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(4) Kentucky Bank—Mile 599.8 (Cox's Park).

NOTE: All buoys, except those at Six Mile Island—Mile 598.2, are removed between May 1 and September 30. Due to the close proximity of the municipal water intakes, mooring of tank vessels laden with petroleum products or hazardous materials is not authorized on the Kentucky Bank, Mile 599.8 (Cox's Park).

(b) *The regulations.* A vessel must not use the emergency mooring buoys that have been established by the U.S. Army Corps of Engineers, unless specifically authorized. The Captain of the Port, upon request, may authorize the use of the emergency mooring buoys by downbound towing vessels that are awaiting Vessel Traffic Center approval to proceed.

[CGD 90-020, 59 FR 36333, July 15, 1994]

§ 162.105 Missouri River; administration and navigation.

(a) *Supervision.* The District Commander, Eighth Coast Guard District, has certain administrative supervision overreaches of the river within the limits of his district and is charged with the enforcement under his direction of emergency regulations to govern navigation on the river.

(b) *Navigation.* During critical flood stages on any particular limited reach of the Missouri River when lives, floating plant, or major shore installations and levees are endangered, the District Commander in charge of the locality shall have the authority to declare the reach of the river closed to navigation or to prescribe temporary speed regulations whenever it appears to him that such action is necessary to prevent immediate human suffering or to mitigate major property damage or destruction from wave action. The period of closure and all speed regulations prescribed by the District Commander shall be for the duration of the emergency as determined by the District Commander and shall be terminated at the earliest practicable time that improved river conditions permit.

[CGD 75-082, 42 FR 51759, Sept. 29, 1977, as amended by USCG-1998-3799, 63 FR 35532, June 30, 1998]

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§ 162.110 Duluth-Superior Harbor, Minnesota and Wisconsin.

(a) No vessel greater than 100 feet in length may exceed 8 miles per hour in Duluth-Superior Harbor.

(b) In the Duluth Ship Canal:

(1) No vessel may meet or overtake another vessel if each vessel is greater than 150 feet in length (including tug and tow combinations).

(2) An inbound vessel has the right of way over an outbound vessel.

[CGD 79-151, 46 FR 7960, Jan. 26, 1981]

§ 162.115 Keweenaw Waterway, Mich.

No vessel greater than 40 feet in length may exceed 8 miles per hour between Lily Pond and Pilgrim Point.

[CGD 79-151, 46 FR 7960, Jan. 26, 1981, as amended by CGD 09-00-010, 65 FR 53595, Sept. 5, 2000]

§ 162.117 St. Marys River, Sault Ste. Marie, Michigan.

(a) *The area.* The waters of the St. Marys River and lower Whitefish Bay from 45°57' N. (De Tour Reef Light) to the south, to 46°38.7' N. (Ile Parisienne Light) to the north, except the waters of the St. Marys Falls Canal, and to the east along a line from La Pointe to Sims Point, within Potagannissing Bay and Worsley Bay.

(b) *Definitions.* As used in this section:

Two-way route means a directional route within defined limits inside which two-way traffic is established, and which is intended to improve safety in waters where navigation is difficult.

Two-way traffic means that traffic flow is permitted in opposing directions, but a vessel may not meet, cross, nor overtake any other vessel in such a manner that it would be abreast of more than one other vessel within the defined limits of a waterway.

(c) *Anchoring Rules.*

(1) A vessel must not anchor:

(i) within the waters between Brush Point and the waterworks intake crib off Big Point southward of the Point Aux Pins range; or

(ii) within 0.2 nautical miles of the intake crib off Big Point.

(2) In an emergency, vessels may anchor in a dredged channel. Vessels shall

anchor as near to the edge of the channel as possible and shall get underway as soon as the emergency ceases, unless otherwise directed. Vessel Traffic Services St. Marys River must be advised of any emergency anchoring as soon as is practicable.

