

until the LPG vessel passes the seaward extremity of the Aransas Pass Jetties.

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

(c) 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 of scheduled arrivals and departures of loaded LPG vessels via a Marine Safety Information Broadcast Notice to Mariners.

[CGD 8-84-07, 50 FR 15744, Apr. 22, 1985; 50 FR 19933, May 13, 1985]

**§ 165.809 Security Zones; Port of Port Lavaca-Point Comfort, Point Comfort, TX and Port of Corpus Christi Inner Harbor, Corpus Christi, TX.**

(a) *Location.* The following areas are designated as a security zone:

(1) *Port of Port Lavaca-Point Comfort*—all waters between the Dredge Island Bridge at 28°39'30" N, 96°34'20" W and a line drawn between points 28°38'10" N, 96°33'15" W and 28°38'10" N, 96°34'45" W including the Point Comfort turning basin and the adjacent Alcoa Channel. These coordinates are based upon NAD 1983.

(2) *Port of Corpus Christi Inner Harbor*—all waters of the Corpus Christi Inner Harbor from the Inner Harbor Bridge (US HWY 181) to, and including the Viola Turning Basin.

(b) *Regulations.* (1) No recreational vessels, passenger vessels, or commercial fishing vessels may enter these security zones unless specifically authorized by the Captain of the Port Corpus Christi or his designated representative.

(2) Recreational vessels, passenger vessels and commercial fishing vessels requiring entry into these security zones must contact the Captain of the Port Corpus Christi or his designated representative. The Captain of the Port may be contacted via VHF Channel 16 or via telephone at (361) 888-3162 to seek permission to transit the area. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port, Corpus Christi or his designated representative.

(3) Designated representatives include U.S. Coast Guard commissioned, warrant, and petty officers.

(c) *Authority.* In addition to 33 U.S.C. 1231, the authority for this section includes 33 U.S.C. 1226.

[COTP Corpus Christi-02-003, 67 FR 64046, Oct. 17, 2002]

**§ 165.810 Mississippi River, LA-regulated navigation area.**

(a) *Purpose and applicability.* This section prescribes rules for all vessels operating in the Lower Mississippi River below mile 233.9 above Head of Passes including South Pass and Southwest Pass, to assist in the prevention of allisions; collisions and groundings so as to ensure port safety and protect the navigable waters of the Mississippi River from environmental harm resulting from those incidents, and to enhance the safety of passenger vessels moored or anchored in the Mississippi River.

(b) Lower Mississippi River below mile 233.9 above Head of Passes including South and Southwest Passes:

(1) *Supervision.* The use, administration, and navigation of the waterways to which this paragraph applies shall be under the supervision of the District Commander, Eighth Coast Guard District.

(2) *Speed; high-water precautions.* When passing another vessel (in motion, anchored, or tied up), a wharf or other structure, work under construction, plant engaged in river and harbor improvement, levees withstanding flood waters, building partially or wholly submerged by high water, or any other structure liable to damage by collision, suction or wave action, vessels shall give as much leeway as circumstances permit and reduce their speed sufficiently to preclude causing damages to the vessel or structure being passed. Since this subparagraph pertains directly to the manner in which vessels are operated, masters of vessels shall be held responsible for strict observance and full compliance therewith. During high river stages, floods, or other emergencies, the District Commander may prescribe by navigation bulletins or other means the limiting speed in land miles per hour deemed necessary for the public

safety for the entire section or any part of the waterways covered by this paragraph, and such limiting speed shall be strictly observed.

(3) *Towing.* Towing in any formation by a vessel with insufficient power to permit ready maneuverability and safe handling is prohibited.

(c) Movement of vessels in vicinity of Algiers Point, New Orleans Harbor:

(1) *Control lights.* When the Mississippi River reaches 8 feet on the Carrollton Gage on a rising stage, and until the gage reads 9 feet on a falling stage, the movement of all tugs with tows and all ships, whether under their own power or in tow, but excluding tugs or towboats without tows or river craft of comparable size and maneuverability operating under their own power, in the vicinity of Algiers Point shall be governed by red and green lights designated and located as follows: Governor Nicholls Light located on the left descending bank on the wharf shed at the upstream end of Esplanade Avenue Wharf, New Orleans, approximately 94.3 miles above Head of Passes; and Gretna Light located on the right descending bank on top of the levee at the foot of Ocean Avenue, Gretna, approximately 96.6 miles above Head of Passes. Governor Nicholls Light has lights visible from both upstream and downstream, and Gretna Light has lights visible from upstream, all indicating by proper color the direction of traffic around Algiers Point. From downstream, Gretna Light always shows green. All lights are visible throughout the entire width of the river and flash once every second. A green light displayed ahead of a vessel (in the direction of travel) indicates that Algiers Point is clear and the vessel may proceed. A red light displayed ahead of a vessel (in the direction of travel) indicates that Algiers Point is not clear and the vessel shall not proceed. Absence of lights shall be considered a danger signal and no attempt shall be made to navigate through the restricted area.

