

VMRS BUZZARDS BAY USER MANUAL



OPERATED BY
UNITED STATES COAST GUARD
AND
US ARMY CORPS OF ENGINEERS

Enhancing safe, environmentally sound and efficient
maritime transportation on the waters of Buzzards Bay
and the Cape Cod Canal



**US Army Corps
of Engineers®**
New England District

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Acronyms and Abbreviations

| | |
|-------------|----------------------------------|
| AIS | Automatic Identification System |
| BBC | Buzzards Bay Control |
| CCC | Cape Cod Canal Control |
| CFR | Code of Federal Regulations |
| LLNR | Light List Number |
| MTC | Marine Traffic Controller |
| RNA | Regulated Navigation Area |
| USCG | United States Coast Guard |
| VMRS | Vessel Movement Reporting System |
| VMC | Vessel Movement Center |



Important Phone Numbers and Frequencies

| Name | Telephone | Call Sign / VHF Channel |
|---|---|--|
| U.S. Army Corps of Engineers Buzzards Bay Vessel Movement Center | 978-318-8500 (24 Hours) Fax: 508-743-9348 | <i>Buzzards Bay Control 12,13</i> |
| U.S. Army Corps of Engineers Marine Traffic Control Center | 978-318-8500 (24 Hours) Fax: 508-743-9348 | <i>Canal Control 13,14</i> |
| U.S. Coast Guard Sector Southeaster New England http://homeport.uscg.mil/southeasternnewengland | Primary Phone: 866-816-9128 Emergency Phone: 508-457-3211 Fax Number: 508-457-3397 | <i>USCG Sector Southeastern New England 16</i> |
| U.S. Coast Guard National Response Center | 1-800-424-8802 (24 hours) | |
| U.S. Coast Guard Navigation Center http://www.navcen.uscg.gov/ | (703) 313-5900 | |
| Northeast Marine Pilots | 800-274-1216 401-847-9050 | <i>Northeast Marine Pilots 10</i> |
| Boston Coastwise Pilots | 617-510-0082 508-801-4904 | |



Introduction

Buzzards Bay Control (BBC) began operations in 2007 to promote vessel safety and environmental protection by establishing a Vessel Movement Reporting System to monitor vessel movements within the bay.

To accomplish these goals BBC uses AIS, radar, and radiotelephone reports from vessel operators to monitor and inform mariners about reported marine traffic, the status of the waterway and any additional information, advice or recommendations which may affect vessel traffic safety within the VMRS area.

Through proactive exchange of information with mariners, BBC endeavors to maintain good order and predictability of the waterway

This VMRS Buzzards Bay User Manual is intended to describe the services available to waterway users and provide the information necessary for participation within the VMRS area. It is derived from a Memorandum of Understanding (MOU) between the United States Coast Guard and the United States Army Corps of Engineers.

This Manual is not intended to conflict with or modify any existing regulations in any respect, and vessels within the VMRS area shall be responsible for their safe navigation in accordance with existing Federal, State and local rules.

Suggested Improvements

The Coast Guard welcomes any suggestions to improve this manual or VMRS operational procedures. Suggestions may be forwarded to Sector Southeastern New England at the address or website listed on the previous page.



Concept of Operations

VMRS Description Buzzards Bay Vessel Movement Reporting System is comprised of two sectors, Buzzards Bay Control and Cape Cod Canal Control.

Buzzards Bay Control (BBC) sector extends from the entrance to Buzzards Bay, as defined by 33 CFR 165.100, to Cleveland Ledge Light, excluding New Bedford Harbor north of the hurricane barrier and the channels between the Elizabethan Islands.

- The Coast Guard will enforce the VMRS reporting requirements for vessels operating within this sector in accordance with the guidelines provided in this manual.

Cape Cod Canal Control (CCC) sector extends along the federally maintained channel limits from Cleveland Ledge Light to 1.6 statute miles seaward of the Canal Breakwater light into Cape Cod Bay, as defined by 33 CFR 207.20(a).

- Vessels movements within the Canal are controlled by the Corps of Engineers under Canal regulations contained in 33 CFR 207.20. Following Canal regulations also satisfies VMRS participation requirements in this sector. Canal regulations can be found in Appendix I to this manual.

BBC Services

In order to promote vessel safety and environmental protection BBC provides information services:

- **Information Services** – BBC will provide the position, identity, and intentions of vessels known to be operating within the VMRS area. It also will provide information on the status of major aids to navigation (ATON), known hazards to navigation and waterway restrictions.

This service assists the mariner in making independent decisions regarding the safe navigation of their vessels, for which they retain complete responsibility. In this sense, we regard ourselves as a navigational aid, a tool that mariners use along with numerous other tools to facilitate their safe navigation.

MARINERS ARE CAUTIONED THAT BBC MAY NOT KNOW OF ALL VESSELS OR HAZARDOUS CIRCUMSTANCES WITHIN THE VMRS AREA. UNREPORTED HAZARDS MAY CONFRONT MARINERS AT ANY TIME. ANY CONFLICTING CIRCUMSTANCES OR HAZARDOUS CONDITIONS SHOULD BE REPORTED TO BBC IMMEDIATELY.



Who Must Participate

Applicability Title 33 CFR § 165.100 and Table 161.12(c) denote those vessels required to participate in VMRS Buzzards Bay. To avoid unduly congesting radiotelephone frequencies, VMRS participants are broken into two categories of waterway users:

1. Active Users
2. Passive Users

*See Appendix E for VMRS Regulations, Appendix F for the Radiotelephone Act

Active User Every vessel subject to 33 CFR 161.16:

- Every power-driven vessel of 40 meters (approx. 131 feet) or more in length, while navigating;
- Every towing vessel of 8 meters (approx. 26 feet) or more in length, while engaged in towing;
- Every vessel certificated to carry 50 or more passengers for hire, while engaged in trade, *but not operating on a published schedule.*

Active Users Must:

1. Monitor the VMRS radio frequency (12 VHF) at all times while operating within the VMRS Area and respond promptly when hailed.
2. Make vessel movement reports to VMRS Buzzards Bay as described in the “reporting procedures” section of this manual

Passive Users Every vessel subject to the Vessel Bridge-to-Bridge Radiotelephone Act, as set forth in 33 CFR Part 26, or identified in 33 CFR 161.16:

- Every power-driven vessel of 20 meters (approximately 65 feet) or more in length while navigating;
- Every vessel of 100 gross tons and upward carrying one or more passengers for hire;
- Every vessel certificated to carry 50 or more passengers for hire, while engaged in trade *within a published schedule.*
- Every towing vessel of 26 feet or more in length while navigating and not engaged in towing.
- Every dredge or floating plant engaged in or near a channel or fairway in operations likely to restrict or affect navigation of other vessels except for an unmanned or intermittently manned floating plant under the control of a dredge.



**Passive Users
Must:** Monitor the VMRS radio frequency (12 VHF) at all times while operating within the VMRS Area and respond promptly when hailed.

Non-Participants Vessel that are not required to participate in the VMRS but are operating within the VMRS area are encouraged to:

- Monitor VMRS radiotelephone frequencies.
- Contact BBC on an as needed basis to obtain information on large commercial vessel traffic operating in the area.
- Not interfere with large commercial vessels utilizing the voluntary recommended vessel route

**Responsibilities
All Users:
Active, Passive and
non-participant** **The safe operation of a vessel remains the responsibility of the vessel master. If, in a specific circumstance, a VMRS User is unable to safely comply with a measure or direction issued by the Coast Guard Captain of the Port or an Army Corps Marine Traffic Controller, the VMRS User may deviate only to the extent necessary to avoid endangering persons, property or the environment. The deviation shall be reported to the VMRS as soon as practicable.**

Communications

**Voice Call Signs
and
Designated
Frequencies** **"BUZZARDS BAY CONTROL"** is the voice call sign for VMRS Buzzards Bay. Use Channel 12 VHF-FM (156.650 MHz) for communicating with BBC. Monitor 12 & 13 VHF while transiting.

"CANAL CONTROL" Is the voice call sign for Cape Cod Canal Control. Use Channel 14 VHF-FM (156.750 MHz) for communicating with CCC. Monitor 13 VHF while transiting.

Listening Watch Buzzards Bay Control Sector

- All active and passive users shall continuously monitor channels 12 & 13 VHF-FM and respond promptly when hailed, while operating in this sector, as required by VMRS regulations in 33 CFR 161.12 and the Radio Telephone Act.

Canal Control Sector

- All vessels shall continuously monitor channel 13 VHF-FM and respond promptly when hailed, while operating in this sector, as required by Canal regulations 33 CFR 207.20.

English Language All communications must be in the English language.



Reporting Procedures -VMRS Buzzards Bay Active Users

Report Types

The following reports are required from **Active Users** to provide necessary information to BBC so watch standers can utilize and pass timely, relevant and accurate information to VMRS users:

1. Sailing Plan (Check-In)
2. Sail Plan Deviation (Destination or route change)
3. Position Report (Passing designated reporting points)
(Note: If a vessel has a properly functioning AIS, the requirement to provide position reports by voice is waived.)
4. Meeting, Crossing or Overtaking Notification Report
5. Final Report (Check-Out)

Sailing Plan (Check-In)

Active Users must report the following information via VHF-FM prior to entering or getting underway within the VMRS (preferably in this order):

1. Vessel Name
2. Location
3. Destination (include any anticipated stops)
4. Tow Configuration (How many and # of loaded/unloaded barges)
5. Vessel's Dimensions (Length x beam x draft) and air draft (ships only)
6. Inoperable or malfunctioning vessel equipment such as propulsion, machinery, steering gear, radar system, gyrocompass, depth sounding device, automatic radar plotting aid (ARPA), radiotelephone, Automatic Identification System (AIS), navigational lighting, sound signaling devices or similar equipment. Any special circumstances or limitations of the vessel that impairs navigation or restricts maneuverability.
7. Any Petroleum or Hazardous Cargo being carried (See Appendix H)
8. If loaded with petroleum or hazardous cargo, pass transit intentions (i.e., intended trackline) and verify that RNA special regulations have been satisfied.
9. Name of pilot and escort tug (applies only to a single-hull tank barge carrying 5000 or more barrels of oil or other hazardous material).



**Sail Plan
Deviation**

Active Users must report any significant deviation from the information given in their Sailing Plan Report, including but not limited to:

- Change in destination.
- Exiting the voluntary recommended route if intention to use the route was reported.
- Any casualty, emergency or failure; or any circumstance which causes the vessel to become out of compliance with the RNA special regulations.

Position Report

Active Users must contact BBC with name and position when passing the following Reporting Points:

- Buzzards Bay Entrance Light Tower (41-23.48N, 071-02.01W) LLNR15985
- Buzzards Bay Lighted Bell Buoy #4 (41-27.02 N, 070-59.14W) LLNR16025
- Buzzards Bay Midchannel Lighted Bell Bouy BB (41-30.33N, 070-49.54W) LLNR16055
- Buzzards Bay Lighted Gong Buoy #10 (41-34.37N, 070-43.15W) LLNR16060
- Cleveland East Ledge Light (14-37.51N, 070-41.39W) LLNR16080
- Any other location when directed by BBC

*See Appendix B for a table with reporting points based on direction

**Automated
Reporting
(AIS)**

Active Users with properly operating AIS equipment are exempt from the requirement to submit "Position Reports" on Channel 12 VHF-FM, unless directed to do so by BBC. This does not relieve the active user from checking in to or out of the VMRS.

**Meeting Passing
Overtaking
Notification
Report**

All Active Users must, before meeting, crossing, or overtaking any other VMRS user in the area, communicate with that user on the designated vessel bridge-to-bridge radiotelephone frequency Channel 13 VHF-FM (156.700 MHz), intended navigation movements, and any other information necessary in order to make safe passing arrangements.

Channel 13 VHF-FM will be continuously monitored by BBC watch standers. Therefore communications between VMRS users for safe passing arrangements made on Channel 13 VHF-FM will satisfy BBC notification requirements.

This requirement does not relieve a vessel of any duty prescribed by the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS) or the Inland Navigation Rules.



Final Report

Active Users must report its name and position:

- On arrival at its destination within the VRMS; or
- When leaving the VMRS area.

Emergencies

In emergencies, any vessel may deviate from any rule in this manual to the extent necessary to avoid endangering, persons, property, or the environment. When an emergency arises and it becomes necessary to deviate from the rules for reason of safety, the vessel operator shall report or cause to be reported the deviation as soon as possible to BBC.

