Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 938

Intergovernmental relations, Surface mining, Underground mining.

Dated: March 24, 1995.

Ronald C. Recker,

Acting Assistant Director, Eastern Support Center.

For the reasons set out in the preamble, Title 30, Chapter VII, Subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 938—PENNSYLVANIA

1. The authority citation for Part 938 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. In Section 938.15, paragraph (cc) is added to read as follows:

§ 938.15 Approval of regulatory program amendments.

* * * * *

(cc) The SOAP amendment to the Pennsylvania program concerning the Small Operator Assistance Program as submitted to OSM on October 24, 1994, is approved, except as noted herein, effective April 3, 1995:

25 Section 86.81—Program services. Subsection 86.81(1)(iii) and (iv) are approved to the extent that the State will implement those services consistent with the SOAP funding provisions of SMCRA section 507(c)(1) and the implementing Federal regulations at 30 CFR 795.9(b). The Director is not approving proposed subsections 86.81(1)(iii) and (iv) to the extent that the proposed subsections would authorize the expenditure of Pennsylvania SOAP funds under the subsections listed in the preamble at Finding B–2 for services that are not fundable under section 507(c)(1) of SMCRA or 30 CFR 795.9(b).
25 Section 86.82—Responsibilities.
25 Section 86.83—Eligibility for assistance. Subchapter 86.83(a)(2) is approved except to the extent that the provision only requires the operator to establish that annual production following permit approval is reasonably likely to remain under 300,000 tons for just the first year.
25 Section 86.84—Applications for assistance.
25 Section 86.85—Application approval.
25 Section 86.86—Notice.
25 Section 86.87—Determination of data requirements.
25 Section 86.88—Deletion of this subchapter.
25 Section 86.89—Deletion of this subchapter.
25 Section 86.91—Definitions and responsibilities.
25 Section 86.92—Basic qualifications.
25 Section 86.93—Assistance funding.
25 Section 86.94—Applicant liability.
25 Section 86.95—Measurement.

3. In § 938.16, paragraph (ooo) is added to read as follows:

§ 938.16 Required regulatory program amendments.

* * * * *

(ooo) By September 1, 1995, Pennsylvania shall amend 25 chapter 86.83(a)(2) to be no less effective than 30 CFR 795.6(a)(2) to provide that the applicant must establish that the operator's probable total attributed annual production following permit issuance will remain under 300,000 tons for all years, not just the first year.

[FR Doc. 95–7817 Filed 3–31–95; 8:45 am]

BILLING CODE 4310–05–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 162 and 165

[CGD11–94–007]

RIN 2115–AE84

Regulated Navigation Area; San Francisco Bay Region, CA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing regulated navigation areas (RNAs) within the San Francisco Bay Region in the waters of the Golden Gate, Central Bay, Lower Bay, San Pablo Bay and Carquinez Strait. This action is necessary due to vessel congestion in areas where maneuvering room is limited. These RNAs will increase navigation safety in the San Francisco Bay Region by organizing traffic flow patterns; reducing meeting, crossing, and overtaking situations between large vessels in constricted channels; and limiting vessel speed. This rulemaking will also remove existing regulatory language relating to the Pinole Shoal Channel which with be incorporated into the RNA.

EFFECTIVE DATE: This rule is effective on May 3, 1995.

FOR FURTHER INFORMATION CONTACT: Commander Dennis Sobeck, Commanding Officer, Vessel Traffic Service San Francisco, San Francisco; telephone (415) 556–2950.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are Commander Dennis Sobeck, Project Manager, Vessel Traffic Service San Francisco, and Lieutenant Commander C. M. Juckniess, Project Counsel, Eleventh Coast Guard District Legal Office.

Regulatory History

On December 12, 1994, the Coast Guard published a notice of proposed rulemaking for these regulations in the **Federal Register** (59 FR 63947). The comment period ended February 10, 1995. The Coast Guard received four letters commenting on the proposal. A public hearing was not requested and no hearing was held.

Background and Purpose

In 1972, the Coast Guard, with input from various members of the San Francisco Bay maritime community, established voluntary vessel traffic routing measures for the San Francisco Bay region that consisted of traffic lanes in the Golden Gate and the Central Bay extending to Pinole Shoal Channel; separation zones; a precautionary area east of Alcatraz Island; and an Oakland Harbor Limited Traffic Area. Compliance with these routing measures was voluntary and intended for use by vessels 300 gross tons or greater.

