each draw with figures not less than 12 inches high designed, installed and maintained according to the provisions of section 118.160 of this chapter.
(c) The draw shall operate as follows:
(1) On signal from October 15 through May 14, from 8 a.m. to 5 p.m. except as provided in paragraph (c)(3)(i) of this section.
(2) Need open on signal only on the hour and half hour as follows:
   (i) From May 15 through June 14 and from September 16 through October 14, from 7 a.m. to 7 p.m.
   (ii) From June 15 through September 15, from 6 a.m. to 9 p.m.
(3) The draw shall open on signal if at least 8 hours advance notice is given:
   (i) At all times on Christmas, New Years, Easter and all Sundays in January and February.
   (ii) At all other times not stipulated in paragraphs (c)(1) and (c)(2) of this section.

§ 117.599 Fort Point Channel.

The draw of the Northern Avenue Bridge, mile 0.1, at Boston, shall operate as follows:
(a) From May 1 through October 31, the draw shall open on signal from 7 a.m. to 11 p.m. From 11 p.m. to 7 a.m. the draw shall open on signal if at least a two-hour advance notice is given by
§ 117.607 Mitchell River.

The draw of the Chatham highway bridge, mile 0.2 at Chatham, shall open on signal from May 1 through October 31 from 8 a.m. to 4 p.m. if at least one hour notice is given, and from 4 p.m. to 8 a.m. if at least 12 hours notice is given. From November 1 through April 30, the draw shall open on signal if at least 24 hours notice is given. Notice is
§ 117.609 Mystic River.

(a) The draw of the S99 Alford Street Bridge, mile 1.4, shall open on signal; except that Monday through Saturday (excluding holidays) from 7:45 a.m. to 9 a.m., 9:10 a.m. to 10 a.m. and 5 p.m. to 6 p.m., the draw need not open for the passage of vessels. From November 1 through March 31, between 11 p.m. and 7 a.m., at least an 8 hour advance notice is required for bridge openings by calling the number posted at the bridge.

(b) The draw of the Wellington Bridge, mile 2.5, need not be opened for vessels.


§ 117.611 Neponset River.

The Granite Avenue Bridge, mile 2.5, between Boston and Milton, Massachusetts, shall operate as follows:

(a) The draw of the Granite Avenue Bridge shall open on signal from May 1 through October 31; 6 a.m. to 12 midnight. At all other times the draw shall open on signal if at least one hour advance notice is given by calling the number posted at the bridge.

(b) The owners of this bridge shall provide and keep in good legible condition, clearance gauges for each draw with figures not less than twelve (12) inches high, designed, installed and maintained according to the provisions of § 118.160 of this chapter.

[CGD01–94–087, 60 FR 54432, Oct. 24, 1995]

§ 117.613 North River.

The draw of the Plymouth County (Bridge Street) Bridge, mile 4.0, at Norwell, shall open on signal from May 1 through October 31 if at least four hours notice is given. From November 1 through April 30, the draw shall open on signal if at least 24 hours notice is given.

[CGD01–97–126, 63 FR 18333, Apr. 15, 1998]

§ 117.615 Plum Island River.

The draw of the Plum Island Turnpike Bridge, mile 3.3 between Newburyport and Plum Island, shall operate as follows:

(a) From April 1 through November 30, 5 a.m. to 9 p.m., the draw shall open on signal if at least one hour advance notice is given by calling the number posted at the bridge. At all other times the draw shall open on signal if at least three hours advance notice is given.

(b) The owners of this bridge shall provide and keep in good legible condition, clearance gauges for each draw with figures not less than twelve (12) inches high, designed, installed and maintained according to the provisions of § 118.160 of this chapter.

[CGD01–94–057, 60 FR 54431, Oct. 24, 1995]
than one hour, after notice is given to the drawtenders either at the bridge during the time the drawtenders are on duty or by calling the number posted at the bridge.

§ 117.619 Taunton River.

(a) The owners of the Brightman Street and Bristol County bridges shall provide and keep in good legible condition clearance gauges for each draw with figures not less than twelve inches high, designed, installed, and maintained according to the provisions of § 118.160 of this chapter.

(b) The draw of the Brightman Street Bridge between Somerset and Fall River shall open on signal; except that, from November 1 through March 31, between 6 p.m. and 6 a.m. daily, the draw shall open if at least a one-hour notice is given. From 6 p.m. on December 24 to midnight on December 25 and from 6 p.m. on December 31 to midnight on January 1, the draw shall open on signal if at least a two-hour notice is given by calling the number posted at the bridge.

(c) The Bristol County Bridge, mile 10.3, shall open on signal if at least 24 hours notice is given by commercial and recreational vessels.

§ 117.621 Fore River.

The draw of the Quincy Weymouth SR3A bridge, mile 3.5 between Quincy Point and North Weymouth, Massachusetts, shall open on signal, except that:

(a) From 6:30 a.m. to 9 a.m. and from 4:30 p.m. to 6:30 p.m., Monday through Friday, except holidays observed in the locality, the draw need not be opened.

(b) The draw shall open on signal at all times for self-propelled vessels greater than 10,000 gross tons.

(c) From 6 p.m. on December 24 to midnight on December 25 and from 6 p.m. on December 31 to midnight on January 1, the draw shall open on signal if at least a two-hour notice is given by calling the number posted at the bridge.

§ 117.622 West Bay.

The draw of the West Bay Bridge, mile 1.2, at Osterville, shall operate as follows:

(1) From November 1 through April 30, the draw shall open on signal if at least a twenty-four hours’ notice is given by calling the number posted at the bridge.

(2) From May 1 through June 15, the draw shall open on signal from 8 a.m. to 6 p.m.

(3) From June 16 through September 30, the draw shall open on signal from 7 a.m. to 9 p.m.

(4) From October 1 through October 31, the draw shall open on signal from 8 a.m. to 6 p.m.

(5) At all other times from May 1 through October 31, the draw shall open on signal if at least a four-hours advance notice is given by calling the number posted at the bridge.

§ 117.624 Black River (South Haven).

The draw of the Dyckman Avenue bridge, mile 1.9 at South Haven, shall open as follows:

(a) From May 1 through October 14—
§ 117.625  Black River.

(a) For all drawbridges across the Black River, notice requesting the opening of a draw may be given to the dispatcher of the Port Huron Police Department. Public vessels of the United States, state or local vessels used for public safety, and vessels in distress shall be passed through each drawbridge on the river as soon as possible.

(b) The draws of the Military Street bridge, mile 0.3, and Seventh Street bridge, mile 0.5, both at Port Huron, shall open on signal; except that, from May 1 through October 31 from 9 a.m. to 5:30 p.m. Monday through Saturday except Federal holidays, the draw need be opened only on the hour and half-hour and, from November 1 through November 30 and April 1 through April 30 from 4 p.m. to 8 a.m., the draw shall open if at least three hours notice is given. From December 1 through March 31, the draw shall open if at least 24 hours notice is given.

(c) The draw of the Tenth Street bridge, mile 0.9 at Port Huron, shall open on signal—

(1) From May 1 through October 31 from 8 a.m. to 11 p.m. and from 11 p.m. to 8 a.m., if at least one hours notice is given;  
(2) From April 1 through April 30 and November 1 through November 30, if at least three hours notice is given; and  
(3) From December 1 through March 31, if at least 24 hours notice is given.

§ 117.627 Cheboygan River.

The draw of the US 23 highway bridge, mile 0.9 at Cheboygan shall operate as follows:

(a) From April 1 through May 15 and from September 16 through December 14, the draw shall open on signal.

(b) From May 16 through September 15—

(1) Between the hours of 6 p.m. and 6 a.m., seven days a week, the draw shall open on signal.

(2) Between the hours of 6 a.m. and 6 p.m., seven days a week, the draw need open only from three minutes before to three minutes after the quarter-hour and three-quarter hour.

(c) From December 15 through March 31, no bridgetender is required to be at the bridge and the draw need not open unless a request to open the draw is given at least 12-hours in advance of a vessels intended time of passage through the draw.

(d) At all times, the draw shall open as soon as possible for the passage of public vessels of the United States, State or local vessels used for public safety, commercial vessels, and vessels in distress.

§ 117.631 Detroit River (Trenton Channel).

(a) The draw of the Grosse Ile Toll bridge (Grosse Ile Parkway), mile 8.8, at Grosse Ile, shall operate as follows:

(1) Between the hours of 7 a.m. and 11 p.m., seven days a week and holidays, the draw need open only from three minutes before to three minutes after the hour and half-hour for pleasure craft; for commercial vessels, during this period of time, the draw shall open on signal as soon as possible.

(2) Between the hours of 11 p.m. and 7 a.m., the draw shall open on signal for pleasure craft and commercial vessels.
§ 117.639 Ontonagon River.

The draw of the S64 bridge, mile 0.2 at Ontonagon, shall open on signal from April 1 through November 15 from 7 a.m. to 11 p.m. and from 11 p.m. to 7 a.m., if at least one hour notice is given. From November 16 through
§ 117.641 Pine River (Charlevoix).

(a) The draw of the U.S. 31 bridge, mile 0.3 at Charlevoix, shall be operated as follows:

(1) From April 1 through December 31, the draw shall open on signal; except from 6 a.m. to 10 p.m., April 1 to October 31, the draw need open only from three minutes before to three minutes after the hour and half-hour for recreational vessels. Public vessels of the United States, state or local vessels used for public safety, commercial vessels, vessels in distress, and vessels seeking shelter from severe weather shall be passed through the draw as soon as possible.

(2) From January 1, through March 31, the draw shall open on signal if at least 12 hours advance notice is provided prior to a vessel’s intended time of passage.

(b) The owner of the bridge shall provide and keep in good legible condition two board gauges painted white with black figures not less than six inches high to indicate the vertical clearance under the closed draw at all water levels. The gauges shall be placed on the bridge so that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

[CGD90-00-001, 65 FR 15240, Mar. 22, 2000]

§ 117.643 Pine River (St. Clair).

The draw of the S29 bridge, mile 0.1 at St. Clair, shall open on signal from April 1 through November 15 from 2 a.m. to 8 a.m. and from 8 a.m. to 2 a.m. on the hour and one-half hour. From December 1 through March 31, the draw shall open on signal if at least 12 hours notice is given. Public vessels of the United States, state or local vessels used for public safety, and vessels in distress shall be passed through the draw as soon as possible.

§ 117.647 Saginaw River.

(a) The draws of the Detroit and Mackinac railroad bridge, mile 2.5 at Bay City, and the Conrail railroad bridge, mile 4.4 at Bay City, shall open on signal; except that, from December 16 through March 15, the draws shall open on signal if at least 12 hours notice is given.

(b) The draws of the Belinda Street (Independence) bridge, mile 3.3, Veterans Memorial bridge, mile 5.0, and Lafayette Street bridge, mile 6.2, all in Bay City, shall open on signal from March 16 through December 15, except as follows:

(1) From 6:30 a.m. to 8:30 a.m. and 3:30 p.m. to 5:30 p.m. except Saturdays, Sundays, and holidays observed in the locality, the draws need not be opened for the passage of vessels of less than 50 gross tons.

(2) From 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. except on Sundays and Federal holidays, the draws need not be opened for the passage of downbound vessels of over 50 gross tons.

(3) From 8 a.m. to 8 p.m. on Saturdays, Sundays, and Federal holidays, the draws of the Belinda Street and Lafayette Street bridges need not be opened for the passage of pleasure craft except from three minutes before to three minutes after the hour and half hour.

(4) From 8 a.m. to 8 p.m. on Saturdays, Sundays, and Federal holidays, the draws of the Veterans Memorial bridge need not be opened for the passage of pleasure craft, except from three minutes before to three minutes after the quarter hour and three quarter hour.

(5) From December 16 through March 15, the draws of these bridges shall open on signal if at least 12 hours notice is given.

(c) The draw of the Sixth Avenue bridge, mile 17.1 at Saginaw, shall open on signal from April 1 through November 15 from 7 a.m. to 11 p.m. At all other times, the draw shall open on signal if at least three hours notice is given.

(d) The draw of the CSX railroad bridge, mile 18.0, need not be opened for the passage of vessels. The owner shall return the draw to an operable condition within a reasonable time when directed by the District Commander to do so.

(e) The draw of the Grand Trunk Western railroad bridge, mile 19.2, need
§ 117.651 St. Joseph River.

The draws of the US33 (Blossomland) bridge, mile 0.9, and the BL-94 (Bicentennial) bridge, mile 1.3, both at St. Joseph, shall be operated as follows:

(a) From March 1 through May 14, from October 1 through December 15, and from 8 p.m. to 7 a.m. from May 15 through September 30, the draws shall open on signal.

(b) From 7 a.m. to 8 p.m. from May 15 through September 30, the draw of the Blossomland bridge need be opened only from three minutes before to three minutes after the hour and half hour, and the draw of the Bicentennial bridge need be opened only from three minutes before to three minutes after the quarter and three-quarter hour.

(c) From December 16 through the last day of February, the draw of both bridges shall open on signal if at least 12 hours notice is given.

(d) Public vessels of the United States, state and local government vessels used for public safety, commercial vessels, and vessels in distress shall be passed through the draw of both bridges as soon as possible.

§ 117.653 St. Mary’s Falls Canal.

The draw of the International Railway bridge, mile 1.0 at Sault Ste. Marie, shall be maintained in the fully open position during the navigation season, except for the crossings of trains or for maintenance. Bridge operators shall not give precedence to railway traffic and shall not close the bridge against an upbound vessel after lock gates are open and the vessel is proceeding toward the bridge, nor against a downbound vessel, 1,200 feet or less west of the bridge, unless the vessel is moored at either canal pier awaiting its turn to take position at lock approaches.

§ 117.655 Thunder Bay River.

The draw of the Second Avenue bridge, mile 0.3 at Alpena, shall open on signal if at least three hours notice is given to the Dispatcher, Police Department, City of Alpena, Michigan.

§ 117.661 Duluth Ship Canal (Duluth-Superior Harbor).

The draw of the Duluth Ship Canal bridge, mile 0.1 at Duluth, shall open on signal; except that, from January 1 through March 15, the draw shall open on signal if at least 24 hours notice is given. The opening signal is one prolonged blast, one short blast, one prolonged blast, one short blast. If the Duluth Ship Canal Bridge is disabled, the bridge authorities shall give incoming and outgoing vessels timely and dependable notice, by tug service if necessary, so that the vessels do not attempt to enter the canal. Vessels shall be given precedence over highway or railway traffic at all times.

§ 117.663 Minnesota River.

The draws of bridges above LeSueur need not be opened for the passage of vessels.

§ 117.665 Red River of the North.

The draws of the bridges need not be opened for the passage of vessels.

§ 117.667 St. Croix River.

(a) The draws of the Burlington Northern Santa Fe Railroad Bridge, Mile 0.2, and the U.S. 16-61 bridge, Mile 0.3, at Prescott, and the Union Pacific railroad bridge, Mile 17.3, at Hudson, shall open on signal; except that, from December 15 through March 31, the draw shall open on signal if at least 24 hours notice is given.

(b) The draw of the S36 Bridge Mile 23.4, at Stillwater, shall open on signal as follows:

(i) From May 15 through October 15, Monday through Friday, except Federal holidays, from:

(ii) 8 a.m. to 11 a.m., every hour on the hour;

(iii) 11 a.m. to 2:30 p.m., every half hour;

(iv) 2:30 p.m. to 5:30 p.m., at 2:30 p.m., 4 p.m. and 5:30 p.m.
§ 117.669 St. Louis River (Duluth Superior Harbor).

(a) The draws of the Burlington Northern railroad bridge, mile 5.7, shall open on signal; except that, from January 1 through March 15, the draws shall open on signal if at least 24 hours notice is given. The opening signal for the Minnesota draw is one prolonged blast followed by two short blasts and for the Wisconsin draw is two prolonged blasts.

(b) The draws of all bridges between Lock and Dam No. 2, mile 815.2, and Lock and Dam No. 1, mile 847.6, shall open on signal; except that, from December 15 through the last day of February, the draws shall open on signal if at least 12 hours notice is given.

Mississippi

§ 117.675 Back Bay of Biloxi.

(a) The draw of the US 90 bridge, mile 0.4, between Biloxi and Ocean Springs shall open on signal; except that, from 6:30 a.m. to 7:05 a.m., 7:20 a.m. to 8:05 a.m., 4:00 p.m. to 4:45 p.m., and 4:55 p.m. to 5:30 p.m, Monday through Friday, the draw need not open for the passage of vessels.

(b) The draw of the I-110 bridge, mile 3.0 at Biloxi, shall open on signal if at least six hours notice is given.

(c) The draw of the Popps Ferry Road bridge, mile 8.0, at Biloxi, shall open on signal; except that, from 7:30 a.m. to 9 a.m. and from 4:30 p.m. to 6 p.m. Monday through Friday, except Federal holidays, the draw need not be opened for passage of vessels. The draw shall open at any time for a vessel in distress.

§ 117.677 Big Sunflower River.

The draw of the Columbus and Greenville railroad bridge, mile 96.1 at Baird, shall open on signal if at least 4 hours notice is given.

§ 117.680 Industrial Seaway Canal.

The draw of the Lorraine-Cowan Road Bridge across the Industrial Seaway Canal, mile 11.3, need not be opened from 6:30 a.m. to 8:30 a.m. and from 4:30 p.m. to 6 p.m., Monday through Friday, except Federal holidays.

§ 117.681 Old Fort Bayou.

The draw of the bridge, mile 1.6 at Ocean Springs, shall open on signal; except that, from 9 p.m. to 5 a.m., the draw shall open on signal if at least 8 hours notice is given to the Old Fort Bayou drawtender. During periods
of storm or hurricane warnings issued by the National Weather Service, the draw shall open on signal at any time.

§ 117.687 Missouri River.

(a) The draws of the bridges across the Missouri River from the mouth to St. Joseph shall open on signal; except during the winter season between the date of closure and date of opening of the commercial navigation season as published by the Army Corps of Engineers, the draw need not open unless at least 24 hours advance notice is given.

(b) The lift span of the A–S–B highway and railway bridge, Mile 365.6, between Kansas City, Kansas, and Kansas City, Missouri, is operated from a remote location. Radiotelephone contact may be established with the remotely located bridge/train controller to request bridge openings. The bridge is also equipped with a directional microphone and horn to receive and deliver signals to vessels not equipped with a radiotelephone. Closed circuit TV cameras located at the bridge enable the remotely located bridge/train controller to view both river traffic and the bridge itself.

(1) When an approaching vessel requires a bridge opening, contact shall be established with the bridge/train controller by radiotelephone or appropriate signals prescribed in §117.15.

(2) The bridge/train controller will confirm by radiotelephone or sound signal that the bridge will open promptly.

(3) When rail traffic is on bridge, the bridge/train controller will inform the vessel that bridge cannot be opened and will also give an approximate time of bridge opening via radiotelephone. The bridge/train controller will indicate via sound signals that lift span cannot be opened if the vessel doesn’t have a radiotelephone, or if radiotelephone is not used.

§ 117.682 Pascagoula River.

The draw of the US90 bridge, mile 1.8 at Pascagoula, shall open on signal; except that, from 6:15 a.m. to 7:15 a.m., 7:25 a.m. to 8 a.m., and 3:30 p.m. to 4:45 p.m. Monday through Friday except Federal holidays, the draw need not be opened for the passage of vessels.

§ 117.683 Pearl River.

See §117.488, Pearl River, listed under Louisiana.

§ 117.684 Portage Bayou.

The draw of the Portage Bridge over Portage Bayou, mile 2.0, shall open on signal if at least two hours notice is given.

§ 117.685 Tchoutacabouffa River.

The draw of the Cedar Lake Road Bridge over the Tchoutacabouffa River, mile 8.0, shall open on signal if at least twenty-four hours notice is given.

§ 117.686 Yazoo River.

(a) The draws of the Canadian National/Illinois Central railroad bridge, mile 16.7 at Redwood, and the Satartia highway (S433) bridge, mile 53.3 at Satartia, shall open on signal if at least two hours notice is given. When a vessel has given notice and fails to arrive within the four hour period specified, the drawtender shall remain on duty for two additional hours and open the draw if the requesting vessel appears. After this time, an additional four hour notice is required.

(b) The draws of the bridges upstream from the Satartia highway (S433) bridge shall open on signal if at least four hours notice is given. When a vessel has given notice and fails to arrive within the four hour period specified, the drawtender shall remain on duty for two additional hours and open the draw if the requesting vessel appears. After this time, an additional four hour notice is required.
§ 117.689  Osage River.

The draw of the Missouri Pacific Railroad bridge, mile 5.6 at Osage City, need not be opened for the passage of vessels.

NEBRASKA

§ 117.691  Missouri River.

The draw of the Illinois Central Gulf Railroad Bridge, mile 618.3, at Omaha, shall open on signal, except during the winter season between the date of closure and date of opening of the commercial navigation season as published by the Army Corps of Engineers, the draw need not open unless at least 24 hours advance notice is given.


§ 117.699  Little Harbor.

The draw of the SR1B bridge, mile 1.0 between New Castle and Rye, shall open on signal from April 1 through October 31 from 6 a.m. to 10 p.m. if at least four hours notice is given. At all other times, the draw shall open as soon as possible only for emergencies.

§ 117.700  Piscataqua River.

See §117.531, Piscataqua River, listed under Maine.

[CGD 92–015, 57 FR 37880, Aug. 21, 1992]

NEW JERSEY

§ 117.701  Alloway Creek.

(a) The draws of the Salem County bridges, miles 5.1 at Hancocks Bridge, and 6.5 at New Bridge, shall open on signal if at least 24 hours notice is given.
(b) The draw of the S49 bridge, mile 9.5 at Quinton, need not be opened for the passage of vessels.

§ 117.703 Bass River.

The draw of the U.S. 9 bridge, mile 2.6, at New Gretna, shall operate as follows:

(a) The draw shall open on signal if at least six hours notice is given, except that public vessels of the United States, State and local vessels used for public safety, and vessels in distress shall be passed as soon as possible.

(b) The owners of this bridge shall provide and keep in good legible condition clearance gauges for the draw span with figures not less than 12 inches high designed, installed and maintained in accordance with the provisions of §118.160 of this chapter.

§ 117.705 Beaver Dam Creek.

The draw of the Ocean County bridge, mile 0.5 at Point Pleasant, shall open on signal from June 1 through September 30 and from 8 a.m. to 4 p.m. during April, May, October, and November. At all other times, the draw shall open on signal if at least 24 hours notice is given.

§ 117.709 Cheesquake Creek.