NOTE: To provide advance information to downbound vessels whether the control light at Gretna (Gretna Light) is red or green, a traffic light is located at Westwego on the right descending bank, on the river batture at the end of Avenue B, approximately 101.4 miles above Head of Passes.

(2) *Ascending vessels.* Ascending vessels shall not proceed farther up the river than a line connecting the upper end of Atlantic Street Discharge Light (on right descending bank) with the lower end of Desire Street Wharf (on left descending bank) when a red light is displayed. Vessels waiting for a change of signal shall keep clear of descending vessels.

(3) *Descending vessels.* (i) Descending vessels shall not proceed farther down the river than a line connecting the lower end of Julia Street Wharf (on left descending bank) with the vertical flagpole at Eastern Associated Terminals (on right descending bank) when a red light is displayed. Vessels shall round to and be headed upstream before they reach that line, if the signal remains against the vessel. Vessels waiting for a change of signal shall keep clear of ascending vessels.

(ii) Vessels destined to a wharf above the lower end of Julia Street Wharf shall signal the Gretna towerman three long blasts and one short blast of a whistle or horn to indicate that the vessel is not bound below the Julia Street Wharf.

(iii) The master, pilot, or authorized representative of any vessel scheduled to depart from a wharf between Governor Nicholls Light and Louisiana Avenue, bound downstream around Algiers Point, shall communicate with the Governor Nicholls Light towerman by telephone to determine whether the channel at Algiers Point is clear before departure. When the point is clear, vessels shall then proceed promptly so that other traffic will not be unnecessarily delayed.

NOTE: Telephone numbers of both signal towers will be published in navigation bulletins in advance of each operating period.

(4) *Minor changes.* The District Commander is authorized to waive operation or suspension of the lights whenever prospective river stages make it appear that the operation or suspension will be required for only a brief period of time or when river stages will rise or fall below the critical stage which is established for operation or suspension by only a few tenths on the Carrollton Gage.

(5) *Underpowered vessels.* When the Carrollton Gage reads 12 feet or higher,

any vessel which is considered by the master or pilot as being underpowered or a poor handler shall not navigate around Algiers Point without the assistance of a tug or tugs.

(6) *Towing.* When the Carrollton Gage reads 12 feet or higher, towing on a hawser in a downstream direction between Julia Street and Desire Street is prohibited except by special permission of the District Commander.

(d) Navigation of South and Southwest Passes.

(1) No vessel, except small craft and towboats and tugs without tows, shall enter either South Pass or Southwest Pass from the Gulf until after any descending vessel which has approached within two and one-half (2½) miles of the outer end of the jetties and visible to the ascending vessel shall have passed to sea.

(2) No vessel having a speed of less than ten mph shall enter South Pass from the Gulf when the stage of the Mississippi River exceeds 15 feet on the Carrollton Gage at New Orleans. This paragraph does not apply when Southwest Pass is closed to navigation.

(3) No vessel, except small craft and towboats and tugs without tows, ascending South Pass shall pass Franks Crossing Light until after a descending vessel shall have passed Depot Point Light.

(4) No vessel, except small craft and towboats and tugs without tows, shall enter the channel at the head of South Pass until after an ascending vessel which has reached Franks Crossing Light shall have passed through into the river.

(5) When navigating South Pass during periods of darkness no tow shall consist of more than one towed vessel other than small craft, and during daylight hours no tow shall consist of more than two towed vessels other than small craft. Tows may be in any formation. When towing on a hawser, the hawser shall be as short as practicable to provide full control at all times.

(6) When towing in Southwest Pass during periods of darkness no tow shall consist of more than two towed vessels other than small craft, and during daylight hours no tow shall consist of

more than three towed vessels other than small craft.

(e) Watch requirements for anchored and moored passenger vessels.