In 1991, the precautionary area east of Alcatraz Island was expanded to include the water area between the San Francisco waterfront and Treasure Island, replacing the traffic lanes in that area. A deep water route was established north of Harding Rock.

In 1993, the Coast Guard, with input from the Harbor Safety Committee of the San Francisco Bay Region, modified the voluntary traffic routing measures to better conform to International Maritime Organization (IMO) traffic routing standards. The 1993 modification added

a Golden Gate precautionary area, a deep water traffic lane separation zone north of Harding Rock and an expanded Central Bay precautionary area. It eliminated the traffic lanes in the North Ship Channel and San Pablo Strait.

The presence of numerous recreational boats, windsurfers, and commercial fishing boats that transit the proposed RNAs poses a navigational hazard for vessels of 1600 or more gross tons which are constrained by their draft and maneuvering capabilities. By limiting or requiring the use of established traffic lanes, this rule will relieve congestion and promote safer transiting of the RNAs by vessels with restricted maneuverability. The rule makes the present voluntary traffic measures mandatory and requires vessels 1600 gross tons or more, or tugs with a two of 1600 gross tons or more, to follow traffic measures similar to those currently used on a voluntary basis. The regulation also defines precautionary areas and establishes overtaking, meeting, crossing and speed restrictions for certain vessels transiting specific channels within the RNAs.

The RNAs, which lie within the San Francisco VTS area (33 CFR 161.50), are as follows: San Francisco Bay RNA, North Ship Channel RNA, San Pablo Strait Channel RNA, Pinole Shoal Channel RNA, Southern Pacific Railroad Bridge RNA, Southampton Shoal/ Richmond Harbor RNA, and Oakland Harbor RNA.

General requirements for all RNAs. The depth of the water and geography of the San Francisco Bay Region, and the density of vessel traffic, which includes numerous ferries and recreational boats, severely constrain the ability of a vessel to maneuver in the event of an emergency. This regulation limits the maximum speed within the RNAs to 15 knots through the water for vessels 1600 gross tons or greater, or a tug with a tow of 1600 gross tons or greater, and requires those vessels to operate their engine(s) in a control mode and on fuel that will allow for an immediate response to any engine order, ahead or astern, including stopping its engine(s) for an extended period of time. Limiting vessel speeds to 15 knots or less through the water within the prescribed RNAs will reduce the risk of serious maritime accidents.

There may be situations where vessels would be unable to safely comply with the requirements of this regulation. In such cases, the Captain of the Port, or the Commanding Officer, VTS San Francisco, acting as a representative of the Captain of the Port, may allow a vessel to deviate from this regulation.

The RNAs defined in this rule are each considered to constitute a narrow channel or fairway. Therefore, Rule 9 of the Inland Navigation Rules (INRs) (33 U.S.C. 2009), in conjunction with the provisions of the associated INRs, is specifically made applicable within the defined RNAs and will be enforced.

Specific requirements for individual proposed RNAs. The geographic descriptions and proposed requirements specific to each RNA are as follows:

San Francisco Bay RNA. The San Francisco Bay RNA consists of the water area in the Golden Gate east of the COLREGS Demarcation Line (33 CFR 80.1142), the Central Bay including Raccoon Strait, and the existing charted precautionary area east of Alcatraz Island.

Because of the large number of vessels entering and departing San Francisco Bay, traffic lanes are established in the Golden Gate and the Central Bay to separate opposing traffic and reduce vessel congestion. The lanes are located where voluntary traffic lanes previously existed. Use of these lanes and adherence to the indicated direction of travel is required for vessels of 1600 or more gross tons, or tugs with a tow of 1600 or more gross tons, and recommended for all other vessels.

Due to the presence of shoals and rocks in the Central Bay, the Central Bay Two-way Deep Water Traffic Lane (DWTL), located north of Harding Rock, provides the best water depth safety margin for inbound vessels with a draft of 45 feet or greater, and for outbound vessels with a draft of 28 feet or greater. These deep draft vessels are required to use the DWTL. It is recommended that all other vessels use the Central Bay Traffic Lanes so that vessel traffic in the DWTL is kept to a minimum.

The DWTL is sufficiently narrow that meeting, crossing, and overtaking restrictions are necessary to reduce the likelihood of collision. The regulation provides that a power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, shall not enter the DWTL when another power-driven vessel of 1600 or more gross tons, or tug with a tow of 1600 or more gross tons, is navigating therein when either vessel is carrying certain dangerous cargo (as defined in 33 CFR 160.203), or bulk petroleum products, or is a tank vessel in ballast, if such entry could result in meeting, crossing, or overtaking the other vessel.