Other Reports – All Users

Voice report to BBC or CCC any grounding, fire, loss of steering, loss of propulsion, collisions, rammings, flooding, or other circumstance that reduces the capability of a vessel to safely maneuver or that endangers another vessel. Include in your report the following information:

1. Marine Casualty as defined in 46 CFR Part 4.05-1
 - Vessel name
 - Location
 - Nature of incident
 - If Coast Guard assistance is needed
 - Extent of channel restrictions
 - Is there damage, pollution, or injuries as a result of the incident;
 - Master's intentions
2. Involvement in the collision/allision of a fixed or floating object.
3. A pollution incident as defined in 33 CFR Part 151.15.
4. A defect or discrepancy in an aid to navigation.

Report any discrepancy to an aid to navigation including:

- Lights not working
- Lights showing the wrong characteristics
- Aids in the wrong location
- Missing aids



Note - Vessel operators are required to report striking any aid to navigation.

5. A hazardous condition as defined in 33 CFR Part 160.204.
6. Improper operation of vessel equipment required by 33 CFR, Part 16.
7. A **hazardous vessel operating condition** (33 CFR Part 161.2) including, but not limited to:
 - Malfunction of vessel operating equipment such as propulsion, machinery, steering gear, radar system, gyrocompass, depth sounding device, automatic radar plotting aid (ARPA), radiotelephone, Automatic Identification System (AIS), navigational lighting, sound signaling devices or similar equipment.
 - Any condition on board the vessel likely to impair navigation such as lack of current nautical charts and publications, personnel shortage, or similar condition.

Dredges And Floating Plants

Dredges and floating plants must provide the following information to the VMRS prior to beginning operations within the VMRS Area:

- Name
 - Location and duration of intended operation
 - Description of intended operation – including any channel obstructions
 - Configuration of pipeline
 - Termination point of pipelines
 - Time required to re-open the channel for vessel passage
 - Any operating impairments
 - Any notification requirements to channel traffic
 - (e.g., requests for SLOWBELL, no meeting or overtaking, divers in the water, etc.
 - Means of contacting the dredge control station
 - Telephone numbers and names of assist vessels
 - Telephone number and name of project superintendent
-



Good Things to Know

| | |
|--|--|
| Regulated Navigation Area (RNA) | A Regulated Navigation Area exists for waters within the first district including Buzzards Bay and the Cape Cod Canal. The RNA is attached in Appendix D |
|--|--|

Aids to Navigation

| | |
|----------------------------------|---|
| Aids to Navigation (AtoN) | VMRS Buzzards Bay monitors the status of only major aids to navigation within the VMRS Area. For more detailed information US Coast Guard Sector Southeastern New England performs a scheduled Broadcast Notice to Mariners which informs of aids to navigation discrepancy information, including aids within the Buzzards Bay VMRS Area, on Channel 22A. Consult light list publication for complete list of Aids to Navigation. |
|----------------------------------|---|

Note - Vessel operators are required to report striking any aid to navigation.

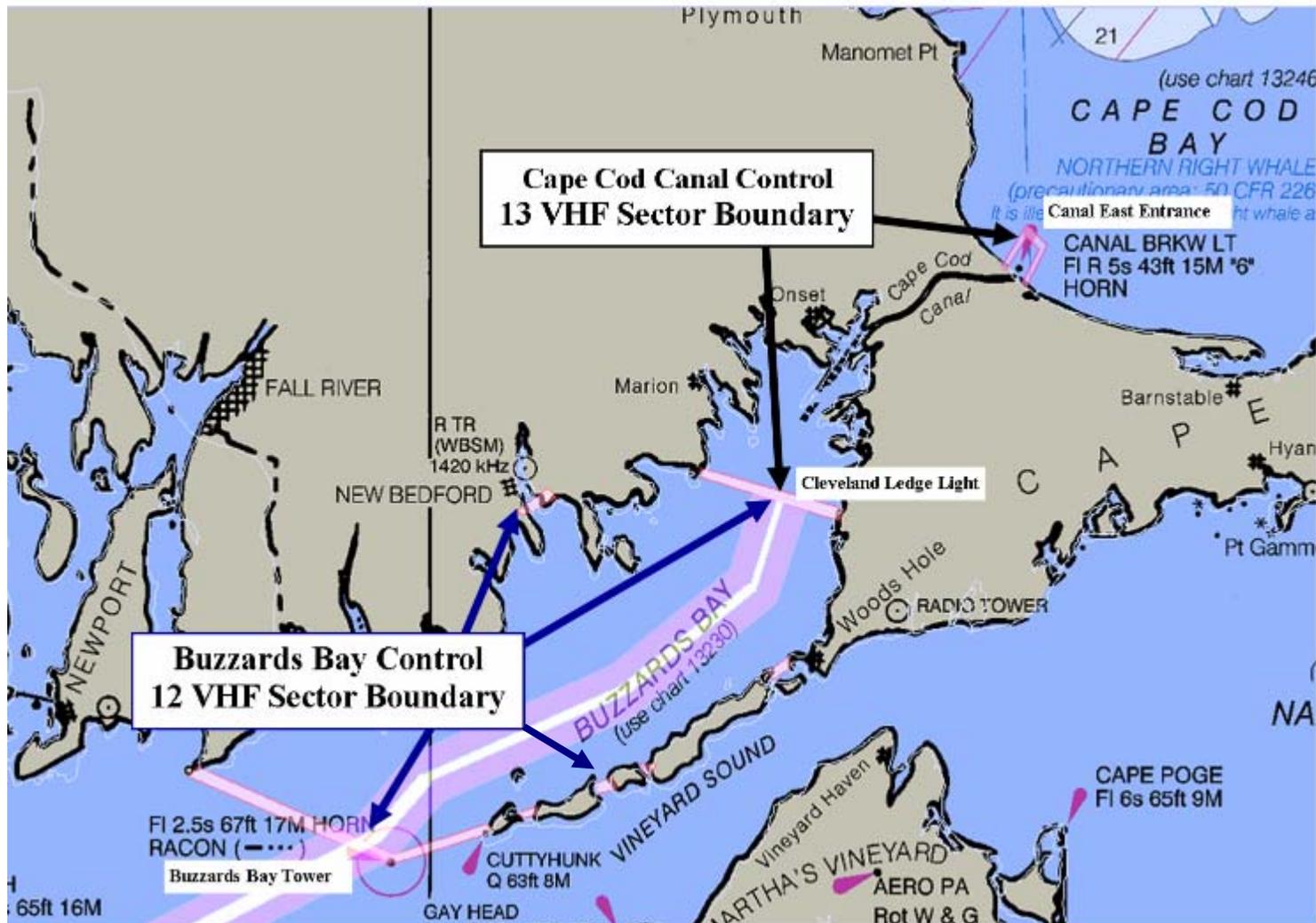


Example User Matrix

| Type of Vessel | Active Or Passive |
|--|--------------------------|
| Towing vessel over 26 feet, engaged in towing | Active |
| Towing vessel over 26 feet, not engaged in towing | Passive |
| Power Driven vessel 131 feet or more in length | Active |
| Power Driven vessel 65 feet or more, but less than 131 feet in length | Passive |
| Vessel certificated to carry 50 or more passengers not on a published schedule | Active |
| Vessel certificated to carry 50 or more passengers on a published schedule | Passive |
| Examples | |
| 50 foot tugboat pushing a small deck barge | Active |
| 50 foot tug towing a small tank barge carrying less than 5,000 barrels of oil | Active |
| 100 foot tug towing 400 foot double hulled barge | Active |
| 80 foot ferry certificated to carry 150 passengers | Active |
| 80 foot passenger vessel with 150 passengers on an <u>unscheduled</u> route | Active |
| 80 foot passenger vessel with 150 passengers on a <u>scheduled</u> (published) route | Passive |
| 80 foot ferry certificated to carry 49 passengers | Passive |
| 80 foot commercial fishing vessels | Passive |
| Towboat under 26 feet in length | Exempt |
| Sail or Power vessel under 65 feet in length | Exempt |



Appendix A VMRS Buzzards Bay Sectors and Listening Watch Frequencies





Appendix B

VMRS BUZZARDS BAY Reporting Points Eastbound

| | Name | Description | Latitude/Longitude | Notes |
|---|--------------------------------|----------------------|---------------------------|--------------------|
| 1 | Buzzards Bay Entrance Tower | Lighted Tower | 41 23.48 N 071 02.01 W | Sailing Plan |
| 2 | #4 Buoy Buzzards Bay | Lighted Bell Buoy | 41 27.02 N 070 59.14 W | Position Report |
| 3 | BB Buoy | Lighted Bell Buoy | 41 30.33 N 070 49.54 W | Position Report |
| 4 | #10 Buoy Buzzards Bay | Lighted Gong Buoy | 41 34.37 N 070 43.15 W | Position Report |
| 5 | Cleveland East Ledge Light | Light House | 41 37.51 N 070 41.39 W | Final Report |

VMRS BUZZARDS BAY Reporting Points Westbound

| | Name | Description | Latitude/Longitude | Notes |
|---|--------------------------------|----------------------|---------------------------|--------------------|
| 1 | Cleveland East Ledge Light | Light House | 41 37.51 N 070 41.39 W | Sailing Plan |
| 2 | #10 Buoy Buzzards Bay | Lighted Gong Buoy | 41 34.37 N 070 43.15 W | Position Report |
| 3 | BB Buoy | Lighted Bell Buoy | 41 30.33 N 070 49.54 W | Position Report |
| 4 | #4 Buoy Buzzards Bay | Lighted Bell Buoy | 41 27.02 N 070 59.14 W | Position Report |
| 5 | Buzzards Bay Entrance Tower | Lighted Tower | 41 23.48 N 071 02.01 W | Final Report |

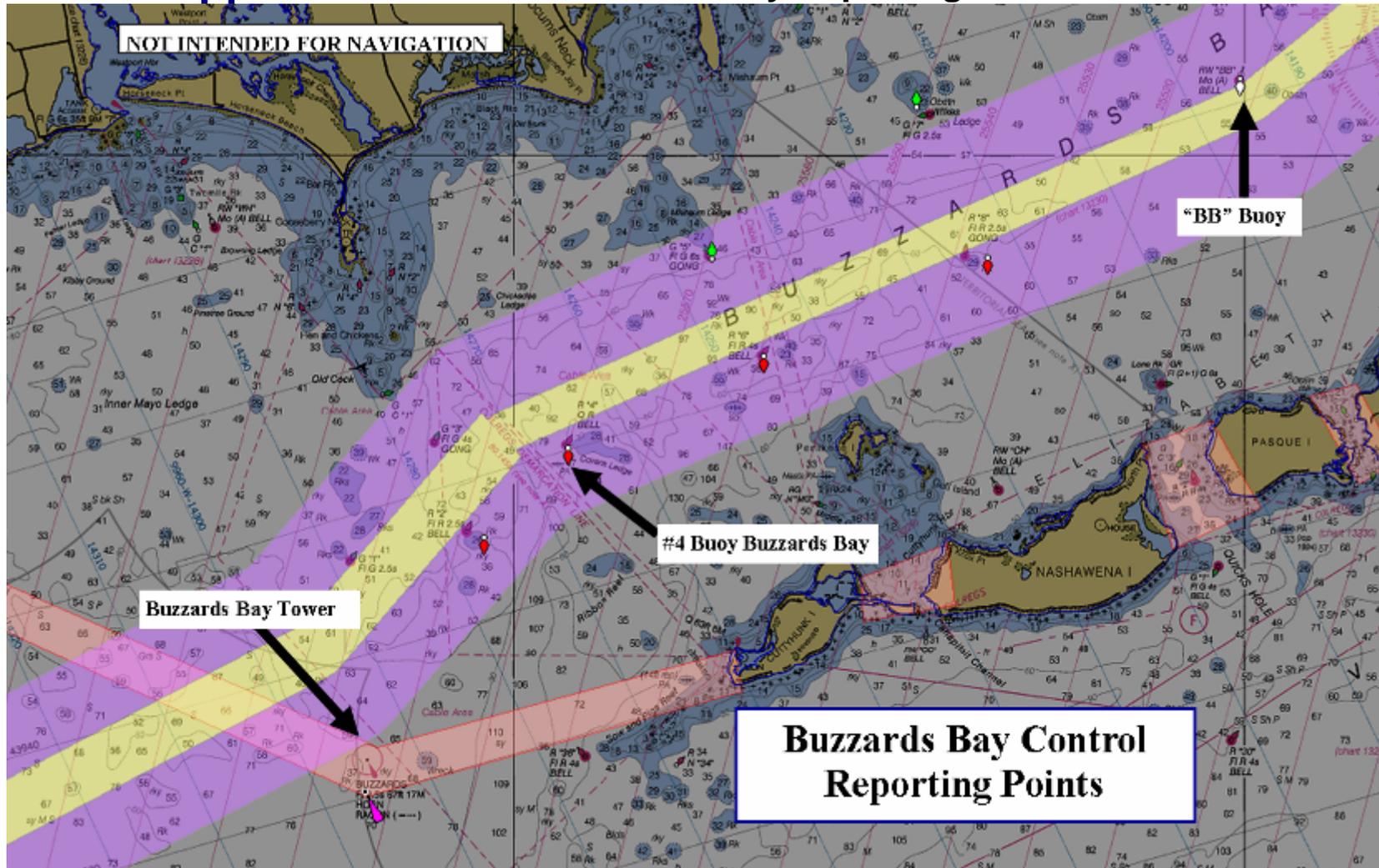
North & South Bound Vessels:

***Active User vessels entering the VMRS area from points North or South shall, upon crossing the VMRS boundary, file a sail plan or final report with BBC as appropriate and file position reports when passing reporting points in the VMRS area.**

***Passive User vessels entering the VMRS area from points North or South shall begin to monitor the VMRS frequency upon crossing any VMRS boundary.**

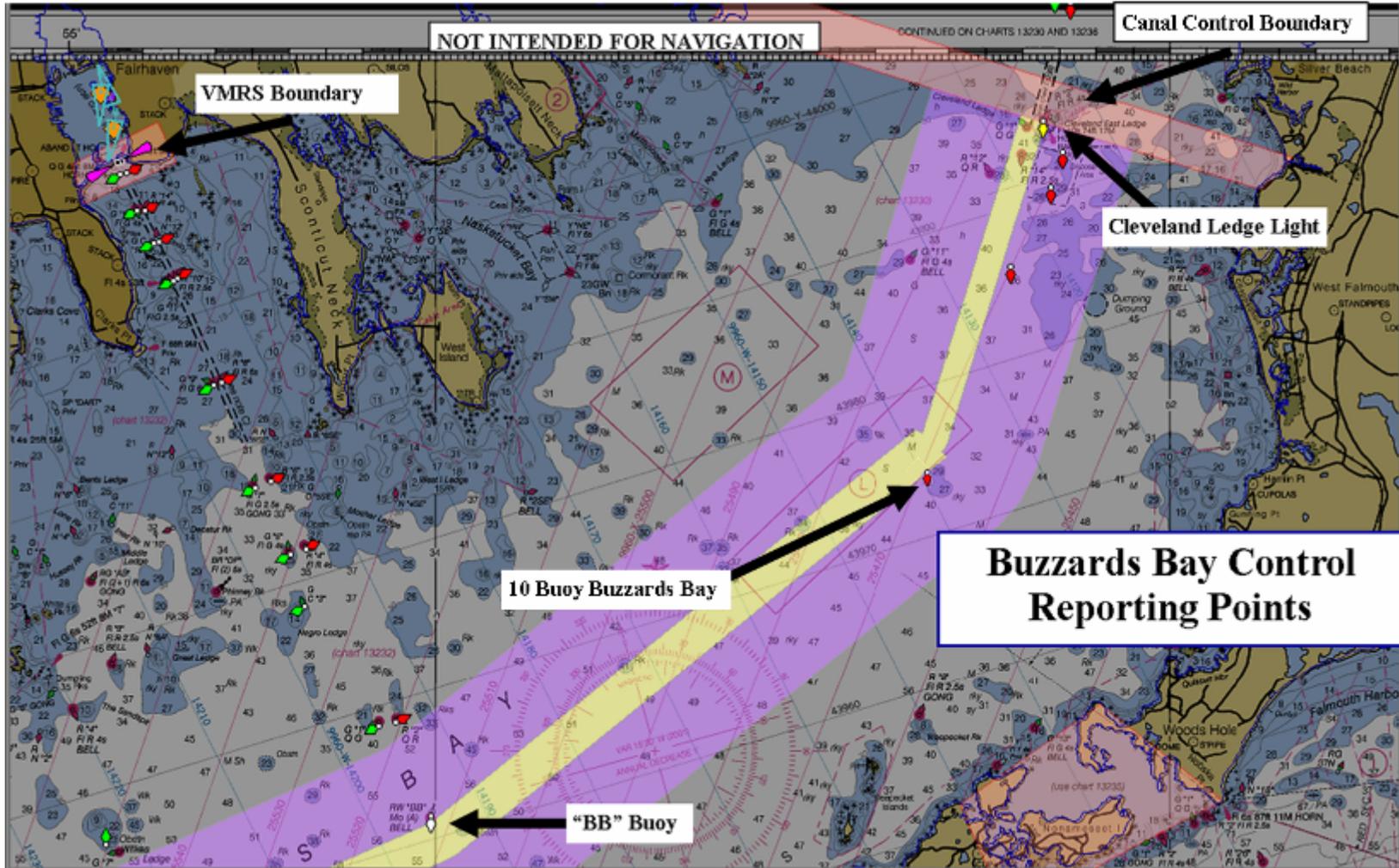


Appendix C VMRS Buzzards Bay Reporting Point Chartlets





Appendix C Continued VMRS Buzzards Bay Reporting Point Chartlets





Appendix D

Regulated Navigation Area Code of Federal Regulations

Title 33: Navigation and Navigable Waters

[PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS](#)

[Subpart F—Specific Regulated Navigation Areas and Limited Access Areas](#)

[First Coast Guard District](#)

§ 165.100 Regulated Navigation Area: Navigable waters within the First Coast Guard District.

(a) *Regulated navigation area.* All navigable waters of the United States, as that term is used in 33 CFR 2.05–25(a), within the geographic boundaries of the First Coast Guard District, as defined in 33 CFR 3.05–1(b).

(b) *Definitions.* Terms used in this section have the same meaning as those found in 33 CFR 157.03. Single-hull identifies any tank barge that is not a double-hull tank barge.

(c) *Applicability.* This section applies to primary towing vessels engaged in towing tank barges carrying petroleum oil in bulk as cargo in the regulated navigation area, or as authorized by the District Commander.

(d) *Regulations—* (1) *Positive control for barges.* (i) Except as provided in paragraph (d)(1)(iii) and paragraph 5 of this section, each single hull tank barge, unless being towed by a primary towing vessel with twin-screw propulsion and with a separate system for power to each screw, must be accompanied by an escort tug of sufficient capability to promptly push or tow the tank barge away from danger of grounding or collision in the event of—

(A) A propulsion failure;

(B) A parted towing line;

(C) A loss of tow;

(D) A fire;

(E) Grounding;

(F) A loss of steering; or

(G) Any other time a vessel may be operating in a Hazardous Vessel Operating Condition as defined in §161.2 of this Chapter.

(ii) Double-hull tank barges are exempt from paragraph (d)(1)(i) of this section.

(iii) The cognizant Captain of the Port (COTP), upon written application, may authorize an exemption from the requirements of paragraph (d)(1)(i) of this section for—

(A) Any tank barge with a capacity of less than 25,000 barrels, operating in an area with limited depth or width such as a creek or small river; or

(B) Any tank barge operating on any waters within the COTP Zone, if the operator demonstrates to the satisfaction of the COTP that the barge employs an equivalent level of safety to that provided by the positive control provisions of this section. Each request for an exemption under this paragraph must be submitted in writing to the cognizant COTP no later than 7 days before the intended transit.

(iv) The operator of a towing vessel engaged in towing any tank barge must immediately call for an escort or assist tug to render assistance in the event of any of the occurrences identified in paragraph (d)(1)(i) of this section.



(2) *Enhanced communications.* Each vessel engaged in towing a tank barge must communicate by radio on marine band or Very High Frequency (VHF) channel 13 or 16, and issue security calls on marine band or VHF channel 13 or 16, upon approach to the following places:

- (i) Execution Rocks Light (USCG Light List No. [LLNR] 21440).
- (ii) Matinecock Point Shoal Buoy (LLNR 21420).
- (iii) 32A Buoy (LLNR 21380).
- (iv) Cable and Anchor Reef Buoy (LLNR 21330).
- (v) Stratford Middle Ground Light (LLNR 21260).
- (vi) Old Field Point Light (LLNR 21275).
- (vii) Approach to Stratford Point from the south (NOAA Chart 12370).
- (viii) Falkner Island Light (LLNR 21170).
- (ix) TE Buoy (LLNR 21160).
- (x) CF Buoy (LLNR 21140).
- (xi) PI Buoy (LLNR 21080).
- (xii) Race Rock Light (LLNR 19815).
- (xiii) Valiant Rock Buoy (LLNR 19825).
- (xiv) Approach to Point Judith in vicinity of Block Island ferry route.
- (xv) Buzzards Bay Entrance Light (LLNR 630).
- (xvi) Buzzards Bay Midchannel Lighted Buoy (LLNR 16055)
- (xvii) Cleveland East Ledge Light (LLNR 16085).
- (xviii) Hog Island buoys 1 (LLNR 16130) and 2 (LLNR 16135).
- (xix) Approach to the Bourne Bridge.
- (xx) Approach to the Sagamore Bridge.
- (xxi) Approach to the eastern entrance of Cape Cod Canal.

(3) *Voyage planning.* (i) Each owner or operator of a towing vessel employed to tow a tank barge shall prepare a written voyage plan for each transit of the tank barge.

(ii) The watch officer is authorized to make modifications to the plan and validate it as necessary.

(iii) Except as provided in paragraph (d)(3)(iv) of this section, each voyage plan must contain:

(A) A description of the type, volume, and grade of cargo.

(B) Applicable information from nautical charts and publications, including Coast Pilot, Coast Guard Light List, and Coast Guard Local Notice to Mariners, for the destination(s).

(C) Current and forecasted weather, including visibility, wind, and sea state for the destination(s).

(D) Data on tides and tidal currents for the destination(s).

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(E) Forward and after drafts of the tank barge, and under-keel and vertical clearances for each port and berthing area.

(F) Pre-departure checklists.

(G) Calculated speed and estimated times of arrival at proposed waypoints.

(H) Communication contacts at Vessel Traffic Service (VTS) (if applicable), bridges, and facilities, and port-specific requirements for VHF radio.

(I) The master's standing orders detailing closest points of approach, special conditions, and critical maneuvers.

(iv) Each owner or operator of a tank barge on an intra-port transit of not more than four hours may prepare a voyage plan that contains:

(A) The information described in paragraphs (d)(3)(iii)(D) and (E) of this section.

(B) Current weather conditions including visibility, wind, and sea state. This information may be entered in either the voyage plan or towing vessel's log book.

(C) The channels of VHF radio to monitor.

(D) Other considerations such as availability of pilot, assist tug, berth, and line-handlers, depth of berth at mean low water, danger areas, and security calls.

(4) *Navigation restriction areas.* Unless authorized by the cognizant COTP, no tank barge may operate in—

(i) The waters of Cape Cod Bay south of latitude 42°5' North and east of longitude 70°25' West; or

(ii) The waters of Fishers Island Sound east of longitude 72°2' West, and west of longitude 71°55' West.

(e) In addition to the authority for this part 165, this section is also authorized under authority of section 311, Pub. L. 105–383.

(5) *Special Buzzards Bay Regulations.* (i) **For the purposes of this section, “Buzzards Bay” is the body of water east and north of a line drawn from the southern tangent of Sakonnet Point, Rhode Island, in approximate position latitude 41°–27.2' North, longitude 70°–11.7' West, to the Buzzards Bay Entrance Light in approximate position latitude 41°–23.5' North, longitude 71°–02.0' West, and then to the southwestern tangent of Cuttyhunk Island, Massachusetts, at approximate position latitude 41°–24.6' North, longitude 70°–57.0' West, and including all of the Cape Cod Canal to its eastern entrance, except that the area of New Bedford harbor within the confines (north) of the hurricane barrier, and the passages through the Elizabeth Islands, is not considered to be “Buzzards Bay”.**

(ii) ***Additional Positive Control for Barges.*** Except as provided in paragraph (d)(1)(iii) of this section, each single hull tank barge transiting Buzzards Bay and carrying 5,000 or more barrels of oil or other hazardous material must, in addition to its primary tug, be accompanied by an escort tug of sufficient capability to promptly push or tow the tank barge away from danger of grounding or collision in the event of—

(A) A propulsion failure;

(B) A parted tow line;

(C) A loss of tow;

(D) A fire;

(E) Grounding;

(F) A loss of steering; or



(G) Any other time a vessel may be operating in a Hazardous Vessel Operating Condition as defined in §161.2 of this subchapter.