(a) The draw of the S35 bridge, mile 0.0, at Morgan, South Amboy, shall open on signal; except that, from May 15 through October 15 from 7 a.m. to 7 p.m., the draw need only open on the hour. From December 1 through March 31 from 11 p.m. to 7 a.m., the draw need not be opened for the passage of vessels.

(b) The draw of the New Jersey Transit Rail Operations railroad bridge, mile 0.2, operates as follows:

(i) From January 1 through March 31 from 6 p.m. to 6 a.m.;

(ii) From April 1 through April 30 and November 1 through November 30 from 10 p.m. to 6 a.m. Monday through Thursday, and midnight Sunday through 6 a.m. Monday; and

(iii) From December 1 through December 31 from 10 p.m. to 6 a.m.

(2) The owners of the bridge shall provide and keep in good legible condition two board gages painted white with black figures not less than eight inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

§ 117.711 Cohansey River.

The draw of the Broad Street bridge, mile 18.2 at Bridgeton, need not be opened for the passage of vessels.

§ 117.713 Cooper River.

(a) The draws of the State Street bridge, mile 0.3, the Conrail bridge at North River Avenue, mile 0.9, and the Federal Street bridge, mile 1.0, both at Camden, shall open on signal if at least four hours notice is given.

(b) The draw of the Admiral Wilson Boulevard bridge, mile 1.1 at Camden, need not be opened for the passage of vessels. However, the draw shall be returned to operable condition within six months after notification by the District Commander to do so.

§ 117.714 Corson Inlet.

The draw of the Corson Inlet bridge, mile 0.9, at Strathmere, shall open on signal; except that from October 1 through May 15, from 10 p.m. to 6 a.m., the draw need only open if at least two hours notice is given.

§ 117.715 Debbies Creek.

(a) The draw of the Monmouth County highway bridge, mile 0.4 at Manasquan, shall open on signal, except as follows:

(1) From 4:30 p.m. January 1 through 8 a.m. April 1, from 4:30 p.m. to 8 a.m., the draw need open only if at least four-hours advance notice is given.

(2) From Memorial Day through Labor Day from 7 a.m. to 8 p.m., the draw need open only on the hour and
§ 117.716 Delaware River.

The following requirements apply to all drawbridges across the Delaware River:

(a) The draws of railroad bridges need not be opened when there is a train in the bridge block approaching the bridge with the intention of crossing, or within five minutes of the known time of the passage of a scheduled passenger train.

(b) The opening of a bridge may not be delayed more than five minutes for a highway bridge or 10 minutes for a railroad bridge, after the signal to open is given.

(c) The owners of drawbridges shall provide and keep in good legible condition two board gauges painted white with black figures not less than six inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gauges shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

[CGD05-98-111, 64 FR 59624, Nov. 3, 1999]

§ 117.719 Elizabeth River.

(a) The draw of the South Front Street bridge, mile 0.0 at Elizabeth, shall open on signal; except that, from 12 midnight to 7 a.m., the draw shall open on signal if at least three hours notice is given.

(b) The draws of the South First Street bridge, mile 0.4 at Elizabeth, shall open on signal if at least three hours notice is given.

(c) The draws of the New Jersey Transit Rail Operations railroad bridge, mile 0.7, the Baltic Street bridge, mile 0.9, the Summer Street bridge, mile 1.3, the South Street bridge, mile 1.8, and the Bridge Street bridge, mile 2.1, all at Elizabeth, need not be opened for the passage of vessels.

§ 117.720 Great Channel.

The draw of the County of Cape May bridge, mile 0.7, between Stone Harbor and Nummy Island, shall open on signal except that:

(a) From May 15 through October 15 from 10 p.m. to 6 a.m., the draw need only open if at least four hours advance notice is given.

(b) From October 16 through May 14, the draw need only open if at least 24 hours advance notice is given.


§ 117.721 Grassy Sound Channel.

The draw of the Grassy Sound Channel Bridge, mile 1.0, in Middle Township, will open on signal from 6 a.m. to 8 p.m. from May 15 through September 30; two-hours advance notice is required for all other openings by phoning (609) 368–4591.

[CGD05–98–015, 63 FR 43323, Aug. 13, 1998]

§ 117.723 Hackensack River.

(a) The following requirements apply to all bridges across the Hackensack River:

(1) Public vessels of the United States, state or local vessels used for public safety, and vessels in distress shall be passed through the draw of each bridge as soon as possible without delay. The opening signal for these vessels is four or more short blasts of a whistle or horn, or a radio request.

(2) The owners of each bridge shall provide and keep in good legible condition clearance gauges for each draw, with figures not less than 18 inches high for bridges below the turning basin at mile 4.0, and 12 inches high for bridges above mile 4.0. The gauges shall be designed, installed and maintained according to the provisions of section 118.160 of this chapter.

(3) Train and locomotives shall be controlled so that any delay in opening the draw shall not exceed 10 minutes.
§ 117.725 Manantico Creek.

The draw of the highway bridge, mile 0.5 at Millville, need not be opened for the passage of vessels.

§ 117.727 Manasquan River.

The draw of the S70 bridge, mile 3.4 at Riviera Beach, shall open on signal from 7 a.m. to 11 p.m. The draw need not be opened from 11 p.m. to 7 a.m.

§ 117.729 Mantua Creek.

(a) The draw of the CONRAIL railroad bridge, mile 1.4 at Paulsboro, shall open on signal except, that from December 1 to March 1 the draw shall open on signal at all times upon four hours notice.

(b) The draw of the S.R. 44 bridge, mile 1.7, at Paulsboro, shall open on signal from March 1 through November 30 from 7 a.m. to 11 p.m., and shall open...
§ 117.731 on signal at all other times upon four hours notice.
[CGD5 84–33, 50 FR 30270, July 25, 1985]

§ 117.731 Maurice River.
The draw of the Cumberland County bridge, mile 12.1 at Mauricetown, need not be opened for the passage of vessels.

§ 117.731a Mullica River.
The draws of the bridges listed in this section shall open on signal, except as follows:
(a) The draw of the Lower Bank bridge, mile 15.0, need not open during the following periods unless at least four hours notice is given:
   (1) From May 1 through November 30, from 11 p.m. to 7 a.m.
   (2) From December 1 through April 30, at all times.
(b) The draw of the Green Bank bridge, mile 18.0, need not open unless at least four hours notice is given during the following periods:
   (1) April 1 through November 30, from 11 p.m. to 7 a.m.
   (2) December 1 through March 31, at all times.
(c) The draws shall open as soon as possible during the periods when four hours notice is required for vessels in distress, public vessels of the United States, and state and local vessels used for public safety purposes.

§ 117.732 Nacote Creek.
(a) The Route 9 bridge, mile 1.5, shall open on signal, except that from 11 p.m. to 7 a.m., the draw shall open if at least two hours notice is given.
(b) The draw of the Atlantic County (Rte. 575) bridge, mile 3.5 at Port Republic, shall open on signal if at least eight hours notice is given.

§ 117.733 New Jersey Intracoastal Waterway.
(a) The following requirement applies to all bridges listed in this section: The owners of these bridges shall provide, and keep in good legible condition, clearance gauges with figures not less than twelve (12) inches high designed, installed and maintained according to the provisions of §118.160 of this chapter.
(b) The draw of the Route 35 Bridge, mile 1.1 across Manasquan River at Brielle, shall open on signal except as follows:
   (1) From May 15 through September 30:
      (i) On Saturdays, Sundays and Federal holidays, from 8 a.m. to 10 p.m., the draw need only open 15 minutes before the hour and 15 minutes after the hour.
      (ii) On Mondays to Thursdays from 4 p.m. to 7 p.m., and on Fridays, except Federal holidays from 12 p.m. to 7 p.m., the draw need only open 15 minutes before the hour and 15 minutes after the hour.
   (2) Year-round from 11 p.m. to 8 a.m., the draw need only open if at least four hours notice is given.
(c) The draw of the County Route 528 Bridge, mile 6.3 across Barnegat Bay at Mantoloking, shall open on signal; except that from Memorial Day through Labor Day on Saturdays, Sundays and Federal holidays from 9 a.m. to 6 p.m., the draw need only open on the hour, twenty minutes after the hour, and forty minutes after the hour.
(d) The draw of the S37 Bridge across Barnegat Bay, mile 14.1 at Seaside Heights, shall open on signal except as follows:
   (1) From December 1 through March 31 from 11 p.m. to 8 a.m., the draw need not be opened.
   (2) From April 1 through November 30 from 11 p.m. to 8 a.m., the draw need only open if at least four hours notice is given.
   (3) From Memorial Day through Labor Day from 8 a.m. to 8 p.m., the draw need only open on the hour and half hour.
(e) The draw of the AMTRAK New Jersey Transit Rail Operations (NJTRO) automated railroad swing bridge across Beach Thorofare, mile 68.9 at Atlantic City shall operate as follows:
   (1) Open on signal from 11 p.m. to 6 a.m. From 6 a.m. to 11 p.m., the draw shall open on signal from 20 minutes to 30 minutes after each hour and remain open for all waiting vessels.
§ 117.733

(2) Opening of the draw span may be delayed for ten minutes except as provided in §117.31(b). However, if a train is moving toward the bridge and has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, that train may continue across the bridge and must clear the bridge interlocks before stopping.

(3) When the bridge is not tended locally and/or is operated from a remote location, sufficient closed circuit TV cameras shall be operated and maintained at the bridge site to enable the remotely located bridge/train controller to have full view of both river traffic and the bridge.

(4) Radiotelephone Channel 13 (156.65 MHz) VHF–FM, shall be maintained and utilized to facilitate communication in both remote and local control locations. The bridge shall also be equipped with directional microphones and horns to receive and deliver signals to vessels within a mile that are not equipped with radiotelephones.

(5) Whenever the remote control system equipment is partially disabled or fails for any reason, the bridge shall be physically tended and operated by local control. Personnel shall be dispatched to arrive at the bridge as soon as possible, but not more than one hour after malfunction or disability of the remote system. Mechanical bypass and override capability of the remote operation system shall be provided and maintained.

(6) When the draw is opening and closing, or is closed, yellow flashing lights located on the ends of the center piers shall be displayed continuously until the bridge is returned to the fully open position.

(7) The draw of the Route 30 Bridge across Beach Thorofare, mile 67.2 at Atlantic City, shall open on signal except that, year-round from 11 p.m. to 7 a.m. and, from November 1 through March 31 from 3 p.m. to 11 p.m., the draw need only open if at least four hours notice is given.

(2) From June 1 through September 30:

(i) From 9 a.m. to 4 p.m. and from 6 p.m. to 9 p.m. the draw need only open on the hour and half hour; and

(ii) From 4 p.m. to 6 p.m. the draw need not open.

(8) The draw of the Dorset Avenue Bridge across Inside Thorofare, mile 72.1 at Ventnor City, shall open on signal except that from June 1 through September 30, from 9:15 a.m. to 9:15 p.m., the draw need only open at 15 and 45 minutes after the hour.

(9) The draw of the Route 52 (Ninth Street) Bridge, mile 80.4 across Beach Thorofare, at Ocean City, shall open on signal except that:

(1) From October 1 through March 31 from 10 p.m. to 6 a.m. the draw need only open if at least eight hours notice is given.

(2) From Memorial Day through Labor Day from 6 a.m. to 6 p.m. on Saturdays, Sundays and Federal holidays, the draw need open only on the hour, 20 minutes after the hour, and 20 minutes before the hour.

(k) The draw of Cape May Canal Railroad Bridge across Cape May Canal, mile 115.1, at Cape May shall operate as follows:

(1) The draw shall be maintained in the open position; the draw may close only for the crossing of trains and maintenance of the bridge. When the draw is closed for a train crossing a bridge tender shall be present to reopen the draw after the train has cleared the bridge. When the draw is closed for maintenance a bridge tender shall be present to open the draw upon signal.

(2) Train service generally operates as follows (please contact Cape May Seashore Lines for current train schedules):

(i) Winter (generally December through March): In general, there is no train service, therefore the bridge is
§ 117.734 Navesink River (Swimming River).

The Oceanic Bridge, mile 4.5, shall open on signal; except that, from December 1 through March 31, the draw shall open on signal, if at least a twenty-four hour notice is given by calling the number posted at the bridge. The owner of this bridge shall provide and keep in good legible condition clearance gauges with figures not less than eight inches high, designed, installed and maintained according to the provisions of §118.160 of this chapter.

§ 117.735 Newark Bay.

The following requirements apply to all bridges across this waterway:

(a) Public vessels of the United States, state or local vessels used for public service, and vessels in distress shall be passed through the draw without delay. The opening signal from these vessels is four or more short blasts of a whistle or horn or a radio request.

(b) The owners of these bridges shall provide and keep in good legible condition two board gages painted white with black figures not less than 12 inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

(c) Trains and locomotives shall be controlled so that any delay in opening the draw span shall not exceed five minutes. However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, the train may continue across the bridge and must clear the bridge interlocks before stopping.

§ 117.736 Oceanport Creek.

The draw of the New Jersey Transit Rail Operations bridge, mile 8.4 near Oceanport, shall open on signal from May 15 through September 15 between 5 a.m. and 9 p.m.; except that, the bridge need not open 6 a.m. to 7:45 a.m. and 5:30 p.m. to 7:30 p.m on weekdays except holidays. The draw shall open on signal upon four hours notice from May 15 through September 15 between 9 p.m. and 5 a.m., and from September 16 through May 14; except that, the draw need not be opened from 6 a.m. to 7:45 a.m. and 5:30 p.m. to 7:30 p.m. on weekdays except holidays. Public vessels of the United States and vessels in distress shall be passed as soon as possible at any time.

§ 117.737 Oldmans Creek.

The draws of the US30 bridge, mile 3.1 at Nortonville, the Conrail railroad bridge, mile 4.0 at Jumbo, and the
§ 117.739 Overpeck Creek.

(a) The draws of the Conrail and the New York, Susquehanna and Western railroad bridges, mile 0.0 both at Ridgefield Park, NJ, operate as follows:

(1) The draws shall open on signal if at least 24 hours notice is given.

(2) Public vessels of the United States, state or local vessels used for public safety, and vessels in distress shall be passed through the draw of each bridge as soon as possible.

(3) The owners of these bridges shall provide and keep in good legible condition two b Lion gages painted white with black figures not less than 12 inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

(b) Trains and locomotives shall be controlled so that any delay in opening the draw span shall not exceed five minutes. However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, the train may continue across the bridge and must clear the bridge interlocks before stopping.

§ 117.739 Passaic River.

(a) The following requirements apply to all bridges in this section across the Passaic River:

(1) The owners of these bridges shall provide, and keep in good legible condition, clearance gauges with figures not less than twelve (12) inches high designed, installed and maintained according to the provisions of §118.160 of this chapter.

(2) New Jersey Transit Rail Operations' (NJTRO) roving crews shall consist of an adequate number of operators to ensure NJTRO bridges are operated according to the requirements of this section.

(b) The draw of the Routes 1 & 9 (Lincoln Highway) Bridge, mile 1.8, at Newark, shall open on signal if at least four hours notice is given.

(c) The draw of CONRAIL’s Point-No-Point Railroad Bridge, mile 2.6, at Newark, shall open on signal if at least four hours notice is given to the CONRAIL Movement Desk. After the signal to open is given, the opening may be delayed no more than ten minutes.

(d) The draw of the Jackson Street Bridge, mile 4.6, shall open on signal if at least four hours notice is given by calling the number posted at the bridge.

(e) The draw of Amtrak’s Dock Bridge, mile 5.0, at Harrison, shall open on signal; except that from 7:20 a.m. to 9:20 a.m. and 4:30 p.m. to 6:50 p.m., Monday through Friday except federal holidays, the draw need not be opened. At all other times, an opening may be delayed no more than ten minutes, unless the drawtender and the vessel operator, communicating by radiotelephone, agree to a longer delay.

(f) The draw of the Bridge Street Bridge, mile 5.6, shall open on signal if at least four hours notice is given by calling the number posted at the bridge.

(g) The draw of the NJTRO Newark-Harrison (Morristown Line) Bridge, mile 5.8, at Harrison, New Jersey shall open on signal if at least one hour advance notice is given to the drawtender at Upper Hack Bridge mile 6.9, across the Hackensack River at Secaucus, N.J. In the event the HX drawtender is at the Lower Hack Bridge, mile 3.4 on the Hackensack River, at Jersey City then up to an additional half hour delay in opening is permitted. After the signal to open is given, the opening may be delayed no more than ten minutes. From 7:15 a.m. to 9 a.m. and from 4:30 p.m. to 6:50 p.m., Monday through Friday except federal holidays, the draw need not open.

(h) The Route 280 Bridge, mile 5.8, at Harrison, New Jersey, shall open on signal if at least 24 hours notice is given by calling the number posted at the bridge.

(i) The draw of the Clay Street Bridge, mile 6.0, shall open on signal if
§ 117.741 Raccoon Creek.

The draws of the Route 130 highway bridge, mile 1.8 and the Conrail railroad bridge, mile 2.0, both at Bridgeport shall open on signal March 1 through November 30 from 7 a.m. to 11 p.m. At all other times, the draws shall open on signal if at least four hours notice is given. The draws shall open at all times as soon as possible for passage of a public vessel of the United States.

EFFECTIVE DATE NOTE: By CGD01–02–060, 67 FR 42999, June 26, 2002, §117.739 was amended by adding paragraph (q) and suspending paragraph (k) effective June 15, 2002 through September 3, 2002.

§ 117.743 Rahway River.

The draw of the Conrail bridge, mile 2.0 at Linden, shall open on signal from April 1 through November 30 from 6 a.m. to 10 p.m. At all other times, the draw shall open on signal if at least four hours notice is given.

§ 117.745 Rancocas River (Creek).

(a) The following requirements apply to all bridges across the Rancocas River (Creek):

(1) Public vessels of the United States, state or local vessels used for public safety and vessels in distress shall be passed through the draw of each bridge as soon as possible without delay at any time. The opening signal from these vessels is four or more short blasts of a whistle or horn, or a radio request.

(2) The owners of these bridges shall provide and keep in good legible condition clearance gauges for each draw with figures not less than 12 inches high designed, installed and maintained according to the provisions of §118.160 of this chapter.

(3) Trains and locomotives shall be controlled so that any delay in opening the draw span shall not exceed ten minutes. However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, that train may continue across the bridge and must clear the bridge interlocks before stopping or reversing.

(b) The draws of the SR#543 bridge, mile 1.3 at Riverside, the Conrail bridge, mile 1.6 at Delanco and the SR#438 bridge, mile 7.8 at Centerton, shall operate as follows:

(1) From April 1 through October 31 open on signal from 7 a.m. to 11 p.m.

(2) From November 1 through March 31 from 7 a.m. to 11 p.m., open on signal if at least 24 hours notice is given, except as provided in paragraph (a)(1) of this section.
§ 117.755 Shrewsbury River.

(a) The Route 36 Bridge, mile 1.8, at Highlands, New Jersey, shall open on signal, except that, from May 15 through October 15, 7 a.m. to 8 p.m., the draw need open only at a quarter before the hour and a quarter after the hour. The owners of the bridge shall provide and keep in good legible condition two clearance gauges, with figures not less than eight inches high, designed, installed and maintained according to the provisions of §118.160 of this chapter.

(b) The draw of the Monmouth County highway bridge, mile 4.0, at Sea Bright, shall open on signal; except that, from May 15 through September 30, on Saturdays, Sundays, and holidays, from 9 a.m. to 7 p.m., the draw

§ 117.753 Ship Channel, Great Egg Harbor Bay.

The draw of the S52 (Ship Channel) bridge, mile 0.5 between Somers Point and Ocean City, shall open:

(a) From 11 p.m. to 7 a.m., on signal, if at least 24 hours advance notice is given.

(b) From Memorial Day through Labor Day from 8 a.m. to 8 p.m., on the hour and half hour.

(c) At all other times, on signal, for any vessel.

§ 117.750 Schellenger Creek.

The draw of the Cape May County bridge, mile 0.3 at Cape May, need not be opened for the passage of vessels.

§ 117.751 Shark River (South Channel).

The draws of S71 bridge, mile 0.8, the railroad bridge, mile 0.9, and the S35 bridge, mile 0.9, all at Avon, operate as follows:

(a) The bridges operate as one unit. The owners shall provide signal systems so connected that the operator of any of the bridges may simultaneously notify the operators of the other two. The operator of the first bridge to be passed shall be responsible for observing the approach of vessels, for receiving and acknowledging signals, and for coordinating the opening of the other draws.

(b) The draws shall open on signal; except that, from May 15 through September 30 from 4 p.m. to 7 p.m. Monday through Friday except Federal holidays and from 9 a.m. to 9 p.m. Saturdays, Sundays, and holidays, the draw need be opened only on the hour and half hour if a vessel is waiting to pass.

(c) The owners of the bridges shall provide and keep in good legible condition two board gages painted white with black figures not less than eight inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridges that they are plainly visible to operators of vessels approaching the bridges either up or downstream.

§ 117.749 Salem River.

The draw of the S49 bridge, mile 3.5 at Salem, shall open on signal, if at least 24 hours notice is given.

§ 117.747 Raritan River, Arthur Kill, and their tributaries.

The draws of all bridges shall open on signal; except that, from 7:30 a.m. to 10 a.m. and 5 p.m. to 7:30 p.m., the draws may be opened for the passage of vessels for periods no longer than 10 minutes or remain closed for the passage of land traffic for no longer than 10 minutes. Public vessels of the United States and state or local vessels used for public safety shall be passed at any time.

The owners of each bridge shall maintain a tug at the drawbridge to control and aid in the passage of vessels. The owners shall provide and keep in good legible condition two board gages painted white with black figures not less than eight inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridges that they are plainly visible to operators of vessels approaching the bridges either up or downstream.

§ 117.755 Shrewsbury River.

(a) The Route 36 Bridge, mile 1.8, at Highlands, New Jersey, shall open on signal, except that, from May 15 through October 15, 7 a.m. to 8 p.m., the draw need open only at a quarter before the hour and a quarter after the hour. The owners of the bridge shall provide and keep in good legible condition two clearance gauges, with figures not less than eight inches high, designed, installed and maintained according to the provisions of §118.160 of this chapter.

(b) The draw of the Monmouth County highway bridge, mile 4.0, at Sea Bright, shall open on signal; except that, from May 15 through September 30, on Saturdays, Sundays, and holidays, from 9 a.m. to 7 p.m., the draw

§ 117.744 Raritan River, Arthur Kill, and their tributaries.