Since vessels are converging or crossing in such a manner that one-way traffic flow patterns, although desired, cannot be established, two precautionary areas are established in this RNA. They are: (1) the Golden Gate Precautionary Area, which encompasses the waters around the Golden Gate Bridge between the Golden Gate and the Central Traffic Lanes; and (2) the Central Bay Precautionary Area, which encompasses the large portion of the Central Bay and part of the Lower Bay. It is recommended that all vessels navigating in these precautionary areas be aware of the joining traffic lanes and DWTL so as to anticipate the movements of other vessels.

North Ship Channel RNA and San Pablo Strait Channel RNA. The North Ship Channel and San Pablo Strait Channel consist of the existing charted channels and delineate the only areas where the depths of water are sufficient to allow the safe transit of vessels of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons. The existence of strong tidal currents in these channels severely restrict the ability of vessels of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, to safely maneuver to avoid smaller vessels. These conditions create the need to apply the general regulations to these areas. Implementation of special regulations in these RNAs would have only a minimal impact on safety and is not justified at this time.

Pinole Shoal Channel RNA. The Pinole Shoal Channel RNA is a constricted waterway the use of which is currently restricted to vessels with a draft greater than 20 feet, or towboats with tows drawing more than 20 feet, as set forth in 33 CFR 162.205(a). Because of the narrow width of the channel and the draft of vessels using the channel, further meeting, crossing, and overtaking restrictions are necessary to reduce the likelihood of collision. This regulation provides that a power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, shall not enter the Pinole Shoal Channel RNA, which extends from approximately Light 7 to Light 13 of the Pinole Shoal Channel, when another power-driven vessel of 1600 or more gross tons, or tug with a tow of 1600 or more gross tons, is navigating therein and when either vessel is carrying certain dangerous cargo (as defined in 33 CFR 160.203) or bulk petroleum products, or is a tank vessel in ballast, if such entry would result in meeting, crossing, or overtaking the other vessel.

Southern Pacific Railroad Bridge RNA. The Southern Pacific Railroad Bridge RNA consists of a small circular area, 200 yards in radius, centered on the middle of the channel under the Southern Pacific Railroad Bridge. The limited horizontal clearance results in a greater chance of vessel allisions with

the bridge. This risk of allision is significantly increased when poor visibility conditions exist. The regulation precludes a power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, from transiting the Southern Pacific Railroad Bridge RNA when visibility is less than 1000 yards.

Southhampton Shoal/Richmond Harbor RNA. Southampton Shoal/ Richmond Harbor RNA encompasses Southampton Shoal Channel, the Richmond Long Wharf Maneuvering Area, the Richmond Harbor Entrance Channel and Point Potrero Reach. These are dredged channels and areas within which maneuvering room is severely limited. Close-quarters situations between deep-draft vessels in these channels need to be eliminated to reduce the risk of groundings and collisions.

In addition, the Southampton Shoal Channel is transited by a high number of laden tank vessels and vessels carrying certain dangerous cargo (as defined in 33 CFR 160.203), or bulk petroleum. Because of the potential for loss of life or serious environmental consequences in a collision involving one or more of these vessels, control of traffic flow is necessary. The Richmond Long Wharf Maneuvering Area between the Richmond Harbor Entrance Channel and Southampton Shoal Channel, often has vessels operating at low speeds where maneuverability is restricted. The regulation precludes vessels of 1600 or more gross tons, or tugs with a tow of 1600 or more gross tons, from entering the RNA if meeting, crossing, or overtaking another vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, could result.

Oakland Harbor RNA. The Oakland Harbor RNA encompasses the Oakland Bar Channel, Oakland Outer Harbor Entrance, Middle Harbor and Inner Harbor Entrance Channels. The charted Limited Traffic Area (LTA), which recommends that vessels of 300 or more gross tons transit one at a time to avoid crossing or meeting situations, is replaced by the Oakland Harbor RNA. The northern boundary of the Oakland Harbor RNA differs slightly from the LTA in that it follows the northern boundary of the Oakland Bar and Outer Harbor Entrance channels and extends to the ''E'' tower of the San Francisco-Oakland Bay Bridge. This regulation restricts vessels of 1600 or more gross tons, or tugs with a tow of 1600 or more gross tons, from entering the RNA if meeting, crossing, or overtaking another vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, could result.

