

(13) *Crystal River Demory Gap Channel.* All waters, from surface to bottom, in the Demory Gap Channel in Crystal River, Florida, encompassed by a line connecting the following points: 28°57.61' N, 082°43.42' W (Northwest corner); 28°57.53' N, 082°41.88' W (Northeast corner); 28°57.60' N, 082°43.42' W (Southwest corner); and 28°57.51' N, 082°41.88' W (Southeast corner).

(14) *Big Bend Power Plant, FL.* All waters of Tampa Bay, from surface to bottom, adjacent to the Big Bend Power Facility, and within an area bounded by a line connecting the following points: 27°48.08' N, 082°24.88' W; then northwest to 27°48.15' N, 082°24.96' W; then southwest to 27°48.10' N, 082°25.00' W; then south-southwest to 27°47.85' N, 082°25.03' W; then southeast to 27°47.85' N, 082°24.79' W; then east to 27°47.55' N, 082°24.04' W; then north to 27°47.62' N, 082°24.04' W; then west to 27°47.60' N, 082°24.72' W; then north to 27°48.03' N, 082°24.70' W; then northwest to 27°48.08' N, 082°24.88' W, closing off entrance to Big Bend Power Facility and the attached cooling canal.

(15) *Weedon Island Power Plant, FL.* All waters of Tampa Bay, from surface to bottom, extending 50-yards from the shore, seawall and piers around the Power Facility at Weedon Island encompassed by a line connecting the following points: 27°51.52' N, 082°35.82' W; then north and east along the shore to 27°51.54' N, 082°35.78' W; then north to 27°51.68' N, 082°35.78' W; then north to 27°51.75' N, 082°35.78' W, closing off entrance to the canal; then north to 27°51.89' N, 082°35.82' W; then west along the shore to 27°51.89' N, 082°36.10' W; then west to 27°51.89' N, 082°36.14' W, closing off entrance to the canal.

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

*Cruise ship* means a vessel required to comply with 33 CFR part 120.

*Designated representative* means Coast Guard Patrol Commanders including Coast Guard coxswains, petty officers and other officers operating Coast Guard vessels, and federal, state, and local officers designated by or assisting the Captain of the Port (COTP), in the enforcement of regulated navigation areas, safety zones, and security zones.

(c) *Regulation.* (1) Entry into or remaining on or within the zones de-

scribed in paragraph (a) of this section is prohibited unless authorized by the Captain of the Port Sector St. Petersburg or a designated representative.

(2) Persons desiring to transit the area of the security zone may contact the Captain of the Port Sector St. Petersburg or a designated representative on VHF channel 16 to seek permission to transit the area. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port or designated representative. In the case of moving security zones, notification of activation of these zones will be given by Broadcast Notice to Mariners on VHF FM Marine Band Radio, Channel 22A. For vessels not equipped with a radio, there will also be on site notification via a designated representative of the Captain of the Port.

NOTE TO §165.760(c)(2): A graphical representation of all fixed security zones will be made available via the Coast Pilot and nautical charts.

(3) *Enforcement.* Under §165.33, no person may cause or authorize the operation of a vessel in the security zones contrary to the provisions of this section.

(d) *Authority.* In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

[COTP Tampa 02-053, 68 FR 52342, Sept. 3, 2003, as amended by USCG-2007-0062, 73 FR 1282, Jan. 8, 2008]