(iii) *Federal Pilotage.* Each single hull tank barge transiting Buzzards Bay and carrying 5,000 or more barrels of oil or other hazardous material must be under the direction and control of a pilot, who is not a member of the crew, operating under a valid, appropriately endorsed, Federal first class pilot's license issued by the Coast Guard ("federally licensed pilot"). Pilots are required to embark, direct, and control from the primary tug during transits of Buzzards Bay.

(iv) *Vessel Movement Reporting System.* In addition to the vessels denoted in §161.16 of this chapter, requirements set forth in subpart B of part 161 also apply to any vessel transiting VMRS Buzzards Bay required to carry a bridge-to-bridge radiotelephone by part 26 of this chapter.¹

(A) A VMRS Buzzards Bay user must:

- (1) Not enter or get underway in the area without first notifying the VMRS Center;**
- (2) Not enter VMRS Buzzards Bay if a Hazardous Vessel Operating Condition or circumstance per §161.2 of this Subchapter exists;**
- (3) If towing astern, do so with as short a hawser as safety and good seamanship permits;**
- (4) Not meet, cross, or overtake any other VMRS user in the area without first notifying the VMRS center;**
- (5) Before meeting, crossing, or overtaking any other VMRS user in the area, communicate on the designated vessel bridge-to-bridge radiotelephone frequency, intended navigation movements, and any other information necessary in order to make safe passing arrangements. This requirement does not relieve a vessel of any duty prescribed by the International Regulations for Prevention of Collisions at Sea, 1972 (33 U.S.C. 1602(c)) or the Inland Navigation Rules (33 U.S.C. 2005).**

¹ This language reflects a pending technical correction to the wording of this regulation.



Appendix E

Vessel Traffic Management Code of Federal Regulations

Title 33: Navigation and Navigable Waters

[PART 161—VESSEL TRAFFIC MANAGEMENT](#)

[Subpart A—Vessel Traffic Services](#)

[General Rules](#)

§ 161.2 Definitions.

For the purposes of this part:

Cooperative Vessel Traffic Services (CVTS) means the system of vessel traffic management established and jointly operated by the United States and Canada within adjoining waters. In addition, CVTS facilitates traffic movement and anchorages, avoids jurisdictional disputes, and renders assistance in emergencies in adjoining United States and Canadian waters.

Hazardous Vessel Operating Condition means any condition related to a vessel's ability to safely navigate or maneuver, and includes, but is not limited to:

- (1) The absence or malfunction of vessel operating equipment, such as propulsion machinery, steering gear, radar system, gyrocompass, depth sounding device, automatic radar plotting aid (ARPA), radiotelephone, Automatic Identification System equipment, navigational lighting, sound signaling devices or similar equipment.
- (2) Any condition on board the vessel likely to impair navigation, such as lack of current nautical charts and publications, personnel shortage, or similar condition.
- (3) Vessel characteristics that affect or restrict maneuverability, such as cargo arrangement, trim, loaded condition, underkeel clearance, speed, or similar characteristics.

Navigable waters means all navigable waters of the United States including the territorial sea of the United States, extending to 12 nautical miles from United States baselines, as described in Presidential Proclamation No. 5928 of December 27, 1988.

Precautionary Area means a routing measure comprising an area within defined limits where vessels must navigate with particular caution and within which the direction of traffic may be recommended.

Towing Vessel means any commercial vessel engaged in towing another vessel astern, alongside, or by pushing ahead.

Vessel Movement Center (VMC) means the shore-based facility that operates the vessel tracking system for a Vessel Movement Reporting System (VMRS) area or sector within such an area. The VMC does not necessarily have the capability or qualified personnel to interact with marine traffic, nor does it necessarily respond to traffic situations developing in the area, as does a Vessel Traffic Service (VTS).

Vessel Movement Reporting System (VMRS) means a mandatory reporting system used to monitor and track vessel movements. This is accomplished by a vessel providing information under established procedures as set forth in this part in the areas defined in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas).

Vessel Movement Reporting System (VMRS) User means a vessel, or an owner, operator, charterer, Master, or person directing the movement of a vessel that is required to participate in a VMRS.

Vessel Traffic Center (VTC) means the shore-based facility that operates the vessel traffic service for the Vessel Traffic Service area or sector within such an area.



Vessel Traffic Services (VTS) means a service implemented by the United States Coast Guard designed to improve the safety and efficiency of vessel traffic and to protect the environment. The VTS has the capability to interact with marine traffic and respond to traffic situations developing in the VTS area.

Vessel Traffic Service Area or VTS Area means the geographical area encompassing a specific VTS area of service. This area of service may be subdivided into sectors for the purpose of allocating responsibility to individual Vessel Traffic Centers or to identify different operating requirements.

Note: Although regulatory jurisdiction is limited to the navigable waters of the United States, certain vessels will be encouraged or may be required, as a condition of port entry, to report beyond this area to facilitate traffic management within the VTS area.

VTS Special Area means a waterway within a VTS area in which special operating requirements apply.

VTS User means a vessel, or an owner, operator, charterer, master, or person directing the movement of a vessel, that is:

- (a) Subject to the Vessel Bridge-to-Bridge Radiotelephone Act; or
- (b) Required to participate in a VMRS within a VTS area (VMRS User).

VTS User's Manual means the manual established and distributed by the VTS to provide the mariner with a description of the services offered and rules in force for that VTS. Additionally, the manual may include chartlets showing the area and sector boundaries, general navigational information about the area, and procedures, radio frequencies, reporting provisions and other information which may assist the mariner while in the VTS area.

Appendix E Continued

Vessel Traffic Management Code of Federal Regulations

Title 33: Navigation and Navigable Waters

[PART 161—VESSEL TRAFFIC MANAGEMENT](#)

[Subpart A—Vessel Traffic Services](#)

[Services, VTS Measures, and Operating Requirements](#)

§ 161.12 Vessel operating requirements.

- (a) Subject to the exigencies of safe navigation, a VTS User shall comply with all measures established or directions issued by a VTS.
- (b) If, in a specific circumstance, a VTS User is unable to safely comply with a measure or direction issued by the VTS, the VTS User may deviate only to the extent necessary to avoid endangering persons, property or the environment. The deviation shall be reported to the VTS as soon as is practicable.
- (c) When not exchanging voice communications, a VTS User must maintain a listening watch as required by §26.04(e) of this chapter on the VTS frequency designated in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas). In addition, the VTS User must respond promptly when hailed and communicate in the English language.

Note to §161.12(c): As stated in 47 CFR 80.148(b), a very high frequency watch on Channel 16 (156.800 MHz) is not required on vessels subject to the Vessel Bridge-to-Bridge Radiotelephone Act and participating in a Vessel Traffic Service (VTS) system when the watch is maintained on both the vessel bridge-to-bridge frequency and a designated VTS frequency.

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Table 161.12(c)—VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas

| Center MMSI ¹ Call Sign | Designated frequency (Channel designation)—purpose ² | Monitoring area ^{3,4} |
|---|---|---|
| Berwick Bay 003669950— | | |
| Berwick Traffic | 156.550 MHz (Ch. 11) | The waters south of 29°45' N., west of 91°10' W., north of 29°37' N., and east of 91°18' W. |
| BUZZARDS BAY | | |
| Buzzards Bay Control⁵ | 156.600 MHz (Ch. 12) | The waters east and north of a line drawn from the southern tangent of Sakonnet Point, Rhode Island, in approximate position latitude 41°-27.2[min] N, longitude 70°-11.7[min] W, to the Buzzards Bay Entrance Light in approximate position latitude 41° 23.5[min] N, longitude 71°-02.0[min] W, and then to the southwestern tangent of Cuttyhunk Island, Massachusetts, at approximate position latitude 41°- 24.6[min] N, longitude 70°-57.0[min] W, and including all of the Cape Cod Canal to its eastern entrance, except that the area of New Bedford harbor within the confines (north of) the hurricane barrier, and the passages through the Elizabeth Islands, is not considered to be "Buzzards Bay". |
| Houston-Galveston— 003669954 | | The navigable waters north of 29° N., west of 94°20' W., south of 29°49' N., and east of 95°20' W. |
| Houston Traffic | 156.550 MHz (Ch. 11) 156.250 Mhz (Ch. 5A) —For Sailing Plans only | The navigable waters north of a line extending due west from the southern most end of Exxon Dock #1 (20°43.37' N., 95°01.27' W.). |
| Houston Traffic | 156.600 MHz (Ch. 12) 156.250 Mhz (Ch. 5A) —For Sailing Plans only | The navigable waters south of a line extending due west from the southern most end of Exxon Dock #1 (29°43.37' N., 95°01.27' W.) |
| Los Angeles/Long Beach: MMSI/To be determined | | |
| San Pedro Traffic | 156.700 MHz (Ch.14) | Vessel Movement Reporting System Area: The navigable waters within a 25 nautical mile radius of Point Fermin Light (33°42.3' N., 118°17.6' W.). |
| Louisville: Not applicable | | |
| Louisville Traffic | 156.650 MHz (Ch. 13) | The waters of the Ohio River between McAlpine Locks (Mile 606) and Twelve Mile Island (Mile 593), only when the McAlpine upper pool gauge is at approximately 13.0 feet or above. |
| Lower Mississippi | | |



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| | | |
|---|---|---|
| River ⁶ — 0036699952 | | |
| New Orleans Traffic | 156.700 MHz (Ch.14) | The navigable waters of the Lower Mississippi River below 30°38.7' N., 91°17.5' W. (Port Hudson Light at 255 miles Above Head of Passes (AHP)), the Southwest Pass, and, within a 12 nautical miles radius around 28°54.3' N., 89°25.7' W. (Southwest Pass Entrance Light at 19.9 miles Below Head of Passes). |
| New Orleans Traffic | 156.600 MHz (Ch.12) | New Orleans Sector. The navigable waters of the Lower Mississippi River bounded on the north by a line drawn perpendicularly at 29°56.4' N., 90°08.36' W. and on the south by a line drawn perpendicularly at 29°56.24' N., 89°59.86' W. (88 and 106 miles AHP). |
| New York— 003669951 | | |
| New York Traffic | 156.550 MHz (Ch. 11) —For Sailing Plans only 156.600 MHz (Ch. 12) —For vessels at anchor | The area consists of the navigable waters of the Lower New York Bay bounded on the east by a line drawn from Norton Point to Breezy Point; on the south by a line connecting the entrance buoys at the Ambrose Channel, Swash Channel, and Sandy Hook Channel to Sandy Hook Point; and on the southeast including the waters of Sandy Hook Bay south to a line drawn at latitude 40° 25' N; then west in the Raritan Bay to the Raritan River Railroad Bridge, then north into waters of the Arthur Kill and Newark Bay to the Lehigh Valley Draw Bridge at latitude 40° 41.9N; and then east including the waters of the Kill Van Kull and the Upper New York Bay north to a line drawn east-west from the Holland Tunnel ventilator shaft at latitude 40° 43.7' N, longitude 74° 01.6' W, in the Hudson River; and then continuing east including the waters of the East River to the Throgs Neck Bridge, excluding the Harlem River. |
| New York Traffic | 156.700 MHz (Ch. 14) | The navigable waters of the Lower New York Bay west of a line drawn from Norton Point to Breezy Point; and north of a line connecting the entrance buoys of Ambrose Channel, Swash Channel, and Sandy Hook Channel, to Sandy Hook Point; on the southeast including the waters of the Sandy Hook Bay south to a line drawn at latitude 40° 25' N; then west into the waters of Raritan Bay East Reach to a line drawn from Great Kills Light south through Raritan Bay East Reach LGB #14 to Comfort PT, NJ; then north including the waters of the Upper New York Bay south of 40° 42.40' N (Brooklyn Bridge) and 40° 43.70' N (Holland Tunnel Ventilator Shaft); west through the KVK into the Arthur Kill north of 40° 38.25' N (Arthur Kill Railroad Bridge); then north into the waters of the Newark Bay, south of 40° 41.95' N (Lehigh Valley Draw Bridge). |
| New York Traffic | 156.600 MHz (Ch. 12) | The navigable waters of the Raritan Bay south to a line drawn at latitude 40° 26' N; then west of a line drawn from Great Kills Light south through the Raritan Bay East Reach LGB #14 to Point Comfort, NJ; then west to the Raritan River Railroad Bridge; and north including the waters of the Arthur Kill to 40° 28.25' N (Arthur Kill Railroad Bridge); including the waters of the East River north of 40° 42.40' N (Brooklyn Bridge) to the Throgs Neck Bridge, excluding the Harlem River. |
| Port Arthur ⁶ — 003669955 | | |

