

ELECTRONIC CODE OF FEDERAL REGULATIONS

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Title 33: Navigation and Navigable Waters

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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- §165.T01-0554 Regulated Navigation Area; Sarah Mildred Long Bridge Replacement, Portsmouth, NH.
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- §165.500 Safety/Security Zones; Chesapeake Bay, Maryland.
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- §165.505 Security Zone; Calvert Cliffs Nuclear Power Plant, Chesapeake Bay, Calvert County, Maryland.
- §165.506 Safety Zones; Fireworks Displays in the Fifth Coast Guard District.
- §165.507 Security Zone; Chesapeake Bay, between Sandy Point and Kent Island, MD.
- §165.508 Security Zone; Potomac River and Anacostia River, and adjacent waters; Washington, DC.
- §165.509 Security Zone; Severn River and College Creek, Annapolis, MD.
- §165.510 Delaware Bay and River, Salem River, Christina River and Schuylkill River-Regulated Navigation Area.
- §165.511 Security Zone; Atlantic Ocean, Chesapeake & Delaware Canal, Delaware Bay, Delaware River and its tributaries.
- §165.512 Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD.
- §165.513 Safety Zone; Magothy River, Sillery Bay, MD.
- §165.514 Safety Zone: Atlantic Intracoastal Waterway and connecting waters, vicinity of Marine Corps Base Camp Lejeune, North Carolina.
- §165.515 Safety Zone: Cape Fear River, Wilmington, North Carolina.
- §165.518 Security Zone; Waters of the Fifth Coast Guard District.
- §165.520 Regulated Navigation Area; Herbert C. Bonner Bridge, Oregon Inlet, NC.
- §165.530 Safety Zone: Cape Fear and Northeast Cape Fear Rivers, NC.
- §165.535 Safety Zone: Atlantic Ocean, Vicinity of Cape Henlopen State Park, Delaware.
- §165.550 Safety Zones: Ice covered waterways within the Fifth Coast Guard District.
- §165.552 Security Zone; Oyster Creek Generation Station, Forked River, Ocean County, New Jersey.
- §165.553 Security Zone; Salem and Hope Creek Generation Stations, Delaware River, Salem County, New Jersey.
- §165.554 Security Zone; Three Mile Island Generating Station, Susquehanna River, Dauphin County, Pennsylvania.
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- §165.556 Regulated Navigation Area; Chesapeake and Delaware Canal, Chesapeake City Anchorage Basin, MD.
- §165.557 Security Zone; Potomac River, Montgomery County, MD.
- §165.558 Security Zone; Delaware River, and Schuylkill River, Philadelphia, PA.

SEVENTH COAST GUARD DISTRICT

§165.T07-0040 Safety Zone; Cooper River Bridge Run, Charleston, SC.
 §165.T07-0161 Safety Zone; Xterra Swim, Myrtle Beach, SC.
 §165.T07-0320 Safety Zone; Fourth of July Fireworks North Myrtle Beach, SC.
 §165.T07-0347 Safety Zone; Fourth of July Fireworks Murrells Inlet, SC.
 §165.701 Vicinity, Kennedy Space Center, Merritt Island, Florida—security zone.
 §165.703 Security Zones; Tampa Bay: Big Bend, Boca Grande, Crystal River, East Bay, Hillsborough Bay, MacDill Air Force Base, Manatee Key, Old Port Tampa, Port Manatee, Port Tampa, Port St. Petersburg, Port Sutton, Rattlesnake, and Weedon Island, FL.
 §165.704 Safety Zone: Savannah River, Savannah, Georgia.
 §165.705 Security Zones: Port Canaveral Harbor, Cape Canaveral Air Force Station, FL.
 §165.708 Safety/Security Zone; Charleston Harbor and Cooper River, Charleston, SC.
 §165.709 Security Zone; Charleston Harbor, Cooper River, South Carolina.
 §165.711 Safety Zone: Port Everglades, Fort Lauderdale, FL.
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 §165.720 Safety Zone; natural and other disasters in Ports of Jacksonville, Fernandina, and Canaveral, Florida.
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 §165.758 Security Zone; San Juan, Puerto Rico.
 §165.759 Security Zones; Ports of Jacksonville, Fernandina, and Canaveral, Florida.
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 §165.771 Safety Zone; Bahia de Ponce, Puerto Rico.
 §165.773 Security Zone; Escorted Vessels in Captain of the Port Zone Jacksonville, Florida.
 §165.775 Safety Zone; Captain of the Port Zone Jacksonville; Offshore Cape Canaveral, Florida.
 §165.776 Security Zone; Coast Guard Base San Juan, San Juan Harbor, Puerto Rico.
 §165.777 Security Zone; West Basin, Port Canaveral Harbor, Cape Canaveral, Florida.
 §165.778 Security Zone; Port of Mayaguez, Puerto Rico.
 §165.779 Regulated Navigation Area; Holiday Events; Biscayne Bay, Miami, FL.
 §165.780 Safety Zone; Marine Safety Unit Savannah Safety Zone for Heavy Weather and other Natural Disasters, Savannah Captain of the Port Zone, Savannah, GA.
 §165.781 Safety Zone; hurricanes and other disasters in Western Florida.
 §165.782 Safety Zone; restricted visibility in Tampa Bay.
 §165.783 Safety Zone; firework displays in Captain of the Port Zone St. Petersburg, Florida.
 §165.784 Safety Zone, Schuylkill River; Philadelphia, PA
 §165.785 Security Zone; Presidential Security Zone, Palm Beach, FL.
 §165.786 Safety Zone; recurring marine events, Sector Key West, Florida.

EIGHTH COAST GUARD DISTRICT

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 §165.T08-0998 Safety Zone; Pensacola Bay, Pensacola, FL.
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 §165.836 Security Zone; Escorted Vessels, Mobile, Alabama, Captain of the Port.
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 §165.839 Safety Zone; Large Cruise Ships; Lower Mississippi River, Southwest Pass Sea Buoy to Mile Marker 96.0, New Orleans, LA.
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 §165.842 Safety Zone; Upper Mississippi River between mile 38.0 and mile 46.0, Thebes, IL; and between mile 78.0 and mile 81.0, Grand Tower, IL.
 §165.843 Moving Security Zone; Escorted Vessels; Lower Mississippi River; New Orleans, LA.
 §165.844 Safety Zone; Tennessee River, Miles 446.0 to 454.5, Chattanooga, TN.
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NINTH COAST GUARD DISTRICT

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 §165.923 Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL.
 §165.927 Safety Zone; St. Louis River, Duluth/Interlake Tar Remediation Site, Duluth, MN.
 §165.928 Security Zone; Mackinac Bridge, Straits of Mackinac, Michigan.
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 §165.932 Safety Zone; Ohio Street Beach Swim Course, Lake Michigan, Chicago Harbor, Chicago, IL.
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- §165.944 Regulated Navigation Area; Straits of Mackinac.

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- §165.T11-630 Safety zone; Giants Enterprises Fireworks Display, San Francisco Bay, San Francisco, CA.
- §165.1101 Security Zone: San Diego Bay, CA.
- §165.1102 Security Zone; Naval Base Point Loma; San Diego Bay, CA.
- §165.1103 Security Zone; Naval Mine Anti Submarine Warfare Command; San Diego Bay, San Diego, CA.
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- §165.1108 Security Zones; Cruise Ships, Port of San Diego, California.
- §165.1110 Security Zone: Coronado Bay Bridge, San Diego, CA.
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- §165.1122 San Diego Bay, Mission Bay and their Approaches—Regulated navigation area.
- §165.1123 Southern California Annual Firework Events for the San Diego Captain of the Port Zone.
- §165.1124 Annual Firework Events on the Colorado River, between Davis Dam (Bullhead City, Arizona) and Headgate Dam (Parker, Arizona) within the San Diego Captain of Port Zone.
- §165.1125 Southern California Annual Firework Events for the Los Angeles Long Beach Captain of the Port zone.
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- §165.1141 Safety Zone; San Clemente 3 NM Safety Zone, San Clemente Island, CA.
- §165.1151 Security Zones; liquefied hazardous gas tank vessels, San Pedro Bay, California.
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- §165.1154 Security Zones; Cruise Ships, San Pedro Bay, California.
- §165.1155 Security Zone; Diablo Canyon Nuclear Power Plant, Avila Beach, California.
- §165.1156 Safety Zone; Offshore Marine Terminal, El Segundo, CA.
- §165.1157 Security Zone; Cruise Ships, Santa Barbara, California.
- §165.1171 Copper Canyon, Lake Havasu, Colorado River—Regulated Navigation Area.
- §165.1181 San Francisco Bay Region, California—regulated navigation area.
- §165.1182 Safety/Security Zone: San Francisco Bay, San Pablo Bay, Carquinez Strait, and Suisun Bay, CA.
- §165.1183 Security Zones; tankers, cruise ships, and High Value Assets, San Francisco Bay and Delta Ports, Monterey Bay and Humboldt Bay, California
- §165.1184 Safety Zone; Coast Guard Use of Force Training Exercises, San Pablo Bay, CA.
- §165.1185 Regulated Navigation Area; San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, Sacramento River, San Joaquin River, and connecting waters in California.
- §165.1187 Security Zones; Golden Gate Bridge and the San Francisco-Oakland Bay Bridge, San Francisco Bay, California.
- §165.1188 Safety Zone; Old Mormon Slough, Stockton California.
- §165.1190 Security Zone; San Francisco Bay, Oakland Estuary, Alameda, CA.
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- §165.1192 Security Zones; Waters surrounding San Francisco International Airport and Oakland International Airport, San Francisco Bay, California.
- §165.1195 Regulated Navigation Area; Humboldt Bay Bar Channel and Humboldt Bay Entrance Channel, Humboldt Bay, California.
- §165.1197 Security Zones; San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, California.
- §165.1198 Safety zone; Military Ocean Terminal Concord Safety Zone, Suisun Bay, Military Ocean Terminal Concord, CA.
- §165.1199 Security Zones; Military Ocean Terminal Concord (MOTCO), Concord, California.
- §165.11731 Security Zone: Escorted Vessels, Los Angeles-Long Beach, CA, Captain of the Port Zone.

TWELFTH COAST GUARD DISTRICT [RESERVED]

THIRTEENTH COAST GUARD DISTRICT

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- §165.1310 Strait of Juan de Fuca and adjacent coastal waters of Northwest Washington; Makah Whale Hunting—Regulated Navigation Area.
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- §165.1315 Safety Zone; Annual Fireworks Displays within the Sector Columbia River Captain of the Port Zone.
- §165.1315 Safety Zone; Annual Fireworks Displays within the Sector Columbia River Captain of the Port Zone.
- §165.1317 Security and Safety Zone; Large Passenger Vessel Protection, Puget Sound and adjacent waters, Washington.
- §165.1318 Security and Safety Zone Regulations, Large Passenger Vessel Protection, Captain of the Port Columbia River Zone.
- §165.1319 Seafair Air Show Performance, Seattle, WA.
- §165.1321 Security Zone; Protection of Military Cargo, Captain of the Port Zone Puget Sound, WA.
- §165.1322 Regulated Navigation Area: Willamette River Portland, Captain of the Port Columbia River Zone.
- §165.1323 Regulated Navigation Area: Willamette River Captain of the Port Columbia River Zone.
- §165.1324 Safety and Security Zone; Cruise Ship Protection, Elliott Bay and Pier-91, Seattle, Washington.
- §165.1325 Regulated Navigation Areas; Bars Along the Coasts of Oregon and Washington.
- §165.1326 Regulated Navigation Areas; Port of Portland Terminal 4, Willamette River, Portland, OR.
- §165.1327 Security Zone; escorted U.S. Navy submarines in Sector Seattle Captain of the Port Zone.
- §165.1328 Regulated Navigation Area; U.S. Navy submarines, Hood Canal, WA.
- §165.1329 Regulated Navigation Area; Thea Foss and Wheeler-Osgood Waterways EPA Superfund Cleanup Site, Commencement Bay, Tacoma, WA.
- §165.1330 Safety Zone; Fleet Week Maritime Festival, Pier 66, Elliott Bay, Seattle, Washington.
- §165.1332 Safety Zones; annual firework displays within the Captain of the Port, Puget Sound Area of Responsibility.
- §165.1333 Security Zones, Seattle's Seafair Fleet Week moving vessels, Puget Sound, WA.
- §165.1334 Security Zone; U.S. Coast Guard BSU Seattle, Pier 36, Elliot Bay, Seattle, WA.
- §165.1335 Security Zone; Vessels Carrying Hazardous Cargo, Sector Columbia River Captain of the Port Zone.
- §165.1336 Regulated Navigation Area; Pacific Sound Resources and LockheedShipyard Superfund Sites, Elliott Bay, Seattle, WA.
- §165.1337 Regulated Navigation Area, Zidell Waterfront Property, Willamette River, OR.
- §165.1338 Regulated Navigation Area; Slip 4 Early Action Area Superfund Site, Lower Duwamish Waterway, Seattle, WA.
- §165.1339 Safety Zone; Coast Guard Exercise Area, Hood Canal, Washington.
- §165.1340 Safety Zone; Vigor Industrial Drydock Movement, West Duwamish Waterway; Seattle, WA.

FOURTEENTH COAST GUARD DISTRICT

- §165.14-1414 Safety Zones; Hawaiian Islands Commercial Harbors; HI.
- §165.1401 Apra Harbor, Guam—safety zones.
- §165.1402 Safety Zone; Navy Underwater Detonation (UNDET) Exercises, GU.
- §165.1403 Security Zones; Tinian, Commonwealth of the Northern Mariana Islands.
- §165.1404 Apra Harbor, Guam—security zone.
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- §165.1406 Safety Zone: Pacific Missile Range Facility (PMRF), Barking Sands, Island of Kauai, Hawaii.
- §165.1407 Security Zones; Oahu, HI.
- §165.1408 Security Zones; Maui, HI.
- §165.1409 Security Zones; Hawaii, HI.
- §165.1410 Security Zones; Kauai, HI.
- §165.1411 Security zone; waters surrounding U.S. Forces vessel SBX-1, HI.
- §165.1412 Security Zone; escorted U.S. Navy submarines in Sector Honolulu Captain of the Port Zone.
- §165.1413 Regulated navigation area; Southern Oahu Tsunami Evacuation; Honolulu, Hawaii.
- §165.1414 Safety Zone; Pacific Ocean, Kilauea Lava Flow Ocean Entry on Southeast Side of Island of Hawaii, HI.
- §165.1416 Safety Zone; Tarague Basin; Anderson AFB, GU.

SEVENTEENTH COAST GUARD DISTRICT

- §165.1701 Port Valdez, Valdez, Alaska—safety zone.
- §165.1702 Gastineau Channel, Juneau, Alaska—safety zone.
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- §165.1711 Security Zones; Waters of the Seventeenth Coast Guard District
- §165.1712 Safety Zones; Annual Independence Day Firework Displays, Skagway, Haines, and Wrangell, AK.
- §165.1713 Safety Zone; City of Valdez July 4th Fireworks, Port Valdez; Valdez, AK.
- §165.1714 Safety Zone; Alaska Marine Highway System Port Valdez Ferry Terminal, Port Valdez; Valdez, AK.

Subpart G—Protection of Naval Vessels

- §165.2010 Purpose.
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AUTHORITY: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 79-034, 47 FR 29660, July 8, 1982, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 165 appear by USCG-2006-25556, 72 FR 36328, 36329, July 2, 2007.

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Subpart A—General

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§165.1 Purpose of part.

The purpose of this part is to:

- (a) Prescribe procedures for establishing different types of limited or controlled access areas and regulated navigation areas;
- (b) Prescribe general regulations for different types of limited or controlled access areas and regulated navigation areas;
- (c) Prescribe specific requirements for established areas; and
- (d) List specific areas and their boundaries.

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§165.3 Definitions.

The following definitions apply to this part:

Credential means any or all of the following:

- (1) Merchant mariner's document.
- (2) Merchant mariner's license.
- (3) STCW endorsement.
- (4) Certificate of registry.
- (5) Merchant mariner credential.

Merchant mariner credential or MMC means the credential issued by the Coast Guard under 46 CFR part 10. It combines the individual merchant mariner's document, license, and certificate of registry enumerated in 46 U.S.C. subtitle II part E as well as the STCW endorsement into a single credential that serves as the mariner's qualification document, certificate of identification, and certificate of service.

[USCG-2006-24371, 74 FR 11213, Mar. 16, 2009]

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§165.5 Establishment procedures.

(a) A safety zone, security zone, or regulated navigation area may be established on the initiative of any authorized Coast Guard official.

(b) Any person may request that a safety zone, security zone, or regulated navigation area be established. Except as provided in paragraph (c) of this section, each request must be submitted in writing to either the Captain of the Port or District Commander having jurisdiction over the location as described in part 3 of this chapter, and include the following:

- (1) The name of the person submitting the request;
- (2) The location and boundaries of the safety zone, security zone, or regulated navigation area;
- (3) The date, time, and duration that the safety zone, security zone, or regulated navigation area should be established;
- (4) A description of the activities planned for the safety zone, security zone, or regulated navigation area;

(5) The nature of the restrictions or conditions desired; and

(6) The reason why the safety zone, security zone, or regulated navigation area is necessary.

(c) **Safety Zones and Security Zones.** If, for good cause, the request for a safety zone or security zone is made less than 5 working days before the zone is to be established, the request may be made orally, but it must be followed by a written request within 24 hours.

(Requests for safety zones, security zones, and regulated navigation areas are approved by the Office of Management and Budget under control number 1625-0020)

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 79-026, 48 FR 35408, Aug. 4, 1983; USCG-2006-25150, 71 FR 39211, July 12, 2006]

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§165.7 Notification.

(a) The establishment of these limited access areas and regulated navigation areas is considered rulemaking. The procedures used to notify persons of the establishment of these areas vary depending upon the circumstances and emergency conditions. Notification may be made by marine broadcasts, local notice to mariners, local news media, distribution in leaflet form, and on-scene oral notice, as well as publication in the FEDERAL REGISTER.

(b) Notification normally contains the physical boundaries of the area, the reasons for the rule, its estimated duration, and the method of obtaining authorization to enter the area, if applicable, and special navigational rules, if applicable.

(c) Notification of the termination of the rule is usually made in the same form as the notification of its establishment.

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§165.8 Geographic coordinates.

Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.

[CGD 86-082, 52 FR 33811, Sept. 8, 1987]

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§165.9 Geographic application of limited and controlled access areas and regulated navigation areas.

(a) *General.* The geographic application of the limited and controlled access areas and regulated navigation areas in this part are determined based on the statutory authority under which each is created.

(b) *Safety zones and regulated navigation areas.* These zones and areas are created under the authority of the Ports and Waterways Safety Act, 33 U.S.C. 1221-1232. Safety zones established under 33 U.S.C. 1226 and regulated navigation areas may be established in waters subject to the jurisdiction of the United States as defined in §2.38 of this chapter, including the territorial sea to a seaward limit of 12 nautical miles from the baseline.

(c) *Security zones.* These zones have two sources of authority—the Ports and Waterways Safety Act, 33 U.S.C. 1221-1232, and the Act of June 15, 1917, as amended by both the Magnuson Act of August 9, 1950 (“Magnuson Act”), 50 U.S.C. 191-195, and sec. 104 the Maritime Transportation Security Act of 2002 (Pub. L. 107-295, 116 Stat. 2064). Security zones established under either 33 U.S.C. 1226 or 50 U.S.C. 191 may be established in waters subject to the jurisdiction of the United States as defined in §2.38 of this chapter, including the territorial sea to a seaward limit of 12 nautical miles from the baseline.

(d) *Naval vessel protection zones.* These zones are issued under the authority of 14 U.S.C. 91 and 633 and may be established in waters subject to the jurisdiction of the United States as defined in §2.38 of this chapter, including the territorial sea to a seaward limit of 12 nautical miles from the baseline.

[USCG-2001-9044, 68 FR 42602, July 18, 2003, as amended by USCG-2006-25411, 71 FR 54421, Sept. 15, 2006]

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Subpart B—Regulated Navigation Areas

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§165.10 Regulated navigation areas.

A regulated navigation area is a water area within a defined boundary for which regulations for vessels navigating within the area have been established under this part.

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§165.11 Vessel operating requirements (regulations).

Each District Commander may control vessel traffic in an area which is determined to have hazardous conditions, by issuing regulations:

- (a) Specifying times of vessel entry, movement, or departure to, from, within, or through ports, harbors, or other waters;
- (b) Establishing vessel size, speed, draft limitations, and operating conditions; and
- (c) Restricting vessel operation, in a hazardous area or under hazardous conditions, to vessels which have particular operating characteristics or capabilities which are considered necessary for safe operation under the circumstances.

[CGD 79-026, 48 FR 35408, Aug. 4, 1983]

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§165.13 General regulations.

(a) The master of a vessel in a regulated navigation area shall operate the vessel in accordance with the regulations contained in Subpart F.

(b) No person may cause or authorize the operation of a vessel in a regulated navigation area contrary to the regulations in this part.

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Subpart C—Safety Zones

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§165.20 Safety zones.

A Safety Zone is a water area, shore area, or water and shore area to which, for safety or environmental purposes, access is limited to authorized persons, vehicles, or vessels. It may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion.

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§165.23 General regulations.

Unless otherwise provided in this part:

- (a) No person may enter a safety zone unless authorized by the COTP or the District Commander;
- (b) No person may bring or cause to be brought into a safety zone any vehicle, vessel, or object unless authorized by the COTP or the District Commander;
- (c) No person may remain in a safety zone or allow any vehicle, vessel, or object to remain in a safety zone unless authorized by the COTP or the District Commander; and
- (d) Each person in a safety zone who has notice of a lawful order or direction shall obey the order or direction of the COTP or District Commander issued to carry out the purposes of this subpart.

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Subpart D—Security Zones

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§165.30 Security zones.

(a) A security zone is an area of land, water, or land and water which is so designated by the Captain of the Port or District Commander for such time as is necessary to prevent damage or injury to any vessel or waterfront facility, to safeguard ports, harbors, territories, or waters of the United States or to secure the observance of the rights and obligations of the United States.

(b) The purpose of a security zone is to safeguard from destruction, loss, or injury from sabotage or other subversive acts, accidents, or other causes of a similar nature:

- (1) Vessels,
- (2) Harbors,
- (3) Ports, and
- (4) Waterfront facilities:

in the United States and all territory and water, continental or insular, that is subject to the jurisdiction of the United States.

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§165.33 General regulations.

Unless otherwise provided in the special regulations in Subpart F of this part:

- (a) No person or vessel may enter or remain in a security zone without the permission of the Captain of the Port;
- (b) Each person and vessel in a security zone shall obey any direction or order of the Captain of the Port;
- (c) The Captain of the Port may take possession and control of any vessel in the security zone;
- (d) The Captain of the Port may remove any person, vessel, article, or thing from a security zone;
- (e) No person may board, or take or place any article or thing on board, any vessel in a security zone without the permission of the Captain of the Port; and
- (f) No person may take or place any article or thing upon any waterfront facility in a security zone without the permission of the Captain of the Port.

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Subpart E—Restricted Waterfront Areas

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§165.40 Restricted waterfront areas.

The Commandant, may direct the COTP to prevent access to waterfront facilities, and port and harbor areas, including vessels and harbor craft therein. This section may apply to persons who do not possess the credentials outlined in §125.09 of this chapter when certain shipping activities are conducted that are outlined in §125.15 of this chapter.

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Subpart F—Specific Regulated Navigation Areas and Limited Access Areas

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FIRST COAST GUARD DISTRICT

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§165.T01-0174 Regulated Navigation Areas and Safety Zone Tappan Zee Bridge Construction Project, Hudson River; South Nyack and Tarrytown, NY.

(a) *Regulated navigation area boundaries.* The following are regulated navigation areas:

(1) Western RNA: all waters bound by the following approximate positions: 41°04'39.16" N, 073°55'00.68" W on the western shoreline; thence to 41°04'28.34" N, 073°54'47.18" W; thence to 41°04'11.28" N, 073°54'48.00" W; thence to 41°03'57.26" N, 073°54'40.73" W; thence to 41°03'57.36" N, 073°54'47.38" W; thence to 41°03'58.66" N, 073°54'56.14" W; thence to 41°04'03.00" N, 073°55'07.60" W; thence to a point on the western shoreline at 41°04'06.69" N, 073°55'14.10" W; thence northerly along the shoreline to the point of origin (NAD 83).

(2) Eastern RNA: all waters bound by the following approximate positions: 41°04'21.96" N, 073°52'03.25" W on the eastern shoreline; thence to 41°04'26.27" N, 073°52'19.82" W; thence to 41°04'26.53" N, 073°53'20.07" W; thence to 41°03'56.92" N, 073°53'18.84" W; thence to 41°03'56.69" N, 073°52'24.75" W; thence to a point on the eastern shoreline at 41°03'46.91" N, 073°52'05.89" W; thence northerly along the shoreline to the point of origin (NAD 83).

(b) *Safety Zone boundaries.* The following is a Safety Zone: all waters bound by the following approximate positions: 41°04'59.70" N, 073°54'45.54" W; thence to 41°05'00.18" N, 073°53'21.48" W; thence to 41°03'09.24" N, 073°53'16.86" W; thence to 41°03'07.08" N, 073°54'14.70" W; thence to 41°04'11.28" N, 073°54'48.00" W; thence to the point of origin (NAD 83).

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.10, 165.11, and 165.13, 165.20 and 165.23 apply.

(2) Any vessel transiting through the Western RNA must make a direct and expeditious passage. No vessel may stop, moor, anchor or loiter within the RNA at any time unless they are working on the bridge construction operations.

(3) Any vessel transiting through the Eastern RNA must make a direct and expeditious passage. No vessel may stop, moor, anchor or loiter within the RNA at any time unless they are working on the bridge construction operations or they are transiting to, or from, the special anchorage area codified in 33 CFR 110.60(c)(8) located on the eastern shoreline at Tarrytown, NY and within the boundaries of the RNA.

(4) Entry and movement within the Eastern RNA or Western RNA is subject to a "Slow-No Wake" speed limit. All vessels may not produce a wake and may not attain speeds greater than five knots unless a higher minimum speed is necessary to maintain steerageway. All vessels must proceed through the Eastern RNA and Western RNA with caution and operate in such a manner as to produce no wake.

(5) Entry into, anchoring, loitering, or movement within the Safety Zone is prohibited unless the vessel is working on the bridge construction operations or authorized by the Captain of the Port New York (COTP) or his designated representative.

(6) All persons and vessels must comply with all orders and directions from the COTP or the COTP's designated representative. The "designated representative" of the COTP is any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP to act on the COTP's behalf. The designated representative may be on a Coast Guard vessel or New York State Police, Westchester County Police, Rockland County Police, or other designated craft; or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(7) Upon being hailed by a Coast Guard vessel by siren, radio, flashing light or other means, the operator of the vessel must proceed as directed.

(8) For the purpose of this regulation, the Federal navigation channel, located in the Eastern RNA is marked by the red and green navigation lights on the existing Tappan Zee Bridge, and the New NY Bridge. As the project progresses, the Federal navigation channel will be intermittently closed, or partially restricted, to all vessel transits. While the Federal navigation channel is closed, vessels that can safely navigate outside the Federal navigation channel would still be able to transit through the Eastern RNA. These closures or partial restrictions are tentatively scheduled to take place between March 2015 and October 2016. The COTP will cause a notice of the channel closure or restrictions by appropriate means to the affected segments of the public. Such means of notification may include, but are not limited to, Broadcast Notice to Mariners and Local Notice to Mariners.

(9) Notwithstanding anything contained in this section, the Inland Navigation Rules (33 CFR subchapter E) are still in effect and must be strictly adhered to at all times.

(d) *Enforcement periods.* This regulation will be enforced 24 hours a day from 5:00 a.m. on July 3, 2014 until 11:59 p.m. on December 31, 2018.

(1) Notice of suspension of enforcement: If enforcement is suspended, the COTP will cause a notice of the suspension of enforcement by appropriate means to the affected segments of the public. Such means of notification may include, but are not limited to, Broadcast Notice to Mariners and Local Notice to Mariners. Such notification will include the date and time that enforcement will be suspended as well as the date and time that enforcement will resume.

(2) Violations of this regulation may be reported to the COTP at 718-354-4353 or on VHF-Channel 16.

EFFECTIVE DATE NOTE: By USCG-2013-0705, 79 FR 43254, July 25, 2014, as amended by USCG-2015-0433, 80 FR 44282, July 27, 2015, temporary §165.T01-0174 was revised, effective from July 25, 2014, to Dec. 31, 2018.

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§165.T01-0343 Safety zone, S99 Alford Street Bridge—Emergency grid replacement project, Mystic River, Charlestown and Everett, MA.

(a) *Location.* The following area is a safety zone: All navigable waters of the Mystic River between Charlestown and Everett, Massachusetts from surface to bottom, within 150-yards of the S99 Alford Street Bridge, at mile 1.4 on the Mystic River between Charlestown and Everett, Massachusetts.

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

(1) *Designated representative* means any Coast Guard commissioned, warrant, petty officer, or any federal, state, or local law enforcement officer who has been designated by the Captain of the Port (COTP) Boston, to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-

FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessel* means any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessel assigned or approved by the COTP Boston to enforce this section.

(c) *Enforcement Periods*. This section is enforceable 24 hours a day from 12:01 a.m. on October 1, 2018, through 11:59 p.m. on April 30, 2019. When enforced as deemed necessary by the COTP Boston, vessels will be prohibited from entering this safety zone during the emergency grid replacement on the bridge.

(d) *Regulations*. The general regulations contained in 33 CFR 165.23, as well as the following regulations, apply:

(1) No person or vessel may enter or remain in this safety zone without the permission of the COTP Boston or the COTP's designated representatives. However, any person or vessel permitted to enter the safety zone must comply with the directions and orders of the COTP Boston or the COTP's designated representatives.

(2) To obtain permission required by this regulation, individuals may reach the COTP Boston or a COTP designated representative via Channel 16 (VHF-FM) or 617-223-5757 (Sector Boston Command Center).

(3) *Penalties*. Those who violate this section are subject to the penalties set forth in 33 U.S.C. 1232.

EFFECTIVE DATE NOTE: By USCG-2018-0343, 83 FR 46392, Sept. 13, 2018, §165.T01-0343 was added, effective Oct. 1, 2018 through Apr. 30, 2019.

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§165.T01-0462 Safety Zone; Tappan Zee Bridge Construction Project, Hudson River, South Nyack and Tarrytown, NY.

(a) *Location*. The following area is a safety zone: All navigable waters within 200 yards of the crane barge LEFT COAST LIFTER while conducting heavy lift operations on the Hudson River.

(b) *Definitions*. As used in this section, *designated representative* means is any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP to act on the COTP's behalf. The designated representative may be on a Coast Guard vessel or New York State Police, Westchester County Police, Rockland County Police, or other designated craft; or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

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

(2) To seek permission to enter, contact the COTP or the COTP's representative by VHF-FM channel 16 or by phone at (718) 354-4353 (Sector New York Command Center). Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or a COTP designated representative.

(d) *Enforcement period*. This section will be enforced from June 22, 2016 through December 31, 2018.

EFFECTIVE DATE NOTE: At 81 FR 45024, July 12, 2016, temporary §165.0462 was added, effective July 12, 2016, to Dec. 31, 2018.

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§165.T01-0554 Regulated Navigation Area; Sarah Mildred Long Bridge Replacement, Portsmouth, NH.

(a) *Location*. The following area is a Regulated Navigation Area (RNA): All navigable waters of the Piscataqua River between Portsmouth, NH and Kittery, ME, from surface to bottom, within a 300 yard radius of position 43°05'10" N, 070°45'38" W (NAD 83), center point of the existing Sarah Mildred Long Bridge.

(b) *Regulations*. (1) The general regulations contained in §§165.10, 165.11, and 165.13 apply within the RNA.

(2) Any vessel transiting through the RNA must make a direct passage. No vessel may stop, moor, anchor or loiter within the RNA at any time unless they are working on the bridge construction. Movement within the RNA is subject to a "Slow-No Wake" speed limit. All vessels may not produce a wake and may not attain speeds greater than five (5) knots unless a higher minimum speed is necessary to maintain bare steerageway.

(3) There may be times that the First District Commander or the Captain of the Port (COTP) finds it necessary to close the RNA to vessel traffic. All closures will be limited to specific hours of the day. Mariners will be advised of all closure dates and times via Local Notice to Mariners and Broadcast Notice to Mariners in advance of closure times. During times of limited closure, persons and vessels may request permission to enter the RNA by contacting the COTP or the COTP's on-scene representative on VHF-16 or via phone at 207-767-0303.

(4) Any vessels transiting in the RNA must comply with all directions given to them by the COTP or the COTP's on-scene representative. The "on-scene representative" of the COTP is any Coast Guard commissioned, warrant or petty officer who has

been designated by the COTP to act on the COTP's behalf. The on-scene representative may be on a Coast Guard vessel; or other designated craft; or on shore and communicating with vessels via VHF-FM radio or loudhailer. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(5) All other relevant regulations, including but not limited to the Inland Navigation Rules (33 CFR subchapter E), remain in effect within the RNA and must be strictly followed at all times.

(c) *Enforcement period.* This regulation is enforceable 24 hours a day from 12:01 a.m. on December 31, 2014 until 11:59 p.m. on May 31, 2019.

(d) *Notification.* The Coast Guard will rely on the methods described in §165.7 to notify the public of the time and duration of any closure of the RNA. Violations of this RNA may be reported to the COTP at 207-767-0303 or on VHF-Channel 16.

[USCG-2014-0554, 80 FR 1341, Jan. 9, 2014]

EFFECTIVE DATE NOTE: By USCG-2014-0554, 80 FR 1341, Jan. 9, 2014, as amended by USCG-2015-0433, 80 FR 44283, July 27, 2015, temporary §165.T01-0554 was added, effective Jan. 9, 2015, to May 31, 2019.

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§165.T01-0575 Safety Zone; Boston Harbor's Improvement Dredging Project, Boston, MA.

(a) *Location.* The following areas are safety zones: All navigable waters from surface to bottom, within a 100-yard radius centered on any vessel, barge or dredging equipment while actively engaged in dredging operations, drilling, or blasting. All navigable waters from surface to bottom, within a 500-yard radius centered on the blasting worksite while setting up for blasting, during blasting, and in the immediate aftermath.

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

(1) *Designated representative* means any Coast Guard commissioned, warrant, petty officer, or any federal, state, or local law enforcement officer who has been designated by the Captain of the Port (COTP) Boston, to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessels* means any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP Boston to enforce this section.

(c) *Enforcement periods.* This section is enforceable 24 hours a day through August 31, 2023. When enforced as deemed necessary by the COTP Boston, vessels will be prohibited from entering this safety zone unless granted permission from the COTP Boston or the COTP's designated representative.

(d) *Regulations.* When this safety zone is enforced, the following regulations, along with those contained in 33 CFR 165.23 apply:

(1) No person or vessel may enter or remain in this safety zone without the permission of the COTP Boston or the COTP's designated representatives. However, any person or vessel permitted to enter the safety zone must comply with the directions and orders of the COTP Boston or the COTP's designated representatives.

(2) To obtain permission required by this regulation, individuals may reach the COTP Boston or a COTP designated representative via Channel 16 (VHF-FM) or 617-223-5757 (Sector Boston Command Center).

(3) Upon being hailed by a U.S. Coast Guard vessel by radio, siren, flashing lights, or other means, the operator of a vessel must proceed as directed.

(e) *Penalties.* Those who violate this section are subject to the penalties set forth in 33 U.S.C. 1232.

EFFECTIVE DATE NOTE: By USCG-2018-0575, 83 FR 45573, Sept. 10, 2018, §165.T01-0575 was added, effective Sept. 10, 2018 through Aug. 31, 2023.

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§165.T01-0682 Safety Zone—North Hero-Grand Isle Bridge, Lake Champlain, VT.

(a) *Location.* The following area is a safety zone: All navigable waters on Lake Champlain, within a 50-yard radius of the center of the North Hero-Grand Isle Bridge that spans Lake Champlain between North Hero Island and Grand Isle in position 44°45'57" N, 073°17'20" W (NAD 83).

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

(1) *Designated representative* means any Coast Guard commissioned, warrant, petty officer, or any federal, state, or local law enforcement officer who has been designated by the Captain of the Port (COTP) Northern New England, to act on his or

her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessels* means any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP Northern New England to enforce this section.

(c) *Effective and enforcement period*. This section is enforceable 24 hours a day from October 1, 2018, through September 1, 2022. When enforced as deemed necessary by the Captain of the Port (COTP) Northern New England, vessels and persons will be prohibited from entering this safety zone unless granted permission from the COTP Northern New England or the COTP's designated representative.

(d) *Regulations*. When this safety zone is enforced, the following regulations, along with those contained in §165.23 apply:

(1) No person or vessel may enter or remain in this safety zone without the permission of the Captain of the Port (COTP) Northern New England or the COTP's designated representative. However, any vessel that is granted permission to enter or remain in this zone by the COTP or the COTP's designated representative must proceed through the zone with caution and operate at a speed no faster than that speed necessary to maintain a safe course, unless otherwise required by the Navigation Rules.

(2) Any person or vessel permitted to enter the safety zone shall comply with the directions and orders of the COTP or the COTP's designated representative. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing lights, or other means, the operator of a vessel within the zone shall proceed as directed. Any person or vessel within the safety zone shall exit the zone when directed by the COTP or the COTP's designated representative.

(3) To obtain permission required by this regulation, individuals may reach the COTP or the COTP's designated representative via Channel 16 (VHF-FM) or (207)741-5465 (Sector Northern New England Command Center).

(e) *Penalties*. Those who violate this section are subject to the penalties set forth in 33 U.S.C. 1232.

(f) *Notification*. Coast Guard Sector Northern New England will give notice through the Local Notice to Mariners and Broadcast Notice to Mariners for the purpose of enforcement of temporary safety zone.

EFFECTIVE DATE NOTE: By USCG-2018-0682, 83 FR 50505, Oct. 9, 2018, §165.T01-0682 was added, effective Oct. 9, 2018 through Sept. 1, 2022.

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§165.T01-0890 Regulated Navigation Area; Beals Island Bridge Replacement, Moosabec Reach, Jonesport, ME.

(a) *Regulated Navigation Area boundaries*. The following area is a Regulated Navigation Area (RNA): All navigable waters of the Moosabec Reach between Jonesport, ME, and Beals, ME, from surface to bottom, within 150-yards of the Beals Island Bridge. Encompassed by a line connecting the following points 44°31'19.8" N., 67°36'44.1" W. and then west along the shoreline to a point on land at position 44°31'20.1" N., 67°36'57.9" W. and then north across the channel to a point on land at position 44°31'39.1" N., 67°37'01.7" W. and then east along the shoreline to a point on land at position 44°31'41.3" N., 67°36'48.9" W. 3°10'04.944" W. and then south across the channel back to the point of origin. These coordinates are based on [NAD 83].

(b) *Regulations*. The general regulations contained in 33 CFR 165.13 apply within the RNA.

(1) Any vessel transiting through the Beals Island Bridge must make a direct passage using the main channel under the center span. No vessel may stop, moor, anchor, or loiter within the RNA at any time unless they are working on the bridge construction or have received prior authorization by the First District Commander or the Captain of the Port (COTP), Sector Northern New England, or his designated representative.

(2) Movement within this RNA is subject to a "Slow-No Wake" speed limit. No vessels may produce a wake nor attain speeds greater than five (5) knots unless a higher minimum speed is necessary to maintain bare steerageway.

(3) No vessel with a beam greater than 75 feet may transit this area unless they receive advance authorization by the First District Commander or the Captain of the Port (COTP), Sector Northern New England.

(4) There may be times that the First District Commander or the COTP finds it necessary to close the RNA to vessel traffic. Mariners will be advised of all closure dates and times via Local Notice to Mariners and Broadcast Notice to Mariners in advance of closure times. During periods of closure, persons and vessels may request permission to enter and transit the RNA by contacting the COTP or the COTP's on-scene representative on VHF-16 or via phone at 207-767-0303.

(5) Any vessels transiting within this RNA must comply with all directions given to them by the COTP or the COTP's on-scene representative. The "on-scene representative" of the COTP is any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP to act on the COTP's behalf. The on-scene representative may be on a Coast Guard vessel; or other designated craft; or on shore and communicating with vessels via VHF-FM radio or loudhailer. Members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(6) All other relevant regulations, including but not limited to the Rules of the Road, as codified in 33 CFR Subchapter E, Inland Navigational Rules, remain in effect within this RNA and must be strictly followed at all times.

(d) *Penalties.* Those who violate this section are subject to the penalties set forth in 33 U.S.C. 1232.

(e) *Enforcement period.* This RNA's speed and beam restrictions are enforceable 24 hours a day as long as this RNA is in place. The Coast Guard will enforce waterway closures only when necessary to protect people and vessels from hazards associated with bridge construction.

(f) *Notification.* Coast Guard Sector Northern New England will give notice through the Local Notice to Mariners and Broadcast Notice to Mariners regarding enforcement of this RNA. Coast Guard Sector Northern New England will also notify the public to the greatest extent possible of any period in which the Coast Guard will suspend enforcement of this RNA.

EFFECTIVE DATE NOTE: By USCG-2017-0890, 82 FR 49110, Oct. 24, 2017, temporary §165.T01-0890 was added, effective from Oct. 24, 2017, through Jan. 31, 2021.

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§165.T01-0937 Safety Zone; Belt Parkway Bridge Construction, Gerritsen Inlet, Brooklyn, NY.

(a) *Location.* The following area is a safety zone: All navigable waters of Gerritsen Inlet: Southeast of a line from 40°35'09.46" N., 073°54'53.92" W. to 40°35'15.60" N., 073°54'42.07" W., and Northwest of a line from 40°35'04.88" N., 073°54'45.43" W. to 40°35'10.34" N., 073°54'35.71" W. (NAD 83).

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated Representative.* A "designated representative" is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port Sector New York (COTP), to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official Patrol Vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(c) *Enforcement Periods.*

(1) This regulation is enforceable 24 hours a day from 12:01 a.m. on October 1, 2017 through December 31, 2018.

(2) Prior to commencing or suspending enforcement of this regulation, the COTP and designated on-scene patrol personnel will notify the public whenever the regulation is being enforced and whenever enforcement is lifted, to include dates and times. The means of notification will include, but are not limited to, Broadcast Notice to Mariners and Local Notice to Mariners, Marine Safety Information Bulletins, or other appropriate means.

(d) *Regulations.* (1) The general regulations contained in 33 CFR 165.23, as well as the following regulations, apply.

(2) During periods of enforcement, all persons and vessels must comply with all orders and directions from the COTP or the COTP's designated representative.

(3) During periods of enforcement, upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of the vessel must proceed as directed.

EFFECTIVE DATE NOTE: By USCG-2017-0937, 82 FR 45986, Oct. 3, 2017, §165.T01-0937 was added, effective Oct. 3, 2017, to Dec. 31, 2018.

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§165.100 Regulated Navigation Area: Navigable waters within the First Coast Guard District.

(a) *Regulated navigation area.* All navigable waters of the United States, as that term is used in 33 CFR 2.36, within the geographic boundaries of the First Coast Guard District, as defined in 33 CFR 3.05-1(b).

(b) *Definitions.* Terms used in this section have the same meaning as those found in 33 CFR 157.03. Single-hull identifies any tank barge that is not a double-hull tank barge.

(c) *Applicability.* This section applies to primary towing vessels engaged in towing tank barges carrying petroleum oil in bulk as cargo in the regulated navigation area, or as authorized by the District Commander.

(d) *Regulations—(1) Positive control for barges.* (i) Except as provided in paragraph (d)(1)(iii) and paragraph 5 of this section, each single hull tank barge, unless being towed by a primary towing vessel with twin-screw propulsion and with a separate system for power to each screw, must be accompanied by an escort tug of sufficient capability to promptly push or tow the tank barge away from danger of grounding or collision in the event of—

(A) A propulsion failure;

(B) A parted towing line;

(C) A loss of tow;

(D) A fire;

(E) Grounding;

(F) A loss of steering; or

(G) Any other time a vessel may be operating in a Hazardous Vessel Operating Condition as defined in §161.2 of this Chapter.

(ii) Double-hull tank barges are exempt from paragraph (d)(1)(i) of this section.

(iii) The cognizant Captain of the Port (COTP), upon written application, may authorize an exemption from the requirements of paragraph (d)(1)(i) of this section for—

(A) Any tank barge with a capacity of less than 25,000 barrels, operating in an area with limited depth or width such as a creek or small river; or

(B) Any tank barge operating on any waters within the COTP Zone, if the operator demonstrates to the satisfaction of the COTP that the barge employs an equivalent level of safety to that provided by the positive control provisions of this section. Each request for an exemption under this paragraph must be submitted in writing to the cognizant COTP no later than 7 days before the intended transit.

(iv) The operator of a towing vessel engaged in towing any tank barge must immediately call for an escort or assist tug to render assistance in the event of any of the occurrences identified in paragraph (d)(1)(i) of this section.

(2) *Enhanced communications.* Each vessel engaged in towing a tank barge must communicate by radio on marine band or Very High Frequency (VHF) channel 13 or 16, and issue security calls on marine band or VHF channel 13 or 16, upon approach to the following places:

(i) Execution Rocks Light (USCG Light List No. [LLNR] 21440).

(ii) Matinecock Point Shoal Lighted Gong Buoy 21 (LLNR 21420).

(iii) 32A Buoy (LLNR 21380).

(iv) Cable and Anchor Reef Lighted Bell Buoy 28C (LLNR 21330).

(v) Stratford Shoal (Middle Ground) Light (LLNR 21260).

(vi) Old Field Point Light (LLNR 21275).

(vii) Approach to Stratford Point from the south (NOAA Chart 12370).

(viii) Falkner Island Light (LLNR 21170).

(ix) TE Buoy (LLNR 21160).

(x) PI Buoy (LLNR 21080).

(xi) Race Rock Light (LLNR 19815).

(xii) Valiant Rock Lighted Whistle Buoy 11 (LLNR 19825).

(xiii) Approach to Point Judith in vicinity of Block Island ferry route.

(xiv) Buzzards Bay Entrance Light (LLNR 630).

(xv) Buzzards Bay Midchannel Lighted Buoy BB (LLNR 16055)

(xvi) Cleveland East Ledge Light (LLNR 016080).

(xvii) Hog Island Channel Lighted Buoys 1 (LLNR 16130) and 2 (LLNR 16135).

(xviii) Approach to the Bourne Bridge.

(xix) Approach to the Sagamore Bridge.

(xx) Approach to the eastern entrance of Cape Cod Canal.

(3) *Voyage planning.* (i) Each owner or operator of a towing vessel employed to tow a tank barge shall prepare a written voyage plan for each transit of the tank barge.

(ii) The watch officer is authorized to make modifications to the plan and validate it as necessary.

(iii) Except as provided in paragraph (d)(3)(iv) of this section, each voyage plan must contain:

(A) A description of the type, volume, and grade of cargo.

(B) Applicable information from nautical charts and publications, including Coast Pilot, Coast Guard Light List, and Coast Guard Local Notice to Mariners, for the destination(s).

(C) Current and forecasted weather, including visibility, wind, and sea state for the destination(s).

(D) Data on tides and tidal currents for the destination(s).

(E) Forward and after drafts of the tank barge, and under-keel and vertical clearances for each port and berthing area.

(F) Pre-departure checklists.

(G) Calculated speed and estimated times of arrival at proposed waypoints.

(H) Communication contacts at Vessel Traffic Service (VTS) (if applicable), bridges, and facilities, and port-specific requirements for VHF radio.

(I) The master's standing orders detailing closest points of approach, special conditions, and critical maneuvers.

(iv) Each owner or operator of a tank barge on an intra-port transit of not more than four hours may prepare a voyage plan that contains:

(A) The information described in paragraphs (d)(3)(iii)(D) and (E) of this section.

(B) Current weather conditions including visibility, wind, and sea state. This information may be entered in either the voyage plan or towing vessel's log book.

(C) The channels of VHF radio to monitor.

(D) Other considerations such as availability of pilot, assist tug, berth, and line-handlers, depth of berth at mean low water, danger areas, and security calls.

(4) *Navigation restriction areas.* Unless authorized by the cognizant COTP, no tank barge may operate in—

(i) The waters of Cape Cod Bay south of latitude 42°5' North and east of longitude 70°25' West; or

(ii) The waters of Fishers Island Sound east of longitude 72°2' West, and west of longitude 71°55' West.

(5) *Special Buzzards Bay regulations.* (i) For the purposes of this section, "Buzzards Bay" is the body of water east and north of a line drawn from the southern tangent of Sakonnet Point, Rhode Island, in approximate position latitude 41°27.2' North, longitude 71°11.7' West, to the Buzzards Bay Entrance Light in approximate position latitude 41°23.48' North, longitude 71°02.5' West, and then to the southwestern tangent of Cuttyhunk Island, Massachusetts, at approximate position latitude 41°24.6' North, longitude 70°57.0' West, and including all of the Cape Cod Canal to its eastern entrance, except that the area of New Bedford harbor within the confines (north) of the hurricane barrier, and the passages through the Elizabeth Islands, is not considered to be "Buzzards Bay".

(ii) *Additional positive control for barges.* Except as provided in paragraph (d)(1)(iii) of this section, each single hull tank barge transiting Buzzards Bay and carrying 5,000 or more barrels of oil or other hazardous material must, in addition to its primary tug, be accompanied by an escort tug of sufficient capability to promptly push or tow the tank barge away from danger of grounding or collision in the event of—

(A) A propulsion failure;

(B) A parted tow line;

(C) A loss of tow;

(D) A fire;

(E) Grounding;

(F) A loss of steering; or

(G) Any other time a vessel may be operating in a Hazardous Vessel Operating Condition as defined in §161.2 of this subchapter.

(iii) *Federal pilotage.* Each single hull tank barge transiting Buzzards Bay and carrying 5,000 or more barrels of oil or other hazardous material must be under the direction and control of a pilot, who is not a member of the crew, operating under a valid, appropriately endorsed, Federal first class pilot's license issued by the Coast Guard ("federally licensed pilot"). Pilots are required to embark, direct, and control from the primary tug during transits of Buzzards Bay.

(iv) In addition to the vessels denoted in §161.16 of this chapter, requirements set forth in subpart B of 33 CFR part 161 also apply to any vessel transiting VMRS Buzzards Bay required to carry a bridge-to-bridge radiotelephone by part 26 of this chapter.

(A) A VMRS Buzzards Bay user must:

(1) Not enter or get underway in the area without first notifying the VMRS Center;

(2) Not enter VMRS Buzzards Bay if a Hazardous Vessel Operating Condition or circumstance per §161.2 of this Subchapter exists;

(3) If towing astern, do so with as short a hawser as safety and good seamanship permits;

(4) Not meet, cross, or overtake any other VMRS user in the area without first notifying the VMRS center;

(5) Before meeting, crossing, or overtaking any other VMRS user in the area, communicate on the designated vessel bridge-to-bridge radiotelephone frequency, intended navigation movements, and any other information necessary in order to make safe passing arrangements. This requirement does not relieve a vessel of any duty prescribed by the Navigation Rules (COLREGS and their associated Annexes and Inland Navigation Rules (33 CFR subchapter E)).

(B) [Reserved]

(e) In addition to the authority for this part 165, this section is also authorized under authority of section 311, Pub. L. 105-383.

[CGD1-98-151, 63 FR 71770, Dec. 30, 1998, as amended by CGD01-98-151, 64 FR 12749, Mar. 15, 1999; USCG-1999-5832, 64 FR 34715, June 29, 1999; CGD01-98-151, 65 FR 35838, June 6, 2000; CGD01-04-133, 72 FR 50058, Aug. 30, 2007; 72 FR 70780, Dec. 13, 2007; USCG-2008-0179, 73 FR 35016, June 19, 2008; USCG-2015-0433, 80 FR 44283, July 27, 2015; USCG-2016-0498, 82 FR 35088, July 28, 2017]

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§165.101 Kittery, Maine—regulated navigation area.

(a) The following is a regulated navigation area—Waters within the boundaries of a line beginning at 43°04'50" N, 70°44'52" W; then to 43°04'52" N, 70°44'53" W; then to 43°04'59" N, 70°44'46" W; then to 43°05'05" N, 70°44'32" W; then to 43°05'03" N, 70°44'30" W; then to the beginning point.

(b) *Regulations.* No vessel may operate in this area at a speed in excess of five miles per hour.

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§165.102 Security Zone: Walkers Point, Kennebunkport ME.

(a) *Location.* The following area is a security zone: From point of land located on Cape Arundel at latitude 43°20.4' North, longitude 070°28.0' West; thence to a point approximately 500 yards southwest of Walkers Point located at latitude 43°20.2' North, longitude 070°27.9' West; thence to a point located approximately 500 yards south of Walkers Point at latitude 43°20.1' North, longitude 070°27.6' West; thence to a point located approximately southeast of Walkers Point at latitude 43°20.4' North, longitude 070°27.2' West; thence to an unnamed point of land located at 43°20.9' North, longitude 070°27.1' West; thence along the shoreline of Walkers Point to the beginning point. The aforementioned offshore positions are approximated by white buoys marked in orange indicating an exclusionary area.

(b) *Regulations.* (1) In accordance with the general regulations in §165.33 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port, Portland, Maine. Section 165.33 also contained other general requirements.