**§ 165.761 Security Zones; Port of Palm Beach, Port Everglades, Port of Miami, and Port of Key West, Florida.**

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

(1) *Fixed and moving security zones around vessels in the Ports of Palm Beach, Port Everglades, Miami, and Key West, Florida.* Moving security zones are established 100 yards around all passenger vessels, vessels carrying cargoes of particular hazard, or vessels carrying liquefied hazardous gas (LHG) as defined in 33 CFR parts 120, 126 and 127 respectively, during transits entering or departing the Ports of Palm Beach, Port Everglades, Miami or Key West, Florida. These moving security zones are activated when the subject

vessel passes: “LW” buoy, at approximate position 26°46.3’ N, 080°00.6’ W, when entering the Port of Palm Beach, passes “PE” buoy, at approximate position 26°05.5’ N, 080°04.8’ W, when entering Port Everglades; the “M” buoy, at approximate position 25°46.1’ N, 080°05.0’ W, when entering the Port of Miami; and “KW” buoy, at approximate position 24°27.7’ N, 081°48.1’ W, when entering the Port of Key West. Fixed security zones are established 100 yards around all passenger vessels, vessels carrying cargoes of particular hazard or liquefied hazardous gas (LHG) as defined in 33 CFR parts 120, 126 and 127 respectively, while they are docked in the Ports of Palm Beach, Port Everglades, Miami or Key West, Florida.

(2) *Fixed security zone in the Port of Miami, Florida.* A fixed security zone encompasses all waters between Watson Park and Star Island on the MacArthur Causeway south to the Port of Miami. The western boundary is formed by an imaginary line from points 25°46.79’ N, 080°10.90’ W, to 25°46.77’ N, 080°10.92’ W to 25°46.88’ N, 080°10.84’ W, and ending on Watson Park at 25°47.00’ N, 080°10.67’ W. The eastern boundary is formed by an imaginary line from the traffic light located at Bridge road, in approximate position 25°46.33’ N, 080°09.12’ W, which leads to Star Island, and MacArthur Causeway directly extending across the Main Channel to the Port of Miami, at 25°46.26’ N, 080°09.18’ W. The fixed security zone is activated when two or more passenger vessels, vessels carrying cargoes of particular hazard, or vessels carrying liquefied hazardous gas (LHG) as defined in 33 CFR parts 120, 126 and 127 respectively, enter or moor within this zone.

(i) Vessels may be allowed to transit the Main Channel when only one passenger vessel or vessel carrying cargoes of particular hazard are berthed, by staying on the north side of the law enforcement boats and cruise ship tenders which will mark a transit lane in channel.

(ii) When passenger vessels are not berthed on the Main Channel, navigation will be unrestricted. Law enforcement vessels can be contacted on VHF Marine Band Radio, Channel 16 (156.8 MHz).

(3) *Fixed security zones in the Port Everglades.* A fixed security zone encompasses all waters west of an imaginary line starting at the northern most point 26°05.98’ N, 080°07.15’ W, near the west side of the 17th Street Causeway Bridge, to the southern most point 26°05.41’ N, 080°06.96’ W, on the northern tip of pier 22. An additional fixed security zone encompasses the Intracoastal Waterway between a line connecting point 26°05.41’ N, 080°06.97’ W, on the northern tip of berth 22 and a point directly east across the Intracoastal Waterway to 26°05.41’ N, 080°06.74’ W; and a line drawn from the corner of Port Everglades berth 29 at point 26°04.72’ N, 080°06.92’ W, easterly across the Intracoastal Waterway to John U. Lloyd Beach, State Recreational Area at point 26°04.72’ N, 080°06.81’ W.

(i) Vessels may be allowed to transit the Intracoastal Waterway when passenger vessels or vessels carrying cargoes of particular hazard are berthed, by staying east of the law enforcement vessels and cruise ship tenders, which will mark a transit lane in the Intracoastal Waterway.

(ii) Periodically, vessels may be required to temporarily hold their positions while large commercial traffic operates in this area. Vessels in this security zone must follow the orders of the COTP or his designated representative, who may be embarked in law enforcement or other vessels on scene. When passenger vessels are not berthed on the Intracoastal Waterway, navigation will be unrestricted. Law enforcement vessels can be contacted on VHF Marine Band Radio, Channel 16 (156.8 MHz).

