

§ 165.514 Safety Zone: Atlantic Intra-coastal Waterway and connecting waters, vicinity of Marine Corps Base Camp Lejeune, North Carolina.

(a) *Location.* The following area is a safety zone: All waters of the Atlantic Intra-coastal Waterway (AICW) and connecting waters, from Bogue Sound—New River Daybeacon 58 (LLNR 39210) at approximate position 34°37'57" North, 077°12'18" West, and continuing in the AICW southwest to Bogue Sound—New River Daybeacon 70 (LLNR 39290) at approximate position 34°33'07" North, 077°20'30" West. All coordinates reference Datum: NAD 1983.

(b) Notwithstanding the provisions of 33 CFR 334.440(e)(2)(1), no vessel may enter the safety zone described in paragraph (a) of this section while weapons firing exercises are in progress, except as provided in paragraph (c) of this section or unless permitted by the Captain of the Port (COTP) Wilmington.

(1) Red warning flags or red warning lights will be displayed on towers located at both ends of the safety zone (Bear Creek and Cedar Point) while firing exercises are in progress. The flags or lights will be displayed by 8 a.m. on days where firing exercises are scheduled, and will be removed at the end of the firing exercise.

(2) A Coast Guard or U.S. Navy vessel will patrol each end of the safety zone to ensure the public is aware that firing exercises are in progress and that the firing area is clear of vessel traffic before weapons are fired.

(c)(1) The COTP Wilmington will announce the specific times and locations of firing exercises by Broadcast Notice to Mariners and Local Notice to Mariners. Normally, weapons firing for each firing exercise is limited to a two nautical mile portion of the safety zone. The COTP may issue general permission to transit all or specified parts of the safety zone outside of the actual firing area or if firing is temporarily stopped. This general permission will be announced in a Local Notice to Mariners and Broadcast Notice to Mariners.

(2) Weapons firing will be suspended and vessels permitted to transit the specified two nautical mile firing area for a one-hour period beginning at the

start of each odd-numbered hour local time (e.g., 9 a.m.; 1 p.m.). A vessel may not enter the specified firing area unless it will be able to complete its transit of the firing area before firing exercises are scheduled to re-start at the beginning of the next even-numbered hour.

(d) U.S. Navy safety vessels may be contacted on VHF marine band radio channels 13 (156.65 Mhz) and 16 (156.8 Mhz). The Captain of the Port may be contacted at the Marine Safety Office, Wilmington, NC by telephone at 1-(800) 325-4956.

[CGD 05-98-38, 63 FR 58636, Nov. 2, 1998, as amended by USCG-2000-7223, 65 FR 40058, June 29, 2000]

§ 165.515 Safety Zone: Cape Fear River, Wilmington, North Carolina.

(a) *Location.* The following area is a safety zone:

(1) The waters of the Cape Fear River bounded by a line connecting the following points:

<i>Latitude</i>	<i>Longitude</i>
34°14' 12" N	77°57' 10" W
34°14' 12" N	77°57' 06" W
34°13' 54" N	77°57' 00" W
34°13' 54" N	77°57' 06" W

(2) The safety zone boundary can be described as follows: starting at the stern of the Battleship USS NORTH CAROLINA, across the Cape Fear River to the north end of the Coast Guard moorings, down along the east bank of the Cape Fear River to the bow of the tug CAPTAIN JOHN TAXIS Memorial (Chandler's Wharf), back across the Cape Fear River to Eagle Island, and then up along the west bank of the Cape Fear River to the stern of the Battleship USS NORTH CAROLINA.

(b) *Definitions.* The designated representative of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Wilmington, North Carolina to act on his behalf.

(c) *General information.* The Captain of the Port and the Duty Officer at the Marine Safety Office, Wilmington, North Carolina, can be contacted at telephone number 1-800-325-4956. The Coast Guard Patrol Commander and the senior boarding officer on each vessel enforcing the safety zone can be