VMRS BUZZARDS BAY USER MANUAL



| | | |
|------------------------------------|----------------------|---|
| Sabine Traffic | To be determined | The navigable waters south of 30°10' N., east of 94°20' W., west of 93°22' W, and, north of 29° 10' N. |
| Prince William Sound— 003669958 | | |
| Valdez Traffic | 156.650 MHz (Ch. 13) | The navigable waters south of 61°05' N., east of 147°20' W., north of 60° N., and west of 146°30' W.; and, all navigable waters in Port Valdez. |
| Puget Sound ⁷ | | |
| Seattle Traffic — 003669957 | 156.700 MHz (Ch. 14) | The waters of Puget Sound, Hood Canal and adjacent waters south of a line connecting Marrowstone Point and Lagoon Point in Admiralty Inlet and south of a line drawn due east from the southernmost tip of Possession Point on Whidbey Island to the shoreline. |
| Seattle Traffic — 003669957 | 156.250 MHz (Ch. 5A) | The waters of the Strait of Juan de Fuca east of 124°40' W. excluding the waters in the central portion of the Strait of Juan de Fuca north and east of Race Rocks; the navigable waters of the Strait of Georgia east of 122°52' W.; the San Juan Island Archipelago, Rosario Strait, Bellingham Bay; Admiralty Inlet north of a line connecting Marrowstone Point and Lagoon Point and all waters east of Whidbey Island North of a line drawn due east from the southernmost tip of Possession Point on Whidbey Island to the shoreline. |
| Tofino Traffic — 003160012 | 156.725 MHz (Ch. 74) | The waters west of 124°40' W. within 50 nautical miles of the coast of Vancouver Island including the waters north of 48° N., and east of 127° W. |
| Victoria Traffic — 003160010 | 156.550 MHz (Ch. 11) | The waters of the Strait of Georgia west of 122°52' W., the navigable waters of the central Strait of Juan de Fuca north and east of Race Rocks, including the Gulf Island Archipelago, Boundary Pass and Haro Strait. |
| San Francisco— 003669956 | | |
| San Francisco Traffic | 156.700 MHz (Ch. 14) | The navigable waters of the San Francisco Offshore Precautionary Area, the navigable waters shoreward of the San Francisco Offshore Precautionary Area east of 122°42.0' W. and north of 37°40.0' N. extending eastward through the Golden Gate, and the navigable waters of San Francisco Bay and as far east as the port of Stockton on the San Joaquin River, as far north as the port of Sacramento on the Sacramento River. |
| San Francisco Traffic | 156.600 MHz (Ch. 12) | The navigable waters within a 38 nautical mile radius of Mount Tamalpais (37°55.8' N., 122°34.6' W.) west of 122°42.0' W. and south of 37°40.0' N and excluding the San Francisco Offshore Precautionary Area. |
| St. Marys River— 003669953 | | |
| Soo Traffic | 156.600 MHz (Ch. 12) | The waters of the St. Marys River between 45°57' N. (De Tour Reef Light) and 46°38.7' N. (Ile Parisienne Light), except the St. Marys Falls Canal and those navigable waters east of a line from 46°04.16' N. and 46°01.57' N. (La Pointe to Sims Point in Potagannissing Bay and Worsley Bay). |



Notes:

¹Maritime Mobile Service Identifier (MMSI) is a unique nine-digit number assigned that identifies ship stations, ship earth stations, coast stations, coast earth stations, and group calls for use by a digital selective calling (DSC) radio, an INMARSAT ship earth station or AIS. AIS requirements are set forth in §§161.21 and 164.46 of this subchapter. The requirements set forth in §§161.21 and 164.46 of this subchapter apply in those areas denoted with a MMSI number.

²In the event of a communication failure, difficulties or other safety factors, the Center may direct or permit a user to monitor and report on any other designated monitoring frequency or the bridge-to-bridge navigational frequency, 156.650 MHz (Channel 13) or 156.375 MHz (Ch. 67), to the extent that doing so provides a level of safety beyond that provided by other means. The bridge-to-bridge navigational frequency, 156.650 MHz (Ch. 13), is used in certain monitoring areas where the level of reporting does not warrant a designated frequency.

³All geographic coordinates (latitude and longitude) are expressed in North American Datum of 1983 (NAD 83).

⁴Some monitoring areas extend beyond navigable waters. Although not required, users are strongly encouraged to maintain a listening watch on the designated monitoring frequency in these areas. Otherwise, they are required to maintain watch as stated in 47 CFR 80.148.

⁵In addition to the vessels denoted in Section 161.16 of this part, requirements set forth in subpart B of this part also apply to any vessel transiting VMRS Buzzards Bay required to carry a bridge-to-bridge radiotelephone by part 26 of this chapter.²

⁶Until rules regarding VTS Lower Mississippi River and VTS Port Arthur are published, vessels are exempted of all VTS and VMRS requirements set forth in 33 CFR part 161, except those set forth in §§161.21 and 164.46 of this subchapter.

⁷A Cooperative Vessel Traffic Service was established by the United States and Canada within adjoining waters. The appropriate Center administers the rules issued by both nations; however, enforces only its own set of rules within its jurisdiction. Note, the bridge-to-bridge navigational frequency, 156.650 MHz (Ch. 13), is not so designated in Canadian waters, therefore users are encouraged and permitted to make passing arrangements on the designated monitoring frequencies.

(d) As soon as is practicable, a VTS User shall notify the VTS of any of the following:

- (1) A marine casualty as defined in 46 CFR 4.05–1;
- (2) Involvement in the ramming of a fixed or floating object;
- (3) A pollution incident as defined in §151.15 of this chapter;
- (4) A defect or discrepancy in an aid to navigation;

² This language reflects a pending technical correction to the wording of this regulation.



- (5) A hazardous condition as defined in §160.203 of this chapter;
- (6) Improper operation of vessel equipment required by Part 164 of this chapter;
- (7) A situation involving hazardous materials for which a report is required by 49 CFR 176.48; and
- (8) A hazardous vessel operating condition as defined in §161.2.

Appendix E Continued

Vessel Traffic Management Code of Federal Regulations

Title 33: Navigation and Navigable Waters
[PART 161—VESSEL TRAFFIC MANAGEMENT](#)

Subpart B—Vessel Movement Reporting System

§ 161.15 Purpose and intent.

(a) A Vessel Movement Reporting System (VMRS) is a system used to monitor and track vessel movements VTS or VMRS area. This is accomplished by requiring that vessels provide information under established procedures as set forth in this part, or as directed by the Center.

(b) To avoid imposing an undue reporting burden or unduly congesting radiotelephone frequencies, reports shall be limited to information which is essential to achieve the objectives of the VMRS. These reports are consolidated into three reports (sailing plan, position, and final).

[CGD 90–020, 59 FR 36324, July 15, 1994, as amended by USCG–2003–14757, 68 FR 39366, July 1, 2003]

§ 161.16 Applicability.

Unless otherwise stated, the provisions of this subpart apply to the following vessels and VMRS Users:

- (a) Every power-driven vessel of 40 meters (approximately 131 feet) or more in length, while navigating;
- (b) Every towing vessel of 8 meters (approximately 26 feet) or more in length, while navigating; or
- (c) Every vessel certificated to carry 50 or more passengers for hire, when engaged in trade.

[CGD 90–020, 59 FR 36324, July 15, 1994, as amended by USCG–2003–14757, 68 FR 39366, July 1, 2003]

§ 161.17 Definitions.

As used in this subpart:

Center means a Vessel Traffic Center or Vessel Movement Center.

Published means available in a widely-distributed and publicly available medium (e.g., VTS User's Manual, ferry schedule, Notice to Mariners).

[USCG–2003–14757, 68 FR 39366, July 1, 2003]

§ 161.18 Reporting requirements.

(a) A Center may: (1) Direct a vessel to provide any of the information set forth in Table 161.18(a) (IMO Standard Ship Reporting System);



Table 161.18(a)—The IMO Standard Ship Reporting System

| | | | |
|---|----------|--|---|
| A | ALPHA | Ship | Name, call sign or ship station identity, and flag. |
| B | BRAVO | Dates and time of event | A 6 digit group giving day of month (first two digits), hours and minutes (last four digits). If other than UTC state time zone used. |
| C | CHARLIE | Position | A 4 digit group giving latitude in degrees and minutes suffixed with N (north) or S (south) and a 5 digit group giving longitude in degrees and minutes suffixed with E (east) or W (west); or. |
| D | DELTA | Position | True bearing (first 3 digits) and distance (state distance) in nautical miles from a clearly identified landmark (state landmark). |
| E | ECHO | True course | A 3 digit group. |
| F | FOXTROT | Speed in knots and tenths of knots | A 3 digit group. |
| G | GOLF | Port of Departure | Name of last port of call. |
| H | HOTEL | Date, time and point of entry system | Entry time expressed as in (B) and into the entry position expressed as in (C) or (D). |
| I | INDIA | Destination and expected time of arrival | Name of port and date time group expressed as in (B). |
| J | JULIET | Pilot | State whether a deep sea or local pilot is on board. |
| K | KILO | Date, time and point of exit from system | Exit time expressed as in (B) and exit position expressed as in (C) or (D). |
| L | LIMA | Route information | Intended track. |
| M | MIKE | Radio | State in full names of communications stations/frequencies guarded. |
| N | NOVEMBER | Time of next report | Date time group expressed as in (B). |
| O | OSCAR | Maximum present static draught in meters | 4 digit group giving meters and centimeters. |
| P | PAPA | Cargo on board | Cargo and brief details of any dangerous cargoes as well as harmful substances and gases that could endanger persons or the environment. |
| Q | QUEBEC | Defects, damage, deficiencies or limitations | Brief detail of defects, damage, deficiencies or other limitations. |
| R | ROMEO | Description of pollution or dangerous goods lost | Brief details of type of pollution (oil, chemicals, etc) or dangerous goods lost overboard; position expressed as in (C) or (D). |
| S | SIERRA | Weather conditions | Brief details of weather and sea conditions prevailing. |
| T | TANGO | Ship's representative and/or owner | Details of name and particulars of ship's representative and/or owner for provision of information. |
| U | UNIFORM | Ship size and type | Details of length, breadth, tonnage, and type, etc., as required. |
| V | VICTOR | Medical personnel | Doctor, physician's assistant, nurse, no medic. |
| W | WHISKEY | Total number of persons on board | State number. |
| X | XRAY | Miscellaneous | Any other information as appropriate. [i.e. , a detailed description of a planned operation, which may include: its duration; effective area; any restrictions to navigation; notification procedures for approaching vessels; in addition, for a towing operation: configuration, length of the tow, available horsepower, etc.; for a dredge or floating plant: configuration of pipeline, mooring configuration, number of assist vessels, etc.]. |

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- (2) Establish other means of reporting for those vessels unable to report on the designated frequency; or
- (3) Require reports from a vessel in sufficient time to allow advance vessel traffic planning.

(b) All reports required by this part shall be made as soon as is practicable on the frequency designated in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas).

(c) When not exchanging communications, a VMRS User must maintain a listening watch as described in §26.04(e) of this chapter on the frequency designated in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas). In addition, the VMRS User must respond promptly when hailed and communicate in the English language.

Note: As stated in 47 CFR 80.148(b), a VHF watch on Channel 16 (156.800 MHz) is not required on vessels subject to the Vessel Bridge-to-Bridge Radiotelephone Act and participating in a Vessel Traffic Service (VTS) system when the watch is maintained on both the vessel bridge-to-bridge frequency and a designated VTS frequency.

(d) A vessel must report:

(1) Any significant deviation from its Sailing Plan, as defined in §161.19, or from previously reported information; or

(2) Any intention to deviate from a VTS issued measure or vessel traffic routing system.

(e) When reports required by this part include time information, such information shall be given using the local time zone in effect and the 24-hour military clock system.

[CGD 90-020, 59 FR 36324, July 15, 1994, as amended by USCG-2003-14757, 68 FR 39366, July 1, 2003]

§ 161.19 Sailing Plan (SP).