The draws of all bridges shall open on signal; except that, from 7:30 a.m. to 10 a.m. and 5 p.m. to 7:30 p.m., the draws may be opened for the passage of vessels for periods no longer than 10 minutes or remain closed for the passage of land traffic for no longer than 10 minutes. Public vessels of the United States and state or local vessels used for public safety shall be passed at any time.

The owners of each bridge shall maintain a tug at the drawbridge to control and aid in the passage of vessels. The owners shall provide and keep in good legible condition two board gages painted white with black figures not less than eight inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridges that they are plainly visible to operators of vessels approaching the bridges either up or downstream.

§ 117.749 Salem River.

The draw of the S49 bridge, mile 3.5 at Salem, shall open on signal, if at least 24 hours notice is given.

§ 117.750 Schellenger Creek.

The draw of the Cape May County bridge, mile 0.3 at Cape May, need not be opened for the passage of vessels.

§ 117.751 Shark River (South Channel).

The draws of S71 bridge, mile 0.8, the railroad bridge, mile 0.9, and the S35 bridge, mile 0.9, all at Avon, operate as follows:

(a) The bridges operate as one unit. The owners shall provide signal systems so connected that the operator of any of the bridges may simultaneously notify the operators of the other two. The operator of the first bridge to be passed shall be responsible for observing the approach of vessels, for receiving and acknowledging signals, and for coordinating the opening of the other draws.

(b) The draws shall open on signal; except that, from May 15 through September 30 from 4 p.m. to 7 p.m. Monday through Friday except Federal holidays and from 9 a.m. to 9 p.m. Saturdays, Sundays, and holidays, the draw need be opened only on the hour and half hour if a vessel is waiting to pass.

(c) The owners of the bridges shall provide and keep in good legible condition two board gages painted white with black figures not less than eight inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridges that they are plainly visible to operators of vessels approaching the bridges either up or downstream.

§ 117.755 Shrewsbury River.

(a) The Route 36 Bridge, mile 1.8, at Highlands, New Jersey, shall open on signal, except that, from May 15 through October 15, 7 a.m. to 8 p.m., the draw need open only at a quarter before the hour and a quarter after the hour. The owners of the bridge shall provide and keep in good legible condition two clearance gauges, with figures not less than eight inches high, designed, installed and maintained according to the provisions of §118.160 of this chapter.

(b) The draw of the Monmouth County highway bridge, mile 4.0, at Sea Bright, shall open on signal; except that, from May 15 through September 30, on Saturdays, Sundays, and holidays, from 9 a.m. to 7 p.m., the draw

§ 117.755 Shrewsbury River.

(a) The Route 36 Bridge, mile 1.8, at Highlands, New Jersey, shall open on signal, except that, from May 15 through October 15, 7 a.m. to 8 p.m., the draw need open only at a quarter before the hour and a quarter after the hour. The owners of the bridge shall provide and keep in good legible condition two clearance gauges, with figures not less than eight inches high, designed, installed and maintained according to the provisions of §118.160 of this chapter.

(b) The draw of the Monmouth County highway bridge, mile 4.0, at Sea Bright, shall open on signal; except that, from May 15 through September 30, on Saturdays, Sundays, and holidays, from 9 a.m. to 7 p.m., the draw

§ 117.755 Shrewsbury River.

(a) The Route 36 Bridge, mile 1.8, at Highlands, New Jersey, shall open on signal, except that, from May 15 through October 15, 7 a.m. to 8 p.m., the draw need open only at a quarter before the hour and a quarter after the hour. The owners of the bridge shall provide and keep in good legible condition two clearance gauges, with figures not less than eight inches high, designed, installed and maintained according to the provisions of §118.160 of this chapter.

(b) The draw of the Monmouth County highway bridge, mile 4.0, at Sea Bright, shall open on signal; except that, from May 15 through September 30, on Saturdays, Sundays, and holidays, from 9 a.m. to 7 p.m., the draw

§ 117.755 Shrewsbury River.

(a) The Route 36 Bridge, mile 1.8, at Highlands, New Jersey, shall open on signal, except that, from May 15 through October 15, 7 a.m. to 8 p.m., the draw need open only at a quarter before the hour and a quarter after the hour. The owners of the bridge shall provide and keep in good legible condition two clearance gauges, with figures not less than eight inches high, designed, installed and maintained according to the provisions of §118.160 of this chapter.

(b) The draw of the Monmouth County highway bridge, mile 4.0, at Sea Bright, shall open on signal; except that, from May 15 through September 30, on Saturdays, Sundays, and holidays, from 9 a.m. to 7 p.m., the draw

need open only on the hour and half hour. The draw need not be opened at any time for a sailboat, unless it is under auxiliary power or is towed by a powered vessel. The owners of the bridge shall keep in good legible condition two clearance gages, with figures not less than eight inches high, designed, installed and maintained according to the provisions of §118.160 of this chapter.

[CGD01–99–010, 64 FR 44130, Aug. 13, 1999]

§ 117.756 South River.

The draw of the Conrail bridge, mile 2.8 at South River shall open on weekdays (exclusive of holidays) from December 1 through the last day of February if at least four hours notice is given. From March 1 through November 30, and December 1 through the last day of February on weekends and holidays the draw shall be maintained open to navigation except for closure to accommodate passage of a train. The draw shall be opened as soon as possible at all times for passage of a public vessel of the United States.

[CGD3 83–067, 49 FR 33014, Aug. 20, 1984]

§ 117.757 Tuckahoe River.

The draw of the State highway bridge, mile 8.0 at Tuckahoe, shall open on signal if at least 24 hours notice is given.

§ 117.759 Wading River.

The draw of the Burlington County highway bridge, mile 5.0 at Wading River, shall open on signal if at least 24 hours notice is given.

§ 117.761 Woodbridge Creek.

The draws of the State Street bridge, mile 0.5, and the railroad bridge, mile 0.6, both at Sewaren, shall open on signal if at least four hours notice is given.

NEW YORK

§ 117.769 Black Rock Canal.

The draws of the Ferry Street bridge, mile 2.6, and Canadian National Railway bridge, mile 3.8, both at Buffalo, shall operate as follows:

(a) From April 15 through November 30, the draws shall open on signal. However, between the hours of 12 midnight and 8 a.m., seven days a week, no bridgetender is required to be in attendance at the bridges and the draws shall open on signal if notice is given to the owners at least two hours in advance of a vessel’s intended time of passage through the draws.

(b) From December 1 through April 14, no bridgetender is required to be in attendance at the bridges and the draws shall open on signal if notice is given to the owners at least four hours in advance of a vessel’s time of intended passage through the draws.


§ 117.771 Bronx River.

(a) The draw of the Bruckner Boulevard Bridge, mile 1.1, at the Bronx, New York, shall open on signal if at least a two-hour advance notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline, or the NYCDOT Bridge Operations Office. From 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m., Monday through Friday, the bridge need not be opened for the passage of vessels.

(b) The draw of the Conrail Bridge, mile 1.6 at the Bronx, New York, need not be opened for the passage of vessels.

(c) The owners of the Bruckner Boulevard Bridge, mile 1.1, and the Conrail Bridge, mile 1.6, both at the Bronx, New York, shall provide and keep in good legible condition two clearance gauges designed, installed and maintained in accordance with the provisions of §118.160 of this chapter.


§ 117.773 Buffalo River.

(a) The draw of the Michigan Avenue bridge, mile 1.3, at Buffalo, shall operate as follows:

(1) From March 22 through December 15, the draw shall open within 20 minutes of signal. However, the draw need not open from 7:30 a.m. to 9 a.m., and from 4 p.m. to 5:45 p.m., Monday through Saturday.

(2) From December 16 through March 21, the draw shall open on signal if notice is given at least 4 hours in advance
of a vessel’s time of intended passage through the draw.

(b) The draw of the Ohio Street bridge, mile 2.1, at Buffalo, shall operate as follows:

(1) From March 22 through December 15, the draw shall open on signal within 20 minutes after a request is made to the Michigan Avenue drawtender. However, the draw need not open from 7:30 a.m. to 9 a.m., and from 4 p.m. to 5:45 p.m., Monday through Saturday.

(2) From December 16 through March 21, the draw shall open on signal if notice is given at least 4 hours in advance of a vessel’s time of intended passage through the draw.

(3) In addition to the standard signals required for requesting the bridge to open, the owners of this bridge shall maintain and monitor a marine radio-telephone for use by the Michigan Avenue drawtender for receiving requests for opening the Ohio Street bridge. The drawtender shall maintain communications with any transiting vessel until the vessel has cleared both the Ohio Street and Michigan Avenue draws.

(c) The draws of the CSX Transportation railroad bridges, miles 4.02 and 4.39, both at Buffalo, shall open on signal if notice is given at least 4 hours in advance of a vessel’s time of intended passage through the draws.

(d) The South Park Avenue bridge, mile 5.3, at Buffalo, shall open on signal if notice is given at least 4 hours in advance of a vessel’s time of intended passage through the draw. However, the draw need not open from 7 a.m. to 8:30 a.m., and from 4:30 p.m. to 6 p.m., Monday through Saturday.

(e) The periods when the bridges need not open on signal prescribed in paragraphs (a)(1), (b)(1), and (d) in this section shall not be effective on Sundays, and on New Year’s Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, or days observed in lieu of any of these under State law.

§ 117.783 Flushing Creek.

The draws of the Northern Boulevard bridge, mile 0.2, the Roosevelt Avenue bridge, mile 0.6, and the Long Island Railroad bridge, mile 1.0, all at New York City, need not be opened for the passage of vessels.

§ 117.785 Genessee River.

(a) The following applies to all bridges listed in this section:
§ 117.787 Gowanus Canal.

The draws of the Ninth Street Bridge, mile 1.4, the Third Street Bridge, mile 1.8, the Carroll Street Bridge, mile 2.0, and the Union Street Bridge, mile 2.1, at Brooklyn, shall open on signal, if at least a two-hour advance notice is given to the New York City Department of Transportation (NYCDOT), Radio Hotline, or the NYCDOT Bridge Operations Office.

[CGDO1-99--067, 65 FR 48870, Aug. 1, 2000]

§ 117.789 Harlem River.

(a) The draws of all bridges across the Harlem River, except the Spuyten Duyvil railroad bridge, need not be opened from 5 p.m. to 10 a.m. However, at all times, public vessels of the United States and New York City vessels used for public safety shall be passed through the draw of each bridge listed in this section as soon as possible.

(b) The draws of the railroad bridges across this waterway need not open on signal from the time an express passenger train scheduled to cross the bridge is within five minutes of the bridge until the train has crossed the bridge.

(c) The draws of the bridges at 103rd Street, mile 0.0, Willis Avenue, mile 1.5, 3rd Avenue, mile 1.9, Madison Avenue, mile 2.3, 145th Street, mile 2.8, Macombs Dam, mile 3.2, 207th Street, mile 6.0, and the two Broadway bridges, mile 6.8, need not open on signal at any time, except as provided in paragraph (b) of this section.

(d) The draw of the Triborough (125th Street) bridge, mile 1.3, shall open on signal from 10 a.m. to 5 p.m. if at least a four-hour advance notice is given.

(e) The draw of the Metro North (Park Avenue) Bridge, mile 2.1, shall open on signal, except as provided in paragraph (b) of this section, from 10 a.m. to 5 p.m., if at least a four-hour advance notice is given by calling the number posted at the bridge.

(f) The draw of the Spuyten Duyvil railroad bridge, mile 7.9, shall open on signal at any time, except as provided in paragraph (b) of this section.

(g) The draws of the bridges at 103rd Street, mile 0.0, Willis Avenue, mile 1.5, 3rd Avenue, mile 1.9, Madison Avenue, mile 2.3, 145th Street, mile 2.8, Macombs Dam, mile 3.2, the 207th Street, mile 6.0, and the two Broadway bridges, mile 6.8, shall open on signal from 10 a.m. to 5 p.m. if at least a four-hour advance notice is given to the New York City Highway Radio (Hotline) Room; except that the Madison Avenue Bridge, mile 2.3, need not open for vessel traffic from February 18 through May 24, 2002 and the Macombs Dam Bridge, mile 3.2, need not open for vessel traffic from April 2 through
§ 117.791 Hudson River.

(a) The draws of the bridges listed in this section shall open as soon as possible at any time for the passage of the following vessels:
   (1) Downbound vessels during a freshet of a height exceeding an elevation determined by the District Commander.
   (2) Public vessels of the United States.
   (3) State or local vessels used for public safety.
   (4) Vessels of 500 tons or more.
   (5) Tugs with a tow on a hawser.

(b) The draws of the bridges listed in this section shall not remain open for more than 15 minutes and may remain closed for up to 10 minutes to allow accumulated land traffic to pass.

(c) The draw of the CSX Transportation bridge, mile 146.2 between Albany and Rensselaer, shall open on signal; except that, from December 16 through March 31, the draw shall open on signal if at least 24 hours notice is given.

(d) The draw of the state highway bridge, mile 150.2 between Troy and Menands, need not be opened for the passage of vessels.

(e) The draw of the highway bridge, mile 152.7 between Troy and Green Island, operates as follows:
   (1) From April 1 through December 15, the draw shall open on signal from 9 a.m. to 4 p.m.; except that, the draw need not be opened from 6 p.m. to 7 a.m., unless notice is given before 4:30 p.m. of the time the vessel is expected to pass, and need not open from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
   (2) From December 16 through March 31, the draw need not be opened.
   (f) The draws of the 112th Street bridge, mile 155.4 between Troy and Cohoes operate as follows:
      (1) The draws shall open on signal from 9 a.m. to 4 p.m.
      (2) The draws shall open on signal from 6 p.m. to 7 a.m., if notice is given, before 4:30 p.m., of the time the vessel is expected to pass.
      (3) The draws need not be opened from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
      (4) During the period that the Federal Lock at Troy is inoperative, the draws need not be opened for the passage of vessels, provided that emergency openings be made as soon as possible.

§ 117.793 Hutchinson River (Eastchester Creek).

(a) The following requirements apply to all bridges across Hutchinson River (Eastchester Creek):
   (1) The owners of each bridge shall provide and keep in good legible condition clearance gauges for each draw with figures not less than 12 inches high designed, installed and maintained according to the provision of §118.160 of this chapter.
   (2) Trains and locomotives shall be controlled so that any delay in opening the draw shall not exceed ten minutes except as provided in §117.31(b). However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, the train may continue across the bridge and must clear the bridge interlocks before stopping.
   (3) Except as provided in paragraphs (b) and (c) of this section each draw shall open on signal.
   (b) The draw of the Hutchinson River Parkway Bridge, mile 0.9, at the Bronx, New York shall open on signal if at least a two-hour notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline, or the NYCDOT Bridge Operations Office.
   (c) The draw of the South Fulton Avenue Bridge, mile 2.9, shall open on signal from three hours before to three hours after the predicted high tide. For the purposes of this section, predicted
§ 117.795 Jamaica Bay and Connecting Waterways.

(a) The draw of the Marine Parkway bridge, mile 3.0 over Rockaway Inlet, shall open on signal Monday through Friday from 8 a.m. to 4 p.m. At all other times, the draw shall open on signal if at least eight hours notice is given; however, the draw shall open on signal if at least a one hour notice is given for the passage of U.S. Navy or National Oceanic and Atmospheric Administration vessels.

(b) The draws of the New York City highway bridge, mile 0.8 across Mill Basin on Belt Parkway, need not be opened for the passage of vessels from noon to 9 p.m. on Sundays from May 15, 2002 to December 31, 2002 and on Labor Day. However, on these days, from two hours before to one hour after predicted high tide, the draw shall open on signal. For the purposes of this section, predicted high tide occurs 15 minutes later than that predicted for Sandy Hook, as given in the tide tables published by the National Oceanic and Atmospheric Administration.

§ 117.797 Lake Champlain.

(a) The draw of each bridge listed in this section shall open as soon as possible for public vessels of the United States and vessels of the Vermont Fish and Game Department.

(b) The draw of the US2 Bridge, mile 91.8, over Lake Champlain, between South Hero Island and North Hero Island, shall operate as follows:

1. The draw shall open on signal on the hour and the half hour from May 15th through October 15th from 8 a.m. to 8 p.m. daily.
2. The draw shall open on signal from May 15th through October 15th from 8 p.m. to 8 a.m. if at least four hours after predicted high water for New York (Battery), as given in the tide tables published by private entities using data provided by the National Ocean Service.

(c) The draws of the New York City Cross Bay Boulevard bridge, mile 10.0, and the New York City Transit Authority bridge, mile 10.6 both across the North Channel at Hamilton Beach, need not be opened for the passage of vessels.

(d)(1) The draws of the New York City highway bridge, mile 0.8, across Mill Basin on Belt Parkway, need not be opened for the passage of vessels from noon to 9 p.m. on Sundays from March 1, 2002 to December 31, 2002 and on Labor Day. However, on these days, from two hours before to one hour after predicted high tide, the draw shall open on signal. For the purposes of this section, predicted high tide occurs 15 minutes later than that predicted for Sandy Hook, as given in the tide tables published by the National Oceanic and Atmospheric Administration.

2. From 10 p.m. to 5 a.m., Sunday through Thursday, from March 1, 2002 through December 31, 2002, the draw shall open on signal after at least a one-hour advance notice is given by calling the number posted at the bridge.

3. At all times, public vessels of the United States and state or local vessels used for public safety shall be passed as soon as possible.

EFFECTIVE DATE NOTE: By CGD01–02–011, 67 FR 9201, Feb. 28, 2002, § 117.795 was amended by suspending paragraph (b) and adding paragraph (d) effective Mar. 1, 2002 through Dec. 31, 2002.
hours notice is given by calling the number posted at the bridge.

(3) The draw shall open on signal from October 16th through May 14th if at least four hours notice is given by calling the number posted at the bridge.

(c) The draw of the Central Vermont Railway bridge across Missisquoi Bay, mile 105.6 shall open on signal:

(1) From June 15 through September 15:

(i) Monday through Friday from 9 a.m. to 5 p.m.;

(ii) Saturdays, Sundays, Independence Day and Labor Day from 7 a.m. to 11 p.m.;

(iii) At all other times, if at least two hours notice is given.

(2) From September 16 through June 14 if at least 24 hours notice is given.

(d) The draw of the SR78 bridge, mile 105.9 across the entrance to Missisquoi Bay between Alburg Tongue and Hog Island at East Alburg, shall open on signal if at least 24 hours notice is given.


§117.799 Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal.

(a) At all times, public vessels of the United States, state or local vessels used for public safety and vessels in distress shall be passed through the draws of each bridge listed in this section as soon as possible.

(b) The draw of each bridge listed in this section need not be opened for sailing vessels, unless the vessels are under machinery power or under tow, if an opening would unduly delay other vessel or vehicular traffic.

(c) The owners of the bridges listed in this section shall provide and keep in good legible condition two board gages painted white with black figures not less than eight inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridges that they are plainly visible to operators of vessels approaching the bridges either up or downstream.

(d) The draws of the West Bay bridge, mile 0.1 across Quantuck Canal, Beach Lane bridge, mile 1.1 across Quantuck Canal, Quoque bridge, mile 1.1 across Quoque Canal and the Smith Point bridge, mile 6.1 across Narrow Bay shall open on signal from October 1 through April 30 from 8 a.m. to 4 p.m. and from May 1 through September 30 from 6 a.m. to 10 p.m. At all other times during these periods, the draws shall open as soon as possible but no more than one hour after a request to open is received.

(e) The draw of the Atlantic Beach Bridge across Reynolds Channel, mile 0.4, shall open on signal—

(1) From October 1 through May 14;

(2) From May 15 through September 30, except that it need be opened only on the hour and half-hour from 4 p.m. to 7 p.m. on weekdays and from 11 a.m. to 9 p.m. on Saturdays, Sundays, Memorial Day, Independence Day, and Labor Day; and

(3) From May 15 through September 30, from two hours before to one hour after predicted high tide. Predicted high tide occurs 10 minutes earlier than that predicted for Sandy Hook, as given in the tide table published by the National Oceanic and Atmospheric Administration.

(f) The draw of the Loop Parkway Bridge across Long Creek, mile 0.7, shall open on signal every other hour on the even hour; except that, from April 1 through October 31 on Saturdays, Sundays, and Federal holidays, the draw shall open on signal every three hours beginning at 3 a.m. If an opening is desired at other than a scheduled time, notice may be given from the telephone located on either side of the bridge or via marine radiotelephone.

(g) The draw of the Long Beach Bridge across Reynolds Channel, mile 4.7, shall open on signal; except that:

(1) From midnight to 8 a.m. year-round, the draw shall open on signal if at least four hours notice is given; and

(2) From 3 p.m. to 8 p.m. on Saturdays, Sundays, and holidays from May 15 through September 30, the draw need be opened only on the hour and half hour.

(h) The draw of the Meadowbrook State Parkway bridge, mile 12.8 across Sloop Channel, shall open on signal if at least one half hour notice is given to
the New York State Department of Transportation, as follows:

(1) Every other hour on the even hour.

(2) From April 1 through October 31 on Saturdays, Sundays, and Federal holidays, every three hours beginning at 1:30 a.m. Notice may be given from the telephone located at the moorings on each side of the bridge or by marine radiotelephone.

(i) The draws of the Wantagh State Parkway bridge, mile 16.1 across Goose Creek, and the Captree State Parkway bridge, mile 30.7 across State Boat Channel at Captree Island, shall open on signal if at least one half hour notice is given to the New York State Department of Transportation, as follows:

(1) Every other hour on the even hour.

(2) From April 1 through October 31 on Saturdays, Sundays, and Federal holidays, every three hours beginning at 1:30 a.m. Notice may be given from the telephone located at the moorings on each side of the bridge or by marine radiotelephone.

(j) The Atlantic Beach Bridge, mile 0.4, across Reynolds Channel, from April 22, 2002 through October 31, 2002, shall open on signal, except as follows:

(1) Only one moveable bridge span need be opened for the passage of vessel traffic between 7 a.m. to 5 p.m., daily, except as provided in paragraph (j)(3) of this section.

(2) From 4 p.m. to 7 p.m. on weekdays, and from 11 a.m. to 9 p.m. on weekends and holidays, the draw shall open on signal only on the hour and half-hour, except as provided in paragraph (j)(3) of this section.

(3) From one-hour before to one-hour after the predicted high tide, two moveable spans may be opened for the passage of vessel traffic, provided at least a two-hour advance notice is given by calling the number posted at the bridge. For the purposes of this section, predicted high tide occurs 10 minutes earlier than that predicted for Sandy Hook, as given in the tide tables published by the National Oceanic and Atmospheric Administration.

§ 117.801 Newtown Creek, Dutch Kills, English Kills and their tributaries.