Paragraph (e)(2) of this rulemaking substantially duplicates those regulations currently enumerated in 33 CFR 162.205(a). Paragraph (a) of 33 CFR 162.205 is removed, the section heading revised, and the remaining paragraphs of 33 CFR 162.205 redesignated as paragraphs (a) through (c).

Discussion of Comments and Changes

Four respondents to the NPRM provided comments on the proposed regulations. This section discusses the comments received as well as the Coast Guard's responses and changes to the rule.

One respondent encouraged the Coast Guard to adopt a maximum speed throughout the RNAs lower than the proposed 15 knots through the water. The commenter felt a 10 knot maximum, or an upper limit in that range, would better achieve the safety improvements being sought through this rulemaking. Specifically, the commenter proposed that at 15 knots, certain vessels may find it impossible to operate their engines such that an immediate response to any engine order could be effected without delay; whereas, at a speed in the range of 10 knots there should be no problem in meeting this additional rule requirement. The Coast Guard encourages vessels to travel at a speed which maximizes safety, as long as vessels do not exceed 15 knots through the water. The concerns of the respondent are adequately addressed by subparagraph (d)(2) of this section in that if it were not possible to ensure an immediate response to any engine order at 15 knots, then the vessel would be required to reduce speed until immediate response is possible. The Coast Guard feels that a maximum limit of less than 15 knots, imposed regardless of conditions and other circumstances, would be unnecessarily restrictive.

Two respondents provided comments regarding vessel movements through the Central Bay traffic lanes. Three issues were raised: (1) A respondent sought confirmation that the Deep Water Traffic Lane (DWTL) is available for the use of inbound vessels at the option of the master, pilot, or person directing the movement of vessel if there is not opposing traffic. This understanding is correct. Due to the presence of shoals and rocks in the Central Bay, the DWTL provides the best water depth safety margin for inbound vessels with a draft of 45 feet or greater, and for outbound vessels with a draft of 28 feet or greater. These deep draft vessels are required to use the DWTL. Inbound vessels with drafts less than 45 feet and outbound vessels with drafts less that 28 feet are not precluded from using the DWTL; however, it is recommended that these vessels with lesser drafts use the appropriate Central Bay Traffic Lane and proceed in the general direction of traffic flow for that lane so that vessel traffic in the DWTL is kept to a minimum. (2) A respondent recommended that vessels of a draft of twenty-four feet or greater be allowed to use the Deep Water Traffic Lane (DWTL) when outbound. The respondent stated that negative tides of over one and a half feet reduce the underkeel clearance to an unsafe level for vessels of a draft of more than twenty-four feet navigating over Shag and Arch Rocks. Selection of the appropriate Central Bay traffic lane is dependent upon the height of the tide, among other factors. Although the RNA is written with the intent of requiring use of the DWTL by inbound vessels of greater than 45 feet draft and outbound vessels or greater than 28 feet draft, vessels of lesser draft are not precluded from using the DWTL. The Coast Guard has considered the depth clearances available in the Central Bay traffic lanes and has determined that the 28-foot draft threshold for mandatory use of the DWTL while westbound provides an adequate margin of safety. (3) A respondent sought confirmation that under special circumstances, *i.e.*, safety-related reasons, inbound vessels could transit the outbound traffic lane north of Alcatraz Island with proper meeting arrangements and notification to Vessel Traffic Service San Francisco. This understanding is correct in that deviations from both this section and the National Vessel Traffic Services Regulation (59 FR 36316, July 15, 1994) may be authorized provided the requested deviation is based on vessel handling characteristics, traffic density, radar contacts, environmental conditions, or other relevant conditions, and that such a deviation provides a level of safety equivalent to that provided by the required measure or is a maneuver considered necessary for safe navigation under the circumstances.

A respondent expressed concern at being unable to safely comply with the Southern Pacific Railroad Bridge RNA's restriction against low-visibility transit when transiting from east to west, due to lack of suitable anchorages immediately to the east of the RNA. A vessel transiting from west to east can comply with the regulation as proposed because a vessel is capable of anchoring immediately west of the bridge if visibility is less than 1000 yards. However, when transiting east to west, the nearest suitable anchorage site is

located approximately 14 miles from the bridge. Based on this distance and the limitations on maneuverability experienced in the westbound approach to the RNA, the Coast Guard has modified the regulation to reflect procedures to be followed when transiting from east to west. Under this modified procedure, the decision to not proceed will be made in time to permit anchoring until visibility improves.

