

## Coast Guard, DHS

## § 165.518

(2) *Waterway training area Bravo.* All waters of the Chesapeake Bay, encompassed by a line connecting the following points beginning at 39°05'25.98" N, 076°20'20.04" W; thence to 39°04'40.02" N, 076°19'28.98" W; thence to 39°02'45.00" N, 076°22'09.00" W; thence to 39°03'30.00" N, 076°23'00.00" W; and back to the beginning point.

(3) *Waterway training area Charlie.* All waters of the Potomac River, encompassed by a line connecting the following points beginning at 38°00'28.80" N, 076°22'43.88" W; thence to 38°01'18.00" N, 076°21'54.00" W; thence to 38°05'06.00" N, 076°27'43.20" W; thence to 38°04'40.20" N, 076°28'34.20" W; and back to the beginning point.

(4) *Waterway training area Delta.* All waters of the Potomac River, encompassed by a line connecting the following points beginning at 38°32'31.14" N, 077°15'29.82" W; thence to 38°32'48.18" N, 077°15'54.24" W; thence to 38°33'34.56" N, 077°15'07.20" W; thence to 38°33'15.06" N, 077°14'39.54" W; and back to the beginning point.

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

*Captain of the Port (COTP)* means the Commander, U.S. Coast Guard Sector Maryland-National Capital Region.

*Designated representative* means a Coast Guard commissioned, warrant, or petty officer designated by or assisting the COTP in the enforcement of the safety zones.

*Training participant* means a person or vessel authorized by the COTP as participating in the training event or otherwise designated by the COTP or the COTP's designated representative as having a function tied to the training event.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zones described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) Except for training participants, all vessels underway within this safety zone at the time it is activated are to depart the zone. To seek permission to enter, contact the COTP or the COTP's designated representative by telephone number 410-576-2693 or on Marine Band Radio VHF-FM channel 16 (156.8 MHz).

The Coast Guard vessels enforcing this section can be contacted on Marine Band Radio VHF-FM channel 16 (156.8 MHz). Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(3) The U.S. Coast Guard may be assisted in the patrol and enforcement of the safety zone by Federal, State, and local agencies.

(d) *Enforcement.* The safety zones created by this section will be enforced only upon issuance of a Broadcast Notice to Mariners (BNM) by the COTP or the COTP's representative, as well as on-scene notice or other appropriate means in accordance with § 165.7.

[USCG-2019-0765, 85 FR 2033, Jan. 14, 2020]

### § 165.518 Security Zone; Waters of the Fifth Coast Guard District.

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

*Designated Representative* means any U.S. Coast Guard commissioned, warrant or petty officer who has been authorized by the District Commander or local Captain of the Port (COTP), as defined in 33 CFR part 3, subpart 3.25, to act on his or her behalf.

*Escorted vessel* means a vessel, other than a U.S. naval vessel as defined in § 165.2015, that is accompanied by one or more Coast Guard assets or Federal, State or local law enforcement agency assets as listed below:

(1) Coast Guard surface or air asset displaying the Coast Guard insignia.

(2) Coast Guard Auxiliary surface asset displaying the Coast Guard Auxiliary insignia.

(3) State and/or local law enforcement asset displaying the applicable agency markings and or equipment associated with the agency.

*State and/or local law enforcement officers* means any State or local government law enforcement officer who has authority to enforce State criminal laws.

(b) *Location.* The following area is a security zone: 500-yard radius around escorted vessels in the navigable waters of the Fifth Coast Guard District as defined in 33 CFR 3.25-1, from surface to bottom.

(c) *Regulations.* (1) No vessel may approach within 500 yards of an escorted

## § 165.519

## 33 CFR Ch. I (7–1–22 Edition)

vessel within the navigable waters of the Fifth Coast Guard District, unless traveling at the minimum speed necessary to navigate safely.

(2) No vessel may enter within a 100-yard radius of an escorted vessel within the navigable waters of the Fifth Coast Guard District, without approval from the District Commander, Captain of the Port or their designated representatives.

(3) Moored or anchored vessels, which are overtaken by a moving zone, must remain stationary at their location until the escorted vessel maneuvers at least 500 yards past.

(4) Vessels restricted in their ability to maneuver may request permission of the District Commander, Captain of the Port or designated representative to enter the security zone in order to ensure safe passage in accordance with the Navigation Rules (COLREGS and their associated Annexes and Inland Navigation Rules (33 CFR subchapter E)).

(5) The local COTP may notify the maritime and general public by marine information broadcast of the periods during which individual security zones have been activated by providing notice in accordance with 33 CFR 165.7.

(6) When moored, a security zone around an escorted vessel may also be enforced by Coast Guard, State or Local law enforcement personnel shoreside.

(7) Persons desiring to transit within 100 yards of an escorted vessel in the Fifth Coast Guard District must contact the local Captain of the Port on VHF channel 16 (156.800 MHz), VHF channel 13 (156.650 MHz) or at telephone numbers:

Philadelphia: (215) 271-4807

Maryland-National Capital Region: (410) 576-2693

Virginia: (757) 668-5555 or (757) 484-8192

North Carolina: (877) 229-0770 or (910) 772-2200

(8) If permission is granted to transit within 100 yards of an escorted vessel, all persons and vessels must comply with the instructions of the District Commander, Captain of the Port or their designated representative.

[CGD05-04-171, 70 FR 11551, Mar. 9, 2005, as amended by USCG-2011-0368, 76 FR 26605, May 9, 2011; USCG-2015-0433, 80 FR 44286, July 27, 2015]

EDITORIAL NOTE: At 81 FR 38595, June 14, 2016, §165.518 was amended in paragraph (c)(3); however, the amendment could not be incorporated due to inaccurate amendatory instruction.

### § 165.519 Safety Zones; Hampton Roads Bridge-Tunnel Expansion Project, Hampton/Norfolk, VA.

(a) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Virginia (COTP) in the enforcement of the safety zone. The term also includes an employee or contractor of Hampton Roads Connector Partners (HRCP) for the sole purposes of designating and establishing safe transit corridors, to permit passage into or through these safety zones, or to notify vessels and individuals that they have entered a safety zone and are required to leave.

(b) *Locations and zone-specific requirements*—(1) *Zone 1, Hampton Flats Mooring Area*—(i) *Location.* All waters of the Hampton Flats, from surface to bottom, encompassed by a line connecting the following points beginning at 36°59'40.41" N, 76°22'10.66" W, thence to 37°00'01.84" N, 76°21'01.69" W, thence to 36°59'52.62" N, 76°20'57.23" W, thence to 36°59'31.19" N, 76°22'06.20" W, and back to the beginning point.

(ii) *Requirements.* No vessel or person may enter or remain in the safety zone without permission of the COTP, HRCP, or designated representative. Mariners must observe lighted marker buoys along the perimeter and at each of the corners marking the safety zone.

(2) *Zone 2, Phoebus Safe Harbor Area*—(i) *Location.* All waters west of the Phoebus Channel, from surface to bottom, encompassed by a line connecting the following points beginning at 37°00'34.26" N, 76°19'10.58" W, thence to 37°00'23.97" N, 76°19'06.16" W, thence to 37°00'22.52" N, 76°19'11.41" W, thence to 37°00'32.81" N, 76°19'15.81" W, and back to the beginning point.

(ii) *Requirements.* No vessel or person may enter or remain in the safety zone during announced enforcement periods without permission of the COTP, HRCP, or designated representative.