(2) No person may swim upon or below the surface of the water within the boundaries of this security zone.

[CGDI 89-008, 54 FR 13883, Apr. 6, 1989]

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§165.103 Safety and Security Zones; LPG Vessel Transits in Portland, Maine, Captain of the Port Zone, Portsmouth Harbor, Portsmouth, New Hampshire.

(a) *Location.* The following areas are safety and security zones: (1) Except as provided in paragraph (a) (2) of this section, all navigable waters of the Portland, Maine, Captain of the Port zone, as defined in 33 CFR 3.05-15, one mile ahead, one half mile astern, and 1000-yards on either side of any Liquefied Petroleum Gas vessel.

(2) All waters of the Piscataqua River within a 500-yard radius of any Liquefied Petroleum Gas (LPG) vessel while it is moored at the LPG receiving facility on the Piscataqua River, Newington, New Hampshire.

(b) *Definitions.* For purposes of this section, navigable waters of the United States includes all waters of the territorial sea as described in Presidential Proclamation No. 5928 of December 27, 1988. Presidential Proclamation No. 5928 of December 27, 1988 declared that the territorial sea of the United States extends to 12 nautical miles from the baseline of the United States.

(c) *Regulations.* (1) In accordance with the general regulations in §§165.23 and 165.33 of this part, entry into or movement within these zones is prohibited unless previously authorized by the Captain of the Port (COTP), Portland, Maine.

(2) All persons and vessels shall comply with the instructions of the COTP or the designated on-scene U.S. Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, and local, state, and federal law enforcement vessels. Emergency response vessels are authorized to move within the zone, but must abide by restrictions imposed by the Captain of the Port.

(3) No person may swim upon or below the surface of the water within the boundaries of the safety and security zones unless previously authorized by the Captain of the Port, Portland, Maine or his authorized patrol representative.

(d) The Captain of the Port will notify the maritime community and local agencies of periods during which these safety and security zones will be in effect by providing notice of arrivals and departures of LPG vessels via the telephone and/or Marine Safety Information Radio Broadcasts.

[CGD01-02-045, 67 FR 56487, Sept. 4, 2002]

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§165.104 Safety Zone: Vessel Launches, Bath Iron Works, Kennebec River, Bath, Maine.

(a) *Location.* The following is a safety zone: all waters of the Kennebec River within a 150-yard radius of the Bath Iron Works dry dock while it is being moved to and from its moored position at the Bath Iron Works Facility in Bath, Maine to a deployed position in the Kennebec River, and while launching or recovering vessels.

(b) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into or movement within this zone is prohibited unless authorized by the Captain of the Port, Portland, Maine.

(2) All vessel operators shall comply with the instructions of the COTP or the designated on-scene U. S. Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state and federal law enforcement vessels.

(c) *Notifications.* The Captain of the Port will notify the maritime community of periods during which this safety zone will be in effect by providing advance notice via Marine Safety Information Radio Broadcasts.

[CGD01-01-155, 67 FR 49582, July 31, 2002]

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§165.105 Security Zones; Passenger Vessels, Portland, Maine, Captain of the Port Zone.

(a) *Definition.* "Passenger vessel" as used in this section means a passenger vessel over 100 gross tons authorized to carry more than 500 passengers for hire making voyages, any part of which is on the high seas, and for which passengers are embarked, disembarked or pay a port call, in the Portland, Maine, Captain of the Port zone as delineated in 33 CFR 3.05-15.

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

(1) All navigable waters within the Portland, Maine, Captain of the Port Zone, extending from the surface to the sea floor, within a 100-yard radius of any passenger vessel that is anchored, moored, or in the process of mooring.

(2) All navigable waters, within the Portland, Maine, Captain of the Port Zone, extending from the surface to the sea floor, extending 200 yards ahead, and 100 yards aside and astern of any passenger vessel that is underway.

(c) *Regulations.* (1) In accordance with the general regulations in §165.33 of this part, entry into or movement within these zones is prohibited unless previously authorized by the Coast Guard Captain of the Port, Portland, Maine (COTP) or his designated representative.

(2) All persons and vessels must comply with the instructions of the COTP or the designated on-scene Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, and local, state and federal law enforcement vessels. Emergency response vessels are authorized to move within the zone, but must abide by restrictions imposed by the COTP or his designated representative.

(3) No person may swim upon or below the surface of the water within the boundaries of these security zones unless previously authorized by the COTP or his designated representative.

(d) *Enforcement.* The Captain of the Port will enforce these zones and may enlist the aid and cooperation of any Federal, state, county, municipal, or private agency to assist in the enforcement of the regulation.

[CGD01-03-001, 68 FR 22305, Apr. 28, 2003]

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§165.106 Security Zone: Seabrook Nuclear Power Plant, Seabrook, New Hampshire.

(a) *Location.* The following area is a security zone: All land and waters within 250 yards of the waterside property boundary of Seabrook Nuclear Power Plant identified as follows: beginning at position 42°53'58" N, 070°51'06" W then running along the property boundaries of Seabrook Nuclear Power Plant to position 42°53'46" N, 070°51'06" W. All coordinates reference 1983 North American Datum (NAD 83).

(b) *Regulations.* (1) In accordance with the general regulations in §165.33 of this part, entry into or movement within this zone is prohibited unless authorized by the Captain of the Port, Portland, Maine (COTP).

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port, Portland, Maine or designated on-scene U.S. Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state and federal law enforcement vessels.

(3) No person may swim upon or below the surface of the water within the boundaries of this security zone.

[CGD01-02-092, 67 FR 64815, Oct. 22, 2002]

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§165.110 Safety and Security Zone; Liquefied Natural Gas Carrier Transits and Anchorage Operations, Boston, Massachusetts.

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

Authorized representative means a Coast Guard commissioned, warrant, or petty officer or a Federal, State, or local law enforcement officer designated by or assisting the Captain of the Port (COTP) Boston.

Deepwater port means any facility or structure meeting the definition of deepwater port in 33 CFR 148.5.

Support vessel means any vessel meeting the definition of support vessel in 33 CFR 148.5.

(b) *Location.* The following areas are safety and security zones:

(1) *Vessels underway.* All navigable waters of the United States within the Captain of the Port (COTP) Boston zone, as defined in 33 CFR 3.05-10, two miles ahead and one mile astern, and 500 yards on each side of any liquefied natural gas carrier (LNGC) vessel while underway.

(2) *Vessels anchored in the Broad Sound.* All waters within a 500-yard radius of any anchored LNGC vessel located in the waters of Broad Sound bounded by a line starting at position 42 deg. 25' N, 070 deg. 58' W; then running southeast to position 42 deg. 22' N, 070 deg. 56' W; then running east to position 42 deg. 22' N, 070 deg. 50' W; then running north to position 42 deg. 25' N, 070 deg. 50' W; then running west back to the starting point (NAD 83).

(3) *Vessels moored at the Distrigas LNG facility.* All waters within a 400-yard radius of any LNGC vessel moored at the Distrigas LNG facility in Everett, MA.

(4) *Vessels calling on a deepwater port.* All waters within a 500-meter radius of any LNGC engaged in regasification or transfer, or otherwise moored, anchored, or affixed to a deepwater port listed in 33 CFR 150.490 and falling within the waters of the Boston COTP Zone, as defined in 33 CFR 3.05-10.

(c) *Regulations.* (1) In accordance with the general regulations in Sec. 165.23 and Sec. 165.33 of this part, entry into or movement within these zones is prohibited unless authorized by the Captain of the Port Boston, or his/her authorized representative.

(2) No person or vessel may enter the waters within the boundaries of the safety and security zones described in paragraph (b) of this section unless previously authorized by the COTP Boston, or his/her authorized representative. However, LNGCs and support vessels, as defined in 33 CFR 148.5, operating in the vicinity of NEGDWP are authorized to enter and move within such zones in the normal course of their operations following the requirements set forth in 33 CFR 150.340 and 150.345, respectively.

(3) All vessels operating within the safety and security zones described in paragraph (b) of this section must comply with the instructions of the COTP or his/her authorized representative.

[CGD01-02-023, 67 FR 63263, Oct. 11, 2002, as amended by USCG-2007-0087, 73 FR 34194, June 17, 2008]

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§165.111 Safety Zone: Boston Harbor, Boston, Massachusetts.

(a) The following areas are established as safety zones during the conditions specified:

(1) Around the U.S.S. *Constitution* or any accompanying parade vessels when *Constitution* is under way—300 yards in all directions in the waters around the U.S.S. *Constitution* and each parade vessel accompanying *Constitution* whenever the U.S.S. *Constitution* is underway in Boston Harbor from the time such vessels depart their respective berths until the time they complete their transit and are safely moored.

(2) Whenever *Constitution* is moored at Pier 1, Charlestown Navy Yard—the waters between Hoosac Pier and Pier 1, Charlestown Navy Yard, from the imaginary line connecting the outer easternmost point protruding into Boston Harbor from Hoosac Pier to the outer westernmost point protruding into Boston Harbor from Pier 1, Charlestown Navy Yard, extending inbound along the face of both piers to the landside points where both piers end.

(3) Around the U.S.S. *Constitution*—fifty yards in all directions in the waters around *Constitution* when the vessel is moored at any Boston berthing location other than Pier 1, Charlestown Navy Yard.

(b) The general regulations governing safety zones as contained in 33 CFR 165.23 apply.

[CGD1 91-109, 57 FR 30407, July 9, 1992]

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§165.112 Safety Zone: USS CASSIN YOUNG, Boston, Massachusetts.

(a) *Location.* The following area is a safety zone:

Around the USS CASSIN YOUNG (DD-793) and any accompanying parade vessels when the USS CASSIN YOUNG is underway. The zone extends 100 yards in all directions in the waters around the USS CASSIN YOUNG and accompanying parade vessels whenever the USS CASSIN YOUNG is underway in Boston Harbor from the time the USS CASSIN YOUNG departs its berth until it is safely moored.

(b) *Regulations.* The general regulations governing safety zones as contained in 33 CFR 165.23 apply.

[CGD01-93-001, 58 FR 47991, Sept. 14, 1993]

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§165.113 Security Zone: Dignitary arrival/departure Logan International Airport, Boston, MA.

(a) *Location.* The permanent security zone consists of four sectors that may be activated in part, or in whole, upon the request of the U.S. Secret Service. These zones are for the protection of the President or Vice President of the United States, as well as visiting heads of foreign states or foreign governments arriving at, or departing from, Logan International Airport and as determined by the transit route across Boston Harbor. The security zone will be as follows:

(1) Sector one will go into effect 15 minutes prior to the scheduled landing or takeoff of the aircraft carrying either the President, Vice President, or visiting heads of foreign states or foreign governments at Logan International Airport. Sector one will preclude all vessels from approaching within three hundred yards of the Logan International Airport shoreline, bound on the west by a line drawn between positions 42°22'45" N., 071°01'05" W. and 42°21'48" N., 071°01'45" W. (NAD) 1983).

(2) Sector two will go into effect 15 minutes before the vehicle carrying the President, Vice President, or visiting heads of foreign states or foreign governments enters the Callahan Tunnel or Sumner Tunnel. Sector two may preclude vessels, as necessary, from entering an area of the main ship channel, Boston Inner Harbor; fifty yards in all directions from a point directly above the Callahan Tunnel or Sumner Tunnel.

(3) Sector three will go into effect 15 minutes before the vehicle carrying the President, Vice President, or visiting heads of foreign states or foreign governments enters the Ted Williams Tunnel. Sector three may preclude vessels, as necessary, from

entering an area of the main ship channel, Boston Inner Harbor, fifty yards in all directions from a point directly above the Ted Williams Tunnel.

(4) Sector four will go into effect 15 minutes before the President, Vice President, or visiting heads of foreign states or foreign governments board the designated transport vessel. Sector four will preclude all vessels from approaching within three hundred yards in all directions from the designated vessel transporting the President, Vice President, or visiting heads of foreign states or foreign governments between Logan International Airport and any location in Boston Harbor.

(5) The activation of a particular sector of this security zone will be announced via Safety Marine Information Broadcasts and/or by locally issued notices.

(b) *Regulations.* (1) The general regulations covering security zones contained in 33 CFR 165.33 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

[CGD01-97-004, 63 FR 16117, Apr. 2, 1998]

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§165.114 Safety and Security Zones: Escorted Vessels—Boston Harbor, Massachusetts.

(a) *Location.* The following waters within the Boston Captain of the Port Zone, 1000 yards ahead and astern, and 100 yards on each side of any designated escorted vessel, are established as safety and security zones: All waters of Boston Inner Harbor, including the waters of the Mystic River, Chelsea River, and Reserved Channel west of a line running from Deer Island Light, at position 42°20'25" N, 070°57'15" W, to Long Island, at position 42°19'48" N, 070°57'15" W, and west of the Long Island Bridge, running from Long Island to Moon Head.

(b) *Escorted vessel definition.* For the purposes of this section, escorted vessels operating in Boston Harbor include the following: Any vessels deemed to be in need of escort protection by the Captain of the Port, Boston for security reasons.

(c) *Regulations.* (1) In accordance with the general regulations in §§165.23 and 165.33 of this part, entry into or movement within this zone is prohibited unless authorized by the Captain of the Port Boston.

(2) All vessel operators shall comply with the instructions of the COTP or the designated on-scene U.S. Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state, and federal law enforcement vessels.

[CGD01-01-227, 67 FR 20912, Apr. 29, 2002, as amended by CGD01-01-227, 67 FR 63265, Oct. 11, 2002]

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§165.115 Safety and Security Zones; Pilgrim Nuclear Power Plant, Plymouth, Massachusetts.

(a) *Location.* All waters of Cape Cod Bay and land adjacent to those waters enclosed by a line beginning at position 41°56'59.3" N, 070°34'58.5" W; thence to 1°57'12.2" N, 070°34'41.9" W; thence to 41°56'42.3" N, 070°34'00.1" W; thence to 41°56'29.5" N, 070°34'14.5" W.

(b) *Regulations.* (1) In accordance with the general regulations in §§165.23 and 165.33 of this part, entry into or movement within these zones is prohibited unless authorized by the Captain of the Port Boston.

(2) All vessel operators shall comply with the instructions of the COTP or the designated on-scene U.S. Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state, and federal law enforcement vessels.

(3) No person may enter the waters or land area within the boundaries of the safety and security zones unless previously authorized by the Captain of the Port, Boston or his authorized patrol representative.

[CGD01-02-002, 67 FR 37693, May 30, 2002, as amended by USCG-2009-0311, 74 FR 50925, Oct. 2, 2009]

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§165.116 Safety and Security Zones; Salem and Boston Harbors, Massachusetts.

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

(1) *Reserved Channel, Boston Harbor.* All waters of Boston Harbor within one hundred fifty (150) yards off the bow and stern and one hundred (100) yards abeam of any vessel moored at the Massachusetts Port Authority Black Falcon Terminal;

(2) *Boston Inner Harbor*. All waters of Boston Harbor within one hundred (100) feet of the Coast Guard Integrated Support Command (ISC) Boston piers and;

(3) *Salem Harbor*. All waters of Salem Harbor within a two-hundred and fifty (250) yard radius of the center point of the PG & E Power Plant Terminal Wharf, Salem, MA, located at 42°31.33' N, 070°52.67' W when a vessel is moored at this pier. All coordinates are North American Datum 1983.

(b) *Regulations*. (1) In accordance with the general regulations in §165.23 and §165.33 of this part, entry into or movement within these zones is prohibited unless authorized by the Captain of the Port Boston.

(2) All vessel operators shall comply with the instructions of the Captain of the Port or the designated on-scene U.S. Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state, and federal law enforcement vessels.

(3) No person may enter the waters or land area within the boundaries of the safety and security zones unless previously authorized by the Captain of the Port, Boston or his authorized patrol representative.

[CGD01-02-016, 67 FR 45909, July 11, 2002, as amended by USCG-2009-0416, 74 FR 27441, June 10, 2009]

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§165.117 Regulated Navigation Areas, Safety and Security Zones: Deepwater Ports, First Coast Guard District.

(a) *Location*—(1) *Regulated navigation areas*. All waters within a 1,000 meter radius of the geographical positions set forth in paragraph (a)(3) of this section are designated as regulated navigation areas.

(2) *Safety and security zones*. All waters within a 500-meter radius of the geographic positions set forth in paragraph (a)(3) of this section are designated as safety and security zones.

(3) *Coordinates*. (i) The geographic coordinates forming the loci for the regulated navigation areas, safety and security zones for the Northeast Gateway Deepwater Port are: 42°23'38" N., 070°35'31" W.; and 42°23'56" N., 070°37'00" W. (NAD 83).

(ii) The geographic coordinates forming the loci for the regulated navigation areas, safety, and security zones for Neptune Deepwater Port are: 42°29'12.3" N., 70°36'29.7" W.; and 42°27'20.5" N., 70°36'07.3" W. (NAD 83).

(iii) [Reserved]

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

Authorized representative means a Coast Guard commissioned, warrant, or petty officer or a Federal, State, or local law enforcement officer designated by or assisting the Captain of the Port (COTP) Boston.

Deepwater port means any facility or structure meeting the definition of deepwater port in 33 CFR 148.5.

Dredge means fishing gear consisting of a mouth frame attached to a holding bag constructed of metal rings or mesh.

Support vessel means any vessel meeting the definition of support vessel in 33 CFR 148.5.

Trap means a portable, enclosed device with one or more gates or entrances and one or more lines attached to surface floats used for fishing. Also called a pot.

(c) *Applicability*. This section applies to all vessels operating in the regulated navigation areas set forth in paragraph (a) of this section, except—

(1) Those vessels conducting cargo transfer operations with the deepwater ports whose coordinates are provided in paragraph (a)(3) of this section,

(2) Support vessels operating in conjunction therewith, and

(3) Coast Guard vessels or other law enforcement vessels operated by or under the direction of an authorized representative of the COTP Boston.

(d) *Regulations*. (1) No vessel may anchor, engage in diving operations, or commercial fishing using nets, dredges, traps (pots), or use of remotely operated vehicles (ROVs) in the regulated navigation areas set forth in paragraph (a)(1) of this section.

(2) In accordance with the general regulations in §§165.23 and 165.33 of this part, entry into or movement within the safety and security zones designated in paragraph (a)(2) of this section is prohibited unless authorized by the COTP Boston, or his/her authorized representative.

(3) Notwithstanding paragraph (d)(2) of this section, tankers and support vessels, as defined in 33 CFR 148.5, operating in the vicinity of NEGDWP are authorized to enter and move within such zones in the normal course of their operations following the requirements set forth in 33 CFR 150.340 and 150.345, respectively.

(4) All vessels operating within the safety and security zones described in paragraph (a)(2) of this section must comply with the instructions of the COTP or his/her authorized representative.

[USCG-2007-0087, 73 FR 34194, June 17, 2008, as amended by USCG-2009-0589, 75 FR 51377, Aug. 20, 2010; USCG-2014-0410, 79 FR 38442, July 7, 2014]

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§165.118 Safety Zones; recurring annual events held in Coast Guard Sector Boston Captain of the Port Zone.

The Coast Guard is establishing safety zones for the events listed in Table 1 of this section. These regulations in this section will be enforced for the duration of each event, on or about the dates indicated in Table 1 of this section. Annual notice of the exact dates and times of the effective period of the regulations in this section with respect to each event, the geographical description of each regulated area, and details concerning the nature of the event and the number of participants and type(s) of vessels involved will be made to the local maritime community through the Local Notice to Mariners and/or Broadcast Notice to Mariners well in advance of the events. If the event does not have a date listed, then the exact dates and times of the enforcement will be announced through a Notice of Enforcement in the FEDERAL REGISTER. Mariners should consult the FEDERAL REGISTER or their LNM to remain apprised of minor schedule or event changes. First Coast Guard District LNM can be found at: <http://www.navcen.uscg.gov/>. The Sector Boston Marine Events schedule can also be viewed electronically at: <http://www.homeport.uscg.mil>. Although listed in the Code of Federal Regulations, sponsors of events listed in Table 1 of this section are still required to submit a marine event permit application each year in accordance with 33 CFR 100.15.

(a) The Coast Guard may patrol each event area under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander may be contacted on Channel 16 VHF-FM (156.8 MHz) by the call sign "PATCOM." Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the Captain of the Port, Sector Boston.

(b) Vessels may not transit the regulated areas without Patrol Commander approval. Vessels permitted to transit must operate at a no wake speed, in a manner which will not endanger participants or other crafts in the event.

(c) Spectators or other vessels shall not anchor, block, loiter, or impede the movement of event participants or official patrol vessels in the regulated areas during the effective dates and times, or dates and times as modified through the LNM, unless authorized by an official patrol vessel.

(d) The Patrol Commander may control the movement of all vessels in the regulated area. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the lawful directions issued. Failure to comply with a lawful direction may result in expulsion from the area, citation for failure to comply, or both.

(e) The Patrol Commander may delay or terminate any marine event in this subpart at any time it is deemed necessary to ensure the safety of life or property. Such action may be justified as a result of weather, traffic density, spectator operation or participant behavior.

(f) For all fireworks displays listed below, the regulated area is that area of navigable waters within a 350-yard radius of the launch platform or launch site for each fireworks display, unless modified in the LNM at: <http://www.navcen.uscg.gov/>.

(g) For all swimming events listed, vessels not associated with the event shall maintain a distance of at least 100 yards from the participants.

TABLE 1

6.0	June
6.1 Sand and Sea Festival Fireworks	• Event Type: Fireworks Display.
	• Sponsor: Salisbury Beach Partnership, Inc.
	• Date: A one-night event on Saturday during the last weekend of June, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 10:00 p.m. to 10:30 p.m.
	• Location: All waters of the Atlantic Ocean near Salisbury Beach within a 350-yard radius of the fireworks launch site located at position 42°50.6' N, 70°48.4' W (NAD 83).
6.2 St. Peter's Fiesta Fireworks	• Event Type: Fireworks Display.
	• Sponsor: St. Peters Fiesta.
	• Date: A one-night event on Saturday during the last weekend of June, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 8:00 p.m. to 10:00 p.m.
	• Location: All waters of Gloucester Harbor, Stage Fort Park, within a 350-yard radius of the fireworks launch site on the beach located at position 42°36.3' N, 070°40.5' W (NAD 83).
6.3 Surfside Fireworks	• Event Type: Fireworks Display.
	• Sponsor: Salisbury Beach Partnership and Chamber of Commerce.

	<ul style="list-style-type: none"> • Date: Every Saturday from June through September, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 9:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: All waters of the Atlantic Ocean near Salisbury Beach, MA, within a 350-yard radius of the fireworks barge located at position 42°50.6' N, 070°48.4' W (NAD 83).
6.4 Cohasset Triathlon	<ul style="list-style-type: none"> • Event Type: Swim.
	<ul style="list-style-type: none"> • Sponsor: Bill Burnett.
	<ul style="list-style-type: none"> • Date: A one-day event on Sunday during the last weekend of June, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 08:30 a.m. to 10:00 a.m.
	<ul style="list-style-type: none"> • Location: All waters in the vicinity of Cohasset Harbor around Sandy Beach, within the following points (NAD 83):
	42°15.6' N, 070°48.1' W.
	42°15.5' N, 070°48.1' W.
	42°15.4' N, 070°47.9' W.
	42°15.4' N, 070°47.8' W.
6.5 Hull Youth Football Carnival Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Sponsor: Hull Youth Football.
	<ul style="list-style-type: none"> • Date: A one-night event on the third or fourth weekend of June, as specified in the USCG District 1 Local Notice to Mariners Time: 9:00 p.m. to 11:00 p.m.
	<ul style="list-style-type: none"> • Location: All waters within a 450-foot radius of the fireworks barge located approximately 500 feet off Nantasket Beach, Hull MA located at position 42°16.6' N, 070°51.7' W (NAD 83).
7.0	July
7.1 City of Lynn 4th of July Celebration Fireworks	<ul style="list-style-type: none"> • Event Type: Firework Display.
	<ul style="list-style-type: none"> • Sponsor: City of Lynn.
	<ul style="list-style-type: none"> • Date: July 3rd, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 6:00 p.m. to 11:00 p.m.
	<ul style="list-style-type: none"> • Location: All waters of Nahant Bay, within a 350-yard radius of the fireworks barge located at position 42°27.62' N, 070°55.58' W (NAD 83).
7.2 Gloucester July 4th Celebration Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Sponsor: The Gloucester Fund.
	<ul style="list-style-type: none"> • Date: July 3rd, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 10:30 p.m. to 11:00 p.m.
	<ul style="list-style-type: none"> • Location: All waters of Gloucester Harbor, Stage Fort Park, within a 350-yard radius of the fireworks launch site on the beach located at position 42°36.3' N, 070°40.5' W (NAD 83).
7.3 Manchester by the Sea Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Sponsor: Manchester Parks and Recreation Department.
	<ul style="list-style-type: none"> • Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:00 p.m.
	<ul style="list-style-type: none"> • Location: All waters of Manchester Bay within a 350-yard radius of the fireworks launch site barge located at position 42°35.03' N, 070°45.52' W (NAD 83).
7.4 Weymouth 4th of July Celebration Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Sponsor: Town of Weymouth 4th of July Committee.
	<ul style="list-style-type: none"> • Date: Friday or Saturday during the first weekend before July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 8:00 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: All waters of Weymouth Fore River, within a 350-yard radius of the fireworks launch site located at position 42°15.5' N, 070°56.1' W (NAD 83).
7.5 Beverly 4th of July Celebration Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Sponsor: Beverly Harbormaster.
	<ul style="list-style-type: none"> • Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 9:00 p.m. to 11:00 p.m.
	<ul style="list-style-type: none"> • Location: All waters of Beverly Harbor within a 350-yard radius of the fireworks launch barge located at position 42°32.62' N, 070°52.15' W (NAD 83).
7.6 Beverly Farms 4th of July Celebration Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Sponsor: Farms-Pride 4th of July Committee.
	<ul style="list-style-type: none"> • Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 9:00 p.m. to 9:30 p.m.
	<ul style="list-style-type: none"> • Location: All waters of Manchester Bay within a 350-yard radius of the fireworks launch site near West Beach located at position 42°33.84' N, 070°48.5' W (NAD 83).
7.7 Boston Pops Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Sponsor: Boston 4 Celebrations.
	<ul style="list-style-type: none"> • Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 11:00 p.m.
	<ul style="list-style-type: none"> • Location: All waters of the Charles River within a 350-yard radius of the fireworks barges located in the vicinity of position 42°21.47' N, 071°05.03' W (NAD 83).
7.8 City of Salem Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Sponsor: City of Salem.
	<ul style="list-style-type: none"> • Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: 9:00 p.m. to 10:00 p.m.
	<ul style="list-style-type: none"> • Location: All waters of Salem Harbor, within a 350-yard radius of the fireworks launch site located on Derby Wharf at position 42°31.15' N, 070°53.13' W (NAD 83).

7.9 Marblehead 4th of July Fireworks	• Event Type: Fireworks Display.
	• Sponsor: Town of Marblehead.
	• Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 8:30 p.m. to 9:30 p.m.
7.10 Plymouth 4th of July Fireworks	• Location: All waters of Marblehead Harbor within a 350-yard radius of the fireworks launch site located at position 42°30.34' N, 070°50.13' W (NAD 83).
	• Event Type: Fireworks Display.
	• Sponsor: July 4 Plymouth, Inc.
	• Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
7.11 Town of Nahant Fireworks	• Time: 9:00 p.m. to 10:00 p.m.
	• Location: All waters of Plymouth Harbor within a 350-yard radius of the fireworks launch site located at position 42°57.3' N, 070°38.3' W (NAD 83).
	• Event Type: Fireworks Display.
	• Sponsor: Town of Nahant.
7.12 Town of Revere Fireworks	• Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 9:00 p.m. to 11:00 p.m.
	• Location: All waters of Nahant Harbor within a 350-yard radius of the fireworks launch site on Bailey's Hill Park located at position 42°25.1' N, 070°55.8' W (NAD 83).
	• Event Type: Fireworks Display.
7.13 Yankee Homecoming Fireworks	• Sponsor: Town of Revere.
	• Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 9:00 p.m. to 11:00 p.m.
	• Location: All waters of Broad Sound, within a 350-yard radius of the fireworks launch site located at Revere Beach at position 42°24.5' N, 070°59.47' W (NAD 83).
7.14 Hingham 4th of July Fireworks	• Event Type: Fireworks Display.
	• Sponsor: Yankee Homecoming.
	• Date: A one-day event on Saturday during the last weekend of July or first weekend of August, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 9:00 p.m. to 10:00 p.m.
7.15 Ipswich Independence Day Celebration Fireworks	• Location: All waters of the Merrimack River, within a 350-yard radius of the fireworks launch site located at position 42°48.97' N, 070°52.68' W (NAD 83).
	• Event Type: Fireworks Display.
	• Sponsor: Trustees of the Foundation.
	• Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
7.16 Salisbury Maritime Festival Fireworks	• Time: 9:00 p.m. to 10:00 p.m.
	• Location: All waters of Ipswich Bay within a 350-yard radius of the beach located at position 42°41.43' N, 070°46.49' W (NAD 83).
	• Event Type: Fireworks Display.
	• Sponsor: Salisbury Beach Partnership, Inc.
7.17 Salisbury 4th of July Fireworks	• Date: A one-day event on Saturday during the third weekend of July, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 10:00 p.m. to 10:30 p.m.
	• Location: All waters of the Atlantic Ocean near Salisbury Beach within a 350-yard radius of the fireworks launch site located at position 42°50.6' N, 070°48.4' W (NAD 83).
	• Event Type: Fireworks Display.
7.18 Charles River 1-Mile Swim	• Sponsor: Salisbury Chamber of Commerce.
	• Date: July 4th, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 9:30 p.m. to 11:00 p.m.
	• Location: All waters of the Atlantic Ocean near Salisbury Beach within a 350-yard radius of the fireworks launch site located at position 42°50.6' N, 070°48.4' W (NAD 83).
7.19 Swim Across America Boston	• Event Type: Swim.
	• Sponsor: Charles River Swimming Club, Inc.
	• Date: A one-day event held on the second Sunday in July, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 8:00 a.m. to 9:00 a.m.
	Location: All waters of Charles River between the Longfellow Bridge and the Harvard Bridge within the following points (NAD 83):
	42°21.7' N, 071°04.8' W.
	42°21.7' N, 071°04.3' W.
	42°22.2' N, 071°07.3' W.
7.19 Swim Across America Boston	42°22.1' N, 070°07.4' W.
	• Event Type: Swim.
	• Sponsor: Swim Across America.
	• Date: A one-day event on Friday during the third week of July, as specified in the USCG District 1 Local Notice to Mariners.
7.19 Swim Across America Boston	• Time: 7:00 a.m. to 3:00 p.m.
	• Location: All waters of Boston Harbor between Rowes Warf and Little Brewster Island within the following points (NAD 83):

	42°21.4' N, 071°03.0' W.
	42°21.5' N, 071°02.9' W.
	42°19.8' N, 070°53.6' W.
	42°19.6' N, 070°53.4' W.
7.20 Joppa Flats Open Water Mile	• Event Type: Swim.
	• Sponsor: Newburyport YMCA.
	• Date: A one-day event on Saturday during the last week of July, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 3:00 p.m. to 5:00 p.m.
	• Location: All waters of the Merrimack River located in the Joppa Flats within the following points (NAD 83):
	42°48.6' N, 070°50.9' W.
	42°48.6' N, 070°49.4' W.
	42°48.0' N, 070°49.4' W.
	42°48.0' N, 070°57.0' W.
7.21 Swim Across America Nantasket Beach	• Event Type: Swim.
	• Sponsor: Swim Across America.
	• Date: A one-day event on Sunday during the third week of July, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 7:00 a.m. to 9:30 a.m.
	• Location: All waters of Massachusetts Bay near Nantasket Beach within the following points (NAD 83):
	42°16.7' N, 070°51.9' W.
	42°16.9' N, 070°51.3' W.
	42°16.3' N, 070°50.5' W.
	42°16.1' N, 070°51.0' W.
8.0	August
8.1 Beverly Homecoming Fireworks	• Event Type: Fireworks Display.
	• Sponsor: Beverly Harbormaster.
	• Date: A one-day event on Sunday during the first weekend of August, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 9:00 p.m. to 11:00 p.m.
	• Location: All waters of Beverly Harbor within a 350-yard radius of the fireworks barge located at position 42°32.62' N, 070°52.15' W (NAD 83).
8.2 Celebrate Revere Fireworks	• Event Type: Fireworks Display.
	• Sponsor: Town of Revere.
	• Date: A one-day event on Saturday during the first weekend of August, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 9:00 p.m. to 11:00 p.m.
	• Location: All waters within a 350-yard radius of the fireworks launch site located at Revere Beach at position 42°24.5' N, 070°59.47' W (NAD 83).
8.3 Gloucester Fisherman Triathlon	• Event Type: Swim.
	• Sponsor: Gloucester Fisherman Athletic Association.
	• Date: A one-day event on Sunday during the Second week of August, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 7:30 a.m. to 8:30 a.m.
	• Location: All waters of Western Harbor, within the following points (NAD 83):
	42°36.6' N, 070°40.3' W.
	42°36.5' N, 070°40.2' W.
	42°36.4' N, 070°40.7' W.
	42°36.5' N, 070°40.7' W.
8.4 Urban Epic Triathlon	• Event Type: Swim.
	• Sponsor: Tri-Maine/Urban Epic Events.
	• Date: A one-day event on Sunday during the second week of August, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 7:00 a.m. to 10:00 a.m.
	• Location: All waters of Dorchester Bay within the following points (NAD 83):
	42°18.9' N, 071°02.0' W.
	42°18.9' N, 071°01.8' W.
	42°19.5' N, 071°01.8' W.
	42°19.8' N, 071°02.2' W.
8.5 Celebrate the Clean Harbor Swim	• Event Type: Swim.
	• Sponsor: New England Marathon Swimming Association.
	• Date: A one-day event on Saturday during the third week of August, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 9:00 a.m. to 12:00 p.m.
	• Location: All waters of Gloucester Harbor within the following points (NAD 83):
	42°35.3' N, 070°39.8' W.
	42°35.9' N, 070°39.2' W.
	42°35.9' N, 070°39.8' W.
	42°35.3' N, 070°40.2' W.
8.6 Boston Light Swim	• Event Type: Swim.
	• Sponsor: Boston Light Swim.
	• Date: A one-day event on Sunday during the second week of August, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 8:00 a.m. to 1:00 p.m.

	<ul style="list-style-type: none"> • Location: All waters of Boston Harbor between the L Street Bath House and Little Brewster Island within the following points (NAD 83):
	42°19.7' N, 071°02.2' W.
	42°19.9' N, 071°10.7' W.
	42°19.8' N, 070°53.6' W.
	42°19.6' N, 070°53.4' W.
8.7 Sharkfest Swim	<ul style="list-style-type: none"> • Event Type: Swim.
	• Sponsor: Enviro-Sports Productions, Inc.
	• Date: A one-day event on Sunday during the last week of August, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 10:00 a.m. to 12:00 p.m.
	• Location: All waters of Old Harbor from near Columbia Point to Carson Beach within the following points (NAD 83):
	42°19.1' N, 071°02.2' W.
	42°19.2' N, 071°01.9' W.
	42°19.7' N, 071°02.8' W.
	42°19.4' N, 071°02.9' W.
8.8 The Boston Triathlon	<ul style="list-style-type: none"> • Event Type: Swim.
	• Sponsor: Wilkinson Enterprises, Inc.
	• Date: A one-day event on the second or third weekend of August, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 7:00 a.m. to 10:00 a.m.
	• Location: All waters of Boston Inner Harbor, Piers Park East Boston to Columbus Park, Boston, Ma within the following points (NAD 83):
	42°21.7' N, 071°02.1' W.
	42°21.6' N, 071°02.8' W.
	42°21.7' N, 071°02.8' W.
	42°21.8' N, 071°02.4' W.
9.0	September
9.1 Gloucester Schooner Festival Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	• Sponsor: Stage Fort Park Gloucester.
	• Date: A one-day event on Saturday during the first weekend of September, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 7:00 p.m. to 11:00 p.m.
	• Location: All waters of Gloucester Harbor within a 350-yard radius of the launch site on the beach located at position 42°36.3' N, 070°40.5' W (NAD 83).
9.2 Plymouth Yacht Club Celebration Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	• Sponsor: Plymouth Yacht Club.
	• Date: A one-day event on Saturday during the first weekend of September, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 9:00 p.m. to 11:00 p.m.
	• Location: All waters of Plymouth Harbor within a 350-yard radius of the fireworks barge located at position 41°22.3' N, 070°39.4' W (NAD 83).
9.3 Somerville Riverfest Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	• Sponsor: Federal Realty Investment Trust.
	• Date: A one-day event on Saturday during the last weekend of September, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 7:30 p.m. to 10:00 p.m.
	• Location: All waters of the Mystic River within a 350-yard radius of the fireworks barge located at position 42°23.9' N, 071°04.8' W (NAD 83).
9.4 Mayflower Triathlon	<ul style="list-style-type: none"> • Event Type: Swim.
	• Sponsor: Fast Forward Race Management.
	• Date: A one-day event on Saturday during the first weekend of September, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 10:00 a.m. to 11:00 a.m.
	• Location: All waters of Plymouth Inner Harbor within the following points (NAD 83):
	41°58.3' N, 070°40.6' W.
	41°58.7' N, 070°39.1' W.
	41°56.8' N, 070°37.8' W.
	41°57.1' N, 070°39.2' W.
9.5 Plymouth Rock Triathlon	<ul style="list-style-type: none"> • Event Type: Swim.
	• Sponsor: Fast Forward Race Management.
	• Date: A one-day event on Sunday during the first weekend of September, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 7:00 a.m. to 9:30 a.m.
	• Location: All waters of Plymouth Inner Harbor within the following points (NAD 83):
	41°58.3' N, 070°40.6' W.
	41°58.7' N, 070°39.1' W.
	41°56.8' N, 070°37.8' W.
	41°57.1' N, 070°39.2' W.
9.6 Duxbury Beach Triathlon	<ul style="list-style-type: none"> • Event Type: Swim.
	• Sponsor: Duxbury Beach Triathlon.
	• Date: A one-day event on Saturday during the third weekend of September, as specified in the USCG District 1 Local Notice to Mariners.

	• Time: 08:30 a.m. to 09:30 a.m.
	• Location: All waters of Duxbury Bay on the south side of the Powder Point Bridge within the following points (NAD 83):
	42°02.8' N, 070°39.1' W.
	42°03.0' N, 070°38.7' W.
	42°02.8' N, 070°38.6' W.
	42°02.7' N, 070°39.0' W.
9.7 Boston Harbor Sharkfest Swim	• Event Type: Swim.
	• Sponsor: Enviro-Sports Productions, Inc.
	• Date: A one-day event on a Saturday during the second or third weekend in September, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 10:00 a.m. to 1:00 p.m.
	• Location: All waters of Boston Inner Harbor, Piers Park East Boston to Fan Pier, South Boston, Ma within the following points (NAD 83):
	42°21.7' N, 071°02.1' W.
	42°21.8' N, 071°02.4' W.
	42°21.3' N, 071°02.9' W.
	42°21.3' N, 071°02.3' W.
10.0	October
10.1 Intercontinental Fireworks	• Event Type: Fireworks Display.
	• Sponsor: Intercontinental Hotel.
	• Date: A one-day event on Sunday during the last weekend of October, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 8:30 p.m. to 10:30 p.m.
	Location: All waters of Boston Inner Harbor within a 350-yard radius of the fireworks barge located at position 42°21.2' N, 071°03' W (NAD 83).
12.0	December
12.1 First Night Boston Fireworks	• Event Type: Fireworks Display.
	• Sponsor: First Night, Inc.
	• Date: A one-day event on New Year's Eve, as specified in the USCG District 1 Local Notice to Mariners.
	• Time: 11:30 p.m. to 12:30 a.m.
	• Location: All waters of Boston Inner Harbor within a 350-yard radius of the fireworks barge located at position 42°21.7' N, 071°02.6' W (NAD 83).

[USCG-2011-0109, 76 FR 69626, Nov. 9, 2011, as amended by USCG-2013-0060, 78 FR 67030, Nov. 8, 2013]

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§165.119 Safety Zone; Captain of the Port Boston Fireworks display zones, Boston Harbor, Boston, MA.

(a) *Boston Inner Harbor.* The following areas are designated as safety zones:

(1) *Charlestown Safety Zone.* All U.S. navigable waters of Boston inner Harbor within a 700-foot radius of the fireworks barge in approximate position 42°22'12.7" N 071°02'53" W (NAD 1983), located off of Pier 5 Charlestown Navy Yard.

(2) *Long Wharf Safety Zone.* All U.S. navigable waters of Boston inner Harbor within a 700-foot radius of the fireworks barge in approximate position 42°21'41.2" N 071°02'36.5" W (NAD 1983), located off of Long Wharf, Boston MA.

(3) *Fan Pier Safety Zone.* All U.S. navigable waters of Boston inner Harbor within a 700-foot radius of the fireworks barge in approximate position 42°21'23.2" N 071°02'26" W (NAD 1983), located off of the Fan Pier, South Boston, MA.

(4) *Pier 6 Safety Zone.* All U.S. navigable waters of Boston inner Harbor within a 700-foot radius of the fireworks barge in approximate position 42°21'11.9" N 071°02'1.3" W (NAD 1983), located off of Pier 6, South Boston, MA.

(5) *North Jetty Safety Zone.* All U.S. navigable waters of Boston inner Harbor within a 700-foot radius of the fireworks barge in approximate position 42°21'01" N 071°01'31.7" W (NAD 1983), located off of the North Jetty, South Boston, MA.

(6) *Castle Island Safety Zone.* All U.S. navigable waters of Boston inner Harbor within a 700-foot radius of the fireworks barge in approximate position 42°20'27.4" N 071°00'28.1" W (NAD 1983), located off of the Castle Island, South Boston, MA.

(b) *Notification.* Coast Guard Sector Boston will use all appropriate means to notify the public in advance of an event of the enforcement of these safety zones to include publishing a Notice of Enforcement in the FEDERAL REGISTER and through the local Notice to Mariners and Broadcast Notice to Mariners. Fireworks barges used in these locations will also have a sign on their port and starboard side labeled "FIREWORKS—STAY AWAY". This sign will consist of a ten inch high by one and half inch wide red lettering on a white background.

(c) *Enforcement period.* The Coast Guard anticipates that these safety zones will be enforced between 6:00 p.m. (e.s.t.) and 1:00 a.m. (e.s.t.). The exact dates and times will be published as described in paragraph (b) of this section.

(d) *Definitions.* For purposes of this section "Designated representative" is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port Boston (COTP) to act on the COTP's behalf. The designated representative may be on an Official Patrol Vessel; Official Patrol Vessel may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP or the designated representative may be

on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(e) No vessels, except for fireworks barges and accompanying vessels, will be allowed to enter into, transit through, or anchor within one of the aforementioned safety zones during an enforcement period without the permission of the COTP or the designated representative.

(f) All persons and vessels permitted to enter one of these safety zones during an enforcement period shall comply with the instructions of the COTP or the designated on-scene representative. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

(g) Vessel operators desiring to enter or operate within a safety zone during a period of enforcement shall contact the COTP or the designated on-scene representative via VHF channel 16 or 617-223-5757 (Sector Boston Command Center) to obtain permission.

[USCG-2013-0503, 79 FR 26848, May 12, 2014]

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§165.120 Security Zone, John Joseph Moakley United States Courthouse, Boston, MA.

(a) *Location.* This security zone encompasses all U.S. navigable waters, from surface to bottom, within five hundred (500) yards of the John Joseph Moakley United States Courthouse (Moakley Courthouse) in Boston, MA, and following any natural waterside seawall configuration.

(b) *Regulations.* While this security zone is being enforced, the following regulations, along with those contained in 33 CFR 165.33, apply:

(1) No person or vessel may enter or remain in this security zone without the permission of the Captain of the Port (COTP), Sector Boston. However, the COTP hereby grants vessels permission to enter this security zone as long as such vessels proceed through the area with caution and operate at a speed no faster than that speed necessary to maintain a safe course, unless otherwise required by the Navigation Rules as published in 33 CFR part 83 and remain beyond one hundred (100) yards of the Moakley Courthouse in Boston, MA, following any natural waterside seawall configuration enclosed by a line connecting the following points:

Latitude	Longitude
42°21'15" N	71°02'54" W.; Bounded by the curvature of the seawall, thence to
42°21'18" N	71°02'43" W.; thence to
42°21'20" N	71°02'40" W.; Bounded by 100 yards off the curvature of the seawall, thence to
42°21'16" N	71°02'57" W.; thence to point of origin.

(2) Although vessels have permission to enter the five hundred (500) yards security zone under the conditions mentioned in the preceding paragraph, no person or vessel may come within one hundred (100) yards of the Moakley Courthouse under any conditions unless given express permission from the COTP or the COTP's designated representatives.

(3) Any person or vessel permitted to enter the security zone shall comply with the directions and orders of the COTP or the COTP's representatives. Upon being hailed by siren, radio, flashing lights, or other means, the operator of a vessel within the zone shall proceed as directed. Any person or vessel within the security zone shall exit the zone when directed by the COTP or the COTP's representatives.

(4) To obtain permissions required by this regulation, individuals may reach the COTP or a COTP representative via VHF channel 16 or 617-223-5757 (Sector Boston Command Center) to obtain permission.

(5) *Penalties.* Those who violate this section are subject to the penalties set forth in 33 U.S.C. 1232 and 50 U.S.C. 192.

(c) *Effective and enforcement period.* This security zone is in effect permanently but will only be enforced when deemed necessary by the COTP. Anyone, including members of federal, state or local law enforcement agencies, may request that this security zone be enforced.

(d) *Notification.* The COTP will notify the public of the enforcement of this security zone by publishing a Notice of Enforcement (NOE) in the FEDERAL REGISTER and via the other means listed in 33 CFR 165.7. Such notifications will include the date and times of enforcement, along with any pre-determined conditions of entry.

(e) *COTP representative.* The COTP's representative may be any Coast Guard commissioned, warrant, or petty officer or any Federal, state, or local law enforcement officer who has been designated by the COTP to act on the COTP's behalf. The COTP's representative may be on a Coast Guard vessel, a Coast Guard Auxiliary vessel, federal, state or local law enforcement or safety vessel, or a location on shore.

[USCG-2014-0246, 81 FR 10501, Mar. 1, 2016]

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§165.121 Safety and Security Zones: High Interest Vessels, Narragansett Bay, Rhode Island.

(a) *Location.* (1) All waters of Rhode Island Sound within a $\frac{1}{2}$ mile radius of any high interest vessel while the vessel is anchored within $\frac{1}{2}$ mile of the point Latitude 41°25' N, Longitude 71°23' W in the Narragansett Bay Precautionary Area.

(2) All waters of Rhode Island Sound, Narragansett Bay, the Providence and Taunton Rivers 2 miles ahead and 1 mile astern, and extending 1000 yards on either side of any high interest vessel transiting Narragansett Bay, or the Providence and Taunton Rivers.

(3) All waters and land within a 1000-yard radius of any high interest vessel moored at a waterfront facility in the Providence Captain of the Port zone.

(b) *High interest vessels defined.* For purposes of this section, high interest vessels operating in the Providence Captain of the Port zone include the following: barges or ships carrying liquefied petroleum gas (LPG), liquefied natural gas (LNG), chlorine, anhydrous ammonia, or any other cargo deemed to be high interest by the Captain of the Port, Providence.

(c) *Regulations.* (1) Entry into or movement within these zones, including below the surface of the water, during times in which high interest vessels are present and the zones are enforced is prohibited unless authorized by the COTP Providence or authorized representative.

(2) The general regulations covering safety and security zones in §§165.23 and 165.33, respectively, of this part apply.

(3) All persons and vessels shall comply with the instructions of the COTP, and the designated on-scene U.S. Coast Guard personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state, and federal law enforcement vessels.

[CGD01-02-065, 67 FR 56224, Sept. 3, 2002, as amended by USCG-2013-0060, 78 FR 67030, Nov. 8, 2013]

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§165.122 Regulated Navigation Area: Navigable waters within Narragansett Bay and the Providence River, Rhode Island.

(a) *Description of the regulated navigation area (RNA).* The Regulated Navigation Area (RNA) encompasses all of the navigable waters of Narragansett Bay north of the COLREGS demarcation line and west of the Mt. Hope Bridge, and all of the navigable waters of the Providence River from Conimicut Point to the Providence hurricane barrier.

(b) *Regulations.* (1) All commercial vessels must:

(i) Maintain a minimum 10% of the vessel's draft as an under-keel clearance when not assisted by tugs, or when not moored at an assigned berth. Under-keel clearance is the minimum clearance available between the deepest point on the vessel and the bottom of the waterway, in calm water.

(ii) Have at least one mile of visibility to transit the Providence River between 41°43'01.4" N; 071°20'41.7" W (Conimicut Light (LLNR 18305)) and 41°47'38.8" N; 071°22'46.7" W (Channel Light 42 (LLNR 18580)).

(2) Vessels over 65 feet in length inbound for berths in the Providence River are required to make Safety Signal (SECURITE) calls on both VHF channels 13 and 16 at the following geographic locations:

(i) Pilot Boarding Area;

(ii) Abeam of Castle Hill;

(iii) Abeam of Sandy Point;

(iv) Abeam of 41°43'01.4" N; 071°20'41.7" W (Conimicut Light (LLNR 18305));

(v) Abeam of Sabin Point; and

(vi) Upon mooring.

(3) Vessels over 65 feet in length inbound for berths in Mount Hope Bay or in the Taunton River are required to make SECURITE calls on both VHF channels 13 and 16 at the following geographic locations:

(i) Pilot Boarding Area;

(ii) Abeam of Castle Hill;

(iii) Abeam of Sandy Point; and

(iv) At position 41°39'32.4" N; 071°14' 02.6" W (Mount Hope Bay Junction Lighted Gong Buoy "MH" (LLNR 18790)).

(4) Vessels over 65 feet in length outbound for sea down the Providence River Channel shall make SECURITE calls on VHF channels 13 and 16 at the following geographic locations:

- (i) One-half hour prior to departure from the berth;
- (ii) At departure from the berth;
- (iii) Abeam of Sabin Point;
- (iv) Abeam of Gaspee Point; and
- (v) Abeam of position 41°43'01.4" N; 071°20'41.7" W (Conimicut Light (LLNR 18305)).

(5) Vessels over 65 feet in length outbound for sea down from Mount Hope Bay through Narragansett Bay are required to make SECURITE calls on VHF channels 13 and 16 at the following geographic locations:

- (i) One-half hour prior to departure from the berth;
- (ii) At departure from the berth; and
- (iii) At position 41°39'32.4" N; 071°14' 02.6" W (Mount Hope Bay Junction Lighted Gong Buoy "MH" (LLNR 18790)).

(6) Vessels 65 feet and under in length, and all recreational vessels, when meeting deep draft commercial vessel traffic in all locations within this RNA shall keep out of the way of the oncoming deep draft commercial vessel. Nothing in this regulation, however, relieves a vessel of any duty prescribed in the Inland Navigation Rules (33 CFR subchapter E).

(7) The Captain of the Port (COTP) Southeastern New England may authorize a deviation from these regulations. Parties wishing to request a deviation must do so in advance by contacting the COTP Southeastern New England, at 508-457-3211, or via VHF Channel 13 (156.7 MHz), or VHF channel 16 (156.8 MHz). Any person or vessel receiving permission from the COTP to deviate from these regulations must comply with any specific instructions provided by the COTP.

(c) *Enforcement.* Violations of this RNA should be reported to the COTP Southeastern New England at 508-457-3211. Persons found in violation of these regulations may be subject to civil or criminal penalties as provided for in 33 U.S.C. 1232.

[USCG-2009-0143, 75 FR 15347, Mar. 29, 2010, as amended by USCG-2014-0410, 79 FR 38442, July 7, 2014; USCG-2015-0433, 80 FR 44283, July 27, 2015]

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§165.123 Cruise Ships, Sector Southeastern New England Captain of the Port (COTP) Zone.

(a) *Location.* The following areas are security zones: All navigable waters within the Southeastern New England Captain of the Port (COTP) Zone, extending from the surface to the sea floor:

- (1) Within a 200-yard radius of any cruise ship that is underway and is under escort of U.S. Coast Guard law enforcement personnel or designated representative, or
- (2) Within a 100-yard radius of any cruise ship that is anchored, at any berth or moored.

(b) *Definitions.* For the purposes of this section—

Cruise ship means a passenger vessel as defined in 46 U.S.C. 2101(22), that is authorized to carry more than 400 passengers and is 200 or more feet in length. A *cruise ship* under this section will also include ferries as defined in 46 CFR 2.10-25 that are authorized to carry more than 400 passengers and are 200 feet or more in length.

Designated representative means any Coast Guard commissioned, warrant, or petty officer who has been designated by the COTP to act on the COTP's behalf. The designated representative may be on a Coast Guard vessel, or onboard Federal, state, or a local agency vessel that is authorized to act in support of the Coast Guard.

Southeastern New England COTP Zone is as defined in 33 CFR 3.05-20.

(c) *Enforcement.* The security zones described in this section will be activated and enforced upon entry of any cruise ship into the navigable waters of the United States (see 33 CFR 2.36(a) to include the 12 NM territorial sea) in the Southeastern New England COTP zone. This zone will remain activated at all times while a cruise ship is within the navigable waters of the United States in the Sector Southeastern New England COTP Zone. In addition, the Coast Guard may broadcast the area designated as a security zone for the duration of the enforcement period via Broadcast Notice to Mariners.

