

§ 109.07 Anchorages under Ports and Waterways Safety Act.

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 Pub. L. 107-296, 116 Stat. 2135, authorize the Commandant to specify times of movement within ports and harbors, restrict vessel operations in hazardous areas and under hazardous conditions, and direct 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. 1655(g)(1); 49 CFR 1.46(n); 49 CFR 1.46(c)(1))

[CGD 3-81-1A, 47 FR 4063, Jan. 28, 1982, as amended by USCG-2003-14505, 68 FR 9535, Feb. 28, 2003]

§ 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 (80 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 to establish special anchorage areas to each Coast Guard District Commander in § 1.05-1(e)(1)(i).

(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-1998-3799, 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.

[CGFR 67-46, 32 FR 17727, Dec. 12, 1967]

§ 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.

[CGFR 67-46, 32 FR 17727, Dec. 12, 1967]

PART 110—ANCHORAGE REGULATIONS

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110.1 General.

110.1a Anchorages under Ports and Waterways Safety Act.

Subpart A—Special Anchorage Areas

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 110.38 Edgartown Harbor, Mass.
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 110.45 Onset Bay, Mass.
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 110.46 Newport Harbor, Newport, R.I.
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 110.48 Thompson Cove on east side of Pawcatuck River below Westerly, R.I.
 110.50 Stonington Harbor, Conn.
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 110.50b Mystic Harbor, Groton and Stonington, Conn.
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 110.56 Noroton Harbor, Darien, Conn.
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 110.60 Port of New York and vicinity.
 110.65 Indian River Bay, Del.
 110.67 Delaware River, Essington, Pa.
 110.70 Chesapeake and Delaware Canal, easterly of Courthouse Point, Md.
 110.70a Northeast River, North East, Md.
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 110.71b Wye River, Wye, Md.
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 110.74 Marco Island, Marco River, Fla.
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 110.75 Corpus Christi Bay, Tex.
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 110.77a Duluth-Superior Harbor, Duluth, Minn.
 110.77b Madeline Island, WI.
 110.78 Sturgeon Bay, Sturgeon Bay, Wis.
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 110.79b Millers Bay, Lake Winnebago, Oshkosh, WI.
 110.79c Fish Creek Harbor, Fish Creek, Wisconsin.
 110.80 Milwaukee Harbor, Milwaukee, Wis.
 110.80a Lake Macatawa, Mich.
 110.80b Marquette Harbor, Marquette, Mich.
 110.81 Muskegon Lake, Mich.
 110.81a Lake Betsie, Frankfort, MI.
 110.82 Charlevoix Harbor, Mich.
 110.82a Little Traverse Bay, Lake Michigan, Harbor Springs, Mich.
 110.83 Chicago Harbor, Ill.
 110.83a Cedar Point, Sandusky, Ohio.
 110.84 Black Rock Channel opposite foot of Porter Avenue, Buffalo, N.Y.
 110.84b Buffalo, N.Y.
 110.85 Niagara River, Youngstown, N.Y.
 110.86 Sodus Bay, NY.
 110.87 Henderson Harbor, N.Y.
 110.90 San Diego Harbor, California.
 110.91 Mission Bay, Calif.
 110.93 Dana Point Harbor, Calif.
 110.95 Newport Bay Harbor, Calif.
 110.100 Los Angeles and Long Beach Harbors, Calif.
 110.111 Marina del Rey Harbor, Calif.
 110.115 Santa Barbara Harbor, Calif.
 110.120 San Luis Obispo Bay, Calif.
 110.125 Morro Bay Harbor, Calif.
 110.126 Monterey Harbor, Calif.
 110.126a San Francisco Bay, Calif.
 110.127 Lake Mohave and Lake Mead, Nevada and Arizona.
 110.127a Lake Powell, Utah-Arizona.
 110.127b Flaming Gorge Lake, Wyoming-Utah.
 110.127c Trinidad Bay, Calif.
 110.128 Columbia River at Portland, Oreg.
 110.128b Island of Hawaii, Hawaii.
 110.128c Island of Kauai, Hawaii.
 110.128d Island of Oahu, Hawaii. (Datum: OHD)
 110.129a Apra Harbor, Guam. (Datum: WGS 84)