(a) The following requirements apply to all bridges across Newtown Creek, Dutch Kills, English Kills, and their tributaries:

(1) The owners of all bridges across Newtown Creek, Dutch Kills, English Kills and their tributaries listed under this section, shall provide and keep in good legible condition two clearance gauges with figures not less than 12 inches high designed, installed and maintained according to the provisions of §118.160 of this chapter.

(b) Trains and locomotives shall be controlled so that any delay in opening the draw shall not exceed five minutes. If a train moving toward the bridge has crossed the home signal for the bridge before the request to open the bridge is given, that train may continue across the bridge, but must clear the interlock before stopping.

(c) The draws of the Long Island Railroad bridges, at mile 1.1, across Dutch Kills at Queens, shall open on signal if at least six-hours advance notice is given to the Long Island Railroad Movement Bureau, except as provided in paragraph (a)(2) of this section.

(d) The draw of the Borden Avenue Bridge, mile 1.2, across Dutch Kills at Queens, shall open on signal if at least a two-hour advance notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline or NYCDOT Bridge Operations Office.

(e) The draw of the Hunters Point Avenue Bridge, mile 1.4, across Dutch Kills at Queens, shall open on signal if at least a two-hour advance notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline or NYCDOT Bridge Operations Office.

(f) The draw of the Metropolitan Avenue Bridge, mile 3.4, across English Kills at New York City, shall open on signal if at least a two-hour advance notice is given to the New York City Department of Transportation.
§ 117.821 Atlantic Intracoastal Waterway, Albemarle Sound to Sunset Beach.

(a) The drawbridges across the Atlantic Intracoastal Waterway in North Carolina shall open on signal for commercial vessels at all times and on signal for pleasure vessels, except at the times and during the periods specified in this paragraph:

1. S.H. 94 Bridge, mile 113.7, at Fairfield, NC from April 1 to November 30, between 7 a.m. and 7 p.m., the draw need only open on the hour and half hour.

2. Onslow Beach Swing Bridge, mile 240.7, at Cap Lejeune, NC, between 7 a.m. and 7 p.m., the draw need only open on the hour and half hour.
§ 117.822 Beaufort Channel, NC.

The draw of the US 70 bridge, mile 0.1, at Beaufort, shall open as follows:

(a) From 6 a.m. to 10 p.m., the draw need only open every hour on the hour and on the half hour; except that Monday through Friday the bridge need not open between the hours of 6:30 a.m. to 8 a.m. and 4:30 p.m. to 6 p.m.

(b) From 10 p.m. to 6 a.m., the bridge shall open on signal.

[CGD05–01–001, 66 FR 40119, Aug. 2, 2001]

§ 117.823 Neuse River.

(a) The draw of the U.S. 17 bridge, mile 33.7, at New Bern:

(1) Need not open from 6:30 a.m. to 8:30 a.m. and from 4:00 p.m. to 6:00 p.m., Monday through Friday, for pleasure vessels. However, the draw shall open at 7:30 a.m. and 5:00 p.m., for any vessel waiting to pass.

(2) Need not open from 2:00 p.m. to 7:00 p.m., from May 24 through September 8, on Sundays and Federal holidays, for pleasure vessels. However, the draw shall open at 4:00 p.m. and 6:00 p.m., for any vessel waiting to pass.

(3) Shall always open on signal for public vessels of the United States, State or local vessels used for public safety, tugs with tows, vessels in distress.

(4) Shall open on signal at all other times.

(b) If a pleasure vessel is approaching a drawbridge which is only required to open on the hour or on the hour and half hour, and cannot reach the drawbridge on the hour or on the half hour, the drawtender may delay the required opening up to 10 minutes past the hour or half hour.


§ 117.825 Newport River.

The draw of the Atlantic and East Carolina Railway bridge, mile 13.0 at Newport, need not be opened for the passage of vessels.

§ 117.829 Northeast River.

The draw of the Seaboard System Railroad bridge across the Northeast River, 27.0, at Castle Hayne, North Carolina shall open on signal if at least 4 hours notice is given.

[CGD–84–05, 50 FR 14702, Apr. 15, 1985]

§ 117.831 Pamlico and Tar Rivers.

The draws of the US17–264 bridge, mile 37.2 at Washington, and the Boyds Ferry bridge, mile 44.8 at Grimesland, shall open on signal if at least 24 hours notice is given. The bridge owners shall restore constant attendance when so directed by the District Commander.

§ 117.833 Pasquotank River.

(a) The draw of the Albemarle & Chesapeake railroad bridge, mile 47.7, at Elizabeth City, North Carolina, shall be maintained in the open position; the draw may close only for the crossing of trains and maintenance of the bridge. When the draw is closed, a bridgetender shall be present to reopen the draw after the train has cleared the bridge.

(b) The draw of the US 158 Highway Bridge, mile 50.7, at Elizabeth City, shall open on signal; except that between 7 a.m. and 9 a.m., and 4 p.m. and 6 p.m., Monday through Friday, the draw need open only at 7:30 a.m., 8:30
§ 117.835 Perquimans River.

The draw of the US17 bridge, mile 12.0 at Hertford, shall open on signal from 8 a.m. to midnight from April 1 through September 30 and from 10 a.m. to 10 p.m. from October 1 through March 31. The draw need not be opened at all other times.

§ 117.837 Roanoke River.

The draw of the Seaboard System Railroad bridge, mile 94.0 at Palmyra, need not be opened for the passage of vessels.

§ 117.841 Smith Creek.

The draw of the S117–S133 bridge, mile 1.5 at Wilmington, shall open on signal if at least 24 hours notice is given.

§ 117.843 Trent River.

(a) The draw of the U.S. 70 bridge, mile 0.0, at New Bern:

(1) Need not open from 6:30 a.m. to 8:30 a.m. and from 4:00 p.m. to 6:00 p.m., Monday through Friday, for pleasure vessels. However, the draw shall open at 7:30 a.m. and 5:00 p.m. for any vessel waiting to pass.

(2) Need not open from 2:00 p.m. to 7:00 p.m. from May 24 through September 8, on Sundays and Federal holidays, for pleasure vessels. However, the draw shall open at 4:00 p.m. and 6:00 p.m. for any vessel waiting to pass.

(3) Shall always open on signal for public vessels of the United States, State or local vessels used for public safety, tugs with tows, and vessels in distress.

(4) Shall open on signal at all other times.

(b) The draws of the Seaboard System Railroad bridge, mile 18.0 near Pollocksville, need not be opened for the passage of vessels.

§ 117.847 Ashtabula River.

(a) The draw of the Fifth Street bridge, mile 1.4 at Ashtabula, shall open on signal for the passage of commercial and emergency vessels and on the hour and half hour for all other vessels.

(b) The draw of the Norfolk Southern bridge, mile 1.5 at Ashtabula, shall open on signal from April 1 through November 30 from 7 a.m. to 11 p.m. At all other times the draw shall open on signal if at least 24 hours notice is given.

§ 117.849 Muskingum River (Zanesville Canal).

The draw of the Conrail bridge, mile 77.1 at Zanesville, shall open on signal Tuesday through Friday if the Conrail office is notified by 12:01 p.m. on the day preceding the day the opening is required. For openings Saturday through Monday, the Conrail office shall be notified by 12:01 p.m. on Friday specifying which day and time the opening is required. In case of emergency, the draw shall open as soon as possible.

§ 117.850 Black River.

The draw of the Erie Avenue bridge, mile 0.6, at Lorain shall open on signal except as follows:

(a) From April 1 through December 31—

(1) From 7 a.m. to 6 p.m., Monday through Friday, except legal holidays, the draw need open only on the hour and half-hour for pleasure craft; however, the draw need not open for pleasure craft at 8 a.m., 3 p.m., 4 p.m. and 5 p.m. For commercial vessels the draw shall open on signal as soon as possible.

(2) From 11 a.m. to 6 p.m., Saturdays, Sundays and legal holidays, the draw need open only on the hour and half-
§ 117.851 Portage River.

(a) Public vessels of the United States, State or local government vessels used for public safety, vessels in distress and vessels seeking shelter from rough weather shall be passed through the draws listed in this section as soon as possible. Except as provided in paragraph (c)(1)(ii) with respect to the Monroe Street bridge, commercial vessels shall be passed through the draws of this section as soon as possible.

(b) The owners of the bridges listed in this section shall provide and keep in good legible condition two board gages painted white with black figures to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

(c) The draw of the Monroe Street bridge, mile 0.4 at Port Clinton, shall open as follows:

(i) From May 1 through November 30—

(ii) Between the hours of 12 midnight and 6 a.m., the draw shall open on signal.

(ii) Between the hours of 6 a.m. and 12 midnight, the draw shall open on signal. However, the draw need not open on signal during this time for recreational craft and commercial vessels licensed to carry fifteen or less passengers, or less than ten gross tons, unless in distress or seeking shelter from rough weather. For these vessels, the draw need open only from three minutes before to three minutes after the hour and half-hour.

(ii) From December 1 through April 30, the draw shall open on signal if at least 24 hours’ notice is given.

(d) The draw of the Norfolk Southern bridge, mile 1.5 at Port Clinton, shall open on signal. However, from December 1 through April 30, the draw shall open on signal if at least 24 hours’ notice is given.

§ 117.853 Sandusky Bay.

The draw of the Norfolk Southern bridge, mile 3.5 at Sandusky, shall open on signal from April 1 through October 31 and from November 1 through November 30 from 8 a.m. to 4 p.m. At all other times, the draw shall open on signal if at least 24 hours notice is given to the Chief Dispatcher, Central Union Terminal, Toledo.

§ 117.855 Maumee River.

(a) The draw of the Craig Memorial highway bridge, mile 3.30, at Toledo, shall operate as follows:

(i) From April through December 30—

(ii) Between the hours of 7 a.m. and 11 p.m., the draw need open only from three minutes before to three minutes after the hour and half-hour with no opening required at 7:30 a.m. and 4:30 p.m. for commercial vessels, during this period of time, the draw shall open on signal as soon as possible.

(ii) Between the hours of 11 a.m. and 7 a.m., the draw shall open on signal for commercial vessels and pleasure craft.

(ii) From December 21 through March 31, no bridgetenders are required to be on duty at the bridge and the draw shall open on signal from December 21 through December 31, if at least a four
hour advance notice is given and from January 1 through March 31, if at least a twelve hour advance notice is given.

(b) The draw of the Cherry Street highway bridge, mile 4.30 at Toledo, shall operate as follows:

(1) From April 1 through December 20—

(i) Between the hours of 7 a.m. and 11 p.m., the draw need open only from three minutes before to three minutes after the quarter and three-quarter hour with no opening required at 7:45 a.m. and 4:45 p.m. for pleasure craft; for commercial vessels, during this period of time, the draw shall open on signal as soon as possible.

(ii) Between the hours of 11 p.m. and 7 a.m., the draw shall open on signal for commercial vessels and pleasure craft.

(2) From December 21 through March 31, no bridgetenders are required to be at the bridge and the draw shall open on signal from December 21 through December 31, if at least a four hour advance notice is given and from January 1 through March 31, if at least a twelve hour advance notice is given.

(c) The draw of the CSX Transportation railroad bridge, mile 1.07, Norfolk Southern railroad bridge, mile 1.80 and Norfolk Southern railroad bridge, mile 5.76, all at Toledo, shall operate as follows:

(1) From April 1 through December 20, the draws shall open on signal for all vessels.

(2) From December 21 through March 31, no bridgetenders are required to be at the bridges and the draws shall open on signal for commercial vessels and pleasure craft from December 21 through December 31, if at least a four hour advance notice is given and from January 1 through March 31, if at least a twelve hour advance notice is given.

(d) At all times, the bridges listed in this section shall open as soon as possible for public vessels of the United States, state or local government vessels used for public safety and vessels in distress.

§ 117.869 Columbia River.

(a) The draws of the Interstate 5 Bridges, mile 106.5, between Portland, OR, and Vancouver, WA, shall open on signal except that the draws need not be opened for the passage of vessels from 6:30 a.m. to 9 a.m. and from 2:30 p.m. to 6 p.m. Monday through Friday except federal holidays.

(1) When the river gauge at the bridge indicates 6.0 feet, or more, as determined by the drawtender on duty, the draws need not open for the passage of commercial vessels from 6:30 a.m. to 9 a.m. and from 3:30 p.m. to 6 p.m. Monday through Friday, except Federal holidays, and for all other vessels the draws need not open from 5:30 a.m. to 9 a.m. and from 2:30 p.m. to 6

§ 117.861 Blind Slough.

The draws of the Portland and Western railroad bridge, mile 1.1 at Knappa, shall open on signal if at least one hour notice is given. However, the draw shall open promptly on signal from four hours before to four hours after each day’s authorized commercial fishing period established by the Columbia River Compact (Washington State Department of Fisheries and the Fish Commission of Oregon) for the Columbia River Fishery below Bonneville Dam.

§ 117.865 Clatskanie River.

The draw of the Portland and Western railroad bridge, mile 0.7 at Clatskanie, shall open on signal if at least one hour’s notice is given. However, the draw shall open promptly on signal from four hours before to four hours after each day’s authorized commercial fishing period established by the Columbia River Compact (Washington State Department of Fisheries and the Fish Commission of Oregon) for the Columbia River Fishery below Bonneville Dam.

§ 117.867 [Reserved]
§ 117.871 Coos Bay.

The draw of the Union Pacific railroad bridge, mile 9.0 at North Bend, shall be maintained in the fully open position, except for the crossing of trains or for maintenance. During foggy weather, a fog bell installed in the center of the draw shall be rung continuously, striking every 10 seconds. At any time during foggy weather when the draw is closed and passage is not clear for vessels, a siren shall be sounded continuously. The siren shall be capable of being heard at a distance of one mile from the draw. When the bridge is again opened, the siren shall be stopped, indicating that the way is clear for the passage of vessels.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984; 49 FR 37382, Sept. 24, 1984]

§ 117.873 Coos River.

The draw of the Oregon State secondary highway bridge, mile 2.2 near Eastside, shall open on signal if at least 12 hours notice is given.

§ 117.875 Coquille River.

The draws of the US 101 highway bridge, mile 3.5 at Bandon, Oregon, shall open on signal if at least two hours notice is given to the drawtender at the Coos Bay South Slough bridge.


§ 117.879 Isthmus Slough.

The draw of the Oregon State secondary highway bridge, mile 1.0, at Coos Bay, shall open on signal if at least 24 hours notice is given.


§ 117.881 John Day River.

(a) The draw of the Portland and Western railroad bridge, mile 0.0 near Astoria, shall open on signal if at least one hour notice is given. However, the draw shall open promptly on signal from four hours before to four hours

p.m. Monday through Friday, except Federal holidays.

(2) When the river gauge at the bridge indicates 5.9 feet, or less, as determined by the drawtender on duty, the draws need not open for the passage of any vessels from 5:30 a.m. to 9 a.m. and from 2:30 p.m. to 6 p.m. Monday through Friday, except Federal holidays.

(b) The draw of the Port of Hood River bridge, mile 169.8 at Hood River, shall open on signal if at least 12 hours notice is given.

(c) The draw of the Burlington Northern Santa Fe railroad bridge, mile 201.2 between Celilo, Oregon, and Wishram, Washington, is automated and is normally maintained in the fully open-to-navigation position.

(1) Lights. All lights required for automated operation shall be visible to marine traffic for a distance of at least 2 miles and shall be displayed at all times, day and night.

(i) When the draw is fully open, a steady green light shall be displayed at the center of the drawspan on both upstream and downstream sides.

(ii) When the draw is not fully open, a steady red light shall be displayed at the center of the drawspan on both upstream and downstream sides.

(iii) When the draw is about to close, flashing yellow lights in the form of a down-pointing arrow shall be displayed at the center of the drawspan on both upstream and downstream sides.

(2) Operation. When a train approaches the bridge, the yellow lights shall start flashing. After an 8-minute delay, the green lights shall change to red, the draw shall lower and lock, and the yellow lights shall be extinguished. Red lights shall continue to be displayed until the train has crossed and the drawspan is again in the fully open position. At that time, the red lights shall change to green.

(3) Vessels equipped with radiotelephones may contact Burlington Northern Santa Fe to obtain information on the status of the bridge. Bridge status information also may be obtained by calling the commercial telephone number posted at the drawspan of the bridge.

Coast Guard, DOT

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after each day’s authorized commercial fishing period established by the Columbia River Compact (Washington State Department of Fisheries and the Fish Commission of Oregon) for the Columbia River Fishery below Bonneville Dam.

(b) [Reserved]


§ 117.885 [Reserved]

§ 117.887 Oregon Slough (North Portland Harbor).

The draw of the Burlington Northern Santa Fe railroad bridge, mile 3.2 at Portland, shall open on signal if at least one half hours notice is given.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984, as amended by CGD13 84–13, 49 FR 35627, Sept. 11, 1984]

§ 117.889 Siuslaw River.

(a) The draw of the US101 bridge, mile 5.0 at Florence, shall open on signal if at least two hours notice is given.

(b) The draw of the Central Oregon and Pacific railroad bridge, mile 8.0 near Cushman, shall open on signal if at least 24 hours notice is given.


§ 117.891 [Reserved]

§ 117.892 South Slough.

The draw of the Oregon State highway bridge across South Slough at Charleston shall open on signal for the passage of vessels, except that between the hours of 7 a.m. and 7 p.m., from June 1 through September 30, the draw need be opened only on the hour and half-hour. This exception shall not apply to vessels in distress, commercial tugs and/or tows, or public vessels of the United States.

[CGD13 84–14, 49 FR 35498, Sept. 10, 1984]

§ 117.893 Umpqua River.

(a) The draw of the US 101 Bridge, mile 11.1, at Reedsport, Oregon, shall open on signal if at least two hours notice is given.

(b) The draw of the Central Oregon and Pacific railroad bridge, mile 11.5 at Reedsport, shall be maintained in the fully open position, except for the crossing of trains or other railroad equipment or for maintenance. During foggy weather when the draw is closed and the channel is not clear for the passage of vessels, a fog horn with an audible range of one-half mile from the draw shall be sounded. Two clear signals of approximately six seconds duration each, repeated at intervals of 60 seconds from completion of the second signal to commencement of closure to full opening of the draw. When the draw is again in the open position, the fog horn shall be stopped, indicating that the channel is clear for the passage of vessels.

(c) The draw of the US101 bridge across the side channel of the Umpqua River, mile 11.1 near Reedsport, need not be opened for the passage of vessels.


§ 117.895 Wallooskee River.

The draw of the Oregon State secondary highway bridge, mile 1.0 near Astoria, shall open on signal if at least 48 hours notice is given.


§ 117.897 Willamette River.

(a) The draw of the following bridges operate as follows:

(1) The draws shall open on signal except that from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. Monday through Friday the draws of the Broadway, Steel (upper deck only), Burnside, Morrison, and Hawthorne Bridges need not open for the passage of vessels. These closed periods are not effective on New Year’s Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day. At least one hour’s notice shall be given for openings of the Steel Bridge (upper deck only).
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Burnside Bridge and Morrison Bridge, Monday through Friday, from 8 a.m. to 5 p.m. At all other times at least two hours notice shall be given. Notice shall be given by marine radio, telephone, or other means to the drawtender at the Broadway Bridge for vessels bound upstream and to the drawtender at the Hawthorne Bridge for vessels bound downstream. During Rose Festival Week or when the water elevation reaches and remains above +12 feet, the draws will open on signal without advance notice, except during the normal closed periods identified in this paragraph (a)(1). Opening signals are as follows:

(i) Broadway Bridge, Portland, mile 11.7, two prolonged followed by one short blast.
(ii) Steel Bridge, Portland, mile 12.1, one prolonged followed by one short blast.
(iii) Burnside Bridge, Portland, mile 12.4, one prolonged followed by two short blasts.
(iv) Morrison Bridge, Portland, mile 12.8, one prolonged followed by three short blasts.
(v) Hawthorne Bridge, Portland, mile 13.1, one prolonged followed by four short blasts.

(2) The closed periods do not apply to harbor patrol or fire boats answering calls and, for the Broadway Bridge only, oceangoing vessels of 750 gross tons or over.

(3) Signals to open shall be given by vessels at a distance of at least 1,000 feet from the bridge, except in case of a vessel leaving a wharf or anchorage or when waiting less than 1,000 feet from the bridge. In these cases, the signal must be given early enough to allow the operator of the bridge sufficient time in which to clear and open the draw before arrival of the vessel.

(4) In case two vessels which are approaching from opposite directions meet at or near the bridge, the vessel bound downstream has the right of way.

(b) The draws of the Union Pacific railroad bridge, mile 84.3, at Salem; mile 119.6, at Albany; and mile 164.3, near Harrisburg, need not open for the passage of vessels. However the draws shall be returned to operable condition within six months after notification by the District Commander to do so.

(c) The draw of the Oregon State highway bridge, mile 132.1, at Corvallis, shall open on signal if at least seven days notice is given. However the draw need not be opened on Saturdays, Sundays, and Federal holidays.

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Youngs Bay and Lewis and Clark River.

(a) The draw of the US 101 (New Youngs Bay) highway bridge, mile 0.7, across Youngs Bay at Smith Point shall open on signal for the passage of vessels if at least one half-hour notice is given to the drawtender at the Lewis and Clark River Bridge by marine radio, telephone, or other suitable means from 6 a.m. to 6 p.m. Monday through Friday and from 8 a.m. to 4 p.m. on Saturday and Sunday. At all other times at least a four-hour notice by telephone is required. The opening signal shall be two prolonged blasts followed by one short blast.

(b) The draw of the Oregon State (Old Youngs Bay) highway bridge, mile 2.4, across Youngs Bay foot of Fifth Street, shall open on signal for the passage of vessels if at least one half-hour notice is given to the drawtender at the Lewis and Clark River Bridge by marine radio, telephone, or other suitable means from 6 a.m. to 6 p.m. Monday through Friday and from 8 a.m. to 4 p.m. on Saturday and Sunday. At all other times at least a four-hour notice by telephone is required. The opening signal is two prolonged blasts followed by one short blast.

(c) The draw of the Oregon State (Lewis and Clark River) highway bridge, mile 1.0, across the Lewis and Clark River, shall open on signal for the passage of vessels if at least one half-hour notice is given by marine radio, telephone, or other suitable means from 6 a.m. to 6 p.m. Monday through Friday and from 8 a.m. to 4 p.m. on Saturday and Sunday. At all other times at least a four-hour notice is required. The opening signal is one
prolonged blast followed by four short blasts.  

§ 117.901 Chester Creek.  
The draw of the Front Street bridge, mile 0.1 at Chester, shall open on signal if at least 24 hours notice is given.  