(d) *Regulations.* (1) In accordance with the general regulations in 33 CFR part 165, subpart D, no person or vessel may enter or move within the security zones created by this section unless granted permission to do so by the COTP Southeastern New England or the designated representative.

(2) All persons and vessels granted permission to enter a security zone must comply with the instructions of the COTP or the designated representative. Emergency response vessels are authorized to move within the zone, but must abide by the restrictions imposed by the COTP or the designated representative.

(3) No person may swim upon or below the surface of the water within the boundaries of these security zones unless previously authorized by the COTP or his designated representative.

(4) Upon being hailed by a U.S. Coast Guard vessel or the designated representative, by siren, radio, flashing light or other means, the operator of the vessel shall proceed as directed.

(5) Vessel operators desiring to enter or operate within the security zone shall contact the COTP or the designated representative via VHF channel 16 or 508-457-3211 (Sector Southeastern New England command center) to obtain permission to do so.

[USCG-2010-0803, 76 FR 41075, July 13, 2011]

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§165.125 Regulated Navigation Area; EPA Superfund Site, New Bedford Harbor, Massachusetts.

(a) *Location.* The regulated navigation area encompasses all waters bounded by a line beginning at 41°37'22.5" N, 070°54'34.1" W; thence to 41°37'14.4" N, 070°54'19.6" W; thence to 41°36'58.5" N, 070°54'08.1" W; thence to 41°36'45.0" N, 070°54'26.9" W; thence along the shoreline and south side of the hurricane barrier to the beginning point.

(b) *Regulations.* (1) All vessels and persons are prohibited from activities that would disturb the seabed within the regulated navigation area, including but not limited to anchoring, dragging, trawling, and spudding. Vessels may otherwise transit or navigate within this area without reservation.

(2) The prohibition described in paragraph (b)(1) of this section shall not apply to vessels or persons engaged in activities associated with remediation efforts in the New Bedford Harbor Superfund Site, provided that the Coast Guard Captain of the Port (COTP) Southeastern New England, is given advance notice of those activities by the U.S. Environmental Protection Agency (EPA).

(c) *Waivers.* The Captain of the Port (COTP) Southeastern New England may, in consultation with the U.S. EPA, authorize a waiver from this section if he or she determines that the proposed activity can be performed without undue risk to environmental remediation efforts. Requests for waivers should be submitted in writing to Commander, U.S. Coast Guard Sector Southeastern New England, 1 Little Harbor Road, Woods Hole, MA, 02543, with a copy to the U.S. Environmental Protection Agency, Region 1, New Bedford Harbor Remedial Project Manager, 5 Post Office Square, Suite 100 (OSRR07), Boston, MA 02109, to facilitate review by the EPA and U.S. Coast Guard.

[USCG-2010-1119, 76 FR 35744, June 20, 2011]

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§165.130 Sandy Hook Bay, New Jersey—security zone.

(a) *Naval Ammunition Depot Piers.* The navigable waters within the following boundaries are a security zone: A line beginning on the shore at 40°25'55.6" N, 074°04'31.4" W; thence to 40°26'54.0" N, 074°03'53.0" W; thence to 40°26'58.0" N, 074°04'03.0" W; thence to 40°27'56.0" N, 074°03'24.0" W; thence to 40°27'28.5" N, 074°02'10.4" W; thence to 40°26'29.5" N, 074°02'51.2" W; thence to 40°26'31.4" N, 074°02'55.4" W; thence to 40°25'27.1" N, 074°03'39.7" W; thence northwest along the shoreline to the beginning point.

(b) *Terminal Channel.* The waters within the following boundaries are a security zone—A line beginning at 40°27'41.2" N, 74°02'46" W; then to 40°28'27" N, 74°02'17.2" W; then to 40°28'21.1" N, 74°02'00" W; then to 40°28'07.8" N, 74°02'22" W; then to 40°27'39.8" N, 74°02'41.4" W; then to the beginning.

(c) The following rules apply to the security zone established in paragraph (b) of this section (Terminal Channel) instead of the rule in §165.33(a):

(1) No vessel shall anchor, stop, remain or drift without power at anytime in the security zone.

(2) No vessel shall enter, cross, or otherwise navigate in the security zone when a public vessel, or any other vessel, that cannot safely navigate outside the Terminal Channel, is approaching or leaving the Naval Ammunition Depot Piers at Leonardo, New Jersey.

(3) Vessels may enter or cross the security zone, except as provided in paragraph (c)(2) of this section.

(4) No person may swim in the security zone.

[CGD 77-118a, 42 FR 35784, July 11, 1977. Redesignated by CGD 81-017, 46 FR 28154, May 26, 1981, and CGD 87-008b, 52 FR 25218, July 6, 1987; USCG-2007-0074, 74 FR 7191, Feb. 13, 2009]

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§165.141 Safety Zone: Sunken vessel EMPIRE KNIGHT, Boon Island, ME.

(a) *Location.* The following area is a safety zone: All waters of the Atlantic Ocean within a 1,000 yard radius of the stern section of the sunken vessel EMPIRE KNIGHT, in approximate position 43°06'19" N, 70°27'09" W, (NAD 1983) and extending from the water's surface to the seabed floor.

(b) *Effective date.* This section is effective on August 23, 1996, twenty-four hours a day, seven days a week.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All vessels and persons are prohibited from anchoring, diving, dredging, dumping, fishing, trawling, laying cable, or conducting salvage operations in this zone except as authorized by the Coast Guard Captain of the Port, Portland, Maine. Innocent transit through the area within the safety zone is not affected by this regulation and does not require the authorization of the Captain of the Port.

(3) All persons and vessels shall comply with the instructions of the COTP or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

[CGD 01-95-141, 61 FR 60032, Nov. 26, 1996]

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§165.150 New Haven Harbor, Quinnipiac River, Mill River.

(a) *Boundaries.* The following is a regulated navigation area: The waters surrounding the Tomlinson Bridge and Pearl Harbor Memorial Bridge (I-95 Bridge) located within a line extending from a point A at 41°17'50.35" N, 072°54'34.37" W (the southeast corner of the Magellan Pink Tanks Terminal dock) thence along a line 126°T to point B at 41°17'42.35" N, 072°54'19.37" W (the southwest corner of the Gulf facility) thence north along the shoreline to point C at 41°17'57.35" N, 072°54'04.37" W (the northwest corner of the R & H Terminal dock) thence along a line 303°T to point D at 41°18'05.35" N, 072°54'21.37" W (the west bank of the mouth of the Mill River) thence south along the shoreline to point of origin. All coordinates are North American Datum 1983.

(b) *Regulations.* (1) No person may operate a vessel or tow a barge in this Regulated Navigation Area in violation of these regulations.

(2) *Applicability.* The regulations apply to barges with a freeboard greater than ten feet and to any vessel towing or pushing these barges on outbound transits of the Tomlinson Bridge.

(3) Regulated barges may not transit the bridge—

(i) During the period from one hour to five hours after high water slack,

(ii) When the wind speed at the bridge is greater than twenty knots, and

(iii) With the barge being towed on a hawser, stern first.

(4) Regulated barges with a beam greater than fifty feet must be pushed ahead through the bridge.

(5) If the tug operator does not have a clear view over the barge when pushing ahead, the operator shall post a lookout on the barge with a means of communication with the operator.

(6) Regulated barges departing the Mill River may transit the bridge only between sunrise and sunset. Barges must be pushed ahead of the tug, bow first, with a second tug standing by to assist at the bow.

(7) Nothing in this section is intended to relieve any person from complying with:

(i) Applicable Navigation and Pilot Rules for Inland Waters;

(ii) Any other laws or regulations;

(iii) Any order or direction of the Captain of the Port.

(8) The Captain of the Port Sector Long Island Sound (COTP) may issue an authorization to deviate from any regulation in paragraph (b) of this section if the COTP determines that an alternate operation can be done safely.

(9) The COTP may temporarily close the RNA for any situation the COTP determines would create an imminent hazard to waterway users in the RNA. Entry into the RNA during temporary closure is prohibited unless authorized by the COTP or the COTP's designated representative. The COTP or designated representative may order the removal of any vessel or equipment

within the RNA. To assure wide advance notice of each closure among affected mariners, the COTP may use means including, but not limited to, Broadcast Notice to Mariners and Local Notice to Mariners. The COTP will announce the dates and times of the closure and whether exceptions will be authorized for emergency or other specific vessel traffic.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 80-069, 47 FR 53368, Nov. 26, 1982. Redesignated by CGD 87-008b, 52 FR 25218, July 6, 1987, as amended by USCG-2012-0343, 77 FR 67565, Nov. 13, 2012]

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§165.151 Safety Zones; Fireworks Displays, Air Shows and Swim Events in the Captain of the Port Long Island Sound Zone.

(a) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 as well as the following regulations apply to the fireworks displays, air shows, and swim events listed in Tables 1 and 2 to §165.151.

(2) These regulations will be enforced for the duration of each event. Notifications will be made to the local maritime community through all appropriate means such as Local Notice to Mariners or Broadcast Notice to Mariners well in advance of the events. If the event does not have a date listed, then exact dates and times of the enforcement period will be announced through a Notice of Enforcement in the FEDERAL REGISTER. Mariners should consult the FEDERAL REGISTER or their Local Notice to Mariners to remain apprised of schedule or event changes. First Coast Guard District Local Notice to Mariners can be found at <http://www.navcen.uscg.gov/>.

(3) Although listed in the Code of Federal Regulations, sponsors of events listed in Tables 1 and 2 to §165.151 are still required to submit marine event applications in accordance with 33 CFR 100.15. Each application must:

(i) Be submitted no less than 60 days before the date of the proposed event.

(ii) If the proposed event does not have a specified date the sponsor shall hold the event during the month it is listed in Tables 1 or 2 to §165.151.

(iii) For those proposed events listed in Table 1 to §165.151 to be held during the month of July, the event may take place during the final seven days of June.

(iv) Any proposed event not being held on the specified date or within the month listed in Tables 1 or 2 to §165.151 shall be considered a new marine event and the sponsor shall submit a new marine event application in accordance with 33 CFR 100.15 no less than 135 days before the start of the event.

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative.* A "designated representative" is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port (COTP), Sector Long Island Sound (LIS), to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(3) *Spectators.* All persons and vessels not registered with the event sponsor as participants or official patrol vessels.

(c) Vessel operators desiring to enter or operate within the regulated areas should contact the COTP at 203-468-4401 (Sector LIS command center) or the designated representative via VHF channel 16 to obtain permission to do so.

(d) Spectators or other vessels shall not anchor, block, loiter, or impede the transit of event participants or official patrol vessels in the regulated areas during the effective dates and times, or dates and times as modified through the Local Notice to Mariners, unless authorized by COTP or designated representative.

(e) Upon being hailed by a U.S. Coast Guard vessel or the designated representative, by siren, radio, flashing light or other means, the operator of the vessel shall proceed as directed. Failure to comply with a lawful direction may result in expulsion from the area, citation for failure to comply, or both.

(f) The COTP or designated representative may delay or terminate any marine event in this subpart at any time it is deemed necessary to ensure the safety of life or property.

(g) The regulated area for all fireworks displays listed in Table 1 to §165.151 is that area of navigable waters within a 1000 foot radius of the launch platform or launch site for each fireworks display, unless otherwise noted in Table 1 to §165.151 or modified in USCG First District Local Notice to Mariners at: <http://www.navcen.uscg.gov/>.

(h) The regulated area for all air shows is the entire geographic area described as the location for that show unless otherwise noted in Table 1 to §165.151 or modified in USCG First District Local Notice to Mariners at: <http://www.navcen.uscg.gov/>.

(i) Fireworks barges used in these locations will also have a sign on their port and starboard side labeled "FIREWORKS—STAY AWAY". This sign will consist of 10 inch high by 1.5 inch wide red lettering on a white background. Shore sites used in these locations will display a sign labeled "FIREWORKS—STAY AWAY" with the same dimensions. These zones will be enforced from 8:30 p.m. to 10:30 p.m. each day a barge with a "FIREWORKS—STAY AWAY" sign on the port and starboard side is on-scene or a "FIREWORKS—STAY AWAY" sign is posted in a location listed in Table 1 to §165.151.

(j) For all swim events listed in Table 2 to §165.151, vessels not associated with the event shall maintain a separation of at least 100 yards from the participants.

TABLE 1 TO §165.151

2	February
2.1 Sag Harbor COC Winter Harbor Frost Fireworks	• Date: A day during the first or second weekend of February from 6:15 p.m. until 6:45 p.m.
	• Location: Waters of Sag Harbor off Long Wharf St. Pier, Sag Harbor, NY in approximate position 41°00'16.82" N., 072°17'43.78" W. (NAD 83).
4	April
4.1 Bridgeport Bluefish April Fireworks	• Location: Waters of the Pequannock River's Lower Reach surrounding Steel Point, Bridgeport, CT in approximate position 41°10'35" N., 073°10'58" W. (NAD 83).
5	May
5.1 Jones Beach Air Show	• Date: The Thursday through Sunday before Memorial Day each May from 9:30 a.m. until 3:30 p.m. each day.
	• Location: Waters of the Atlantic Ocean off Jones Beach State Park, Wantagh, NY contained within the following described area; beginning in approximate position 40°34'54" N., 073°33'21" W., then running east along the shoreline of Jones Beach State Park to approximate position 40°35'53" N., 073°28'47" W.; then running south to a position in the Atlantic Ocean off of Jones Beach at approximate position 40°35'05" N., 073°28'34" W.; then running West to approximate position 40°33'15" N., 073°33'09" W.; then running North to the point of origin.
5.2 Greenport Spring Fireworks	• Date: A day during the last week of May or first week of June.
	• Location: Waters of Greenport Harbor off Mitchell Park and Marina, Greenport, NY in approximate position 41°05'59.09" N., 072°21'31.44" W. (NAD 83).
6	June
6.1 Barnum Festival Fireworks	• Date: Last Saturday in June.
	• Rain date: Following Saturday.
	• Time: 8:30 p.m. to 10:30 p.m.
	• Location: Waters of Bridgeport Harbor, Bridgeport, CT in approximate position 41°9'04" N., 073°12'49" W. (NAD 83).
6.2 Town of Branford Fireworks	• Location: Waters of Branford Harbor, Branford, CT in approximate position, 41°15'30" N., 072°49'22" W. (NAD 83).
6.3 Vietnam Veterans/Town of East Haven Fireworks	• Location: Waters off Cosey Beach, East Haven, CT in approximate position, 41°14'19" N., 072°52'9.8" W. (NAD 83).
6.4 Salute to Veterans Fireworks	• Date: The third Saturday of June.
	• Rain date: The fourth Saturday of June.
	• Location: Waters of Reynolds Channel off Hempstead, NY in approximate position 40°35'36.62" N., 073°35'20.72" W. (NAD 83).
6.5 Cherry Grove Arts Project Fireworks	• Date: A single day during the first two weeks of June.
	• Location: Waters of the Great South Bay off Cherry Grove, NY in approximate position 40°39'49.06" N., 073°05'27.99" W. (NAD 83).
6.6 Bridgeport Bluefish June Fireworks	• Location: Waters of the Pequannock River's Lower Reach surrounding Steel Point, Bridgeport, CT in approximate position 41°10'35" N., 073°10'58" W. (NAD 83).
7	July
7.1 Point O'Woods Fire Company Summer Fireworks	• Location: Waters of the Great South Bay, Point O'Woods, NY in approximate position 40°39'18.57" N., 073°08'5.73" W. (NAD 83).
7.2 Cancer Center for Kids Fireworks	• Location: Waters off of Bayville, NY in approximate position 40°54'38.20" N., 073°34'56.88" W. (NAD 83).
7.3 City of Westbrook, CT July Celebration Fireworks	• Location: Waters of Westbrook Harbor, Westbrook, CT in approximate position, 41°16'10.50" N., 072°26'14" W. (NAD 83).
7.4 Norwalk Fireworks	• Location: Waters off Calf Pasture Beach, Norwalk, CT in approximate position, 41°04'50" N., 073°23'22" W. (NAD 83).
7.5 Lawrence Beach Club Fireworks	• Location: Waters of the Atlantic Ocean off Lawrence Beach Club, Atlantic Beach, NY in approximate position 40°34'42.65" N., 073°42'56.02" W. (NAD 83).
7.6 Sag Harbor Fireworks	• Location: Waters of Sag Harbor Bay off Havens Beach, Sag Harbor, NY in approximate position 41°00'26" N., 072°17'9" W. (NAD 83).
7.7 South Hampton Fresh Air Home Fireworks	• Location: Waters of Shinnecock Bay, Southampton, NY in approximate position, 40°51'48" N., 072°26'30" W. (NAD 83).
7.8 Westport Police Athletic League Fireworks	• Location: Waters off Compo Beach, Westport, CT in approximate position, 41°06'15" N., 073°20'57" W. (NAD 83).
7.9 City of Middletown Fireworks	• Date: July 4.
	• Rain date: July 5.
	• Time: 8:30 p.m. to 10:30 p.m.
	• Location: Waters of the Connecticut River, Middletown Harbor, Middletown, CT in approximate position 41°33'44.47" N., 072°38'37.88" W. (NAD 83).
7.10 City of New Haven Fireworks	• Date: July 4.
	• Rain date: July 5.
	• Time: 8:30 p.m. to 10:30 p.m.

	<ul style="list-style-type: none"> • Location: Waters of New Haven Harbor, off Long Warf Park, New Haven, CT in approximate position 41°17'24" N., 072°54'55.8" W. (NAD 83).
7.11 City of Norwich July Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of the Thames River, Norwich, CT in approximate position, 41°31'16.835" N., 072°04'43.327" W. (NAD 83).
7.12 City of Stamford Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of Fisher's Westcott Cove, Stamford, CT in approximate position 41°02'09.56" N., 073°30'57.76" W. (NAD 83).
7.13 City of West Haven Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of New Haven Harbor, off Bradley Point, West Haven, CT in approximate position 41°15'07" N., 072°57'26" W. (NAD 83).
7.14 CDM Chamber of Commerce Annual Music Fest Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters off Cedar Beach Town Park, Mount Sinai, NY in approximate position 40°57'59.58" N., 073°01'57.87" W. (NAD 83).
7.15 Davis Park Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of the Great South Bay, Davis Park, NY in approximate position, 40°41'17" N., 073°00'20" W. (NAD 83).
7.16 Fairfield Aerial Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of Jennings Beach, Fairfield, CT in approximate position 41°08'22" N., 073°14'02" W. (NAD 83).
7.17 Fund in the Sun Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of the Great South Bay off The Pines, East Fire Island, NY in approximate position 40°40'07.43" N., 073°04'13.88" W. (NAD 83).
7.18 Independence Day Celebration Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters off Umbrella Beach, Montauk, NY in approximate position 41°01'44" N., 071°57'13" W. (NAD 83).
7.19 Jones Beach State Park Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters off Jones Beach State Park, Wantagh, NY in approximate position 40°34'56.676" N., 073°30'31.186" W. (NAD 83).
7.20 Madison Cultural Arts Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of Long Island Sound off Madison, CT in approximate position 41°16'10" N., 072°36'30" W. (NAD 83).
7.21 Mason's Island Yacht Club Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of Fisher's Island Sound, Noank, CT in approximate position 41°19'30.61" N., 071°57'48.22" W. (NAD 83).
7.22 Patchogue Chamber of Commerce Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of the Great South Bay, Patchogue, NY in approximate position, 40°44'38" N., 073°00'33" W. (NAD 83).
7.23 Riverfest Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of the Connecticut River, Hartford, CT in approximate positions, 41°45'39.93" N., 072°39'49.14" W. (NAD 83).
7.24 Village of Asharoken Fireworks	<ul style="list-style-type: none"> • Date: July 4.
	<ul style="list-style-type: none"> • Rain date: July 5.
	<ul style="list-style-type: none"> • Time: 8:30 p.m. to 10:30 p.m.
	<ul style="list-style-type: none"> • Location: Waters of Northport Bay, Asharoken, NY in approximate position, 41°55'54.04" N., 073°21'27.97" W. (NAD 83).
	<ul style="list-style-type: none"> • Date: July 4.

7.25 Village of Port Jefferson Fourth of July Celebration Fireworks	
	• Rain date: July 5.
	• Time: 8:30 p.m. to 10:30 p.m.
	• Location: Waters of Port Jefferson Harbor, Port Jefferson, NY in approximate position 40°57'10.11" N., 073°04'28.01" W. (NAD 83).
7.26 Village of Quoque Foundering Anniversary Fireworks	• Date: July 4.
	• Rain date: July 5.
	• Time: 8:30 p.m. to 10:30 p.m.
	• Location: Waters of Quantuck Bay, Quoque, NY in approximate position 40°48'42.99" N., 072°37'20.20" W. (NAD 83).
7.27 City of Long Beach Fireworks	• Location: Waters off Riverside Blvd., City of Long Beach, NY in approximate position 40°34'38.77" N., 073°39'41.32" W. (NAD 83).
7.28 Great South Bay Music Festival Fireworks	• Location: Waters of Great South Bay, off Bay Avenue, Patchogue, NY in approximate position 40°44'45" N., 073°00'25" W. (NAD 83).
7.29 Mashantucket Pequot Fireworks	• Location: Waters of the Thames River, New London, CT in approximate positions Barge 1, 41°21'03.03" N., 072°5'24.5" W. Barge 2, 41°20'51.75" N., 072°5'18.90" W. (NAD 83).
7.30 Shelter Island Fireworks	• Location: Waters of Gardiner Bay, Shelter Island, NY in approximate position 41°04'39.11" N, 072°22'01.07" W (NAD 83).
7.31 Clam Shell Foundation Fireworks	• Location: Waters of Three Mile Harbor, East Hampton, NY in approximate position 41°1'15.49" N., 072°11'27.50" W. (NAD 83).
7.32 Town of North Hempstead Bar Beach Fireworks	• Location: Waters of Hempstead Harbor, North Hempstead, NY in approximate position 40°49'54" N., 073°39'14" W. (NAD 83).
7.33 Groton Long Point Yacht Club Fireworks	• Location: Waters of Long Island Sound, Groton, CT in approximate position 41°18'05" N., 072°02'08" W. (NAD 83).
7.34 Devon Yacht Club Fireworks	• Date: A day during the first week of July.
	• Location: Waters of Napeague Bay, in Block Island Sound off Amagansett, NY in approximate position 40°59'41.40" N., 072°06'08.70" W. (NAD 83).
7.35 Dolan Family Fourth Fireworks	• Date: July 4.
	• Rain date: July 5.
	• Location: Waters of Oyster Bay Harbor in Long Island Sound off Oyster Bay, NY in approximate position 40°53'42.50" N., 073°30'04.30" W. (NAD 83).
7.36 Friar's Head Golf Club Fireworks	• Date: A day during the first two weeks of July.
	• Location: Waters of Long Island Sound off Baiting Hollow, NY in approximate position, 40°58'19.53" N., 072°43'45.65" W. (NAD 83).
7.37 Islip Fireworks	• Date: July 4.
	• Rain date: July 5.
	• Location: Waters of the Great South Bay off Bay Shore Manor Park, Islip, NY in approximate position 40°42'24" N., 073°14'24" W. (NAD 83).
7.38 Madison Fireworks	• Date: July 4.
	• Rain date: The Saturday following July 4.
	• Location: Waters of Long Island Sound off Madison Beach, Madison, CT in approximate position 41°16'03.93" N., 072°36'15.97" W. (NAD 83).
7.39 Stratford Fireworks	• Date: July 3.
	• Rain date: July 5.
	• Location: Waters of Long Island Sound surrounding Short Beach Park, Stratford, CT in approximate position 41°09'50.82" N., 073°06'47.13" W. (NAD 83).
7.40 Rowayton Fireworks	• Date: July 4.
	• Rain date: July 5.
	• Location: Waters of Long Island Sound south of Bayley Beach Park, Rowayton, CT in approximate position 41°03'11" N., 073°26'41" W. (NAD 83).
7.41 Niantic Bay Fireworks	• Date: A day during the first three weeks of July.
	• Location: Waters of Niantic Bay 1,500 feet west of the Niantic River Railroad Bridge, Niantic, CT in approximate position 41°19'22.59" N., 072°11'03.47" W. (NAD 83).
7.42 Connetquot River Summer Fireworks	• Date: A day during the first week of July.
	• Location: Waters of the Connetquot River off Snapper Inn Restaurant, Oakdale, NY in approximate position 40°43'32.38" N., 073°9'02.64" W. (NAD 83).
7.43 North Bay Fourth of July Fireworks	• Date: July 4.
	• Rain date: July 5.
	• Location: Waters of the Great South Bay in Patchogue Bay 4,000 feet southeast of Blue Point, NY in approximate position 40°44'6.28" N., 073°01'02.50" W. (NAD 83).
7.44 National Golf Links Fireworks	• Date: A day during the first week of July.
	• Location: Waters of the Great Peconic Bay $\frac{3}{4}$ of a mile northwest of Bullhead Bay, Shinnecock, NY in approximate position 40°55'11.79" N., 072°28'04.34" W. (NAD 83).
7.45 Xirinachs Family Foundation Fireworks	• Date: A day during the first two weekends of July.
	• Location: Waters of Hunting Bay off Beach Avenue, Huntington Bay, NY in approximate position 40°54'23.27" N., 73°25'08.04" W. (NAD 83).
7.46 Irwin Family 4th of July	• Date: A day during the last week of June or first week of July.
	• Location: Waters of the Great South Bay off The Helm Road, East Islip, NY in approximate position 40°42'12.28" N., 73°12'00.08" W. (NAD 83).

7.47 Westbrook July Celebration	<ul style="list-style-type: none"> • Date: A day during the last week of June or first week of July.
	<ul style="list-style-type: none"> • Location: Waters of Long Island Sound Westbrook Harbor, West Brook, CT in approximate position 41°16'10" N., 72°26'14" W. (NAD 83).
7.48 Bridgeport Bluefish July Fireworks	<ul style="list-style-type: none"> • Location: Waters of the Pequannock River's Lower Reach surrounding Steel Point, Bridgeport, CT in approximate position 41°10'35" N., 073°10'58" W. (NAD 83).
8	August
8.1 Village of Bellport Fireworks	<ul style="list-style-type: none"> • Location: Waters of Bellport Bay, off Bellport Dock, Bellport, NY in approximate position 40°45'01.83" N., 072°55'50.43" W. (NAD 83).
8.2 Taste of Italy Fireworks	<ul style="list-style-type: none"> • Location: Waters of Norwich Harbor, off Norwich Marina, Norwich, CT in approximate position 41°31'17.72" N., 072°04'43.41" W. (NAD 83).
8.3 Old Black Point Beach Association Fireworks	<ul style="list-style-type: none"> • Location: Waters off Old Black Point Beach, East Lyme, CT in approximate position, 41°17'34.9" N., 072°12'55" W. (NAD 83).
8.4 Town of Babylon Fireworks	<ul style="list-style-type: none"> • Location: Waters off of Cedar Beach Town Park, Babylon, NY in approximate position 40°37'53" N., 073°20'12" W. (NAD 83).
8.5 Shelter Island Yacht Club Fireworks	<ul style="list-style-type: none"> • Date: The second Saturday of August.
	<ul style="list-style-type: none"> • Rain date: The second Sunday of August.
	<ul style="list-style-type: none"> • Location: Waters of Dering Harbor north of Shelter Island Yacht Club, Shelter Island, NY in approximate position 41°05'23.47" N., 072°21'11.18" W. (NAD 83).
8.6 Stamford Fireworks	<ul style="list-style-type: none"> • Date: The last Saturday of August.
	<ul style="list-style-type: none"> • Rain date: The last Sunday of August.
	<ul style="list-style-type: none"> • Location: Waters of Stamford Harbor, off Kosciuszko Park, Stamford, CT in approximate position 41°01'48.46" N., 073°32'15.32" W. (NAD 83).
8.7 Nikon Theater at Jones Beach Fireworks	<ul style="list-style-type: none"> • Date: A day during the first two weeks of August.
	<ul style="list-style-type: none"> • Location: Waters of Zacks Bay off the Nikon Theater, Jones Beach, NY in approximate position 40°36'02.12" N., 073°30'05.65" W. (NAD 83).
8.8 Ascension Fireworks	<ul style="list-style-type: none"> • Date: A day during the third or fourth weekend of August.
	<ul style="list-style-type: none"> • Location: Waters of the Great South Bay off The Pines, East Fire Island, NY in approximate position 40°40'07.43" N., 073°04'13.88" W. (NAD 83).
8.9 Bridgeport Bluefish August Fireworks	<ul style="list-style-type: none"> • Location: Waters of the Pequannock River's Lower Reach surrounding Steel Point, Bridgeport, CT in approximate position 41°10'35" N., 073°10'58" W. (NAD 83).
9	September
9.1 East Hampton Fire Department Fireworks	<ul style="list-style-type: none"> • Location: Waters off Main Beach, East Hampton, NY in approximate position 40°56'40.28" N., 072°11'21.26" W. (NAD 83).
9.2 Town of Islip Labor Day Fireworks	<ul style="list-style-type: none"> • Location: Waters of Great South Bay off Bay Shore Marina, Islip, NY in approximate position 40°42'24" N., 073°14'24" W. (NAD 83).
9.3 Village of Island Park Labor Day Celebration Fireworks	<ul style="list-style-type: none"> • Location: Waters off Village of Island Park Fishing Pier, Village Beach, NY in approximate position 40°36'30.95" N., 073°39'22.23" W. (NAD 83).
9.4 The Creek Fireworks	<ul style="list-style-type: none"> • Date: A day during the first week of September.
	<ul style="list-style-type: none"> • Location: Waters of Long Island Sound off the Creek Golf Course, Lattingtown, NY in approximate position 40°54'13" N., 073°35'58" W. (NAD 83).
9.5 Archangel Michael Greek Orthodox Church Fireworks	<ul style="list-style-type: none"> • Date: A day during the last week of September or first week of October.
	<ul style="list-style-type: none"> • Location: Waters of Hempstead Harbor off Bar Beach Town Park, Port Washington, NY in approximate position 40°49'42" N., 073°39'07" W. (NAD 83).
9.6 Port Washington Sons of Italy Fireworks	<ul style="list-style-type: none"> • Location: Waters of Hempstead Harbor off Bar Beach, North Hempstead, NY in approximate position 40°49'48.04" N., 073°39'24.32" W. (NAD 83).
9.7 Bridgeport Bluefish September Fireworks	<ul style="list-style-type: none"> • Location: Waters of the Pequannock River's Lower Reach surrounding Steel Point, Bridgeport, CT in approximate position 41°10'35" N., 073°10'58" W. (NAD 83).
11	November
11.1 Charles W. Morgan Anniversary Fireworks	<ul style="list-style-type: none"> • Date: A day during the first or second weekend of November.
	<ul style="list-style-type: none"> • Location: Waters of the Mystic River, north of the Mystic Seaport Light, Mystic, CT in approximate position 41°21'56.455" N., 071°57'58.32" W. (NAD 83).
11.2 Christmas Boat Parade Fireworks	<ul style="list-style-type: none"> • Location: Waters of Patchogue Bay off Lombardi's on the Bay Restaurant, Patchogue, NY in approximate position 40°44'39.18" N., 073°00'37.80" W. (NAD 83).
11.3 Connetquot River Fall Fireworks	<ul style="list-style-type: none"> • Location: Waters of the Connetquot River off Snapper Inn Restaurant, Oakdale, NY in approximate position 40°43'32.38" N., 073°09'02.64" W. (NAD 83).
12	December
12.1 Greenport Winter Fireworks	<ul style="list-style-type: none"> • Date: From 11:45 p.m. December 31 until 12:30 a.m. January 1.
	<ul style="list-style-type: none"> • Location: Waters of Greenport Harbor off Mitchell Park and Marina, Greenport, NY, in approximate position 41°05'59.09" N., 072°21'31.44" W. (NAD 83).

TABLE 2 TO §165.151

[June, July & August]

1.1 Swim Across the Sound	<ul style="list-style-type: none"> • Location: Waters of Long Island Sound, Port Jefferson, NY to Captain's Cove Seaport, Bridgeport, CT. in approximate positions 40°58'11.71" N, 073°05'51.12" W, north-westerly to the finishing point at Captain's Cove Seaport 41°09'25.07" N, 073°12'47.82" W (NAD 83).
1.2 Huntington Bay Open Water Championships Swim	<ul style="list-style-type: none"> • Location: Waters of Huntington Bay, NY. In approximate positions start/finish at approximate position 40°54'25.8" N, 073°24'28.8" W, East turn at approximate position 40°54'45" N 073°23'36.6" W and a West turn at approximate position 40°54'31.2" N, 073°25'21" W, 09°25.07" N 073°12'47.82" W (NAD 83).

1.3 Maggie Fischer Memorial Great South Bay Cross Bay Swim	• Location: Waters of the Great South Bay, NY. Starting Point at the Fire Island Lighthouse Dock in approximate position 40°38'01" N, 073°13'07" W; northerly through approximate points 40°38'52" N, 073°13'09" W; 40°39'40" N, 073°13'30" W; 40°40'30" N, 073°14'00" W; and finishing at Gilbert Park, Brightwaters, NY at approximate position 40°42'25" N, 073°14'52" W (NAD 83).
1.4 Waves of Hope Swim	• Date: A day during the last week of June or first two weeks of July.
	• Time: 8 a.m. until 1 p.m.
	• Location: All waters of the Great South Bay off Amityville, NY shoreward of a line created by connecting the following points. Beginning at 40°39'22.38" N, 073°25'31.63" W, then to 40°39'02.18" N, 073°25'31.63" W, then to 40°39'02.18" N, 073°24'03.81" W, ending at 40°39'18.27" N, 073°24'03.81" W (NAD 83).
1.5 Stonewall Swim	• Date: A day during a weekend in August.
	• Time: 8:30 a.m. until 12:30 p.m.
	• Location: All navigable waters of the Great South Bay within a three miles long and half mile wide box connecting Snedecor Avenue in Bayport, NY to Porgie Walk in Fire Island, NY. Formed by connecting the following points. Beginning at 40°43'40.24" N, 073°03'41.50" W; then to 40°43'40.00" N, 073°03'13.40" W; then to 40°40'04.13 N, 073°03'43.81" W; then to 40°40'08.30" N, 073°03'17.70" W; and ending at the beginning point 40°43'40.24" N, 073°03'41.5" W (NAD 83).
1.6 Swim Across America Greenwich	• Date: A single day during June.
	• Time: 5:30 a.m. until noon.
	• Location: All navigable waters of Stamford Harbor within a half miles long and 1000 foot wide polygon shaped box stretching from Dolphin Cove to Rocky Point between Stamford and Greenwich, CT. Formed by connecting the following points. Beginning at point (A) 41°01'32.03" N, 073°33'8.93" W, then south east to point (B) 41°01'15.01" N, 073°32'55.58" W; then south west to point (c) 41°00'49.25N, 073°33'20.36" W; then north west to point (D) 41°00'58.00" N, 073°33'27.00" W, then north east to point (E) 41°01'15.80" N, 073°33'09.85" W, then heading north and ending at point (A)(NAD 83).
1.7 US Coast Guard Triathlon Swim	• Date: A single day during August.
	• Location: All navigable waters of the Thames River, New London Harbor off Fort Trumbull State Park around a half mile long course that is west of the Federal navigation channel in New London, CT. Formed by connecting the following points. Beginning at point (A) 41°20'40.03" N, 072°05'32.15" W; then east to point (B) 41°20'40.08" N, 072°05'22.03" W, then north to point (C) 41°20'48.29N, 072°05'23.19" W; then north west to point (D) 41°20'50.84" N, 072°05'29.29" W, then south west to end point (E) 41°20'46.41" N, 072°05'35.77" W, (NAD 83).

[USCG-2008-0384, 77 FR 6958, Feb. 10, 2012, as amended by USCG-2012-1036, 78 FR 31406, May 24, 2013; USCG-2014-0410, 79 FR 38442, July 7, 2014]

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§165.153 Regulated Navigation Area: Long Island Sound Marine Inspection and Captain of the Port Zone.

(a) *Regulated Navigation Area location.* All waters of the Long Island Sound Marine Inspection and Captain of the Port (COTP) Zone, as delineated in 33 CFR 3.05-35, extending seaward 12 nautical miles from the territorial sea baseline, are established as a regulated navigation area (RNA).

(b) *Applicability.* This section applies to all vessels operating within the RNA excluding public vessels.

(c) *Definitions.* The following definitions apply to this section:

Commercial service means any type of trade or business involving the transportation of goods or individuals, except service performed by a combatant vessel.

Ferry means a vessel that:

- (1) Operates in other than ocean or coastwise service;
- (2) Has provisions only for deck passengers or vehicles, or both;
- (3) Operates on a short run on a frequent schedule between two points over the most direct water route; and
- (4) Offers a public service of a type normally attributed to a bridge or tunnel.

Public vessels means vessels owned or bareboat chartered and operated by the United States, or by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commercial service.

Territorial sea baseline means the line defining the shoreward extent of the territorial sea of the United States drawn according to the principles, as recognized by the United States, of the Convention on the Territorial Sea and the Contiguous Zone, 15 U.S.T. 1606, and the 1982 United Nations Convention on the Law of the Sea (UNCLOS), 21 I.L.M. 1261. Normally, the territorial sea baseline is the mean low water line along the coast of the United States.

(d) *Regulations.* (1) Speed restrictions in the vicinity of Naval Submarine Base New London and Lower Thames River. Unless authorized by the Captain of the Port (COTP), vessels of 300 gross tons or more may not proceed at a speed in excess of eight knots in the Thames River from New London Harbor channel buoys 7 and 8 (Light List numbers 21875 and 21880 respectively) north through the upper limit of the Naval Submarine Base New London Restricted Area, as that area is specified in 33 CFR 334.75(a). The U.S. Navy and other Federal, State and municipal agencies may assist the U.S. Coast Guard in the enforcement of this rule.

(2) *Enhanced communications.* Vessels of 300 gross tons or more and all vessels engaged in towing barges must issue security calls on marine band or Very High Frequency (VHF) radio channel 16 upon approach to the following locations:

- (i) Inbound approach to Cerberus Shoal; and
- (ii) Outbound approach to Race Rock Light (USCG Light List No. 19815).

(3) All vessels operating within the RNA that are bound for a port or place located in the United States or that must transit the internal waters of the United States, must be inspected to the satisfaction of the U. S. Coast Guard, before entering waters within three nautical miles from the territorial sea baseline. Vessels awaiting inspection will be required to anchor in the manner directed by the COTP. This section does not apply to vessels operating exclusively within the Long Island Sound Marine Inspection and COTP Zone, vessels on a single voyage which depart from and return to the same port or place within the RNA, all towing vessels engaged in coastwise trade, vessels in innocent passage not bound for a port or place subject to the jurisdiction of the United States, and all vessels not engaged in commercial service whose last port of call was in the United States. Vessels requiring inspection by the COTP may contact the COTP via marine band or Very High Frequency (VHF) channel 16, telephone at (203) 468-4401, facsimile at (203) 468-4418, or letter addressed to Captain of the Port, Long Island Sound, 120 Woodward Ave., New Haven, CT 06512.

(4) All vessels operating within the RNA that are bound for a port or place located in the United States or that must transit the internal waters of the United States, must obtain authorization from the Captain of the Port (COTP) before entering waters within three nautical miles from the territorial sea baseline. Vessels awaiting COTP authorization to enter waters within three nautical miles from the territorial sea baseline will be required to anchor in the manner directed by the COTP. This section does not apply to vessels operating exclusively within the Long Island Sound Marine Inspection and COTP Zone, vessels on a single voyage which depart from and return to the same port or place within the RNA, all towing vessels engaged in coastwise trade, vessels in innocent passage not bound for a port or place subject to the jurisdiction of the United States, and all vessels not engaged in commercial service whose last port of call was in the United States. Vessels may request authorization from the COTP by contacting the COTP via marine band or Very High Frequency (VHF) channel 16, telephone at (203) 468-4401, facsimile at (203) 468-4418, or letter addressed to Captain of the Port, Long Island Sound, 120 Woodward Ave., New Haven, CT 06512.

(5) Vessels over 1,600 gross tons operating in the RNA within three nautical miles from the territorial sea baseline that are bound for a port or place located in the United States or that must transit the internal waters of the United States must receive authorization from the COTP prior to transiting or any intentional vessel movements, including, but not limited to, shifting berths, departing anchorage, or getting underway from a mooring. This section does not apply to vessels in innocent passage not bound for a port or place subject to the jurisdiction of the United States.

(6) *Ferry vessels.* Vessels of 300 gross tons or more are prohibited from entering all waters within a 1200-yard radius of any ferry vessel transiting in any portion of the Long Island Sound Marine Inspection and COTP Zone without first obtaining the express prior authorization of the ferry vessel operator, master, COTP, or the designated COTP on-scene patrol.

(7) *Vessels engaged in commercial service.* No vessel may enter within a 100-yard radius of any vessel engaged in commercial service while that vessel is transiting, moored, or berthed in any portion of the Long Island Sound Marine Inspection and COTP zone, without the express prior authorization of the vessel's operator, master, COTP, or the designated COTP on-scene representative.

(8) *Bridge foundations.* Any vessel operating beneath a bridge must make a direct, immediate and expeditious passage beneath the bridge while remaining within the navigable channel. No vessel may stop, moor, anchor or loiter beneath a bridge at any time. No vessel may approach within a 25-yard radius of any bridge foundation, support, stanchion, pier or abutment except as required for the direct, immediate and expeditious transit beneath a bridge.

(9) This section does not relieve any vessel from compliance with applicable Navigation Rules (COLREGS and their associated Annexes and Inland Navigation Rules (33 CFR subchapter E)).

[CGD01-02-104, 68 FR 48802, Aug. 15, 2003, as amended by USCG-2006-24371, 74 FR 11213, Mar. 16, 2009; USCG-2015-0433, 80 FR 44283, July 27, 2015]

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§165.154 Safety and Security Zones; Captain of the Port Long Island Sound Zone Safety and Security Zones.

The following areas are designated safety and security zones:

(a) *Security zones.* (1) Dominion Millstone Nuclear Power Plant, Waterford, CT.

(i) All navigable waters of Long Island Sound, from surface to bottom, North and Northeast of a line running from Bay Point, at approximate position 41°18'34.20" N, 072°10'24.60" W, to Millstone Point at approximate position 41°18'15.00" N, 072°9'57.60" W (NAD 83).

(ii) All navigable waters of Long Island Sound, from surface to bottom, West of a line starting at 41°18'42" N, 072°09'39" W, running south to the Eastern most point of Fox Island at approximate position 41°18'24.11" N, 072°09'39.73" W (NAD 83).

(2) Electric Boat Shipyard, Groton, CT.

(i) *Location*. All navigable waters of the Thames River, from surface to bottom, West of the Electric Boat Corporation Shipyard enclosed by a line beginning at a point on the shoreline at 41°20'16" N, 72°04'47" W; then running West to 41°20'16" N, 72°04'57" W; then running North to 41°20'26" N, 72°04'57" W; then Northwest to 41°20'28.7" N, 72°05'01.7" W; then North-Northwest to 41°20'53.3" N, 72°05'04.8" W; then North-Northeast to 41°21'02.9" N, 72°05'04.9" W; then East to a point on shore at 41°21'02.9" N, 72°04'58.2" W (NAD 83).

(ii) *Application*. Sections 165.33(a), (e), (f) shall not apply to public vessels or to vessels owned by, under hire to, or performing work for the Electric Boat Division when operating in the security zone.

(3) Naval Submarine Base, Groton, CT. All navigable waters of the Thames River, from surface to bottom, West of the Groton Naval Submarine Base New London, enclosed by a line beginning at a point on the shoreline at 41°23'15.8" N, 72°05'17.9" W; then to 41°23'15.8" N, 72°05'22" W; then to 41°23'25.9" N, 72°05'29.9" W; then to 41°23'33.8" N, 72°05'34.7" W; then to 41°23'37.0" N, 72°05'38.0" W; then to 41°23'41.0" N, 72°05'40.3" W; then to 41°23'47.2" N, 72°05'42.3" W; then to 41°23'53.8" N, 72°05'43.7" W; then to 41°23'59.8" N, 72°05'43.0" W; then to 41°24'12.4" N, 72°05'43.2" W; then to a point on the shoreline at 41°24'14.4" N, 72°05'38" W; then along the shoreline to the point of beginning (NAD 83).

(4) U.S. Coast Guard Academy, New London, CT.

(i) *Location*. All navigable waters of the Thames River, from surface to bottom, in a 500-yard radius from Jacobs Rock, approximate position 41°22'22" N, 072°05'40" W (NAD 83).

(ii) *Enforcement period*. This rule will be enforced during visits by high-ranking officials and times of heightened security.

(iii) *Notification*. The Captain of the Port will notify the maritime community of periods during which this security zone will be enforced by all appropriate means such as Local Notice to Mariners, Marine Safety Information Radio Broadcasts or on scene notice.

(5) U.S. Coast Guard Vessels, Long Island Sound COTP Zone. All navigable waters within a 100-yard radius of any anchored U.S. Coast Guard vessel. For the purposes of this section, U.S. Coast Guard vessels includes any commissioned vessel or small boat in the service of the regular U.S. Coast Guard and does not include Coast Guard Auxiliary vessels.

(b) *Safety zones*. (1) Coast Guard Station Fire Island, Long Island, NY. All waters of Fire Island Inlet from the shore out to a line beginning at a point on shore at 40°37'31.4" N, 073°15'41.1" W; then North to 40°37'35.6" N, 073°15'43.1" W; then East to 40°37'36.7" N, 073°15'39.8" W; then East to 40°37'37.8" N, 073°15'36.6" W; then East to 40°37'41.1" N, 073°15'33.5" W; then Southeast to 40°37'39.7" N, 073°15'27.0" W; then Southeast to 40°37'37.5" N, 073°15'22.1" W; then Southeast to 40°37'37.6" N, 073°15'19.1" W; then Southeast to point on shore at 40°37'33.9" N, 073°15'20.8" W (NAD 83).

(2) [Reserved]

(c) *Regulations*. (1) The general regulations contained in §165.23 and §165.33 of this part apply. Entering into, remaining within or cause an article or thing to enter into or remain within these safety and security zones is prohibited unless authorized by the Captain of the Port or a designated representative.

(2) These safety and security zones are closed to all vessel traffic, except as may be permitted by the Captain of the Port (COTP) or a designated representative. Vessel operators given permission to enter or operate in the security zones must comply with all directions given to them by the COTP or the designated representative.

(3) The "designated representative" is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port to act on his/her behalf. The on-scene representative may be on a Coast Guard vessel, a state or local law enforcement vessel, or other designated craft, or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(4) Vessel operators desiring to enter or operate within the security zones shall request permission to do so by contacting the Captain of the Port Sector Long Island Sound at 203-468-4401, or via VHF Channel 16.

[USCG-2008-0384, 77 FR 6961, Feb. 10, 2012]

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§165.156 Regulated Navigation Area: East Rockaway Inlet to Atlantic Beach Bridge, Nassau County, Long Island, New York.

(a) *Location*. The following area is a Regulated Navigation Area: All waters of East Rockaway Inlet in an area bounded by lines drawn from position 40°34'56" N, 073°45'19" W, (approximate position of East Rockaway Inlet Breakwater Light, LLNR 31500) running north to a point of land on the northwest side of the inlet at position 40°35'28" N, 073°46'12" W, thence easterly along the shore to the east side of the Atlantic Beach Bridge, State Route 878, over East Rockaway Inlet, thence across the bridge to the south side of East Rockaway Inlet, thence westerly along the shore and across the water to the beginning.

(b) *Regulations.* (1) The general regulations contained in 33 CFR 165.10, 165.11, and 165.13 apply.

(2) In accordance with the general regulations, the following regulations apply to vessels carrying petroleum products in excess of 250 barrels:

(i) The vessel must have plans in place to maintain a minimum of two feet under keel clearance at all times.

(ii) A vessel requiring a nighttime transit through East Rockaway Inlet may only do so only after receiving approval from the Captain of the Port Long Island Sound.

(iii) Vessels are prohibited from transiting East Rockaway Inlet if a small craft advisory or greater has been issued for the area unless specific approval is received from the Captain of the Port Long Island Sound.

(iv) In an emergency, any vessel may deviate from the regulations in this section to the extent necessary to avoid endangering the safety of persons, the environment, and or property. If deviation from the regulations is necessary, the master or their designee shall inform the Coast Guard as soon as it is practicable to do so.

(c) *Waivers.* (1) The Captain of the Port Long Island Sound may, upon request, waive any regulation in this section.

(2) An application for a waiver must state the need for the waiver and describe the proposed vessel operations through the Regulated Navigation Area.

[USCG-2008-0085, 74 FR 57887, Nov. 10, 2009, as amended by USCG-2015-0433, 80 FR 44283, July 27, 2015]

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§165.160 Safety Zones; fireworks displays and swim events in Coast Guard Captain of the Port New York Zone.

(a) *Regulations.* The general regulations contained in 33 CFR 165.23 as well as the following regulations apply to the fireworks displays and swim events listed in Tables 1 and 2 to §165.160. These regulations will be enforced for the duration of each event. Notifications will be made to the local maritime community through the Local Notice to Mariners and Broadcast Notice to Mariners well in advance of the events. If the event does not have a date listed, then exact dates and times of the enforcement period will be announced through a Notice of Enforcement in the FEDERAL REGISTER. Mariners should consult the FEDERAL REGISTER or their Local Notice to Mariners to remain apprised of schedule or event changes. First Coast Guard District Local Notice to Mariners can be found at <http://www.navcen.uscg.gov/>. The Captain of the Port Sector New York Marine Events schedule can also be viewed electronically at www.homeport.uscg.mill/newyork. Although listed in the Code of Federal Regulations, sponsors of events listed in Tables 1 and 2 to §165.160 are still required to submit marine event applications in accordance with 33 CFR 100.15.

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative.* A “designated representative” is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port, Sector New York (COTP), to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(3) *Spectators.* All persons and vessels not registered with the event sponsor as participants or official patrol vessels.

(b) Vessel operators desiring to enter or operate within the regulated areas shall contact the COTP or the designated representative via VHF channel 16 or (718) 354-4353 (Sector New York command center) to obtain permission to do so.

(c) Spectators or other vessels shall not anchor, block, loiter, or impede the transit of event participants or official patrol vessels in the regulated areas during the effective dates and times, or dates and times as modified through the Local Notice to Mariners, unless authorized by COTP or designated representative.

(d) Upon being hailed by a U.S. Coast Guard vessel or the designated representative, by siren, radio, flashing light or other means, the operator of the vessel shall proceed as directed. Failure to comply with a lawful direction may result in expulsion from the area, citation for failure to comply, or both.

(e) The COTP or designated representative may delay or terminate any marine event in this subpart at any time it is deemed necessary to ensure the safety of life or property.

(f) The regulated area for all fireworks displays listed in Table 1 to §165.160 is that area of navigable waters within a 360 yard radius of the launch platform or launch site for each fireworks display, unless otherwise noted in TABLE 1 to §165.160 or modified in USCG First District Local Notice to Mariners at: <http://www.navcen.uscg.gov/>.

(g) Fireworks barges used in these locations will also have a sign on their port and starboard side labeled “Fireworks—Stay Away”. This sign will consist of 10 inch high by 1.5 inch wide red lettering on a white background. Shore sites used in these locations will display a sign labeled “Fireworks—Stay Away” with the same dimensions. These zones will be enforced from 6 p.m. (E.S.T.) to 1 a.m. (E.S.T.) each day a barge with a “Fireworks—Stay Away” sign on the port and starboard side is on-scene or a “Fireworks—Stay Away” sign is posted in a location listed in TABLE 1 to §165.160.

(h) For all swim events listed in Table 2 to §165.160, vessels not associated with the event shall maintain a separation of at least 100 yards from the participants.