Subpart B—Anchorage Grounds

110.130 Bar Harbor, Maine.

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- 110.132 Rockland Harbor, Maine.
 - 110.133 Kennebec River in vicinity of Bath, Maine.
 - 110.134 Portland Harbor, Maine.
 - 110.136 Lake Champlain, NY and VT.
 - 110.138 Boston Harbor, Mass.
 - 110.140 Buzzards Bay, Nantucket Sound, and adjacent waters, Mass.
 - 110.142 Nantucket Harbor, Mass.
 - 110.145 Narragansett Bay, R.I.
 - 110.147 New London Harbor, Conn.
 - 110.148 Johnsons River at Bridgeport, Conn.
 - 110.150 Block Island Sound, N.Y.
 - 110.155 Port of New York.
 - 110.156 Randall Bay, Freeport, Long Island, N.Y.
 - 110.157 Delaware Bay and River.
 - 110.158 Baltimore Harbor, MD.
 - 110.159 Annapolis Harbor, MD.
 - 110.166 York River, Va., naval anchorage.
 - 110.168 Hampton Roads, Virginia, and adjacent waters.
 - 110.170 Lockwoods Folly Inlet, N.C.
 - 110.173 Port of Charleston, S.C.
 - 110.179 Skidaway River, Isle of Hope, Ga.
 - 110.182 Atlantic Ocean off Fort George Inlet, near Mayport, Fla.
 - 110.183 St. Johns River, Florida.
 - 110.185 Atlantic Ocean, off the Port of Palm Beach, Fla.
 - 110.186 Port Everglades, Florida.
 - 110.188 Atlantic Ocean off Miami and Miami Beach, Fla.
 - 110.189a Key West Harbor, Key West, Fla., naval explosives anchorage area.
 - 110.190 Tortugas Harbor, in vicinity of Garden Key, Dry Tortugas, Fla.
 - 110.193 Tampa Bay, Fla.
 - 110.193a St. Joseph Bay, Fla.
 - 110.194 Mobile Bay, Ala., at entrance.
 - 110.194a Mobile Bay, Ala., and Mississippi Sound, Miss.
 - 110.194b Mississippi Sound and Gulf of Mexico, near Petit Bois Island, Miss.
 - 110.195 Mississippi River below Baton Rouge, LA, including South and Southwest Passes.
 - 110.196 Sabine Pass Channel, Sabine Pass, Tex.
 - 110.197 Galveston Harbor, Bolivar Roads Channel, Texas
 - 110.205 Chicago Harbor, Ill.
 - 110.206 Detroit River, Michigan.
 - 110.207 Cleveland Harbor, Ohio.
 - 110.208 Buffalo Harbor, N.Y.
 - 110.210 San Diego Harbor, CA.
 - 110.212 Newport Bay Harbor, Calif.
 - 110.214 Los Angeles and Long Beach harbors, California.
 - 110.215 Anaheim Bay Harbor, Calif., U.S. Naval Weapons Station, Seal Beach, Calif.; naval explosives anchorage.
 - 110.216 Pacific Ocean at Santa Catalina Island, Calif.
 - 110.218 Pacific Ocean at San Clemente Island, Calif.; in vicinity of Wilson Cove.
 - 110.220 Pacific Ocean at San Nicolas Island, Calif.; restricted anchorage areas.
 - 110.222 Pacific Ocean at Santa Barbara Island, Calif.
 - 110.224 San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, Sacramento River, San Joaquin River, and connecting waters, CA.
 - 110.228 Columbia River, Oregon and Washington.
 - 110.229 Straits of Juan de Fuca, Wash.
 - 110.230 Puget Sound Area, Wash.
 - 110.231 Ketchikan Harbor, Alaska, Large Passenger Vessel Anchorage.
 - 110.232 Southeast Alaska.
 - 110.233 Prince William Sound, Alaska.
 - 110.235 Pacific Ocean (Mamala Bay), Honolulu Harbor, Hawaii (Datum: NAD 83).
 - 110.236 Pacific Ocean off Barbers Point, Island of Oahu, Hawaii: Offshore pipeline terminal anchorages.
 - 110.237 Pacific Ocean at Waimea, Hawaii, Naval Anchorage.
 - 110.238 Apra Harbor, Guam.
 - 110.239 Island of Tinian, CNMI.
 - 110.240 San Juan Harbor, P.R.
 - 110.245 Vieques Passage and Vieques Sound, near Vieques Island, P.R.
 - 110.250 St. Thomas Harbor, Charlotte Amalie, V.I.
 - 110.255 Ponce Harbor, P.R.
- AUTHORITY: 33 U.S.C. 471, 1221 through 1236, 2030, 2035, 2071; 33 CFR 1.05-1(g); Department of Homeland Security Delegation No. 0170.
- 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

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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.

[CGFR 67-46, 32 FR 17728, Dec. 12, 1967, as amended by CGD 86-082, 52 FR 33811, Sept. 8, 1987; USCG-1998-3799, 63 FR 35526, June 30, 1998]

§ 110.1a Anchorages under Ports and Waterways Safety Act.

(a) The anchorages listed in this section are regulated under the Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.):

- (1) Section 110.155 *Port of New York*.
- (2) [Reserved]
- (b) [Reserved]

[CGD 3-81-1A, 47 FR 4063, Jan. 28, 1982, as amended by CGD 96-052, 62 FR 16703, Apr. 8, 1997]

Subpart A—Special Anchorage Areas

§ 110.4 Penobscot Bay, Maine.

(a) *Rockland Harbor*. 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. This area is limited to vessels no greater than 20 meters in length.

NOTE TO PARAGRAPH (a): This area is primarily for use by yachts and other recreational craft. Temporary floats or buoy for marking the location of the anchor may be used. All moorings shall be so placed that no vessel, when anchored, shall at any time extend beyond the limits of the area. All anchoring in the area shall be under the supervision of the local harbormaster or such authority as may be designated by authorities of the City of Rockland, Maine. Requests for placement of mooring buoys shall be di-

rected to the local government. Fixed mooring piles or stakes are prohibited.

(b) [Reserved]

[CGD01-02-129, 68 FR 44888, July 31, 2003]

§ 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.

(a-1) *Merriconeag Sound, Harpswell*. The area comprises that portion of the Sound beginning at a point on the shoreline about 1,000 feet northeasterly from the southwesterly extremity of Orrs Island at latitude 43°45'09" , 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°58'58" , 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.

(a-2) *Mackerel Cove, Bailey Island, Harpswell*. The water area of Mackerel Cove lying northeasterly of a line from a point on Abner Point at latitude 43°43'28" N., longitude 70°00'19" W., to a point on Bailey Island at latitude 43°43'18.2" N., longitude 70°00'12.2" W.

(b) *Harpswell Harbor, east side of Harpswell Neck, Harpswell*. The entire area lying westerly of a line bearing 8° from the eastern extremity of Stovers Point to the point of land at the northerly end of the harbor, said point of land bearing approximately 275° from the observatory on Orrs Island.

(c) *Basin Cove, west side of Harpswell Neck, Harpswell*. All of the area lying northeasterly of a line bearing 350° from the northwest corner of the entrance to the cove.