

§ 165.815

TABLE 165.811(E)—MINIMUM AVAILABLE HORSEPOWER REQUIREMENT—Continued
[The greater value listed.]

Direction of tow	Daytime (sunrise to sunset)	Nighttime (sunset to sunrise)
Downbound	600hp or (Length of tow—200ft) × 3.	600hp or (Length of tow) × 3.

Note: A 5% variance from the available horsepower is authorized.

(2) All tows carrying cargoes of particular hazard as defined in §160.203 of this chapter must have available horsepower of at least 600 hp or three times the length of tow, whichever is greater.

(f) *Notice of Requirements.* Notice that these rules are anticipated to be put into effect, or are in effect, will be given by:

- (1) Marine information broadcasts;
- (2) Notices to mariners;
- (3) Vessel Traffic Center advisories or upon vessel information request; and
- (4) Visual displays on top of the SPRR Bridge, consisting of:
 - (i) Two vertically arranged red balls by day; or
 - (ii) Two vertically arranged flashing white lights by night.

NOTE: Visual displays are not shown during precautionary periods (when the Morgan City River Gauge reads 2.5 feet above mean sea level). However, precautionary notices will be issued via marine notice to mariners, notice to mariners, VTC advisories or vessel information requests, when water level remains at or above 2.5 feet. Visual displays are Class I, private aids to navigation maintained by SPRR Bridge.

[CGD 90-020, 59 FR 36334, July 15, 1994, as amended by CGD 95-033, 60 FR 28333, May 31, 1995]

§ 165.815 Ohio River at Louisville, KY; regulated navigation area.

(a) The following is a regulated navigation area: The waters of the Ohio River from the Clark Memorial (Highway) Bridge at Mile 603.5, downstream to McAlpine Dam at Mile 604.4.

(b) The general regulations governing regulated navigation area contained in 33 CFR part 165, subpart B apply.

(c) No pleasure or fishing craft shall be operated within the regulated navigation area at any time without prior permission of the Captain of the Port, Louisville, Kentucky, except in case of

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emergency and except for passage through McAlpine Lock.

[CGD 2-89-04, 55 FR 23203, June 7, 1990. Redesignated by CGD 96-026, 61 FR 33669, June 28, 1996]

§ 165.817 Arkansas River, Mile 118.2 to 125.4, Little Rock Arkansas—regulated navigation area.

(a) Location. The following is a regulated navigation area (RNA): The waters of the Arkansas River between mile 118.2 and mile 125.4.

(b) Regulations. Transit of the RNA is limited during periods of high velocity flow, defined as the flow rate of 70,000 cubic feet per second or more at the Murray Lock and Dam at mile 125.4. The flow rate at this location is calculated by the U.S. Army Corps of Engineers on a regular and routine basis. This information will be distributed by announcements by Coast Guard Marine Information Broadcasts, publication in Coast Guard Local Notice to Mariners, and telephone or radio contact with the Lockmaster at Murray Lock and Dam.

(c) Transit of the RNA during periods of high velocity flow may only occur under the following conditions:

- (1) Vessels may not meet or pass in the RNA.
- (2) No vessel shall anchor, stop, remain or drift without power at any time in the RNA.
- (3) All vessels shall continually monitor VHF-FM channel 13 on their radiotelephone while in or approaching the RNA.

(4) Prior to entering the RNA, downbound vessels shall make a broadcast in the blind on VHF-FM channel 13 announcing their estimated time of departure from Murray Lock and Dam or from the mooring cells at mile 121.5 to ensure there are no upbound vessels within the RNA. If there is upbound traffic within the RNA, the downbound vessel shall not depart until the upbound vessel has passed through the RNA. After departing, vessels will proceed through the RNA, including all drawbridges located therein, without delay.

(5) When upbound vessels reach mile 116, they shall make a broadcast in the blind on VHF-FM channel 13 announcing their estimated arrival time at the

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Rock Island Railroad Bridge at mile 118.2.