§ 117.903 Darby Creek.  
(a) The draw of the CONRAIL Railroad Bridge, mile 0.3, at Essington, will operate as follows:  
(1) The owner of this bridge on this waterway shall provide and keep in good legible condition two board gages painted white with black figures, nine inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge either up or downstream.  
(2) Trains shall be controlled so that any delay in opening of the draw shall not exceed ten minutes except as provided in §117.31(b). However, if a train moving toward the bridge has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, the train may continue across the bridge and must clear the bridge interlocks before stopping.  
(3) From May 15 through October 15, the draw shall be left in the open position at all times and will only be lowered for the passage of trains and to perform periodic maintenance authorized in accordance with subpart A of this part.  
(4) The bridge will be operated by the bridge/train controller at the Delair Railroad Bridge in Delair, New Jersey.  
(5) Before the bridge closes for any reason, an on-site crewmember will observe the waterway for approaching craft, which will be allowed to pass. The on-site crewmember will then communicate with the off-site bridge/train controller at the Delair Railroad Bridge either by radio or telephone, requesting the off-site bridge/train controller to lower the bridge.  
(6) The bridge shall only be lowered from the remote site if the on-site crewmember’s visual inspection shows there are no vessels in the area and the infrared channel sensors are not obstructed.  
(7) While the CONRAIL Railroad Bridge is moving from the full open to the full closed position, the off-site bridge/train controller will maintain constant surveillance of the navigational channel using infrared sensors to ensure no conflict with maritime traffic exists. In the event of failure or obstruction of the infrared channel sensors, the off-site bridge/train controller will stop the bridge and return the bridge to the open position. In the event of loss of radio or telephone communications with the on-site crewmember, the off-site bridge/train controller will stop the bridge and the bridge return to the open position.  
(8) When the draw cannot be operated from the remote site, a bridge tender must be called to operate the bridge in the traditional on-site manner.  
(9) The CONRAIL Railroad channel traffic lights will change from flashing green to flashing red anytime the bridge is not in the full open position.  
(10) During downward span movement, the channel traffic lights will change from flashing green to flashing red, the horn will sound two times, followed by a pause, and then two repeat blasts until the bridge is seated and locked down.  
(11) When the rail traffic has cleared, the off-site bridge/train controller at the Delair Railroad Bridge will sound the horn five times to signal the draw of the CONRAIL Railroad Bridge is about to return to its full open position.  
(12) During upward span movement, the channel traffic lights will change from flashing green to flashing red, the horn will sound two times, followed by a pause, and then sound repeat blasts until the bridge is in the full open position. In the full open position, the channel traffic lights will then turn from flashing red to flashing green.  
(13) From October 16 through May 14, the draw shall open on signal if at least 24 hours notice is given by telephone at (856) 231-7088 or (856) 662-8201. Operational information will be provided 24 hours a day by telephone at (856) 231-7088 or (856) 662-8201.
§ 117.904 Delaware River.

See §117.716, Delaware River, listed under New Jersey.

[CGD 92-015, 57 FR 37880, Aug. 21, 1992]

§ 117.905 Schuylkill River.

(a) The following requirements apply to all drawbridges across the Schuylkill River:

1. The draws of railroad bridges need not be opened when there is a train in the bridge block approaching the bridge with the intention of crossing, or within five minutes of the known time of the passage of a scheduled passenger train.

2. The opening of a bridge may not be delayed more than five minutes for a highway bridge or 10 minutes for a railroad bridge, after the signal to open is given.

3. The owners of drawbridges shall provide and keep in good legible condition two board gages painted white with black figures not less than six inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

(b) The Passyunk Avenue bridge, mile 3.5 at Philadelphia, shall open on signal at all times if at least four hours notice is given. Public vessels of the United States, state and local vessels used for public safety, loaded, self-propelled cargo vessels, and assisting tugs shall be passed as soon as possible.

[CGD 82-025, 49 FR 43462, Oct. 29, 1984]

RHODE ISLAND

§ 117.907 Providence River.

The draw of the US1 (Point Street) bridge, mile 7.5 at Providence, need not be opened for the passage of vessels from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. At all other times, the draw shall open on signal if at least 24 hours notice is given to the Director of Public Works, City Hall, Providence. Public vessels of the United States, state and local vessels used for public safety, loaded, self-propelled cargo vessels, and assisting tugs shall be passed as soon as possible.

SOUTH CAROLINA

§ 117.911 Atlantic Intracoastal Waterway, Little River to Savannah River.

(a) General. Public vessels of the United States, tugs with tows, and vessels in a situation where a delay would endanger life or property shall, upon proper signal, be passed through the draw of each bridge listed in this section at anytime.

(b) Socastee (SR544) bridge, mile 371 at Socastee. The draw shall open on signal except that from April 1 through June 30 and October 1 through November 30 from 7 a.m. to 10 a.m. and 2 p.m. to 6 p.m. Monday through Friday, except federal holidays, the draw need open only on the quarter hour and three-quarter hour. From May 1 through June 30 and October 1 through October 31 from 10 a.m. to 2 p.m., Saturdays, Sundays and federal holidays, the draw need open only on the quarter hour and three-quarter hour.

(c) Ben Sawyer (SR 703) bridge across Sullivan’s Island Narrows, mile 462.2 between Sullivan’s Island and Mount Pleasant. The draw shall open on signal; except that, the draw need not open from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m. Monday through Friday except Federal holidays. On Saturdays, Sundays, and Federal holidays from 9 a.m.
§ 117.913 Ashepoo River.

The draw of the Seaboard System Railroad bridge, mile 32.0 at Ashepoo, need not be opened for the passage of vessels. However, the draw shall be returned to operable condition within six months after notification by the District Commander to do so.

§ 117.915 Ashley River.

(a) The draws of the US17 highway bridges, miles 2.4 and 2.5 at Charleston, shall open on signal; except that, from 7 a.m. to 9 a.m. Monday through Friday and 4 p.m. to 7 p.m. daily, the draws need be opened only if at least 12 hours notice is given. The draws of either bridge shall open as soon as possible for the passage of vessels in an emergency involving danger to life or property.

(b) The draw of the Seaboard System Railroad bridge, mile 12.0 near Drayton Hall, shall open on signal from 7 a.m. to 11 p.m. From 11 p.m. to 7 a.m., the draw shall open on signal if at least three hours notice is given.

§ 117.917 Battery Creek.

The draw of the State highway bridge, mile 2.1 between Beaufort and Parris Island, shall open on signal if at least 24 hours notice is given.

§ 117.921 Broad River.

(a) The draw of the S170 bridge, mile 14.0 near Beaufort, shall open on signal if at least 24 hours notice is given.

(b) The draw of the Seaboard System Railroad bridge, mile 17.0 near Whale Branch, shall open on signal if at least 24 hours notice is given.

§ 117.923 Congaree River.

The draw of the Southern Railway bridge, mile 4.3 at Moye’s Station, shall open on signal if at least 24 hours notice is given.

§ 117.925 Cooper River.

The draw of the Seaboard System Railroad bridge, mile 42.8 near Cordesville, shall open on signal if at least six hours advance notice is given.

(CGD 7–85–24, 50 FR 37175, Sept. 12, 1985)
§ 117.927 Coosaw River (Whale Branch).

The draw of the Seaboard System Railroad bridge, mile 5.3 at Seabrook, and the draw of the US21 bridge, mile 7.0 at Beaufort, shall open on signal from 6 a.m. to 8 p.m. Monday through Friday if at least 24 hours notice is given. At all other times, the draw need not be opened for the passage of vessels.

§ 117.929 Durham Creek.

The removable span of the Seaboard System Railroad bridge, mile 1.7 at Bushy Park, shall be removed to allow the passage of dredges and construction equipment if at least 20 days notice is given. When notified by the City of Charleston of an emergency in the Bushy Park Reservoir, the span shall be removed as soon as possible to permit the passage of dredges and construction equipment.

§ 117.933 Pee Dee River.

The draws of the Seaboard System Railroad bridges, mile 72.6 near Poston and mile 107.2 near Pee Dee, need not be opened for the passage of vessels.

§ 117.935 Rantowles Creek.

The draw of the Seaboard System Railroad bridge, 1.1 near Rantowles, need not be opened for the passage of vessels.

§ 117.936 Savannah River.

See §117.371, Savannah River, listed under Georgia.

[CGD 92–015, 57 FR 37880, Aug. 21, 1992]

§ 117.937 Stono River, mile 11.0 at Johns Island, SC.

The draw of the Maybank Highway Bridge shall open on signal; except that the draw need not open from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m., Monday through Friday except Federal holidays. Between 9 a.m. and 4 p.m., Monday through Friday except Federal holidays, the draw need open only on the hour and half hour. The draw shall open as soon as possible for the passage of tugs with tows, public vessels of the United States and vessels in a situation where a delay would endanger life or property.

[CGD07–01–091, 66 FR 48556, Sept. 21, 2001]

§ 117.938 Waccamaw River.

The draw of the Waccamaw Coast Line Railroad bridge, mile 44.4 at Conway, shall open on signal; except that from 8 a.m. to 6 p.m. Monday through Friday, the draw shall open on signal if at least one hour notice is given.

[CGD7–00–80, 56 FR 1491, Jan. 15, 1991]

§ 117.939 Wando River.

The draw of the S41 bridge, mile 10.0 near Cainhoy, shall open on signal if at least 12 hours notice is given.

SOUTH DAKOTA

§ 117.941 Missouri River.

The draws of the US81 bridge, mile 805.7 at Yankton, and the Chicago and Northwestern Railroad bridge, mile 1066.5 at Pierre, need not be opened for the passage of vessels.

TENNESSEE

§ 117.943 Cumberland River.

The draw of the Clarksville Railroad bridge over the Cumberland River, mile 126.5, at Clarksville, shall open on signal when the vertical clearance under the navigational span is 47 feet or less. The draw shall open on signal if at least two hours notice is given when the vertical clearance is greater than 47 feet. The draw need not be opened for a vessel that arrives at the bridge more than 30 minutes after the time specified in the notice, unless a second two hours notice has been given.


§ 117.945 Hatchie River.

The draws of the Illinois Central Gulf railroad bridge, mile 35.0 at Covington, and the Seaboard System Railroad bridge, mile 71.0 at Brownsville, need not be opened for the passage of vessels.
§ 117.947 Obion River.

The draws of all bridges on the Obion River need not be opened for the passage of vessels.

§ 117.949 Tennessee River.

The draws of the Chief John Ross Bridge over the Tennessee River, mile 464.1, at Chattanooga, and the Southern Railway Bridge over the Tennessee River, mile 470.7, at Hixon, Tennessee, shall open on signal when the vertical clearance beneath the draw is 50 feet or less. When the vertical clearance beneath the draw is more than 50 feet, at least eight hours notice is required. When the operator of a vessel returning through the draw within four hours informs the drawtender of the probable time of return, the drawtender shall return one half hour before the time specified and promptly open the draw on signal for the vessel without further notice. If the vessel giving notice fails to arrive within one hour after the arrival time specified, whether upbound or downbound, a second eight hours notice is required. Clearance gages of a type acceptable to the Coast Guard shall be installed on both sides of each bridge.


§ 117.951 Arroyo Colorado River.

The draw of the S106 highway bridge, mile 22.5 at Rio Hondo, shall open on signal if at least 12 hours notice is given.

§ 117.953 Brazos River (Diversion Channel).

(a) The draw of the S36 highway bridge, mile 4.4 at Freeport, shall open on signal if at least 12 hours notice is given.

(b) The draw of the Union Pacific railroad bridge, mile 22.6 at Brazoria, need not be opened for the passage of vessels.

§ 117.955 Buffalo Bayou.

(a) The draw of the Houston Belt and Terminal railroad bridge, mile 1.2 at Houston, and all drawbridges downstream of it, shall open on signal if at least 24 hours notice is given.

(b) The draws of the Union Pacific railroad bridge, mile 3.1, and the Houston Belt and Terminal railroad bridge, mile 4.3, need not be opened for the passage of vessels.


§ 117.957 Cedar Bayou.

The draw of the Union Pacific railroad automated bridge, mile 7.0 at Baytown, operates as follows:

(a) The draw shall be maintained at a vertical clearance of 81.4 feet above mean high water. Fixed green navigation lights shall be displayed in the center of the draw.

(b) When a train approaches the bridge, the navigation lights shall be changed from green to red, alternating flashing red lights turned on, and a horn sounded for six minutes. At the end of six minutes, the draw may be lowered and locked if the scanning equipment does not detect any object under the span. If the scanning equipment detects an obstruction, the draw shall be raised until the obstruction is cleared.

(c) After a train has cleared the bridge, the draw shall be raised to 81.4 feet above mean high water, the flashing red lights stopped, and the navigation lights changed from red to green.

§ 117.959 Chocolate Bayou.

The draw of the Union Pacific railroad bridge, mile 11.4 at Liverpool, need not be opened for the passage of vessels.

§ 117.963 Colorado River.

The draw of the highway bridge, mile 10.7 at Wadsworth need open on signal Monday through Friday only, and then only from 8 a.m. to 5 p.m. At least 48 hours notice is required.


§ 117.965 Cow Bayou.

The draws of the Orange County highway bridge, mile 2.9 at West Orange, and the S87 bridge, mile 4.5 at Bay City, shall open on signal if at least six hours notice is given.
§ 117.967  Greens Bayou.

The draw of the Port Terminal Railroad Association railroad bridge, mile 2.8 at Houston, shall open on signal if at least four hours notice is given. The draw shall open on signal for three hours thereafter for returning downbound vessels.

§ 117.968  Gulf Intracoastal Waterway.

The draw of the Port Isabel bridge, mile 666.0, shall open on signal; except that, from 5 a.m. to 8 p.m. on weekdays only, excluding holidays, the draw need open only on the hour for pleasure craft. The draw shall open on signal at any time for commercial vessels, for a vessel in distress, or for an emergency aboard a vessel. When the draw is open for a commercial vessel, waiting pleasure craft shall be passed.

[CGD8–90–10, 56 FR 14644, Apr. 11, 1991]

§ 117.969  Lavaca River.

The draws of the Union Pacific railroad bridge, mile 11.2, and the highway bridge, mile 11.2, both at Vanderbilt, shall open on signal if at least 48 hours notice is given. In emergencies, the draws shall open as soon as possible.

§ 117.971  Neches River.

(a) The draw of the Kansas City Southern automated bridge, mile 19.5, at Beaumont, is not constantly manned and is operated from a remote site in Shreveport, Louisiana. The bridge is normally maintained in the closed to navigation position, providing 13 feet of vertical clearance above mean high tide. This bridge will open on signal.

(1) Mariners may request a bridge opening at any time via one of the following methods:
   (i) Telephone at 1–877–829–6295;
   (ii) Marine radio on VHF–FM Channel 16; or
   (iii) Proper sound signal as prescribed in §117.15.

(2) When signaling by sound, if return sound signal is not sent from the remote bridge operator, in compliance with §117.15, contact the remote operator via telephone or marine radio.

(3) An audible warning siren will sound when the bridge is in motion. Video cameras will constantly monitor the waterway near and under the draw. Once a vessel has passed through the bridge, the draw will lower, provided the infrared “under bridge” presence detector and video cameras reveal nothing under the draw.

(b) The draw of the Burlington Northern Santa Fe railroad bridge, mile 53.9 at Evadale, need not be opened for the passage of vessels.

[CGD 82–625, 49 FR 17452, Apr. 24, 1984, as amended by CGD 08–00–026, 65 FR 71059, Nov. 29, 2000]

§ 117.975  Old Brazos River.

The draw of the Union Pacific railroad bridge, mile 4.4 at Freeport, shall be maintained in the fully open position, except for the crossing of trains or for maintenance.

§ 117.977  Pelican Island Causeway, Galveston Channel.

The draw of the Pelican Island Causeway bridge across Galveston Channel, mile 4.5 of the Galveston Channel, (GIWW mile 356.1) at Galveston, Texas, shall open on signal; except that, from 6:40 a.m. to 8:10 a.m., 12 noon to 1 p.m., and 4:15 p.m. to 5:15 p.m. Monday through Friday except Federal holidays, the draw need not be opened for passage of vessels. Public vessels of the United States and vessels in distress shall be passed at any time.

[CGD08–02–003, 67 FR 35903, May 22, 2002]

§ 117.979  Sabine Lake.

The draw of the S82 bridge, mile 10.0 at Port Arthur, shall open on signal; except that, from 9 p.m. to 5 a.m., the draw shall open on signal if at least six hours notice is given to the Maintenance Construction Supervisor or the Maintenance Foreman at Port Arthur.

§ 117.981  Sabine River.

See §117.493, Sabine River, listed under Louisiana.

[CGD 92–015, 57 FR 37880, Aug. 21, 1992]

§ 117.983  Sabine River (Old Channel) behind Orange Harbor Island.

The draw of the highway bridge, mile 9.5 at Orange, need not be opened for the passage of vessels.

[CGD 08–34–08, 50 FR 19527, May 9, 1985]
§ 117.997 Atlantic Intracoastal Waterway, South Branch of the Elizabeth River to the Albermarle and Chesapeake Canal.

(a) The draw of the Belt Line Railroad Bridge, mile 2.6, in Portsmouth and Chesapeake will operate as follows:
(1) The bridge will be left in the open position at all times and will only be lowered for the passage of trains and to perform periodic maintenance authorized in accordance with subpart A of this part.
(2) The bridge will be operated by the controller at the Berkley Yard office.
(3) The controller will monitor waterway traffic in the area of the bridge and directly beneath the bridge with closed circuit cameras mounted on top of the bridge and with surface navigational radar.
(4) When the bridge closes for any reason, the controller will announce 30 minutes in advance, 15 minutes in advance, and immediately proceeding the actual lowering, over marine channel 13, that the Belt Line Railroad Bridge is closing for river traffic. In each of these three announcements, the bridge/
train controller will request all concerned river traffic to please acknowledge on marine channel 13.

(5) The bridge shall only be operated from the remote site if closed circuit visual and radar information shows there are no vessels in the area and no opposing radio communications have been received.

(6) While the Belt Line Bridge is moving from the full open position to the full closed position, the bridge/train controller will maintain constant surveillance of the navigational channel to ensure no conflict with maritime traffic exists. In the event of failure of a camera or the radar system, or loss of marine-radio communications, the bridge shall not be operated by the off-site bridge/train controller from the remote location.

(7) If the off-site bridge/train controller's visibility of the navigational channel is less than 3/4 of a mile, the bridge shall not be operated from the remote location.

(8) When the draw cannot be operated from the remote site, a bridgester must be called to operate the bridge in the traditional on-site manner.

(9) The Belt Line mid-channel lights will change from green to red anytime the bridge is not in the full open position.

(10) During the downward and upward span movement, a warning alarm will sound until the bridge is seated and locked down or in the full open position.

(11) When the bridge has returned to its full up position, the mid-channel light will turn from red to green, and the controller will announce over marine radio channel 13, “Security, security, the Belt Line bridge is open for river traffic.” Operational information will be provided 24 hours a day on marine channel 13 and via telephone (757) 543-1996 or (757) 545-2941.

(12) From 6:30 a.m. to 7:30 a.m. and from 3:30 p.m. to 5 p.m., Monday through Friday, except Federal holidays:

(i) Need not open for the passage of pleasure craft or commercial vessels that do not qualify under paragraph (a)(2)(ii) of this section.

(ii) Need not open for commercial cargo vessels, including tugs and tows, unless 2 hours advance notice has been given to the Jordan Bridge Office at (757) 545-4696.

(c) The draw of the Norfork and Western railroad bridge across the South Branch of the Elizabeth River, mile 3.6 at Portsmouth-Chesapeake, shall be maintained in the open position; except the draw may close for the crossing of trains and maintenance of the bridge. When the draw is closed, a drawtender shall be present and the draw shall open on signal.

(d) The draw of the Gilmerton (US13/460) bridge, mile 5.8, in Chesapeake:

(i) Shall open on signal at any time for public vessels of the United States, vessels in distress, commercial vessels carrying liquefied flammable gas or other harmful substances, and commercial and/or public vessels assisting in any emergency situation.

(ii) Need not open for commercial cargo vessels, including tugs and tows, unless 2 hours advance notice has been given to the Gilmerton Bridge at (757) 545-1512.

(e) The draw of the I64 bridge across the South Branch of the Elizabeth River, mile 7.1 at Chesapeake, shall open on signal if at least 24 hours notice is given.

(f) The draw of the Dominion Boulevard Bridge, mile 8.8, in Chesapeake shall open on signal, except:

(i) From 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m., Monday through Friday.

(2) From 6:30 a.m. to 7:30 a.m. and from 3:30 p.m. to 5 p.m., Monday through Friday, except Federal holidays:

(i) Need not open for the passage of pleasure craft or commercial vessels that do not qualify under paragraph (a)(2)(ii) of this section.

(ii) Need not open for commercial cargo vessels, including tugs and tows, unless 2 hours advance notice has been given to the Jordan Bridge Office at (757) 545-4696.

(3) Shall open on signal at all other times.

(3) Shall open on signal at all other times.
except Federal holidays, the drawbridge need not open for the passage of recreational vessels.

(2) Vessels in an emergency involving danger to life or property shall be passed at any time.

(g) The draw of the S168 bridge, mile 12 at Chesapeake (Great Bridge), shall open on signal; except that, from 6 a.m. to 7 p.m., the draw need be opened only on the hour. If any vessel is approaching the bridge and cannot reach the draw exactly on the hour, the drawtender may delay the hourly opening up to 10 minutes past the hour for the passage of the approaching vessel and any other vessels that are waiting to pass. Vessels in an emergency condition which presents danger to life or property shall be passed at any time.

(h) The draw of the Albemarle & Chesapeake Railroad bridge, mile 13.9, in Chesapeake, Virginia, shall be maintained in the open position; the draw may close only for the crossing of trains and maintenance of the bridge. When the draw is closed, a bridgeltender shall be present to reopen the draw after the train has cleared the bridge.

(i) The draw of the Centerville Turnpike (SR 170) bridge across the Albemarle and Chesapeake Canal, mile 15.2, at Chesapeake, shall open on signal; except that, from 7 a.m. to 7 p.m., the draw need only be opened on the hour and half-hour, seven days a week yearround, for the passage of pleasure craft. Public vessels of the United States, commercial vessels, and vessels in an emergency condition which presents danger to life or property shall be passed at any time.

§ 117.999 Blackwater River.

The draw of the S189 bridge, mile 9.2 at South Quay, shall open on signal if at least 24 hours notice is given.

