

§ 165.33

33 CFR Ch. I (7-1-11 Edition)

§ 165.33 General regulations.

Unless otherwise provided in the special regulations in Subpart F of this part:

- (a) No person or vessel may enter or remain in a security zone without the permission of the Captain of the Port;
- (b) Each person and vessel in a security zone shall obey any direction or order of the Captain of the Port;
- (c) The Captain of the Port may take possession and control of any vessel in the security zone;
- (d) The Captain of the Port may remove any person, vessel, article, or thing from a security zone;
- (e) No person may 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; and
- (f) No person may take or place any article or thing upon any waterfront facility in a security zone without the permission of the Captain of the Port.

Subpart E—Restricted Waterfront Areas

§ 165.40 Restricted waterfront areas.

The Commandant, may direct the COTP to prevent access to waterfront facilities, and port and harbor areas, including vessels and harbor craft therein. This section may apply to persons who do not possess the credentials outlined in §125.09 of this chapter when certain shipping activities are conducted that are outlined in §125.15 of this chapter.

Subpart F—Specific Regulated Navigation Areas and Limited Access Areas

FIRST COAST GUARD DISTRICT

§ 165.T01-0176 Regulated Navigation Area; Lake Champlain Bridge Construction, Crown Point, New York and Chimney Point, Vermont.

(a) *Description of the regulated navigation area (RNA).* All navigable waters on Lake Champlain 300 yards to the north and south of the Lake Champlain Bridge construction zone at Crown Point, New York and Chimney Point, Vermont. The area is bounded by co-

ordinates 44°01'59" N, 073°25'31" W and 44°02'04" N, 073°25'28" W to the north, and 44°01'56" N, 073°25'08" W and 44°01'53" N, 073°25'14" W to the south. The area will be marked with four white and orange-striped "NO WAKE" buoys to define the start and end of the regulated area.

(b) *Regulations.* In addition to 33 CFR 165.10, 165.11, and 165.13, the following restrictions or conditions apply within this RNA:

- (1) No vessel may operate at a speed in excess of five knots.
- (2) All vessels must proceed through the area with caution and operate in such a manner as to produce no wake.
- (3) Vessels must comply with all directions given to them by the Captain of the Port (COTP) Sector Northern New England or his on-scene representative. The "on-scene representative" of the COTP is any Coast Guard commissioned, warrant, or petty officer who has been designated by the COTP to act on the COTP's behalf. The on-scene representative may be on a Coast Guard vessel, New York State Police, New York Department of Environmental Conservation, Vermont State Police, and Vermont Fish and Game or other designated craft, or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(4) During certain construction activities including installation of the bridge lift span and as deemed necessary by the COTP, all vessel movement into or within the regulated area may be prohibited.

(5) For purposes of navigational safety, the COTP or on-scene representative may authorize a deviation from this regulation.

(c) *Enforcement.* (1) This regulated navigation area is enforceable from April 23, 2010 through December 31, 2011.

(2) The COTP may temporarily suspend all vessel traffic through the RNA, temporarily suspend enforcement of the RNA, or suspend enforcement of the RNA at the conclusion of bridge construction. In any of these events,

the COTP will give notice by all appropriate means to ensure the widest publicity among the affected segments of the public. Such means of notification may include, but are not limited to, Broadcast Notice to Mariners and Local Notice to Mariners. Notification will include the beginning and end dates and times when the traffic suspension or enforcement suspension is effective.

(3) Violations of this RNA should be reported to the COTP at (207) 767-0303 or on VHF-Channel 16. Persons in violation of this RNA may be subject to civil and criminal penalties.

EFFECTIVE DATE NOTE: By USCG-2010-0176, 75 FR 22231, Apr. 28, 2010, temporary § 165.T01-0176 was added, effective Apr. 23, 2010 through Dec. 31, 2011.

§ 165.T01-0220 Regulated Navigation Area: Niantic Railroad Bridge Construction, Niantic, Connecticut.

(a) *Location.* The following area is a regulated navigation area: All navigable waters of the Federal channel on the Niantic River in Niantic, CT, from surface to bottom, bounded to the north by the Highway 156/Main Street Bridge and to the south beginning at a point on land located at 41°19'26.000" N, 72°10'51.000" W, then running southeast to position 41°19'16.158" N, 72°10'45.519" W (Niantic River Channel Buoy 3 (LLNR 22310)) and 41°19'15.285" N, 72°10'44.867" W (Niantic River Channel Buoy 4 (LLNR 22315)), then running east to a point on land located at 41°19'14.000" N, 72°10'38.000" W.

(b) *Regulations.* (1) The general regulations contained in 33 CFR 165.10, 165.11, and 165.13 apply.

(2) In accordance with the general regulations, entry into or movement within this zone, during periods of enforcement, is prohibited unless authorized by the Captain of the Port, Long Island Sound (COTP).

(3) All persons and vessels must comply with the COTP or the COTP's designated on-scene Coast Guard patrol personnel.

(4) Upon being hailed by a Coast Guard vessel by siren, radio, flashing light or other means, the operator of the vessel must proceed as directed.

(5) Persons and vessels may request permission to enter the zone during pe-

riods of enforcement on VHF-16 or via phone at 203-468-4401.

(6) Rules of the Road (33 CFR part 84, Inland Navigational Rules) remain in effect and must be strictly adhered to at all times.

(c) *Enforcement period.* (1) This regulated navigation area is enforceable 24 hours a day from June 20, 2010 until April 20, 2013.

(2) The COTP may temporarily suspend enforcement of the RNA. If enforcement is suspended, the COTP will cause a notice of the suspension of enforcement by all appropriate means to effect the widest publicity among the affected segments of the public. Such means of notification may include, but are not limited to, Broadcast Notice to Mariners and Local Notice to Mariners. Such notification will include the date and time that enforcement is suspended as well as the date and time that enforcement will resume.

(3) The COTP may temporarily suspend all traffic through the RNA for any situation that would pose imminent hazard to life on the navigable waters. In the event of a complete waterway closure, the COTP will make advance notice of the closure by all means available to effect the widest public distribution including, but are not limited to, Broadcast Notice to Mariners and Local Notice to Mariners. Such notification will include the date and time of the closure as well as the date and time that normal vessel traffic can resume.

(4) Violations of this regulated navigation area should be reported to the Captain of the Port Sector Long Island Sound, at 203-468-4401 or on VHF-Channel 16. Persons in violation of this regulated navigation area may be subject to civil and/or criminal penalties.

EFFECTIVE DATE NOTE: By USCG-2010-0220, 75 FR 38926, July 7, 2010, temporary § 165.T01-0220 was added, effective from July 7, 2010 through Apr. 20, 2013.

§ 165.T01-0470 Safety Zones; Maine Events in Captain of the Port Long Island Sound Zone.

(a) *Regulations.* The general regulations contained in 33 CFR 165.23 as well as the following regulations apply to the fireworks displays listed in TABLE 1 of T01-0470. These regulations will be