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United States Coast Guard

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CCGD8INST 16670.4A
FEB 1 1995

EIGHTH DISTRICT INSTRUCTION 16670.4A

Subj: INLAND WATERWAYS NAVIGATION REGULATIONS

Ref: (a) 33 CFR 162.75

1. PURPOSE. This instruction delegates the authority in reference (a) from the District Commander to the Captain of the Port (COTP). It also addresses the procedure for permitting oversize tows and the mooring or anchoring of vessels in land cuts.

2. ACTION.

a. The following authorities are delegated to the COTP (see enclosure (1) for additional guidance):

(1) 33 CFR 162.75(b)(5)(i) -- Oversize tow movements

(2) 33 CFR 162.75(b)(6) -- Movements of vessels with projections. Follow the guidelines for tows that are oversize because of their constructed size.

(3) 33 CFR 162.75(b)(3)(i) -- Mooring or anchoring in land cuts

(4) 33 CFR 162.75(b)(5)(v) -- Imposition of condition on lengthy or cumbersome tows. This delegation is limited to a case-by-case, individual vessel basis. Conditions that affect a class of vessels shall only be imposed by the District Commander.

b. The above actions in no way restrict the COTP's authority to control vessel movement during emergency conditions. The COTP may take action necessary to alleviate the safety hazard.

3. DIRECTIVES AFFECTED. This instruction incorporates the provisions of D8INST 16670.4 of 14 May 1993, which is hereby cancelled.

DISTRIBUTION - SDL No. 132

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4. BACKGROUND. In 1977, the regulations currently in reference (a) were transferred from the Army Corps of Engineers to the U.S. Coast Guard. Reference (a) applies to all waterways tributary to the Gulf of Mexico (except the Mississippi River and its tributaries, South and Southwest Passes and the Atchafalaya River) from St. Marks, Florida, to the Rio Grande and includes the Gulf Intracoastal Waterway. These regulations grant the District Commander the authority to permit oversize tows, the movement of vessels with projections, and mooring or anchoring in the land cuts of waterways. The same regulations also grant the District Commander the authority to specify the required width of fairways and impose certain conditions for lengthy or cumbersome tows.

5. DISCUSSION.

a. D8INST 16670.4 of 14 May 1993 delegated certain waterways management functions of reference (a) to the COTP. These delegations, detailed in paragraph 5 below, remain effective.

b. Reference (a) limits tow sizes unless otherwise permitted. Permitting such oversize tows is delegated to the COTP. It has been determined, however, that the previous permitting process, established by D8INST, has been administratively burdensome to the industry and the Coast Guard.

c. Enclosure (1) revises and simplifies oversize tow permitting procedures. The Broadcast Notice to Mariners (BNTM) is limited to those oversize tows that, due to their constructed size, cannot be broken down or otherwise configured to comply with the limitations of reference (a). Also, exemptions for permits in certain geographic areas, which were contained in the cancelled instruction, have been eliminated. Such permanent exemptions will only be made through the regulatory process.

R. C. NORTH

Encl: (1) Guidelines for Handling a Request for Permission to Move an Oversize Tow or to Anchor or Moor in a Land Cut

GUIDELINES FOR HANDLING A REQUEST FOR PERMISSION TO MOVE AN OVERSIZE TOW OR TO ANCHOR OR MOOR IN A LAND CUT

A. OVERSIZE TOW PERMIT REQUESTS FOR BARGE FLOTILLAS

1. Oversize tow permit requests for barge flotillas that can be broken down shall be arranged via telephone. A written request is not necessary. The requesting party shall be required to state the following:

(a) Requestor's name and telephone number,
(b) towing vessel owner/operator,
(c) towing vessel name,
(d) towing vessel total brake horsepower, and
(e) tow dimensions and barge cargoes

The COTP shall keep this information for one year.

2. Permits should be routinely granted if the owner/operator fully understands and accepts the responsibility, liability and obligation to prudently and safely operate the barge flotilla. The owner/operator shall be reminded of the requirement of 33 CFR 162.75(b)(1), which includes reducing the size of a tow as necessary to ensure that "... a clear and free channel shall at all times be left open to permit free and unobstructed navigation by all types of vessels and tows normally using the various waterways covered by the regulations of this section." The owner and operator must also comply with 33 CFR 162.75(b)(5), which states that "before entering any narrow section of the Gulf Intracoastal Waterway, tows in excess of one-half the channel width or 55 feet will be required to stand by until tows which are less than one-half the channel width or 55 feet wide have cleared the channel. When passing is necessary in narrow channels, overwidth tows shall yield to the maximum." A vessel that does not abide by these regulations is subject to a civil penalty of $25,000.

3. Oversize tow permit requests for voyages involving more than one COTP zone shall be directed to the COTP from where the voyage originates. A Broadcast Notice to Mariners is no longer required for an oversize tow movement of this type.

B. OVERSIZE TOW PERMIT REQUESTS FOR TOWS THAT CANNOT BE BROKEN DOWN

1. Oversize tows that cannot be broken down include drill rigs, large derrick barges, and large vessels being delivered. Such tows may require a closure of part of a waterway or other restriction of traffic. The COTP must be fully satisfied that the proposed movement can be safely made and competently performed and that it will not place an undue risk or burden on the environment, other waterway users, or the waterway itself.

2. Permission for an oversize tow that cannot be broken down should be requested at least twenty-four hours in advance of the movement. For movements involving more than one COTP zone, a permit request shall be made to the COTP in whose zone the movement originates. That COTP shall then be responsible for notifying all other COTPs on the intended route. The originating COTP shall also ensure that all appropriate Broadcast Notice to Mariners are made.

3. The following information should be collected to evaluate the request:

(a) Towing vessel(s) name and official number
(b) Towing vessel(s) owner/operator
(c) Towing vessel(s) horsepower
(d) Towing vessel(s) operators/Coast Guard licenses/operator familiarity with route and area
(e) Barge/name of towed vessel
(f) Overall tow width
(g) Overall tow length
(h) Nature of overhang, if any
(i) Departure point and estimated time of departure
(j) Waterway route
(k) Destination point and estimated time of arrival
(l) Requestor's name/telephone number

4. The evaluation of the tow permit request should include a review of all lock and bridge clearances, the weather forecast, and any special operations along the intended route.

5. For instances where the waterway is only partially closed, the oversize tow shall advise all meeting and overtaking vessels of their oversize dimensions via VHF-FM Channel 13.

C. REQUESTS TO ANCHOR OR MOOR IN A LAND CUT

1. A COTP may only authorize vessels to anchor or moor in a land cut for no longer than two weeks. For greater than two weeks, permission must be obtained from the District Commander.

2. Permission to anchor or moor for less than 24 hours may be obtained by telephone or radio. Permission for more than 24 hours shall be made in writing.

3. Obtain the information shown in paragraph B.3. The following are items to consider when reviewing the requests: depth and width of the waterway; number, size(s) and type(s) of vessel(s); cargo; effect on passing vessels; activity duration; vessel traffic density; and aids to navigation required.