(3) Vessels collected in any part of the VTS Area by reason of temporary closure of a channel or an impediment to navigation shall get underway and depart in the order in which they arrived, unless otherwise directed by Vessel Traffic Service St. Marys River. Vessel Traffic Service St. Marys River may advance any vessel in the order of departure to expedite the movement of mails, passengers, cargo of a perishable nature, to facilitate passage of vessels through any channel by reason of special circumstance, or to facilitate passage through the St. Marys Falls Canal.

(d) *Traffic Rules.* (1) A vessel must proceed only in the established direction of traffic flow in the following waters:

(i) West Neebish Channel from Buoy "53" to Buoy "1"—downbound traffic only;

(ii) Pipe Island Course from Sweets Point to Watson Reefs Light—downbound traffic only.

(iii) Middle Neebish Channel from Buoy "2" to Buoy "76"—upbound traffic only; and

(iv) Pipe Island Passage to the east of Pipe Island Shoal and north of Pipe Island Twins from Watson Reefs Light to Sweets Point—upbound traffic only.

(2) A vessel 350 feet or more in length must not overtake or approach within .2 nautical miles of another vessel proceeding in the same direction in the following waterways:

(i) West Neebish Channel between Nine Mile Point and Munuscong Lake Junction Lighted Bell Buoy;

(ii) Middle Neebish Channel between Munuscong Lake Junction Lighted Bell Buoy and Nine Mile Point; and

(iii) Little Rapids Cut from Six Mile Point to Buoy "102".

(3) When two-way traffic is authorized in Middle Neebish Channel, a vessel 350 feet or more in length must not meet, cross, or overtake another vessel at:

(i) Johnson Point from Buoy "18" to Buoy "22";

(ii) Mirre Point from Buoy "26" to Buoy "28"; or

(iii) Stribling Point from Buoy "39" to Buoy "43".

(4) Paragraph (d)(2) of this section does not apply to a vessel navigating through an ice field.

(e) *Winter Navigation.* During the winter navigation season, the following waterways are normally closed:

(1) West Neebish Channel, from Buoy "53" to Buoy "1";

(2) Pipe Island Passage to the east of Pipe Island Shoal; and

(3) North of Pipe Island Twins, from Watson Reef Light to Sweets Point.

(f) *Alternate Winter Navigation Routes.*

(1) When West Neebish Channel is closed, Middle Neebish Channel (from Buoy "2" to Buoy "76") will be open either as a two-way route or an alternating one way traffic lane.

(i) When Middle Neebish Channel is a two-way route:

(A) An upbound vessel must use the easterly 197 feet of the channel. However, a vessel of draft 20 feet or more must not proceed prior to Vessel Traffic Center approval; and

(B) A downbound vessel must use the westerly 295 feet of the channel.

(ii) When Middle Neebish Channel is an alternating one-way traffic lane. A vessel must use the westerly 295 feet of the channel in the established direction of traffic flow.

(2) When Pipe Island Passage is closed, Pipe Island Course is a two-way route.

NOTE: The Vessel Traffic Service closes or opens these channels as ice conditions require after giving due consideration to the protection of the marine environment, waterway improvements, aids to navigation, the need for cross channel traffic (e.g., ferries), the availability of icebreakers, and the safety of the island residents who, in the course of their daily business, must use naturally formed ice bridges for transportation to and from the mainland. Under normal seasonal conditions, only one closing each winter and one opening each spring are anticipated. Prior to closing or opening these channels, interested parties including both shipping entities and island residents, will be given at least 72 hours notice by the Coast Guard.

