

**FEDERAL ANCHORAGE
REGULATIONS**

33 CFR 110.72d

and

33 CFR 110.173



LT John Downing

U.S. Coast Guard Sector Charleston

Anchorage Management

- Federal and state governments have concurrent jurisdiction over navigable waters and the lands beneath. Federal law also recognizes state and local authority to regulate anchorages. The regulatory power of the state is subject to the paramount authority of the Federal government for the regulation of interstate and foreign commerce. States exercise control if it is consistent with Federal actions or functions, and does not interrupt commerce.

Coast Guard Authority

- The United States Coast Guard (USCG) has the authority to establish, administer, and enforce anchorage grounds and regulations for vessels in navigable waters of the United States (U.S.). Establishing, amending or removing an anchorage area often originates at the local level, with key waterway users expressing a need for such an area. The USCG, or other government agencies, might also determine a need for an anchorage area.
- The USCG also considers other uses of the waterway in order to ensure that creation or modification of anchorage grounds minimize waterway use conflicts.

Types of Anchorages

- There are four types of anchorages common throughout ports of the U.S.; each serves a specific purpose for specific types of vessels:
 - Special anchorage areas.
 - Anchorage grounds.
 - Barge fleeting facilities/areas.
 - Managed anchorage mooring fields.

Special Anchorage Areas

- Special anchorage areas are defined in 33 CFR § 109.10, *Special anchorage areas*. *Special anchorage areas allow vessels of less than 65 feet in length (20 meters) to anchor without anchor lights. They also allow vessels of less than 65 feet in length, and barges, canal boats, scows, or other nondescript craft to anchor without required sound signals.*
-

Anchorage Grounds

- The USCG uses this type of anchorage to manage most vessel activity throughout the U.S.
- Specific regulations applicable to each anchorage ground are in reference 33 CFR § 110, subpart B, *Anchorage Grounds*.

Barge Fleeting Facility/Area

- A barge fleeting facility is a regulated area normally served by a barge mooring service comprised of one or more tiers of barges, where a tier is more than one barge moored interdependently in rows or groups. Used as lay-berths, these facilities are commonly established along or near a river bank.
- A barge fleeting facility is a commercial area, subject to permitting by the U.S. Army Corps of Engineers (USACE), or pursuant to a regional general permit, for making-up, breaking-down, or staging barge tows.

Managed Anchorage Mooring Fields

- Managed anchorage mooring fields are unregulated, often temporary mooring areas. They are not anchorages by definition.
- While not formally established in anchorage regulations, state or local governments, or even private parties, define mooring fields for specific types of vessels, projects, or events.
- Typically known only by area knowledge.

Anchorage Uses

- As a best practice, anchorage uses are considered either routine or non-routine. The COTP has the authority to determine which type of anchorage a vessel can anchor in, and for how long, based on the intended use.

Anchorage Uses (cont)

- COTP discretion varies from one port to the next based on a myriad of factors, including:
 - Vessel size, draft, type, and cargo.
 - Anchorage locations and sizes within the port.
 - Proximity to critical infrastructures, military installations, waterways, and environmentally sensitive areas.
 - Port safety and security.
 - Economic needs of the port and industry.

Routine Anchorage Uses

- Most vessels use anchorage grounds to engage in commerce in the port or conduct maintenance. Example uses include:
 - Awaiting berthing space, sailing orders, cargo, or labor.
 - Awaiting a security boarding.
 - Awaiting a vessel exam.
 - Hot work.