A respondent suggested meeting, crossing, and overtaking should be allowed in the Richmond Long Wharf Maneuvering Area within the Southampton Shoal/Richmond Harbor RNA by vessels of 1600 or more gross tons or tugs with a tow of 1600 or more gross tons. Vessels currently meet, cross, and overtake in the Richmond Long Wharf Maneuvering Area to avoid doing so in Southampton Shoal Channel, Richmond Harbor Entrance Channel, and Point Potrero Reach; the commenter contends that safety would be reduced if meeting, crossing, and overtaking was restricted in the RNA, due to the consequent increase in vessel conflicts in other areas of the San Francisco Bay. By including the Richmond Long Wharf Maneuvering area as part of the no meeting, crossing, and overtaking zone within this RNA, the Coast Guard feels the potential for an oil spill or other marine casualty is significantly reduced in this area within which maneuvering room is severely limited. The Coast Guard does not feel that any degradation in vessel safety would result from requiring vessel meeting, crossing, and overtaking situations to take place outside this RNA, because impacted vessels bound for the Richmond Long Wharf or Richmond Inner Harbor currently coordinate their movements and if necessary slow their transit speed to avoid meeting in Southampton Shoal Channel, Richmond Entrance Channel, and Point Potrero Reach without any impact on vessel safety. The disadvantage connected with any delays that may be experienced by vessels transiting this RNA would be far outweighed by the advantage of gains in maritime safety.

A final commenter requested exemption from the requirements of the RNAs to cover the operations of a specified vessel. Other than registering a general endorsement of the rulemaking, that comment did not discuss or make recommendations regarding the NPRM; therefore, the request will be answered via separate correspondence.

Regulatory Evaluation

This regulation is not a significant regulatory action under Section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under Section 6(a)(3) of that Order. It has been exempted from review by the Office of Management and Budget under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the Department of Transportation regulatory policies and procedures is unnecessary. At this time, covered vessels voluntarily comply with the majority of the procedures and restrictions contained in these regulations, and rarely if ever experience delays due to the high degree of coordination provided by the VTS. Formally mandating that mariners follow these previously voluntary requirements will not have more than a minimal impact on any party.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rulemaking would have significant economic impact on a substantial number of small entities. ''Small entities'' include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as ''small business concerns'' under section 3 of the Small Business Act (15 U.S.C. 632). The Coast Guard expects the economic impact of the regulation to be minimal on all entities since it makes mandatory the existing voluntary practices. Because it expects the impact of this rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rulemaking contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment.

The Coast Guard considered the environmental impact of this rulemaking and concluded that, under section 2.B.2. of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

A Consistency Determination under the Coastal Zone Management Act (14 U.S.C. 1451, *et seq.*), has been prepared and placed in the rulemaking docket.

List of Subjects

33 CFR Part 162

Navigation (water), Waterways.

33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Regulations

In consideration of the foregoing, the Coast Guard is amending parts 162 and 165 of title 33, Code of Federal Regulations, as follows:

PART 162—[AMENDED]

1. The authority citation for part 162 continues to read as follows:

Authority: 33 U.S.C. 1231; 49 CFR 1.46.

2. Section 162.205 is amended by removing paragraph (a), by redesignating paragraphs (b) through (d) as paragraphs (a) though (c), and by revising the section heading to read as follows: ''Suisun Bay, San Joaquin River, Sacramento River, and connecting waters, CA.''

PART 165—[AMENDED]

3. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6 and 160.5; 49 CFR 1.46.

4. A new § 165.1114 is added to read as follows:

§ 165.1114 San Francisco Bay Region, California—regulated navigation area.

(a) *Applicability.* This section applies to all ressels unless otherwise specified.

(b) *Deviations.* The Captain of the Port, San Francisco Bay, or the Commanding Officer, Vessel Traffic Service San Francisco, as a representative of the Captain of the Port, may authorize a deviation from the requirements of this regulation when it is deemed necessary in the interests of safety.

(c) *Regulated Navigation Areas,—(1) San Francisco Bay RNA.* (i) The following is a regulated navigation area—The waters bounded by a line connecting the following coordinates, beginning at:

27°47′18″N, 122°30′22″W; thence to
37°48′55″N, 122°31′41″W; thence along the shoreline to
37°50′38″N, 122°28′37″W; thence to
37°50′59″N, 122°28′00″W; thence to
37°51′45″N, 122°27′28″W; thence to
37°52′58″N, 122°26′06″W; thence to
37°51′53″N, 122°24′58″W; thence to
37°51′53″N, 122°24′00″W; thence to
37°51′40″N, 122°23′48″W; thence to
27°49′22″N, 122°23′48″W; thence to
37°48′20″N, 122°22′12″W; thence to
37°47′02″N, 122°21′33″W; thence to
37°47′02″N, 122°23′04″W; thence along the shoreline to the point of beginning.