TABLE 1 TO §165.160

1.0	Hudson River
1.1	Macy's 4th of July Fireworks
	• Event Type: Fireworks.
	• Date: July 4th.
	• Rain Date: July 5th.
	• Location: All waters of the Hudson River bounded by a line drawn east from approximate position 40°46'35.43" N, 074°00'37.53" W in New Jersey, to approximate position 40°46'16.98" N, 073°59'52.34" W in New York, thence south along the Manhattan shoreline to approximate position 40°44'48.98" N, 074°00'41.06" W, then west to approximate position 40°44'55.91" N, 074°01'24.94" W, (NAD 83). Then north along the New Jersey shoreline and back to the point of origin.
2.0	New York Harbor
2.1	Liberty Island Safety Zone
	• Launch site: A barge located in approximate position 40°41'16.5" N 074°02'23" W (NAD 1983), located in Federal Anchorage 20-C, about 360 yards east of Liberty Island. This Safety Zone is a 360-yard radius from the barge.
2.2	Ellis Island Safety Zone
	• Launch site: A barge located between Federal Anchorages 20-A and 20-B, in approximate position 40°41'45" N 074°02'09" W (NAD 1983) about 365 yards east of Ellis Island. This Safety Zone is a 360-yard radius from the barge.
2.3	South Ellis Island Safety Zone
	• Launch site: A barge located in approximate position 40°41'39.9" N 074°02'33.7" W (NAD 1983), about 260 yards south of Ellis Island. This Safety Zone is a 240-yard radius from the barge.
2.4	South Beach, Staten Island Safety Zone
	• Launch site: A barge located in approximate position 40°35'11" N 074°03'42" W (NAD 1983), about 350 yards east of South Beach, Staten Island. This Safety Zone is a 360-yard radius from the barge.
2.5	Raritan Bay Safety Zone
	• Launch site: A barge located in approximate position 40°30'04" N 074°15'35" W (NAD 1983), about 240 yards east of Raritan River Cutoff Channel Buoy 2 (LLNR 36595). This Safety Zone is a 240-yard radius from the barge.
2.6	Coney Island Safety Zone
	• Launch site: A land shoot from the south end of Steeplechase Pier, Coney Island in approximate position 40°34'11" N 073°59'00" W (NAD 1983). This Safety Zone is a 250-yard radius from the launch site.
2.7	Arthur Kill, Elizabeth, NJ Safety Zone
	• Launch site: A land shoot located in Elizabeth, New Jersey in approximate position 40°38'50" N 074°10'58" W (NAD 1983), about 675 yards west of Arthur Kill Channel Lighted Buoy 20 (LLNR 36780). This Safety Zone is a 150-yard radius from the launch site.
2.8	Rockaway Beach Safety Zone
	• Launch site: A barge located in approximate position 40°34'28.2" N 073°50'00" W (NAD 1983), 350 yards off of Beach 116th Street. This Safety Zone is a 360-yard radius from the barge.
2.9	Rockaway Inlet Safety Zone
	• Launch site: A barge located in approximate position 40°34'19.1" N 073°54'43.5" W (NAD 1983). 1200 yards south of Point Breeze. This Safety Zone is a 360-yard radius from the barge.
2.10	Pierhead Channel, NJ Safety Zone
	• Launch site: A barge located in approximate position 40°39'18.8" N 074°04'39.1 W (NAD 1983), approximately 350 yards north of the Kill Van Kull Channel. This Safety Zone is a 360-yard radius from the barge.
2.11	Midland Beach, Staten Island Safety Zone
	• Launch site: A barge located in approximate position 40°34'12" N 074°04'29.6" W (NAD 1983), approximately 800 yards southeast of Midland Beach. This Safety Zone is a 500-yard radius from the barge.
2.12	Wolfe's Pond Park, Staten Island Safety Zone
	• Launch site: A barge located in approximate position 40°30'52.1" N 074°10'58.8" W (NAD 1983), approximately 540 yards east of Wolfe's Pond Park. This Safety Zone is a 500-yard radius from the barge.
2.13	Ocean Breeze Fishing Pier, Staten Island Safety Zone
	• Launch site: A barge located in approximate position 40°34'46.3" N 074°04'02.0" W (NAD 1983), approximately 1150 yards west of Hoffman Island. This Safety Zone is a 360-yard radius from the barge.
2.14	Fort Hamilton Safety Zone
	• Launch site: A barge located in approximate position 40°36'00" N 074°01'42.5" W (NAD 1983), approximately 1400 yards southeast of the Verrazano-Narrows Bridge. This Safety Zone is a 240-yard radius from the barge.
2.15	Liberty State Park Safety Zone
	• Launch site: A barge located in approximate position 40°41'20.32" N 074°03'29.35" W (NAD 1983), approximately 334 yards south of Pier 7, Liberty State Park, Jersey City, New Jersey. This Safety Zone is a 240-yard radius from the barge.
3.0	Western Long Island Sound
3.1	Penning Neck, Western Long Island Sound safety zone
	• Launch site: A barge located in approximate position 40°56'21" N 073°41'23" W (NAD 1983), approximately 525 yards east of Milton Point, Penning Neck, New York. This Safety Zone is a 300-yard radius from the barge.
3.2	Satans Toe, Western Long Island Sound Safety Zone
	• Launch Site: A barge located in approximate position 40°55'21" N 073°43'41" W (NAD 1983), approximately 635 yards northeast of Larchmont Harbor (East Entrance) Light 2 (LLNR 25720). This Safety Zone is a 360-yard radius from the barge.
3.3	Larchmont, NY, Western Long Island Sound Safety Zone
	• Launch site: A barge located in approximate position 40°54'45" N 073°44'55" W (NAD 1983), approximately 450 yards southwest of the entrance to Horseshoe Harbor. This Safety Zone is a 240-yard radius from the barge.
3.4	Manursing Island, Western Long Island Sound Safety Zone
	• Launch site: A barge located in approximate position 40°57'47" N 073°40'06" W (NAD 1983), approximately 380 yards north of Rye Beach Transport Rock Buoy 2 (LLNR 25570). This Safety Zone is a 360-yard radius from the barge.
3.5	Glen Island, Western Long Island Sound Safety Zone
	• Launch site: A barge located in approximate position 40°53'12" N 073°46'33" W (NAD 1983), approximately 350 yards east of the northeast corner of Glen Island, New York. This Safety Zone is a 240-yard radius from the barge.
3.6	Twin Island, Western Long Island Sound Safety Zone
	• Launch site: A land shoot located on the east end of Orchard Beach, New York in approximate position 40°52'10" N 073°47'07" W (NAD 1983). This Safety Zone is a 200-yard radius from the launch site.
3.7	Davenport Neck, Western Long Island Sound Safety Zone
	• Launch site: A barge located in Federal Anchorage 1-A in approximate position 40°53'46" N 073°46'04" W (NAD 1983), approximately 360 yards north of Emerald Rock Buoy (LLNR 25810). This Safety Zone is a 360-yard radius from the barge.
3.8	Glen Cove, Hempstead Harbor Safety Zone
	• Launch site: A barge located in approximate position 40°51'58" N 073°39'34" W (NAD 1983), approximately 500 yards northeast of Glen Cove Breakwater Light 5 (LLNR 27065). This Safety Zone is a 360-yard radius from the barge.
3.9	Bar Beach, Hempstead Harbor Safety Zone
	• Launch site: A barge located in approximate position 40°49'50" N 073°39'12" W (NAD 1983), approximately 190 yards north of Bar Beach, Hempstead Harbor, New York. This Safety Zone is a 180-yard radius from the barge.
3.10	Larchmont Harbor (north), Western Long Island Sound Safety Zone
	• Launch site: A barge located in approximate position 40°55'21.8" N 073°44'21.7" W (NAD 1983), approximately 560 yards north of Umbrella Rock. This Safety Zone is a 240-yard radius from the barge.
3.11	Orchard Beach, The Bronx Safety Zone
	• Launch site: All waters of Long Island Sound in an area bound by the following points: 40°51'43.5" N 073°47'36.3" W; thence to 40°52'12.2" N 073°47'13.6" W; thence to 40°52'02.5" N 073°46'47.8" W; thence to 40°51'32.3" N 073°47'09.9" W (NAD 1983), thence to the point of origin.
	• Launch site: A barge located in approximate position 40°55'16" N 073°44'15" W (NAD 1983), approximately 440 yards north of Umbrella Rock, Larchmont Harbor, New York. This Safety Zone is a 240-yard radius from the barge.

3.12 Larchmont Harbor (south), Western Long Island Sound Safety Zone	
3.13 Sands Point Western Long Island Sound Safety Zone	• Launch site: A barge located in approximate position 40°52'03" N 073°43'39" W (NAD 1983), northeast of Hart Island, in the vicinity of Sands Point, New York. This Safety Zone is a 180-yard radius from the barge.
3.14 Echo Bay, Western Long Island Sound Safety Zone	• Launch site: A shore launch located in approximate position 40°54'34.41" N 073°45'56.61" W (NAD 1983), southeast portion of Harrison Island, New York. This Safety Zone is a 180-yard radius from the barge.
4.0	East River
4.1 Wards Island, East River Safety Zone	• Launch site: A barge located in approximate position 40°46'57.8" N 073°55'28.6" W (NAD 1983), approximately 330 yards north of the Robert F. Kennedy Bridge (Triborough Bridge) Bridge. This Safety Zone is a 150-yard radius from the barge.
4.2 Newtown Creek, East River Safety Zone	• Launch site: A barge located in approximate position 40°44" 24 N 073°58'00" W (NAD 1983), approximately 785 yards south of Belmont Island. This Safety Zone is a 360-yard radius from the barge.
4.3 Corlears, East River Safety Zone	• Launch site: A barge located in approximate position 40°42'34.53" N 073°58'33.37" W (NAD 1983), approximately 570 yards south of the Williamsburg Bridge, 250 yards west of Railroad Avenue, Corlears Hook, New York. This Safety Zone is a 180-yard radius from the barge.
4.4 Seaport, East River Safety Zone	• Launch site: All waters of the East River south of the Brooklyn Bridge and north of a line drawn from the southwest corner of Pier 3, Brooklyn, to the southeast corner of Pier 6, Manhattan.
5.0	Hudson River
5.1 Pier 60, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°44'49" N 074°01'02" W (NAD 1983), approximately 500 yards west of Pier 60, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.2 The Battery, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°42'00" N 074°01'17" W (NAD 1983), approximately 500 yards south of The Battery, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.3 Battery Park City, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°42'39" N 074°01'21" W (NAD 1983), approximately 480 yard southwest of North Cove Yacht Harbor, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.4 Pier 90, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°46'11.8" N 074°00'14.8" W (NAD 1983), approximately 375 yards west of Pier 90, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.5 Yonkers, NY, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°56'14.5" N 073°54'33" W (NAD 1983), approximately 475 yards northwest of the Yonkers Municipal Pier, New York. This Safety Zone is a 360-yard radius from the barge.
5.6 Hastings-on-Hudson, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°59'44.5" N 073°53'28" W (NAD 1983), approximately 425 yards west of Hastings-on-Hudson, New York. This Safety Zone is a 360-yard radius from the barge.
5.7 Pier D, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°42'57.5" N 074°01'34" W (NAD 1983), approximately 375 yards southeast of Pier D, Jersey City, New Jersey. This Safety Zone is a 360-yard radius from the barge.
5.8 Pier 54, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°44'31" N 074°01'00" W (NAD 1983), approximately 380 yards west of Pier 54, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.9 Pier 84, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°45'56.9" N 074°00'25.4" W (NAD 1983), approximately 380 yards west of Pier 84, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.10 Peekskill Bay, Hudson River Safety Zone	• Launch site: A barge located in approximate position 41°17'16" N 073°56'18" W (NAD 1983), approximately 670 yards north of Travis Point. This Safety Zone is a 360-yard radius from the barge.
5.11 Jersey City, NJ, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°42'37.3" N 074°01'41.6" W (NAD 1983), approximately 420 yards east of Morris Canal Little Basin. This Safety Zone is a 360-yard radius from the barge.
5.12 Newburgh, NY, Hudson River Safety Zone	• Launch site: A barge located in approximate position 41°30'01.2" N 073°59'42.5" W (NAD 1983), approximately 930 yards east of Newburgh, New York. This Safety Zone is a 360-yard radius from the barge.
5.13 Poughkeepsie, NY, Hudson River Safety Zone	• Launch site: A barge located in approximate position 41°42'24.50" N 073°56'44.16" W (NAD 1983), approximately 420 yards north of the Mid Hudson Bridge. This Safety Zone is a 300-yard radius from the barge.
5.14 Pier 40, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°43'30" N 074°01'06.7" W (NAD 1983), in the vicinity of the Holland Tunnel Ventilator, 530 yards south of Pier 40, Manhattan, New York. This Safety Zone is a 240-yard radius from the barge.
5.15 Fort Tryon Park, Hudson River Safety Zone	• Launch site: A barge located in approximate position 40°51'52" N 073°56'24" W (NAD 1983), approximately 1750 yards north of the George Washington Bridge. This Safety Zone is a 180-yard radius from the barge.
6.0	Hutchinson River
6.1 Bronx, NY Hutchinson River Safety Zone	• Launch site: A barge located in approximate position 40°52'31" N 073°49'24" W (NAD 1983). This Safety Zone is a 120-yard radius from the barge.
7.0	Navesink River
7.1 Keyport, NJ, Safety Zone	Launch site: A barge located in approximate position 40°26'24" N 074°12'18" W (NAD 1983), approximately 200 yards north of Keyport, NJ. This Safety Zone is a 150-yard radius from the barge.
7.2 Rumson, NJ, Safety Zone	• Launch site: A barge located in approximate position 40°22'39.1" N 074°01'07.3" W (NAD 1983), approximately 600 yards south of the Oceanic Bridge. This Safety Zone is a 300-yard radius from the barge.
7.3 Red Bank, NJ, Safety Zone	Launch site: A barge located in approximate position 40°21'20" N 074°04'10" W (NAD 1983), approximately 360 yards northwest of Red Bank, NJ. This Safety Zone is a 300-yard radius from the barge.

TABLE 2 TO §165.160

1.0	Hudson River
1.1 Hudson Valley Triathlon	• Event Type: Swim Event
	• Date: The first weekend after the 4th of July.
	• The following area is a safety zone: All waters of the Hudson River in the vicinity of Ulster Landing, bound by the following points: 42°00'03.7" N, 073°56'43.1" W; thence to 41°59'52.5" N, 073°56'34.2" W thence to 42°00'15.1" N, 073°56'25.2" W thence to 42°00'05.4" N, 073°56'41.9" W thence along the shoreline to the point of beginning.
	• This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
1.2 Newburgh Beacon Swim	• Event Type: Swim Event.
	• Date: Last weekend in July.
	• Rain Date: The first weekend in August.
	• Location: Participants will cross the Hudson River between Newburgh and Beacon, New York approximately 1300 yards south of the Newburgh-Beacon Bridges.
	• This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
1.3 Hudson River Swim for Life	• Event Type: Swim Event.

	<ul style="list-style-type: none"> • Date: 2nd weekend in September.
	<ul style="list-style-type: none"> • Location: Participants will cross the Hudson River in the vicinity of Nyack, New York between Lower Nyack Ledge and Kingsland Point, approximately 200 yards north of the Tappan Zee Bridge.
	<ul style="list-style-type: none"> • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
1.4 Toughman Half Triathlon	<ul style="list-style-type: none"> • Event Type: Swim Event.
	<ul style="list-style-type: none"> • Date: 2nd weekend in September.
	<ul style="list-style-type: none"> • Location: Participants will swim in the vicinity of Croton Point Park, New York between Potato Rock and Harmon, New York from the shoreline out to 1000 yards.
	<ul style="list-style-type: none"> • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
2.0	East River
2.1 Brooklyn Bridge Swim	<ul style="list-style-type: none"> • Event Type: Swim Event.
	<ul style="list-style-type: none"> • Date: 2nd or 3rd weekend in September.
	<ul style="list-style-type: none"> • Location: Participants will swim between Brooklyn and Manhattan, New York crossing the East River along the Brooklyn Bridge.
	<ul style="list-style-type: none"> • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
3.0	Western Long Island Sound
3.1 Swim Across America	<ul style="list-style-type: none"> • Event Type: Swim Event.
	<ul style="list-style-type: none"> • Date: 4th weekend in July and 2nd weekend in August.
	<ul style="list-style-type: none"> • Location: Participants will swim between Glen Cove and Larchmont, New York and an area of Hempstead Harbor between Glen Cove and the vicinity of Umbrella Point.
	<ul style="list-style-type: none"> • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
4.0	Upper New York Bay, Lower New York Bay
4.1 Ederle Swim	<ul style="list-style-type: none"> • Event Type: Swim Event.
	<ul style="list-style-type: none"> • Date: 2nd or 3rd weekend in October.
	<ul style="list-style-type: none"> • Location: Participants will swim between Manhattan, New York and the north shore of Sandy Hook, New Jersey transiting through the upper New York Bay, under the Verrazano-Narrows Bridge and across the Lower New York Bay. The route direction is determined by the predicted tide state and direction of current on the scheduled day of the event.
	<ul style="list-style-type: none"> • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
4.2 Rose Pitonof Swim	
	<ul style="list-style-type: none"> • Event Type: Swim Event
	<ul style="list-style-type: none"> • Date: The 2nd weekend in August.
	<ul style="list-style-type: none"> • Location: Participants will swim between Manhattan, New York and the shore of Coney Island, New York transiting through the Upper New York Bay, under the Verrazano-Narrows Bridge and south in the Lower New York Bay. The route direction is determined by the predicted tide state and direction of current on the scheduled day of the event.
	<ul style="list-style-type: none"> • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.

[USCG-2010-1001, 76 FR 69617, Nov. 9, 2011, as amended by USCG-2015-0433, 80 FR 44283, July 27, 2015]

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§165.161 Safety Zone; Shore (Belt) Parkway Bridge Construction, Mill Basin, Brooklyn, NY.

(a) *Location.* The following area is a safety zone: All waters from surface to bottom of Mill Basin within 200 yards of the Shore (Belt) Parkway Mill Basin bridge, east of a line drawn from 40°36'24.29" N., 073°54'02.59" W. to 40°36'11.36" N., 073°54'04.69" W., and west of a line drawn from 40°36'21.13" N., 073°53'47.38" W. to 40°36'11.59" N., 073°53'48.88" W.

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative.* A "designated representative" is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port (COTP) New York, to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(c) *Enforcement periods.* (1) This safety zone is in effect permanently starting January 7, 2016, but will only be enforced when deemed necessary by the COTP.

(2) The COTP will rely on the methods described in §165.7 to notify the public of the enforcement of this safety zone. Such notifications will include the date and times of enforcement, along with any pre-determined conditions of entry.

(d) *Regulations.* (1) The general regulations contained in §165.23, as well as the regulations in paragraphs (d)(2) and (3) of this section, apply.

(2) During periods of enforcement, all persons and vessels must comply with all orders and directions from the COTP or a COTP's designated representative.

(3) During periods of enforcement, upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of the vessel must proceed as directed.

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§165.162 Safety Zone; Witt-Penn Bridge Construction, Hackensack River, Jersey City, NJ.

(a) *Location.* The following area is a safety zone: All waters from surface to bottom of the Hackensack River bound by the following approximate positions: North of a line drawn from 40°44'27.4" N., 074°05'09.8" W. to 40°44'22.9" N., 074°04'53.1" W. (NJ PATH Bridge at mile 3.0), and south of a line drawn from 40°44'33.2" N., 074°04'51.0" W. to 40°44'28.2" N., 074°04'42.7" W. (500 feet north of the new Witt-Penn Bridge) (NAD 83).

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative.* A "designated representative" is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port (COTP) to act on his or her behalf. A designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(c) *Enforcement periods.* (1) This safety zone is in effect permanently starting January 7, 2016, but will only be enforced when deemed necessary by the COTP.

(2) The Coast Guard will rely on the methods described in §165.7 to notify the public of the time and duration of any closure of the safety zone. Violations of this safety zone may be reported to the COTP at 718-354-4353 or on VHF-Channel 16.

(d) *Regulations.* (1) The general regulations contained in §165.23, as well as paragraphs (d)(2) and (3) of this section, apply.

(2) During periods of enforcement, all persons and vessels must comply with all orders and directions from the COTP or a COTP's designated representative.

(3) During periods of enforcement, upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of the vessel must proceed as directed.

[USCG-2014-1008, 80 FR 76211, Dec. 8, 2015]

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§165.163 Safety Zones; Port of New York/New Jersey Fleet Week.

(a) The following areas are established as safety zones:

(1) *Safety Zone A—(i) Location.* A moving safety zone for the Parade of Ships including all waters 500 yards ahead and astern, and 200 yards of each side of the designated column of parade vessels as it transits the Port of New York and New Jersey from the Verrazano Narrows Bridge to Riverside State Park on the Hudson River between West 137th and West 144th Streets, Manhattan.

(ii) *Enforcement period.* Paragraph (a)(1)(i) of this section is enforced annually from 8 a.m. until 5 p.m. on the Wednesday before Memorial Day.

(2) *Safety Zone B—(i) Location.* A safety zone including all waters of the Hudson River between Piers 83 and 90, Manhattan, from the parade column east to the Manhattan shoreline.

(ii) *Enforcement period.* Paragraph (a)(2)(i) of this section is enforced annually from 8 a.m. until 5 p.m. on the Wednesday before Memorial Day.

(3) *Safety Zone C—(i) Location.* A moving safety zone including all waters of the Hudson River within a 200-yard radius of each parade vessel upon its leaving the parade of ships until it is safely berthed.

(ii) *Enforcement period.* Paragraph (a)(3)(i) of this section is enforced annually from 8 a.m. until 5 p.m. on the Wednesday before Memorial Day.

(4) *Safety Zone D—(i) Location.* A safety zone including all waters of the Hudson River bound by the following points: from the southeast corner of Pier 90, Manhattan, where it intersects the seawall, west to approximate position 40°46'10" N 074°00'13" W (NAD 1983), south to approximate position 40°45'54" N 074°00'25" W (NAD 1983), then east to the northeast corner of Pier 83 where it intersects the seawall.

(ii) *Enforcement period.* Paragraph (a)(4)(i) of this section is enforced annually from 10 a.m. until 5 p.m., from Friday through Monday, Memorial Day weekend.

(5) *Safety Zone E*—(i) *Location*. A moving safety zone including all waters 500 yards ahead and astern, and 200 yards on each side of the departing U.S. Navy Aircraft or Helicopter Carrier as it transits the Port of New York and New Jersey from its mooring at the Intrepid Sea, Air and Space Museum, Manhattan, to the COLREGS Demarcation line in the vicinity of Ambrose Channel Lighted Bell Buoy 6 (LLNR 34805).

(ii) *Enforcement period*. Paragraph (a)(5)(i) of this section is enforced annually on the Wednesday following Memorial Day. Departure time is dependent on tide, weather, and granting of authority for departure by the Captain of the Port, New York.

(b) *Effective period*. This section is effective annually from 8 a.m. on the Wednesday before Memorial Day until 4 p.m. on the Wednesday following Memorial Day.

(c) *Regulations*. (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene-patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U. S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

[CGD1-98-170, 64 FR 24946, May 10, 1999, as amended by USCG-2015-0433, 80 FR 44283, July 27, 2015]

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§165.164 Security Zones; Dignitary Arrival/Departure and United Nations Meetings, New York, NY.

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

(1) *Wall Street Heliport*. All waters of the East River within the following boundaries: East of a line drawn between approximate position 40°42'01" N, 074°00'39" W (east of The Battery) to 40°41'36" N, 074°00'52" W (point north of Governors Island) and north of a line drawn from the point north of Governors Island to the southwest corner of Pier 7 North, Brooklyn; and south of a line drawn between 40°42'14.8" N, 074°00'20.3" W (Wall Street, Manhattan), and the northwest corner of Pier 2 North, Brooklyn (NAD 1983).

(2) *Randalls and Wards Islands*: All waters of the East River between the Hell Gate Rail Road Bridge (mile 8.2), and a line drawn from a point at approximate position 40°47'27.12" N, 073°54'35.14" W (Lawrence Point, Queens) to a point at approximate position 40°47'52.55" N, 073°54'35.25" W (Port Morris Stacks), and all waters of the Bronx Kill southeast of the Bronx Kill Rail Road Bridge (mile 0.6) (NAD 1983).

(3) *Marine Air Terminal, LaGuardia Airport Security Zone*: All waters of Bowery Bay, Queens, New York, south of a line drawn from the western end of LaGuardia Airport at approximate position 40°46'47" N, 073°53'05" W to the Rikers Island Bridge at approximate position 40°46'51" N, 073°53'21" W and east of a line drawn between the point at the Rikers Island Bridge to a point on the shore in Queens, New York, at approximate position 40°46'36" N, 073°53'31" W (NAD 1983).

(4) *United Nations Manhattan Shoreline*. All waters of the East River bound by the following points: 40°44'37" N, 073°58'16.5" W (the base of East 35th Street, Manhattan), then east to 40°44'34.5" N, 073°58'10.5" W (about 180 yards offshore of Manhattan), then northeasterly to 40°45'29" N, 073°57'26.5" W (about 125 yards offshore of Manhattan at the Queensboro Bridge), then northwesterly to 40°45'31" N, 073°57'30.5" W (Manhattan shoreline at the Queensboro Bridge), then southerly along the shoreline to the starting point at 40°44'37" N, 073°58'16.5" W (NAD 1983).

(5) *United Nations West Channel Closure*. All waters of the East River north of a line drawn from approximate position 40°44'37" N, 073°58'16.5" W (the base of East 35th Street, Manhattan), to approximate position 40°44'31.04" N, 073°58'03.10" W (approximately 400 yards east of the Manhattan shoreline), all waters west of a line drawn from approximate position 40°44'31.04" N, 073°58'03.10" W (approximately 400 yards east of the Manhattan shoreline), to the southern tip of Roosevelt Island at approximate position 40°44'57.96" N, 073°57'41.57" W, then along the western shoreline of Roosevelt Island to the Queensboro Bridge, and all waters south of the Queensboro Bridge (NAD 1983).

(6) *United Nations Full River Closure*. All waters of the East River north of a line drawn from approximate position 40°44'37" N, 073°58'16.5" W (the base of East 35th Street, Manhattan), to approximate position 40°44'23" N, 073°57'44.5" W (Hunters Point, Long Island City), and south of the Queensboro Bridge (NAD 1983).

(b) *Definitions*.

As used in this section—

Designated representative means any Coast Guard commissioned, warrant, or petty officer who has been designated by the COTP to act on the COTP's behalf. A designated representative may be on a Coast Guard vessel, or onboard a federal, state, or local agency vessel that is authorized to act in support of the Coast Guard.

Dignitary means the President or Vice President of the United States, or visiting heads of foreign states or governments.

(c) *Regulations.* In accordance with the general regulations in 33 CFR 165.33, no person or vessel may enter or move within a security zone created by this section while that security zone is being enforced unless granted permission to do so by the Coast Guard's First District Commander, the COTP, or a designated representative. Vessel operators and persons given permission to enter or operate in a security zone must comply with all directions given to them by the COTP, or a designated representative. Upon being hailed by a U.S. Coast Guard or other duly authorized law enforcement vessel (e.g., New York City police) by siren, radio, flashing lights, or other means, the operator of a vessel must proceed as directed, and follow any instructions to anchor or moor up to a waterfront facility.

(d) *Enforcement periods.* The security zone described in paragraph (a)(4) of this section is subject to enforcement at all times. All other security zones established by this section will only be enforced when necessary to protect dignitaries as determined by the COTP.

(e) *Notification.* Because the security zone described in paragraph (a)(4) of this section is subject to enforcement at all times, the Coast Guard will not necessarily take any action to further notify the public about the enforcement of that zone. As for the enforcement periods for the other security zones contained herein, the Coast Guard will rely on the methods described in 33 CFR 165.7 to notify the public of the time and duration of any enforcement period. The COTP may also notify the public about enforcement of these security zones via <http://homeport.uscg.mil/newyork>.

(f) *Contact information.* Vessel operators desiring to enter or operate within a security zone shall telephone the COTP at 718-354-4356 or a designated representative via VHF channel 16 to obtain permission to do so.

[USCG-2013-1009, 79 FR 78308, Dec. 30, 2014]

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§165.165 Regulated Navigation Area; Hudson River South of the Troy Locks, NY.

(a) *Regulated navigation area.* All navigable waters of the Hudson River south of the Troy Locks.

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative* means any Coast Guard commissioned, warrant, or petty officer, or a Federal, State, or local law enforcement officer designated by or assisting the Captain of the Port (COTP) New York.

(2) *Horsepower (HP)* means the total maximum continuous shaft horsepower of all the vessel's main propulsion machinery.

(c) *Applicability.* This section applies to tugs with less than 3,000 horsepower when engaged in towing operations.

(d) *Regulations.* (1) Except as provided in paragraph (c)(3) of this section, vessels less than 3,000 horsepower while engaged in towing operations are not authorized to transit that portion of the Hudson River south of the Troy Locks when ice thickness on average is eight inches or greater.

(2) All Coast Guard assets enforcing this Regulated Navigation Area can be contacted on VHF marine band radio, channel 13 or 16. The COTP can be contacted at (718) 354-4356, and the public may contact the COTP to suggest changes or improvements in the terms of this Regulated Navigation Area.

(3) All persons desiring to transit through a portion of the regulated area that has operating restrictions in effect must contact the COTP at telephone number (718) 354-4356 or on VHF channel 13 or 16 to seek permission prior to transiting the affected regulated area.

(4) The COTP will notify the public of any changes in the status of this Regulated Navigation Area by Marine Safety Information Broadcast on VHF-FM marine band radio, channel 22A (157.1 MHz).

[USCG-2010-0794, 76 FR 8656, Feb. 15, 2011]

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§165.166 Safety Zone: Macy's July 4th Fireworks, East River, NY.

(a) *Regulated area.* The following area is a safety zone: All waters of the Upper New York Bay south of a line drawn from Pier A (Fireboat Station Pier), Battery Park City, in approximate position 40°42'15.4" N 074°01'06.8" W (NAD 1983) to the easternmost corner of the Ellis Island Security Zone, in approximate position 40°41'57.6" N 074°02'06.7" W (NAD 1983); north of a line drawn from Pier 7, Jersey City, NJ, in approximate position 40°41'26.4" N 074°03'17.3" W (NAD 1983) to Liberty Island Lighted Gong Buoy 33 (LLNR 34995), in approximate position 40°41'02.2" N 074°02'24.7" W (NAD 1983), on to Governor's Island Extension Light (LLNR 35000), in approximate position 40°41'08.3" N 074°01'35.4" W (NAD 1983); all waters of the East River north of a line drawn from Governors Island, in approximate position 40°41'25.3" N 074°00'42.5" W (NAD 1983) to the southwest corner of Pier 9A, Brooklyn; south of a line drawn from East 47th Street, Manhattan through the southern point of Roosevelt Island to 46 Road, Queens; and all waters of Newtown Creek west of the Pulaski Bascule Bridge.

(b) *Activation period.* This section is activated annually from 6:30 p.m. until 11:30 p.m. on July 4th. If the event is cancelled due to inclement weather then this section is in effect from 6:30 p.m. until 11:30 p.m. on July 5th.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) No vessels, except the Staten Island Ferries, will be allowed to transit the safety zone without the permission of the Captain of the Port, New York.

(3) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

(4) Vessels equal to or greater than 20 meters (65.6 feet) in length, carrying persons for the purpose of viewing the fireworks, may take position in an area inside the safety zone, at least 200 yards off the bulkhead on the west bank and just off the pierhead faces on the east bank of the East River between the Williamsburg Bridge and North 9th Street, Brooklyn. This area is bound by the following points: 40°42'45.5" N 073°58'07.4" W; thence to 40°42'50.4" N 073°58'23.2" W; thence to 40°43'23.1" N 073°58'12.7" W; thence to 40°43'21.5" N 073°57'45.7" W; (NAD 1983) thence back to the point of beginning. All vessels must be in this location by 6:30 p.m. (e.s.t.) the day of the event.

[CGD01-00-242, 66 FR 20405, Apr. 23, 2001, as amended by CGD01-05-017, 70 FR 35536, June 21, 2005; USCG-2015-0433, 80 FR 44283, July 27, 2015]

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§165.169 Safety and Security Zones: New York Marine Inspection Zone and Captain of the Port Zone.

(a) *Safety and security zones.* The following waters within the New York Marine Inspection Zone and Captain of the Port Zone are safety and security zones:

(1) *Indian Point Nuclear Power Station (IPNPS).* All waters of the Hudson River within a 300-yard radius of the IPNPS pier in approximate position 41°16'12.4" N, 073°57'16.2" W (NAD 83).

(2) *U.S. Coast Guard Cutters and Shore Facilities.* All waters within 100 yards of: Each moored, or anchored, Coast Guard Cutter; Coast Guard Station New York, Staten Island, NY; Coast Guard Station Sandy Hook, NJ; Coast Guard Station Kings Point, NY; and Coast Guard Aids to Navigation Team New York, Bayonne, NJ.

(3) *Part 105 Facilities*—(i) *Definition.* For the purposes of this section, *Part 105 Facility* means any facility subject to the regulations contained in 33 CFR part 105, including those designated as "Public Access Facilities" as defined in 33 CFR 101.105. For public identification purposes, all of these facilities are required to have signs posted along the shoreline, facing the water, indicating that there is a 25 yard waterfront security zone surrounding the facilities.

(ii) *Location.* All waters within 25 yards of each Part 105 Facility. When a barge, ferry, or other commercial vessel is conducting transfer operations at a Part 105 Facility, the 25-yard zone is measured from the outboard side of the commercial vessel.

(iii) *Regulations.* (A) Vessels not actively engaged in passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations, or docking or undocking operations, authorized in advance by the Facility Security Plan, Facility Security Officer or designated representative, must not enter within any part of a zone described in paragraph (a)(3) of this section without the express permission of the Coast Guard Captain of the Port, a designated representative or designated on-scene patrol personnel.

(B) Persons seeking Captain of the Port permission to enter within a particular zone for official business other than authorized passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations or authorized docking or undocking operations may request such authorization by contacting: Commander Coast Guard Sector New York, via the Sector Command Center (SCC), at: 212 Coast Guard Drive, Staten Island, NY 10305, or via fax to (718) 354-4125 or by contacting the Sector Command Center Duty Officer by phone at: (718) 354-4353.

(C) Vessels may transit through any portion of the zone that extends into the navigable channel for the sole purpose of direct and expeditious transit so long as they remain within the navigable channel, maintain the maximum safe distance from the Part 105 facility, and do not stop or loiter within the zone.

(4) *Liberty and Ellis Islands*—(i) *Location.* All waters within 150 yards of Liberty Island and Ellis Island, and the Ellis Island Bridge.

(ii) *Ellis Island Bridge.* In addition to any person or vessel authorized pursuant to paragraph (b) of this section, vessels may transit underneath the Ellis Island Bridge subject to the following conditions:

(A) *Dates/Times:* On weekends only, to include Federally Observed Holidays on a Friday or Monday, from Memorial Day Weekend through October 1 each year, between one hour after sunrise and one hour before sunset.

(B) *Vessel types:* Human powered vessels equal to or less than twenty five feet. Human powered vessels must be able to safely navigate under the bridge.

(C) Notification: Human powered vessels desiring to transit shall contact the United States Park Police Command Center at 212-363-3260 or VHF CH 13 regarding intentions of passage prior to entering the safety and security zone and transiting under the Ellis Island Bridge.

(D) Route: Transits through the safety and security zone and under the bridge shall occur only at the designated route marked with lights and signage.

(E) Passage: Vessels transiting under the Ellis Island Bridge shall make expeditious passage and not stop or loiter within the safety and security zone.

(iii) *Enforcement period.* The safety and security zone described in this subsection is effective at all times. Although certain vessels have permission to enter the safety and security zone to transit under the Ellis Island Bridge subject to the conditions outlined in paragraphs (a)(4)(ii)(A)-(E) of this section, the safety and security zone is in effect permanently and can be enforced at any time. When deemed necessary the COTP may rescind the permission granted in paragraphs (a)(4)(ii)(A)-(E) of this section for any period of time.

(5) *Bridge Piers and Abutments, Overhead Power Cable Towers, Piers and Tunnel Ventilators.* All waters within 25 yards of any bridge pier or abutment, overhead power cable tower, pier or tunnel ventilators south of the Troy, NY Locks. Vessels may transit through any portion of the zone that extends into the navigable channel for the sole purpose of direct and expeditious transit through the zone so long as they remain within the navigable channel, maintain the maximum safe distance from the waterfront facility and do not stop or loiter within the zone.

(6) *New York City Passenger Ship Terminal, Hudson River, NY—(i) Location.* All navigable waters of the Hudson River bound by the following points: From the point 40°46'09" N, 073°59'48.7" W on the seawall midway between Pier 92 and 94, thence northwest to approximate position 40°46'14" N, 074°00'00.9" W, approximately 125 yards northwest of Pier 92, thence southwest to approximate position 40°45'56.7" N, 074°00'15.3" W, approximately 150 yards west of Pier 86, thence east to the seawall between Pier 84 and Pier 86 at approximate position 40°45'49.6" N, 073°59'58.1" W (NAD 1983), thence northeast along the shoreline to the point of origin.

(ii) *Regulations.* Vessels not actively engaged in passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations, or docking or undocking operations, authorized in advance by the Facility Security Plan, Facility Security Officer or designated representative, must not enter within any part of a zone described in paragraph (a)(6) of this section without the express permission of the Coast Guard Captain of the Port, a designated representative or designated on-scene patrol personnel. Persons seeking Captain of the Port permission to enter within the zone described in paragraph (a)(6) of this section for official business other than authorized passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations or authorized docking or undocking operations may request such authorization by contacting: Commander Coast Guard Sector New York, via the Sector Command Center (SCC), at: 212 Coast Guard Drive, Staten Island, NY 10305, or via fax to (718) 354-4125 or by contacting the Sector Command Center Duty Officer by phone at: (718) 354-4353.

(7) *La Guardia Airport, Bowery and Flushing Bays, Queens, NY. (i) Location: 200-Yard Zone.* All waters of Bowery and Flushing Bays within approximately 200 yards of La Guardia Airport bound by the following points: Onshore at Steinway, Queens, in approximate position 40°46'32.1" N, 073°53'22.4" W, thence to 40°46'52.8" N, 073°53'09.3" W, thence to 40°46'54.8" N, 073°52'54.2" W, thence to 40°46'59.3" N, 073°52'51.3" W, thence to 40°47'11.8" N, 073°53'17.3" W, thence to 40°47'13.0" N, 073°53'16.1" W on Rikers Island, thence easterly along the Rikers Island shoreline to approximate position 40°47'12.9" N, 073°52'17.9" W, thence to 40°47'16.7" N, 073°52'09.2" W, thence to 40°47'36.1" N, 073°51'52.5" W, thence to 40°47'35.1" N, 073°51'50.5" W, thence to 40°47'15.9" N, 073°52'06.4" W, thence to 40°47'14.5" N, 073°52'03.1" W, thence to 40°47'10.6" N, 073°52'06.7" W, thence to 40°47'01.9" N, 073°52'02.4" W, thence to 40°46'50.4" N, 073°52'08.1" W, thence to 40°46'26.8" N, 073°51'18.5" W, thence to 40°45'57.2" N, 073°51'01.8" W, thence to 40°45'51.2" N, 073°50'59.6" W, thence to 40°45'49.5" N, 073°51'07.2" W, thence to 40°45'58.8" N, 073°51'13.2" W, thence to 40°46'02.3" N, 073°51'20.1" W, thence to 40°45'48.4" N, 073°51'37.0" W, (NAD 1983) thence along the shoreline to the point of origin.

(ii) *Location: 100-Yard Zone.* All waters of Bowery and Flushing Bays within approximately 100 yards of La Guardia Airport bound by the following points: Onshore at Steinway, Queens, in approximate position 40°46'32.1" N, 073°53'22.4" W, thence to 40°46'50.6" N, 073°53'07.3" W, thence to 40°46'53.0" N, 073°52'50.9" W, thence to 40°46'57.6" N, 073°52'47.9" W, thence to 40°47'11.8" N, 073°53'17.3" W, thence to 40°47'13.0" N, 073°53'16.1" W on Rikers Island, thence easterly along the Rikers Island shoreline to approximate position 40°47'12.9" N, 073°52'17.9" W, thence to 40°47'16.7" N, 073°52'09.2" W, thence to 40°47'36.1" N, 073°51'52.5" W, thence to 40°47'35.1" N, 073°51'50.5" W, thence to 40°47'15.9" N, 073°52'06.4" W, thence to 40°47'14.5" N, 073°52'03.1" W, thence to 40°47'07.9" N, 073°52'09.2" W, thence to 40°47'01.4" N, 073°52'06.1" W, thence to 40°46'50.0" N, 073°52'14.6" W, thence to 40°46'22.2" N, 073°51'16.0" W, thence to 40°45'57.2" N, 073°51'01.8" W, thence to 40°45'52.4" N, 073°51'00.2" W, thence to 40°45'50.6" N, 073°51'07.9" W, thence to 40°45'58.8" N, 073°51'13.2" W, thence to 40°46'04.0" N, 073°51'23.3" W, thence to 40°45'51.2" N, 073°51'38.8" W, (NAD 1983) thence along the shoreline to the point of origin.

(iii) *Enforcement period.* The zones described in paragraph (a)(7) of this section will be effective at all times. When port security conditions permit, the Captain of the Port will allow vessels to operate within that portion of the waters described in paragraph (a)(7)(i) that lies outside of the waters described in paragraph (a)(7)(ii). Authorization to enter the waters that lie between the outer boundaries of the zones described in paragraphs (a)(7)(i) and (a)(7)(ii) will be communicated by the Captain of the Port to the public by marine broadcast, or local notice to mariners, or notice posted at <http://homeport.uscg.mil/newyork>.

(8) *John F. Kennedy Airport, Jamaica Bay, Queens, NY.* (i) *Location: Bergen Basin.* All waters of Bergen Basin north of 40°39'26.4" N.

(ii) *Location: Thurston Basin.* All waters of Thurston Basin north of 40°38'21.2" N.

(iii) *Location: 200-Yard Zone.* All waters of Jamaica Bay within approximately 200 yards of John F. Kennedy Airport bound by the following points: Onshore east of Bergen Basin, Queens, in approximate position 40°38'49.0" N, 073°49'09.1" W, thence to 40°38'42.5" N, 073°49'13.2" W, thence to 40°38'00.6" N, 073°47'35.1" W, thence to 40°37'52.3" N, 073°47'55.0" W, thence to 40°37'50.3" N, 073°47'53.5" W, thence to 40°37'59.4" N, 073°47'32.6" W, thence to 40°37'46.1" N, 073°47'07.2" W, thence to 40°37'19.5" N, 073°47'30.4" W, thence to 40°37'05.5" N, 073°47'03.0" W, thence to 40°37'34.7" N, 073°46'40.6" W, thence to 40°37'20.5" N, 073°46'23.5" W, thence to 40°37'05.7" N, 073°46'34.9" W, thence to 40°36'54.8" N, 073°46'26.7" W, thence to 40°37'14.1" N, 073°46'10.8" W, thence to 40°37'36.9" N, 073°45'52.8" W, thence to 40°38'00.8" N, 073°44'54.9" W, thence to 40°38'05.1" N, 073°45'00.3" W, (NAD 1983) thence along the shoreline to the point of origin.

(iv) *Location: 100-Yard Zone.* All waters of Jamaica Bay within approximately 100 yards of John F. Kennedy Airport bound by the following points: Onshore east of Bergen Basin, Queens, in approximate position 40°38'49.0" N, 073°49'09.1" W, thence to 40°38'45.1" N, 073°49'11.6" W, thence to 40°38'02.0" N, 073°47'31.8" W, thence to 40°37'52.3" N, 073°47'55.0" W, thence to 40°37'50.3" N, 073°47'53.5" W, thence to 40°38'00.8" N, 073°47'29.4" W, thence to 40°37'47.4" N, 073°47'02.4" W, thence to 40°37'19.9" N, 073°47'25.0" W, thence to 40°37'10.0" N, 073°47'03.7" W, thence to 40°37'37.7" N, 073°46'41.2" W, thence to 40°37'22.6" N, 073°46'21.9" W, thence to 40°37'05.7" N, 073°46'34.9" W, thence to 40°36'54.8" N, 073°46'26.7" W, thence to 40°37'14.1" N, 073°46'10.8" W, thence to 40°37'40.0" N, 073°45'55.6" W, thence to 40°38'02.8" N, 073°44'57.5" W, thence to 40°38'05.1" N, 073°45'00.3" W, (NAD 1983) thence along the shoreline to the point of origin.

(v) *Enforcement period.* The zones described in paragraphs (a)(8) of this section will be effective at all times. When port security conditions permit, the Captain of the Port will allow vessels to operate within that portion of the waters described in paragraph (a)(8)(iii) that lies outside of the waters described in paragraph (a)(8)(iv). Authorization to enter the waters that lie between the outer boundaries of the zones described in paragraphs (a)(8)(iii) and (a)(8)(iv) will be communicated by the Captain of the Port to the public by marine broadcast, local notice to mariners, or notice posted at <http://homeport.uscg.mil/newyork>.

(9) *NYPD Ammunition Depot, Rodman Neck, Eastchester Bay, NY.* (i) *Location: 150-Yard Zone.* All waters of Eastchester Bay within approximately 150 yards of Rodman Neck bound by the following points: Onshore in approximate position 40°51'30.4" N, 073°48'14.9" W, thence to 40°51'29.9" N, 073°48'20.7" W, thence to 40°51'16.9" N, 073°48'22.5" W, thence to 40°51'07.5" N, 073°48'18.7" W, thence to 40°50'54.2" N, 073°48'11.1" W, thence to 40°50'48.5" N, 073°48'04.6" W, thence to 40°50'49.2" N, 073°47'56.5" W, thence to 40°51'03.6" N, 073°47'47.3" W, thence to 40°51'15.7" N, 073°47'46.8" W, thence to 40°51'23.5" N, 073°47'41.9" W, (NAD 1983) thence southwesterly along the shoreline to the point of origin.

(ii) *Location: 100-Yard Zone.* All waters of Eastchester Bay within approximately 100 yards of Rodman Neck bound by the following points: Onshore in approximate position 40°51'30.4" N, 073°48'14.9" W, thence to 40°51'30.1" N, 073°48'19.0" W, thence to 40°51'16.8" N, 073°48'20.5" W, thence to 40°51'07.9" N, 073°48'16.8" W, thence to 40°50'54.9" N, 073°48'09.0" W, thence to 40°50'49.7" N, 073°48'03.6" W, thence to 40°50'50.1" N, 073°47'57.9" W, thence to 40°51'04.6" N, 073°47'48.9" W, thence to 40°51'15.9" N, 073°47'48.4" W, thence to 40°51'23.5" N, 073°47'41.9" W, (NAD 1983) thence southwesterly along the shoreline to the point of origin.

(iii) *Enforcement period.* The zones described in paragraph (a)(9) of this section will be effective at all times. When port security conditions permit, the Captain of the Port will allow vessels to operate within that portion of the waters described in paragraph (a)(9)(i) that lies outside of the waters described in paragraph (a)(9)(ii). Authorization to enter the waters that lie between the outer boundaries of the zones described in paragraphs (a)(9)(i) and (a)(9)(ii) will be communicated by the Captain of the Port to the public by marine broadcast, local notice to mariners, or notice posted at <http://homeport.uscg.mil/newyork>.

(10) *Port Newark/Port Elizabeth, Newark Bay, NJ.* All waters of Newark Bay bound by the following points: 40°41'49.9" N, 074°07'32.2" W, thence to 40°41'46.5" N, 074°07'20.4" W, thence to 40°41'10.7" N, 074°07'45.9" W, thence to 40°40'54.3" N, 074°07'55.7" W, thence to 40°40'36.2" N, 074°08'03.8" W, thence to 40°40'29.1" N, 074°08'06.3" W, thence to 40°40'21.9" N, 074°08'10.0" W, thence to 40°39'27.9" N, 074°08'43.6" W, thence to 40°39'21.5" N, 074°08'50.1" W, thence to 40°39'21.5" N, 074°09'54.3" W, (NAD 1983) thence northerly along the shoreline to the point of origin.

(11) *Global Marine Terminal, Upper New York Bay.* All waters of Upper New York Bay between the Global Marine and Military Ocean Terminals, west of the New Jersey Pierhead Channel.

(12) *Approaches to New York, Atlantic Ocean—*(i) *Location:* All waters of the Atlantic Ocean between the Ambrose to Hudson Canyon Traffic Lane and the Barnegat to Ambrose Traffic Lane bound by the following points: 40°21'29.9" N, 073°44'41.0" W, thence to 40°21'04.5" N, 073°45'31.4" W, thence to 40°15'28.3" N, 073°44'13.8" W, thence to 40°15'35.4" N, 073°43'29.8" W, thence to 40°19'21.2" N, 073°42'53.0" W, (NAD 1983) thence to the point of origin.

(ii) *Enforcement period.* Enforcement periods for the zone in paragraph (a)(12) of this section will be announced through marine information broadcast or other appropriate method of communication and the zone is activated whenever a vessel is anchored in the area described in paragraph (a)(12)(i) or a Coast Guard patrol vessel is on-scene.

(iii) *Regulations.* (A) The area described in paragraph (a)(12) of this section is not a Federal Anchorage Ground. Only vessels directed by the Captain of the Port or his or her designated representative to enter this zone are authorized to anchor here.

(B) Vessels do not need permission from the Captain of the Port to transit the area described in paragraph (a)(12) of this section during periods when that security zone is not being enforced.

(13) *Liquefied Hazardous Gas (LHG) Vessels*—(i) *Definitions.* For the purposes of this section, *LHG Vessel* means any vessel constructed or converted to carry, in bulk, any of the flammable or toxic products listed in 33 CFR 127.005, Table 127.005.

(ii) *Location.* All waters within a 200-yard radius of any LHG Vessel that is underway and all waters within a 100-yard radius of any LHG Vessel that is moored or at anchor.

(iii) *Enforcement period.* The zone described in paragraph (a)(13) of this section will be activated upon entry of a LHG Vessel into the navigable waters of the United States (see 33 CFR 2.36(a) to include the 12 NM territorial sea) in the New York Captain of the Port Zone (33 CFR 3.05-30). The LHG Vessel will be identifiable by the requirement to fly the Bravo flag (red international signal flag under Pub. 102, International Code of Signals) from the outermost halyard (above the pilot house) where it can most easily be seen. In addition to visual identification of the LHG Vessel, the Captain of the Port will notify the maritime community of periods during which this zone will be enforced by methods in accordance with 33 CFR 165.7.

(14) *Cruise ships*—(i) *Definition.* For the purposes of this section, *cruise ship* means a passenger vessel as defined in 46 U.S.C. 2101(22), that is authorized to carry more than 400 passengers and is 200 or more feet in length. A cruise ship under this section will also include ferries as defined in 46 CFR 2.10-25 that are authorized to carry more than 400 passengers and are 200 feet or more in length.

(ii) *Location.* All waters within a 100-yard radius of any Cruise ship whether underway, anchored, or at berth.

(iii) *Enforcement period.* The zone described in paragraph (a)(14) of this section will be activated upon entry of any cruise ship into the navigable waters of the United States (see 33 CFR 2.36(a) to include the 12 NM territorial sea) in the New York Captain of the Port Zone (33 CFR 3.05-30). This zone will remain activated at all times while the cruise ship is within the navigable waters of the United States in the New York Captain of the Port Zone.

(15) *Designated Vessels*—(i) *Definition.* For the purposes of this section, *Designated Vessels* are vessels carrying government officials, dignitaries, or other passengers requiring protection by the U.S. Secret Service, or other Federal, State or local law enforcement agency; barges or ships carrying petroleum products, chemicals, or other hazardous cargo; and passenger vessels (as defined in 46 U.S.C. 2101(22)), that are authorized to carry more than 400 passengers and are less than 200 feet in length.

(ii) *Location.* All waters within a 100-yard radius of any Designated Vessel.

(iii) *Enforcement period.* The zone described in paragraph (a)(15) of this section will be activated upon entry of any Designated Vessel into the navigable waters of the United States (see 33 CFR 2.36(a) to include the 12 NM territorial sea) in the New York Captain of the Port Zone (33 CFR 3.05-30). This zone will remain activated at all times while the Designated Vessel is within the navigable waters of the United States in the New York Captain of the Port Zone. The Designated Vessels, including ships and barges carrying petroleum products, chemicals, or other hazardous cargo will be recognized by the requirement to fly the Bravo flag (red international signal flag under Pub 102, International Code of Signals) from the outermost halyard (above the pilot house) where it can most easily be seen. Vessels that are constrained by their draft from leaving the channel may transit through the zone for the sole purpose of direct and expeditious transit so long as they remain within the navigable channel, maintain the maximum possible safe distance from the Designated Vessel, and do not stop or loiter within the zone. Designated Vessels carrying government officials, dignitaries, or other passengers requiring protection, and passenger vessels authorized to carry more than 400 passengers and are less than 200 feet in length will be recognizable by their being escorted by a federal, state or local law enforcement or security vessel. The law enforcement or security vessel will be identifiable by flashing light, siren, flags, markings and/or through other means that clearly identify the vessel as engaged in law enforcement or security operations.

(16) *134th Street Pipeline Metering and Regulating Station*—(i) *Location.* All waters of the Hudson River within 25 yards of the 134th Street Pipeline Metering and Regulating Station.

(ii) *Regulations.* (A) Vessels not actively engaged in facility maintenance or inspection operations authorized in advance by the Pipeline Security Officer or designated representative, or authorized docking or undocking operations, must not enter within any part of a zone described in paragraph (a)(16) of this section without the express permission of the Coast Guard Captain of the Port, a designated representative or designated on-scene patrol personnel.

(B) Persons seeking Captain of the Port permission to enter within a particular zone for official business other than authorized passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations or authorized docking or undocking operations may request such authorization by contacting: Commander Coast Guard Sector New York, via the Sector Command Center (SCC), at: 212 Coast Guard Drive, Staten Island, NY 10305, or via fax to (718) 354-4125 or by contacting the Sector Command Center Duty Officer by phone at: (718) 354-4353.

(17) *Waterfront heliports*—(i) *Location*. All waters of the East River within 25 yards of the East 34th Street and Wall Street Heliports, and all waters of the Hudson River within 25 yards of the West 30th Street Heliport and the Jersey City/Newport Helistop, areas of land or water under and in immediate proximity to them; buildings on such structures or contiguous to them; and equipment and materials on such structures and in such buildings. When a barge, ferry, or other commercial vessel is conducting transfer operations at a waterfront heliport, the 25-yard zone is measured from the outboard side of the commercial vessel.