(g) *Speed Rules.* (1) The following speed limits indicate speed over the

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ground. Vessels must adhere to the following speed limits:

TABLE 162.117(g)—ST. MARYS RIVER SPEED RULES

Maximum speed limit between	Mph	Kts
De Tour Reef Light and Sweets Point Light	14	12.2
Round Island Light and Point Aux Frenes Light "21"	14	12.2
Munuscong Lake Lighted Buoy "8" and Everens Point	12	10.4
Everens Point and Reed Point	9	7.8
Reed Point and Lake Nicolet Lighted Buoy "62"	10	8.7
Lake Nicolet Lighted Buoy "62" and Lake Nicolet Light "80"	12	10.4
Lake Nicolet Light "80" and Winter Point (West Neebish Channel)	10	8.7
Lake Nicolet Light "80" and Six Mile Point Range Rear Light	10	8.7
Six Mile Point Range Rear Light and lower limit of the St. Marys Falls Canal Upbound	8	7.0
Downbound	10	8.7
Upper limit of the St. Marys Falls Canal and Point Aux Pins Main Light	12	10.4

Note: A vessel must not navigate any dredged channel at a speed of less than 5 statute miles per hour (4.3 knots).

(2) Temporary speed limit regulations may be established by Commanding Officer Vessel Traffic Service St. Marys River. Notice of the temporary speed limits and their effective dates and termination are published in the FEDERAL REGISTER and Local Notice to Mariners. These temporary speed limits, if imposed, will normally be placed in effect and terminated during the winter navigation season.

(h) *Towing Requirement.* A towing vessel must: (1) Maintain positive control of its tow south of Gros Cap Reef Light;

(2) Not impede the passage of any other vessel;

(3) Not tow a vessel of 200 feet or less in length with a tow line longer than 250 feet; and

(4) Not tow a vessel of 200 feet or more in length with a tow line longer than the length of the towed vessel plus 50 feet.

[CGD 90-020, 59 FR 36333, July 15, 1994, as amended by CGD 95-033, 60 FR 28333, May 31, 1995; USCG-1998-3799, 63 FR 35532, June 30, 1998; USCG-2003-15404, 68 FR 37741, June 25, 2003]

§ 162.120 Harbors on Lake Michigan.

(a) No vessel greater than 40 feet in length may exceed 8 miles per hour in the harbors of Michigan City, Indiana;

St. Joseph, South Haven, Saugatuck, Holland (Lake Macatawa), Grand Haven, Muskegon, White Lake, Pentwater, Ludington, Manistee, Portage Lake (Manistee County), Frankfort, Charlevoix, and Petroskey, Michigan.

(b) No vessel greater than 40 feet in length may exceed 4 miles per hour in the harbors of Menominee, Michigan and Wisconsin; Algoma, Kewaunee, Two Rivers, Manitowac, Sheboygan, Port Washington, Milwaukee, Racine, Kenosha and Green Bay, Wisconsin; and Waukegan, Illinois.

[CGD 79-151, 46 FR 7960, Jan. 26, 1981]

§ 162.125 Sturgeon Bay and the Sturgeon Bay Ship Canal, Wisc.

(a) In the Sturgeon Bay Ship Canal:

(1) No vessel may exceed 5 miles per hour.

(2) No vessel greater than 150 feet in length (including tug and tow combinations) may come about.

(3) No vessel 65 feet or greater in length (including tug and tow combinations) may either:

(i) Enter or pass through the canal two or more abreast; or

(ii) Overtake another vessel.

(4) No vessel may anchor or moor unless given permission to do so by the Captain of the Port.

(5) Each vessel must keep to the center, except when meeting or overtaking another vessel.

(b) In Sturgeon Bay and the Sturgeon Bay Ship Canal:

(1) Each laden vessel under tow must be towed with at least two tows. Each towline must be shortened to the extent necessary to provide maximum control of the tow.

(2) Each unladen vessel may be towed with one towline.

(3) No towline may exceed 100 feet in length.

(4) No vessel may tow another vessel alongside.

(5) No vessel may tow a raft greater than 50 feet in width.

NOTE: The Corps of Engineers also has regulations dealing with these areas in 33 CFR Part 207.

[CGD 79-151, 46 FR 7960, Jan. 26, 1981]