Datum: NAD 83

(ii) The San Francisco Bay RNA consists of the following defined sub-areas:

(A) *Golden Gate Traffic Lanes.*—(*1*) *Westbound traffic lane:* Bounded by the Golden Gate precautionary area and the COLREGS Demarcation Line (33 CFR 80.1142), between the separation zone and a line connecting the following coordinates:

37°48′30″N, 122°31′22″W; thence to
37°49′03″N, 122°29′52″W.

Datum: NAD 83

(*2*) *Eastbound traffic lane.* Bounded by the COLREGS Demarcation Line (33 CFR 80.1142) and the Golden Gate precautionary area, between the separation zone and a line connecting the following coordinates:

37°47′50″ N, 122°30′48″ W; thence to
37°48′30″ N, 122°29′29″ W.

Datum: NAD 83

(*3*) *Golden Gate Separation Zone:* The area 75 yards each side of a line connecting the following coordinates:

37°48′08″ N, 122°31′05″ W; thence to
37°48′46″ N, 122°29′40″ W.

Datum: NAD 83

(B) *Golden Gate Precautionary Area:* An area bounded by a line connecting the following coordinates beginning at:

37°48′30″ N, 122°29′29″ W; thence to
37°48′52″ N, 122°28′41″ W; thence to
37°48′52″ N, 122°27′49″ W; thence to
37°49′36″ N, 122°27′46″ W; thence to
37°49′55″ N, 122°28′09″ W; thence to
37°49′28″ N, 122°28′45″ W; thence to
37°49′03″ N, 122°29′52″ W; thence returning to the point of beginning.

Datum: NAD 83

(C) *Central Bay Traffic Lanes.*—(*1*) Westbound traffic lane: Bounded by the Central Bay precautionary area and the Golden Gate precautionary area, between the Central Bay and the Deep Water Traffic Lane separation zones.

(2) *Eastbound traffic lane:* Bounded by the Golden Gate precautionary area and the Central Bay precautionary area, between the Central Bay Separation Zone and a line connecting the following coordinates, beginning at:

37°48′41″ N, 122°25′17″ W; thence to
37°48′50″ N, 122°26′14″ W; thence to
37°48′52″ N, 122°27′49″ W.

Datum: NAD 83

(*3*) *Deep Water (two-way) Traffic Lane:* Bounded by the Central Bay precautionary area and the Golden Gate precautionary area, between the Deep Water Traffic Lane and a line connecting the following coordinates, beginning at:

37°49′55″ N, 122°28′09″ W; thence to
37°50′36″ N, 122°27′12″ W; thence to
37°50′47″ N, 122°26′26″ W.

Datum: NAD 83

(D) *Central Bay Separation Zone:* The area 75 yards each side of a line connecting the following coordinates, beginning at:

37°49′17″ N, 122°27′47″ W; thence to
37°49′35″ N, 122°25′25″ W.

Datum: NAD 83

(E) *Deep Water Traffic Lane Separation Zone:* The area 75 yards each side of a line connecting the following coordinates, beginning at:

37°49′36″ N, 122°27′46″ W; thence to
37°50′22″ N, 122°26′49″ W; thence to
37°50′25″ N, 122°26′22″ W.

Datum: NAD 83

(F) *Central Bay Precautionary Area*: An area bounded by a line connecting the following coordinates, beginning at:

37°48′41″ N, 122°25′17″ W; thence to
37°49′32″ N, 122°25′13″ W; thence to
37°50′25″ N, 122°26′22″ W; thence to
37°50′47″ N, 122°26′26″ W; thence to
37°51′04″ N, 122°24′58″ W; thence to
37°51′53″ N, 122°24′58″ W; thence to
37°51′53″ N, 122°24′00″ W; thence to
37°51′40″ N, 122°23′48″ W; thence to
37°49′22″ N, 122°23′48″ W; thence to
37°48′20″ N, 122°22′12″ W; thence to
37°47′02″ N, 122°21′33″ W; thence to
37°47′02″ N, 122°23′04″W; thence to
37°47′02″ N, 122°23′04″ W; thence returning along the shoreline to the point of beginning.