(ii) *Regulations*. (A) Vessels not actively engaged in passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations, or docking or undocking operations, authorized in advance by the Facility Security Plan, Facility Security Officer or designated representative, must not enter within any part of a zone described in paragraph (a)(17) of this section without the express permission of the Coast Guard Captain of the Port, a designated representative, or designated on-scene patrol personnel.

(B) Persons seeking Captain of the Port permission to enter within a particular zone for official business other than authorized passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations or authorized docking or undocking operations may request such authorization by contacting: Commander Coast Guard Sector New York, via the Sector Command Center (SCC), at: 212 Coast Guard Drive, Staten Island, NY 10305, or via fax to (718) 354-4125 or by contacting the Sector Command Center Duty Officer by phone at: (718) 354-4353.

(C) Vessels entering or departing the marina north of the Newport Helistop are authorized to transit through the safety/security zone around the Newport Helistop during their transit, provided that helicopters are not taking off or landing. No loitering or unnecessary delay is authorized during these transits.

(b) *Regulations*. (1) Entry into or remaining in a safety or security zone is prohibited unless authorized by the Coast Guard Captain of the Port, New York.

(2) Persons desiring to transit the area of a safety or security zone may contact the Captain of the Port at telephone number 718-354-4088 or on VHF channel 14 (156.7 MHz) or VHF 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.

[CGD01-02-132, 68 FR 2890, Jan. 22, 2003, as amended by CGD01-03-036, 69 FR 2670, Jan. 20, 2004; CGD01-03-020, 69 FR 23306, June 15, 2004; USCG-2008-0179, 73 FR 35017, June 19, 2008; USCG-2007-0074, 74 FR 7191, Feb. 13, 2009; USCG-2016-0799, 83 FR 30044, June 27, 2018]

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§165.171 Safety Zones for fireworks displays and swim events held in Coast Guard Sector Northern New England Captain of the Port Zone.

The Coast Guard is establishing safety zones for the fireworks displays listed in the Table 1 to §165.171. These regulations will be enforced for the duration of each event, on or about the dates indicated in the Table 1 to §165.171. Mariners should consult their Local Notice to Mariners to remain apprised of the specific calendar date upon which the listed event falls for each calendar year and other specific information concerning the event. First Coast Guard District Local Notice to Mariners can be found at: <http://www.navcen.uscg.gov/>. The Sector Northern New England Marine Events schedule can also be viewed electronically at www.homeport.uscg.mil.

NOTE TO INTRODUCTORY TEXT OF §165.171: Although listed in the Code of Federal Regulations, sponsors of events listed in the Table to §165.171 shall submit an application each year in accordance with 33 CFR 100.15.

(a) The Coast Guard may patrol each event area under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander may be contacted on Channel 16 VHF-FM (156.8 MHz) by the call sign "PATCOM." The "official patrol vessels" may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the Captain of the Port, Sector Northern New England.

(b) Vessels may not transit the regulated areas without Patrol Commander approval. Vessels permitted to transit must operate at a no wake speed, in a manner which will not endanger participants or other crafts in the event.

(c) Spectators or other vessels shall not anchor, block, loiter, or impede the movement of event participants or official patrol vessels in the regulated areas during the effective dates and times, or dates and times as modified through the Local Notice to Mariners, unless authorized by an official patrol vessel.

(d) The Patrol Commander may control the movement of all vessels in the regulated area. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the lawful directions issued. Failure to comply with a lawful direction may result in expulsion from the area, citation for failure to comply, or both.

(e) The Patrol Commander may delay or terminate any event in this subpart at any time to assure safety. Such action may be justified as a result of weather, traffic density, spectator operation or participant behavior.

(f) For all swim events listed, vessels not associated with the event shall maintain a separation zone of 200 feet from participating swimmers.

(g) For all fireworks displays listed below, the regulated area is that area of navigable waters within a 350 yard radius of the launch platform or launch site for each fireworks display.

(h) The specific calendar date upon which the listed event falls will be published in the FEDERAL REGISTER.

TABLE 1 TO §165.171

6.0	JUNE
6.1 Rotary Waterfront Days Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: Two night event on a Wednesday and Saturday in June.¹ • Time (Approximate): 8:00 pm to 10:00 pm. • Location: In the vicinity of the Gardiner Waterfront, Gardiner, Maine in approximate position: 44° 13'52" N, 069° 46'08" W (NAD 83).
6.2 LaKermesse Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One night event in June.¹ • Time (Approximate): 8:00 pm to 10:00 pm. • Location: Biddeford, Maine in approximate position: 43° 29'37" N, 070° 26'47" W (NAD 83).
6.3 Windjammer Days Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One night event in June.¹ • Time (Approximate): 8:00 pm to 10:30 pm. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position: 43° 50'38" N, 069° 37'57" W (NAD 83).
7.0	JULY
7.1 Vinalhaven 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Firework Display. • Date: One night event in July.¹ • Time (Approximate): 8:00 pm to 10:30 pm. • Location: In the vicinity of Grime's Park, Vinalhaven, Maine in approximate position: 44° 02'34" N, 068° 50'26" W (NAD 83).
7.2 Burlington Independence Day Fireworks	<ul style="list-style-type: none"> • Event Type: Firework Display. • Date: One night event in July.¹ • Time (Approximate): 9:00 pm to 11:00 pm. • Location: From a barge in the vicinity of Burlington Harbor, Burlington, Vermont in approximate position: 44° 28'31" N, 073° 13'31" W (NAD 83).
7.3 Camden 3rd of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One night event in July.¹ • Time (Approximate): 8:00 pm to 10:00 pm. • Location: In the vicinity of Camden Harbor, Maine in approximate position: 44° 12'32" N, 069° 02'58" W (NAD 83).
7.4 Bangor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One night event in July.¹ • Time (Approximate): 8:00 pm to 10:30 pm. • Location: In the vicinity of the Bangor Waterfront, Bangor, Maine in approximate position: 44° 47'27" N, 068° 46'31" W (NAD 83).
7.5 Bar Harbor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One night event in July.¹ • Time (Approximate): 8:00 pm to 10:30 pm. • Location: In the vicinity of Bar Harbor Town Pier, Bar Harbor, Maine in approximate position: 44° 23'31" N, 068° 12'15" W (NAD 83).
7.6 Boothbay Harbor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One night event in July.¹ • Time (Approximate): 8:00 pm to 10:30 pm. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position: 43° 50'38" N, 069° 37'57" W (NAD 83).
7.7 Eastport 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One night event in July.¹ • Time (Approximate): 9:00 pm to 9:30 pm. • Location: From the Waterfront Public Pier in Eastport, Maine in approximate position: 44° 54'25" N, 066° 58'55" W (NAD 83).
7.8 Ellis Short Sand Park Trustee Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One night event in July.¹ • Time (Approximate): 8:30 pm to 11:00 pm. • Location: In the vicinity of York Beach, Maine in approximate position: 43° 10'30" N, 070° 36'22" W (NAD 83).

7.9 Hampton Beach 4th of July Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks Display.
	<ul style="list-style-type: none"> Date: One night event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:30 pm to 11:00 pm.
	<ul style="list-style-type: none"> Location: In the vicinity of Hampton Beach, New Hampshire in approximate position:
	42° 54'40" N, 070° 36'25" W (NAD 83).
7.10 Moosabec 4th of July Committee Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks Display.
	<ul style="list-style-type: none"> Date: One night event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:00 pm to 10:30 pm.
	<ul style="list-style-type: none"> Location: In the vicinity of Beals Island, Jonesport, Maine in approximate position:
	44° 31'18" N, 067° 36'43" W (NAD 83).
7.11 Lubec 4th of July Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks Display.
	<ul style="list-style-type: none"> Date: One night event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:00 pm to 10:30 pm.
	<ul style="list-style-type: none"> Location: In the vicinity of the Lubec Public Boat Launch in approximate position:
	44° 51'52" N, 066° 59'06" W (NAD 83).
7.12 Main Street Heritage Days 4th of July Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks Display.
	<ul style="list-style-type: none"> Date: One night event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:00 pm to 10:30 pm.
	<ul style="list-style-type: none"> Location: In the vicinity of Reed and Reed Boat Yard, Woolwich, Maine in approximate position:
	43° 54'56" N, 069° 48'16" W (NAD 83).
7.13 Portland Harbor 4th of July Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks Display.
	<ul style="list-style-type: none"> Date: One night event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:30 pm to 10:30 pm.
	<ul style="list-style-type: none"> Location: In the vicinity of East End Beach, Portland, Maine in approximate position:
	43° 40'16" N, 070° 14'44" W (NAD 83).
7.14 St. Albans Day Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks Display.
	<ul style="list-style-type: none"> Date: One night event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 9:00 pm to 10:00 pm.
	<ul style="list-style-type: none"> Location: From the St. Albans Bay dock in St. Albans Bay, Vermont in approximate position:
	44° 48'25" N, 073° 08'23" W (NAD 83).
7.15 Stonington 4th of July Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks Display.
	<ul style="list-style-type: none"> Date: One night event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:00 pm to 10:30 pm.
	<ul style="list-style-type: none"> Location: In the vicinity of Two Bush Island, Stonington, Maine in approximate position:
	44° 08'57" N, 068° 39'54" W (NAD 83).
7.16 Southwest Harbor 4th of July Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks Display.
	<ul style="list-style-type: none"> Date: One night event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:00 pm to 10:30 pm.
	<ul style="list-style-type: none"> Location: Southwest Harbor, Maine in approximate position:
	44° 16'25" N, 068° 19'21" W (NAD 83).
7.17 Shelburne Triathlons	<ul style="list-style-type: none"> Event Type: Swim Event.
	<ul style="list-style-type: none"> Date: Up to three Saturdays throughout July and August.¹
	<ul style="list-style-type: none"> Time (Approximate): 7:00 am to 11:00 am.
	<ul style="list-style-type: none"> Location: The regulated area includes all waters of Lake Champlain in the vicinity of Shelburne Beach in Shelburne, Vermont within a 400 yard radius of the following point:
	44° 21'45" N, 075° 15'58" W (NAD 83).
7.18 St. George Days Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks.
	<ul style="list-style-type: none"> Date: One night event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:30 pm to 10:30 pm.
	<ul style="list-style-type: none"> Location: The regulated area includes all waters of Inner Tenants Harbor, ME, in approximate position:
	43° 57'41.37" N, 069° 12'45" W (NAD 83).
7.190 Tri for a Cure Swim Clinics and Triathlon	<ul style="list-style-type: none"> Event Type: Swim Event.
	<ul style="list-style-type: none"> Date: A multi-day event held throughout July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:30 am to 11:30 am.
	<ul style="list-style-type: none"> Location: The regulated area includes all waters of Portland Harbor, Maine in the vicinity of Spring Point Light within the following points (NAD 83):
	43° 39'01" N, 070° 13'32" W.
	43° 39'07" N, 070° 13'29" W.
	43° 39'06" N, 070° 13'41" W.
	43° 39'01" N, 070° 13'36" W.
7.20 Richmond Days Fireworks	<ul style="list-style-type: none"> Event Type: Fireworks Display.
	<ul style="list-style-type: none"> Date: A one day event in July.¹
	<ul style="list-style-type: none"> Time (Approximate): 8:00 pm to 10:00 pm.
	<ul style="list-style-type: none"> Location: From a barge in the vicinity of the inner harbor, Tenants Harbor, Maine in approximate position:
	44° 08'42" N, 068° 27'06" W (NAD83).
7.21 Colchester Triathlon	<ul style="list-style-type: none"> Event Type: Swim Event.

	• Date: A one day event in July. ¹
	• Time (Approximate): 7:00 am to 11:00 am.
	• Location: The regulated area includes all waters of Malletts Bay on Lake Champlain, Vermont within the following points (NAD 83):
	44° 32'57" N, 073° 13'00" W.
	44° 32'46" N, 073° 13'00" W.
	44° 33'24" N, 073° 11'43" W.
	44° 33'14" N, 073° 11'35" W.
7.22 Peaks to Portland Swim	• Event Type: Swim Event.
	• Date: A one day event in July. ¹
	• Time (Approximate): 5:00 am to 1:00 pm.
	• Location: The regulated area includes all waters of Portland Harbor between Peaks Island and East End Beach in Portland, Maine within the following points (NAD 83):
	43° 39'20" N, 070° 11'58" W.
	43° 39'45" N, 070° 13'19" W.
	43° 40'11" N, 070° 14'13" W.
	43° 40'08" N, 070° 14'29" W.
	43° 40'00" N, 070° 14'23" W.
	43° 39'34" N, 070° 13'31" W.
	43° 39'13" N, 070° 11'59" W.
7.23 Friendship Days Fireworks	• Event Type: Fireworks Display.
	• Date: A one day event in July. ¹
	• Time (Approximate): 8:00 pm to 10:30 pm.
	• Location: In the vicinity of the Town Pier, Friendship Harbor, Maine in approximate position:
	43° 58'23" N, 069° 20'12" W (NAD83).
7.24 Bucksport Festival and Fireworks	• Event Type: Fireworks Display.
	• Date: A one day event in July. ¹
	• Time (Approximate): 8:00 pm to 10:30 pm.
	• Location: In the vicinity of the Verona Island Boat Ramp, Verona, Maine, in approximate position:
	44° 34'9" N, 068° 47'28" W (NAD83).
7.25 Nubble Light Swim Challenge	• Event Type: Swim Event.
	• Date: A one day event in July. ¹
	• Time (Approximate): 9:00 am to 12:30 pm.
	• Location: The regulated area includes all waters around Cape Neddick, Maine and within the following coordinates:
	43° 10'28" N, 070° 36'26" W.
	43° 10'34" N, 070° 36'06" W.
	43° 10'30" N, 070° 35'45" W.
	43° 10'17" N, 070° 35'24" W.
	43° 09'54" N, 070° 35'18" W.
	43° 09'42" N, 070° 35'37" W.
	43° 09'51" N, 070° 37'05" W.
7.26 Paul Coulombe Anniversary Fireworks	• Event Type: Fireworks Display.
	• Date: A one day event in July. ¹
	• Time: 8:00 pm to 11:30 pm.
	• Location: In the vicinity of Pratt Island, Southport, ME, in approximate position:
	43° 48'44" N, 069° 41'11" W (NAD83).
7.27 Castine 4th of July Fireworks	• Event Type: Fireworks Display.
	• Date: One night event in July. ¹
	• Time (Approximate): 9:00 pm to 10:30 pm.
	• Location: In the vicinity of the town dock in the Castine Harbor, Castine, Maine in approximate position:
	44°23'10" N, 068°47'28"W (NAD 83).
8.0	AUGUST
8.1 Westerlund's Landing Party Fireworks	• Event Type: Fireworks Display.
	• Date: A one day event in August. ¹
	• Time (Approximate): 8:00 pm to 10:30 pm.
	• Location: In the vicinity of Westerlund's Landing in South Gardiner, Maine in approximate position:
	44° 10'19" N, 069° 45'24" W (NAD 83).
8.2 York Beach Fire Department Fireworks	• Event Type: Fireworks Display.
	• Date: A one day event in August. ¹
	• Time (Approximate): 8:30 pm to 11:30 pm.
	• Location: In the vicinity of Short Sand Cove in York, Maine in approximate position:
	43° 10'27" N, 070° 36'25" W (NAD 83).
8.3 North Hero Air Show	• Event Type: Air Show.
	• Date: A one day event in August. ¹
	• Time (Approximate): 10:00 am to 5:00 pm.
	• Location: In the vicinity of Shore Acres Dock, North Hero, Vermont in approximate position:
	44° 48'24" N, 073° 17'02" W.
	44° 48'22" N, 073° 16'46" W.
	44° 47'53" N, 073° 16'54" W.

	44° 47'54" N, 073° 17'09" W.
8.4 Islesboro Crossing Swim	• Event Type: Swim Event.
	• Date: A one day event in August. ¹
	• Time (Approximate): 6:00 am to 11:00 am.
	• Location: West Penobscot Bay from Ducktrap Beach, Lincolnville, ME to Grindel Point, Islesboro, ME, in approximate position:
	44° 17'44" N, 069° 00'11" W.
	44° 16'58" N, 068° 56'35" W.
8.5 Paul Columbe Party Fireworks	• Event Type: Fireworks Display.
	• Date: A one day event in August. ¹
	• Time (Approximate): 9:00 pm to 10:30 pm.
	• Location: From a barge in the vicinity of Pratt Island, Southport, Maine in approximate position:
	43° 48'69" N, 069° 41'18" W (NAD 83)
8.6 Casco Bay Island Swim/Run	• Event Type: Swim/Run Event.
	• Date: A one day event in August. ¹
	• Time (Approximate): 7:30 am to 1:00 pm.
	• Location: All waters of Casco Bay, Maine in the vicinity of Casco Bay Island archipelago and within the following coordinates (NAD 83):
	43° 42'47" N, 070° 07'07" W.
	43° 38'09" N, 070° 11'57" W.
	43° 34'57" N, 070° 12'55" W.
	43° 41'31" N, 070° 11'37" W.
	43° 43'25" N, 070° 08'25" W.
8.7 Port Mile Swim	• Event Type: Swim Event.
	• Date: A one day event August. ¹
	• Time (Approximate): 7:00 am to 9:00 am.
	• Location: All waters of Casco Bay, Maine in the vicinity of East End Beach within the following points (NAD 83):
	43° 40'09" N, 070° 14'27" W.
	43° 40'05" N, 070° 14'01" W.
	43° 40'21" N, 070° 14'09" W.
8.8 Challenge Maine Triathlon	• Event Type: Swim Event.
	• Date: A one day event August. ¹
	• Time (Approximate): 6:00 am to 08:30 am.
	• Location: All waters of Saco Bay, Maine in the vicinity of Old Orchard Beach within the following points (NAD 83):
	43° 30'57" N, 070° 22'22" W.
	43° 30'48" N, 070° 21'58" W.
	43° 30'29" N, 070° 22'43" W.
	43° 30'19" N, 070° 22'21" W.
9.0	SEPTEMBER
9.1 Windjammer Weekend Fireworks	• Event Type: Fireworks Display.
	• Date: A one night event in September. ¹
	• Time (Approximate): 8:00 pm to 9:30 pm.
	• Location: From a barge in the vicinity of Northeast Point, Camden Harbor, Maine in approximate position:
	44° 12'10" N, 069° 03'11" W (NAD 83).
9.2 Eastport Pirate Festival Fireworks	• Event Type: Fireworks Display.
	• Date: A one night event in September. ¹
	• Time (Approximate): 7:00 pm to 10:00 pm.
	• Location: From the Waterfront Public Pier in Eastport, Maine in approximate position:
	44° 54'17" N, 066° 58'58" W (NAD 83).
9.3 The Lobsterman Triathlon	• Event Type: Swim Event.
	• Date: A one day event in September. ¹
	• Time (Approximate): 8:00 am to 11:00 am.
	• Location: The regulated area includes all waters in the vicinity of Winslow Park in South Freeport, Maine within the following points (NAD 83):
	43° 47'59" N, 070° 06'56" W.
	43° 47'44" N, 070° 06'56" W.
	43° 47'44" N, 070° 07'27" W.
	43° 47'57" N, 070° 07'27" W.
9.4 Eliot Festival Day Fireworks	• Event Type: Fireworks Display.
	• Date: A one night event in September. ¹
	• Time (Approximate): 8:00 pm to 10:30 pm.
	• Location: In the vicinity of Eliot Town Boat Launch, Eliot, Maine in approximate position:
	43° 08'56" N, 070° 49'52" W (NAD 83).
9.5 Lake Champlain Swimming Race	• Event Type: Swim Event.
	Date: A one day event in September. ¹
	• Time (Approximate): 9:00 am to 3 pm.
	• Location: Essex Beggs Point Park, Essex, NY, to Charlotte Beach, Charlotte, VT.
	44° 18'32" N, 073° 20'52" W.
	44° 20'03" N, 073° 16'53" W.

¹Date subject to change. Exact date will be posted in Notice of Enforcement and Local Notice to Mariners.

[USCG-2011-1023, 77 FR 23608, Apr. 20, 2012, as amended by USCG-2012-1057, 78 FR 47562, Aug. 6, 2013; USCG-2013-0904, 79 FR 18176, Apr. 1, 2014; USCG-2014-0865, 80 FR 27093, May 12, 2015; USCG-2015-1052, 81 FR 36160, June 6, 2016; USCG-2016-0998, 82 FR 44069, Sept. 21, 2017]

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§165.172 Safety Zone; Underwater Hazard, Gravesend Bay, Brooklyn, NY.

(a) *Location.* The following area is a safety zone: All navigable waters of Gravesend Bay within a 110-yard radius of a point in position 40°36'30" N, 074°02'14" W (NAD 83), approximately 70-yards southeast of the Verrazano Bridge Brooklyn tower.

(b) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) Entering into, transiting through, diving, dredging, dumping, fishing, trawling, conducting salvage operations, remaining within or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port (COTP) New York or the designated on-scene representative.

(3) The "designated on-scene representative" is any Coast Guard commissioned, warrant, or petty officer who has been designated by the COTP New York.

(4) Vessel operators desiring to enter or operate within the safety zone may contact the COTP New York or the designated representative at the Coast Guard Sector New York Command Center via VHF Channel 16 or by phone at (718) 354-4353 to request permission.

(5) Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the COTP New York or the on-scene representative.

[USCG-2010-1091, 76 FR 31234, May 31, 2011]

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§165.173 Safety Zones for annually recurring marine events held in Coast Guard Southeastern New England Captain of the Port Zone.

(a) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 as well as the following regulations apply to the fireworks displays and swim events listed in the Table to §165.173. These regulations may be enforced for the duration of each event.

(2) Notifications will be made to the local maritime community through the Local Notice to Mariners well in advance of the events. If the event does not have a date listed, then exact dates and times of the enforcement period will be announced through a Notice of Enforcement in the FEDERAL REGISTER.

NOTE TO PARAGRAPH (a): Although listed in the Code of Federal Regulations, sponsors of events listed in the Table shall submit an application each year in accordance with 33 CFR 100.15.

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative.* A "designated representative" is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port, Southeastern New England (COTP), to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(3) *Spectators.* All persons and vessels not registered with the event sponsor as participants or official patrol vessels.

(c) The Coast Guard may patrol each event area under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander may be contacted on Channel 16 VHF-FM (156.8 MHz) by the call sign "PATCOM." The "official patrol vessels" may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the Captain of the Port, Southeastern New England.

(d) Vessels may not transit the regulated areas without Patrol Commander approval. Vessels permitted to transit must operate at a no wake speed, in a manner which will not endanger participants or other crafts in the event.

(e) Spectators or other vessels shall not anchor, block, loiter, or impede the movement of event participants or official patrol vessels in the regulated areas during the effective dates and times, or dates and times as modified through a Notice of Enforcement published in the FEDERAL REGISTER, unless authorized by an official patrol vessel.

(f) The Patrol Commander may control the movement of all vessels in the regulated area. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the lawful directions issued. Failure to comply with a lawful direction may result in expulsion from the area, citation for failure to comply, or both.

(g) The Patrol Commander may delay or terminate any event in this subpart at any time to ensure safety. Such action may be justified as a result of weather, traffic density, spectator operation or participant behavior.

(h) For all fireworks displays listed below, the regulated area is that area of navigable waters within the specified radius of the launch platform or launch site for each fireworks display, unless modified later in a Notice of Enforcement published in the FEDERAL REGISTER.

TABLE TO §165.173

1.0 365 DAY JANUARY-DECEMBER	
1.1 Provincetown Fireworks	• Event Type: Fireworks Display.
	• Date: Enforced on any day during the duration of the event as specified by a Notice of Enforcement published in the FEDERAL REGISTER.
	• Time: Approximately 5:00 p.m. to 11:59 p.m.
	• Location: From a barge in the vicinity of the Provincetown Harbor, Provincetown, MA.
	• Position: Within 500 yards of 41°28'44" N., 070°10'83" W. (NAD 83).
	• Safety Zone Dimension: Approximately 300 yard radius circle around the fireworks barge.
1.2 Providence Fireworks	• Event Type: Fireworks Display.
	• Date: Enforced on any day during the duration of the event as specified by a Notice of Enforcement published in the FEDERAL REGISTER.
	• Time: Approximately 5:00 p.m. to 11:59 p.m.
	• Location: From a barge in the vicinity of the Hurricane Barrier in the Providence River, Providence, RI.
	• Position: Within 500 yards of 41°48'50" N., 071°23'43" W. (NAD 83).
	• Safety Zone Dimension: Approximately 300 yard radius circle around the fireworks barge.
1.3 Fall River Fireworks	• Event Type: Fireworks Display.
	• Date: Enforced on any day during the duration of the event as specified by a Notice of Enforcement published in the Federal Register .
	• Time: Approximately 5:00 p.m. to 11:59 p.m.
	• Location: From a barge in the vicinity of Battleship Cove, Fall River, MA.
	• Position: Within 500 yards of 41°42'37" N., 071°09'53" W. (NAD 83).
	• Safety Zone Dimension: Approximately 200 yard radius circle around the fireworks barge.
5.0 MAY	
5.1 RI National Guard Air Show	• Event Type: Air Show.
	• Date: One weekend (Friday, Saturday, and Sunday) in May, June, or July, as announced in the local Notice to Mariners.
	• Time: Approximately 9:00 a.m. to 7:00 p.m.
	• Location: (1) All waters over the West Passage of Narragansett Bay, in the vicinity of the Quonset State Airport, North Kingston, RI which are within a 4000-yard radius arc extending from position 41°35'44" N., 071°24'14" W. (NAD 83); and (2) All waters over the West Passage of Narragansett Bay, in the vicinity of Narragansett Pier, Narragansett, RI, which are within a 2000-yard radius arc extending from position 41°26'17" N., 071°27'02" W. (NAD 83) (Friday only).
	• Safety Zone Dimension: Approximately 1000 yards long by 1000 yards wide.
6.0 JUNE	
6.1 Oak Bluffs Summer Solstice	• Event Type: Fireworks Display.
	• Date: One night on the 3rd or 4th weekend of June, as announced in the Local Notice to Mariners.
	• Time: Approximately 8:00 p.m. to 11:59 p.m.
	• Location: From a barge in the vicinity of Town Beach, Oak Bluffs, MA.
	• Position: Within 500 yards of 41°27'19" N., 070°33'08" W. (NAD 83).
	• Safety Zone Dimension: Approximately 300 yard radius circle around the fireworks barge.
6.2 Swim Buzzards Bay	• Event Type: Swim Event.
	• Date: One Saturday or Sunday in June, July, or August, as announced in the Local Notice to Mariners.
	• Time: Start times will vary from 6:00 a.m. to 11:59 a.m., and last approximately two hours until the last swimmer is ashore. Start time will be announced in advance in the Local Notice to Mariners.
	• Location: The regulated area includes all waters in the vicinity of the Outer New Bedford Harbor, within 500 yards along a centerline with an approximate start point of 41°36'35" N., 070°54'18" W. (NAD 83) and an approximate end point of 41°37'26" N., 070°53'48" W. (NAD 83) at Davy's Locker Restaurant in New Bedford, MA, to Fort Phoenix Beach in Fairhaven, MA.
	• Safety Zone Dimension: 500 yards on either side of the centerline described above.
7.0 JULY	
7.1 Marion 4th of July Fireworks	• Event Type: Fireworks Display.
	• Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	• Time: Approximately 8:00 p.m. to 11:59 p.m.
	• Location: From a barge in the vicinity of Outer Sipican Harbor, Marion, MA.
	• Position: Within 500 yards of 41°42'17" N., 070°45'08" W. (NAD 83).
	• Safety Zone Dimension: Approximately 300 yard radius circle around the fireworks barge.
7.2 Oyster Harbors July 4th Festival	• Event Type: Fireworks Display.
	• Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.

	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: From a barge in the vicinity of Tim's Cove, North Bay, Osterville, MA. • Position: Within 500 yards of 41°37'29" N., 070°25'12" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 200 yard radius circle around the fireworks barge.
7.3 North Kingstown Fireworks Display	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: From a barge in the vicinity of Town Beach, North Kingston, RI.
	<ul style="list-style-type: none"> • Position: Within 500 yards of 41°33'59" N., 071°26'23" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 200 yard radius circle around the fireworks barge.
7.4 Falmouth Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: From a barge in the vicinity of Falmouth Beach, Falmouth, MA.
	<ul style="list-style-type: none"> • Position: Within 500 yards of 41°32'27" N., 070°35'26" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 300 yard radius circle around the fireworks barge.
7.5 Town of Nantucket Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: From a barge in the vicinity of Jetties Beach, Nantucket Sound, MA.
	<ul style="list-style-type: none"> • Position: Within 500 yards of 41°19'00" N., 070°06'30" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 200 yard radius circle around the fireworks barge.
7.6 City of Newport 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: From the shore in the vicinity of Fort Adams, Newport, RI.
	<ul style="list-style-type: none"> • Position: Within 500 yards of 41°28'49" N., 071°20'12" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 350 yard radius circle around the launch site.
7.7 Town of Barnstable/Hyannis July 4th Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: From a barge in the vicinity of Lewis Bay, Hyannis, MA.
	<ul style="list-style-type: none"> • Position: Within 500 yards of 41°38'20" N., 070°15'08" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 350 yard radius circle around the fireworks barge.
7.8 Edgartown 4th of July Fireworks Celebration	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: From a barge in the vicinity of Edgartown Outer Harbor, Edgartown, MA.
	<ul style="list-style-type: none"> • Position: Within 500 yards of 41°22'39" N., 070°30'14" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 300 yard radius circle around the fireworks barge.
7.9 City of New Bedford Fireworks Display	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: From a barge in the vicinity of New Bedford Harbor, New Bedford, MA.
	<ul style="list-style-type: none"> • Position: Within 500 yards of 41°37'55" N., 070°54'44" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 250 yard radius circle around the fireworks barge.
7.10 Onset Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: On the shore, in the vicinity of Shellpoint Beach, Onset, MA.
	<ul style="list-style-type: none"> • Position: Within 500 yards of 41°44'13" N., 070°39'51" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 300 yard radius circle around the fireworks launch site.
7.11 Bristol 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display.
	<ul style="list-style-type: none"> • Date: One night between July 1st and July 10th, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Approximately 8:00 p.m. to 11:59 p.m.
	<ul style="list-style-type: none"> • Location: In the vicinity of Northern portion of the Bristol Harbor, Bristol, RI, on the section of Poppasquash Rd separating the harbor and Mill Pond.
	<ul style="list-style-type: none"> • Position: Within 500 yards of 41°40'53.4" N., 071°17'00" W. (NAD 83).
	<ul style="list-style-type: none"> • Safety Zone Dimension: Approximately 300 yard radius circle around the fireworks launch site.
7.12 [Reserved]	
7.13 Save the Bay Swim	<ul style="list-style-type: none"> • Event Type: Swim Event.
	<ul style="list-style-type: none"> • Date: One Saturday or Sunday in July or August, as announced in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Time: Start time will vary from 6:00 a.m. to 11:59 a.m. and last for approximately four hours, until the last swimmer is ashore. Start time will be announced in advance in the Local Notice to Mariners.
	<ul style="list-style-type: none"> • Location: The regulated area includes all waters in the vicinity of the Newport/Pell Bridge, East Passage of Narragansett Bay, along a centerline with an approximate start point of 41°30'24" N., 071°19'49" W. (NAD 83) and an approximate end point of 41°30'39" N.,

	071°21'50" W. (NAD 83), <i>i.e.</i> , a line drawn from the Officers' Club, Coaster's Harbor Island, Naval Station Newport, to Potter Cove, Jamestown.
	• Safety Zone Dimension: 500 yards on either side of the centerline described above.
8.0 AUGUST	
8.1 Boston Pops Nantucket	• Event Type: Fireworks Display.
	• Date: One night in August as announced in the Local Notice to Mariners.
	• Time: Approximately 8:00 p.m. to 11:59 p.m.
	• Location: On the shore, in the vicinity of Jetties Beach, Nantucket, MA.
	• Position: Within 500 yards of 41°17'43" N., 070°06'10" W. (NAD 83).
	• Safety Zone Dimension: Approximately 400 yard radius circle around the fireworks barge.
8.2 Oak Bluffs Fireworks	• Event Type: Fireworks Display.
	• Date: One night in August.
	• Time: Approximately 8:00 p.m. to 11:59 p.m.
	• Location: From a barge in the vicinity of Oak Bluffs Harbor, Oak Bluffs, MA.
	• Position: Within 500 yards of 41°27'27" N., 070°33'17" W. (NAD 83).
	• Safety Zone Dimension: Approximately 350 yard radius circle around the fireworks barge.
8.3 Newport Salute to Summer Fireworks	• Event Type: Fireworks Display.
	• Date: One night during the last two weekends in August or 1st weekend in September, as announced in the Local Notice to Mariners.
	• Time: Approximately 8:00 p.m. to 11:59 p.m.
	• Location: From a barge in the vicinity of Naval Station Newport, Newport, RI.
	• Position: Within 500 yards of 41°30'15" N., 071°19'50" W. (NAD 83).
	• Safety Zone Dimension: Approximately 400 yard radius circle around the fireworks barge.
8.4 Fall River Grand Prix	• Event Type: Offshore powerboat race
	• Date: One weekend (Friday, Saturday, & Sunday) in August as announced in the Local Notice to Mariners.
	• Time: Approximately 8:00 a.m. to 5 p.m. daily
	• Location: Taunton River, Massachusetts, in the vicinity of Fall River and Somerset, MA.
	• Safety Zone Dimension: Mt Hope Bay and the Taunton River navigation channel from approximately Mt Hope Bay buoy R10 southwest of Brayton Point channel, and extending approximately two miles to the northeast up to and including Mt Hope Bay buoy C17 north of the Braga Bridge. The safety zone is encompassed by the following coordinates (NAD 83):
	<i>Corner Latitude Longitude</i> SW., 41°41.40' N., 71°11.15' W. NW., 41°41.48' N., 71°11.15' W. SE., 41°42.33' N., 71°09.40' W. NE., 41°42.42' N., 71°09.47' W.
8.5 Cape Cod Bay Challenge	• Event Type: Paddleboard excursion.
	• Date: One weekend day (Saturday or Sunday) in August.
	• Time: Approximately 4:30 a.m. to 4:30 p.m.
	• Location: Departing from Scusset Beach, Sandwich, MA, and transiting to Wellfleet Harbor, Wellfleet, MA.
	• Position: A line drawn from Scusset Beach at approximate position 41°47' N., 70°30' W., to Wellfleet Harbor at approximate position 41°53' N., 70°02' W. (NAD 83).
	• Safety Zone Dimension: Approximately 500 yards extending in each direction from the line described above.
9.0 SEPTEMBER	
9.1 Provincetown Harbor Swim for Life	• Event Type: Swim Event.
	• Date: On a day in September as announced in the Local Notice to Mariners.
	• Time: Times will vary from 10:00 a.m. until the last swimmer is ashore, no later than 2:00 p.m.
	• Location: The regulated area includes all waters in the vicinity of the Provincetown Harbor along a centerline between the start point, the Long Point Lighthouse, approximate position 42°01'59" N., 070°10'07" W. (NAD 83), and the end point, the Boatslip Resort, Provincetown, MA, approximate position 42°02'48" N., 070°11'24" W. (NAD 83).
	• Safety Zone Dimension: 250 yards on either side of the centerline described above.
9.2 Spirit of Somerset Celebration	• Event Type: Fireworks Display.
	• Date: One night in September, as announced in the Local Notice to Mariners.
	• Time: Approximately 8:00 p.m. to 11:59 p.m.
	• Location: On the shore, in the vicinity of Mallard Point, Somerset, MA.
	• Position: Within 500 yards of 41°46'18" N., 071°07'14" W. (NAD 83).
	• Safety Zone Dimension: Approximately 200 yard radius circle around the fireworks launch site.
10.0 OCTOBER	
10.1 Yarmouth Seaside Festival Fireworks	• Event Type: Fireworks Display.
	• Date: One night in October, as announced in the Local Notice to Mariners.
	• Time: Approximately 7:00 p.m. to 11:59 p.m.
	• Location: On the shore, in the vicinity of Seagull Beach, West Yarmouth, MA.
	• Position: Within 500 yards of 41°38'06" N., 070°13'13" W. (NAD 83).
	• Safety Zone Dimension: Approximately 300 yard radius circle around the fireworks launch site.

[USCG-2011-1026, 76 FR 30191, May 22, 2012, as amended by USCG-2014-0061, 79 FR 34629, June 18, 2014; USCG-2015-0433, 80 FR 44283, July 27, 2015; USCG-2016-1022, 82 FR 23142, May 22, 2017]

§165.202 [Reserved]

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FIFTH COAST GUARD DISTRICT

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§165.T05-1053 Safety Zone, Delaware River; Pipeline Removal; Marcus Hook, PA.

(a) *Location*. The following areas are safety zones: All navigable waters within 250 yards of the towing vessel JOKER, Commerce Construction crane barge KELLY, and associated diving and pipe removal vessels, as well as any associated equipment, operating in Marcus Hook Range and Anchorage No. 7 near Marcus Hook, PA, on the Delaware River.

(b) *Definitions*—(1) *Captain of the Port* means the Commander, Sector Delaware Bay or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to act on his behalf.

(2) *Designated representative* means any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port, Delaware Bay, to assist with the enforcement of safety zones described in paragraph (a) of this section.

(c) *Regulations*. The general safety zone regulations found in 33 CFR part 165 subpart C apply to the safety zone created by this section.

(1) Entry into or transiting within either safety zone is prohibited unless vessels obtain permission from the Captain of the Port via VHF-FM channel 16, or make satisfactory passing arrangements via VHF-FM channels 13 or 80 with the towing vessel JOKER per this section and the rules of the Road (33 CFR subchapter E). Vessels requesting to transit shall contact the towing vessel JOKER on channel 13 or 80 at least 1 hour, as well as 30 minutes, prior to arrival.

(2) Vessels granted permission to enter and transit the safety zone must do so in accordance with any directions or orders of the Captain of the Port, his designated representative, or the towing vessel JOKER. No person or vessel may enter or remain in a safety zone without permission from the Captain of the Port or the towing vessel JOKER.

(3) There are three sections of pipeline that will be removed. The first two sections of pipeline to be removed are in Anchorage No. 7, Marcus Hook Anchorage, in the Delaware River. During removal of these sections of pipeline, the safety zone will restrict vessels from anchoring in the lower portion of Anchorage No. 7.

(4) During removal of the third section of pipeline, operations will be conducted within the main navigational channel and vessels will be required to transit through the lower portion of Anchorage No. 7. The Coast Guard will issue a Broadcast Notice to Mariners via VHF-FM marine channel 16, Local Notice to Mariners, and Marine Safety Information Bulletin further defining specific work locations and traffic patterns.

(5) All vessels must operate at the minimum safe speed necessary to maintain steerage and reduce wake.

(6) This section applies to all vessels that intend to transit through the safety zone except vessels that are engaged in the following operations: enforcement of laws, service of aids to navigation, and emergency response.

(d) *Enforcement periods*. This section will be enforced from December 8, 2017, through February 28, 2018. Enforcement will generally be between the hours of 5 a.m. and 7 p.m., Monday through Sunday, while the zone is in effect.

[USCG-2017-1053, 82 FR 58744, Dec. 14, 2017]

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§165.500 Safety/Security Zones; Chesapeake Bay, Maryland.

(a) *Definitions*. (1) Certain Dangerous Cargo (CDC) means a material defined in 33 CFR part 160.

(2) Liquefied Hazardous Gas (LHG) means a material defined in 33 CFR part 127.

(3) Liquefied Natural Gas (LNG) means a material defined in 33 CFR part 127.

(4) Cruise ship means a vessel defined as a “passenger vessel” in 46 U.S.C. 2101 (22).

(b) *Location*. The following areas are a safety/security zone: All waters of the Chesapeake Bay and its tributaries, from surface to bottom, within a 500 yard radius around cruise ships and vessels transporting CDC, LNG, or LHG while transiting, anchored, or moored within the COTP Maryland-National Capital Region zone.

(c) *Regulations*. (1) The COTP will notify the maritime community of affected vessels and the periods during which the safety/security zones will be enforced by providing notice to mariners in accordance with 33 CFR 165.7.

(2) Entry into or remaining in this zone is prohibited unless authorized by the Coast Guard COTP, Maryland-National Capital Region or his designated representative.

(3) Persons desiring to transit the area of the security zone may contact the COTP at telephone number 410-576-2693 or on VHF 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 COTP or his or her designated representative.

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

[CDG05-03-008, 68 FR 43311, July 22, 2003, as amended by USCG-2016-0060, 81 FR 38594, June 14, 2016]

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§165.501 Chesapeake Bay entrance and Hampton Roads, VA and adjacent waters—Regulated Navigation Area.

(a) *Location.* The waters enclosed by the shoreline and the following lines are a Regulated Navigation Area:

(1) *Offshore zone.* A line drawn due East from the mean low water mark at the North Carolina and Virginia border at latitude 36°33'03" N, longitude 75°52'00" W, to the Territorial Seas boundary line at latitude 36°33'05" N, longitude 75°36'51" W, thence generally Northeastward along the Territorial Seas boundary line to latitude 38°01'39" N, longitude 74°57'18" W, thence due West to the mean low water mark at the Maryland and Virginia border at latitude 38°01'39" N, longitude 75°14'30" W, thence South along the mean low water mark on the Virginia coast, and eastward of the Colregs Demarcation Lines across Chincoteague Inlet, Assawoman Inlet, Gargathy Inlet, Metompkin Inlet, Wachapreague Inlet, Quinby Inlet, Great Machipongo Inlet, Sand Shoal Inlet, New Inlet, Ship Shoal Inlet and Little Inlet, to the Colregs Demarcation Line across the mouth of Chesapeake Bay, continuing south along the Virginia low water mark and eastward of the Colregs Demarcation Line across Rudee Inlet to the point of beginning. All positions reference NAD 83.

(2) *Inland zone.* The waters enclosed by the shoreline and the following lines:

(i) A line drawn across the entrance to Chesapeake Bay between Wise Point and Cape Charles Light, and then continuing to Cape Henry Light.

(ii) A line drawn across the Chesapeake Bay between Old Point Comfort Light and Cape Charles City Range "A" Rear Light.

(iii) A line drawn across the James River along the eastern side of U.S. Route 17 highway bridge, between Newport News and Isle of Wight County, Virginia.

(iv) A line drawn across Chuckatuck Creek along the northern side of the north span of the U.S. Route 17 highway bridge, between Isle of Wight County and Suffolk, Virginia.

(v) A line drawn across the Nansemond River along the northern side of the Mills Godwin (U.S. Route 17) Bridge, Suffolk, Virginia.

(vi) A line drawn across the mouth of Bennetts Creek, Suffolk, Virginia.

(vii) A line drawn across the Western Branch of the Elizabeth River along the eastern side of the West Norfolk Bridge, Portsmouth, Virginia.

(viii) A line drawn across the Southern Branch of the Elizabeth River along the northern side of the I-64 highway bridge, Chesapeake, Virginia.

(ix) A line drawn across the Eastern Branch of the Elizabeth River along the western side of the west span of the Campestella Bridge, Norfolk, Virginia.

(x) A line drawn across the Lafayette River along the western side of the Hampton Boulevard Bridge, Norfolk, Virginia.

(xi) A line drawn across Little Creek along the eastern side of the Ocean View Avenue (U.S. Route 60) Bridge, Norfolk, Virginia.

(xii) A line drawn across Lynnhaven Inlet along the northern side of Shore Drive (U.S. Route 60) Bridge, Virginia Beach, Virginia.

(b) *Definitions.* In this section:

CBBT means the Chesapeake Bay Bridge Tunnel.

Coast Guard Patrol Commander is a Coast Guard commissioned, warrant or petty officer who has been designated by the Commander, Coast Guard Sector Hampton Roads.

Designated representative of the Captain of the Port means a person, including the duty officer at the Coast Guard Sector Hampton Roads, the Joint Harbor Operations Center watchstander, or the Coast Guard or Navy Patrol Commander who has been authorized by the Captain of the Port to act on his or her behalf and at his or her request to carry out such orders and directions as needed. All patrol vessels shall display the Coast Guard Ensign at all times when underway.

I-664 Bridge Tunnel means the Monitor Merrimac Bridge Tunnel.

Inland waters means waters within the COLREGS Line of Demarcation.

Thimble Shoal Channel consists of the waters bounded by a line connecting Thimble Shoal Channel Lighted Bell Buoy 1TS, thence to Thimble Shoal Lighted Gong Buoy 17, thence to Thimble Shoal Lighted Buoy 19, thence to Thimble Shoal Lighted Buoy 21, thence to Thimble Shoal Lighted Buoy 22, thence to Thimble Shoal Lighted Buoy 18, thence to Thimble Shoal Lighted Buoy 2, thence to the beginning.

Thimble Shoal North Auxiliary Channel consists of the waters in a rectangular area 450 feet wide adjacent to the north side of Thimble Shoal Channel, the southern boundary of which extends from Thimble Shoal Channel Lighted Buoy 2 to Thimble Shoal Lighted Buoy 18.

Thimble Shoal South Auxiliary Channel consists of the waters in a rectangular area 450 feet wide adjacent to the south side of Thimble Shoal Channel, the northern boundary of which extends from Thimble Shoal Channel Lighted Bell Buoy 1TS, thence to Thimble Shoal Lighted Gong Buoy 17, thence to Thimble Shoal Lighted Buoy 19, thence to Thimble Shoal Lighted Buoy 21.

(c) *Applicability.* This section applies to all vessels operating within the Regulated Navigation Area, including naval and public vessels, except vessels that are engaged in the following operations:

- (1) Law enforcement.
- (2) Servicing aids to navigation.
- (3) Surveying, maintenance, or improvement of waters in the Regulated Navigation Area.

(d) *Regulations—(1) Anchoring restrictions.* No vessel over 65 feet long may anchor or moor in the inland waters of the Regulated Navigation Area outside an anchorage designated in §110.168 of this title, with these exceptions:

- (i) The vessel has the permission of the Captain of the Port.
- (ii) Only in an emergency, when unable to proceed without endangering the safety of persons, property, or the environment, may a vessel anchor in a channel.
- (iii) A vessel may not anchor within the confines of Little Creek Harbor, Desert Cove, or Little Creek Cove without the permission of the Captain of the Port. The Captain of the Port shall consult with the Commander, Naval Amphibious Base Little Creek, before granting permission to anchor within this area.

(2) *Anchoring detail requirements.* A self-propelled vessel over 100 gross tons, which is equipped with an anchor or anchors (other than a tugboat equipped with bow fenderwork of a type of construction that prevents an anchor being rigged for quick release), that is underway within two nautical miles of the CBBT or the I-664 Bridge Tunnel shall station its personnel at locations on the vessel from which they can anchor the vessel without delay in an emergency.

(3) *Secondary towing rig requirements on inland waters.* (i) A vessel over 100 gross tons may not be towed in the inland waters of the Regulated Navigation Area unless it is equipped with a secondary towing rig, in addition to its primary towing rig, that:

- (A) Is of sufficient strength for towing the vessel.
- (B) Has a connecting device that can receive a shackle pin of at least two inches in diameter.
- (C) Is fitted with a recovery pickup line led outboard of the vessel's hull.

(ii) A tow consisting of two or more vessels, each of which is less than 100 gross tons, that has a total gross tonnage that is over 100 gross tons, shall be equipped with a secondary towing rig between each vessel in the tow, in addition to its primary towing rigs, while the tow is operating within this Regulated Navigation Area. The secondary towing rig must:

- (A) Be of sufficient strength for towing the vessels.
- (B) Have connecting devices that can receive a shackle pin of at least two inches in diameter.
- (C) Be fitted with recovery pickup lines led outboard of the vessel's hull.

(4) *Thimble Shoals Channel controls.* (i) A vessel drawing less than 25 feet may not enter the Thimble Shoal Channel, unless the vessel is crossing the channel. Masters should consider the squat of their vessel based upon vessel design and environmental conditions. Channel crossings shall be made as perpendicular to the channel axis as possible.

(ii) Except when crossing the channel, a vessel in the Thimble Shoal North Auxiliary Channel shall proceed in a westbound direction.

(iii) Except when crossing the channel, a vessel in the Thimble Shoal South Auxiliary Channel shall proceed in an eastbound direction.

(5) *Restrictions on vessels with impaired maneuverability—*(i) *Before entry.* A vessel over 100 gross tons, whose ability to maneuver is impaired by heavy weather, defective steering equipment, defective main propulsion machinery, or other damage, may not enter the Regulated Navigation Area without the permission of the Captain of the Port.

(ii) *After entry.* A vessel over 100 gross tons, which is underway in the Regulated Navigation Area, that has its ability to maneuver become impaired for any reason, shall, as soon as possible, report the impairment to the Captain of the Port.

(6) *Requirements for navigation charts, radars, and pilots.* No vessel over 100 gross tons may enter the Regulated Navigation Area, unless it has on board:

(i) Corrected charts of the Regulated Navigation Area. Instead of corrected paper charts, warships or other vessels owned, leased, or operated by the United States Government and used only in government noncommercial service may carry electronic charting and navigation systems that have met the applicable agency regulations regarding navigation safety.

(ii) An operative radar during periods of reduced visibility;

(iii) When in inland waters, a pilot or other person on board with previous experience navigating vessels on the waters of the Regulated Navigation Area.

(7) *Emergency procedures.* (i) Except as provided in paragraph (d)(7)(ii) of this section, in an emergency any vessel may deviate from the regulations in this section to the extent necessary to avoid endangering the safety of persons, property, or the environment.

(ii) A vessel over 100 gross tons with an emergency that is located within two nautical miles of the CBBT or I-664 Bridge Tunnel shall notify the Captain of the Port of its location and the nature of the emergency, as soon as possible.

(8) *Vessel speed limits—*(i) *Little Creek.* A vessel may not proceed at a speed over five knots between the Route 60 bridge and the mouth of Fishermans Cove (Northwest Branch of Little Creek).

(ii) *Southern Branch of the Elizabeth River.* A vessel may not proceed at a speed over six knots between the junction of the Southern and Eastern Branches of the Elizabeth River and the Norfolk and Portsmouth Belt Line Railroad Bridge between Chesapeake and Portsmouth, Virginia.

(iii) *Norfolk Harbor Reach.* Nonpublic vessels of 300 gross tons or more may not proceed at a speed over 10 knots between the Elizabeth River Channel Lighted Gong Buoy 5 of Norfolk Harbor Reach (southwest of Sewells Point) at approximately 36°58'00" N, 076°20'00" W, and gated Elizabeth River Channel Lighted Buoys 17 and 18 of Craney Island Reach (southwest of Norfolk International Terminal at approximately 36°54'17" N, and 076°20'11" W).

(9) *Port security requirements.* Vessels in excess of 300 gross tons, including tug and barge combinations in excess of 300 gross tons (combined), shall not enter the Regulated Navigation Area, move within the Regulated Navigation Area, or be present within the Regulated Navigation Area, unless they comply with the following requirements:

(i) Obtain authorization to enter the Regulated Navigation Area from the designated representative of the Captain of the Port prior to entry. All vessels entering or remaining in the Regulated Navigation Area may be subject to a Coast Guard boarding.

(ii) Ensure that no person who is not a permanent member of the vessel's crew, or a member of a Coast Guard boarding team, boards the vessel without a valid purpose and photo identification.

(iii) Report any departure from or movement within the Regulated Navigation Area to the designated representative of the Captain of the Port prior to getting underway.

(iv) The designated representative of the Captain of the Port is the Sector Command Center (SCC)—Joint Harbor Operations Center (JHOC) which shall be contacted on VHF-FM channel 12, or by calling (757) 668-5555.

(v) In addition to the authorities listed in this part, this paragraph is promulgated under the authority under 33 U.S.C. 1226.

(e) *Waivers.* (1) The Captain of the Port may, upon request, waive any regulation in this section.

(2) An application for a waiver must state the need for the waiver and describe the proposed vessel operations.

(f) *Control of vessels within the regulated navigation area.* (1) When necessary to prevent damage, destruction or loss of any vessel, facility or port infrastructure, the Captain of the Port may direct the movement of vessels or issue orders requiring vessels to anchor or moor in specific locations.

(2) If needed for the maritime, commercial or security interests of the United States, the Captain of the Port may order a vessel to move from the location in which it is anchored to another location within the Regulated Navigation Area.

(3) The master of a vessel within the Regulated Navigation Area shall comply with any orders or directions issued to the master's vessel by the Captain of the Port.

[CGD05-02-099, 68 FR 35175, June 12, 2003, as amended by USCG-2006-25150, 71 FR 39211, July 12, 2006]

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§165.502 Safety and Security Zone; Cove Point Liquefied Natural Gas Terminal, Chesapeake Bay, Maryland.

(a) *Location.* The following area is a safety and security zone: All waters of the Chesapeake Bay, from surface to bottom, encompassed by lines connecting the following points, beginning at 38°24'27" N, 76°23'42" W, thence to 38°24'44" N, 76°23'11" W, thence to 38°23'55" N, 76°22'27" W, thence to 38°23'37" N, 76°22'58" W, thence to beginning at 38°24'27" N, 76°23'42" W. These coordinates are based upon North American Datum (NAD) 1983. This area is 500 yards in all directions from the Cove Point LNG terminal structure.