Federal Authority

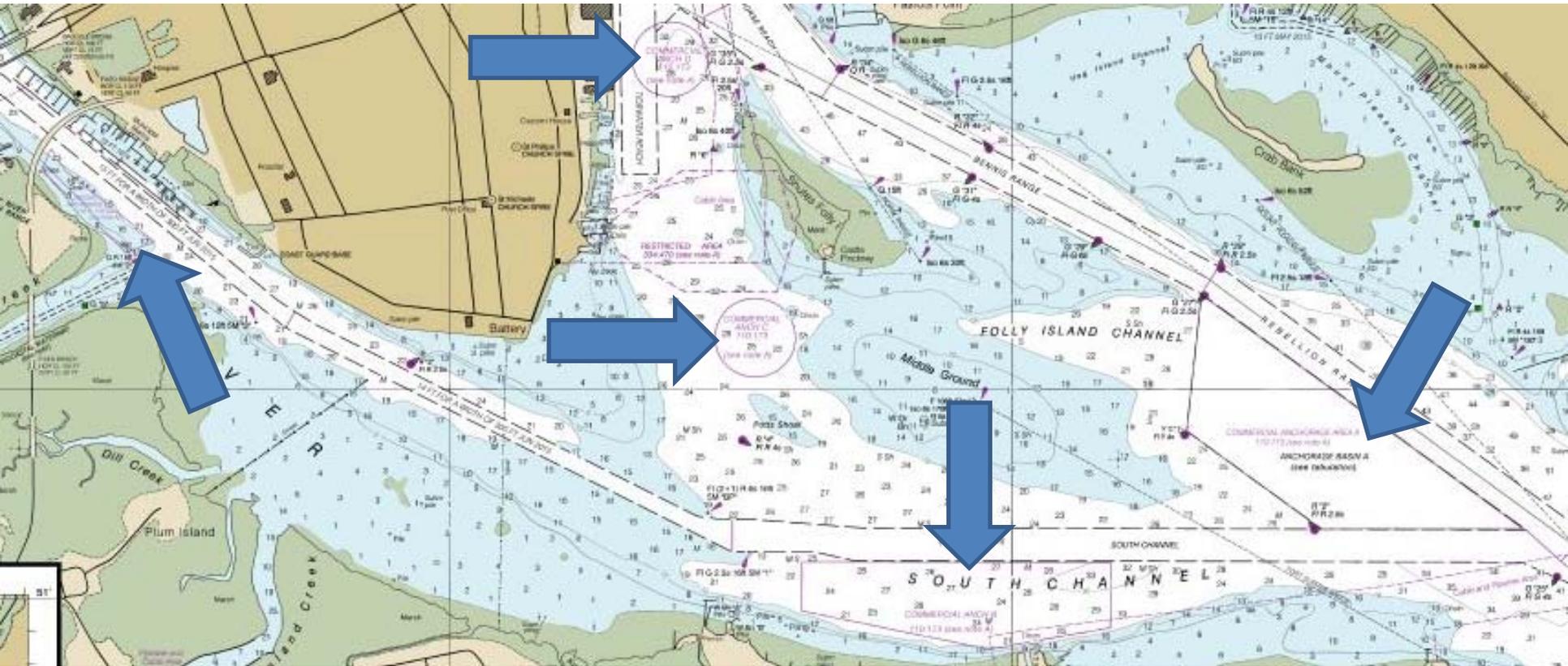
- The USCG has authority to approve or deny, in whole or in part, anchorage waiver requests that deviate from existing regulations.
- The USCG also has authority to establish, amend, or remove anchorages within navigable waterways of the U.S. via the rulemaking process. The governing law for Federal rulemaking is *Administrative Procedure, 5 U.S.C., Part 1, Chapter 5 (APA)*.

State Authority

- When a state establishes an anchorage area, it is often termed a managed anchorage mooring field (MAMF). Authority to establish MAMFs comes from each state's Public Trust Doctrine, which preserves these areas for public use.
- Before a state establishes or regulates a MAMF, it first must follow the USACE permitting process, which includes a USCG review, to verify that the anchorage is not an obstruction or hazard to navigation.

Charleston Anchorages

33 CFR 110.173 and 33 CFR 110.72d



Charleston Anchorage Regulations

33 CFR 110.173

- (b) *The regulations.* (1) *Except in cases of great emergency, no vessel shall be anchored in the main ship channels as defined by broken lines marking their boundaries on NOAA Chart 11524. Vessels must be anchored in such a way as not to interfere with the free navigation of channels in the port, including Cooper, Ashley, Wando Rivers, and Town Creek, nor to obstruct the approach to any pier or entrance to any slip, nor to impede the movement of any vessel or craft.*

Charleston Anchorage Regulations (cont)

33 CFR 110.173

- (2) Vessels using the anchorages opposite the eastern waterfront of Charleston shall place their anchors as near as possible in the center of the anchorage. Vessels not using a designated commercial anchorage shall not place their anchors within the main ship channels, nor shall be so anchored as to swing within 400 feet of any wharf or pier on the eastern waterfront of Charleston. Vessels may be so anchored as to swing into the main ship channels only if they are so placed with reference to the customary winds, tides, and currents of the harbor, as to swing only during slack water, and that during this period there shall remain in the waters adjacent to the channel an area of sufficient depth as to permit the safe passage of loaded vessels.

Charleston Anchorage Regulations (cont)

33 CFR 110.173

- (3) No vessel may anchor within the designated anchorages for more than 72 hours without the prior approval of the Captain of the Port.
- (4) No vessel may anchor unless it maintains a bridge watch, guards and answers Channel 16 FM, and maintains an accurate position plot.

Charleston Anchorage Regulations (cont)

33 CFR 110.173

- (5) If any anchored vessel is so close to another that a collision is probable, each vessel must communicate with the other vessel and the Captain of the Port on Channel 16 FM and shall act to eliminate the close proximity situation.
- (6) No vessel may anchor unless it maintains the capability to get underway within 4 hours.