§ 117.1001 Cat Point Creek.

The draw of the S634 bridge, mile 0.3 at Naylors, need not be opened for the passage of vessels.

§ 117.1003 Chickahominy River.

The draw of the highway bridge, mile 1.5 at Barrets Ferry, shall open on signal; except that, from 11 p.m. to 7 a.m., the draw shall open on signal if at least 12 hours notice is given.

§ 117.1007 Elizabeth River—Eastern Branch.

(a) The draw of the Norfolk and Western Railroad bridge, mile 2.7 at Norfolk, shall open as follows:

(1) From 6 a.m. to 10 p.m., the draw shall open on signal if it is in the closed to navigation position and remain open until a train crossing requires that it be returned to the closed position.

(2) From 10 p.m. to 6 a.m., the draw shall open on signal if at least two hours notice is given.

(b) The draw of the Berkley Bridge mile 0.4. at Norfolk, shall remain closed one hour prior to the published start of a scheduled marine event regulated under § 100.501, and shall remain closed until one hour following the completion of the event unless the Patrol Commander designated under § 100.501 allows the bridge to open for commercial vessel traffic.

(c) The draw of the Berkley Bridge, mile 0.4 in Norfolk—

(1) Shall open on signal at any time except from 5:30 a.m. to 9 a.m. and from 3:30 p.m. to 6:30 p.m., Monday through Friday, except Federal holidays.

(2) From 5:30 a.m. to 9 a.m. and from 3:30 p.m. to 6:30 p.m., Monday through Friday, except Federal holidays;

(3) Shall open at any time for commercial vessels with a draft of 22 feet or more, provided at least 12 hours advance notice has been given to the Berkley Bridge Traffic Control Room at (804) 494-2424, and
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(4) Shall open on signal at any time for a vessel in distress.

§ 117.1011 Great Wicomico River.

The draw of the S200 bridge, mile 8.0 at Tipers, shall open on signal; except that, if an opening is desired from 6 p.m. to 6 a.m., the drawtender on duty shall be notified before 6 p.m.

§ 117.1013 Kinsale Creek.

The draw of the state highway bridge, mile 4.0, at Kinsale need not be opened for the passage of vessels.

§ 117.1015 Mattaponi River.

The draws of the Lord Delaware (S33) bridge, mile 0.8 at West Point, and the S629 bridge, mile 28.5 at Walkerton, shall open on signal if at least 24 hours notice is given. The drawtender service for either bridge shall be increased to the degree determined to be adequate within 30 days after written notice is received from the District Commander to do so.

§ 117.1021 North Landing River.

The draw of the S165 bridge, mile 20.2 at Chesapeake, shall open on signal; except that, from 6 a.m. to 7 p.m., the draw need be opened only on the hour and half hour for the passage of pleasure craft. Public vessels of the United States, commercial vessels, and vessels in an emergency endangering life or property shall be passed at any time.

§ 117.1023 Pamunkey River.

(a) The draw of the Eltham Bridge (SR33-30), mile 1.0, located in West Point, Virginia, shall open on signal; except that, the bridge need not open for commercial crabbing and fishing vessels and recreational vessels on Mondays through Fridays, except Federal Holidays, from 7 a.m. to 9 a.m., 12 noon to 1 p.m. and 4 p.m. to 6 p.m., at all other times, the bridge will open for these vessels only on the hour, Monday through Friday, except Federal holidays.

(b) Public vessels of the United States and vessels in an emergency involving danger to life or property shall be passed at any time.

§ 117.1025 York River.

(a) The Coleman Memorial bridge, mile 7.0, at Yorktown, shall open on signal; except from 5 a.m. to 8 a.m. and 3 p.m. to 7 p.m., Monday through Friday, except Federal holidays, the bridge shall remain closed to navigation.

(b) The bridge shall be opened at anytime for vessels in an emergency which presents danger to life or property.

[CGD05–93–054, 59 FR 5654, Feb. 9, 1994, as amended by CGD05–95–023, 60 FR 31247, June 14, 1995]

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§ 117.1031 Chehalis River.

The draw of the SR–101 highway bridge, mile 0.1, at Aberdeen, shall open on a signal of two short blasts followed by one prolonged blast from one hour before sunrise to one hour after sunset, except that from 7:15 a.m. to 8:15 a.m. and 4:15 p.m. to 5:15 p.m., Monday through Friday, except Federal holidays, the draw need not be opened for vessels of less than 5,000 gross tons. At all other times, the draw shall open on signal if at least one hour notice is given by marine radio, telephone, or other suitable means to the Washington Department of Transportation.


§ 117.1035 Columbia River.

(a) The term drawtender, as used in this section means the operator of the drawspan, whether that person may be a train crew member, maintenance person, or an officially designated drawtender.

(b) The draw of the semi-automated Union Pacific railroad bridge (Kalan Bridge), mile 323.4, near Kennewick, Washington, is normally maintained in the fully open position with no drawtender in attendance. A radar beacon (RACON) is located at the center of the drawspan. The RACON operates only when the drawspan is fully open.

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by responding with the Morse letter “K” to X-band radar signals. When necessary to close the drawspan for the passage of a train or for maintenance, a drawtender shall be dispatched to operate the draw from either of the remote control stations located at the ends of the bridge. Operation of the bridge shall be as follows:

(1) The drawtender shall broadcast a radio message over Channel 16-VHF to all vessels in the vicinity that the Kalan Bridge will be closing in two minutes. If after two minutes no response is received, the drawtender shall broadcast a message over Channel 13-VHF that the Kalan Bridge is closing. Both messages shall be broadcast twice.

(2) Prior to activating the closing sequence the drawtender shall visually inspect the waterway for marine traffic approaching the bridge. The closing sequence shall not be activated until after marine traffic has cleared the bridge.

(3) When the closing sequence is activated, the following functions occur automatically: The RACON is deactivated, red strobe lights on the lift towers and on the channel piers start flashing, a downward pointing arrow consisting of amber colored lights is displayed from the center of the drawspan and a recorded message is broadcast over Channel 13-VHF advising that the Kalan Bridge is closing. The radio message is repeated every five minutes, the red lights continue to flash and the downward pointing arrow is displayed, until the lift span returns to the up and locked position. At the end of the ten minutes, a horn sounds for 30 seconds, the span begins closing and the centerspan navigation lights turn from green to red. The horn sounds for 30 seconds at 10 minute intervals, until the lift span returns to the up and locked position.

(4) If for any reason during the closing sequence a danger is posed to marine traffic, the closing sequence shall be stopped and the bridge reopened until the threat of danger has passed.

(5) If the bridge is to be temporarily closed for maintenance or for purposes other than the passage of a train, the drawtender shall continually monitor Channels 13 and 16 for calls from approaching vessels, and respond to inquiries from vessels about the closure.

(6) After a train has cleared the bridge, the following functions occur automatically: The drawspan returns to the fully open and locked position, the RACON is reactivated, the arrow display and the red strobe lights are extinguished, the red centerspan navigation lights return to green and a recorded message is broadcast over Channel 13-VHF that the Kalan Bridge is open for marine traffic.

(7) Bridge status information may be obtained by calling the commercial telephone number posted at the drawspan of the bridge.

(c) The draw of the Burlington Northern Santa Fe railroad bridge at mile 328.0, between Pasco and Kennewick, shall open on signal if at least 2 hour’s notice is given through the General Yardmaster, Pasco, Washington.

§ 117.1037 Cowlitz River.

(a) The draw of the Burlington Northern Santa Fe railroad bridge, mile 1.5, shall operate as follows:

(1) The draw shall open on signal if at least 24 hours notice is given.

(2) In the event of an emergency declared by the Cowlitz County Department of Emergency Services, the bridge shall be capable of opening upon two hours notice. Notification of emergencies and requests for openings during emergencies are initiated through the Cowlitz County Department of Emergency Services.

(3) The operating machinery of the draw shall be maintained in a serviceable condition and the draw shall be opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation.

(4) During periods of fog or similar periods of reduced visibility, the drawtender, after acknowledging the signal to open, shall toll a bell continuously during the approach and passage of the vessel.
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(b) The draw of the Allen Street Bridge, mile 5.5, need not open for the passage of vessels.  
[CGD13 91–01, 56 FR 23518, May 22, 1991]

§ 117.1039  [Reserved]

§ 117.1041  Duwamish Waterway.
(a) The draws of each bridge across the Duwamish Waterway shall open on signal, except as follows:

(1) From Monday through Friday, except all Federal holidays but Columbus Day, the draws of the First Avenue South Bridges, mile 2.5, need not be opened for the passage of vessels from 6 a.m. to 9 a.m. and from 3 p.m. to 6 p.m., except: The draws shall open at any time for a vessel of 5000 gross tons and over, a vessel towing a vessel of 5000 gross tons and over, and a vessel proceeding to pick up for towing a vessel of 5000 gross tons and over.

(2) The draw of the South Park highway bridge, mile 3.8, need not be opened for the passage of vessels from 6:30 a.m. to 8:00 a.m. and 3:30 p.m. to 5:00 p.m., Monday through Friday, except Federal holidays.

(b) The following bridges shall open on the specified signals:

(1) Burlington Northern Santa Fe railroad bridge, mile 0.4, and Southwest Spokane Street bridge, mile 0.3, one prolonged blast followed quickly by three short blasts.

(2) Burlington Northern Santa Fe railroad bridge, mile 0.4, one prolonged blast followed quickly by one short blast.

(3) First Avenue South bridge, mile 2.5, three prolonged blasts.

(4) South Park highway bridge, mile 3.8, one prolonged blast followed quickly by one short blast and one prolonged blast.

§ 117.1045  Hood Canal.
(a) The draw of the Washington State pontoon highway bridge near Port Gamble operates as follows:

(1) The draw shall open on signal if at least one hour’s notice is given. The draw shall be opened horizontally for 300 feet unless the maximum opening of 600 feet is requested.

(b) Telephone requests for bridge openings may be directed as collect calls to the Toll Office at the bridge site. The call may also be made by direct telephone communication through the Seattle Marine Operator, Station KOH, or through other marine wire or radio telephone service.

(c) During unusual or emergency periods, the authorized representative of the owner of or agency controlling the bridge shall open the draw on a demand basis for specified periods of time, normally not exceeding 48 hours, when requested by the Department of the Navy. While on a demand basis, a drawtender shall be in attendance on the bridge with radio communication equipment in operation.


§ 117.1047  Hoquiam River.
(a) When fog prevails by day or night, the drawtender of each bridge listed in this section, after giving the acknowledging signal to open, shall toll a bell continuously during the approach and passage of vessels.

fully open position except for the passage of trains or for maintenance. When the draw of the bridge is closed and the visibility at the drawtender's station is less than one mile up or down the channel, the drawtender shall sound two long blasts every minute. When the draw is reopened, the drawtender shall sound one long blast followed by one short blast. (c) The draw of Simpson Avenue Bridge, mile 0.5, at Hoquiam, shall open on signal if at least one hour notice is given by marine radio, telephone, or other suitable means to the Washington Department of Transportation. The opening signal is two prolonged blasts followed by one short blast. (d) The draw of the Riverside Avenue Bridge, mile 0.9, at Hoquiam, shall open on signal if at least one hour notice is given by marine radio, telephone, or other suitable means to the Washington Department of Transportation. The opening signal is two prolonged blasts followed by two short blasts.

§ 117.1049 Lake Washington. The draw of the Evergreen Point Floating Bridge between Seattle and Bellevue shall operate as follows: (a) The draw shall open on signal if at least two hours notice is given. (b) Telephone requests for bridge opening may be directed as collect calls to the Highway Radio or made by direct telephone communication through the Seattle Marine Operator, Station KOH, or through other marine wire or radiotelephone service. (c) The draw need not be opened from 5 a.m. to 9 p.m. Monday through Friday, except for all Federal holidays other than Columbus Day.

§ 117.1051 Lake Washington Ship Canal. (a) When fog prevails by day or by night, the drawtender of each bridge listed in this section, after giving the acknowledging signal to open, shall toll a bell continuously during the approach and passage of vessels. (b) All non-self-propelled vessels, craft, or rafts navigating this waterway for which the opening of any draw is necessary shall be towed by a suitable self-propelled vessel while passing the draw. (c) The draw of the Burlington Northern Santa Fe railroad bridge, mile 0.1, shall open on signal. (d) The draws of the Ballard Bridge, mile 1.1, Fremont Bridge, mile 2.6, and University Bridge, mile 4.3, shall open on signal, except that: (1) The draws need not be opened for a period of up to 10 minutes after receiving an opening request, if needed to pass accumulated vehicular traffic. However, the draws shall open without delay, when requested by vessels engaged in towing operations. (2) The draws need not open from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m. Monday through Friday, except all Federal holidays but Columbus Day for any vessel of less than 1000 tons, unless the vessel has in tow a vessel of 1000 gross tons or over. (3) Between the hours of 11 p.m. and 7 a.m. the draws shall open if at least one hour notice is given by telephone, radiotelephone, or otherwise to the drawtender at the Fremont Avenue Bridge. (e) The draw of the Montlake Bridge, mile 5.2, shall open on signal, except that: (1) The draw need not open for a period of up to 10 minutes after receiving an opening request, if needed to pass accumulated vehicular traffic. However, the draw shall open without delay, when requested by vessels engaged in towing operations. (2) For any vessel or watercraft of less than 1,000 gross tons, unless the vessel has in tow a vessel of 1,000 gross tons or over, from Monday through Friday, except Federal Holidays: (i) The draw need not open from 7 a.m. to 9 a.m. and from 3:30 p.m. to 6 p.m. (ii) The draw need open only on the hour and half hour from 12:30 p.m. to 3:30 p.m. and from 6 p.m. to 6:30 p.m.
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(3) Between the hours of 11 p.m. and 7 a.m. the draw shall open if at least one hour notice is given by telephone, radiotelephone, or otherwise to the drawtender at the Fremont Bridge.


§ 117.1053 Lewis River.

The draw of the Burlington Northern Santa Fe railroad bridge, mile 2.0 at Woodland, need not be opened for the passage of vessels.

§ 117.1055 Skagit River.

The draws of all bridges across the Skagit river need not be opened for the passage of vessels. However, the draws shall be returned to operable condition within one year after notification by the District Commander to do so.

§ 117.1057 Skamokawa Creek.

The draw of the Washington State highway bridge at Skamokawa need not be opened for the passage of vessels.

[CGD 82–025, 49 FR 17452, Apr. 24, 1984; 49 FR 43463, Oct. 29, 1984]

§ 117.1058 Snake River.

(a) The draw of the Burlington Northern Santa Fe railroad bridge across the Snake River at mile 1.5 between Pasco and Burbank is automated and is normally maintained in the fully open to navigation position.

(b) Lights. All lights required for automated operation shall be visible for a distance of at least 2 miles and shall be displayed at all times, day and night.

(1) When the draw is fully open, a steady green light shall be displayed at the center of the drawspan on both upstream and downstream sides.

(2) When the draw is not fully open, a steady red light shall be displayed at the center of the drawspan on both upstream and downstream sides.

(3) When the draw is about to close, flashing yellow lights in the form of a down-pointing arrow shall be displayed at the center of the drawspan on both upstream and downstream sides.

(4) A similar set of red, green, and yellow lights shall be displayed on a remote lighting panel located near the north end, upstream side, of the Washington State highway bridge at mile 2.2. These lights shall be synchronized with the lights on the railroad bridge and shall be visible to vessels traveling downstream throughout the passage of the channel adjacent to Strawberry Island.

(c) Operation. When a train approaches the bridge, the yellow lights shall start flashing. After an eight-minute delay, the green lights shall change to red, the drawspan shall lower and lock, and the yellow lights shall be extinguished. Red lights shall continue to be displayed until the train has crossed and the drawspan is again in the fully open position. At that time, the red lights shall change green.

(d) Vessels equipped with radiotelephones may contact Burlington Northern Santa Fe to obtain information on the status of the bridge. Bridge status information also may be obtained by calling the commercial telephone number posted at the drawspan of the bridge.

[CGD13 84–05, 49 FR 43956, Nov. 1, 1984]

§ 117.1059 Snohomish River, Steamboat Slough, and Ebey Slough.

(a) Drawtenders of bridges listed in this section shall acknowledge sound signals as follows:

(1) When draw can be opened immediately, two prolonged blasts followed by one short blast or three loud and distinct strokes of a bell.

(b) When fog prevails by day or by night, the drawtender of each bridge listed in this section, after giving the acknowledging signal to open, shall toll a bell continuously during the approach and passage of vessels.

(c) The draws of the twin, SR 529, highway bridges across the Snohomish River, mile 3.6, at Everett shall open
on signal if at least one-hour notice is given. On weekdays, Monday through Friday, notice for openings shall be given by marine radio, telephone, or other means to the drawtender at the SR 529 highway bridge across Ebey Slough, at Marysville, and at all other times to the drawtender at the twin SR 529 bridges at Everett. One signal opens both draws. During freshets, a drawtender shall be in constant attendance and the draws shall open on signal when so ordered by the District Commander.

(d) The draw of the SR2 highway bridge across the Snohomish River, mile 6.9, at Everett, shall open on signal if at least four hours notice is given. During freshets, a drawtender shall be in constant attendance and the draw shall open on signal when so ordered by the District Commander.

(e) The draw of the Burlington Northern Santa Fe railroad bridge across the Snohomish River, mile 15.5, at Snohomish, need not be opened for the passage of vessels.

(f) The draw of the Burlington Northern Santa Fe railroad bridge across Steamboat Slough, mile 1.0, near Marysville, shall open on signal if at least four hours notice is given. The opening signal is one prolonged blast followed by one short blast and one prolonged blast.

(g) The draws of the twin, SR 529, highway bridges across Steamboat Slough, miles 1.1 and 1.2, near Marysville, shall open on signal if at least four-hours notice is given. On weekdays, Monday through Friday, notice for openings shall be given by marine radio, telephone, or other means to the drawtender at the SR 529 highway bridge across Ebey Slough, at Marysville, and at all other times to the drawtender at the twin SR 529 bridges at Everett. One signal opens both draws. During freshets, a drawtender shall be in constant attendance and the draws shall open on signal when so ordered by the District Commander.

(h) The draws of the SR 529, highway bridge, across Ebey Slough, mile 1.6, at Marysville, shall open on signal if at least one-hour notice is given. On weekdays, Monday through Friday, notice for openings shall be given by marine radio, telephone, or other means, to the drawtender at this bridge, and at all other times to the drawtender at the SR 529 bridges across the Snohomish River at Everett. During freshets, a drawtender shall be in constant attendance and the draws shall open on signal when so ordered by the District Commander.


§ 117.1061 Tacoma Harbor.

(a) When fog prevails by day or night, the drawtender of each bridge listed in this section, after giving the acknowledging signal to open, shall toll a bell continuously during the approach and passage of vessels.

(b) The draw of the South 11th Street bridge across City Waterway, mile 0.6, at Tacoma, shall open on signal if at least two hours notice is given. However the draw need not be opened from 6:30 a.m. to 8:30 a.m. and 3:30 p.m. to 5:30 p.m. Monday through Friday, except Federal holidays for vessels of less than 1,000 gross tons, unless the vessels have in tow a vessel 1,000 gross tons or over, or unless the opening of the draw is required for the pickup of a vessel of 1,000 gross tons or over for towing. In emergencies, openings shall be made as soon as possible upon notification to the Washington State Department of Transportation.


§ 117.1063 Willapa River South Fork.

(a) The draw of the Washington State Parks and Recreation Commission bridge across the South Fork Willapa River, mile 0.3, at Raymond, shall open on signal if at least 24 hours notice is given.


§ 117.1065 Wishkah River.

(a) When fog prevails by day or by night, the drawtender of each bridge listed in this section, after giving the acknowledging signal to open, shall
§ 117.1081 Toll a bell continuously during the approach and passage of vessels.

(b) The draw of the Puget Sound and Pacific railroad bridge, mile 0.1 at Aberdeen, shall be maintained in the fully open position, except for the passage of trains or for maintenance. When the draw of the bridge is closed and the visibility at the drawtender’s station is less than one mile up or down the channel, the drawtender shall sound two prolonged blasts every minute. When the draw is reopened, the drawtender shall sound one prolonged blast followed by one short blast.

(c) The draws of the Heron Street Bridge, mile 0.2, and the Wishkah Street Bridge, mile 0.4, at Aberdeen, shall open on signal if at least one hour notice is given by marine radio, telephone, or other suitable means to the Washington Department of Transportation. The opening signal for both bridges is one prolonged blast followed by two short blasts.

§ 117.1083 Duluth-Superior Harbor (St. Louis River).

(a) The draws of the Burlington Northern railroad bridge, mile 5.7 at Duluth, shall open on signal; except that, from January 1 through March 15, the draws shall open on signal if at least 24 hours notice is given. The opening signal for the Minnesota Draw is one prolonged blast followed by two short blasts and for the Wisconsin Draw is two prolonged blasts followed by two short blasts.

(b) The draws of the Grassy Point bridge, mile 8.0 at Duluth, and the Arrowhead bridge, mile 8.7 at Duluth, shall open on signal; except that, from January 1 through March 15, the draws shall open on signal if at least 24 hours notice is given. The opening signal for the Grassy Point bridge is two short blasts followed by one prolonged blast and for the Arrowhead bridge is three prolonged blasts.

(c) The draw of the Duluth, Missabe and Iron Range Railway bridge, mile 16.3 at Duluth, need not be opened for the passage of vessels. The owner shall return the draw to operable condition within a reasonable time when notified by the District Commander to do so.

§ 117.1085 East River.

The draw of the Monroe Avenue bridge, mile 0.3 at Green Bay, need not be opened for the passage of vessels.

§ 117.1087 Fox River.

(a) The draws of the Main Street bridge, mile 1.6, Walnut Street bridge, mile 1.8, and Mason Street bridge, mile 2.2, all at Green Bay, need not be opened for the passage of vessels from 7 a.m. to 8 a.m., 12 noon to 1 p.m., and 4 p.m. to 5 p.m. Monday through Saturday except Federal holidays. Public vessels of the United States, tugs, fireboats, and vessels with a cargo capacity of 300 short tons or over engaged in commercial transportation shall be passed at any time. The opening signal for the Main Street bridge is two short blasts followed by one prolonged blast, for the Walnut Street bridge one prolonged blast followed by two short blasts, and for the Mason Street bridge one prolonged blast, followed by one short blast, followed by one prolonged blast.

(b) The draw of the George Street bridge, mile 7.2 at DePere, shall open on signal during the navigation season; except that, from 6 p.m. to 8 a.m. during the navigation season, the draw shall open on signal if at least two hours notice is given.