(1) *Passenger vessels.* Except as provided in paragraph (e)(2) of this section, each passenger vessel with one or more passengers on board, must—

(i) Keep a continuously manned pilot-house; and

(ii) Monitor river activities and marine VHF, emergency and working frequencies of the port, so as to be immediately available to take necessary action to protect the vessel, crew, and passengers if an emergency radio broadcast, danger signal, or visual or other indication of a problem is received or detected.

(2) Each ferryboat, and each small passenger vessel to which 46 CFR 175.110 applies, may monitor river activities using a portable radio from a vantage point other than the pilot-house.

(f) Each self-propelled vessel of 1,600 or more gross tons subject to 33 CFR part 164 shall also comply with the following:

(1) While under way in the RNA, each vessel must have an engineering watch capable of monitoring the propulsion system, communicating with the bridge, and implementing manual-control measures immediately when necessary. The watch must be physically present in the machinery spaces or in the machinery-control spaces and must consist of at least a licensed engineer.

(2) Before embarking a pilot when entering or getting under way in the RNA, the master of each vessel shall ensure that the vessel is in compliance with 33 CFR part 164.

(3) The master shall ensure that the chief engineer has certified that the following additional operating conditions will be satisfied so long as the vessel is under way within the RNA:

(i) The main propulsion plant is in all respects ready for operations including the main-propulsion air-start systems, fuel systems, lubricating systems, cooling systems, and automation systems;

(ii) Cooling, lubricating, and fuel-oil systems are at proper operating temperatures;

(iii) Main propulsion machinery is available to immediately respond to

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the full range of maneuvering commands any load-limiting programs or automatic acceleration-limiting programs that would limit the speed of response to engine orders beyond that needed to prevent immediate damage to the propulsion machinery are capable of being overridden immediately.

(iv) Main-propulsion standby systems are ready to be immediately placed in service.

(Sec. 104, Pub. L. 92-340, 86 Stat. 424 (33 U.S.C. 1224); sec. 2, Pub. L. 95-474, 92 Stat. 1471 (33 U.S.C. 1223); 49 CFR 1.46(n)(4))

[CGD 75-082, 42 FR 51759, Sept. 29, 1977, as amended by CGD 78-080, 44 FR 47933, Aug. 16, 1979; CGD 86-049, 51 FR 27840, Aug. 4, 1986. Redesignated by CGD 90-020, 59 FR 36324, July 15, 1994; CGD 95-033, 60 FR 28333, May 31, 1995; CCGD08-97-020, 62 FR 58653, Oct. 30, 1997; CCGD08-97-020, 64 FR 18813, Apr. 16, 1999]

**§ 165.811 Atchafalaya River, Berwick Bay, LA-regulated navigation area.**

(a) The following is a regulated navigation area: the waters of the Atchafalaya River in Berwick Bay bounded on the northside from 2,000 yards north of the U.S. 90 Highway Bridge and on the southside from 4,000 yards south of the Southern Pacific Railroad (SPRR) Bridge.

(b) Within the regulated navigation area described in paragraph (a) of this section, § 161.40 of this chapter establishes a VTS Special Area for waters within a 1000 yard radius of the SPRR Bridge.

(c) When the Morgan City River gauge reads 3.0 feet or above mean sea level, in addition to the requirements set forth in § 161.13 of this chapter, the requirements of paragraph (d) and (e) of this section apply to a towing vessel which will navigate:

- (1) under the lift span of the SPRR Bridge; or
- (2) through the navigational opening of the U.S. 90 Highway Bridge; or
- (3) through the navigational opening of the Highway 182 Bridge.

(d) *Towing requirements.* (1) Towing on a hawser is not authorized, except that one self-propelled vessel may tow one other vessel without barges upbound;

(2) A towing vessel and barges must be arranged in tandem, except that one vessel may tow one other vessel alongside;

(3) Length of tow must not exceed 1,180 feet; and

(4) Tows with a box end in the lead must not exceed 400 feet in length.

NOTE: The variation in the draft and the beam of the barges in a multi-barge tow should be minimized in order to avoid unnecessary strain on coupling wires.

(e) *Horsepower Requirement.* (1) The following requirements apply to a towing vessel of 3,000 hp or less:

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

Direction of tow	Daytime (sunrise to sunset)	Nighttime (sunset to sunrise)
Upbound .....	400hp or (Length of tow—300ft) × 3.	600hp or (Length of tow—200ft) × 3.
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]