(b) *Regulations.* (1) In accordance with the general regulations in §§165.23 and 165.33 of this part, entry into or movement within this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Maryland-National Capital Region or his designated representative. Designated representatives include any Coast Guard commissioned, warrant, or petty officer.

(2) Persons desiring to transit the area of the zone may contact the Captain of the Port at telephone number (410) 576-2693 or via 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 designated representative.

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

[CGD05-03-023, 68 FR 75133, Dec. 30, 2003, as amended by USCG-2016-0060, 81 FR 38594, June 14, 2016]

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§165.503 Security Zone; Captain of the Port Hampton Roads Zone.

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

Certain dangerous cargo or *CDC* means a material defined as CDC in 33 CFR 160.202.

Designated Representative of the Captain of the Port is any U.S. Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port (COTP), Hampton Roads, Virginia to act on his or her behalf.

Passenger vessel means a vessel defined as a passenger vessel in 46 CFR part 70.

(b) *Location.* All navigable waters of the Captain of the Port Hampton Roads zone (defined in 33 CFR 3.25-10) within 500 yards around a passenger vessel or vessel carrying a CDC, while the passenger vessel or vessel carrying CDC is transiting, moored or anchored.

(c) *Regulations.* (1) No vessel may approach within 500 yards of a passenger vessel or vessel carrying a CDC within the Captain of the Port Hampton Roads zone, unless traveling at the minimum speed necessary to navigate safely.

(2) Under §165.33, no vessel or person may approach within 100 yards of a passenger vessel or vessel carrying a CDC within the Captain of the Port Hampton Roads zone, unless authorized by the COTP Hampton Roads or his or her designated representative.

(3) The COTP Hampton Roads 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.

(4) A security zone in effect around a moving or anchored vessel will be enforced by a law enforcement vessel. A security zone in effect around a moored vessel will be enforced by a law enforcement agent shoreside, a law enforcement vessel waterside, or both.

(5) Persons desiring to transit the area of the security zone within 100 yards of a passenger vessel or vessel carrying a CDC must contact the COTP Hampton Roads on VHF-FM channel 16 (156.8 MHz) or telephone number (757) 668-5555 or (757) 484-8192 to seek permission to transit the area. All persons and vessels must comply with the instructions of the COTP or the COTP's designated representative.

(d) *Enforcement.* The COTP will enforce these zones and may enlist the aid and cooperation of any Federal, state, county, or municipal law enforcement agency to assist in the enforcement of the regulation.

[CGD05-04-067, 69 FR 40769, July 7, 2004, as amended by USCG-2005-21869, 80 FR 5336, Jan. 30, 2015]

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§165.504 Newport News Shipbuilding and Dry Dock Company Shipyard, James River, Newport News, Va.

(a) *Location.* The following is a security zone: The waters of the James River encompassed by a line beginning at the intersection of the shoreline with the northernmost property line of the Newport News Shipbuilding and Dry Dock Co. at latitude 37°00'38.1" N, longitude 76°27'05.7" W, thence southerly to latitude 36°59'58.4" N, longitude 76°27'16.7" W, thence southeasterly to latitude 36°59'23.0" N, longitude 76°26'54.6" W, thence westerly to latitude 36°59'21.5" N, longitude 76°26'58.4" W, thence southeasterly to latitude 36°59'12.9" N, longitude 76°26'52.4" W, thence easterly to latitude 36°59'14.2" N, longitude 76°26'49.1" W, thence southeasterly to latitude 36°58'37.8" N, longitude 76°26'26.3" W, thence easterly to latitude 36°58'43.5" N, longitude 76°26'13.7" W, thence northerly to the intersection of the shoreline with the southernmost property line of the Newport News Shipbuilding and Dry Dock Co. at latitude 36°58'48.0" N, longitude 76°26'11.2" W, thence northwesterly along the shoreline to the point of beginning.

(b) *Security zone anchorage.* The following is a security zone anchorage: The waters of the James River encompassed by a line beginning at the intersection of the shoreline with the northernmost property line of the Newport News Shipbuilding and Dry Dock Company shipyard at latitude 37°00'38.1" N, longitude 76°27'05.7" W, thence southerly to latitude 36°59'58.4" N, longitude 76°27'16.7" W, thence easterly to the shoreline at latitude 36°59'58.5" N, longitude 76°27'11.6" W, thence along the shoreline to the point of beginning.

(c) *Special regulations.* (1) Section 165.33 (a), (e), and (f) do not apply to the following vessels or individuals on board those vessels:

(i) Public vessels of the United States.

(ii) Public vessels owned or operated by the Commonwealth of Virginia or its subdivisions for law enforcement or firefighting purposes.

(iii) Vessels owned by, operated by, or under charter to Newport News Shipbuilding and Dry Dock Co.

(iv) Vessels that are performing work at Newport News Shipbuilding and Dry Dock Co., including the vessels of subcontractors and other vendors of Newport News Shipbuilding and Dry Dock Co. or other persons that have a contractual relationship with Newport News Shipbuilding and Dry Dock Co.

(v) Vessels that are being built, rebuilt, repaired, or otherwise worked on at or by Newport News Shipbuilding and Dry Dock Co. or another person authorized to perform work at the shipyard.

(vi) Vessels that are authorized by Newport News Shipbuilding and Dry Dock Company to moor at and use its facilities.

(vii) Commercial shellfish harvesting vessels taking clams from the shellfish beds within the zone, if

(A) The owner of the vessel has previously provided the Captain of the Port, Hampton Roads, Virginia, information about the vessel, including:

(1) The name of the vessel;

(2) The vessel's official number, if documented, or state number, if numbered by a state issuing authority;

(3) A brief description of the vessel, including length, color, and type of vessel;

(4) The name, Social Security number, current address, and telephone number of the vessel's master, operator, or person in charge; and

(5) Upon request, information the vessel's crew.

(B) The vessel is operated in compliance with any specific orders issued to the vessel by the Captain of the Port or other regulations controlling the operation of vessels within the security zone that may be in effect.

(d) *Enforcement.* The U.S. Coast Guard may be assisted in the enforcement of this zone by the U.S. Navy.

[CGD5 86-03, 51 FR 18322, May 19, 1986, as amended by CGD5 87-038, 52 FR 41996, Nov. 2, 1987]

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§165.505 Security Zone; Calvert Cliffs Nuclear Power Plant, Chesapeake Bay, Calvert County, Maryland.

(a) *Location.* The following area is a security zone: All waters of the Chesapeake Bay, from surface to bottom, encompassed by lines connecting the following points, beginning at 38°26'06" N, 076°26'18" W, thence to 38°26'10" N, 076°26'12" W, thence to 38°26'21" N, 076°26'28" W, thence to 38°26'14" N, 076°26'33" W, thence to beginning at 38°26'06" N, 076°26'18" W. These coordinates are based upon North American Datum (NAD) 1983.

(b) *Regulations.* (1) Entry into or remaining in this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Maryland-National Capital Region.

(2) Persons desiring to transit the area of the security zone may contact the Captain of the Port at telephone number 410-576-2693 or on VHF 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.

(c) *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.

[CGD05-02-080, 68 FR 15053, Mar. 28, 2003, as amended by USCG-2016-0060, 81 FR 38594, June 14, 2016]

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§165.506 Safety Zones; Fireworks Displays in the Fifth Coast Guard District.

(a) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) This section applies to the fireworks safety zones listed in the Table to §165.506. These regulations will be enforced annually, for the duration of each fireworks event listed in the Table to §165.506. In the case of inclement weather, the event may be conducted on the day following the date listed in the Table to §165.506. Annual notice of the exact dates and times of the enforcement period of the regulation with respect to each safety zone, the geographical area, and other details concerning the nature of the fireworks event will be published in Local Notices to Mariners and via Broadcast Notice to Mariners over VHF-FM marine band radio.

(3) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port, the Coast Guard Patrol Commander, or the designated on-scene-patrol personnel. Those personnel are comprised of commissioned, warrant, and petty officers of the U.S. Coast Guard. Other Federal, State, and local agencies may assist these personnel in the enforcement of the safety zone. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(b) *Notification.* (1) Fireworks barges and launch sites on land that operate within the regulated areas contained in the Table to §165.506 will have a sign affixed to the port and starboard side of the barge or mounted on a post 3 feet above ground level when on land immediately adjacent to the shoreline and facing the water labeled "FIREWORKS—DANGER—STAY AWAY". This will provide on-scene notice that the safety zone will be enforced on that day. This notice will consist of a diamond shaped sign 4 feet by 4 feet with a 3-inch orange retro reflective border. The word "DANGER" shall be 10 inch black block letters centered on the sign with the words "FIREWORKS" and "STAY AWAY" in 6 inch black block letters placed above and below the word "DANGER" respectively on a white background.

(2) Coast Guard Captains of the Port in the Fifth Coast Guard District will notify the public of the enforcement of these safety zones by all appropriate means to affect the widest publicity among the affected segments of the public. Publication in the Local Notice to Mariners, Marine information broadcasts, and facsimile broadcasts may be made for these events, beginning 24 to 48 hours before the event is scheduled to begin, to notify the public.

(c) *Contact information.* Questions about safety zones and related events should be addressed to the local Coast Guard Captain of the Port for the area in which the event is occurring. Contact information is listed below. For a description of the geographical area of each Coast Guard Sector—Captain of the Port zone, please see 33 CFR 3.25.

(1) Coast Guard Sector Delaware Bay—Captain of the Port Zone, Philadelphia, Pennsylvania: (215) 271-4940.

(2) Coast Guard Sector Maryland-National Capital Region—Captain of the Port Zone, Baltimore, Maryland: (410) 576-2525.

(3) Coast Guard Sector Hampton Roads—Captain of the Port Zone, Norfolk, Virginia: (757) 483-8567.

(4) Coast Guard Sector North Carolina—Captain of the Port Zone, Wilmington, North Carolina: (877) 229-0770 or (910) 362-4015.

(d) *Enforcement periods.* The safety zones in the Table to §165.506 will be enforced from 5:30 p.m. to 1 a.m. each day a barge with a "FIREWORKS—DANGER—STAY AWAY" sign on the port and starboard side is on-scene or a "FIREWORKS—DANGER—STAY AWAY" sign is posted on land adjacent to the shoreline, in a location listed in the Table to §165.506. Vessels may not enter, remain in, or transit through the safety zones during these enforcement periods unless authorized by the Captain of the Port or designated Coast Guard patrol personnel on scene. The enforcement periods for each Safety Zone in the Table to §165.506 of this section are subject to change, but the duration of enforcement would remain the

same or nearly the same total amount of time as stated in its table. In the event of a change, or for enforcement periods listed that do not allow a specific date or dates to be determined, the Captain of the Port will provide notice by publishing a Notice of Enforcement in the FEDERAL REGISTER, as well as issuing a Broadcast Notice to Mariners.

TABLE TO §165.506

[All coordinates listed in the Table to §165.506 reference Datum NAD 1983.]

No./enforcement period(s) ¹	Location	Safety zone—regulated area
(a) Coast Guard Sector Delaware Bay—COTP Zone		
1 July 2nd, 3rd, 4th or 5th	North Atlantic Ocean, Bethany Beach, DE; Safety Zone	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge in approximate position latitude 38°32'08" N., longitude 075°03'15" W., adjacent to shoreline of Bethany Beach, DE.
2 Labor Day	Indian River Bay, DE; Safety Zone	All waters of the Indian River Bay within a 700 yard radius of the fireworks launch location on the pier in approximate position latitude 38°36'42" N., longitude 075°08'18" W.
3 July 2nd, 3rd or 4th	North Atlantic Ocean, Rehoboth Beach, DE; Safety Zone	All waters of the North Atlantic Ocean within a 360 yard radius of the fireworks barge in approximate position latitude 38°43'01.2" N., longitude 075°04'21" W., approximately 400 yards east of Rehoboth Beach, DE.
4 July 2nd, 3rd, 4th or 5th	North Atlantic Ocean, Avalon, NJ; Safety Zone	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge in approximate location latitude 39°06'19.5" N., longitude 074°42'02.15" W., in the vicinity of the shoreline at Avalon, NJ.
5 July 2nd, 3rd, or 4th; September 1st, or 2nd Saturday	Barnegat Bay, Barnegat Township, NJ; Safety Zone	The waters of Barnegat Bay within a 500 yard radius of the fireworks barge in approximate position latitude 39°44'50" N., longitude 074°11'21" W., approximately 500 yards north of Conklin Island, NJ.
6 July 2nd, 3rd, 4th or 5th	North Atlantic Ocean, Cape May, NJ; Safety Zone	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge in approximate location latitude 38°55'36" N., longitude 074°55'26" W., immediately adjacent to the shoreline at Cape May, NJ.
7 July 2nd, 3rd, 4th or 5th	Delaware Bay, North Cape May, NJ; Safety Zone	All waters of the Delaware Bay within a 360 yard radius of the fireworks barge in approximate position latitude 38°58'00" N., longitude 074°58'30" W.
8 July 2nd, 3rd, 4th or 5th. August—3rd Sunday	Great Egg Harbor Inlet, Margate City, NJ; Safety Zone	All waters within a 500 yard radius of the fireworks barge in approximate location latitude 39°19'33" N., longitude 074°31'28" W., on the Intracoastal Waterway near Margate City, NJ.
9 July 2nd, 3rd, 4th or 5th August every Thursday; September 1st Thursday	Metedeconk River, Brick Township, NJ; Safety Zone	The waters of the Metedeconk River within a 300 yard radius of the fireworks launch platform in approximate position latitude 40°03'24" N., longitude 074°06'42" W., near the shoreline at Brick Township, NJ.
10 July 2nd, 3rd, 4th or 5th	North Atlantic Ocean, Atlantic City, NJ; Safety Zone	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge located at latitude 39°20'58" N., longitude 074°25'58" W., and within 500 yard radius of a fireworks barge located at latitude 39°21'12" N., longitude 074°25'06" W., near the shoreline at Atlantic City, NJ.
11 July 2nd, 3rd, 4th or 5th. October—1st or 2nd Saturday	North Atlantic Ocean, Ocean City, NJ; Safety Zone	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge in approximate location latitude 39°16'22" N., longitude 074°33'54" W., in the vicinity of the shoreline at Ocean City, NJ.
12 May—4th Saturday	Barnegat Bay, Ocean Township, NJ; Safety Zone	All waters of Barnegat Bay within a 500 yard radius of the fireworks barge in approximate position latitude 39°47'33" N., longitude 074°10'46" W.
13 July 2nd, 3rd, 4th or 5th	Little Egg Harbor, Parker Island, NJ; Safety Zone	All waters of Little Egg Harbor within a 500 yard radius of the fireworks barge in approximate position latitude 39°34'18" N., longitude 074°14'43" W., approximately 50 yards north of Parkers Island.
14 September—3rd Saturday	Delaware River, Chester, PA; Safety Zone	All waters of the Delaware River near Chester, PA just south of the Commodore Barry Bridge within a 250 yard radius of the fireworks barge located in approximate position latitude 39°49'43.2" N., longitude 075°22'42" W.
15 September—3rd Saturday	Delaware River, Essington, PA; Safety Zone	All waters of the Delaware River near Essington, PA, west of Little Tinicum Island within a 250 yard radius of the fireworks barge located in the approximate position latitude 39°51'18" N., longitude 075°18'57" W.
16 July 2nd, 3rd, 4th or 5th; Columbus Day; December 31st, January 1st	Delaware River, Philadelphia, PA; Safety Zone	All waters of Delaware River, adjacent to Penns Landing, Philadelphia, PA, bounded from shoreline to shoreline, bounded on the south by a line running east to west from points along the shoreline at latitude 39°56'31.2" N., longitude 075°08'28.1" W., thence to latitude 39°56'29.1" N., longitude 075°07'56.5" W., and bounded on the north by the Benjamin Franklin Bridge.
17 July 2nd, 3rd, 4th or 5th	N. Atlantic Ocean, Sea Isle City, NJ; Safety Zone	All waters of N. Atlantic Ocean within a 350 yard radius of a fireworks barge located approximately at position latitude 39°08'49.5" N., longitude 074°41'25.1" W., near Sea Isle City, NJ.
18 April 8th; July 2nd, 3rd, 4th or 5th; December 31st	Rehoboth Bay, DE; Safety Zone	All waters within a 500 yard radius of a fireworks barge located at position latitude 38°41'21" N., longitude 075°05'00" W., at Rehoboth Bay near Dewey Beach, DE.
(b) Coast Guard Sector Maryland-National Capital Region—COTP Zone		
1 April—1st, 2nd or 3rd Saturday	Washington Channel, Upper Potomac River, Washington, DC; Safety Zone	All waters of the Upper Potomac River within 170 yards radius of the fireworks barge in approximate position latitude 38°52'20.3" N., longitude 077°01'17.5" W., located within the Washington Channel in Washington Harbor, DC.
2 July 4th; December—1st and 2nd Saturday; December 31st	Severn River and Spa Creek, Annapolis, MD; Safety Zone	All waters of the Severn River and Spa Creek within a 300 yard radius of the fireworks barge in approximate position 38°58'41.76" N., 076°28'34.2" W., located near the entrance to Spa Creek, Annapolis, MD.
3 December 31st	Upper Potomac River, Washington, DC; Safety Zone	All waters of the Upper Potomac River within a 300 yard radius of the fireworks barge in approximate position 38°48'14" N., 077°02'10" W., located near the waterfront (King Street) at Alexandria, Virginia.
4 June 14th; July 4th; September—2nd Saturday; December 31st	Northwest Harbor (East Channel), Patapsco River, MD; Safety Zone	All waters of the Patapsco River within a 300 yard radius of the fireworks barge in approximate position 39°15'55" N., 076°34'35" W., located adjacent to the East Channel of Northwest Harbor.
	Baltimore Inner Harbor, Patapsco	

5 April—1st Tuesday; May—2nd or 3rd Thursday or Friday; July 4th; December 31st	River, MD; Safety Zone	All waters of the Patapsco River within a 100 yard radius of the fireworks barge in approximate position latitude 39°17'01" N., longitude 076°36'31" W., located at the entrance to Baltimore Inner Harbor, approximately 125 yards southwest of pier 3.
6 April—1st Tuesday; May—2nd or 3rd Thursday or Friday; July 4th December 31st	Baltimore Inner Harbor, Patapsco River, MD; Safety Zone	The waters of the Patapsco River within a 100 yard radius of approximate position latitude 39°17'04" N., longitude 076°36'36" W., located in Baltimore Inner Harbor, approximately 125 yards southeast of pier 1.
7 July 4th; December 31st	Northwest Harbor (West Channel) Patapsco River, MD; Safety Zone	All waters of the Patapsco River within a 300 yard radius of the fireworks barge in approximate position latitude 39°16'21" N., longitude 076°34'38" W., located adjacent to the West Channel of Northwest Harbor.
8 July 4th, or Saturday before, or Friday after Independence Day holiday	Patuxent River, Calvert County, MD; Safety Zone	All waters of the Patuxent River within a 200 yard radius of the fireworks barge located at latitude 38°19'17" N., longitude 076°27'45" W., approximately 800 feet from shore at Solomons Island, MD.
9 July 4th or Sunday before Independence Day holiday	Chesapeake Bay, Chesapeake Beach, MD; Safety Zone	All waters of the Chesapeake Bay within a 200 yard radius of the fireworks barge in approximate position latitude 38°41'36" N., longitude 076°31'30" W., and within a 200 yard radius of the fireworks barge in approximate position latitude 38°41'28" N., longitude 076°31'29" W., located near Chesapeake Beach, Maryland.
10 July 4th	Choptank River, Cambridge, MD; Safety Zone	All waters of the Choptank River within a 300 yard radius of the fireworks launch site at Great Marsh Point, located at latitude 38°35'06" N., longitude 076°04'46" W.
11 July—2nd, 3rd or last Saturday	Potomac River, Fairview Beach, Charles County, MD; Safety Zone	All waters of the Potomac River within a 300 yard radius of the fireworks barge in approximate position latitude 38°19'57" N., longitude 077°14'40" W., located north of the shoreline at Fairview Beach, Virginia.
12 July—day before Independence Day holiday July 4th	Potomac River, National Harbor, MD; Safety Zone	All waters of the Potomac River within an area bound by a line drawn from the following points: Latitude 38°47'13" N., longitude 077°00'58" W., thence to latitude 38°46'51" N., longitude 077°01'15" W., thence to latitude 38°47'25" N., longitude 077°01'33" W., thence to latitude 38°47'32" N., longitude 077°01'08" W., thence to the point of origin, located at National Harbor, Maryland.
13 Sunday before or after July 4th, July 4th	Susquehanna River, Havre de Grace, MD; Safety Zone	All waters of the Susquehanna River within a 300 yard radius of approximate position latitude 39°32'06" N., longitude 076°05'22" W., located on the island at Millard Tydings Memorial Park.
14 The Saturday before Independence Day holiday occurring in June or July	Miles River, St. Michaels, MD; Safety Zone	All waters of the Miles River within a 200 yard radius of approximate position latitude 38°47'42" N., longitude 076°12'51" W., located at the entrance to Long Haul Creek.
15 July 3rd	Tred Avon River, Oxford, MD; Safety Zone	All waters of the Tred Avon River within a 150 yard radius of the fireworks barge in approximate position latitude 38°41'24" N., longitude 076°10'37" W., approximately 500 yards northwest of the waterfront at Oxford, MD.
16 July 3rd	Northeast River, North East, MD; Safety Zone	All waters of the Northeast River within a 300 yard radius of the fireworks barge in approximate position latitude 39°35'26" N., longitude 075°57'00" W., approximately 400 yards south of North East Community Park.
17 July—1st, 2nd or 3rd Saturday	Upper Potomac River, Washington, DC; Safety Zone	All waters of the Upper Potomac River within a 300 yard radius of the fireworks barge in approximate position 38°48'38" N., 077°01'56" W., located east of Oronoco Bay Park at Alexandria, Virginia.
18 March through October, at the conclusion of evening MLB games at Washington Nationals Ball Park	Anacostia River, Washington, DC; Safety Zone	All waters of the Anacostia River within a 150 yard radius of the fireworks barge in approximate position latitude 38°52'13" N., longitude 077°00'16" W., located near the Washington Nationals Ball Park.
19 June—last Saturday or July—1st Saturday; July—3rd, 4th or last Saturday; September—Saturday before Labor Day (observed)	Potomac River, Prince William County, VA; Safety Zone	All waters of the Potomac River within a 200 yard radius of the fireworks barge in approximate position latitude 38°34'09" N., longitude 077°15'32" W., located near Cherry Hill, Virginia.
20 July 4th	North Atlantic Ocean, Ocean City, MD; Safety Zone	All waters of the North Atlantic Ocean in an area bound by the following points: Latitude 38°19'39.9" N., longitude 075°05'03.2" W.; thence to latitude 38°19'36.7" N., longitude 075°04'53.5" W.; thence to latitude 38°19'45.6" N., longitude 075°04'49.3" W.; thence to latitude 38°19'49.1" N., longitude 075°05'00.5" W.; thence to point of origin. The size of the safety zone extends approximately 300 yards offshore from the fireworks launch area located at the high water mark on the beach.
21 July 4th and Sunday before Labor Day (observed)	Isle of Wight Bay, Ocean City, MD; Safety Zone	All waters of Isle of Wight Bay within a 200 yard radius of the fireworks barge in approximate position latitude 38°22'31" N., longitude 075°04'34" W.
22 July 4th	Assawoman Bay, Fenwick Island—Ocean City, MD; Safety Zone	All waters of Assawoman Bay within a 360 yard radius of the fireworks launch location on the pier at the West end of Northside Park, in approximate position latitude 38°25'55" N., longitude 075°03'53" W.
23 April—1st Tuesday. July 4th; December 31st	Baltimore Harbor, Patapsco River, Baltimore Inner Harbor, MD; Safety Zone	All waters of Baltimore Harbor, Patapsco River, within a 280 yard radius of a fireworks barge in approximate position latitude 39°16'36.7" N., longitude 076°35'53.8" W., located northwest of the Domino Sugar refinery wharf at Baltimore, Maryland.
24 Thursday before July 4th (observed); and or July 4th	Chester River, Kent Island Narrows, MD, Safety Zone	All waters of Chester River, Kent Narrows North Approach, within a 300 yard radius of the fireworks launch site at Kent Island in approximate position latitude 38°58'44.4" N., longitude 076°14'51.7" W., in Queen Anne's County, MD.
(c) Coast Guard Sector Hampton Roads—COTP Zone		
1 July 4th	Linkhorn Bay, Virginia Beach, VA, Safety Zone	All waters of the Linkhorn Bay within a 400 yard radius of the fireworks display in approximate position latitude 36°52'20" N., longitude 076°00'38" W., located near the Cavalier Golf and Yacht Club, Virginia Beach, Virginia.
2 September—last Friday or October—1st Friday	York River, West Point, VA, Safety Zone	All waters of the York River near West Point, VA within a 400 yard radius of the fireworks display located in approximate position latitude 37°31'25" N., longitude 076°47'19" W.
3 July 4th	York River, Yorktown, VA, Safety Zone	All waters of the York River within a 400 yard radius of the fireworks display in approximate position latitude 37°14'14" N., longitude 076°30'02" W., located near Yorktown, Virginia.
4 July 4th, July 5th, July 6th, or July 7th	James River, Newport News, VA, Safety Zone	All waters of the James River within a 325 yard radius of the fireworks barge in approximate position latitude 36°58'30" N., longitude 076°26'19" W., located in the vicinity of the Newport News Shipyard, Newport News, Virginia.

5 June—1st and 4th Friday; July—1st Friday; July 4th	Chesapeake Bay, Norfolk, VA, Safety Zone	All waters of the Chesapeake Bay within a 400 yard radius of the fireworks display located in position latitude 36°57'21" N., longitude 076°15'00" W., located near Ocean View Fishing Pier.
6 July 4th or 5th	Chesapeake Bay, Virginia Beach, VA, Safety Zone	All waters of the Chesapeake Bay 400 yard radius of the fireworks display in approximate position latitude 36°55'02" N., longitude 076°03'27" W., located at the First Landing State Park at Virginia Beach, Virginia.
7 July 4th; December 31st, January 1st	Elizabeth River, Southern Branch, Norfolk, VA, Safety Zone	All waters of the Elizabeth River Southern Branch in an area bound by the following points: Latitude 36°50'54.8" N., longitude 076°18'10.7" W.; thence to latitude 36°51'7.9" N., longitude 076°18'01" W.; thence to latitude 36°50'45.6" N., longitude 076°17'44.2" W.; thence to latitude 36°50'29.6" N., longitude 076°17'23.2" W.; thence to latitude 36°50'7.7" N., longitude 076°17'32.3" W.; thence to latitude 36°49'58" N., longitude 076°17'28.6" W.; thence to latitude 36°49'52.6" N., longitude 076°17'43.8" W.; thence to latitude 36°50'27.2" N., longitude 076°17'45.3" W. thence to the point of origin.
8 July—3rd and or 4th Saturday	John H. Kerr Reservoir, Clarksville, VA, Safety Zone	All waters of John H. Kerr Reservoir within a 400 yard radius of approximate position latitude 36°37'51" N., longitude 078°32'50" W., located near the center span of the State Route 15 Highway Bridge.
9 June, July, August, and September—every Wednesday, Thursday, Friday, Saturday and Sunday. July 4th.	North Atlantic Ocean, Virginia Beach, VA, Safety Zone A	All waters of the North Atlantic Ocean within a 1000 yard radius of the center located near the shoreline at approximate position latitude 36°51'12" N., longitude 075°58'06" W., located off the beach between 17th and 31st streets.
10 September—last Saturday or October—1st Saturday	North Atlantic Ocean, VA Beach, VA, Safety Zone B	All waters of the North Atlantic Ocean within a 350 yard radius of approximate position latitude 36°50'35" N., longitude 075°58'09" W., located on the 14th Street Fishing Pier.
11 Friday, Saturday and Sunday Labor Day Weekend	North Atlantic Ocean, VA Beach, VA, Safety Zone C	All waters of the North Atlantic Ocean within a 350 yard radius of approximate position latitude 36°49'55" N., longitude 075°58'00" W., located off the beach between 2nd and 6th streets.
12 July 4th	Nansemond River, Suffolk, VA, Safety Zone	All waters of the Nansemond River within a 350 yard radius of approximate position latitude 36°44'27" N., longitude 076°34'42" W., located near Constant's Wharf in Suffolk, VA.
13 July 4th	Chickahominy River, Williamsburg, VA, Safety Zone	All waters of the Chickahominy River within a 400 yard radius of the fireworks display in approximate position latitude 37°14'50" N., longitude 076°52'17" W., near Barrets Point, Virginia.
14 July—3rd, 4th and 5th	Great Wicomico River, Mila, VA, Safety Zone	All waters of the Great Wicomico River located within a 140 yard radius of the fireworks display at approximate position latitude 37°50'31" N., longitude 076°19'42" W. near Mila, Virginia.
15 >July—1st Friday, Saturday and Sunday	Cockrell's Creek, Reedville, VA, Safety Zone	All waters of Cockrell's Creek located within a 140 yard radius of the fireworks display at approximate position latitude 37°49'54" N., longitude 076°16'44" W. near Reedville, Virginia.
16 May—last Sunday	James River, Richmond, VA, Safety Zone	All waters of the James River located within a 140 yard radius of the fireworks display at approximate position latitude 37°31'13.1" N., longitude 077°25'07.84" W., near Richmond, Virginia.
17 June—last Saturday	Rappahannock River, Tappahannock, VA, Safety Zone	All waters of the Rappahannock River located within a 140 yard radius of the fireworks display at approximate position latitude 37°55'12" N., longitude 076°49'12" W. near Tappahannock, Virginia.
18 July 4th, August—1st Friday, Saturday and Sunday, and December 31st	Cape Charles Harbor, Cape Charles, VA, Safety Zone	All waters of Cape Charles Harbor located within a 125 yard radius of the fireworks display at approximate position latitude 37°15'46.5" N., longitude 076°01'30.3" W. near Cape Charles, Virginia.
19 July 3rd or 4th	Pagan River, Smithfield, VA, Safety Zone	All waters of the Pagan River located within a 140 yard radius of the fireworks display at approximate position latitude 36°59'18" N., longitude 076°37'45" W., near Smithfield, Virginia.
20 July 4th	Sandbridge Shores, Virginia Beach, VA, Safety Zone	All waters of Sandbridge Shores located within a 100 yard radius of the fireworks display at approximate position latitude 36°43'24.9" N., longitude 075°56'24.9" W., near Virginia Beach, Virginia.
21 July 4th, 5th or 6th	Chesapeake Bay, Virginia Beach, VA, Safety Zone	All waters of Chesapeake Bay located within a 200 yard radius of the fireworks display at approximate position latitude 36°54'58.18" N., longitude 076°06'44.3" W., near Virginia Beach, Virginia.
22 July 3rd, 4th and 5th	Urbanna Creek, Urbanna, VA; Safety Zone	All waters of Urbanna Creek within a 120 yard radius of the fireworks launch site at latitude 37°38'09" N., longitude 076°34'03" W., located on land near the east shoreline of Urbanna Creek and south of Bailey Point.
23 >April through August; every Wednesday, Thursday, Friday and Saturday; July 2nd, 3rd, 4th, or 5th; last Sunday in August; and Friday, Saturday and Sunday of Labor Day weekend	Elizabeth River Eastern Branch, Norfolk, VA; Safety Zone	All waters of Eastern Branch Elizabeth River within the area along the shoreline immediately adjacent to Harbor Park Stadium ball park and outward into the river bound by a line drawn from latitude 36°50'30" N., longitude 076°16'39.9" W., thence south to 36°50'26.6" N., longitude 076°16'39" W., thence northwest to 36°50'28.8" N., longitude 076°16'49.1" W., thence north to 36°50'30.9" N., longitude 076°16'48.6" W., thence east along the shoreline to point of origin.
(d) Coast Guard Sector North Carolina—COTP Zone		
1 July 4th; October—1st Saturday	Morehead City Harbor Channel, NC, Safety Zone	All waters of the Morehead City Harbor Channel that fall within a 360 yard radius of latitude 34°43'01" N., longitude 076°42'59.6" W., a position located at the west end of Sugar Loaf Island, NC.
2 April—2nd Saturday; July 4th; August—3rd Monday; October—1st Saturday	Cape Fear River, Wilmington, NC, Safety Zone	All waters of the Cape Fear River within an area bound by a line drawn from the following points: Latitude 34°13'54" N., longitude 077°57'06" W.; thence northeast to latitude 34°13'57" N., longitude 077°57'05" W.; thence north to latitude 34°14'11" N., longitude 077°57'07" W.; thence northwest to latitude 34°14'22" N., longitude 077°57'19" W.; thence east to latitude 34°14'22" N., longitude 077°57'06" W.; thence southeast to latitude 34°14'07" N., longitude 077°57'00" W.; thence south to latitude 34°13'54" N., longitude 077°56'58" W.; thence to the point of origin, located approximately 500 yards north of Cape Fear Memorial Bridge.
3 July 1st Saturday and July 4th	Green Creek and Smith Creek, Oriental, NC, Safety Zone	All waters of Green Creek and Smith Creek that fall within a 300 yard radius of the fireworks launch site at latitude 35°01'29.6" N., longitude 076°42'10.4" W., located near the entrance to the Neuse River in the vicinity of Oriental, NC.
4 July 4th	Pasquotank River, Elizabeth City, NC, Safety Zone	All waters of the Pasquotank River within a 300 yard radius of the fireworks launch barge in approximate position latitude 36°17'47" N., longitude 076°12'17" W., located approximately 400 yards north of Cottage Point, NC.
5 July 4th, or July 5th	Currituck Sound, Corolla, NC, Safety Zone	All waters of the Currituck Sound within a 300 yard radius of the fireworks launch site in approximate position latitude 36°22'23.8" N., longitude 075°49'56.3", located near Whale Head Bay.
6 July 4th November—3rd Saturday		

	Middle Sound, Figure Eight Island, NC, Safety Zone	All waters of the Figure Eight Island Causeway Channel from latitude 34°16'32" N., longitude 077°45'32" W., thence east along the marsh to latitude 34°16'19" N., longitude 077°44'55" W., thence south to the causeway at latitude 34°16'16" N., longitude 077°44'58" W., thence west along the shoreline to latitude 34°16'29" N., longitude 077°45'34" W., thence back to the point of origin.
7 June—2nd Saturday; July 4th	Pamlico River, Washington, NC, Safety Zone	All waters of Pamlico River and Tar River within a 300 yard radius of latitude 35°32'25" N., longitude 077°03'42" W., a position located on the southwest shore of the Pamlico River, Washington, NC.
8 July 4th	Neuse River, New Bern, NC, Safety Zone	All waters of the Neuse River within a 360 yard radius of the fireworks barge in approximate position latitude 35°06'07.1" N., longitude 077°01'35.8" W.; located 420 yards north of the New Bern, Twin Span, high-rise bridge.
9 July 4th, November—Saturday following Thanksgiving Day	Motts Channel, Banks Channel, Wrightsville Beach, NC, Safety Zone	All waters of Motts Channel within a 500 yard radius of the fireworks launch site in approximate position latitude 34°12'29" N., longitude 077°48'27" W., approximately 560 yards south of Sea Path Marina, Wrightsville Beach, NC.
10 July 4th	Cape Fear River, Southport, NC, Safety Zone	All waters of the Cape Fear River within a 600 yard radius of the fireworks barge in approximate position latitude 33°54'40" N., longitude 078°01'18" W., approximately 700 yards south of the waterfront at Southport, NC.
11 July 4th	Big Foot Slough, Ocracoke, NC, Safety Zone	All waters of Big Foot Slough within a 300 yard radius of the fireworks launch site in approximate position latitude 35°06'54" N., longitude 075°59'24" W., approximately 100 yards west of the Silver Lake Entrance Channel at Ocracoke, NC.
12 August—1st Tuesday	New River, Jacksonville, NC, Safety Zone	All waters of the New River within a 300 yard radius of the fireworks launch site in approximate position latitude 34°44'45" N., longitude 077°26'18" W., approximately one half mile south of the Hwy 17 Bridge, Jacksonville, North Carolina.
13 July 4th, October—2nd Saturday	Atlantic Intracoastal Waterway, Swansboro, NC, Safety Zone	All waters of the Atlantic Intracoastal Waterway within a 300 yard radius of approximate position latitude 34°41'02" N., longitude 077°07'04" W., located on Pelican Island.
14 September—4th or last Saturday	Shallowbag Bay, Manteo, NC; Safety Zone	All waters of Shallowbag Bay within a 200 yard radius of a fireworks barge anchored at latitude 35°54'31" N., longitude 075°39'42" W.

¹As noted in paragraph (d) of this section, the enforcement period for each of the listed safety zones is subject to change.

[USCG-2017-0064, 82 FR 27006, June 13, 2017]

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§165.507 Security Zone; Chesapeake Bay, between Sandy Point and Kent Island, MD.

(a) *Definitions.* The “Captain of the Port, Maryland-National Capital Region” means the Commander, Coast Guard Sector Maryland-National Capital Region or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Maryland-National Capital Region to act on his or her behalf.

(b) *Location.* The following area is a security zone: All waters of the Chesapeake Bay, from the surface to the bottom, within 250 yards north of the north (westbound) span of the William P. Lane Jr. Memorial Bridge, and 250 yards south of the south (eastbound) span of the William P. Lane Jr. Memorial Bridge, from the western shore at Sandy Point to the eastern shore at Kent Island, Maryland.

(c) *Regulations.* (1) All persons are required to comply with the general regulations governing security zones found in §165.33 of this part.

(2) Entry into or remaining in this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Maryland-National Capital Region.

(3) Persons or vessels requiring entry into or passage through the security zone must first request authorization from the Captain of the Port, Sector Maryland-National Capital Region seek permission to transit the area. The Captain of the Port, Maryland-National Capital Region can be contacted at telephone number (410) 576-2693. The Coast Guard vessels enforcing this section can be contacted on VHF Marine Band Radio, VHF channel 16 (156.8 MHz). Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port, Maryland-National Capital Region and proceed at the minimum speed necessary to maintain a safe course while within the zone.

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

(e) *Enforcement period.* This section will be enforced annually on the second Sunday in November from 7 a.m. to 11 a.m., and if necessary due to inclement weather, on the third Sunday in November from 7 a.m. to 11 a.m.

[USCG-2014-0296, 79 FR 49690, Aug. 22, 2014, as amended by USCG-2016-0060, 81 FR 38594, June 14, 2016]

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§165.508 Security Zone; Potomac River and Anacostia River, and adjacent waters; Washington, DC.

(a) *Location.* Coordinates used in this paragraph are based on NAD83. The following areas are security zones:

(1) *Zone 1.* All navigable waters of the Potomac River, from shoreline to shoreline, bounded to the north by the Francis Scott Key (US-29) Bridge, at mile 113, and bounded to the south by a line drawn from the Virginia shoreline at Ronald Reagan Washington National Airport, at 38°51'21.3" N., 077°02'00.0" W., eastward across the Potomac River to the District of Columbia shoreline at Hains Point at position 38°51'24.3" N., 077°01'19.8" W., including the waters of the Boundary Channel, Pentagon Lagoon, Georgetown Channel Tidal Basin, and Roaches Run;

(2) *Zone 2.* All navigable waters of the Anacostia River, from shoreline to shoreline, bounded to the north by the John Philip Sousa (Pennsylvania Avenue) Bridge, at mile 2.9, and bounded to the south by a line drawn from the District of Columbia shoreline at Hains Point at position 38°51'24.3" N., 077°01'19.8" W., southward across the Anacostia River to the District of Columbia shoreline at Giesboro Point at position 38°50'52.4" N., 077°01'10.9" W., including the waters of the Washington Channel;

(3) *Zone 3.* All navigable waters of the Potomac River, from shoreline to shoreline, bounded to the north by a line drawn from the Virginia shoreline at Ronald Reagan Washington National Airport, at 38°51'21.3" N., 077°02'00.0" W., eastward across the Potomac River to the District of Columbia shoreline at Hains Point at position 38°51'24.3" N., 077°01'19.8" W., thence southward across the Anacostia River to the District of Columbia shoreline at Giesboro Point at position 38°50'52.4" N., 077°01'10.9" W., and bounded to the south by the Woodrow Wilson Memorial (I-95/I-495) Bridge, at mile 103.8.

(4) *Zone 4.* All navigable waters of the Georgetown Channel of the Potomac River, 75 yards from the eastern shore measured perpendicularly to the shore, between the Long Railroad Bridge (the most eastern bridge of the 5-span, Fourteenth Street Bridge Complex) to the Theodore Roosevelt Memorial Bridge; and all waters in between, totally including the waters of the Georgetown Channel Tidal Basin.

(5) *Zone 5.* All navigable waters in the Potomac River, including the Boundary Channel and Pentagon Lagoon, bounded on the west by a line running north to south from points along the shoreline at 38°52'50" N., 077°03'25" W., thence to 38°52'49" N., 077°03'25" W.; and bounded on the east by a line running from points at 38°53'10" N., 077°03'30" W., thence northeast to 38°53'12" N., 077°03'26" W., thence southeast to 38°52'31" N., 077°02'34" W., and thence southwest to 38°52'28" N., 077°02'38" W.

(6) *Zone 6.* All navigable waters described in paragraphs (a)(1) through (a)(3) of this section.

(b) *Regulations.* The general security zone regulations found in 33 CFR 165.33 apply to the security zones created by this section, §165.508.

(1) Entry into or remaining in a zone listed in paragraph (a) in this section is prohibited unless authorized by the Coast Guard Captain of the Port Maryland-National Capital Region. Public vessels and vessels already at berth at the time the security zone is implemented do not have to depart the security zone. All vessels underway within the security zone at the time it is implemented are to depart the zone at the time the security zone is implemented.

(2) Persons desiring to transit the area of the security zone must first obtain authorization from the Captain of the Port Maryland-National Capital Region or his or her designated representative. To seek permission to transit the area, the Captain of the Port Maryland-National Capital Region and his or her designated representatives can be contacted at 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). Upon being hailed by a U.S. Coast Guard vessel, or other Federal, State, or local agency vessel, by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port Maryland-National Capital Region or his designated representative and proceed at the minimum speed necessary to maintain a safe course while within the zone.

(3) The U.S. Coast Guard may be assisted in the patrol and enforcement of the security zones listed in paragraph (a) in this section by Federal, State, and local agencies.

(c) *Definitions.* As used in this section:

Captain of the Port Maryland-National Capital Region means the Commander, U.S. Coast Guard Sector Maryland-National Capital Region or any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port to act on his or her behalf.

Designated representative means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port Maryland-National Capital Region to assist in enforcing the security zones described in paragraph (a) of this section.

Public vessel means a vessel that is owned or demise-(bareboat) chartered by the government of the United States, by a State or local government, or by the government of a foreign country and that is not engaged in commercial service.

(d) *Enforcement.* (1) In addition to the specified times in paragraphs (d)(2) through (4) of this section, the security zones created by this section will be enforced only upon issuance of a notice of enforcement by the Captain of the Port Maryland-National Capital Region. The Captain of the Port Maryland-National Capital Region will cause notice of enforcement of these security zones to be made by all appropriate means to the affected segments of the public of the enforcement dates and times

of the security zones including publication in the FEDERAL REGISTER, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners.

(2) Security Zone 4, established in paragraph (a)(4) of this section, will be enforced annually, from 12:01 a.m. to 11:59 p.m. on July 4.

(3) Security Zone 5, established in paragraph (a)(5) of this section, will be enforced annually on three dates: Memorial Day (observed), September 11, and November 11. Security Zone 5 will be enforced from 10 a.m. until 1 p.m. on Memorial Day (observed); from 8 a.m. until 11:59 a.m. on September 11; and from 10 a.m. until 1 p.m. on November 11.

(4) Security Zone 6, established in paragraph (a)(6) of this section, will be enforced annually on the day the State of the Union Address is delivered. Security Zone 6 will be enforced from 9 a.m. on the day of the State of the Union Address until 2 a.m. on the following day.

(e) *Suspension of enforcement.* (1) The Captain of the Port Maryland-National Capital Region may suspend enforcement of the enforcement period in paragraphs (d)(1) through (4) in this section earlier than listed in the notice of enforcement. Should the Captain of the Port Maryland-National Capital Region suspend the zone earlier than the duration listed, he or she will make the public aware of this suspension by Broadcast Notice to Mariners and/or on-scene notice by his or her designated representative.

[USCG-2016-0675, 81 FR 81005, Nov. 17, 2016]

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§165.509 Security Zone; Severn River and College Creek, Annapolis, MD.

(a) *Definitions.* For purposes of this section, the *Captain of the Port, Maryland-National Capital Region* means the Commander, Coast Guard Sector Maryland-National Capital Region or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Maryland-National Capital Region to act on his or her behalf.

(b) *Location.* The following area is a security zone: All waters of the Severn River, from shoreline to shoreline, bounded by a line drawn from Horseshoe Point, at 38°59'47.6" N, 076°29'33.2" W; eastward across the Severn river to a point located at 39°00'01.5" N, 076°29'08.5" W; and a line drawn from Biemans Point, at 38°59'14.4" N, 076°28'30.1" W; westward across the Severn River to a point 38°59'03.5" N, 076°28'50.0" W, located on the Naval Academy waterfront. This security zone includes the waters of College Creek eastward of the King George Street Bridge (NAD 1983).

(c) *Regulations.* (1) The general regulations governing security zones found in §165.33 apply to the security zone described in paragraph (b) of this section.

(2) Entry into or remaining in this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Maryland-National Capital Region.

(3) Persons or vessels requiring entry into or passage through the security zone must first request authorization from the Captain of the Port, Sector Maryland-National Capital Region seek permission to transit the area. The Captain of the Port, Maryland-National Capital Region can be contacted at telephone number (410) 576-2693. The Coast Guard vessels enforcing this section can be contacted on Marine Band Radio VHF channel 16 (156.8 MHz). Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port, Maryland-National Capital Region and proceed at the minimum speed necessary to maintain a safe course while within the zone.

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

(e) *Enforcement period.* This section will be enforced annually on the Friday before the Memorial Day holiday in May from 7:30 a.m. to 2 p.m. local time.

[CGD05-06-112, 72 FR 24188, May 2, 2007, as amended by USCG-2016-0060, 81 FR 38594, June 14, 2016]

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§165.510 Delaware Bay and River, Salem River, Christina River and Schuylkill River-Regulated Navigation Area.

(a) *Regulated Navigation Area.* The following is a Regulated Navigation Area: The navigable waters of Delaware Bay and River, Salem River, Christina River, and Schuylkill River, in an area bounded on the south by a line drawn across the entrance to the Delaware Bay between Cape May Light and Harbor of Refuge Light and then continuing to the northernmost extremity of Cape Henlopen, and bounded on the north by a line drawn across the Delaware River between Trenton, NJ and Morrisville, PA along the southern side of the U.S. Route 1 Bridge.

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

COTP means the Captain of the Port, Delaware Bay and any Coast Guard commissioned, warrant or petty officer who has been authorized by the COTP to act on his or her behalf.

Dangerous Cargo means those cargoes listed in §160.202 of this chapter when carried in bulk, but does not include cargoes listed in table 1 of 46 CFR part 153.

Underway means that a vessel is not at anchor, made fast to the shore, or aground.

(c) *Applicability.* This section applies to any vessel operating within the Regulated Navigation Area, including a naval or public vessel, except a vessel engaged in:

- (1) Law enforcement;
- (2) Servicing aids to navigation; or
- (3) Surveying, maintaining, or improving waters within the Regulated Navigation Area.

(d) *Draft limitation.* Unless otherwise authorized by the COTP, no vessel with a draft greater than 55 feet may enter this regulated navigation area.

NOTE: The project depth in many areas of the Regulated Navigation Area is less than 55 feet.

(e) *Oil transfer operations.* Unless otherwise authorized by the COTP, no vessel to vessel oil transfer operations, excluding bunkering, may be conducted within the area between the southern boundary of this regulated navigation area and the southern span of the Delaware Memorial Bridge except within the anchorage ground designated in 110.157(a)(1) of this chapter.

(f) *Requirements for vessels carrying dangerous cargoes.* The master, owner, or operator of a vessel carrying a dangerous cargo shall:

(1) Notify the COTP at least 72 hours before the vessel enters or departs the regulated navigation area and at least 12 hours before the vessel moves within the regulated navigation area. The notice must include a report of the vessel's propulsion and machinery status and, for foreign flag vessels, the notice must include any outstanding deficiencies identified by the vessel's flag state or classification society;

(2) Not enter, get or remain underway within the regulated navigation area if visibility is or is expected to be less than two (2) miles. If during the transit visibility becomes less than two (2) miles, the vessel must seek safe anchorage and notify the COTP immediately;

(3) Not anchor in any area within the regulated navigation area unless in times of emergency or with COTP permission;

(4) Not transfer dangerous cargo while the vessel is at anchor or bunkering;

(5) Maintain a manned watch in the steering compartment whenever the vessel is underway within the regulated navigation area unless the vessel has two separate and independent steering control systems with duplicate pilothouse steering gear control systems which meet the requirements of 46 CFR 58.25-70;

(6) When anchored within the regulated navigation area and:

(i) Sustained winds are greater than 25 knots but less than 40 knots, ensure the main engines are ready to provide full power in five minutes or less; and

(ii) Sustained winds are 40 knots or over, ensure that the main engines are on line to immediately provide propulsion;

(7) While moored within the regulated navigation area, ensure that at least two wire cable mooring lines (firewarps) are rigged and ready for use as emergency towing hookups fore and aft on the outboard side of the vessel;

(8) While underway or anchored within the regulated navigation area, ensure that at least two wire cable mooring lines (firewarps) are rigged and ready for use as emergency towing hookups fore and aft on the vessel; and,

(9) Proceed as directed by the COTP.

(g) *Requirements for vessels operating in the vicinity of a vessel carrying dangerous cargoes.* (1) Except for a vessel that is attending a vessel carrying dangerous cargo with permission from the master of the vessel carrying dangerous cargo or a vessel that is anchored or moored at a marina, wharf, or pier, and which remains moored or at anchor, no vessel may, without the permission of the COTP:

(i) Come or remain within 500 yards of the port or starboard side or within 1,000 yards of the bow or stern of an underway vessel that is carrying dangerous cargo; or

(ii) Come or remain within 100 yards of a moored or anchored vessel carrying dangerous cargo.

(2) The master, owner, or operator of any vessel receiving permission under paragraph (g)(1) of this section shall:

- (i) Maintain a continuous radio guard on VHF-FM channels 13 and 16;
- (ii) Operate at “no wake” speed or the minimum speed needed to maintain steerage; and
- (iii) Proceed as directed by the COTP.

(3) No vessel may overtake a vessel carrying dangerous cargoes unless the overtaking can be completed before reaching any bend in the channel. Before any overtaking, the pilots, masters or operators of both the overtaking vessel and the vessel being overtaken must clearly agree on the circumstances of the overtaking, including vessel speeds, time and location of overtaking.

(h) *Additional restrictions above the C&D Canal.* When operating on the Delaware River above the C&D Canal:

- (1) A vessel carrying dangerous cargo must be escorted by at least one commercial tug; and
- (2) Meeting situations shall be avoided on river bends to the maximum extent possible.

(i) The COTP will issue a Broadcast Notice to Mariners to inform the marine community of scheduled vessel movements during which the restrictions imposed by paragraphs (g) and (h) of this section will be in effect.

[CGD 05-96-010, 62 FR 40275, July 28, 1997, as amended by USCG-2000-7223, 65 FR 40058, June 29, 2000; USCG-2005-21869, 80 FR 5336, Jan. 30, 2015]

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§165.511 Security Zone; Atlantic Ocean, Chesapeake & Delaware Canal, Delaware Bay, Delaware River and its tributaries.

(a) *Location.* A 500-yard radius around escorted passenger vessels in the Captain of the Port, Delaware Bay zone as defined in 33 CFR 3.25-05.

(b) *Regulations.* (1) All persons are required to comply with the general regulations governing security zones in §165.33 of this part.

(2) All persons or vessels operating at the minimum safe speed necessary to maintain navigation may transit within 500 yards of an escorted passenger vessel without the permission of the Captain of the Port Delaware Bay, PA or designated representative while the escorted passenger vessel is in the Captain of the Port Delaware Bay zone.

(3) No person or vessel may transit or remain within 100 yards of an escorted passenger vessel without the permission of the Captain of the Port Delaware Bay or designated representative while the passenger vessel is in the Captain of the Port Philadelphia zone.

(4) Any person or vessel authorized to enter the security zone must operate in strict conformance with any directions given by the Captain of the Port Delaware Bay or designated representative and leave the security zone immediately if the Captain of the Port Delaware Bay or designated representative so orders.

(5) When an escorted passenger vessel approaches within 100 yards of any vessel that is moored or anchored, the stationary vessel must stay moored or anchored while it remains within 100 yards of the passenger vessel unless it is either ordered by or given permission by the Captain of the Port, Delaware Bay or designated representative to do otherwise.

(6) The Coast Guard designated representative enforcing this section can be contacted on VHF Marine Band Radio, channels 13 and 16. The Captain of the Port can be contacted at (215) 271-4807.

(c) *Maneuver-restricted vessels.* When conditions permit, the Captain of the Port or designated representative should:

(1) Permit vessels constrained by their navigational draft or restricted in their ability to maneuver to pass within the 100 yards of the passenger vessel 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)); and

(2) Permit vessels constrained by their navigational draft or restricted in their ability to maneuver that must transit via a navigable channel or waterway to pass within 100 yards of an anchored passenger vessel.