(c) The draws of the Main Street bridge, mile 56.3, Jackson Street bridge, mile 56.5, Wisconsin Street bridge, mile 57.0, and the Congress Avenue bridge, mile 58.3 all at Oshkosh, shall open on signal from 8 a.m. to 12 midnight; except that, from Monday through Friday from 11:45 a.m. to 12:15 p.m., 12:45 p.m. to 1:15 p.m., and 3 p.m. to 5 p.m., the draws need not be opened for other than public vessels of the United States except on Memorial Day.

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§ 117.1093 Milwaukee, Menomonee, and Kinnickinnic Rivers and South Menomonee and Burnham Canals.

(a) The draws of each bridge listed in this section shall open as soon as possible for the passage of public vessels of the United States, vessels carrying United States mail, vessels licensed to carry 50 or more passengers when on their regular routes, and fireboats of the City of Milwaukee.

(b) For all bridges, the drawtender’s acknowledging signal when the draw will open is the same as the opening signal. The acknowledging signal when the draw will not open, or is open and must be closed promptly is four short blasts.

(c) The draws of bridges across the Milwaukee River operate as follows:

(1) The draws of the North Broadway Street bridge, mile 0.5, North Water Street bridge, mile 0.6, and Michigan Street bridge, mile 1.1, at Milwaukee, shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday, except Federal holidays, the draws need not be opened.

(2) The draws of all other bridges across the Milwaukee River shall open on signal if at least two hours notice is given; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m., the draws need not be opened.

(3) The opening signals are as follows:

(i) The Chicago and Northwestern bridge, mile 0.3, two prolonged blasts.

(ii) The North Broadway Street bridge, mile 0.5, three prolonged blasts followed by one short blast.

(iii) The North Water Street bridge, mile 0.6, three prolonged blasts followed by two short blasts.

(d) The draws of bridges across the Menomonee River and South Menomonee Canal operate as follows:

(1) The draw of the North Plankinton Avenue bridge across the Menomonee River, mile 0.8, shall open on signal from 7 a.m. to 7 p.m. from May 1 through October 31. From 7 a.m. to 8 a.m. from May 1 through October 31, the draw shall open on signal if at least two hours notice is given. From November 1 through April 30, the draw shall open on signal if at least 12 hours notice is given.

§ 117.1091 Menomonee River.

The draw of the Ogden-First Street bridge, mile 0.4 at Marinette, shall open on signal from 7 a.m. to 11 p.m. from May 1 through October 31. From 7 a.m. to 7 p.m. from May 1 through October 31, the draw shall open on signal if at least two hours notice is given. From November 1 through April 30, the draw shall open on signal if at least 12 hours notice is given.

§ 117.1089 Manitowoc River.

(a) The draws of the Eighth Street bridge, mile 0.29, and Tenth Street bridge, mile 0.43, both at Manitowoc, shall open on signal except that:

(1) From April 1 through October 31, Monday through Friday, the bridges need not open from 6:50 a.m. to 7 a.m., 7:50 a.m. to 8 a.m., 11:55 a.m. to 12:10 p.m., and 12:45 p.m. to 1 p.m., except federal holidays. From 10:30 p.m. to 4:30 a.m. the draws shall open on signal if at least a 6 hour advance notice is given.

(2) From November 1 through March 31 the draws shall open on signal if at least a 12 hour advance notice is given.

(3) The opening signals for these bridges are:

(i) Eighth Street—one prolonged blast followed by one short blast.

(ii) Tenth Street—two short blasts followed by one prolonged blast.

(4) When signal is given by car ferry or other large vessel to pass either of the two bridges, the remaining bridge shall open promptly so that such vessels shall not be held between the two bridges.

(b) The draw of the Wisconsin Central railroad bridge, mile 0.91 at Manitowoc, shall open on signal except that:

(1) From April 1 through October 31 between the hours of 10:30 p.m. and 4:30 a.m., the draws shall open on signal if at least a 6 hour advance notice is given.

(2) From November 1 through March 31 the draw shall open on signal if at least 12 hour advance notice is given.

(3) The opening signal for this bridge is two short blasts followed by one prolonged blast.

§ 117.1093 Milwaukee, Menomonee, and Kinnickinnic Rivers and South Menomonee and Burnham Canals.

(a) The draws of each bridge listed in this section shall open as soon as possible for the passage of public vessels of the United States, vessels carrying United States mail, vessels licensed to carry 50 or more passengers when on their regular routes, and fireboats of the City of Milwaukee.

(b) For all bridges, the drawtender’s acknowledging signal when the draw will open is the same as the opening signal. The acknowledging signal when the draw will not open, or is open and must be closed promptly is four short blasts.

(c) The draws of bridges across the Milwaukee River operate as follows:

(1) The draws of the North Broadway Street bridge, mile 0.5, North Water Street bridge, mile 0.6, and Michigan Street bridge, mile 1.1, at Milwaukee, shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday, except Federal holidays, the draws need not be opened.

(2) The draws of all other bridges across the Milwaukee River shall open on signal if at least two hours notice is given; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m., the draws need not be opened.

(3) The opening signals are as follows:

(i) The Chicago and Northwestern bridge, mile 0.3, two prolonged blasts.

(ii) The North Broadway Street bridge, mile 0.5, three prolonged blasts followed by one short blast.

(iii) The North Water Street bridge, mile 0.6, three prolonged blasts followed by two short blasts.

(d) The draws of bridges across the Menomonee River and South Menomonee Canal operate as follows:

(1) The draw of the North Plankinton Avenue bridge across the Menomonee River, mile 0.8, shall open on signal from 7 a.m. to 7 p.m. from May 1 through October 31. From 7 a.m. to 7 p.m. from May 1 through October 31, the draw shall open on signal if at least two hours notice is given. From November 1 through April 30, the draw shall open on signal if at least 12 hours notice is given.

§ 117.1089 Manitowoc River.

(a) The draws of the Eighth Street bridge, mile 0.29, and Tenth Street bridge, mile 0.43, both at Manitowoc, shall open on signal except that:

(1) From April 1 through October 31, Monday through Friday, the bridges need not open from 6:50 a.m. to 7 a.m., 7:50 a.m. to 8 a.m., 11:55 a.m. to 12:10 p.m., and 12:45 p.m. to 1 p.m., except federal holidays. From 10:30 p.m. to 4:30 a.m. the draws shall open on signal if at least a 6 hour advance notice is given.

(2) From November 1 through March 31 the draws shall open on signal if at least a 12 hour advance notice is given.

(3) The opening signals for these bridges are:

(i) Eighth Street—one prolonged blast followed by one short blast.

(ii) Tenth Street—two short blasts followed by one prolonged blast.

(4) When signal is given by car ferry or other large vessel to pass either of the two bridges, the remaining bridge shall open promptly so that such vessels shall not be held between the two bridges.

(b) The draw of the Wisconsin Central railroad bridge, mile 0.91 at Manitowoc, shall open on signal except that:

(1) From April 1 through October 31 between the hours of 10:30 p.m. and 4:30 a.m., the draws shall open on signal if at least a 6 hour advance notice is given.

(2) From November 1 through March 31 the draw shall open on signal if at least 12 hour advance notice is given.

(3) The opening signal for this bridge is two short blasts followed by one prolonged blast.

§ 117.1093 Milwaukee, Menomonee, and Kinnickinnic Rivers and South Menomonee and Burnham Canals.

(a) The draws of each bridge listed in this section shall open as soon as possible for the passage of public vessels of the United States, vessels carrying United States mail, vessels licensed to carry 50 or more passengers when on their regular routes, and fireboats of the City of Milwaukee.

(b) For all bridges, the drawtender’s acknowledging signal when the draw will open is the same as the opening signal. The acknowledging signal when the draw will not open, or is open and must be closed promptly is four short blasts.

(c) The draws of bridges across the Milwaukee River operate as follows:

(1) The draws of the North Broadway Street bridge, mile 0.5, North Water Street bridge, mile 0.6, and Michigan Street bridge, mile 1.1, at Milwaukee, shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday, except Federal holidays, the draws need not be opened.

(2) The draws of all other bridges across the Milwaukee River shall open on signal if at least two hours notice is given; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m., the draws need not be opened.

(3) The opening signals are as follows:

(i) The Chicago and Northwestern bridge, mile 0.3, two prolonged blasts.

(ii) The North Broadway Street bridge, mile 0.5, three prolonged blasts followed by one short blast.

(iii) The North Water Street bridge, mile 0.6, three prolonged blasts followed by two short blasts.

(d) The draws of bridges across the Menomonee River and South Menomonee Canal operate as follows:

(1) The draw of the North Plankinton Avenue bridge across the Menomonee River, mile 0.8, shall open on signal from 7 a.m. to 7 p.m. from May 1 through October 31. From 7 a.m. to 7 p.m. from May 1 through October 31, the draw shall open on signal if at least two hours notice is given. From November 1 through April 30, the draw shall open on signal if at least 12 hours notice is given.
§ 117.1095 River, mile 0.1, shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday except Federal holidays, the draws need not be opened.

(2) The draws of all other bridges across the Menomonee River and South Menomonee Canal shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday except Federal holidays, the draws need not be opened and, from 11 p.m. to 7 a.m., the draws shall open on signal if at least two hours notice is given.

(3) The opening signal for the Chicago, Milwaukee, St. Paul and Pacific railroad bridge across the Menomonee River, mile 0.1, is two prolonged blasts followed by two short blasts.

(e) The draws of bridges across the Kinnickinnic River operate as follows:

(1) The draw of the Kinnickinnic Avenue bridge, mile 1.5, shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday except Federal holidays, the draws need not be opened.

(2) The draws of the Chicago, Milwaukee, St. Paul and Pacific railroad bridge, mile 1.5, and the Chicago and Northwestern Railway bridge, mile 1.52, shall open on signal if at least two hours notice is given.

(3) The opening signal for the Chicago, Milwaukee, St. Paul and Pacific railroad bridge, mile 1.5, and the Chicago and Northwestern Railway bridge, mile 1.52, is two prolonged blasts.

(f) The draws of bridges across the Burnham Canal operate as follows:

(1) The draw of the Chicago, Milwaukee, St. Paul and Pacific railroad bridge, mile 0.8, shall open on signal if at least two hours notice is given.

(2) The draws of all other bridges across the Burnham Canal shall open on signal: except that, from October 16 through April 30, the draw shall open on signal if at least 12 hours advance notice is provided.

§ 117.1097 Sheboygan River.

The draw of the Eighth Street bridge, mile 0.69 at Sheboygan, shall open as follows:

(a) From May 1 through October 31—

(1) Between the hours of 6 a.m. and 10 p.m., the bridge shall open on signal, except that:

(i) From 6:10 a.m. to 7:10 p.m., Monday through Saturday, the draw need open only at 10 minutes after the hour, on the half-hour, and 10 minutes before the hour; and

(ii) From Monday through Friday, except Federal holidays, the draw need not open between 7:30 a.m. and 8:30 a.m., between 12 p.m. and 1 p.m., and between 4:30 p.m. and 5:30 p.m.

(2) Between the hours of 10 p.m. and 6 a.m., the draw shall open on signal if at least 2 hours advance notice is provided.

(b) From November 1 through April 30, the draw shall open on signal if at least 12 hours advance notice is provided.

(c) At all times, the draw shall open as soon as possible for public vessels of
Coast Guard, DOT

§ 117.1099 St. Croix River.

See §117.667, St. Croix River, listed under Minnesota.

§ 117.1101 Sturgeon Bay.

The draw of the Michigan Street highway bridge, mile 4.3 at Sturgeon Bay, shall open as follows:
(a) From March 15 through December 31—

(1) The draw shall open on signal for recreational vessels only on the hour, 24 hours a day. However, if more than 20 vessels have accumulated at the bridge, the draw shall open as soon as possible.

(2) Between the hours of 6 p.m. and 10 p.m., the draw need open for recreational vessels only on the hour and half-hour.

(3) Between the hours of 10 p.m. and 8 a.m., the draw shall open on signal.

(b) The draw shall open on signal for commercial vessels. Additionally, the draw shall open on signal for all vessels seeking shelter from severe weather.

(c) From January 1 through March 14, the draw shall open on signal if notice is given at least 12 hours in advance of a vessel’s time of intended passage through the draw.

§ 117.1103 Upper Mississippi River.

See §117.671, Upper Mississippi River, listed under Minnesota.

§ 117.1105 Wisconsin River.

The draws of each drawbridge across the Wisconsin River shall open on signal if at least 48 hours notice is given.

§ 117.1107 Wolf River.

The draw of the Winneconne highway bridge, mile 2.4 at Winneconne, shall open on signal; except that, from 11 p.m. to 7 a.m. from May 1 through October 31, at least two hours notice is required and, from November 1 through April 30, at least 12 hours notice is required. At all times, public vessels of the United States, state and local vessels used for public safety, and vessels in distress shall be passed as soon as possible.

APPENDIX A TO PART 117—DRAWBRIDGES EQUIPPED WITH RADIONOISES

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<th>Bridge name and owner</th>
<th>Call sign</th>
<th>Calling channel</th>
<th>Working channel</th>
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Effective April 15, 1983, all state-owned highway drawbridges in Louisiana need not monitor channel 16 (Emergency Channel).

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**PART 118—BRIDGE LIGHTING AND OTHER SIGNALS**

- **Sec. 118.1 General requirements.**
- **118.3 Incorporation by reference.**
- **118.5 Penalty for failure to maintain.**
- **118.10 Interference or obstruction prohibited.**
- **118.15 Penalty for interference or obstruction.**
- **118.20 Obtaining information.**
- **118.25 Application procedure.**
- **118.30 Action by Coast Guard.**
- **118.40 Modification of requirements.**
- **118.45 Lighting for the protection of aerial navigation.**
- **118.50 Inspection.**
- **118.55 Periods of operation.**
- **118.60 Characteristics of lights.**
- **118.65 Lights on fixed bridges.**
- **118.70 Lights on swing bridges.**
- **118.75 Lights on single-opening drawbridges.**
- **118.80 Lights on bascule bridges.**
- **118.85 Lights on vertical lift bridges.**
- **118.90 Bridges crossing channel obliquely.**
- **118.95 Lights on structures not part of a bridge or approach structure.**
- **118.100 Retroreflective panels on bridge piers.**
- **118.105 [Reserved]**
- **118.110 Daymarks and lateral lighting on bridges.**
- **118.120 Radar reflectors and racons.**
- **118.130 Fog signals.**
- **118.140 Painting bridge piers.**
- **118.150 Traveller platforms.**
- **118.160 Vertical clearance gauges.**

**AUTHORITY:** 33 U.S.C. 494; 14 U.S.C. 85, 633; 49 CFR 1.46 (b) and (c).

**SOURCE:** 40 FR 24898, June 11, 1975, unless otherwise noted.

**§ 118.1 General requirements.**

All persons owning or operating bridges over the navigable waters of the United States or any international bridge constructed after March 23, 1906, shall maintain at their own expense the lights and other signals required by this part.

[CGD 84–022, 51 FR 16308, May 2, 1986]
§ 118.45 Lighting for the protection of aerial navigation.

The owner of a bridge which constitutes a hazard to aerial navigation should maintain, in addition to the lights prescribed in this part, such sets of drawings showing (a) plan and elevation of the structure showing lights and signals proposed, and (b) small scale vicinity chart showing proposed bridge and all other bridges within 1,000 feet above or below the proposed bridge.

$ 118.30 Action by Coast Guard.

(a) The District Commander receiving the application will review it and approve the lights and other signals proposed, or mark on the drawings, the lights and other signals required, and in the case of lights, cite the applicable section of this chapter which prescribes the lights required for the particular type bridge.

(b) Upon approval, one set of drawings will be returned to the applicant with the notation "navigational lights and/or other signals approved as shown", date, name and title of the District Commander.

§ 118.40 Modification of requirements.

(a) The District Commander may modify the requirements for the display of lights and other signals on any bridge when a change in local conditions warrants the modification.

(b) The District Commander may exempt bridges over waterways with no significant nighttime navigation from the lighting or other signal requirements in this part.

(c) The District Commander may prescribe special lighting or other signals in specific cases when the lighting or other signals in this part may not provide adequately for the safe passage of vessels.

(d) While a bridge is under construction, the District Commander prescribes the temporary lights and other signals to be displayed for the protection of navigation.

[CGD 84–022, 51 FR 16313, May 2, 1986]
§ 118.50 Inspection.

Lights and other signals required or authorized under this part are subject to inspection at any time by Coast Guard personnel or authorized agents.

§ 118.55 Periods of operation.

(a) Lights shall be displayed from sunset to sunrise and at other times when the visibility is less than one mile.

(b) Operators shall not be required to exhibit the prescribed lights during seasons when vessels are unable to navigate in the vicinity of the bridge.

(c) The operation of signals other than lights shall be as prescribed by the District Commander. Each case shall be considered individually.

§ 118.60 Characteristics of lights.

All lights required or authorized under this part must be securely attached to the structure and of sufficient candlepower as to be visible against the background lighting at a distance of at least 2,000 yards 90 percent of the nights of the year. Lights must meet the requirements of this part. Lights shall be fixed lights excepting as provided in §§118.95, 118.110 and 118.150 of this part. Color specifications are not prescribed for bridge lights, however, the chromaticity standards for navigation lights in 33 CFR Part 84—Annex I are recommended.

§ 118.65 Lights on fixed bridges.

(a) Each fixed bridge span over a navigable channel shall be lighted so that the center of the navigable channel under each span will be marked by a range of two green lights, and each margin of each navigable channel will be marked by a red light: Provided, That when a margin of a channel is limited by a pier, only those lights prescribed in paragraph (b) of this section shall be required to mark such channel margin. The green lights shall each show through a horizontal arc of 360°; they shall be securely mounted just below the outermost edge of the bridge span structure so as to be visible from an approaching vessel. Each red light shall show through a horizontal arc of 180°, and shall be securely mounted just below the outermost edge of the bridge span structure to show 90° on either side of a line parallel to the axis of the channel so as to be visible from an approaching vessel.

Note: Until such time that major repairs to or replacements of existing fixed span navigation lights colored green are made, it is permitted that only one of these lights marking the centerline of the same channel under a span shall be visible to an approaching vessel. When major repairs to or replacement of such existing green lights are made they shall conform with this paragraph.

(b) Pier lights. When the navigable channel extends from pier to pier or when piers are located within the navigable channel, each end of such piers shall be lighted with a red light. Each such light shall show through a horizontal arc of 180°, and shall be securely fastened at the end of the pier as low as practicable but not lower than 2 feet above navigable high water to show 90° on either side of a line parallel to the axis of the channel so as to be visible from an approaching vessel.

(c) Main channel. When necessary, the District Commander may prescribe that fixed bridges having two or more spans over a navigable channel shall have the main channel span marked with a set of three white lights arranged in a vertical line directly above each green light on the main channel span. These three white lights shall be securely mounted on the bridge structure and spaced as nearly 15 feet apart as the structure of the bridge will permit, with a minimum spacing of 7 feet. The lowest white light in the line of three lights shall be placed not less than 10 nor more than 15 feet above each green light on the main channel span.


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§ 118.70 Lights on swing bridges.

(a) Swing span lights on through bridges. Each swing span of every through swing bridge shall be lighted with three lanterns so that when viewed from an approaching vessel the swing span when closed will display three red lights on top of the span structure, one at each end of the span on the same level and one at the center of the span no less than 10 feet above the other two lights, and when open for navigation will display three green lights on top of the span structure in a horizontal arc of not less than 60° nor more than 180° with 1/2 of such arc showing either side of a line parallel to the axis of the main channel. When major repairs or replacement of such existing white lights are made, they shall conform with this paragraph.

[40 FR 24898, June 11, 1975, as amended by CGD 75-06a, 42 FR 56954, Oct. 31, 1977]

§ 118.75 Lights on single-opening drawbridges.

(a) Bridges in this class. Bridges of the folding, pontoon and similar type single opening drawbridges are included in this class.

(b) Draw span lights. Each draw span of every single opening drawbridge shall be lighted with two lanterns so that when viewed from an approaching vessel the draw span when closed will display two red lights at each end, and when open to navigation will display two green lights from each end. Each lantern shall show through alternate red and green horizontal arcs of 60° each, the axis of each green arc to be 90° from the axis of the red arc; each light shall be securely mounted at the floor level of the span as near to the side of the span as practicable with the axis of the red light normal to the long axis of the swing span and so that the red light will be visible from an approaching vessel when the span is closed.

(c) Pier lights. Every swing bridge shall be lighted so that each end of the piers adjacent to the navigable channel (draw piers) or each end of their protection piers (draw pier protection piers) and each end of the piers protecting the pivot pier (pivot protection pier) will be marked by a red light. Each of these lights shall show through a horizontal arc of 180° and shall be mounted as low as practicable below the floor level of the swing span to show 90° on either side of a line parallel to the axis of the channel so as to be visible from an approaching vessel.

(d) Axis lights. Every swing bridge shall be lighted so that the intersection of the bridge axis with each side of the pivot pier and the channel side of each draw pier which has a protection pier will be marked by a red light: Provided, That if the draw and draw protection piers are straight along their channel faces these lights shall not be required. Each such light shall show through a horizontal arc of 180°, and shall be mounted on the navigable channel face of the pier as low as practicable below the floor level of the swing span to show 90° either side of a line normal to the axis of the navigable channel so as to be visible from an approaching vessel.

(e) Omission of lights. Where the permanent navigable channel passes on only one side of the pivot pier of any swing span, the District Commander may authorize the omission of lighting of the unused channel.
§ 118.80 Lights on bascule bridges.

(a) Lift span lights. Each lift span of every bascule bridge shall be lighted so that the free end of the span will be marked on each side by a green light which shows only when the span is fully open for the passage of a vessel and by a red light which shows for all other positions of the lift span. Each red and each green light shall show through a horizontal arc of 180°. The lighting apparatus shall be securely mounted to the side of the span so that the light will show equally on either side of a line parallel to the axis of the span. The outermost side of each outer span of every bascule bridge with parallel multiple lifts shall be lighted as prescribed in paragraph (a) of this section; the lights shall be controlled so that the green lights will be displayed only when all spans are open for navigation. The inner sides of each outer lift span and both sides of each inner lift span of such bascule bridge shall be lighted by red lights for all positions of the lift span. These lights shall have the same arcs of illumination and shall be mounted as described in paragraph (a) of this section.