Datum: NAD 83

(2) *North Ship Channel RNA*. The following is a regulated navigation area—The waters bounded by a line connecting the following coordinates, beginning at:

37°51′53″ N, 122°24′58″ W; thence to
37°54′15″ N, 122°27′27″ W; thence to
37°56′06″ N, 122°26′49″ W; thence to
37°56′06″ N, 122°26′34″ W; thence to
37°54′48″ N, 122°26′42″ W; thence to
37°54′02″ N, 122°26′10″ W; thence to
37°51′53″ N, 122°24′00″ W; thence to returning to the point of beginning.

Datum: NAD 83

(3) *San Pablo Strait Channel RNA*. The following is a regulated navigation area—The waters bounded by a line connecting the following coordinates, beginning at:

37°56′06″ N, 122°26′49″ W; thence to
37°57′26″ N, 122°27′21″ W; thence to
38°00′48″ N, 122°24′45″ W; thence to
38°01′54″ N, 122°22′24″ W; thence to
38°01′44″ N, 122°22′18″ W; thence to
37°57′37″ N, 122°26′23″ W; thence to
37°56′06″ N, 122°26′34″ W; thence returning to the point of beginning.

Datum: NAD 83

(4) *Pinole Shoal Channel RNA*. The following is a regulated navigation area—The waters bounded by a line connecting the following coordinates, beginning at:

38°01′54″ N, 122°22′25″ W; thence to
38°03′13″ N, 122°19′50″ W; thence to
38°03′23″ N, 122°18′31″ W; thence to
38°03′23″ N, 122°18′29″ W; thence to
38°03′05″ N, 122°19′28″ W; thence to
38°01′44″ N, 122°22′18″ W; thence returning to the point of beginning.

Datum: NAD 83

(5) *Southern Pacific Railroad Bridge RNA*. The following is a regulated navigation area—The water area contained within a circle with a radius of 200 yards, centered on 38°02′18″ N, 122°07′17″ W.

Datum: NAD 83

(6) *Southampton Shoal Channel/ Richmond Harbor RNA:* The following, consisting of two distinct areas, is a regulated navigation area—

(i) The waters bounded by a line connecting the following coordinates, beginning at:

37°54′17″ N, 122°22′00″ W; thence to
37°54′08″ N, 122°22′00″ W; thence to
37°54′15″ N, 122°23′12″ W; thence to
37°54′30″ N, 122°23′09″ W; thence along the shoreline to the point of beginning.

Datum: NAD 83

(ii) The waters bounded by a line connecting the following coordinates, beginning at:

37°54′28″ N, 122°23′36″ W; thence to
37°54′20″ N, 122°23′38″ W; thence to
37°54′23″ N, 122°24′02″ W; thence to
37°54′57″ N, 122°24′51″ W; thence to
37°55′05″ N, 122°25′02″ W; thence to
37°54′57″ N, 122°25′22″ W; thence to

37°54′00″ N, 122°25′13″ W; thence to
37°53′59″ N, 122°25′22″ W; thence to
37°55′30″ N, 122°25′35″ W; thence to
37°55′40″ N, 122°25′10″ W; thence to
37°54′54″ N, 122°24′30″ W; thence to
37°54′30″ N, 122°24′00″ W; thence returning to the point of beginning.

Datum: NAD 83

(7) *Oakland Harbor RNA.* The following is a regulated navigation area—The waters bounded by a line connecting the following coordinates, beginning at:

37°48′40″ N, 122°19′58″ W; thence to
37°48′50″ N, 122°20′02″ W; thence to
37°48′20″ N, 122°21′00″ W; thence to
37°48′15″ N, 122°21′30″ W; thence to
37°48′20″ N, 122°21′12″ W; thence to
37°48′26″ N, 122°21′45″ W; thence to
37°47′55″ N, 122°21′26″ W; thence to
37°48′03″ N, 122°21′00″ W; thence to
37°47′48″ N, 122°19′46″ W; thence to
37°47′55″ N, 122°19′43″ W; thence returning along the shoreline to the point of the beginning.

Datum: NAD 83

(d) *General Regulations.* (1) A power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, navigating within the RNAs defined in paragraph (c) of this section, shall not exceed a speed of 15 knots through the water.

(2) A power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, navigating within the RNAs defined in paragraph (c) of this section, shall have its engine(s) ready for immediate maneuver and shall operate its engine(s) in a control mode and on fuel that will allow for an immediate response to any engine order, ahead or astern, including stopping its engine(s) for an extended period of time.