Unless otherwise stated, at least 15 minutes before navigating a VTS area, a vessel must report the:

(a) Vessel name and type;

(b) Position;

(c) Destination and ETA;

(d) Intended route;

(e) Time and point of entry; and

(f) Dangerous cargo on board or in its tow, as defined in §160.203 of this chapter, and other required information as set out in §160.211 and §160.213 of this chapter, if applicable.

§ 161.20 Position Report (PR).

A vessel must report its name and position:

(a) Upon point of entry into a VMRS area;

(b) At designated reporting points as set forth in subpart C; or

(c) When directed by the Center.

[CGD 90-020, 59 FR 36324, July 15, 1994, as amended by USCG-2003-14757, 68 FR 39366, July 1, 2003]

§ 161.21 Automated reporting.

(a) Unless otherwise directed, vessels equipped with an Automatic Identification System (AIS) are required to make continuous, all stations, AIS broadcasts, in lieu of voice Position Reports, to those Centers denoted in Table 161.12(c) of this part.



(b) Should an AIS become non-operational, while or prior to navigating a VMRS area, it should be restored to operating condition as soon as possible, and, until restored a vessel must:

- (1) Notify the Center;
- (2) Make voice radio Position Reports at designated reporting points as required by §161.20(b) of this part; and
- (3) Make any other reports as directed by the Center.

[USCG–2003–14757, 68 FR 39366, July 1, 2003]

§ 161.22 Final Report (FR).

A vessel must report its name and position:

- (a) On arrival at its destination; or
- (b) When leaving a VTS area.

§ 161.23 Reporting exemptions.

(a) Unless otherwise directed, the following vessels are exempted from providing Position and Final Reports due to the nature of their operation:

- (1) Vessels on a published schedule and route;
- (2) Vessels operating within an area of a radius of three nautical miles or less; or
- (3) Vessels escorting another vessel or assisting another vessel in maneuvering procedures.

(b) A vessel described in paragraph (a) of this section must:

- (1) Provide a Sailing Plan at least 5 minutes but not more than 15 minutes before navigating within the VMRS area; and
- (2) If it departs from its promulgated schedule by more than 15 minutes or changes its limited operating area, make the established VMRS reports, or report as directed.

[CGD 90–020, 59 FR 36324, July 15, 1994, as amended by CGD 97–023, 62 FR 33364, June 19, 1997; USCG–2003–14757, 68 FR 39367, July 1, 2003]



Appendix F

Radiotelephone Act Code of Federal Regulations

Title 33: Navigation and Navigable Waters

PART 26—VESSEL BRIDGE-TO-BRIDGE RADIOTELEPHONE REGULATIONS

Section Contents

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[§ 26.06 Maintenance of radiotelephone; failure of radiotelephone.](#)

[§ 26.07 Communications.](#)

[§ 26.08 Exemption procedures.](#)

[§ 26.09 List of exemptions.](#)

Authority: 14 U.S.C. 2, 33 U.S.C. 1201–1208; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170. Rule 1, International Regulations for the Prevention of Collisions at Sea.

Source: CGD 71–114R, 37 FR 12720, June 28, 1972, unless otherwise noted.

§ 26.01 Purpose.

(a) The purpose of this part is to implement the provisions of the Vessel Bridge-to-Bridge Radiotelephone Act. This part:

(1) Requires the use of the vessel bridge-to-bridge radiotelephone;

(2) Provides the Coast Guard's interpretation of the meaning of important terms in the Act;

(3) Prescribes the procedures for applying for an exemption from the Act and the regulations issued under the Act and a listing of exemptions.

(b) Nothing in this part relieves any person from the obligation of complying with the rules of the road and the applicable pilot rules.

§ 26.02 Definitions.

For the purpose of this part and interpreting the Act:

Act means the “Vessel Bridge-to-Bridge Radiotelephone Act”, 33 U.S.C. sections 1201–1208;

Length is measured from end to end over the deck excluding sheer;

Power-driven vessel means any vessel propelled by machinery; and

Secretary means the Secretary of the Department in which the Coast Guard is operating;

Territorial sea means all waters as defined in §2.22(a)(1) of this chapter.

Towing vessel means any commercial vessel engaged in towing another vessel astern, alongside, or by pushing ahead.



Vessel Traffic Services (VTS) means a service implemented under Part 161 of this chapter by the United States Coast Guard designed to improve the safety and efficiency of vessel traffic and to protect the environment. The VTS has the capability to interact with marine traffic and respond to traffic situations developing in the VTS area.

Vessel Traffic Service Area or VTS Area means the geographical area encompassing a specific VTS area of service as described in Part 161 of this chapter. This area of service may be subdivided into sectors for the purpose of allocating responsibility to individual Vessel Traffic Centers or to identify different operating requirements.

Note: Although regulatory jurisdiction is limited to the navigable waters of the United States, certain vessels will be encouraged or may be required, as a condition of port entry, to report beyond this area to facilitate traffic management within the VTS area.

(Rule 1, International Regulations for Preventing Collisions at Sea, 1972 (as rectified); EO 11964 (14 U.S.C. 2); 49 CFR 1.46(b))

[CGD 71-114R, 37 FR 12720, June 28, 1972, as amended by CGD 77-118a, 42 FR 35784, July 11, 1977; CGD 90-020, 59 FR 36322, July 15, 1994; USCG-2001-9044, 68 FR 42601, July 18, 2003]

§ 26.03 Radiotelephone required.

(a) Unless an exemption is granted under §26.09 and except as provided in paragraph (a)(4) of this section, this part applies to:

(1) Every power-driven vessel of 20 meters or over in length while navigating;

(2) Every vessel of 100 gross tons and upward carrying one or more passengers for hire while navigating;

(3) Every towing vessel of 26 feet or over in length while navigating; and

(4) Every dredge and floating plant engaged in or near a channel or fairway in operations likely to restrict or affect navigation of other vessels except for an unmanned or intermittently manned floating plant under the control of a dredge.

(b) Every vessel, dredge, or floating plant described in paragraph (a) of this section must have a radiotelephone on board capable of operation from its navigational bridge, or in the case of a dredge, from its main control station, and capable of transmitting and receiving on the frequency or frequencies within the 156-162 Mega-Hertz band using the classes of emissions designated by the Federal Communications Commission for the exchange of navigational information.

(c) The radiotelephone required by paragraph (b) of this section must be carried on board the described vessels, dredges, and floating plants upon the navigable waters of the United States.

(d) The radiotelephone required by paragraph (b) of this section must be capable of transmitting and receiving on VHF FM channel 22A (157.1 MHz).

(e) While transiting any of the following waters, each vessel described in paragraph (a) of this section also must have on board a radiotelephone capable of transmitting and receiving on VHF FM channel 67 (156.375 MHz):

(1) The lower Mississippi River from the territorial sea boundary, and within either the Southwest Pass safety fairway or the South Pass safety fairway specified in 33 CFR 166.200, to mile 242.4 AHP (Above Head of Passes) near Baton Rouge;

(2) The Mississippi River-Gulf Outlet from the territorial sea boundary, and within the Mississippi River-Gulf outlet Safety Fairway specified in 33 CFR 166.200, to that channel's junction with the Inner Harbor Navigation Canal; and

(3) The full length of the Inner Harbor Navigation Canal from its junction with the Mississippi River to that canal's entry to Lake Pontchartrain at the New Seabrook vehicular bridge.

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(f) In addition to the radiotelephone required by paragraph (b) of this section, each vessel described in paragraph (a) of this section while transiting any waters within a Vessel Traffic Service Area, must have on board a radiotelephone capable of transmitting and receiving on the VTS designated frequency in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas).

Note: A single VHF-FM radio capable of scanning or sequential monitoring (often referred to as “dual watch” capability) will not meet the requirements for two radios.

[CGD 91-046, 57 FR 14485, Apr. 21, 1992; 57 FR 21740, May 22, 1992, as amended by CGD 90-020, 59 FR 36322, July 15, 1994; CGD 95-033, 60 FR 28328, May 31, 1995; CGD 92-052, 61 FR 45325, Aug. 29, 1996; CGD-1999-6141, 64 FR 69635, Dec. 14, 1999; USCG-2003-14757, 68 FR 39364, July 1, 2003]

§ 26.04 Use of the designated frequency.

(a) No person may use the frequency designated by the Federal Communications Commission under section 8 of the Act, 33 U.S.C. 1207(a), to transmit any information other than information necessary for the safe navigation of vessels or necessary tests.

(b) Each person who is required to maintain a listening watch under section 5 of the Act shall, when necessary, transmit and confirm, on the designated frequency, the intentions of his vessel and any other information necessary for the safe navigation of vessels.

(c) Nothing in these regulations may be construed as prohibiting the use of the designated frequency to communicate with shore stations to obtain or furnish information necessary for the safe navigation of vessels.

(d) On the navigable waters of the United States, channel 13 (156.65 MHz) is the designated frequency required to be monitored in accordance with §26.05(a) except that in the area prescribed in §26.03(e), channel 67 (156.375 MHz) is the designated frequency.

(e) On those navigable waters of the United States within a VTS area, the designated VTS frequency is an additional designated frequency required to be monitored in accordance with §26.05.

(85 Stat. 164; 33 U.S.C. 1201-1208; 49 CFR 1.46(n)(2))

[CGD 71-114R, 37 FR 12720, June 28, 1982, as amended by CGD 83-036, 48 FR 30107, June 30, 1983; CGD 91-046, 57 FR 14486, Apr. 21, 1992; 57 FR 21741, May 22, 1992; CGD 90-020, 59 FR 36323, July 15, 1994; CGD 95-033, 60 FR 28329, May 31, 1995]

§ 26.05 Use of radiotelephone.

Section 5 of the Act states that the radiotelephone required by this Act is for the exclusive use of the master or person in charge of the vessel, or the person designated by the master or person in charge to pilot or direct the movement of the vessel, who shall maintain a listening watch on the designated frequency. Nothing herein shall be interpreted as precluding the use of portable radiotelephone equipment to satisfy the requirements of this act.

[CGD 93-072, 59 FR 39963, Aug. 5, 1994]

§ 26.06 Maintenance of radiotelephone; failure of radiotelephone.

Section 6 of the Act states:

(a) Whenever radiotelephone capability is required by this Act, a vessel's radiotelephone equipment shall be maintained in effective operating condition. If the radiotelephone equipment carried aboard a vessel ceases to operate, the master shall exercise due diligence to restore it or cause it to be restored to effective operating condition at the earliest practicable time. The failure of a vessel's radiotelephone equipment shall not, in itself, constitute a violation of this Act, nor shall it obligate the master of any vessel to moor or anchor his vessel; however, the loss of radiotelephone capability shall be given consideration in the navigation of the vessel.



§ 26.07 Communications.

No person may use the services of, and no person may serve as, a person required to maintain a listening watch under section 5 of the Act, 33 U.S.C. 1204, unless the person can communicate in the English language.

[CGD 90-020, 59 FR 36323, July 15, 1994, as amended by CGD 95-033, 60 FR 28329, May 31, 1995]

§ 26.08 Exemption procedures.

(a) The Commandant has redelegated to the Assistant Commandant for Marine Safety, Security and Environmental Protection, U.S. Coast Guard Headquarters, with the reservation that this authority shall not be further redelegated, the authority to grant exemptions from provisions of the Vessel Bridge-to-Bridge Radiotelephone Act and this part.

(b) Any person may petition for an exemption from any provision of the Act or this part;

(c) Each petition must be submitted in writing to U.S. Coast Guard, Marine Safety, Security and Environmental Protection, 2100 Second Street SW., Washington, DC 20593-0001, and must state:

(1) The provisions of the Act or this part from which an exemption is requested; and

(2) The reasons why marine navigation will not be adversely affected if the exemption is granted and if the exemption relates to a local communication system how that system would fully comply with the intent of the concept of the Act but would not conform in detail if the exemption is granted.

[CGD 71-114R, 37 FR 12720, June 28, 1972, as amended by CGD 73-256, 39 FR 9176, Mar. 8, 1974; CGD 88-052, 53 FR 25119, July 1, 1988; CGD 95-057, 60 FR 34150, June 30, 1995; CGD 96-026, 61 FR 33663, June 28, 1996; CGD 97-023, 62 FR 33362, June 19, 1997; USCG-2002-12471, 67 FR 41331, June 18, 2002]

§ 26.09 List of exemptions.