Charleston Anchorage Regulations (cont)

33 CFR 110.173

- (7) No vessel may anchor in a “dead ship” status (propulsion or control unavailable for normal operations) without the prior approval of the Captain of the Port.
- (8) Dragging of anchors in or across main ship channels and cable areas is prohibited.

Charleston Anchorage Regulations (cont)

33 CFR 110.173

- (9) Vessels which, through force of great emergency, are anchored contrary to the foregoing regulations in this section shall be shifted to new berths in accordance with such regulations at the earliest opportunity.
- (10) A vessel, upon notification from the Captain of the Port to shift its position in anchorage grounds must get underway at once or signal for a tug, and must change position as directed with reasonable promptness.

Charleston Anchorage Regulations (cont)

33 CFR 110.173

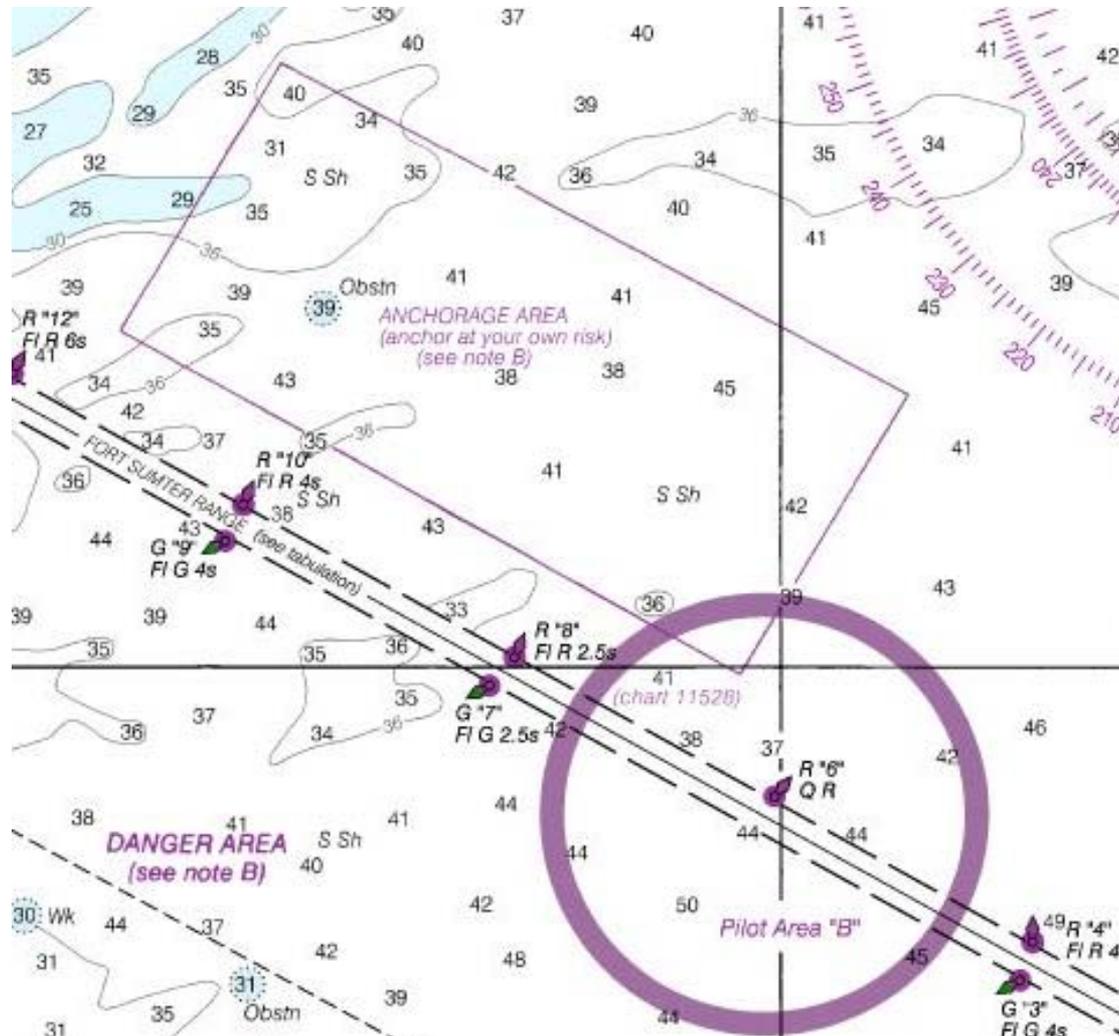
- (11) No vessel may conduct lightering operations in an anchorage without permission from the Captain of the Port.
- (12) When the use of an anchorage is required by naval vessels, the vessels anchored therein shall move when the Captain of the Port directs them.

Charleston Anchorage Regulations (cont)

33 CFR 110.173

- (13) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel from the penalties of law for obstructing navigation, or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, etc.

Charleston Entrance Anchorage



Questions?

