

**§ 162.90 White River, Arkansas Post Canal, Arkansas River, and Verdigris River between Mississippi River, Ark., and Catoosa, Okla.; use, administration, and navigation.**

(a) The regulations in this section shall apply to:

(1) *Waterways.* White River between Mississippi River and Arkansas Post Canal, Ark.; Arkansas Post Canal, Ark.; Arkansas River between Arkansas Post Canal, Ark., and Verdigris River, Okla.; Verdigris River between Arkansas River and Catoosa, Okla.; and reservoirs on these waterways between Mississippi River Ark., and Catoosa, Okla.

(2) *Bridges, wharves and other structures.* All bridges, wharves, and other structures in or over the waterways described in paragraph (a)(1) of this section.

(3) *Vessels and rafts.* The term "vessels" as used in this section includes every description of watercraft used, or capable of being used, as a means of transportation on water, other than rafts.

(b) *Waterways:*

(1) *Fairway.* A clear channel shall at all times be left open to permit free and unobstructed navigation by all types of vessels and rafts that normally use the various waterways or sections thereof. The District Commander may specify the width of the fairway required in the waterways under his charge.

(2) *Anchoring or mooring in waterway.*

(i) No vessels or rafts shall anchor or moor in any of the land cuts or other narrow parts of the waterway, except in an emergency. Whenever it becomes necessary for a vessel or raft to stop in any such portions of the waterway, it shall be securely fastened to one bank and as close to the bank as possible. This shall be done only at such a place and under such conditions as will not obstruct or prevent the passage of other vessels or rafts. Stoppages shall be only for such periods as may be necessary.

(ii) Except temporarily, as authorized in paragraph (b)(2)(i) of this section, no vessel or raft will be allowed to use any portion of the fairway as a mooring place without written permission from the District Commander.

(iii) When tied up individually, all vessels shall be moored by bow and stern lines. Rafts and tows shall be secured at sufficiently close intervals to insure their not being drawn away from the bank by winds, currents, or the suction of passing vessels. Towlines shall be shortened so that the different parts of the tow will be as close together as possible. In narrow sections, no vessel or raft shall be tied abreast of another if the combined width of vessels or rafts is greater than 70 feet.

(iv) When a vessel is moored under an emergency condition, as provided in paragraph (b)(2)(i) of this section, at least one crew member shall remain in attendance to display proper lights and signals and tend the mooring lines. The crew member shall be provided with an adequate means of communication or signalling a warning in the event that, for any reason, the vessel or tow should go adrift. Immediately after completion of the emergency mooring, the lockmaster of the first lock downstream shall be notified of the character and cargo of the vessel and the location of such mooring.

(v) Vessels will not be permitted to load or unload in any of the land cuts, except at a regular established landing or wharf, without written permission secured in advance from the District Commander.

(vi) Except in an emergency, no vessel or raft shall anchor over revetted banks of the waterway, nor shall any type vessel except launches and other small craft land against banks protected by revetment except at regular commercial landings.

(3) *Speed.* (i) Excessive speed in narrow sections is prohibited. Official signs indicating limiting speeds through critical sections shall be strictly obeyed.

(ii) When approaching and passing through a bridge, all vessels and rafts, regardless of size, shall control their speed so as to insure that no damage will be done to the bridge or its fenders.

(iii) Within the last mile of approach to unattended, normally open automatic, movable span bridges, the factor of river flow velocity, of vessel (and tow) velocity, and of vessel power and

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crew capability are never to be permitted to result in a condition whereby the movement of vessel (and tow) cannot be completely halted or reversed within a 3-minute period.

(iv) A vessel shall reduce its speed sufficiently to prevent any damage when approaching another vessel in motion or tied up, a wharf or other structure, works under construction, plant engaged in river and harbor improvement, levees withstanding floodwaters, buildings submerged or partially submerged by high waters, or any other manner of structure or improvements likely to be damaged by collision, suction, or wave action.

(4) *Assembly and handling of tows.* (i) All vessels drawing tows not equipped with rudders in restricted channels and land cuts shall use two towlines, or a bridle on one towline, shortened to the greatest possible extent so as to have maximum control at all times. The various parts of a tow shall be securely assembled with the individual units connected by lines as short as practicable. In open water, the towlines and fastenings between barges may be lengthened so as to accommodate the wave surge. In the case of length or cumbersome tows, or tows in restricted channels, the District Commander may require that tows be broken up, and may require the installation of a rudder or other approved steering device on the tow in order to avoid obstructing navigation or damaging the property of others. Pushing barges with towing vessel astern, towing barges with towing vessel alongside, or pushing and pulling barges with units of the tow made up both ahead and astern of the towing vessel is permissible provided that adequate power is employed to keep the tow under full control at all times.

(ii) No tow shall be drawn by a vessel that has insufficient power or crew to permit ready maneuverability and safe handling.

(iii) No vessel or tow shall navigate through a drawbridge until the movable span is fully opened.

(5) *Projections from vessels.* No vessels carrying a deck load which overhangs or projects over the side, or whose rigging projects over the side, so as to endanger passing vessels, wharves, or

other property, shall enter or pass through any of the narrow parts of the waterway.

(6) *Meeting and passing.* Vessels on meeting or overtaking shall give the proper signals and pass in accordance with the Inland Rules and the Pilot Rules for Inland Waters. Rafts shall give to vessels the side demanded by proper signal. All vessels approaching dredges or other plant engaged on improvements to a waterway shall give the signal for passing and slow down sufficiently to stop if so ordered or if no answering signal is received. On receiving the answering signal, they shall then pass at a speed sufficiently slow to insure safe navigation. Vessels approaching an intersection or bend where the view is obstructed must exercise due caution. At certain intersections where strong currents may be encountered, sailing directions may be issued from time to time through navigation bulletins or signs posted on each side of the intersections which must be observed.

NOTE: The Corps of Engineers also has regulations dealing with this section in 33 CFR Part 207.

§ 162.100 Ohio River at Louisville, KY.

(a) *Emergency Mooring Buoys.* The U.S. Army Corp of Engineers has established four pairs of emergency mooring bouys. Each buoy is 10 feet in diameter with retro-reflective sides. The two bouys which comprise each pair are 585 feet apart and are located approximately at:

- (1) Indiana Bank—Mile 582.3 (near 18 Mile Island);
- (2) Six Mile Island—Mile 597.5;
- (3) Six Mile Island—Mile 598.2; and
- (4) Kentucky Bank—Mile 599.8 (Cox's Park).

NOTE: All buoys, except those at Six Mile Island—Mile 598.2, are removed between May 1 and September 30. Due to the close proximity of the municipal water intakes, mooring of tank vessels laden with petroleum products or hazardous materials is not authorized on the Kentucky Bank, Mile 599.8 (Cox's Park).

(b) *The regulations.* A vessel must not use the emergency mooring buoys that have been established by the U.S. Army Corps of Engineers, unless specifically authorized. The Captain of the Port, upon request, may authorize the