(a) All vessels navigating on those waters governed by the navigation rules for Great Lakes and their connecting and tributary waters (33 U.S.C. 241 et seq.) are exempt from the requirements of the Vessel Bridge-to-Bridge Radiotelephone Act and this part until May 6, 1975.

(b) Each vessel navigating on the Great Lakes as defined in the Inland Navigational Rules Act of 1980 (33 U.S.C. 2001 et seq.) and to which the Vessel Bridge-to-Bridge Radiotelephone Act (33 U.S.C. 1201-1208) applies is exempt from the requirements in 33 U.S.C. 1203, 1204, and 1205 and the regulations under §§26.03, 26.04, 26.05, 26.06, and 26.07. Each of these vessels and each person to whom 33 U.S.C. 1208(a) applies must comply with Articles VII, X, XI, XII, XIII, XV, and XVI and Technical Regulations 1-9 of "The Agreement Between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973."

[CGD 72-223R, 37 FR 28633, Dec. 28, 1972, as amended by CGD 74-291, 39 FR 44980, Dec. 30, 1974; CGD 83-003, 48 FR 7442, Feb. 18, 1983; CGD 91-046, 57 FR 14486, Apr. 21, 1992]



Appendix G

FCC Watch on 16 VHF Code of Federal Regulations

Title 47: Telecommunication

[PART 80—STATIONS IN THE MARITIME SERVICES](#)

[Subpart C—Operating Requirements and Procedures](#)

[Shipboard General Purpose Watches](#)

§ 80.148 Watch on 156.8 MHz (Channel 16).

Until February 1, 2005, each compulsory vessel, while underway, must maintain a watch for radiotelephone distress calls on 156.800 MHz whenever such station is not being used for exchanging communications. For GMDSS ships, 156.525 MHz is the calling frequency for distress, safety, and general communications using digital selective calling and the watch on 156.800 MHz is provided so that ships not fitted with DSC will be able to call GMDSS ships, thus providing a link between GMDSS and non-GMDSS compliant ships. **The watch on 156.800 MHz is not required:**

(a) Where a ship station is operating only with handheld bridge-to-bridge VHF radio equipment under §80.143(c) of this part;

(b) For vessels subject to the Bridge-to-Bridge Act and participating in a Vessel Traffic Service (VTS) system when the watch is maintained on both the bridge-to-bridge frequency and a separately assigned VTS frequency; or

[51 FR 31213, Sept. 2, 1986, as amended at 58 FR 16504, Mar. 29, 1993; 68 FR 46962, Aug. 7, 2003]



Appendix H

Determination Of Materials That Are Hazardous

Title 46: Shipping

[PART 153—SHIPS CARRYING BULK LIQUID, LIQUEFIED GAS, OR COMPRESSED GAS HAZARDOUS MATERIALS](#)

[Subpart A—General](#)

§ 153.40 Determination of materials that are hazardous.

Under the authority delegated by the Secretary of Transportation in 49 CFR 1.46(t) to carry out the functions under 49 U.S.C. 1803, the Coast Guard has found the following materials to be hazardous when transported in bulk:

(a) Materials listed in Table 30.25–1 of this chapter.

(b) Materials listed in Table 151.05.

(c) Materials listed in Table 1.¹

¹ Those hazardous material cargoes designated Category A, B, C, or D in Table 1 are also Noxious Liquid Substances under Annex II and the Act to Prevent Pollution from Ships, 33 U.S.C. 1901 *et seq.*

(d) Materials listed in Table 4 of Part 154.

(e) Materials that are NLSs under MARPOL Annex II.

(f) Liquids, liquefied gases, and compressed gases, that are—

(1) Listed in 49 CFR 172.101;

(2) Listed in 49 CFR 172.102; or

(3) Listed or within any of the definitions in subparts C through O of 49 CFR part 173.

(g) Those liquid, liquefied gas, and compressed gas materials designated as hazardous in the permissions granted under §153.900(c).²

² The Coast Guard continues to propose in the Federal Register any addition of these designated hazardous materials to one of the tables referred to in paragraphs (a) through (d).

[CGD 81–101, 52 FR 7780, Mar. 12, 1987]



Appendix I

Cape Cod Canal Regulations

Title 33: Navigation and Navigable Waters

PART 207—NAVIGATION REGULATIONS

§ 207.20 Cape Cod Canal, Mass.; use, administration, and navigation.

(a) *Limit of Canal.* The canal, including approaches, extends from the Canal Station Minus 100 in Cape Cod Bay, approximately one and six-tenths (1.6) statute miles seaward of the Canal Breakwater Light, through dredged channels and land cuts to Cleveland Ledge Light in Buzzards Bay approximately four (4) statute miles southwest of Wings Neck.

(b) *Supervision.* (1) The movement of ships, boats and craft of every description through the canal and the operation and maintenance of the waterway and all property of the United States pertaining thereto shall be under the supervision of the Division Engineer, U.S. Army Engineer Division, New England, Corps of Engineers, Waltham, Massachusetts, or the authorized representative of the division engineer, the Engineer-In-Charge of the Cape Cod Canal. The division engineer or the Engineer-In-Charge from time to time will prescribe rules governing the dimensions of vessels which may transit the waterway, and other special conditions and requirements which will govern the movement of vessels using the waterway.

(2) The Engineer-In-Charge, through the marine traffic controller on duty, will enforce these regulations and monitor traffic through the canal. The marine traffic controller on duty is the individual responsible for interpretation of these regulations with respect to vessels transiting the canal. Vessels transiting the canal must obey the orders of the marine traffic controller.

(3) The government has tugs stationed at the West Boat Basin for emergency use on an on-call basis. A patrol vessel is manned and operational 24-hours a day.

(c) *Communications.* There is a marine traffic controller on duty 24 hours a day, seven days a week, in the traffic control center located at the Canal Administrative Office. The primary method of communications between the canal and vessels transiting will be by VHF-FM Marine radio. The traffic controller can also be contacted by telephone.

(1) For radio communications, call the traffic controller on channel 16 to establish contact. The transmissions will then be switched to channel 12 or 14 as the working channel to pass information. Channel 13 is also available at the canal office; however, the use of channel 13 should be limited to emergency situations or whenever vessels do not have one of the other channels. All four channels are monitored continuously by the traffic controller. Radio discipline will be adhered to in accordance with FCC rules and regulations.

(2) For telephone communications with the traffic controller, call (617) 759-4431.

(3) Vessels shall maintain a radio guard on Marine VHF-FM channel 13 during the entire passage through the canal.

(4) All radio communications in the vicinity of the canal are tape recorded for future reference.

(d) *Vessels allowed passage.* The canal is open for passage to all adequately powered vessels properly equipped and seaworthy, of sizes consistent with safe navigation as governed by the controlling depths and widths of the channel and the vertical and horizontal clearances of the bridges over the waterway. The granting of permission for any vessel to proceed through the waterway shall not relieve the owners, agents and operators of full responsibility for its safe passage. No vessel having a greater draft forward than aft will be allowed to transit the canal. Craft of low power and wind driven are required to have and use auxiliary power during passage throughout the canal as defined in paragraph (a) of this section. Low powered vessels will be required to await slack water or favorable current for canal transit.

(e) *Tows.* (1) Tows shall be made-up outside the canal entrances. All vessels engaged in towing other vessels not equipped with a rudder shall use two lines or a bridle and one tow line. If the vessel in tow is equipped with a rudder or a ship shaped bow, one tow line may be used. All tow lines of hawsers must be hauled as short as



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practicable for safe handling of the tows. No towboat will be allowed to enter the waterway with more than two barges in tow unless prior approval is granted by the Engineer-In-Charge; requests must be submitted 12 hours in advance of the passage.

(2) The maximum length of pontoon rafts using the canal will be limited to 600 feet, and the maximum width to 100 feet. Pontoon rafts exceeding 200 feet in length will be required to have an additional tug on the stern to insure that the tow is kept in line. The tugs used must have sufficient power to handle the raft safely.

(3) Dead ships are required to transit the canal during daylight hours and must be provided with the number of tugs sufficient to afford safe passage through the canal. (A dead ship will not be allowed to enter the canal unless prior approval is granted by the Engineer-In-Charge; requests must be submitted 12 hours in advance of the passage).

(f) *Dangerous cargoes.* The master or pilot of any vessel or tow carrying dangerous cargoes must notify the Marine Traffic Controller prior to entering the canal. Dangerous cargoes are defined as those items listed in 33 CFR 126.10 when carried in bulk (*i.e.* , quantities exceeding 110 U.S. gallons in one tank) plus Class A explosives (commercial or military) as listed in 49 CFR 173.53 (commercial) and 46 CFR 146.29–100 (military), liquified natural gas and liquified petroleum gas. Transportation of dangerous cargoes through the canal shall be in strict accordance with existing regulations prescribed by law. In addition, vessels carrying dangerous cargoes shall comply with the following requirements.

(1) They must have sufficient horsepower to overcome tidal currents or they will be required to wait for favorable current conditions.

(2) Transits will be during daylight hours.

(3) No transit will be permitted when visibility conditions are unstable or less than 2 miles at the approaches and throughout the entire length of the canal.

(4) Transits must await a clear canal for passage.

(g) *Obtaining clearance.* (1) Vessels under 65 feet in length may enter the canal without obtaining clearance. All craft are required to make a complete passage through the canal except excursion craft which may operate and change direction within the canal in accordance with procedures coordinated with the marine traffic controller on duty. When the railroad bridge span is in the closed (down) position, all vessels are directed not to proceed beyond the points designated by stop signs posted east and west of the railroad bridge. Vessels proceeding with a fair tide (with the current) should turn and stem the current at the designated stop points until the railroad bridge is in the raised (open) position.

(2) Vessels 65 feet in length and over shall not enter the canal until clearance has been obtained from the marine traffic controller by radio. See paragraph (c) "Communications" for procedures. If a vessel, granted prior clearance, is delayed or stops at the mooring basins, state pier, or the Sandwich bulkhead, a second clearance must be obtained prior to continuing passage through the canal.

(3) Vessels will be given clearance in the order of arrival, except when conditions warrant one-way traffic, or for any reason an order of priority is necessary, clearance will be granted in the following order.

(i) First—To vessels owned or operated by the United States, including contractors' equipment employed on canal maintenance or improvement work.

(ii) Second—To passenger vessels.

(iii) Third—To tankers and barges docking and undocking at the Canal Electric Terminal.

(iv) Fourth—To merchant vessels, towboats, commercial fishing vessels, pleasure boats and miscellaneous craft.

(4) Procedures in adverse weather: Vessels carrying flammable or combustible cargoes as defined in 46 CFR 30.25 will be restricted from passage through the canal when visibility is less than 1/2 mile. Other vessels may transit the canal in thick weather by use of radar with the understanding that the U.S. Government will assume no responsibility: *And provided,* That clearance has been obtained from the marine traffic controller.

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(h) *Traffic lights.* There are three sets of traffic lights showing red, green, and yellow that are operated on a continuous basis at the canal. The traffic lights apply to all vessels 65 feet in length and over. The traffic lights are a secondary system that is operated in support of the radio communications system. The traffic lights are located at the easterly canal entrance, Sandwich, and at the westerly entrance to Hog Island Channel at Wings Neck. A third traffic light is located at the Canal Electric Terminal basin on the south side of the canal in Sandwich, and applies only to vessels arriving and departing that terminal.

(1) *Westbound traffic.* When the green light is on at the eastern (Cape Cod Bay) entrance, vessels may proceed westward through the canal. When the red light is on, any type of vessel 65 feet in length and over must stop clear of the Cape Cod Bay entrance channel. When the yellow light is on, vessels 65 feet in length and over and drawing less than 25 feet may proceed as far as the East Mooring Basin where they must stop. Prior to continuing passage through the canal, clearance must be obtained from the marine traffic controller.

(2) *Eastbound traffic.* When the green light is on at Wings Neck, vessels may proceed eastward through the canal. When the red light is on, vessels 65 feet and over in length and drawing less than 25 feet must keep southerly of Hog Island Channel Entrance Buoys Nos. 1 and 2 and utilize the general anchorage areas adjacent to the improved channel. Vessel traffic drawing 25 feet and over are directed not to enter the canal channel at the Cleveland Ledge Light entrance and shall lay to or anchor in the vicinity of Buzzards Bay Buoy No. 11 (FLW & Bell) until clearance is granted by the canal marine traffic controller or a green traffic light at Wings Neck is displayed. When the yellow light is on, vessels may proceed through Hog Island Channel as far as the West Mooring Basin where they must stop. Prior to continuing passage through the canal, clearance must be obtained from the marine traffic controller.