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

Captain of the Port means the Commanding Officer of the Coast Guard Sector Delaware Bay or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to act as a designated representative on his behalf.

Escort means assets (surface or air) with the Coast Guard insignia that accompany and protect the escorted vessel, armed with crew-served weapons that are manned and ready.

Passenger vessels means vessels greater than 100 feet in length, over 100 gross tons that are authorized to carry 500 or more passengers, making voyages lasting more than 24 hours, except for ferries.

[CGD05-04-047, 69 FR 56697, Sept. 22, 2004, as amended by USCG-2015-0433, 80 FR 44286, July 27, 2015]

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§165.512 Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD.

(a) *Definitions.* For the purposes of this section:

(1) *Captain of the Port, Maryland-National Capital Region* means the Commander, Coast Guard Maryland-National Capital Region or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Maryland-National Capital Region to act on his or her behalf.

(2) *USS CONSTELLATION “turn-around” participants* means the USS CONSTELLATION, its support craft and the accompanying towing vessels.

(b) *Location.* The following area is a moving safety zone: All waters, from surface to bottom, within 200 yards ahead of or 100 yards outboard or aft of the historic sloop-of-war USS CONSTELLATION, while operating in the Inner Harbor, the Northwest Harbor and the Patapsco River.

(c) *Regulations.* (1) The general regulations governing safety zones, found in §165.23, apply to the safety zone described in paragraph (b) of this section.

(2) With the exception of USS CONSTELLATION “turn-around” participants, entry into or remaining in this zone is prohibited, unless authorized by the Captain of the Port, Maryland-National Capital Region.

(3) Persons or vessels requiring entry into or passage through the moving safety zone must first request authorization from the Captain of the Port, Maryland-National Capital Region to seek permission to transit the area. The Captain of the Port, Maryland-National Capital Region can be contacted at telephone number (410) 576-2693. The Coast Guard vessels enforcing this section can be contacted on Marine Band Radio VHF Channel 16 (156.8 MHz). Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the person or vessel shall proceed as directed. If permission is granted, all persons or vessels must comply with the instructions of the Captain of the Port, Maryland-National Capital Region, and proceed at the minimum speed necessary to maintain a safe course while within the zone.

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

(e) *Enforcement period.* This section will be enforced from 2 p.m. through 7 p.m. on the Thursday before Memorial Day (observed), and, if necessary due to inclement weather, from 2 p.m. through 7 p.m. on the Thursday following Memorial Day (observed).

[CGD05-07-010, 72 FR 34624, June 25, 2007, as amended by USCG-2012-1075, 78 FR 14189, Mar. 5, 2013; USCG-2016-0060, 81 FR 38594, June 14, 2016]

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§165.513 Safety Zone; Magothy River, Sillery Bay, MD.

(a) *Regulated area.* The following area is a safety zone: All waters of the Magothy River, in Sillery Bay, contained within lines connecting the following positions: From position latitude 39°04'40" N, longitude 076°27'44" W; thence to position latitude 39°04'48" N, longitude 076°27'19" W; thence to position latitude 39°04'59" N, longitude 076°27'45" W; thence to position latitude 39°04'59" N, longitude 076°28'01" W; thence to position latitude 39°04'41" N, longitude 076°27'51" W; thence to the point of origin at position latitude 39°04'40" N, longitude 076°27'44" W. All coordinates reference Datum NAD 1983.

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

(1) *Captain of the Port Baltimore* means the Commander, U.S. Coast Guard Sector Baltimore, Maryland.

(2) *Designated representative* means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port Baltimore to assist in enforcing the safety zone described in paragraph (a) of this section.

(c) *Regulations.* (1) All persons are required to comply with the general regulations governing safety zones found in 33 CFR 165.23.

(2) All vessels and persons are prohibited from entering and accessing this safety zone, except as authorized by the Captain of the Port, Maryland-National Capital Region or his or her designated representative.

(3) Persons or vessels requiring entry into or passage within the safety zone must request authorization from the Captain of the Port, Maryland-National Capital Region or his or her designated representative, by telephone at (410) 576-2693 or by marine band radio on VHF-FM Channel 16 (156.8 MHz), from 8 a.m. until 10 p.m. on the fourth Saturday in July annually. All Coast Guard vessels enforcing this safety zone can be contacted on marine band radio VHF-FM Channel 16 (156.8 MHz).

(4) All vessels and persons must comply with instructions of the Captain of the Port, Maryland-National Capital Region or his or her designated representative.

(5) The operator of any vessel entering or located within this safety zone shall:

(i) Travel at no-wake speed,

(ii) Stop the vessel immediately upon being directed to do so by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard Ensign, and

(iii) Proceed as directed by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard Ensign.

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

(e) *Enforcement period.* This section will be enforced from 8 a.m. until 10 p.m. on the fourth Saturday in July annually.

[USCG-2012-0001, 77 FR 24840, Apr. 26, 2012, as amended by USCG-2016-0060, 81 FR 38595, June 14, 2016]

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§165.514 Safety Zone: Atlantic Intracoastal Waterway and connecting waters, vicinity of Marine Corps Base Camp Lejeune, North Carolina.

(a) *Location.* The following area is a safety zone: All waters of the Atlantic Intracoastal Waterway (AICW) and connecting waters, from Bogue Sound—New River Light 58 (LLNR 39210) at approximate position 34°37'57" North, 077°12'18" West, and continuing in the AICW southwest to Bogue Sound—New River Daybeacon 70 (LLNR 39290) at approximate position 34°33'07" North, 077°20'30" West. All coordinates reference Datum: NAD 1983.

(b) *Regulations.* Notwithstanding the provisions of 33 CFR 334.440(e)(2)(i), no vessel may enter the safety zone described in paragraph (a) of this section while weapons firing exercises are in progress, except as provided in paragraph (c) of this section or unless permitted by the Captain of the Port (COTP) North Carolina.

(1) Red warning flags or red warning lights will be displayed on towers located at both ends of the safety zone (Bear Creek and Cedar Point) while firing exercises are in progress. The flags or lights will be displayed by 8 a.m. on days where firing exercises are scheduled, and will be removed at the end of the firing exercise.

(2) A Coast Guard or U.S. Navy vessel will patrol each end of the safety zone to ensure the public is aware that firing exercises are in progress and that the firing area is clear of vessel traffic before weapons are fired.

(c) *General information—(1) Announcements.* The COTP North Carolina will announce the specific times and locations of firing exercises by Broadcast Notice to Mariners and Local Notice to Mariners. Normally, weapons firing for each firing exercise is limited to a two nautical mile portion of the safety zone. The COTP may issue general permission to transit all or specified parts of the safety zone outside of the actual firing area or if firing is temporarily stopped. This general permission will be announced in a Local Notice to Mariners and Broadcast Notice to Mariners.

(2) *Camp Lejeune artillery operations.* Artillery weapons firing over the AICW from Marine Corps Base Camp Lejeune will be suspended and vessels permitted to transit the specified 2-nautical-mile firing area for a 1-hour period beginning at the start of each odd-numbered hour local time (e.g., 9 a.m.; 1 p.m.). A vessel may not enter the specified firing area unless it will be able to complete its transit of the firing area before firing exercises are scheduled to re-start.

(3) *Atlantic Ocean naval gunnery live fire operations.* Naval gunnery live fire operations over the AICW from off shore on the Atlantic Ocean may be conducted for periods not to exceed 4 hours, then suspended and vessels permitted to transmit the specified two-mile firing area for a minimum of one hour before firing may resume. A vessel may not enter the specified firing area unless it will be able to complete its transit of the firing area before firing exercises are scheduled to re-start.

(d) *Contact information.* U.S. Navy safety vessels may be contacted on VHF marine band radio channels 13 (156.65 MHz) and 16 (156.8 MHz). The Captain of the Port may be contacted at Sector North Carolina by telephone at (877) 229-0770 or (910) 772-2200.

[CGD 05-98-38, 63 FR 58636, Nov. 2, 1998, as amended by USCG-2000-7223, 65 FR 40058, June 29, 2000; CGD05-03-167, 69 FR 41946, July 13, 2004; USCG-2011-0368, 76 FR 26605, May 9, 2011; USCG-2015-0433, 80 FR 44286, July 27, 2015]

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§165.515 Safety Zone: Cape Fear River, Wilmington, North Carolina.

(a) *Location.* The following area is a safety zone:

(1) The waters of the Cape Fear River bounded by a line connecting the following points:

Latitude	Longitude
34°14'12" N	77°57'10" W
34°14'12" N	77°57'06" W
34°13'54" N	77°57'00" W
34°13'54" N	77°57'06" W

(2) The safety zone boundary can be described as follows: starting at the stern of the Battleship USS NORTH CAROLINA, across the Cape Fear River to the north end of the Coast Guard moorings, down along the east bank of the Cape Fear River to the bow of the tug CAPTAIN JOHN TAXIS Memorial (Chandler's Wharf), back across the Cape Fear River to Eagle Island, and then up along the west bank of the Cape Fear River to the stern of the Battleship USS NORTH CAROLINA.

(b) *Definitions.* *The designated representative of the Captain of the Port* is any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, North Carolina to act on his behalf.

(c) *General information.* The Captain of the Port and the Command Duty Officer at Sector North Carolina can be contacted at telephone number (877) 229-0770 or (910) 772-2200. The Coast Guard Patrol Commander and the senior boarding officer on each vessel enforcing the safety zone can be contacted on VHF-FM channels 16 and 81.

(d) *Regulation.* Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(1) The operator of any vessel in the immediate vicinity of this safety zone shall:

(i) Stop the vessel immediately upon being directed to do so by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard Ensign.

(ii) Proceed as directed by any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard Ensign.

(2) Any spectator vessel may anchor outside of the regulated area specified in paragraph (a) of the section, but may not block a navigable channel.

(e) *Effective date.* The Captain of the Port will issue a Marine Safety Information Broadcast and a Notice to Mariners to notify the public when this section is in effect.

[59 FR 33200, June 28, 1994, as amended by USCG-2000-7223, 65 FR 40059, June 29, 2000; USCG-2011-0368, 76 FR 26605, May 9, 2011]

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§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 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

Hampton Roads: (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.

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§165.520 Regulated Navigation Area; Herbert C. Bonner Bridge, Oregon Inlet, NC.

(a) *Regulated area.* The following area is a Regulated Navigation Area (RNA): All navigable waters of Oregon Inlet, North Carolina within 100 yards under or surrounding any portion of the Herbert C. Bonner Bridge.

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

(1) *Captain of the Port* means the Captain of the Port (COTP) North Carolina.

(2) *Captain of the Port Representative* means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port North Carolina to act as a designated representative of the COTP.

(3) *Hazardous condition* means any condition that may adversely affect the safety of any vessel, bridge, structure, or shore area or the environmental quality of any port, harbor, or navigable waterway of the United States, as defined in 33 CFR 160.204.

(4) *Official patrol vessel* means any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessel(s) assigned and authorized by COTP North Carolina.

(c) *Regulations.* (1) The general regulations governing Regulated Navigation Areas found in 33 CFR 165.10, 165.11, and 165.13, including the Regulated Navigation Area described in paragraph (a) of this section and the following regulations, apply.

(2) Operation of vessels of certain characteristics in this RNA will be prohibited by the Captain of the Port (COTP) or designated representative in order to safeguard people and vessels from the hazards associated with shoaling and the Herbert C. Bonner Bridge from the potential catastrophic structural damage that could occur from a vessel bridge strike. The COTP or designated representative will evaluate local marine environmental conditions prior to issuing restrictions regarding vessel navigation. Factors that will be considered include, but are not limited to: hydrographic survey data, vessel characteristics such as displacement, tonnage, length and draft, current weather conditions including visibility, wind, sea state, and tidal currents.

(3) The Coast Guard will notify the public of restrictions via Local Notice to Mariners, Broadcast Notice to Mariners, electronic mail, U.S. Coast Guard HOMEPORt Web site, Marine Safety Information Bulletins and via other methods described in 33 CFR 165.7. Additionally, the Coast Guard will notify recognized commissions and/or committees appointed by the Dare County, North Carolina elected officials who represent commercial and recreational mariner interests in Oregon Inlet, North Carolina, when practicable, prior to imposing restrictions pursuant to enforcement of the RNA. Coast Guard personnel may be on-scene to advise the public of enforcement of any restrictions on vessel navigation within the RNA.

(4) In accordance with the general regulations, entry into, anchoring, or movement within the RNA, during periods of enforcement, is prohibited unless authorized by the Captain of the Port (COTP) or the COTP's on-scene designated representative. The "on-scene designated representative" of the COTP is any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP to act on the COTP's behalf. The on-scene representative may be on a Coast Guard vessel; State agency vessel, or other designated craft; or may be on shore and will communicate with vessels via VHF-FM marine band radio or loudhailer. Members of the Coast Guard Auxiliary may be present to assist COTP representatives with notification of vessel operators regarding the contents of this regulation.

(5) Any deviation from paragraph (c)(4) of this section due to extreme circumstances must be authorized by the Coast Guard District Commander, the Captain of the Port (COTP) or the COTP's designated representative. Vessels granted permission to transit the RNA must do so in accordance with the directions provided by the COTP or COTP representative to that vessel. To request permission to transit the regulated navigation area, the COTP or COTP representative can be contacted at Coast Guard Sector North Carolina, telephone number (910) 343-3880, or on VHF-FM marine band radio channel 13 (165.65 MHz) or channel 16 (156.8 MHz). During periods of enforcement, all persons and vessels given permission to enter or transit within the RNA must comply with the instructions of the COTP or designated representative. Upon being hailed by an official patrol vessel by siren, radio, flashing-light, or other means, the operator of a vessel must proceed as directed.

(d) *Enforcement.* The Coast Guard may be assisted in the patrol and enforcement of the Regulated Navigation Area by other Federal, State, and local agencies. The COTP may impose additional requirements within the RNA due to unforeseen changes to shoaling of Oregon Inlet or structural integrity of the Herbert C. Bonner Bridge.

(e) *Notification.* The Coast Guard will rely on the methods described in 33 CFR 165.7 and paragraph (c)(3) of this section to notify the public of the date, time and duration of any closure of the RNA. Violations of this RNA may be reported to the COTP at (910) 343-3880 or on VHF-FM channel 16.

[USCG-2014-0987, 80 FR 67641, Nov. 3, 2015]

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§165.530 Safety Zone: Cape Fear and Northeast Cape Fear Rivers, NC.

(a) *Location.* The following area is a moving safety zone during the specified conditions: The waters of the Cape Fear and Northeast Cape Fear Rivers for 500 yards ahead and astern, and 75 yards abeam of a vessel carrying hazardous materials when designated by the Captain of the Port, North Carolina.

(b) *General Information.* (1) The Captain of the Port and the Command Duty Officer at Sector North Carolina can be contacted at telephone number (877) 229-0770 or (910) 772-2200. The Coast Guard Patrol Commander enforcing the safety zone can be contacted on VHF-FM channels 16 and 81.

(2) The Captain of the Port may authorize and designate any Coast Guard commissioned, warrant, or petty officer to act on his behalf in enforcing this safety zone.

(3) Sector North Carolina will notify the maritime community of periods during which this safety zone will be in effect by providing advance notice of scheduled arrivals and departures of loaded hazardous materials vessels via a marine Broadcast Notice to Mariners.

(c) *Regulation.* The general regulations governing safety zones contained in §165.23 apply.

[COTP Wilmington, NC 94-004, 59 FR 42759, Aug. 19, 1994, as amended by USCG-2000-7223, 65 FR 40059, June 29, 2000; USCG-2011-0368, 76 FR 26605, May 9, 2011]

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§165.535 Safety Zone: Atlantic Ocean, Vicinity of Cape Henlopen State Park, Delaware.

(a) *Location.* The following area is a safety zone: All waters of the Atlantic Ocean within the area bounded by a line drawn north from the tip of Cape Henlopen located at latitude 38°48.2' N, longitude 75°05.5' W, to a point located at latitude 38°49.4' N, longitude 75°05.5' W; thence east to a point located at latitude 38°49.4' N, longitude 75°01.4' W; thence south to a point located at latitude 38°43.0' N, longitude 75°01.4' W; thence west to a point on the shoreline located at latitude 38°43.0' N, longitude 75°04.5' W; thence north following the shoreline, to a point located at latitude 38°48.2' N, longitude 75°05.5' W. All coordinate refer to Datum: NAD 1983.

(b) *Regulation.* The general regulations governing safety zones contained in §165.23 apply. Vessels may not enter the safety zone without first obtaining permission from the Captain of the Port (COTP) Delaware Bay.

(c) *Dates.* This section is enforced annually on the second Saturday in May and the following day.

(d) *General information.* (1) Those times during which hazardous conditions exist inside the safety zone will be announced by Broadcast Notice to Mariners. General permission to enter the safety zone will be broadcast during non-hazardous times.

(2) You can gain access to the safety by calling Sector Field Office Atlantic City command center at telephone number (609) 677-2222 and on VHF channel 13 or 16.

(3) The COTP Delaware Bay may authorize and designate any Coast Guard commissioned, warrant, or petty officer to act on his behalf in enforcing this safety zone.

[CGD05-98-043, 69 FR 28827, May 19, 2004]

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§165.550 Safety Zones: Ice covered waterways within the Fifth Coast Guard District.

(a) *Regulated areas.* The following areas are established as safety zones:

(1) *Coast Guard Sector Delaware Bay—COTP Zone—(i) Delaware Bay:* All navigable waters of Delaware Bay and Delaware River in an area bound to the south by a line drawn across the entrance to Delaware Bay, commencing at Cape May Light (LLNR 155) latitude 38°55'59" N., longitude 074°57'37" W.; thence southwest to Cape Henlopen, latitude 38°48'20.3" N., longitude 075°05'44.5" W. The regulated area is bound to the north by a line drawn across the Delaware River, commencing at Liston Point, DE, latitude 39°25'03.07" N., longitude 075°32'25.5" W.; thence northeast to the extent of navigable waters at Hope Creek Jetty, latitude 39°27'05.04" N., longitude 075°30'12.55" W. (Datum NAD 83)

(ii) *Delaware River:* All navigable waters of Delaware River and its tributaries, in an area bound to the south by a line drawn across the Delaware River, commencing at Liston Point, DE, latitude 39°25'03.07" N., longitude 075°32'25.5" W.; thence northeast to the extent of navigable waters at Hope Creek Jetty, latitude 39°27'05.04" N., longitude 075°30'12.55" W., including the navigable waters of the Salem River, Christina River, and Schuylkill River. The regulated area is bound to the north by a line drawn across the Delaware River at the Betsy Ross (state route 90) fixed highway bridge from latitude 39°59'10.43" N., longitude 075°04'11.03" W to latitude 39°58'58.65" N., longitude 075°03'43.23" W. (Datum NAD 83)

(iii) *Upper Delaware River:* All navigable waters of Delaware River and its tributaries in an area bound to the south by a line drawn across the Delaware River at the Betsy Ross (state route 90) fixed highway bridge from latitude 39°59'10.43" N., longitude 075°04'11.03" W. to latitude 39°58'58.65" N., longitude 075°03'43.23" W. The regulated area is bound to the north by a line drawn across the Delaware River at the Trenton—Morrisville (state route 1) highway bridge from latitude 40°12'29.86" N., longitude 074°46'11.00" W. to latitude 40°12'34.93" N., longitude 74°46'00.63" W. (Datum NAD 83)

(iv) *New Jersey Intracoastal Waterway:* All navigable waters of New Jersey Intracoastal Waterway (NJICW), bounded by the area defined by 33 CFR 80.501(b)-(c) and §80.502, commencing at the entrance to Manasquan Inlet at latitude 40°06'03" N., longitude 74°01'55" W., continuing the entire length of NJICW to include the navigable waters Manasquan River at its tributaries, Metedeconk River and its tributaries, Toms River and Barnegat Bay and its tributaries, Mahahawkin Bay, Little Egg Harbor, Great Bay to Absecon Bay, Lakes Bay, Great Egg Harbor Bay, Peck Bay, Ludlam Bay, Townsend Sound, Stites Sound, Great Sound, Grassy Sound, Taylor Sound, Sunset Lake, Jarvis Sound and Cape May Harbor. This regulated area terminates in the east at line drawn across the seaward extremity of Cape May Inlet, Cape May, NJ and in the west at line drawn across the entrance to the Cape May Canal from latitude 38°58'03.72" N., longitude 074°58'00.00" W. to latitude 38°57'57.00" N., longitude 074°58'00.80" W. (Datum NAD 83)

(2) *Coast Guard Sector Maryland-National Capital Region- COTP Zone.* (i) *Head of Chesapeake Bay to C&D Canal:* All navigable waters of the Upper Chesapeake Bay and its tributaries, bound to the north by a line drawn from Hylands Point, MD, latitude 39°30'18" N., longitude 075°55'37" W.; thence east across Elk River to the shoreline at Old Town Point Wharf, MD, latitude 39°30'11.3" N., longitude 075°54'57.1" W. The regulated area is bound to the south by a line drawn across the Chesapeake Bay, commencing at North Point, MD, latitude 39°11'43.7" N., longitude 076°26'32.8" W.; thence east to the extent of navigable waters at Swan Point, latitude 39°08'41.7" N., longitude 076°16'42.4" W. (Datum NAD 83)

(ii) *Baltimore Harbor and approaches:* All navigable waters of the Chesapeake Bay and its tributaries, bound to the north by a line drawn across the Chesapeake Bay, commencing at North Point, MD, latitude 39°11'43.7" N., longitude 076°26'32.8" W.; thence east to the shoreline at Swan Point, latitude 39°08'41.7" N., longitude 076°16'42.4" W. The regulated area is bound to the south by the southernmost edge of the east-bound span of the William P. Lane, Jr (US-50/301) Memorial Bridge. (Datum NAD 83)

(iii) *Chesapeake Channel to Cove Point:* All navigable waters of the Chesapeake Bay and its tributaries, bound to the north by the southernmost edge of the east-bound span of the William P. Lane, Jr (US-50/301) Memorial Bridge. The regulated area is bound to the south by a line drawn across the Chesapeake Bay commencing in Cove Point in Calvert County, MD at latitude 38°23'10.5" N., longitude 076°22'52.9"W. and ending at a point in Meekins Neck at latitude 38°23'14.9" N., longitude 076°16'48.3" W. (Datum NAD 83)

(iv) *Chesapeake Channel between Cove Point and Smith Point, and Lower Potomac River:* All navigable waters of Chesapeake Bay and its tributaries, bound to the north by a line drawn across the Chesapeake Bay commencing in Cove Point in Calvert County, MD at latitude 38°23'10.5" N., longitude 076°22'52.9" W. and ending at a point in Meekins Neck at latitude 38°23'10.5" N., longitude 076°16'48.3" W.; and all navigable waters of the Potomac River bound to the north by a line drawn across the Potomac River at the Governor Harry W. Nice (US-301) Memorial Bridge from latitude 38°21'33.30" N., longitude 077°00'51.41"W. to latitude 38°21'48.22" N., longitude 76°58'59.83" W., connecting King George County, VA and Charles County, MD. (Datum NAD 83)

(v) *Potomac River*: All navigable waters of the Potomac River, bound to the north by a line drawn across the Potomac River at the Woodrow Wilson Memorial (I-95/I-495) Bridge from latitude 38°47'32.38" N., longitude 077°02'22.15" W. to latitude 38°47'33.83" N., longitude 077°01'30.58" W., connecting Alexandria, VA and Prince George's County, MD. The regulated area is bound to the south by a line drawn across the Potomac River at the Governor Harry W. Nice (US-301) Memorial Bridge from latitude 38°21'33.30" N., longitude 077°00'51.41" W. to latitude 38°21'48.22" N., longitude 76°58'59.83" W., connecting King George County, VA and Charles County, MD. (Datum NAD 83)

(vi) *Upper Potomac River and Anacostia River*: All navigable waters of the Potomac River, bound to the north by a line drawn across the Potomac River at the Francis Scott Key (US-29) Bridge from latitude 38°54'03.51" N., longitude 077°04'13.18" W. to latitude 38°54'13.68" N., longitude 077°04'08.46" W., connecting Rosslyn, VA and Georgetown, Washington, DC, and bound to the south by a line drawn across the Potomac River at the Woodrow Wilson Memorial (I-95/I-495) Bridge from latitude 38°47'32.38" N., longitude 077°02'22.15" W. to latitude 38°47'33.83" N., longitude 077°01'30.58" W., connecting Alexandria, VA and Prince George's County, MD. All navigable waters of Anacostia River and Washington Channel bound to the north by a line drawn across the Anacostia River at the John Philip Sousa (Pennsylvania Avenue SE) Bridge, latitude 38°52'38.97" N., longitude 076°58'46.48" W. to latitude 38°52'34.08" N., longitude 076°58'36.61" W. and bound to the south by a line drawn across the mouth of the Anacostia River, from Hains Point at latitude 38° 51' 24.34" N., longitude 077° 1' 20.14" W., south across Anacostia River Channel to Giesboro Point at latitude 38°50'51" N., longitude 077°01'14" W. at Joint Base Anacostia-Bolling military installation. (Datum NAD 83)

(3) *Coast Guard Sector Hampton Roads—COTP Zone*—(i) *Chesapeake Bay and Tangier Sound*: All navigable waters of Chesapeake Bay, and its tributaries, bound to the north by a line drawn along the Maryland-Virginia boundary, commencing in Virginia at latitude 37°53'11" N., longitude 76°14'15" W., thence east along the Maryland-Virginia boundary as it proceeds across the Chesapeake Bay and Pocomoke River, ending at the point latitude 37°59'39.8" N., longitude 75°37'27.4" W. The regulated area is bound to the south by a line drawn across the Chesapeake Bay along latitude 37°45'00.0" N., commencing in Northumberland County, VA at latitude 37°45'00.00" N., longitude 76°18'44.32" W. and ending in Chesconessex, in Accomack County, VA at latitude 37°45'00.00" N., longitude 75°48'39.53" W. (Datum NAD 83)

(ii) [Reserved]

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

Convoy means a group of vessels led by U.S. Coast Guard assets or COTP-designated vessels to assist vessels moving through the ice.

COTP means the Coast Guard Captain of the Port with jurisdiction over the geographic area as defined in 33 CFR subpart 3.25.

Designated representative means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the cognizant COTP to assist in enforcing the safety zones described in paragraph (a) of this section.

Horsepower means the total maximum continuous shaft horsepower of a vessel's main propulsion machinery.

Ice Condition One means when the COTP or District Commander has received reports that approximately 30 percent of a safety zone defined in paragraph (a) has been covered with ice whose thickness is approximately 1 to 3 inches.

Ice Condition Two means when the COTP or District Commander has received reports that approximately 30 percent to 90 percent of a safety zone defined in paragraph (a) has been covered with ice whose thickness is approximately 3 to 9 inches.

Ice Condition Three means when the COTP or District Commander has received reports that approximately 90 percent or more of a safety zone defined in paragraph (a) has been covered with ice whose thickness is 9 inches or thicker.

Protected waters means sheltered waters such as harbors or basins that present no special hazards.

Public vessel means vessels owned or bareboat chartered and operated by the United States, or by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commercial service.

(c) *Regulations*—(1) *Non-steel hull vessels*. Non-steel hull vessels may not enter or transit within a safety zone described in paragraph (a) of this section without permission from the cognizant COTP or District Commander if, when approaching the zone or after entering the zone, the vessel encounters ice of $\frac{1}{2}$ -inch or more in thickness. When ice in a zone is $\frac{1}{2}$ -inch thick or more, non-steel hull vessels moored or docked in the zone need not exit the zone. Except for as described in paragraph (d) (4), non-steel hull vessels may not enter or transit the zone without permission of the cognizant COTP or District Commander.

(2) *Steel hull vessels*. Except as provided in paragraph (d)(1) of this section, steel hull vessels may not enter or transit within a safety zone described in paragraph (a) of this section without permission from the cognizant COTP or District Commander in the following circumstances:

(i) The vessel has less than 1,500 minimum shaft horsepower and encounters ice 1 inch or more thick.

(ii) The vessel has a 1,500 minimum shaft horsepower and a main engine cooling system design that prevents blockage from ice and encounters ice 3 inches or more thick.

(iii) The vessel is part of a vessel convoy and has a 1,500 minimum shaft horsepower and a main engine cooling system design that prevents blockage from ice and encounters ice 9 inches or more thick.

(d) *Permission to enter or transit.* (1) The COTP may set ice conditions, as defined in paragraph (b) of this section, for any zone described in paragraph (a) of this section, or a portion thereof, and announce those conditions via Broadcast Notice to Mariners and other methods described in 33 CFR 165.7. Steel hull vessels prohibited from entering or transiting a safety zone under paragraph (c) of this section may nonetheless enter or continue transiting the safety zone without contacting the COTP if the vessel is a public vessel or the COTP has set an ice condition for the safety zone and the vessel meets these restrictions:

(i) *Ice Condition One.* Only steel hull vessels may enter, operate in, or transit though a safety zone when Ice Condition One has been set for that zone.

(ii) *Ice Condition Two.* Only steel hull vessels with a 1,500 minimum shaft horsepower and a main engine cooling system design that prevents blockage from ice, may enter, operate in, or transit though a safety zone when Ice Condition Two has been set for that zone.

(iii) *Ice Condition Three.* Only steel hull vessels with a 1,500 minimum shaft horsepower and a main engine cooling system design that prevents blockage from ice, and that are part of a vessel convoy, may enter, operate in, or transit though a safety zone when Ice Condition Three has been set for that zone. These vessels may only transit an Ice Condition Three zone during daylight hours.

(2) Vessels prohibited from entering or transiting a safety zone under paragraph (c) of this section may request permission to enter or continue transiting by contacting the cognizant COTP on VHF-FM channel 16 (156.8 MHz) or via telephone, as follows:

(i) COTP Delaware Bay: 215-271-4940.

(ii) COTP Maryland-National Capital Region: 410-576-2693.

(iii) COTP Hampton Roads: 757-483-8567.

(3) Vessels granted permission to enter, operate in, or transit though a safety zone must do so in accordance with the directions provided by the cognizant COTP or designated representative.

(4) Vessels may transit within protected waters to facilitate icebreaking operations and protect infrastructure and property without COTP permission.

(e) *Enforcement.* The Coast Guard vessels enforcing this section can be contacted on marine band radio VHF-FM channel 16 (156.8 MHz). The cognizant COTP and his or her designated representatives can be contacted at telephone number listed in paragraph (d)(2) of this section.

[USCG-2015-0051, 82 FR 39669, Aug. 22, 2017]

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§165.552 Security Zone; Oyster Creek Generation Station, Forked River, Ocean County, New Jersey.

(a) *Location.* The following area is a security zone: Starting at the south branch of the Forked River in the vicinity of the Oyster Creek Generation Station, bounded by a line beginning at 39°49'12.0" N, 074°12'13.0" W; thence to 39°48'39.7" N, 074°12'0" W; along the shoreline, thence to 39°48'40.0" N, 074°12'0.3" W; thence to 39°49'11.8" N, 074°12'10.5" W; thence back along the shoreline to the beginning point. All coordinates reference Datum: NAD 1983.

(b) *Regulations.* (1) All persons are required to comply with the general regulations governing security zones in §165.33 of this part.

(2) No person or vessel may enter or navigate within this security zone unless authorized to do so by the Coast Guard or designated representative. Any person or vessel authorized to enter the security zones must operate in strict conformance with any directions given by the Coast Guard or designated representative and leave the security zone immediately if the Coast Guard or designated representative so orders.

(3) The Coast Guard or designated representative enforcing this section can be contacted on VHF Marine Band Radio, channels 13 and 16. The Captain of the Port can be contacted at (215) 271-4807.

(4) The Captain of the Port will notify the public of any changes in the status of this security zone by Marine Safety Radio Broadcast on VHF-FM marine band radio, channel 22 (157.1 MHz).

(c) *Definitions.* For the purposes of this section, *Captain of the Port* means the Commanding Officer of the Coast Guard Sector Delaware Bay, or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to act as a designated representative on his behalf.

[CGD05-03-111, 69 FR 5284, Feb. 4, 2004]

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§165.553 Security Zone; Salem and Hope Creek Generation Stations, Delaware River, Salem County, New Jersey.

(a) *Location.* The following area is a security zone: the waters of the Delaware River in the vicinity of the Salem and Hope Creek Generation Stations bounded by a line drawn from a point located at 39°28'08.0" N, 075°32'31.7" W to 39°28'06.5" N, 075°32'47.4" W, thence to 39°27'28.4" N, 075°32'15.8" W, thence to 39°27'28.8" N, 075°31'56.6" W, thence to 39°27'39.9" N, 075°31'51.6" W, thence along the shoreline to the point of 39°28'08.0" N, 075°32'31.7" W. All coordinates reference Datum: NAD 1983.

(b) *Regulations.* (1) All persons are required to comply with the general regulations governing security zones in §165.33 of this part.

(2) No person or vessel may enter or navigate within this security zone unless authorized to do so by the Coast Guard or designated representative. Any person or vessel authorized to enter the security zones must operate in strict conformance with any directions given by the Coast Guard or designated representative and leave the security zone immediately if the Coast Guard or designated representative so orders.

(3) The Coast Guard or designated representative enforcing this section can be contacted on VHF Marine Band Radio, channels 13 and 16. The Captain of the Port can be contacted at (215) 271-4807.

(4) The Captain of the Port will notify the public of any changes in the status of this security zone by Marine Safety Radio Broadcast on VHF-FM marine band radio, channel 22 (157.1 MHz).

(c) *Definitions.* For the purposes of this section, *Captain of the Port* means the Commanding Officer of the Coast Guard Sector Delaware Bay, or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to act as a designated representative on his behalf.

[CGD05-03-113, 69 FR 5279, Feb. 4, 2004]

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§165.554 Security Zone; Three Mile Island Generating Station, Susquehanna River, Dauphin County, Pennsylvania.

(a) *Location.* The following area is a security zone: the waters of the Susquehanna River in the vicinity of the Three Mile Island Generating Station bounded by a line beginning at 40°09'14.74" N, 076°43'40.77" W; thence to 40°09'14.74" N, 076°43'42.22" W, thence to 40°09'16.67" N, 076°43'42.22" W, thence to 40°09'16.67" N, 076°43'40.77" W; thence back to the beginning point 40°09'14.74" N, 076°43'40.77" W. All coordinates reference Datum: NAD 1983.

(b) *Regulations.* (1) All persons are required to comply with the general regulations governing security zones in §165.33 of this part.

(2) No person or vessel may enter or navigate within this security zone unless authorized to do so by the Coast Guard or designated representative. Any person or vessel authorized to enter the security zone must operate in strict conformance with any directions given by the Coast Guard or designated representative and leave the security zone immediately if the Coast Guard or designated representative so orders.

(3) The Coast Guard or designated representative enforcing this section can be contacted on VHF Marine Band Radio, channels 13 and 16. The Captain of the Port can be contacted at (215) 271-4807. The Security Manager at Three Mile Island can be contacted at (717) 948-8208 or (717) 948-8039.

(4) The Captain of the Port will notify the public of any changes in the status of this security zone by Marine Safety Radio Broadcast on VHF-FM marine band radio, channel 22 (157.1 MHz).

(c) *Definitions.* For the purposes of this section, *Captain of the Port* means the Commanding Officer of the Coast Guard Sector Delaware Bay, Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to act as a designated representative on his behalf.

[CGD05-03-116, 69 FR 46103, Aug. 2, 2004]

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§165.555 Safety Zone; Delaware River.

(a) *Definition.* As used in this section, Captain of the Port means the Commander of Sector Delaware Bay or any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port to act on his behalf. The Captain of the Port may be contacted by telephone at (215) 271-4807 or via VHF marine band radio, channel 16.

(b) *Location.* The following area is a safety zone: All waters located within a 150-yard radius around the dredging operation and barge, conducting dredging operations in or near the Marcus Hook Range in the vicinity of Anchorage 7.

(c) *Enforcement.* This safety zone will be enforced annually beginning on September 1 through December 31.

(d) *Regulations.* (1) All persons are required to comply with the general regulations governing safety zones in 33 CFR 165.23 of this part.

(2) All Coast Guard vessels enforcing this safety zone or watch officers aboard the Dredge and Barge can be contacted on VHF marine band radio, channel 16. The Captain of the Port may be contacted by telephone at (215) 271-4807 or via VHF marine band radio, channel 16.

[CGD05-04-035, 70 FR 40887, July 15, 2005]

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§165.556 Regulated Navigation Area; Chesapeake and Delaware Canal, Chesapeake City Anchorage Basin, MD.

(a) *Location.* The following area is a regulated navigation area: All waters of the Chesapeake and Delaware (C & D) Canal within the anchorage basin at Chesapeake City, Maryland, bounded by a line drawn across the entrance to the basin from position latitude 39°31'39.6" N, longitude 075°48'36.5" W, to position latitude 39°31'40.6" N, longitude 075°48'43.3" W. All coordinates refer to NAD 1983.

(b) *Definitions.* For the purposes of this section:

District Commander means the Commander, Fifth Coast Guard District or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Commander, Fifth Coast Guard District, to act on his or her behalf, or his or her designated representative.

(c) *Regulations.* The general regulations governing regulated navigation areas, found in 33 CFR 165.13, apply to the regulated navigation area described in paragraph (a) of this section.

(1) All vessels and persons are prohibited from entering and accessing this regulated navigation area, except as authorized by the District Commander or his or her designated representative.

(2) Persons or vessels requiring entry into or passage within the regulated navigation area must request authorization from the District Commander or his or her designated representative, by telephone at (410) 576-2693 or by marine band radio on VHF-FM Channel 16 (156.8 MHz), from 12:01 a.m. until 11:59 p.m. on the last Saturday in June, annually. All Coast Guard vessels enforcing this regulated navigation area can be contacted on marine band radio VHF-FM Channel 16 (156.8 MHz).

(3) The operator of any vessel entering or located within this regulated navigation area shall:

(i) Travel at no-wake speed,

(ii) Stop the vessel immediately upon being directed to do so by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard Ensign, and

(iii) Proceed as directed by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard Ensign.

(4) All vessels and persons within this regulated navigation area must comply with any additional instructions of the District Commander or the designated representative.

(d) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the regulated navigation area by any Federal, State, and local agencies.

(e) *Enforcement period.* This section will be enforced from 12:01 a.m. until 11:59 p.m. on the last Saturday in June, annually.

[USCG-2008-1119, 74 FR 28611, June 17, 2009]

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§165.557 Security Zone; Potomac River, Montgomery County, MD.

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

Captain of the Port Maryland-National Capital Region means the Commander, U.S. Coast Guard Sector Maryland-National Capital Region or any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port to act on his or her behalf.

Designated representative means a Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port Maryland-National Capital Region to enforce the security zone described in paragraph (a) of this section.

Public vessel has the same meaning as that term is defined under 46 U.S.C. 2101.

(b) *Location.* The following area is a security zone: All navigable waters of the Potomac River, from shoreline to shoreline, within an area bounded on the east by a line connecting the following points: latitude 39°04'02" W., longitude 077°19'48" W., thence south to latitude 39°03'39" W., longitude 077°20'02" W., and bounded on the west by longitude 077°22'06" W., located in Montgomery County, MD. Coordinates used in this section are based on NAD83.

(c) *Regulations.* The general security zone regulations found in §165.33 apply to the security zone created by this section.

(1) Except for public vessels, entry into or remaining in the security zone described in paragraph (a) of this section is prohibited unless authorized by the Coast Guard Captain of the Port Maryland-National Capital Region. All vessels within the security zone at the time this regulation is enforced shall depart the zone immediately.

(2) Persons and vessel operators who intend to enter or transit the security zone while the zone is being enforced must obtain authorization from the Captain of the Port Maryland-National Capital Region or designated representative. Access to the zone will be determined in consultation with the lead federal agency on a case-by-case basis when the zone is enforced. To request permission to enter or transit the security zone, the Captain of the Port Maryland-National Capital Region or designated representatives can be contacted at telephone number 410-576-2693 or on marine band radio, VHF-FM channel 16 (156.8 MHz). Coast Guard vessels that enforce this section can be contacted on marine band radio, VHF-FM channel 16 (156.8 MHz). The operator of a vessel shall proceed as directed upon being hailed by a U.S. Coast Guard vessel, or other Federal, State, or local law enforcement agency vessel, by siren, radio, flashing light, or other means. When authorized by the Coast Guard to enter the security zone all persons and vessels must comply with the instructions of the Captain of the Port Maryland-National Capital Region or designated representative and proceed at the minimum speed necessary to maintain a safe course while within the security zone.

(3) The U.S. Coast Guard may be assisted by federal, state, and local law enforcement agencies in the patrol and enforcement of the security zone described in paragraph (a) of this section.

(d) *Enforcement.* The Captain of the Port Maryland-National Capital Region will provide the affected segments of the public with notice of enforcement of security zone by Broadcast Notice to Mariners (BNM), Local Notice to Mariners, and on-scene notice by designated representative or other appropriate means in accordance with 33 CFR 165.7.

[USCG-2017-0448, 82 FR 31721, July 10, 2017]

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§165.558 Security Zone; Delaware River, and Schuylkill River, Philadelphia, PA.

(a) *Location.* The following area is a security zone: All waters of the Delaware River in the vicinity of Philadelphia International Airport, within an area bound to the west by a line drawn from the New Jersey shoreline at Thompson Point, latitude 39°50'37" N, longitude 75°18'23" W, thence northwest to the Pennsylvania shoreline at latitude 39°51'45" N, longitude 75°18'46" W; thence up river and bound shoreline to shoreline; bound to the east by a line drawn from the New Jersey shoreline at latitude 39°52'28" N, longitude 75°11'14" W, and thence northwest to the Pennsylvania shoreline near the eastern side of mouth to the Schuylkill River at latitude 39°53'05" N, longitude 75°11'34" W; the security zone extends north into the waters of Schuylkill River, bound from shoreline to shoreline, including the waters of Schuylkill River adjacent to the Navy Yard Reserve Basin Bridge, and terminates along a line drawn from latitude 39°54'04" N, longitude 75°12'56" W, thence eastward across the Schuylkill River to latitude 39°54'07" N, longitude 75°12'48" W, located approximately 500 yards northwest and parallel with the George C. Platt Memorial—Penrose Avenue lift-bridge. These coordinates are based on North American Datum 83 (NAD83).

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

Designated representative means any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

Official patrol vessel means any Coast Guard, Coast Guard Auxiliary, State, or local law enforcement vessel assigned or approved by the COTP.

Very important person (VIP) means any person for whom the United States Secret Service requests implementation of a security zone in order to supplement protection of said person(s).

(c) *Regulations.* (1) In accordance with the general regulations contained in §165.33, entry into or movement within this zone is prohibited unless authorized by the COTP, Sector Delaware Bay, or designated representative.

(2) Only vessels or people specifically authorized by the Captain of the Port, Delaware Bay, or designated representative, may enter or remain in the regulated area. To request permission to enter or remain in the regulated area contact the COTP or the COTP's representative on VHF-FM channel 13 or 16. Vessel operators and persons within the security zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative. No person may swim upon or below the surface of the water of this security zone unless authorized by the COTP or his designated representative.

(3) Upon being hailed by an official patrol vessel or the designated representative, by siren, radio, flashing light or other means, the operator of the vessel shall proceed as directed. Failure to comply with lawful direction may result in expulsion from the regulated area, citation for failure to comply, or both.

(d) *Enforcement.* This security zone will be enforced with actual notice by the U.S. Coast Guard representatives on scene, as well as other methods listed in §165.7. The Coast Guard will enforce the security zone created by this section only when it is necessary for the protection of VIPs traveling to or from the Philadelphia International Airport. The U.S. Coast Guard may be additionally assisted in the patrol and enforcement of the zone by Federal, State, and local agencies.

[USCG-2017-0079, 83 FR 6963, Feb. 16, 2018]

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SEVENTH COAST GUARD DISTRICT

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§165.T07-0040 Safety Zone; Cooper River Bridge Run, Charleston, SC.

(a) *Regulated area.* The rule establishes a safety zone on certain waters of the Cooper River, and Town Creek Reaches, South Carolina. The safety zone will consist of a regulated area which will be enforced from 7:30 a.m. until 10:30 a.m. on March 28, 2015. The safety zone would create a regulated area that will encompass a portion of the waterway. All waters of the Cooper River, and Town Creek Reaches encompassed within the following points: 32°48'32" N./079°56'08" W., 32°48'20" N./079°54'20" W., 32°47'20" N./079°54'29" W., 32°47'20" N./079°55'28" W. All coordinates are North American Datum 1983.

(b) *Definition.* The term "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 Charleston in the enforcement of the regulated area.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port Charleston or a designated representative.

(2) Persons and vessels desiring to enter, transit through, or remain within the regulated area may contact the Captain of the Port Charleston by telephone at 843-740-7050, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, or remain within the regulated area is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Enforcement date.* This rule will be enforced from 7:30 a.m. until 10:30 a.m. on March 28, 2015.

[USCG-2015-0040, 80 FR 11127, Mar. 2, 2015]

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§165.T07-0161 Safety Zone; Xterra Swim, Myrtle Beach, SC.

(a) *Regulated area.* The following regulated area is a safety zone: All waters within the following two points of position and the North shore: 33°45'02" N, 78°50'53" W to 33°45'11" N, 78°50'32" W. The Xterra Swim race consists of an 800 yard swim loop with approximately 150 swimmers. All coordinates are North American Datum 1983.

(b) *Definition.* The term "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 Charleston in the enforcement of the regulated area.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port Charleston or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated area may contact the Captain of the Port Charleston by telephone at 843-740-7050, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Effective date.* This rule is effective on May 4, 2014. This rule will be enforced from 7:30 a.m. until 8:15 a.m. on Sunday, May 4, 2014.

[USCG-2014-0161, 79 FR 22414, Apr. 22, 2014]

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§165.T07-0320 Safety Zone; Fourth of July Fireworks North Myrtle Beach, SC.

(a) This rule establishes a safety zone on all Atlantic Ocean waters within a 500 yard radius of Cherry Grove Pier, from which fireworks will be launched.

(b) *Definition.* As used in this section, “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 Charleston in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port Charleston or a designated representative.

(2) Persons and vessels desiring to enter, transit through, or remain within the regulated area may contact the Captain of the Port Charleston by telephone at 843-740-7050, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, or remain within the regulated area is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Enforcement period.* This rule will be enforced on July 4, 2016 from 9:15 p.m. until 10 p.m.

[USCG-2016-0320, 81 FR 42254, June 29, 2016]

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§165.T07-0347 Safety Zone; Fourth of July Fireworks Murrells Inlet, SC.

(a) This rule establishes a safety zone on all Atlantic Ocean waters within a 500 yard radius of Veterans Pier, from which fireworks will be launched.

(b) *Definition.* As used in this section, “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 Charleston in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port Charleston or a designated representative.

(2) Persons and vessels desiring to enter, transit through, or remain within the regulated area may contact the Captain of the Port Charleston by telephone at 843-740-7050, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, or remain within the regulated area is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Enforcement period.* This rule will be enforced on July 4, 2016 from 9:15 p.m. until 10 p.m.

[USCG-2016-0347, 81 FR 42254, June 29, 2016]

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§165.701 Vicinity, Kennedy Space Center, Merritt Island, Florida—security zone.

(a) The water, land, and land and water within the following boundaries are a security zone—The perimeter of the Cape Canaveral Barge Canal and the Banana River at 28°24'33" N., 80°39'48" W.; then due west along the northern shoreline of the barge canal for 1,300 yards; then due north to 28°28'42" N., 80°40'30" W., on Merritt Island. From this position, the line proceeds irregularly to the eastern shoreline of the Indian River to a position 1,300 yards south of the NASA Causeway at 28°30'54" N., 80°43'42" W. (the line from the barge canal to the eastern shoreline of the Indian River is marked by a three-strand barbed-wire fence), then north along the shoreline of the Indian River to the NASA Causeway at 28°31'30" N., 80°43'48" W. The line continues west on the southern shoreline of the NASA Causeway to NASA Gate 3 (permanent), then north to the northern shoreline of the NASA Causeway and east on the northern shoreline of the causeway back to the shoreline on Merritt Island at position 28°31'36" N., 80°43'42" W., then northwest along the shoreline to 28°41'01.2" N., 80°47'10.2" W. (Blackpoint); then due north to channel marker #6 on the Intracoastal Waterway (ICW), then northeast along the southern edge of the ICW to the western entrance to the Haulover Canal. From this point, the line continues northeast along the southern edge of the

Haulover Canal to the eastern entrance to the canal; then due east to a point in the Atlantic Ocean 3 miles offshore at 28°44'42" N., 80°37'51" W.; then south along a line 3 miles from the coast to Wreck Buoy "WR6", then to Port Canaveral Channel Lighted Buoy 10, then west along the northern edge of the Port Canaveral Channel to the northeast corner of the intersection of the Cape Canaveral Barge Canal and the ICW in the Banana River at 28°24'36" N., 80°38'42" W. The line continues north along the east side of the Intracoastal Waterway to daymarker '35' thence North Westerly one quarter of a mile south of NASA Causeway East (Orsino Causeway) to the shoreline on Merritt Island at position 28°30.95' N., 80°37.6' W., then south along the shoreline to the starting point.

(b) The area described in paragraph (a) of this section is closed to all vessels and persons, except those vessels and persons authorized by the Commander, Seventh Coast Guard District, or the COTP Jacksonville, Florida, whenever space vehicles are to be launched by the United States Government from Cape Canaveral.

(c) COTP Jacksonville, Florida, closes the security zone, or specific portions of it, by means of locally promulgated notices. The closing of the area is signified by the display of a red ball from a 90-foot pole near the shoreline at approximately 28°35'00" N., 80°34'36" W., and from a 90-foot pole near the shoreline at approximately 28°25'18" N., 80°35'00" W. Appropriate Local Notices to Mariners will also be broadcast on 2670 KHZ.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 7-82-10, 48 FR 11696, Mar. 21, 1983; USCG-1998-3799, 63 FR 35532, June 30, 1998]

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\$165.703 Security Zones; Tampa Bay: Big Bend, Boca Grande, Crystal River, East Bay, Hillsborough Bay, MacDill Air Force Base, Manbirtee Key, Old Port Tampa, Port Manatee, Port Tampa, Port St. Petersburg, Port Sutton, Rattlesnake, and Weedon Island, FL.

(a) *Regulated areas.* The following areas, denoted by coordinates fixed using the North American Datum of 1983 (World Geodetic System 1984) are security zones:

(1) *Security zones for facilities and structures—(i) Rattlesnake, Tampa, FL.* All water, from surface to bottom, in Old Tampa Bay east and south of the waters encompassed within position 27°53.32' N, 082°32.05' W; thence to 27°53.38' N, 082°32.05' W, including on land portions of Chemical Formulators Chlorine Facility, where the fenced area is bounded by a line connecting the following points: 27°53.21' N, 082°32.11' W; thence to 27°53.22' N, 082°32.23' W; thence to 27°53.25' N, 082°32.23' W; thence to 27°53.25' N, 082°32.27' W; thence to 27°53.29' N, 82°32.25' W; thence to 27°53.30' N, 082°32.16' W; thence to 27°53.21' N, 082°32.11' W.

(ii) *Old Port Tampa, Tampa, FL.* All waters, from surface to bottom, in Old Tampa Bay encompassed within the following points: 27°51.62' N, 082°33.14' W; thence to 27°51.71' N, 082°32.5' W; thence to 27°51.76' N, 082°32.5' W; thence to 27°51.73' N, 082°33.16' W; thence to 27°51.62' N, 082°33.14' W, closing off the Old Port Tampa Channel.

(iii) *Sunshine Skyway Bridge, FL.* All waters in Tampa Bay, from surface to bottom, in Cut "A" channel beneath the bridge's main span encompassed within the following points: 27°37.30' N, 082°39.38' W; 27°37.13' N, 082°39.26' W; and the bridge structure columns, base and dolphins. This zone is specific to the bridge structure and dolphins and does not include waters adjacent to the bridge columns or dolphins outside of the bridge's main span. Any vessel may transit through this zone but, may not loiter, anchor, or conduct operations, including dredging, dive operation, surveying, or maintenance, unless otherwise directed by the Captain of the Port. Anyone wanting to conduct these operations must submit a request via email to WWMTampa@uscg.mil or contact the Sector Command Center after hours at 727.824.7506.

(iv) *Manbirtee Key, Port of Manatee, FL.* All waters, from surface to bottom, surrounding, surrounding Manbirtee Key, Tampa Bay, FL extending 500 yards from the island's shoreline, in all directions, not to include the Port Manatee Channel.

(v) *MacDill Air Force Base, Tampa Bay, FL.* All waters encompassed within the following coordinates: 27°51.88' N, 082°29.31' W; thence to 27°52.01' N, 082°28.85' W; thence to 27°51.48' N, 082°28.17' W; thence to 27°51.02' N, 082°27.76' W; thence to 27°50.72' N, 082°27.61' W; thence to 27°50.33' N, 082°27.59' W; thence to 27°49.65' N, 082°27.73' W; thence to 27°49.34' N, 082°27.79' W; thence to 27°49.10' N, 082°27.88' W; thence to 27°48.88' N, 082°28.10' W; thence to 27°48.76' N, 082°28.54' W; thence to 27°48.87' N, 082°29.44' W; thence to 27°49.06' N, 082°30.39' W; thence to 27°48.75' N, 082°31.17' W; thence to 27°49.16' N, 082°32.41' W; thence to 27°49.64' N, 082°33.04' W; thence to 27°49.95' N, 082°32.75' W; thence to 27°50.09' N, 082°32.81' W; thence to 27°50.56' N, 082°32.75' W; thence to 27°50.71' N, 082°32.18' W.