(6) When a downbound vessel is already in the RNA, an upbound vessel shall adjust its speed so as to avoid a meeting situation in the RNA.

(d) Refer to 33 CFR 117.123 for draw-bridge operation regulations.

[CGD2-90-04, 57 FR 22176, May 27, 1992. Redesignated by CGD 96-026, 61 FR 33669, June 28, 1996]

§ 165.821 Ohio River at Cincinnati, OH; regulated navigation area.

(a) Location. The following is a regulated navigation area (RNA)—The waters of the Ohio River between mile 466.0 and mile 473.0.

(b) Activation. The restrictions in paragraphs (c) (1) through (4) are in effect from one-half hour before sunset to one-half hour after sunrise when the Cincinnati, Ohio, Ohio River Gauge is at or above the 45 foot level. The Captain of the Port, Louisville, Kentucky will publish a notice in the Local Notice to Mariners and will make announcements by Coast Guard Marine Information Broadcasts whenever the river level measured at the gauge activates or terminates the navigation restrictions in this section.

(c) Regulations.

(1) Transit through the RNA by all downbound vessels towing cargoes regulated by Title 46 Code of Federal Regulations Subchapters D and O with a tow length exceeding 600 feet excluding the tow boat is prohibited.

(2) No vessel shall loiter, anchor, stop, remain or drift without power at any time within the navigation channel of the RNA.

(3) All commercial vessels shall continually monitor VHF-FM channel 13 on their radiotelephone while in or approaching the RNA.

(4) Between Ohio River miles 464.0 and 466.0, downbound vessels shall make a broadcast in the blind, on VHF-FM channel 13 announcing their estimated time of entering the RNA.

[CGD02-95-003, 61 FR 2417, Jan. 26, 1996. Redesignated by CGD 97-023, 62 FR 33365, June 19, 1997, as amended by USCG-1998-3799, 63 FR 35533, June 30, 1998]

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§ 165.901 Great Lakes—regulated navigation areas.

(a) Lake Huron. The following are regulated navigation areas:

(1) The waters of Lake Huron known as South Channel between Bois Blanc Island and Cheboygan, Michigan; bounded by a line north from Cheboygan Crib Light (LL-1340) at 45°39' 48"N, 84°27' 36"W; to Bois Blanc Island at 45°43' 42"N, 84°27' 36"W; and a line north from the mainland at 45°43' 00"N, 84°35' 30"W; to the western tangent of Bois Blanc Island at 45°48' 42"N, 84°35' 30"W.

(2) The waters of Lake Huron between Mackinac Island and St. Ignace, Michigan, bounded by a line east from position 45°52' 12"N, 84°43' 00"W; to Mackinac Island at 45°52' 12"N, 84°39' 00"W; and a line east from the mainland at 45°53' 12"N, 84°43' 30"W; to the northern tangent of Mackinac Island at 45°53' 12"N, 84°38' 48"W.

(b) Lake Michigan. The following is a regulated navigation area—The waters of Lake Michigan known as Gray's Reef Passage bounded by a line from Gray's Reef Light (LL-2006) at 45°46' 00"N, 85°09' 12"W; to White Shoals Light (LL-2003) at 45°50' 30"N, 85°08' 06"W; to a point at 45°49' 12"N, 85°04' 48"W; then to a point at 45°45' 42" N, 85°08' 42" W; then to the point of beginning.

(c) Regulations. The COTP, Sault Ste. Marie, will close and open these regulated navigation areas as ice conditions dictate. Under normal seasonal conditions, only one closing each winter and one opening each spring are anticipated. Prior to the closing or opening of the regulated navigation areas, the COTP will give interested parties, including both shipping interests and island residents, not less than 72 hours notice of the action. No vessel may navigate in a regulated navigation area which has been closed by the COTP. Under emergency conditions, the COTP may authorize specific vessels to navigate in a closed regulated navigation area.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 79-026, 48 FR 35408, Aug. 4, 1983]