(i) *Railroad Bridge Signals.* The following signals at the Buzzards Bay Railroad Bridge will be given strict attention.

(1) The vertical lift span on the railroad bridge is normally kept in the raised (open) position except when it is lowered for the passage of trains, or for maintenance purposes. Immediately preceding the lowering of the span, the operator will sound two long blasts of an air horn. Immediately preceding the raising of the span, the operator will sound one long blast of an air horn. When a vessel or craft of any type is approaching the bridge with the span in the down (closed) position and the span cannot be raised immediately, the operator of the bridge will so indicate by sounding danger signals of four short blasts in quick succession.

(2) When the lift span is in the down (closed) position in foggy weather or when visibility is obscured by vapor, there will be four short blasts sounded from the bridge every two minutes.

(j) *Speed.* All vessels are directed to pass mooring and boat basin facilities, the state pier, and all floating plant engaged in maintenance operations of the waterway at a minimum speed consistent with safe navigation. In order to coordinate scheduled rail traffic with the passage of vessels, to minimize erosion of the canal banks and dikes from excessive wave wash and suction, and for the safety of vessels using the canal, the following speed regulations must be observed by vessels of all types, including pleasure craft. The minimum running time for the land cut between the East Mooring Basin (Station 35) and the Administration Office in Buzzards Bay (Station 388) is prescribed as follows:

Head Tide—60 Minutes

Fair Tide—30 Minutes

Slack Tide—45 Minutes

The minimum running time between the Administration Office (Station 388) and Hog Island Channel westerly entrance Buoy No. 1 (Station 661) is prescribed as follows:

Head Tide—46 Minutes

Fair Tide—23 Minutes

Slack Tide—35 Minutes

The running time at slack water will apply to any vessel which enters that portion of the canal between stations 35 and 661, within the period of one-half hour before or after the predicted time of slack water as given in the



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National Ocean Survey publication "Current Tables, Atlantic Coast, North America." The minimum running time during a head tide or a fair tide shall apply to any vessel which enters that portion of the canal between Station 35 and 661 at any time other than designated above for time requirements at slack tide. Vessels of any kind unable to make a through transit of the land cut portion of the canal against a head current of 6.0 knots within a maximum time limit of 2 hours 30 minutes shall be required to obtain the assistance of a helper tug at the vessel owner's expense or await favorable tide conditions prior to receiving clearance from the marine traffic controller. In the event vessels within the confines of the canal fail to perform and are unable to make sufficient headway against the currents, the marine traffic controller may activate a helper tug in accordance with paragraph (k) of this section.

(k) *Management of vessels.* (1) Vessels within the limits of the canal shall comply with applicable navigation rules.

(2) Vessels within the limits of the canal shall comply with the applicable requirements for the use of pilots established by the Coast Guard, including but not limited to those contained in 46 CFR 157.20–40. Vessels will not be granted clearance to enter the canal until the marine traffic controller has been notified of the name of the pilot who will be handling the vessel.

(3) The master of a vessel will be responsible for notifying the marine traffic controller as soon as an emergency situation appears to be developing. When in the opinion of the marine traffic controller an emergency exists, he/she can require the master to accept the assistance of a helper vessel. Whether or not assistance is provided by a government vessel or by a private firm under contract to the government, the government reserves the right to seek compensation from the vessel owners for all costs incurred.

(4) *Right of Way:* All vessels proceeding with the current shall have the right of way over those proceeding against the current. All craft up to 65 feet in length shall be operated so as not to interfere with the navigation of vessels of greater length.

(5) *Passing of vessels:* The passing of one vessel by another when proceeding in the same direction is prohibited except when a leading low powered ship is unable to make sufficient headway. However, extreme caution must be observed to avoid collision, and consideration must be given to the size of the ship to be overtaken, velocity of current and wind, and atmospheric conditions. Masters of vessels involved shall inform the marine traffic controller on duty of developing situations to facilitate coordination of vessel movement. Meeting or passing of vessels at the easterly end of the canal between Station Minus 40 and Station 60 will not be permitted, except in cases of extreme emergency, in order to allow vessels to utilize the center line range to minimize the effects of hazardous eddies and currents. Due to bank suction and tidal set, meeting and passing of vessels at the following locations will be avoided:

(i) Sagamore Bridge.

(ii) Bourne Bridge.

(iii) Railroad Bridge.

(iv) Mass Maritime Academy.

(6) *Unnecessary delay in canal:* Vessels and other type crafts must not obstruct navigation by unnecessarily idling at low speed when entering or passing through the canal.

(7) *Stopping in the waterway:* Anchoring in the Cape Cod Canal Channel is prohibited except in emergencies. For the safety of canal operations it is mandatory that the masters of all vessels anchoring in or adjacent to the canal channel (Cape Cod Bay to Cleveland Ledge Light) for any reason, immediately notify the marine traffic controller.

(8) *Utilization of mooring and boat basins and the Sandwich Bulkhead:* Vessels mooring or anchoring in the mooring or boat basins at the Sandwich bulkhead must do so in a manner not to obstruct or impede vessel movements to and from facilities. These facilities are of limited capacity and permission to occupy them for periods exceeding 24 hours must be obtained in advance from the marine traffic controller. Mooring in the West Boat Basin at Buzzards Bay, near the railroad bridge, is not permitted except in an emergency. Fishing boats, yachts, cabin cruisers and other craft utilizing the East Boat Basin on the south side of the canal at Sandwich, Massachusetts are not permitted to tie up at the Corps of Engineers landing float or anchor in a manner to prevent canal floating plant from having ready access to the float. All vessels or barges left unattended must be

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securely tied with adequate lines or cables. The United States assumes no liability for damages which may be sustained by any craft using the bulkhead at Sandwich or the canal mooring or boat basin facilities. Vessels shall not be left unattended along the face of the government bulkhead. A responsible person with authority to authorize and/or accomplish vessel movement must remain onboard at all times.

(l) *Grounded, wrecked or damaged vessels.* In the event a vessel is grounded, or so damaged by accident as to render it likely to become an obstruction and/or hazard to navigation in the waterway, the division engineer or the division engineer's authorized representative shall supervise and direct all operations that may be necessary to remove the vessel to a safe locality.

(m) [Reserved]

(n) *Deposit of refuse.* No oil or other allied liquids, ashes, or materials of any kind shall be thrown, pumped or swept into the canal or its approaches from any vessel or craft using the waterway, nor shall any refuse be deposited on canal grounds, marine structures, or facilities.

(o) *Trespass to property.* Subject to the provisions of paragraph (q) of this section trespass upon the canal property is prohibited.

(p) *Bridges over the canal.* The government owns, operates and maintains all bridges across the canal which include one railroad bridge and two highway bridges. The division engineer or his/her authorized representative may establish rules and regulations governing the use of these bridges.

(q) *Recreational use of canal —(1) Policy.* (i) It is the policy of the Secretary of the Army acting through the Chief of Engineers to provide the public with safe and healthful recreational opportunities within all water resource development projects administered by the Chief of Engineers, including the canal and government lands part thereof. Any recreational use of the canal and those lands shall be at the users own risk.

(ii) All water resource development projects open for recreational use shall be available to the public without regard to sex, race, creed, color or national origin. No lessee, licensee, or concessionaire providing a service to the public shall discriminate against any person or persons because of sex, race, creed, color or national origin in the conduct of operations under the lease, license or concession contract.

(2) *Motor vehicles.* Operation of motor vehicles, motorcycles, minibikes, mopeds, motorbikes, snowmobiles, and all types of off-road vehicles is prohibited on government lands and service roads except in areas specifically designated for such operation.

(3) *Swimming.* Swimming, skin diving, snorkling, and scuba diving in the canal between the east entrance in Cape Cod Bay and the west entrance at Cleveland Ledge Light are prohibited. Diving operations may be authorized by the Engineer-In-Charge in conjunction with operation and maintenance of the canal.

(4) *Camping.* Overnight tenting or camping on government land is prohibited except in areas designated by the division engineer. Bourne Scenic Park and Scusset Beach State Reservation are designated camping areas. Persons asleep during hours of darkness in or out of vehicles shall be considered as campers.

(5) *Fishing.* Persons may fish with rod and line from the banks of the canal on Federally owned property except areas designated by the division engineer. Fishing and lobstering by boat in the Cape Cod Canal between the east entrance in Cape Cod Bay and the west entrance at Cleveland Ledge Light are prohibited. Fishing by boat is permitted in the area west of the State Pier in Buzzards Bay, provided that all craft stay out of the channel defined by U.S. Coast Guard buoys and beacons. Fish and game laws of the United States and the Commonwealth of Massachusetts will be enforced.

(6) *Hunting.* Hunting is permitted in accordance with game laws of the United States and the Commonwealth of Massachusetts.

(7) *Fires.* No open fires will be allowed at any time except by special permission and then shall be continuously overseen and in compliance with state or town laws.

(8) *Control of animals and pets.* (i) No person shall bring or have horses in camping, picnic, swimming beaches or developed recreation areas.



(ii) No person shall bring dogs (except seeing eye dogs), cats, or other pets into developed recreation areas unless penned, caged, or on a leash no longer than six feet or otherwise under physical restrictive controls at all time.

(9) *Restrictions.* (i) The division engineer may establish a reasonable schedule of visiting hours for all or portions of the project area and close or restrict the public use of all or any portion of the project by the posting of appropriate signs indicating the extent and scope of closure. All persons shall observe such posted restrictions.

(ii) The operation or use of any audio or other noise producing device including, but not limited to, communications media and vehicles in such a manner as to unreasonably annoy, endanger persons or affect vessel traffic through the canal is prohibited.

(10) *Explosives, firearms, other weapons and fireworks.* (i) The possession of loaded firearms, ammunition, projectile firing devices, bows and arrows, crossbows, and explosives of any kind is prohibited unless in the possession of a law enforcement officer or Government employee on official duty or used for hunting during the hunting season as permitted under paragraph (q)(6) of this section, or unless written permission has been received from the division engineer.

(ii) The possession or use of fireworks is prohibited unless written permission has been received from the division engineer.

(11) *Public property.* Destruction, injury, defacement or removal of public property including natural formations, historical and archeological features and vegetative growth is prohibited without written permission of the division engineer.

(12) *Abandonment of personal property.* (i) Abandonment of personal property is prohibited. Personal property shall not be left unattended upon the lands or waters of the project except in accordance with this regulation. After a period of 24 hours, abandoned or unattended personal property shall be impounded and stored at a storage point designated by the division engineer. The division engineer shall assess a reasonable impoundment fee, which shall be paid before the impounded property is returned to its owners.

(ii) The division engineer shall, by public or private sales or otherwise, dispose of all lost, abandoned, or unclaimed personal property that comes into his/her custody or control. However, efforts should be made to find the owner, the owner's heirs or next of kin, or legal representatives. If the owner, heirs or next of kin, or legal representative is determined but not found, the property may not be disposed of until the expiration of 120 days after the date when notice, giving the time and place of the intended sale or other disposition, has been sent by certified or registered mail to that person at last known address. When diligent effort to determine the owner, owner's heirs or next of kin, or legal representative is unsuccessful, the property may be disposed of without delay, except that if it has a fair market value of \$25 or more the property generally may not be disposed of until three months after the date it is received at the Cape Cod Canal Administrative Office. The net proceeds from the sale of property shall be placed into the Treasury of the United States as miscellaneous receipts.

(13) *Lost and found articles.* All abandoned/lost articles shall be deposited by the finder at the Canal Administration office or with Canal ranger. The finder shall leave his/her name, address, and phone number. All lost articles shall be disposed of in accordance with procedures set forth in paragraph (q)(12) of this section.

(14) *Advertisement.* Advertising by the use of billboards, signs, markers, audio devices or any other means whatever is prohibited unless written permission has been received from the division engineer.

(15) *Commercial activities.* The engaging in or solicitation of business without the written permission of the division engineer is prohibited.

(16) *Unauthorized structures.* The construction or placing of any structure of any kind under, upon or over the project lands or water is prohibited unless a permit has been issued by the division engineer. Structures not under permit are subject to summary removal by the division engineer.

(17) *Special events.* Prior approval must be obtained from the Engineer-In-Charge for special events, recreational programs and group activities. The public shall not be charged any fee by the sponsor of such event unless the division engineer has approved in writing the proposed schedule of fees.

(18) *Interference with government employees.* Interference with any government employee in the conduct of official duties pertaining to the administration of these regulations is prohibited