(b) *Regulations.* (1) Prior to commencing the movement, the person directing the movement of a passenger vessel, a vessel carrying cargoes of particular hazard or a vessel carrying liquefied hazardous gas (LHG) as defined in Title 33, Code of Federal Regulations parts 120, 126 and 127 respectively, is encouraged to make a security broadcast on VHF Marine Band Radio, Channel 13 (156.65 MHz) to advise mariners of the moving security zone activation and intended transit.

(2) In accordance with the general regulations §165.33 of this part, entry into these zones is prohibited except as

authorized by the Captain of the Port Miami or his designated representative. Other vessels such as pilot boats, cruise ship tenders, tug boats and contracted security vessels may assist the Coast Guard Captain of the Port under the direction of his designated representative by monitoring these zones strictly to advise mariners of the restrictions. The Captain of the Port will notify the public via Marine Safety Radio Broadcast on VHF Marine Band Radio, Channel 16 (156.8 MHz) when the security zones are being enforced.

(3) Persons desiring to enter or transit the area of the security zone may contact the Captain of the Port at (305) 535-8701 or on VHF Marine Band Radio, Channel 16 (156.8 MHz) to seek permission to transit the area. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port or his or her designated representative.

(4) The Captain of the Port Miami may waive any of the requirements of this subpart for any vessel upon finding that the vessel or class of vessel, operational conditions, or other circumstances are such that application of this subpart is unnecessary or impractical for the purpose of port security, safety or environmental safety.

(c) *Definition.* As used in this section, *cruise ship* means a passenger vessel greater than 100 feet in length and over 100 gross tons that is authorized to carry more than 12 passengers for hire making voyages lasting more than 24 hours, except for a ferry.

(d) *Authority.* In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

[COTP Miami 02-115, 68 FR 3189, Jan. 23, 2003]

**§ 165.762 Security Zone; St. Thomas, U.S. Virgin Islands.**

(a) *Location.* Moving and fixed security zones are established 50 yards around all cruise ships entering, departing, moored or anchored in the Port of St. Thomas, U.S. Virgin Islands. The security zone for a cruise ship entering port is activated when the vessel passes: St. Thomas Harbor green lighted buoy 3 in approximate position 18°19'19" North, 64°55'40" West when entering the port using St. Thomas Channel; red buoy 2 in approxi-

mate position 18°19'15" North, 64°55'59" West when entering the port using East Gregorie Channel; and red lighted buoy 4 in approximate position 18°18'16" North, 64°57'30" West when entering the port using West Gregorie Channel. These zones are deactivated when the cruise ship passes any of these buoys on its departure from the Port.

(b) *Regulations.* (1) Under general regulations in §165.33 of this part, entering, anchoring, mooring or transiting in these zones is prohibited unless authorized by the Coast Guard Captain of the Port of San Juan.

(2) Persons desiring to transit the area of the security zone may contact the Captain of the Port at the Sector San Juan at (787) 289-2041 or via VHF radio on Channel 16 to seek permission to transit the area. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port or his designated representative.

(3) Coast Guard Sector San Juan will attempt to notify the maritime community of periods during which these security zones will be in effect by providing advance notice of scheduled arrivals and departures of cruise ships via a broadcast notice to mariners.

(c) *Definition.* As used in this section, *cruise ship* means a passenger vessel greater than 100 feet in length that is authorized to carry more than 150 passengers for hire, except for a ferry.

(d) *Authority.* In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

[COTP San Juan 03-024, 68 FR 33391, June 4, 2003, as amended by USCG-2008-0179, 73 FR 35017, June 19, 2008]

**§ 165.763 Moving and Fixed Security Zone, Port of Fredericksted, Saint Croix, U.S. Virgin Islands.**

(a) *Location.* A moving and fixed security zone is established that surrounds all cruise ships entering, departing, mooring or anchoring in the Port of Fredericksted, Saint Croix, U.S. Virgin Islands. The security zone extends from the cruise ship outward and forms a 50-yard radius around the vessel, from surface to bottom. The security zone for a cruise ship entering port is activated when the vessel is within one nautical mile west of the Fredericksted