(b) Multiple parallel lift span lights. Every such bascule bridge shall be lighted so that each end of every pier, or protection pier where provided, in or adjacent to the navigable channel under the lift span or spans will be marked by a red light. Each such red light shall show through a horizontal arc of 180°, and shall be securely mounted as low as practicable on the end of the pier, or protection pier, to show 90° either side of a line parallel to the axis of the navigable channel so as to be visible from an approaching vessel.

(c) Pier or abutment lights. Every swinging bridge shall be lighted so that the end of each pier, abutment, or fixed portion of the bridge adjacent to the navigable channel through the draw, or each end of the protection piers for such piers, abutments, or fixed portion of the bridge will be marked by a red light. Each red light shall show through an arc of 180°, and shall be securely mounted on the pier, abutment, or fixed portion of the bridge as low as practicable to show 90° on either side of a line parallel to the axis of the channel so as to be visible from an approaching vessel.

§ 118.85 Lights on vertical lift bridges.

(a) Lift span lights. The vertical lift span of every vertical lift bridge shall be lighted so that the center of the navigable channel under the span will be marked by a range of two green lights when the vertical lift span is open for navigation, and by one red light on each side for all other positions of the lift span. The green lights shall each show through a horizontal arc of 180°, and shall be securely mounted just below the outermost edge of the bridge span structure so as to be visible from an approaching vessel. Each red light shall show through a horizontal arc of 180°; they shall be securely mounted just below the outermost edge of the bridge span structure so as to be visible from an approaching vessel.

Note: Until such time that major repairs to or replacement of lift span navigation lights are made, it is permitted that these
§ 118.100 Retroreflective panels on bridge piers.

The District Commander may require or authorize the display of high intensity red or green retroreflective panels when the District Commander finds it necessary:

(a) To better identify a hazardous pier.

(b) To provide a backup for red pier lights, red channel margin lights, and green mid channel lights, which are subject to vandalism or otherwise difficult to properly maintain. If the District Commander determines that the nominal nighttime visibility required is less than one-half mile, the panels must be at least six inches square. If the visibility required is more than one-half mile, the panels must be at least 12 inches square.

(c) To mark bridge piers or channel sides on bridges not required to have bridge lighting. Lateral significant red triangles and green square retroreflective panels shall be used. The panels shall be at least 36 square inches in area to provide a nominal nighttime visibility distance of at least one-half mile.

[CGD 84–022, 51 FR 16313, May 2, 1986]

§ 118.105 [Reserved]

§ 118.110 Daymarks and lateral lighting on bridges.

(a) The District Commander may require or authorize the marking of the margins of navigation channels through bridges with U.S. aids to navigation system lateral marks and lights installed on the superstructure or on the channel piers. The District Commander may also require or authorize the use of quick flashing, flashing, isophase or occulting red and green lights to mark the main channels.

(b) If lateral system lights are required or authorized to mark the main navigation channels, fixed yellow lights shall be used to mark the adjacent piers and the centerline of the channel shall be marked with the standard lateral system safe water mark and occulting white light, instead of the lights prescribed in §118.65.

(c) The District Commander may require or authorize the marking of the centerline of the navigation channel
§ 118.120 Drawspan of floating drawbridges with a special mark.

The drawspan of floating drawbridges with a special mark, diamond in shape, yellow in color, and with a high intensity retroreflective material border. The District Commander may require or authorize the mark to exhibit a flashing yellow light Morse Code “B” characteristic. The mark may not be visible when the drawspan is in the open position.

[CGD 84–022, 51 FR 16313, May 2, 1986]

§ 118.120 Radar reflectors and racons.

The District Commander may require or authorize the installation of radar reflectors and racons on bridge structures, stakes, or buoys. Radar reflectors are used to mark the location of the edge of the navigation channel or bridge channel piers. Racons are used to mark the centerline of the channel.

[CGD 84–022, 51 FR 16313, May 2, 1986]

§ 118.130 Fog signals.

On waterways where visibility is frequently reduced due to fog or other causes, the District Commander may require or authorize the installation of one or more fog signals to warn the navigator of the presence of the bridge. The fog signals must conform to the installation, range, and sound frequencies provisions in Subpart 67.10 of Part 67 of this chapter. If more than one fog signal is installed on a bridge or in the vicinity, their characteristics must be different to distinguish each signal. The fog signals must be directional to the fullest extent possible to minimize adverse impact on local residents.

[CGD 84–022, 51 FR 16313, May 2, 1986]

§ 118.140 Painting bridge piers.

The District Commander may require painting the sides of bridge channel piers below the superstructure facing traffic white or yellow when they are significantly darkened by weathering or other causes so as to be poorly visible against a dark background.

[CGD 84–022, 51 FR 16314, May 2, 1986]

§ 118.150 Traveller platforms.

The District Commander may require under deck traveller platforms which may significantly reduce the vertical clearance when operated over navigation channels at night to be lighted with quick flashing red lights on each of the four lower corners.

[CGD 84–022, 51 FR 16314, May 2, 1986]

§ 118.160 Vertical clearance gauges.

(a) When necessary for reasons of safety of navigation, the District Commander may require or authorize the installation of clearance gauges. Except as specified in §117.47(b) of this chapter for certain drawbridges, clearance gauges must meet the requirements of this section.

(b) Clearance gauges must indicate the vertical distance between “low steel” of the bridge channel span and the level of the water, measured to the bottom of the foot marks, read from top to bottom. Each gauge must be installed on the end of the right channel pier or pier protection structure facing approaching vessels and extend to a reasonable height above high water so as to be meaningful to the viewer. Other or additional locations may be prescribed by the District Commander if particular conditions or circumstances warrant.

(c) Construction. Each gauge must be permanently fixed to the bridge pier or pier protection structure and made of a durable material of sufficient strength to provide resistance to weather, tide, and current. Gauges may be painted directly on the bridge channel pier or pier protection structure if the surface is suitable and has sufficient width to accommodate the foot marks (graduations) and numerals.

(d) Numerals. (1) Each gauge must be marked by black numerals and foot marks on a white background. Paint, if used, must be of good exterior quality, resistant to excessive chalking or bleeding. Manufactured numerals and background material may be used.

(2) The size, type, and spacing of numerals must conform to the Standard Alphabets for Highway Signs and the following table. The nominal day visibility distance is the distance at which the clearance information needs to be ascertained by approaching vessel operators. The District Commander determines this distance for each bridge.
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§ 118.160

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<tr>
<th>Nominal day visibility distance (feet)</th>
<th>Height of numeral (inches)</th>
<th>Type of numeral</th>
<th>Vertical spacing of numerals (feet)</th>
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<td>Series C ....</td>
<td>2</td>
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<td>18</td>
<td>Series C ....</td>
<td>2</td>
</tr>
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<td>750 to 1,000 ........................</td>
<td>24</td>
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<td>1,000 to 2,000 .....................</td>
<td>30</td>
<td>Series E ....</td>
<td>5</td>
</tr>
<tr>
<td>More than 2,000 .....................</td>
<td>36</td>
<td>Series E ....</td>
<td>10</td>
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</table>

(3) The length of the foot marks must be no less than the width of a single numeral used (except numerals 1 and 4), be the same thickness as the width of stroke of the numeral, and extend to the nearest margin of the white background. Foot marks must be spaced every foot for nominal day visibility of less than 500 feet but less than 1,000 feet, and every five feet for nominal day visibility of more than 1,000 feet.

(4) Intermediate foot marks may be used when more precise determination of actual clearance is necessary. Such intermediate foot marks must have a width of stroke one-half the width of the stroke required for the numeral and shall be three-quarters as long as the primary foot marks.

(5) The horizontal distance between the numeral and nearest edge of the white background shall be no less than one-half the width of a single numeral (excepting numerals 1 and 4).

(6) The minimum width of the white background shall be no less than three times the width of a single numeral (excepting numerals 1 and 4) plus the widths of each additional numeral (when multiple numerals are used plus numeral spacing).

(e) Maintenance. The owner or operator of the bridge shall maintain each gauge in good repair and legible condition. The bridge owner or operator is responsible for the accuracy of the gauge and shall remeasure the vertical distance of the numerals and foot marks below “low steel” of the bridge whenever the gauge is repainted or the structure is repaired.

[CGD 84–022, 51 FR 16314, May 2, 1986]
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EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Transportation. This index is updated as of July 1, 2001.

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PART 120—SECURITY OF PASSENGER VESSELS

Subpart A—General

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120.120 Incorporation by reference.

Subpart B—Security Program

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120.210 What are the responsibilities of my vessel security officer?

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120.300 What is required to be in a Vessel Security Plan?

120.303 Who must submit a Terminal Security Plan?

120.305 What is the procedure for examination?

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120.309 What is my right of appeal?


Subpart A—General

§ 120.100 Does this part apply to me?

This part applies to all passenger vessels over 100 gross tons, carrying more than 12 passengers for hire; making voyages lasting more than 24 hours, any part of which is on the high seas; and for which passengers are embarked or disembarked in the United States or its territories. It does not apply to ferries that hold Coast Guard Certificates of Inspection endorsed for “Lakes, Bays, and Sounds”, and that transit international waters for only short periods of time, on frequent schedules.

§ 120.110 Definitions.

As used in this part:

Captain of the Port (COTP) means the Coast Guard officer designated by the Commandant to command a Captain of the Port Zone as described in Part 3 of this chapter, or an authorized representative.

Commandant means the Commandant of the U.S. Coast Guard, or an authorized representative.

High seas means all waters that are neither territorial seas nor internal waters of the United States or any foreign country as defined in Part 2, Subpart 2.05, of this chapter.

Operator means the person, company, or governmental agency, or the representative of a company or governmental agency, that maintains operational control over a passenger vessel or passenger terminal.

Passenger terminal means any structure used for the assembling, processing, embarking, or disembarking of passengers or baggage for vessels subject to this part. It includes piers, wharves, and similar structures to which a vessel may be secured; land and water under or in immediate proximity to these structures; buildings on or contiguous to these structures; and equipment and materials on or in these structures.

Security Level I means the degree of security precautions to take when the threat of an unlawful act against a vessel or terminal is, though possible, not likely.

Security Level II means the degree of security precautions to take when the threat of an unlawful act against a vessel or terminal is possible and intelligence indicates that terrorists are likely to be active within a specific area, or against a type of vessel or terminal.

Security Level III means the degree of security precautions to take when the threat of an unlawful act against a vessel or terminal is probable or imminent and intelligence indicates that terrorists have chosen specific targets.

Unlawful act means an act that is a felony under U.S. federal law, under the laws of the States where the vessel is located, or under the laws of the country in which the vessel is registered.

Voyage means the passenger vessel’s entire course of travel, from the first port at which the vessel embarks passengers until its return to that port or another port where the majority of the
§ 120.120 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the Federal Register and must make the material available to the public. All approved material may be inspected at the Office of the Federal Register, 800 North Capitol Street NW., Suite 700, Washington, DC, and at the U.S. Coast Guard, (G–MES), 2100 Second Street SW., Washington, DC. Copies may be obtained from IMO, 4 Albert Embankment, London SE1 7SR.

(b) The materials approved for incorporation by reference in this part and the sections affected are:

INTERNATIONAL MARITIME ORGANIZATION (IMO)

4 Albert Embankment, London SE1 7SR MSC Circular 443, Measures to Prevent Unlawful Acts Against Passengers and Crews on Board Ships September 26, 1986—120.220, 120.300

Subpart B—Security Program

[CGD 91–012, 61 FR 37652, July 18, 1996]

§ 120.200 What must my Vessel Security Program cover?

(a) If this part applies to your passenger vessel, you must implement a program for that vessel that—

(1) Provides for the safety and security of persons and property traveling aboard the vessel, against unlawful acts;

(2) Prevents or deters the carriage aboard the vessel of any prohibited weapon, incendiary, or explosive, on or about any person or within his or her personal articles or baggage, and the carriage of any prohibited weapon, incendiary, or explosive, in stowed baggage, cargo, or stores;

(3) Prevents or deters unauthorized access to the vessel and to restricted areas aboard the vessel;

(4) Provides appropriate security measures for Security Levels I, II, and III that allow for increases in security when the Commandant or Captain of the Port (COTP) advises you that a threat of an unlawful act exists and may affect the vessel or any person aboard it;

(5) Designates, by name, a security officer for the vessel;

(6) Ensures that all members of the crew are adequately trained to perform their duties relative to security; and

(7) Provides for coordination with terminal security while in port.

(b) If this part applies to your passenger vessel, you must work with the operator of each terminal at which that vessel embarks or disembarks passengers, to provide security for the passengers and the vessel. You need not duplicate any provisions fulfilled by the terminal unless directed to by the Commandant. When a provision is fulfilled by the terminal, the applicable section of the Vessel Security Plan required by §120.300 must refer to that fact.

[CGD91–012, 63 FR 53590, Oct. 6, 1998]

§ 120.210 What are the responsibilities of my vessel security officer?

(a) If this part applies to your passenger vessel, you must designate a security officer for your vessel.

(b) This officer must ensure that—

(1) An initial comprehensive security survey is conducted and updated;

(2) The Vessel Security Plan required by §120.300 is implemented and maintained, and amendments to correct its deficiencies and satisfy the security requirements for the vessel are proposed;

(3) Adequate training for members of the crew responsible for security is provided;

(4) Regular security inspections of the vessel are conducted;

(5) Vigilance is encouraged, as well as general awareness of security, aboard the vessel;
§ 120.220 What must I do to report an unlawful act and related activity?

(a) Either you or the vessel security officer must report each breach of security, unlawful act, or threat of an unlawful act against any of your passenger vessels to which this part applies, or against any person aboard it, that occurs in a place subject to the jurisdiction of the United States. You must report the incident to both the COTP and to the local office of the Federal Bureau of Investigation (FBI). Also, if your vessel is a U.S.-flag vessel, you must report each such incident that occurs in a place outside the jurisdiction of the United States to the hotline of the Response Center of the Department of Transportation at 1–800–424–0201, or, from within metropolitan Washington, D.C., at 202–267–2675.

(b) Either you or the vessel security officer must file a written report of the incident, using the form “Report on an Unlawful Act,” contained in IMO MSC Circular 443, which you or the officer must forward as soon as possible to Commandant (G-MOR), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001. You may initially file the report with Commandant (G-MOR) by fax at (202) 267–4063 or –4065.

§ 120.200 What must I do to report an unlawful act and related activity?

(a) Either you or the vessel security officer must report each breach of security, unlawful act, or threat of an unlawful act against any of your passenger vessels to which this part applies, or against any person aboard it, that occurs in a place subject to the jurisdiction of the United States. You must report the incident to both the COTP and to the local office of the Federal Bureau of Investigation (FBI). Also, if your vessel is a U.S.-flag vessel, you must report each such incident that occurs in a place outside the jurisdiction of the United States to the hotline of the Response Center of the Department of Transportation at 1–800–424–0201, or, from within metropolitan Washington, D.C., at 202–267–2675.

(b) Either you or the vessel security officer must file a written report of the incident, using the form “Report on an Unlawful Act,” contained in IMO MSC Circular 443, which you or the officer must forward as soon as possible to Commandant (G-MOR), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001. You may initially file the report with Commandant (G-MOR) by fax at (202) 267–4063 or –4065.

Subpart C—Plans and Procedures for Vessel Security

§ 120.300 What is required to be in a Vessel Security Plan?

(a) If your passenger vessel is subject to this part, you must develop and maintain, in writing, for that vessel, an appropriate Vessel Security Plan that—

(1) Is unique to the vessel;

(2) Articulates the program required by §120.200; and

(3) Includes an appendix, for each port where the vessel embarks or disembarks passengers, that contains port-specific security information.

(b) The Vessel Security Plan must be developed and maintained under the guidance in IMO MSC Circular 443, and must establish security measures to take for Security Levels I, II, and III, to—

(1) Deter unauthorized access to the vessel and its restricted areas;

(2) Deter the introduction of prohibited weapons, incendiaries, or explosives aboard the vessel;

(3) Encourage vigilance, as well as general awareness of security, aboard the vessel;

(4) Provide adequate training to members of the crew for security aboard the vessel;

(5) Coordinate responsibilities for security with the operator of each terminal where the vessel embarks or disembarks passengers; and

(6) Provide information to members of the crew and to law-enforcement personnel, in case of an incident affecting security.

(c) You must amend the Vessel Security Plan to address any known deficiencies.

(d) You must restrict the distribution, disclosure, and availability of information contained in the Vessel Security Plan to those persons with an operational need to know.

§ 120.303 Who must submit a Terminal Security Plan?

(a) You must submit a Terminal Security Plan whenever—

(1) There is an agreement with the owner or operator of a terminal that you will submit the Plan;

(2) You have exclusive use of the pier and terminal building immediately adjacent to the pier and have complete control of that area;

(3) There is no terminal; or

(4) Passengers embark or disembark but no baggage or stores are loaded or offloaded.

(b) In the situations described in paragraphs (a)(3) and (4) of this section, you may, with the permission of the
§ 120.305 What is the procedure for examination?

(a) You must submit two copies of each Vessel Security Plan required by §120.300, or of any Terminal Security Plan or annex required or permitted under §120.303 or §120.305 of this chapter, to the Commanding Officer, Marine Safety Center (MSC), 400 Seventh Street, SW., room 6302, Nassif Building, Washington, DC 20590-0001, for examination at least 60 days before embarking passengers on a voyage described in §120.100.

(b) If the Commanding Officer, Marine Safety Center, finds that the Vessel Security Plan meets the requirements of §120.300, he or she will return a copy to you marked “Examined by the Coast Guard.”

(c) If the Commanding Officer, Marine Safety Center, finds that the Vessel Security Plan does not meet the requirements of §120.300, he or she will return the Plan with an explanation of why it does not meet them.

(d) No vessel subject to this part may embark or disembark passengers in the United States, unless it holds either a Vessel Security Plan that we have examined or a letter from the Commanding Officer, Marine Safety Center, stating that we are currently reviewing the Plan and that normal operations may continue until we have determined whether the Plan meets the requirements of §120.300.

§ 120.307 What do I do if I need to amend my Vessel Security Plan?

(a) If your passenger vessel is subject to this part, you must amend your Vessel Security Plan when directed by the Commanding Officer, Marine Safety Center, and may amend it on your own initiative.

(b) You must submit each proposed amendment to the Vessel Security Plan you initiate, including changes to any appendix required by §120.300(a)(3), to the Commanding Officer, Marine Safety Center, for review, at least 30 days before the amendment is to take effect, unless he or she allows a shorter period. He or she will examine the amendment and respond according to §120.305.

(c) The Commanding Officer, Marine Safety Center, may direct you to amend your Vessel Security Plan if he or she determines that implementation of the Plan is not providing effective security. Except in an emergency, he or she will issue you a written notice of matters to address and will allow you at least 60 days to submit proposed amendments.

(d) If there is an emergency or other circumstance where the COTP determines that implementation of the Plan is not providing effective security, and the procedures in paragraph (c) of this section are impracticable, the COTP may give you an order to implement increases in security immediately. The order will incorporate a statement of the reasons for it.

§ 120.309 What is my right of appeal?

Any person directly affected by a decision or action taken by the Commanding Officer, Marine Safety Center, under this part, may appeal that action or decision to the Assistant Commandant for Marine Safety, Security and Environmental Protection [Commandant (G–M)] according to the procedures in 46 CFR 1.03-15.
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**EDITORIAL NOTE:** This listing is provided for informational purposes only. It is compiled and kept current by the U.S. Coast Guard, Department of Transportation. This index is updated as of July 1, 2001.

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- Material Approved for Incorporation by Reference
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Material Approved for Incorporation by Reference

(Revised as of July 1, 2002)

The Director of the Federal Register has approved under 5 U.S.C. 552(a) and 1 CFR Part 51 the incorporation by reference of the following publications. This list contains only those incorporations by reference effective as of the revision date of this volume. Incorporations by reference found within a regulation are effective upon the effective date of that regulation. For more information on incorporation by reference, see the preliminary pages of this volume.

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All the following materials are also on file at Coast Guard Headquarters, Room 4407, Trans Point Bldg., 2100 Second St. SW, Washington, DC 20593.

Department of Defense
DODSSP Standardization Document Order Desk, 700 Robbins Ave., Bldg. 4D, Philadelphia, PA 19111–5098
Military specifications:

Federal Highway Administration
400 Seventh St., SW., Washington, DC 20590

Illumination Engineering Society
345 E. 47th St., New York, NY 10017
Colors of Light Signals, 1975 .............................................................. 84.13

International Maritime Organization (IMO)
4 Albert Embankment, London, SE1 7SR, U.K.
IMO Resolution A.741(18), International Management Code for the Safe Operation of Ships and for Pollution Prevention, dated November 4, 1993. 96.220; 96.370
IMO Resolution A.739(18), Guidelines for the Authorization of Organizations Acting on Behalf of the Administration, dated November 4, 1993. 96.440
MSC Circular 443, “Measures to Prevent Unlawful Acts Against Passengers and Crews on Board Ships”, dated September 26, 1986. 120.220; 120.300
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At 55 FR 31044, July 31, 1990, part 52 of title 33 was revised and all of the sections were renumbered. For the convenience of the user, the following table shows the relationship of the redesignated sections.

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List of CFR Sections Affected

All changes in this volume of the Code of Federal Regulations which were made by documents published in the Federal Register since January 1, 1986, are enumerated in the following list. Entries indicate the nature of the changes effected. Page numbers refer to Federal Register pages. The user should consult the entries for chapters and parts as well as sections for revisions.


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The image contains a page from a legal document, primarily listing sections and amendments to the Code of Federal Regulations (CFR). The text is structured in a tabular format, indicating revisions and additions to various sections of the CFR, particularly for the years 1988 and 1993. The document details amendments to specific provisions and the dates of those amendments. Each section is marked with a reference to the page number of the CFR, indicating where the full text can be found.
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Note: The table above lists sections affected by changes in the Code of Federal Regulations (CFR). The numbers in parentheses indicate the page numbers where the changes are discussed.
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100.519 Added 16357
100.523 Added 9119
100.524 Added 36357
100.901 Table I revised 40738
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110.9 (a) removed; (b) added 21105
110.78 Note added 3643
110.84a Removed 65286
110.86 Removed 12540
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117.272 Added 39146
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117.291 (a) revised; (c) removed 15420
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117.451 (c) revised; (d) and (e) redesignated as (e) and (f); new (d) added 12540
117.465 (c) revised; (d) redesignated as (e); new (d) added 11193

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1.01–30 (b) added 36321
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1.01–80 Added 66484
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1.07–1–1.07–100 (Subpart 1.07) Authority citation revised 66485
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3.65–15 (b) corrected 948
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20 Revised 15022
20.903 Heading corrected 45757
20.1003 Heading corrected 45757
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26.02 Amended 36322
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