

state and federal law enforcement vessels.

(c) *Notifications.* The Captain of the Port will notify the maritime community of periods during which this safety zone will be in effect by providing advance notice via Marine Safety Information Radio Broadcasts.

[CGD01-01-155, 67 FR 49582, July 31, 2002]

§ 165.105 Security Zones; Passenger Vessels, Portland, Maine, Captain of the Port Zone.

(a) *Definition.* "Passenger vessel" as used in this section means a passenger vessel over 100 gross tons authorized to carry more than 500 passengers for hire making voyages, any part of which is on the high seas, and for which passengers are embarked, disembarked or pay a port call, in the Portland, Maine, Captain of the Port zone as delineated in 33 CFR 3.05-15.

(b) *Location.* The following areas are security zones:

(1) All navigable waters within the Portland, Maine, Captain of the Port Zone, extending from the surface to the sea floor, within a 100-yard radius of any passenger vessel that is anchored, moored, or in the process of mooring.

(2) All navigable waters, within the Portland, Maine, Captain of the Port Zone, extending from the surface to the sea floor, extending 200 yards ahead, and 100 yards aside and astern of any passenger vessel that is underway.

(c) *Regulations.* (1) In accordance with the general regulations in §165.33 of this part, entry into or movement within these zones is prohibited unless previously authorized by the Coast Guard Captain of the Port, Portland, Maine (COTP) or his designated representative.

(2) All persons and vessels must comply with the instructions of the COTP or the designated on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, and local, state and federal law enforcement vessels. Emergency response vessels are authorized to move within the zone, but must abide by restrictions imposed by the COTP or his designated representative.

(3) No person may swim upon or below the surface of the water within the boundaries of these security zones unless previously authorized by the COTP or his designated representative.

(d) *Enforcement.* The Captain of the Port will enforce these zones and may enlist the aid and cooperation of any Federal, state, county, municipal, or private agency to assist in the enforcement of the regulation.

[CGD01-03-001, 68 FR 22305, Apr. 28, 2003]

§ 165.106 Security Zone: Seabrook Nuclear Power Plant, Seabrook, New Hampshire.

(a) *Location.* The following area is a security zone: All land and waters within 250 yards of the waterside property boundary of Seabrook Nuclear Power Plant identified as follows: beginning at position 42°53'58" N, 070°51'06" W then running along the property boundaries of Seabrook Nuclear Power Plant to position 42°53'46" N, 070°51'06" W. All coordinates reference 1983 North American Datum (NAD 83).

(b) *Regulations.* (1) In accordance with the general regulations in §165.33 of this part, entry into or movement within this zone is prohibited unless authorized by the Captain of the Port, Portland, Maine (COTP).

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port, Portland, Maine or designated on-scene U.S. Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state and federal law enforcement vessels.

(3) No person may swim upon or below the surface of the water within the boundaries of this security zone.

[CGD01-02-092, 67 FR 64815, Oct. 22, 2002]

§ 165.110 Safety and Security Zone; Liquefied Natural Gas Carrier Transits and Anchorage Operations, Boston, Massachusetts.

(a) *Definition.* For purposes of this section, navigable waters of the United States includes all waters of the territorial sea as described in Presidential Proclamation No. 5928 of December 27, 1988. Presidential Proclamation No.

§ 165.111

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5928 of December 27, 1988 declared that the territorial sea of the United States extends to 12 nautical miles from the baseline of the United States.

(b) *Location.* The following areas are safety and security zones:

(1) *Vessels underway.* All navigable waters of the United States within the Captain of the Port (COTP) Boston zone, as defined in 33 CFR 3.05-10, two miles ahead and one mile astern, and 500 yards on each side of any liquefied natural gas carrier (LNGC) vessel while underway.

(2) *Vessels anchored in the Broad Sound.* All waters within a 500-yard radius of any anchored LNGC vessel located in the waters of Broad Sound bounded by a line starting at position 42 deg. 25' N, 070 deg. 58' W; then running southeast to position 42 deg. 22' N, 070 deg. 56' W; then running east to position 42 deg. 22' N, 070 deg. 50' W; then running north to position 42 deg. 25' N, 070 deg. 50' W; then running west back to the starting point (NAD 83).

(3) *Vessels moored at the Distrigas LNG facility.* All waters within a 400-yard radius of any LNGC vessel moored at the Distrigas LNG facility in Everett, MA.

(c) *Regulations.* (1) In accordance with the general regulations in Sec. 165.23 and Sec. 165.33 of this part, entry into or movement within these zones is prohibited unless authorized by the Captain of the Port Boston, or his/her authorized representative.

(2) All vessel operators shall comply with the instructions of the COTP or his/her designated on-scene U.S. Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, State, and Federal law enforcement vessels.

(3) No person may enter the waters within the boundaries of the safety and security zones in this section unless previously authorized by the Captain of the Port, Boston, or his/her authorized patrol representative.

[CGD01-02-023, 67 FR 63263, Oct. 11, 2002]

§ 165.111 Safety Zone: Boston Harbor, Boston, Massachusetts.

(a) The following areas are established as safety zones during the conditions specified:

(1) Around the U.S.S. *Constitution* or any accompanying parade vessels when *Constitution* is under way—300 yards in all directions in the waters around the U.S.S. *Constitution* and each parade vessel accompanying *Constitution* whenever the U.S.S. *Constitution* is underway in Boston Harbor from the time such vessels depart their respective berths until the time they complete their transit and are safely moored.

(2) Whenever *Constitution* is moored at Pier 1, Charlestown Navy Yard—the waters between Hoosac Pier and Pier 1, Charlestown Navy Yard, from the imaginary line connecting the outer easternmost point protruding into Boston Harbor from Hoosac Pier to the outer westernmost point protruding into Boston Harbor from Pier 1, Charlestown Navy Yard, extending inbound along the face of both piers to the landside points where both piers end.

(3) Around the U.S.S. *Constitution*—fifty yards in all directions in the waters around *Constitution* when the vessel is moored at any Boston berthing location other than Pier 1, Charlestown Navy Yard.

(b) The general regulations governing safety zones as contained in 33 CFR 165.23 apply.

[CGD1 91-109, 57 FR 30407, July 9, 1992]

§ 165.112 Safety Zone: USS CASSIN YOUNG, Boston, Massachusetts.

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

Around the USS CASSIN YOUNG (DD-793) and any accompanying parade vessels when the USS CASSIN YOUNG is underway. The zone extends 100 yards in all directions in the waters around the USS CASSIN YOUNG and accompanying parade vessels whenever the USS CASSIN YOUNG is underway in Boston Harbor from the time the USS CASSIN YOUNG departs its berth until it is safely moored.