(3) The master, pilot or person directing the movement of a vessel within the RNAs defined in paragraph (c) of this regulation shall comply with Rule 9 of the Inland Navigation Rules (INRs) (33 U.S.C. 2009) in conjunction with the provisions of the associated INRs.

(e) *Specific Regulations.*—(1) *San Francisco Bay RNA:* (i) A vessel shall navigate with particular caution in a precautionary area, or in areas near the terminations of traffic lanes or channels, as described in this regulation.

(ii) A power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, shall:

(A) use the appropriate traffic lane and proceed in the general direction of traffic flow for that lane;

(B) use the Central Bay Deep Water Traffic Lane if eastbound with a draft of 45 feet or greater or westbound with a draft of 28 feet or greater;

(C) not enter the Central Bay Deep Water Traffic Lane when another power-driven vessel of 1600 or more gross tons or tug with a tow of 1600 or more gross tons is navigating therein when either vessel is:

(*1*) carrying certain dangerous cargoes (as denoted in section 160.203 of this subchapter);

(*2*) carrying bulk petroleum products; or

(*3*) a tank vessel in ballast if such entry would result in meeting, crossing, or overtaking the other vessel.

(D) normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from either side, shall do so at as small an angle to the general direction of traffic flow as practicable;

(E) so far as practicable keep clear of the Central Bay Separation Zone and the Deep Water Lane Separation Zone;

(F) not cross a traffic lane separation zone unless crossing, joining, or leaving a traffic lane.

(2) *Pinole Shoal Channel RNA:* (i) The use of Pinole Shoal Channel RNA is reserved for navigation of vessels with a draft greater than 20 feet or tugs with tows drawing more than 20 feet. Vessels drawing less than 20 feet are not permitted within this RNA and are prohibited from crossing it at any point.

(ii) A power-driven vessel of 1600 or more gross tons or a tug with a tow of 1600 or more gross tons shall not enter Pinole Shoal Channel RNA when another power-driven vessel of 1600 or more gross tons or tug with a tow of 1600 or more gross tons is navigating therein when either vessel is:

(A) carrying certain dangerous cargoes (as denoted in section 160.203 of this subchapter);

(B) carrying bulk petroleum products; or

(C) a tank vessel in ballast if such entry would result in meeting, crossing, or overtaking the other vessel.

(iii) Vessels permitted to use this channel shall proceed at a reasonable speed so as not to endanger other vessels or interfere with any work which may become necessary in maintaining, surveying, or buoying the channel, and they shall not anchor in the channel except in case of a deviation authorized under paragraph (b) of this section.

(iv) This paragraph shall not be construed as prohibiting any necessary use of the channel by any public vessels while engaged in official duties, or in emergencies by pilot boats.

(3) *Southern Pacific Railroad Bridge (RNA):* (i) When visibility is less than 1000 yards within the Southern Pacific Railroad Bridge RNA, a power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons:

(A) When eastbound, shall not transit through the RNA.

(B) When westbound:

(*1*) During periods of reduced visibility and immediately prior to passing New York Point, the master, pilot, or person directing the movement of a vessel shall obtain a report of visibility conditions within the RNA.

(*2*) If visibility within the RNA is less than 1000 yards, the vessel shall not transmit the RNA. Vessels prevented from transiting due to low visibility shall not proceed past Mallard Island until visibility improves to greater than 1000 yards within the RNA.

(*3*) If a transit between New York Point and the Southern Pacific Railroad Bridge has commenced, and the visibility subsequently should become less than 1000 yards, the master, pilot, or person directing the movement of a vessel shall comply with paragraph (b) of this section and may proceed, taking all further appropriate actions in the interest of safety.

(ii) Visibility is considered to be 1000 yards or greater when both the following geographical points can be seen from the Southern Pacific Railroad Bridge:

(A) The Port of Benecia Pier, and

(B) The Shell Martinez Pier.

(4) *Southampton Shoal/Richmond Harbor RNA:* A power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, shall not enter Southampton Shoal/Richmond Harbor RNA when another power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, is navigating therein, if such entry would result in meeting, crossing, or overtaking the other vessel.

(5) *Oakland Harbor RNA:* A power-driven vessel of 1600 or more gross tons or a tug with a tow of 1600 or more gross tons shall not enter the Oakland Harbor RNA when another power-driven vessel of 1600 or more gross tons, or a tug with a tow of 1600 or more gross tons, is navigating therein, if such entry would result in meeting, crossing, or overtaking the other vessel.

R.A. Appelbaum,

Rear Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.

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