(vi) *Piers, seawalls, and facilities, Port of Tampa and Port Sutton, Tampa, FL.* All waters, from surface to bottom, extending 50 yards from the shore, seawall, and piers around facilities in Port Sutton within the Port of Tampa encompassed by a line connecting the following points: 27°54.15' N, 082°26.06' W; thence to; 27°54.46' N, 082°25.71' W; closing off all Port Sutton Channel.

(vii) *Piers, seawalls, and facilities, Port of Tampa, on the western side of Hooker's Point, Tampa, FL.* All waters, from surface to bottom, extending 50 yards from the shore, seawall, and piers around facilities on Hillsborough Bay northern portion of Cut "D" Channel, Sparkman Channel, Ybor Turning Basin, and Ybor Channel within the Port of Tampa encompassed by a line connecting the following points: 27°54.74' N, 082°26.47' W; thence to 27°55.25' N, 082°26.73' W; thence to 27°55.60' N, 082°26.80' W; thence to 27°56.00' N, 082°26.75' W; thence to 27°56.58' N, 082°26.53' W; thence to 27°57.29' N, 082°26.51' W;

thence to 27°57.29' N, 082°26.61' W; thence to 27°56.65' N, 082°26.63' W; thence to 27°56.58' N, 082°26.69' W; thence to 27°56.53' N, 082°26.90' W.

(viii) *St. Petersburg Harbor, FL*. All waters, from surface to bottom, extending 50 yards from the seawall and around all moorings and vessels in St. Petersburg Harbor (Bayboro Harbor), commencing on the north side of the channel at day beacon "10" (LLNR 24995) in approximate position 27°45.56' N, 082°37.55' W, and westward along the seawall to the end of the cruise terminal in approximate position 27°45.72' N, 082°37.97' W. The zone will also include the Coast Guard south moorings in St. Petersburg Harbor. The zone will extend 50 yards around the piers commencing from approximate position 27°45.51' N, 082°37.99' W; to 27°45.52' N, 082°37.57' W. The southern boundary of the zone is shoreward of a line between the entrance to Salt Creek easterly towards day beacon "11" (LLNR 24990).

(ix) *Crystal River Nuclear Power Plant*. All waters, from surface to bottom, around the FL, Power Crystal River Nuclear Power Plant located at the end of the Florida Power Corporation Channel, Crystal River, Florida, encompassed by a line connecting the following points: 28°56.87' N, 082°45.17' W; thence to 28°57.37' N, 082°41.92' W; thence to 28°56.79' N, 082°45.13' W; thence to 28°57.32' N, 082°41.92' W.

(x) *Crystal River Demory Gap Channel*. All waters, from surface to bottom, in the Demory Gap Channel in Crystal River, Florida, encompassed by the following points: 28°57.61' N, 082°43.42' W thence to; 28°57.55' N, 082°41.88' W thence to; 28°57.58' N, 082°43.42' W thence to; 28°57.51' N, 082°41.88' W.

(xi) *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 the following points: 27°48.08' N, 082°24.88' W; thence to 27°48.15' N, 082°24.96' W; thence to; 27°48.10' N, 082°25.00' W; thence to 27°47.85' N, 082°25.03' W; thence to 27°47.58' N, 082°24.89' W; thence to 27°47.58' N, 082°24.06' W; thence to; 27°47.62' N, 082°24.04' W; thence to 27°47.63' N, 082°24.71' W; thence to 27°48.03' N, 082°24.70' W; thence to 27°48.08' N, 082°24.88' W, closing off entrance to Big Bend Power Facility and the attached cooling canal.

(xii) *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 the following points: 27°51.52' N, 082°35.82' W; thence along the shore to; 27°51.54' N, 082°35.78' W; thence to 27°51.89' N, 082°35.82' W; thence to 27°51.89' N, 082°36.14' W, closing off the entrance to both canals.

(2) *Vessel specific security zones*—(i) *Moving security zones for Cruise Ships and vessels carrying Especially Hazardous Cargos*. The following security zones and procedures are established for all waters, from surface to bottom, within a 500-yard radius, as outlined below:

(A) For inbound vessels commencing at Egmont Channel Lighted Buoys "9" (LLNR 22270) and "10" (LLNR 22275) through to berth.

(B) For shifting vessels from their departure berth to destination berth.

(C) For outbound vessels commencing at berth through to Egmont Channel Lighted Buoys "9" (LLNR 22270) and "10" (LLNR 22275).

(D) All subject vessels operating in the Captain of the Port St. Petersburg Zone shall follow the reporting requirements in 33 CFR part 160, subpart C.

(E) Any vessel desiring to enter or transit the security zone shall obtain permission from the Captain of the Port St. Petersburg or a designated representative. If permission is granted, all persons and vessels must comply with any given instructions.

(ii) *Fixed security zones for moored cruise ships and moored vessels carrying especially hazardous cargos*. A security zone is established for all waters, from surface to bottom, within a 200-yard radius around moored cruise ships and moored vessels carrying especially hazardous cargos, as outlined below:

(A) All subject vessels operating in the Captain of the Port St. Petersburg Zone shall follow reporting requirements in 33 CFR part 160, subpart C.

(B) Any vessel desiring to enter or transit the security zone shall obtain permission from the Captain of the Port St. Petersburg or a designated representative. If permission is granted, all persons and vessels must comply with any given instructions.

(C) No vessel may loiter, anchor, or conduct maintenance operations within the security zone, unless otherwise directed by the Captain of the Port St. Petersburg or a designated representative. This includes, but is not limited to dredging operations, dive operations, and surveying. Anyone wanting to conduct these operations must submit a request via email to WWM Tampa@uscg.mil or contact the Sector Command Center after hours at 727.824.7506.

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

Ammonium nitrate means ammonium nitrate and ammonium nitrate based fertilizers listed as Division 5.1 (oxidizing) materials as defined in 33 CFR 172.101 except when carried as CDC residue.

Captain of the Port (COTP) for the purpose of this section means the Commanding Officer of Coast Guard Sector St. Petersburg.

Captain of the Port St. Petersburg Zone as defined in 33 CFR 3.35-35.

Certain dangerous cargo includes *Division 1.5D* blasting agents for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of Research and Special Programs Administration exemption. This includes ammonium nitrate fuel oil mixture.

Commercial vessels means any tank, bulk, container, cargo, cruise ships, pilot vessels, or tugs. This definition excludes fishing vessels, salvage vessels, dead ship tow operations.

Cruise Ship means the same as defined 33 CFR 101.105.

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 COTP, in the enforcement of regulated navigation areas, safety zones, and security zones.

Especially hazardous cargo means anhydrous ammonia, ammonium nitrate, chlorine, liquefied natural gas, liquefied petroleum gas, and any other substance, material, or group or class in a particular amount and form that the Secretary determines by regulation poses a significant risk of creating a transportation security incident while being transported in maritime commerce.

(c) *Regulations.* (1) Entry into or remaining on or within the zones described in paragraph (a) of this section is prohibited unless authorized by the Captain of the Port St. Petersburg or a designated representative.

(2) Any changes to the requirements for these regulated areas will be given by Broadcast Notice to Mariners on VHF-FM Channel 22A.

NOTE TO §165.703(c)(2): A graphical representation of all fixed security zones will be made available through nautical charts via the Coast Pilot.

(3) The Captain of Port St. Petersburg has provisions for escorting especially hazardous cargos as described in the above sections of this subchapter, but reserves the right to establish additional provisions for any potentially hazardous cargos.

(4) *Enforcement.* Under 33 CFR 165.33, no person may authorize the operation of a vessel in the security zones contrary to the provisions of this section.

(d) The Captain of the Port St. Petersburg may waive any of the requirements of this subpart for any vessel, facility, or structure 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 purposes of port safety and security or environmental safety.

[USCG-2013-0040, 79 FR 75056, Dec. 17, 2014]

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§165.704 Safety Zone: Savannah River, Savannah, Georgia.

(a) *Location.* The following area is a safety zone: Two hundred foot radius around Garden City Terminal, approximate position 32 degrees 8 minutes, N, 81 degrees 9.5 minutes W, and around all cargo ships loaded with military equipment and transiting the Savannah River.

(b) *Enforcement date.* This regulation was enforceable beginning at 12 p.m. on December 14, 1990.

(c) *Regulation.* In accordance with the general regulations in §165.23, entry into the zone is subject to the following requirements.

(1) All persons and vessels in the vicinity of the safety zone shall immediately obey any direction or order of the Captain of the Port or a representative of the Captain of the Port.

(2) The "representative of the Captain of the Port" is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Savannah, GA to act on his behalf. A representative of the Captain of the Port may be contacted on board any Coast Guard vessel assigned to enforce the safety zone.

(3) Before entering the safety zone, a vessel operator shall contact the Captain of the Port or a representative of the Captain of the Port to determine what restrictions, if any, have been imposed on vessels in the safety zone. The Captain of the Port may be contacted by telephone via the Command Duty Officer at 912-652-4353. Coast Guard vessels assisting in the enforcement of the safety zone may be contacted on VHF-FM channels 13 or 16, or vessel operators may determine restrictions in effect for the safety zone by coming alongside a Coast Guard vessel patrolling the perimeter of the safety zone.

(4) The Captain of the Port will issue a Marine Safety Information Broadcast Notice to Mariners to Notify the maritime community of the safety zone and restrictions imposed.

[USCG-2016-0498, 82 FR 35088, July 28, 2017]

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§165.705 Security Zones: Port Canaveral Harbor, Cape Canaveral Air Force Station, FL.

(a) *Regulated areas*—(1) *Security Zone A.* East (Trident) Basin, Port Canaveral Harbor, at Cape Canaveral Air Force Station, Brevard County, Florida: All waters of the East Basin north of latitude 28°24'36" N.

(2) *Security Zone B.* Middle Basin, Port Canaveral Harbor, at Cape Canaveral Air Force Station, Brevard County, Florida: All waters within the following coordinates inside the Middle Basin: Starting at Point 1 in position 28°24'54.49" N, 080°36'39.13" W; thence south to Point 2 in position 28°24'53.27" N, 080°36'39.15" W; thence east to Point 3 in position 28°24'53.25" N, 080°36'30.41" W; thence south to Point 4 in position 28°24'50.51" N, 080°36'30.41" W; thence southeast to Point 5 in position 28°24'38.15" N, 080°36'17.18" W; thence east to Point 6 in position 28°24'38.16" N, 080°36'14.92" W; thence northeast to Point 7 in position 28°24'39.36" N, 080°36'13.37" W; thence following the land based perimeter boundary to the point of origin. These coordinates are based on North American Datum 1983.

(b) *Definitions.* The term "designated representative" means personnel designated by or assisting the Captain of the Port (COTP) Jacksonville in the enforcement of the security zone. This includes Coast Guard Patrol Commanders, Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels and federal, state, and local law officers designated by or assisting the COTP Jacksonville in the enforcement of regulated navigation areas and security zones.

(c) *Regulations.* (1) The general regulations governing security zones found in §165.33 apply to the security zones described in paragraph (a) of this section.

(2) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the security zone unless authorized by the COTP Jacksonville or a designated representative.

(3) Persons desiring to enter, transit through, anchor in, or remain within the security zone may request permission from the COTP Jacksonville by telephone at 904-714-7557, or a designated representative via VHF-FM radio on channel 16. If authorization is granted, all persons and vessels receiving such authorization must comply with the instructions of the COTP Jacksonville or the designated representative.

[USCG-2017-0146, 83 FR 15949, Apr. 13, 2018]

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§165.708 Safety/Security Zone; Charleston Harbor and Cooper River, Charleston, SC.

(a) *Regulated area.* The following boundaries are established as a safety and security zone during specified conditions:

(1) All waters 200 yards ahead and astern and 100 yards to each side of a vessel transporting nuclear materials while the vessel transits from Charleston Harbor Entrance approximate position (32°37.1' N., 079°35.5' W.) to the Charleston Naval Weapons Station (position 32-55.4N, 079-56.0W) on the Cooper River. All coordinates referenced use datum: NAD 1983.

(2) All waters within 100 yards of the vessel described in paragraph (a)(1) of this section while the vessel is conducting cargo operations at the Charleston Naval Weapons Station.

(b) Captain of the Port Charleston will announce the activation of the safety/security zones described in paragraph (a) of this section by Broadcast Notice to Mariners. The general regulations governing safety and security zones contained in §§165.23 and 165.33 apply.

[COTP Charleston 96-034, 61 FR 68156, Dec. 27, 1996, as amended by USCG-2015-0433, 80 FR 44286, July 27, 2015]

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§165.709 Security Zone; Charleston Harbor, Cooper River, South Carolina.

(a) *Regulated area.* The Coast Guard is establishing a fixed security zone on all waters of the Cooper River, bank-to-bank and surface to bottom, from the Don Holt I-526 Bridge to the intersection of Foster Creek at a line on 32 degrees 58 minutes North Latitude.

(b) *Enforcement period.* This section will be enforced when security assets are on scene and Sector Charleston has notified the maritime community that an Enforcement Period is in effect. Sector Charleston will notify the maritime community by broadcast notice to mariners on VHF Marine Band Radio, Channel 16 (156.8 MHz), or Marine Safety Information Bulletins, or actual notice from on scene security assets enforcing the security zone.

(c) *Regulations.* During enforcement of the security zone described in paragraph (a) of this section, vessels or persons are prohibited from entering, transiting, mooring, anchoring, or loitering within the security zone unless authorized by the Captain of the Port Charleston, South Carolina or his or her designated representative.

(1) Persons desiring to transit the Regulated Area may contact the Captain of the Port via VHF-FM channel 16 or by telephone at (843) 720-3240 and request permission to transit the security zone.

(2) If permission to transit the security zone is granted, all persons and vessels must comply with the instructions of the Captain of the Port or his or her designated representative.

[COTP Charleston 05-037, 70 FR 43282, July 27, 2005]

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§165.711 Safety Zone: Port Everglades, Fort Lauderdale, FL.

(a) *Regulated area.* A moving safety zone is established in the following area:

(1) The waters around naval aircraft carriers entering Port Everglades in an area 700 yards forward, 500 yards astern and 350 yards on either side of each vessel, beginning at the Port Everglades Sea Buoy in approximate position 26°05.5' N, 80°04.8' W and continuing until the vessel is safely moored in approximate position 26°04.9' N, 80°06.9' W. All coordinates referenced use datum: NAD 83.

(2) The waters around naval aircraft carriers departing Port Everglades in an area 700 yards forward, 500 yards astern and 350 yards on either side of each vessel beginning at the Pier in approximate position 26°04.9' N, 80°06.9' W, and continuing until the stern passes the Port Everglades Sea Buoy, in approximate position 26°05.5' N, 80°04.8' W. All coordinates referenced use datum: NAD 83.

(b) *Regulations.* (1) No person or vessel may enter, transit, or remain in the safety zone unless authorized by the Captain of the Port, Miami, Florida, or a Coast Guard commissioned, warrant, or petty officer designated by him.

(2) Vessels encountering emergencies which require transit through the moving safety zone should contact the Coast Guard patrol craft on VHF Channel 16. In the event of an emergency, the Coast Guard patrol craft may authorize a vessel to transit through the safety zone with a Coast Guard designated escort.

(3) All persons and vessels shall comply with the instructions of on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, or petty officers of the U.S. Coast Guard. Coast Guard Auxiliary and local or state officials may be present to inform vessel operators of this regulation and other applicable laws.

[COTP MIAMI 96-054, 62 FR 32201, June 13, 1997]

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§165.714 Regulated Navigation Area; Atlantic Ocean, Charleston, SC.

(a) *Location.* The following area is a Regulated Navigation Area: A trapezoid at the water surface, and the entire water column from surface to seabed inclusive of the vessel, bounded by the following four coordinates:

	Latitude	Longitude
Western boundary	32°42'56" N	79°47'34" W
Southern boundary	32°42'32" N	79°46'42" W
Eastern boundary	32°43'26" N	79°45'27" W
Northern boundary	32°43'56" N	79°46'08" W

(NAD 83)

(b) *Regulations.* In accordance with the general regulations in §165.23 of this part, all vessels and persons are prohibited from anchoring, diving, laying cable or conducting salvage operations in this zone except as authorized by the Captain of the Port.

[CGD 07-95-054, 60 FR 45047, Aug. 30, 1995]

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§165.720 Safety Zone; natural and other disasters in Ports of Jacksonville, Fernandina, and Canaveral, Florida.

(a) *Regulated areas.* The following areas are established as safety zones during the specified conditions:

(1) *Fernandina, FL.* All waters within the Cumberland Sound and Amelia River encompassed within the following locations: starting at the demarcation line drawn across the seaward extremity of the St. Marys River Entrance Jetties; thence following the shoreline north to Stafford Island; thence north to Point 1 in position 30°50'00" N., 81°29'10" W.; thence west to Point 2 in

position 30°50'00" N., 81°30'47" W.; thence southwest to Kings Bay in position 30°48'42" N., 81°31'27" W.; thence south following the shoreline south to point 3 in position 30°40'30" N., 81°28'38" W.; thence southwest to R "18" at Point 4 30°39'57" N., 81°29'04" W.; thence southeast to Point 5 30°39'48" N., 81°28'57" W.; thence following the shoreline northeast back to origin.

(2) *Jacksonville, FL.* All waters within the Port of Jacksonville, FL encompassed within the following locations: starting at the demarcation line drawn across the seaward extremity of the St. Johns River Entrance Jetties, thence following the northern riverbank west to the Sister's Creek Bridge, thence following the riverbank west to the Interstate 95 Trout River Bridge, thence following the riverbank south to the Henry H. Buckman Bridge, thence following the eastern riverbank back to origin.

(3) *Canaveral, FL.* All waters within the Canaveral Barge Canal in Port Canaveral, FL encompassed within the following locations: starting at the demarcation line drawn across the seaward extremity of the Port Canaveral Entrance Channel Jetties, thence following the northern shoreline west to the SR401 Bridge, thence following the southern shoreline back to origin.

(4) All coordinates are North American Datum 1983.

(b) *Definition.* (1) The term "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 Jacksonville in the enforcement of the regulated area.

(2) *Hurricane Port Condition YANKEE.* Set when weather advisories indicate that sustained Gale Force winds from a tropical or hurricane force storm are predicted to make landfall at the port within 24 hours.

(3) *Hurricane Port Condition ZULU.* Set when weather advisories indicate that sustained Gale Force winds from a Tropical or hurricane force storm are predicted to make landfall at the port within 12 hours.

(c) *Regulations.* (1) *Hurricane Port Condition YANKEE.* All commercial, oceangoing vessels and barges over 500 GRT as measured under Title 46 United States Code Section 14502 or an alternate tonnage established as 6,000 gross tonnage as measured under 46 U.S.C. 14302 (GT ITC) are prohibited from entering in any of the regulated areas designated as being in Port Condition YANKEE within the COTP Zone Jacksonville. Oceangoing commercial vessel traffic outbound will be authorized to transit through the regulated areas until Port Condition ZULU. Additionally, in the Port of Canaveral, no vessel, regardless of size or service, will be allowed to transit through the Port Canaveral Barge Canal upon the setting of Port Condition YANKEE.

(2) *Hurricane Port Condition ZULU.* All commercial, oceangoing vessels and barges over 500 GRT as measured under Title 46 United States Code Section 14502 or an alternate tonnage established as 6,000 gross tonnage as measured under 46 U.S.C. 14302 (GT ITC) are prohibited from transiting or remaining in any of the regulated areas designated as being in Port Condition ZULU within COTP Zone Jacksonville. All ship-to-shore cargo operations must cease 6 hours prior to setting Port Condition Zulu.

(3) *Emergency regulation for other disasters.* Any natural or other disasters that are to affect the Jacksonville COTP Zone will result in the prohibition of commercial vessel traffic over 500 GRT as measured under Title 46 United States Code Section 14502 or an alternate tonnage established as 6,000 gross tonnage as measured under 46 U.S.C. 14302 (GT ITC) transiting or remaining in any of the regulated areas predicted to be effected as designated by the COTP Jacksonville.

(4) Persons and vessels desiring to enter, transit through, anchor in, or remain in the regulated area may contact the Captain of the Port Jacksonville via telephone at (904) 564-7513, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain in the regulated area is granted by the Captain of the Port Jacksonville or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Jacksonville or a designated representative.

(5) Coast Guard Sector Jacksonville will attempt to notify the maritime community of periods during which these safety zones will be in effect via Broadcast Notice to Mariners or by on-scene designated representatives.

[USCG-2014-0152, 80 FR 11129, Mar. 2, 2015]

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§165.721 Safety Zone: St. Johns River, Jacksonville, FL.

(a) *Location.* The following area is established as a safety zone during the specified conditions: The waters within a 500 yard radius of the fireworks barge or barges during the storage, preparation, and launching of fireworks in the St. Johns River between the Hart and Acosta Bridges.

(b) *Effective dates.* This section becomes effective upon activation by the Captain of the Port by the broadcasting of a local Notice to Mariners on appropriate VHF-FM radio frequencies. It terminates at the conclusion of the fireworks display unless terminated earlier by the Captain of the Port.

(c) *Regulations.* (1) In accordance with the general regulations in 165.23 of this part, anchoring, mooring or transiting in this zone is prohibited unless authorized by the Captain of the Port or District Commander.

(2) This regulation does not apply to authorized law enforcement agencies operating within the Safety Zone.

[COTP Jacksonville Reg. 94-027, 59 FR 55584, Nov. 8, 1994]

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§165.722 Security Zone: St. Johns River, Jacksonville, Florida.

(a) Location. The water located within the following area is established as a security zone: beginning at the shoreline of the St. Johns River at the northernmost property line of Naval Air Station Jacksonville next to Timuquana Country Club, at 30°14'39.5" N, 81°40'45" W; thence northeasterly to 30°14'42" N, 81°40'42" W; thence south remaining 400 feet from the shoreline at mean high water; thence past Piney Point and Black Point to the northern edge of Mulberry Cover Manatee refuge, 400 feet from Naval Air Station Jacksonville boat ramp, at 30°13'00" N, 81°40'23.5" W; thence southwesterly in a straight line to position 30°12'14" N, 81°40'42" W; thence southerly, remaining 400' seaward of the mean high water shoreline to 30°11'40" N, 81°41'15.5" W; thence northwest to the point at the end of the property line of Naval Air Station Jacksonville just north of the Buckman Bridge at position 30°11'42.30" N, 81°41'23.66" W; thence northeasterly along the mean high water shoreline of the St. Johns River and Mulberry Cove to the point of beginning. Datum: NAD 83

(b) In accordance with the general regulations in §165.33 of this part, no person or vessel may enter or remain in the zone without the permission of the Captain of the Port Jacksonville, Florida. All other portions of §165.33 remain applicable.

(c) This regulation does not apply to Coast Guard vessels and authorized law enforcement vessels operating within the Security Zone.

[COTP Jacksonville Reg. 93-115, 60 FR 65571, Dec. 20, 1995]

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§165.723 Safety Zone; Firework Displays in Captain of the Port Zone Jacksonville, Florida.

(a) *Regulated area.* The following area is established as a safety zone during the specified conditions: All waters within the Jacksonville COTP Zone within a 500 yard radius of a firework barge or barges during the storage, preparation, and launching of fireworks.

(1) The Coast Guard realizes that some large scale events, such as those with many participants or spectators, or those that could severely restrict navigation or pose a significant hazard, may still require separate special local regulations or safety zones that address the specific peculiarities of the event. In those situations, the Coast Guard will create special local regulations or safety zones specifically for the event, and those regulations will supersede the regulations in this rule.

(2) All coordinates are North American Datum 1983.

(b) *Definition.* The term "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 Jacksonville in the enforcement of the regulated area.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Coast Guard Captain of the Port Jacksonville or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain in the regulated area may contact the Captain of the Port Jacksonville via telephone at (904) 564-7513, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain in the regulated area is granted by the Captain of the Port Jacksonville or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Jacksonville or a designated representative.

(3) The Coast Guard will provide notice of the regulated area via Broadcast Notice to Mariners or by on-scene designated representatives.

(4) This regulation does not apply to authorized law enforcement agencies operating within the regulated area.

[USCG-2014-0152, 80 FR 11130, Mar. 2, 2015]

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§165.726 Regulated Navigation Areas; Miami River, Miami, Florida.

(a) *Location.* The following are Regulated Navigation Areas:

(1) All the waters of the Miami River, Miami, Florida, from the Brickell Avenue Bridge, in approximate position 25°46'19" N, 80°11'4" W, inland to the South Florida Water Management District's salinity dam in approximate position 25°48'4" N, 80°15'6" W.

(2) The Tamiami Canal from its intersection with the Miami river in approximate position 25°47'7" N, 80°14'7" W to the N.W. 37th Avenue bridge in approximate position 25°48'5" N, 80°15'5" W. All coordinates referenced use datum: NAD 83.

(b) *Regulations.* The restrictions in this paragraph apply to vessels operating within the regulated navigation areas in paragraph (a) of this section unless authorized to deviate by the Captain of the Port, Miami, Florida, or a Coast Guard commissioned, warrant, or petty officer designated by him.

(1) All rafted vessels (inboard and outboard) must be properly moored in accordance with applicable municipal laws and regulations.

(2) At no time shall any vessels be rafted more than two abreast.

(3) Neither single nor rafted vessels shall extend greater than 54 feet into the main river (measured from the dock) without permission of the Captain of the Port.

(4) A minimum channel width of 65 feet shall be maintained at all times on the Miami River from the Brickell Avenue Bridge west to the Tamiami Canal. A minimum channel width of 45 feet shall be maintained at all times on the Miami River west of the junction of the Miami River and the Tamiami Canal to the South Florida Water Management District's salinity dam, as well as on the Tamiami Canal from its mouth to the N.W. 37th Avenue Bridge.

(5) All moored and rafted vessels shall provide safe access from the shore.

(6) All moored and rafted vessels shall provide clear and ready access for land-based firefighters to safely and quickly reach outboard rafted vessels.

(7) No vessels shall moor or raft in any manner as to impede safe passage of another vessel to any of the tributaries of the Miami River.

(8) Nothing in these regulations shall prohibit the U.S. Army Corps of Engineers from requiring the relocation or movement of vessels in a declared flood emergency.

(c) *Enforcement.* Violations of these regulated navigation areas should be reported to the Captain of the Port, Miami. Persons in violation of these regulations will be subject to civil penalty under §165.13(b) of this part.

[CGD07-97-019, 62 FR 50512, Sept. 26, 1997]

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§165.728 Jacksonville, Florida—safety zones.

(a) The water, land, and land and water within the following boundaries are established as safety zones during the specified conditions:

(1) *Zone A.* 200 yards in all directions around any specified Maritime Prepositioned Ship as it transits between the St. Johns River entrance sea buoy (STJ) and its berth inside the Mayport Basin (Ribault Bay), Mayport, Florida. The prescribed safety zone will also be in effect as the vessel transits to its berth at Blount Island Marine Terminal, Jacksonville, Florida.

(2) *Zone B.* 100 yards in all directions on land and 200 yards on water from the eastern end of Transit Shed #2 to the east shore of Alligator Creek at Blount Island Terminal, Jacksonville, Florida.

(3) *Zone C:* 100 yards in all directions on land from Gate berth #1 and all waters within the Back River (locally known as the Gate Slip) on Blount Island, Jacksonville, Florida, commencing from a line drawn between the southwesterly most shore point latitude 30°23'34", longitude 81°30'52" and the southeasterly most shore point latitude 30°23'38", longitude 81°30'36".

(b) The areas described in paragraph (a) of this section may be closed to all vessels and persons, except those vessels and persons authorized by the Commander, Seventh Coast Guard District or the Captain of the Port, Jacksonville, Florida, whenever specified Maritime Prepositioned Ships are transiting the St. Johns River (Zone A), moored at Blount Island (Zone B), or moored at Gate Terminal (Zone C).

(c) The general regulations governing safety zones contained in 33 CFR 165.23 apply.

(d) The Captain of the Port Jacksonville, Florida will activate the safety zones or specific portions of them by issuing a local broadcast notice to mariners. The closing of the area at Blount Island, described above, will be signified by the display of a rotating yellow light located on the waterfront at Blount Island Marine Terminal or at the Gate Terminal Berth #1.

[CGD7 87-15, 52 FR 23442, June 22, 1987, as amended by CGD7 91-33, 56 FR 22826, May 17, 1991]

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§165.729 Jacksonville Harbor, Florida—security zone.

(a) The water, land, and land and water within the following boundaries are established as security zones during the specified conditions:

(1) *Zone A.* 200 yards in all directions around any specified Maritime Prepositioned Ship as it transits between the St. Johns River entrance sea buoy (STJ) and its berth inside the Mayport Naval Basin (Ribault Bay), Mayport, Florida. The prescribed security zone will also be in effect as the vessel transits to its berth at Blount Island Marine Terminal, Jacksonville, Florida.

(2) *Zone B.* 100 yards in all directions on land and 200 yards on water from the eastern end of Transit Shed #2 to the east shore of Alligator Creek at Blount Island Terminal, Jacksonville, Florida.

(3) *Zone C:* 100 yards in all directions on land from Gate berth #1 and all waters within the Back River (locally known as the Gate Slip) on Blount Island, Jacksonville, Florida, commencing from a line drawn between the southwesterly most shore point latitude 30°23'34", longitude 81°30'52" and the southeasterly most shore point latitude 30°23'38", longitude 81°30'36".

(b) The areas described in paragraph (a) of this section shall be closed to all vessels and persons, except those vessels and persons authorized by the Commander, Seventh Coast Guard District or the Captain of the Port, Jacksonville, Florida, whenever specified Maritime Prepositioned Ships are transiting the St. Johns River (Zone A), moored at Blount Island (Zone B), or moored at Gate Terminal (Zone C).

(c) The general regulations governing security zones contained in 33 CFR 165.33 apply.

(d) The Captain of the Port Jacksonville, Florida will activate the security zones or specific portions of them by issuing a local broadcast notice to mariners. The closing of the area at Blount Island, described above, will be signified by the display of a rotating yellow light located on the waterfront at Blount Island Marine Terminal or at the Gate Terminal Berth #1.

[CGD7 87-16, 52 FR 23443, June 22, 1987, as amended by CGD7 91-34, 56 FR 22827, May 17, 1991]

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§165.730 King's Bay, Georgia—Regulated navigation area.

Vessels transiting in the water bounded by the line connecting the following points must travel no faster than needed for steerageway:

Latitude	Longitude
30°48'00.0" N	081°29'24.0" W
30°46'19.5" N	081°29'17.0" W
30°47'35.0" N	081°30'16.5" W
and thence to the point of beginning	

[CGD7 92-41, 58 FR 38057, July 15, 1993]

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§165.731 Security Zone: Cumberland Sound, Georgia.

(a) *Definition.* The term "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) Jacksonville, Florida, in the enforcement of the regulated areas.

(b) *Location.* A permanent security zone is established within the following coordinates, the area enclosed by a line starting at 30°44'55" N., 081°29'39" W.; thence to 30°44'55" N., 081°29'18" W.; thence to 30°46'35" N., 081°29'18" W.; thence to 30°47'02" N., 081°29'34" W.; thence to 30°47'21" N., 081°29'39" W.; thence to 30°48'00" N., 081°29'42" W.; thence to 30°49'07" N., 081°29'56" W.; thence to 30°49'55" N., 081°30'35" W.; thence to 30°50'15" N., 081°31'08" W.; thence to 30°50'14" N., 081°31'30" W.; thence to 30°49'58" N., 081°31'45" W.; thence to 30°49'58" N., 081°32'03" W.; thence to 30°50'12" N., 081°32'17" W.; thence following the land based perimeter boundary to the point of origin.

(c) *Regulations.* (1) No person or vessel may enter or remain within the security zone without the permission of the COTP Jacksonville or designated representative.

(2) All persons and vessels authorized to enter the security zone shall immediately obey any direction or order of the COTP Jacksonville or designated representative.

(3) This regulation does not apply to persons or vessels operating under the authority of the United States Navy or to authorized law enforcement agencies.

[USCG-2016-0032, 82 FR 13967, Mar. 16, 2017]

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§165.732 Escorted Submarines Sector Jacksonville Captain of the Port Zone.

(a) *Location.* The following areas are regulated navigation areas (RNA) whenever any Navy submarine (foreign or domestic) is being escorted by the Coast Guard within the Sector Jacksonville Captain of the Port Zone territorial seas:

(1) All waters within 1 nautical mile of any Navy submarine operating within the Sector Jacksonville Captain of the Port Zone territorial seas; and

(2) All waters within 1 nautical mile of the charted center of the navigation channel from the southern tip of Crab Island in the Cumberland Sound, Georgia, to the St. Marys Entrance Channel and its approach extending eastward to lighted buoy "STM."

(b) *Regulations.* All persons and vessels located within a RNA created by paragraph (a) shall follow all lawful orders and/or directions given to them by designated Coast Guard representatives. 33 CFR 165, subpart B, contains additional provisions applicable to the RNA created in paragraph (a) of this section.

(c) *Notification.* The Coast Guard escort will attempt, when necessary and practicable, to notify any persons or vessels inside or approaching the vicinity of a RNA created in paragraph (a) of this section of its existence via VHF Channel 16 and/or any other means reasonably available.

[USCG-2016-0032, 82 FR 13967, Mar. 16, 2017]

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§165.749 Security Zone: Escorted Vessels, Savannah, Georgia, Captain of the Port Zone.

(a) *Definitions.* The following definitions apply to this section:

COTP means Captain of the Port Savannah, GA.

Designated representatives 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 COTP, in the enforcement of the security zone.

Escorted vessel means a vessel, other than a large U.S. naval vessel as defined in 33 CFR 165.2015, that is accompanied by one or more Coast Guard assets or other Federal, State or local law enforcement agency assets clearly identifiable by lights, vessel markings, or with agency insignia as listed below:

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

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

(3) When escorted vessels are moored, dayboards or other visual indications such as lights or buoys may be used. In all cases, broadcast notice to mariners will be issued to advise mariners of these restrictions.

Minimum safe speed means the speed at which a vessel proceeds when it is fully off plane, completely settled in the water and not creating excessive wake. Due to the different speeds at which vessels of different sizes and configurations may travel while in compliance with this definition, no specific speed is assigned to minimum safe speed. In no instance should minimum safe speed be interpreted as a speed less than that required for a particular vessel to maintain steerageway. A vessel is not proceeding at minimum safe speed if it is:

(1) On a plane;

(2) In the process of coming up onto or coming off a plane; or

(3) Creating an excessive wake.

(b) *Regulated area.* All navigable waters, as defined in 33 CFR 2.36, within the Captain of the Port Zone, Savannah, Georgia 33 CFR 3.35-15.

(c) *Security zone.* A 300-yard security zone is established around each escorted vessel within the regulated area described in paragraph (b) of this section. This is a moving security zone when the escorted vessel is in transit and becomes a fixed zone when the escorted vessel is anchored or moored. A security zone will not extend beyond the boundary of the regulated area in this section.

(d) *Regulations.* (1) The general regulations for security zones contained in §165.33 of this part apply to this section.

(2) A vessel may request the permission of the COTP Savannah or a designated representative to enter the security zone described in paragraph (c) of this section. If permitted to enter the security zone, a vessel must proceed at the minimum safe speed and must comply with the orders of the COTP or a designated representative. No vessel or person may enter the inner 50-yard portion of the security zone closest to the vessel.

(e) *Notice of security zone.* The COTP will inform the public of the existence or status of the security zones around escorted vessels in the regulated area by Broadcast Notice to Mariners. Coast Guard assets or other Federal, State or local law enforcement agency assets will be clearly identified by lights, vessel markings, or with agency insignia. When escorted vessels are moored, dayboards or other visual indications such as lights or buoys may be used.

(f) *Contact information.* The COTP Savannah may be reached via phone at (912) 652-4353. Any on scene Coast Guard or designated representative assets may be reached via VHF-FM channel 16.

[USCG-2007-0157, 73 FR 37837, July 2, 2008]

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§165.751 Security Zone: LNG mooring slip, Savannah River, Savannah, Georgia.

(a) *Security zone.* The following area is a security zone: All the waters from surface to bottom of the northeastern most mooring dolphin located at approximately 32[deg]05.01' North, 080[deg]59.38' West, to the southeastern most mooring dolphin located at approximately 32[deg]04.79' North, 080[deg]59.35' West, and continues west along the North and South shoreline of the mooring slip to the shoreline of the right descending bank of the Savannah River. All marine traffic is prohibited from entering this zone unless authorized by the Captain of the Port (COTP).

(b) *Applicability.* This section applies to all vessels including naval and other public vessels, except vessels that are engaged in the following operations:

- (1) Law enforcement, security, or search and rescue;
- (2) Servicing aids to navigation;
- (3) Surveying, maintenance, or improvement of waters in the security zone; or
- (4) Actively engaged in escort, maneuvering, or support duties for an LNG tankship.

(c) *Regulations.* In accordance with the general regulations in §165.33 of this part, entry into or movement within this zone is prohibited unless authorized by the Captain of the Port Savannah or vessels engaged in activities defined in paragraph (b).

(d) *Reporting of violations.* Violations of this section should be reported to the Captain of the Port, Savannah, at (912) 652-4353.

[COTP SAVANNAH 06-160, 72 FR 27246, May 15, 2007]

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§165.752 Sparkman Channel, Tampa, Florida—regulated navigation area.

(a) A regulated navigation area is established to protect vessels from limited water depth in Sparkman Channel caused by an underwater pipeline. The regulated navigation area is in Sparkman Channel between the lines connecting the following points (referenced in NAD 83):

Latitude	Longitude		Latitude	Longitude
1:				
27°56'20.5" N	082°26'42.0" W	to	27°56'19.3" N	82°26'37.5" W
2:				
27°55'32.0" N	082°26'54.0" W	to	27°55'30.9" N	82°26'49.1" W

(b) Ships requiring Federal or State pilotage shall not meet or overtake other like vessels in Sparkman Channel.

(c) Vessels having a draft of more than 35.5 feet may not transit Sparkman Channel.

(d) Vessels having a draft of 34.5 feet, but not over 35.5 feet, may transit Sparkman Channel only when the tide is at least one foot above mean low water.

(e) Vessels with a draft of 30 feet or greater shall transit as near as possible to the center of the channel.

[CGD7 90-52, 56 FR 36005, July 30, 1991, as amended by USCG-1998-3799, 63 FR 35532, June 30, 1998]

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§165.753 Regulated navigation area; Tampa Bay, Florida.

(a) The following is a regulated navigation area (RNA): All the navigable waters of Tampa Bay, Hillsborough Bay and Old Tampa Bay, including all navigable waterways tributary thereto. Also included are the waters of Egmont Channel, Gulf of Mexico from Tampa Bay, Tampa Bay Entrance, approximate position (27°35.3' N., 079°35.5' W.).

(b) The master, pilot, or person in charge of any vessel of 50 meters or greater shall give a Navigational Advisory Broadcast in accordance with 47 CFR 80.331 on VHF-FM channel 13 at the following broadcast/reporting points:

(1) Prior to getting underway from any berth or anchorage;

(2) Prior to entering Egmont Channel from seaward;

(3) Prior to passing Egmont Key in any direction;

(4) Prior to transiting the Skyway Bridge in either direction;

(5) Prior to transiting the intersection of Tampa Bay Cut F Channel, Tampa Bay Cut G Channel, and Gadsden Point Cut Channel;

(6) Prior to anchoring or approaching a berth for docking;

(7) Prior to tending hawser;

(8) Prior to transiting Point Pinellas Channel Light 1 in either direction.

(c) Each Navigational Advisory required by this section shall be made in the English language and will contain the following information:

(1) The words "Hello all vessels, a Navigational Advisory follows";

(2) Name of vessel;

(3) If engaged in towing, the nature of the tow;

(4) Direction of Movement;

(5) Present location; and,

(6) The nature of any hazardous conditions as defined by 33 CFR 160.202.

(d) Nothing in this section shall supersede the Navigational Rules (COLREGS and their associated Annexes and Inland Navigation Rules (33 CFR subchapter E)), as applicable, or relieve the Master or person in charge of the vessel of responsibility for the safe navigation of the vessel.

[CGD07-94-094, 60 FR 58519, Nov. 28, 1995, as amended by USCG-2005-21869, 80 FR 5336, Jan. 30, 2015 ; USCG-2015-0433, 80 FR 44286, July 27, 2015]

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§165.754 Safety Zone: San Juan Harbor, San Juan, PR.

(a) *Regulated area.* A moving safety zone is established in the following area:

(1) The waters around Liquefied Petroleum Gas ships entering San Juan Harbor in an area one half mile around each vessel, beginning one mile north of the San Juan Harbor #1 Sea Buoy, in approximate position 18-29.3N, 66-07.6W and continuing until the vessel is safely moored at either the Gulf Refinery Oil dock or the Catano Oil dock in approximate position 18-25.8N, 66-06.5W. All coordinates referenced use datum: NAD 83.

(2) The waters around Liquefied Petroleum Gas ships departing San Juan Harbor in an area one half mile around each vessel beginning at either the Gulf Refinery Oil dock or Catano Oil dock in approximate position 18-25.8N, 66-06.5W when the vessel gets underway, and continuing until the stern passes the San Juan Harbor #1 Sea Buoy, in approximate position 18-28.3N, 66-07.6W. All coordinates referenced use datum: NAD 83.

(b) *Regulations.* (1) No person or vessel may enter, transit or remain in the safety zone unless authorized by the Captain of the Port, San Juan, Puerto Rico, or a designated Coast Guard commissioned, warrant, or petty officer.

(2) Vessels encountering emergencies which require transit through the moving safety zone should contact the Coast Guard patrol craft on VHF Channel 16. In the event of an emergency, the Coast Guard patrol craft may authorize a vessel to transit through the safety zone with a Coast Guard designated escort.

(3) The Captain of the Port and the Duty Officer at Sector San Juan, Puerto Rico, can be contacted at telephone number 787-289-2041. The Coast Guard Patrol Commander enforcing the safety zone can be contacted on VHF-FM channels 16 and 22A.

(4) Coast Guard Sector San Juan will notify the marine community of periods during which these safety zones will be in effect by providing advance notice of scheduled arrivals and departures of Liquefied Petroleum Gas vessels via a marine broadcast Notice to Mariners.

(5) Should the actual time of entry of the Liquefied Petroleum Gas vessel vary more than one half hour from the scheduled time stated in the broadcast Notice to Mariners, the person directing the movement of the Liquefied Petroleum Gas vessel shall obtain permission from Captain of the Port San Juan before commencing the transit.

(6) All persons and vessels shall comply with the instructions of on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, or petty officers of the U.S. Coast Guard. Coast Guard Auxiliary and local or state officials may be present to inform vessel operators of the requirements of this section, and other applicable laws.

[COTP SAN JUAN 97-045, 63 FR 27681, May 20, 1998, as amended by USCG-2001-9286, 66 FR 33641, June 25, 2001; USCG-2008-0179, 73 FR 35017, June 19, 2008]

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\$165.755 Safety Zone; Guayanilla, Puerto Rico.

(a) The following area is established as a safety zone during the specified conditions:

(1) A 100 yard radius surrounding a vessel carrying Liquefied Natural Gas (LNG) while transiting north of Latitude 17°56.0' N in the waters of the Caribbean Sea, on approach to or departure from the Eco-Electrica waterfront facility in Guayanilla Bay, Puerto Rico. The safety zone remains in effect until the LNG vessel is docked at the Eco-Electrica waterfront facility or south of Latitude 17°56.0' N.

(2) The waters within 150 feet of a LNG vessel when the vessel is alongside the Eco-Electrica waterfront facility in Guayanilla Bay, at position 17°58.55' N, 066°45.3' W. This safety zone remains in effect while the LNG vessel is docked with product aboard or is transferring LNG.

(b) In accordance with the general regulations in 165.23 of this part, anchoring, mooring or transiting in these zones is prohibited unless authorized by the Coast Guard Captain of the Port.

(c) Coast Guard Sector San Juan will notify the maritime community of periods during which the safety zones will be in effect by providing advance notice of scheduled arrivals and departures of LNG vessels via a marine broadcast Notice to Mariners.

[COTP San Juan 00-095, 66 FR 16870, Mar. 28, 2001, as amended by USCG-2008-0179, 73 FR 35017, June 19, 2008]

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\$165.756 Regulated Navigation Area; Savannah River, Georgia.

(a) *Regulated Navigation Area (RNA)*. The Savannah River between Fort Jackson (32°04.93' N, 081°02.19' W) and the Savannah River Channel Entrance Sea Buoy is a regulated navigation area when an LNG tankship in excess of heel is transiting the area or moored at the LNG facility. All coordinates are North American Datum 1983.

(b) *Definitions*. The following definitions apply to this section:

Bare steerage way means the minimum speed necessary for a ship to maintain control over its heading.

Bollard pull means an industry standard used for rating tug capabilities and is the pulling force imparted by the tug to the towline. It means the power that an escort tug can apply to its working line(s) when operating in a direct mode.

Direct mode means a towing technique defined as a method of operation by which a towing vessel generates towline forces by thrust alone at an angle equal to or nearly equal to the towline, or thrust forces applied directly to the escorted vessel's hull.

Fire Wire means a length of wire rope or chain hung from the bow and stern of a vessel in port to allow the vessel to be towed away from the pier in case of fire; also called fire warp or emergency towing wire.

Heel means the minimum quantity of liquefied natural gas (LNG) retained in an LNG tankship after unloading at the LNG facility to maintain temperature, pressure, and/or prudent operations. A quantity of LNG less than five percent (5 %) of the LNG tankship's carrying capacity shall be presumed to be heel.

Indirect mode means a towing technique defined as a method of operation by which an escorting towing vessel generates towline forces by a combination of thrust and hydrodynamic forces resulting from a presentation of the underwater body of the

towing vessel at an oblique angle to the towline. This method increases the resultant bollard pull, thereby arresting and controlling the motion of an escorted vessel.

LNG tankship means a vessel as described in 46 CFR 154.

Made-up means physically attached by cable, towline, or other secure means in such a way as to be immediately ready to exert force on a vessel being escorted.

Make-up means the act of, or preparations for becoming made-up.

Operator means the person who owns, operates, or is responsible for the operation of a facility or vessel.

Savannah River Channel Entrance Sea Buoy means the aid to navigation labeled R W "T" Mo (A) WHIS on the National Oceanic and Atmospheric Administration's (NOAA) Nautical Chart 11512.

Standby means readily available at the facility and equipped to provide a ready means of assistance to maintain a safe zone around LNG tankships, provide emergency firefighting assistance, and aid the LNG tankship in the event of an emergency departure.

Underway means that a vessel is not at anchor, not made fast to the shore, or not aground.

(c) *Applicability*. This section applies to all vessels operating within the RNA, including naval and other public vessels, except vessels that are engaged in the following operations:

- (1) Law enforcement, security, or search and rescue;
- (2) Servicing aids to navigation;
- (3) Surveying, maintenance, or improvement of waters in the RNA; or
- (4) Actively engaged in escort, maneuvering, or support duties for an LNG tankship.

(d) *Regulations—(1) Requirements for vessel operations while a LNG tankship, carrying LNG in excess of heel, is underway within the RNA.* (i) Except for a vessel that is moored at a marina, wharf, or pier, and remains moored, no vessel 1,600 gross tons or greater may come within two nautical miles of a LNG tankship, carrying LNG in excess of heel, which is underway within the Savannah River shipping channel without the permission of the Captain of the Port (COTP).

(ii) All vessels less than 1,600 gross tons shall keep clear of transiting LNG tankships.

(iii) The owner, master, or operator of a vessel carrying liquefied natural gas (LNG) shall:

(A) Comply with the notice requirements of 33 CFR part 160. The COTP may delay the vessel's entry into the RNA to accommodate other commercial traffic.

(B) Obtain permission from the COTP before commencing the transit into the RNA.

(C) Not enter or get underway within the RNA if visibility during the transit is not sufficient to safely navigate the channel, and/or wind speed is, or is expected to be, greater than 25 knots.

(D) While transiting the RNA, the LNG tankship, carrying LNG in excess of heel, shall have a minimum of two escort towing vessels with a minimum of 100,000 pounds of bollard pull, 4,000 horsepower and capable of safely operating in the indirect mode. At least one of the towing vessels shall be FiFi Class 1 equipped.

(2) *Requirements while an LNG tankship is moored outside of the LNG facility slip.* (i) An LNG tankship moored outside of the LNG facility slip shall have on-scene a minimum of two escort towing vessels each with a minimum of 100,000 pounds of bollard pull, 4,000 horsepower and capable of safely operating in the indirect mode in order to escort transiting vessels 1,600 gross tons or greater past the moored LNG tankship. At least one of these towing vessels shall be FiFi Class 1 equipped.

(ii) In addition to the two towing vessels required by paragraph (d)(2)(i) of this section, the LNG tankship moored outside of the slip shall have at least one standby towing vessel with a minimum of 90,000 pounds of bollard pull to take appropriate actions in an emergency as directed by the LNG vessel bridge watch required in paragraph (d)(5) of this section.

(3) *Requirements while LNG tankships are moored inside the LNG facility slip.* (i) An LNG tankship moored inside the LNG facility slip shall have two standby towing vessels with a minimum capacity of 100,000 pounds of bollard pull, 4,000 horsepower, and the ability to operate safely in the indirect mode. At least one of these towing vessels shall be FiFi Class 1 equipped. The standby towing vessels shall take appropriate action in an emergency as directed by the LNG vessel bridge watch required in paragraph (d)(5) of this section.

(ii) If two LNG tankships are moored inside the LNG facility slip, each vessel shall provide a standby towing vessel that is FiFi class 1 equipped with a minimum capacity of 100,000 pounds of bollard pull and 4,000 horsepower that is available to assist as directed by the LNG vessel bridge watch required in paragraph (d)(5) of this section.

(4) *Requirements while LNG tankships are moored both inside the LNG facility slip and outside the LNG facility slip.* (i) When one LNG tankship is moored inside and one LNG tankship is moored outside of the LNG facility slip, the LNG tankship moored outside of the LNG facility slip shall have on-scene a minimum of two escort towing vessels each with a minimum of 100,000 pounds of bollard pull, 4,000 horsepower and capable of safely operating in the indirect mode in order to escort transiting vessels 1,600 gross tons or greater past the moored LNG tankship. At least one of these towing vessels shall be FiFi Class 1 equipped. In addition, the LNG tankship moored inside of the slip shall have at least one standby towing vessel with a minimum of 100,000 pounds of bollard pull, 4,000 horsepower and FiFi Class 1 equipped to take appropriate actions in an emergency as directed by the LNG vessel bridge watch required in paragraph (d)(5) of this section.

(ii) When one LNG tankship is moored outside and two LNG tankships are moored inside the LNG facility slip, the LNG tankship moored outside of the LNG facility slip shall have on-scene a minimum of two escort towing vessels each with a minimum of 100,000 pounds of bollard pull, 4,000 horsepower and capable of safely operating in the indirect mode in order to escort transiting vessels 1,600 gross tons or greater past the moored LNG tankship. At least one of these towing vessels shall be FiFi Class 1 equipped. In addition, the LNG tankships moored inside of the slip shall have at least one standby towing vessel between the two ships with a minimum of 100,000 pounds of bollard pull, 4,000 horsepower and FiFi Class 1 equipped to take appropriate actions in an emergency as directed by the LNG vessel bridge watch required in paragraph (d)(5) of this section.

(iii) In the event of an actual emergency, escort towing vessels can be utilized as stand-by towing vessels to take appropriate actions as directed by the LNG vessel bridge watch required in paragraph (d)(5) of this section.

(5) *Requirements for moored LNG tankships.* (i) While moored within the RNA, each LNG tankship shall maintain a bridge watch consisting of a docking pilot or licensed deck officer who shall monitor all vessels transiting past the LNG facility. In addition, the LNG Bridge Watch shall communicate with the pilots of vessels greater than 1600 gross tons at the points identified in section (d)(6)(iii) of this section prior to passing the LNG facility in order to take actions of the towing vessel(s) required in paragraphs (d)(2) through (4) of this section.

(ii) While moored within the RNA, LNG tankships shall have emergency towing wires (fire wires) positioned one meter above the waterline, both on the off-shore bow and quarter of the ship. LNG vessels equipped with waterline bollards are exempt from this requirement.

(6) *Requirements for other vessels while within the RNA.* (i) Transiting vessels 1,600 gross tons or greater, when passing an LNG tankship moored outside of the LNG facility slip, shall have a minimum of two towing vessels with a minimum capacity of 100,000 pounds of bollard pull, 4,000 horsepower, and the ability to operate safely in the indirect mode, made-up in such a way as to be immediately available to arrest and control the motion of an escorted vessel in the event of steering, propulsion or other casualty. At least one of the towing vessels shall be FiFi Class 1 equipped. While it is anticipated that vessels will utilize the towing vessel services required in paragraphs (d)(2)(i) and (d)(4)(i) of this section, this section does not preclude escorted vessel operators from providing their own towing vessel escorts, provided they meet the requirements of this part.

(A) Outbound vessels shall be made-up and escorted from Bight Channel Light 46 until the vessel is safely past the LNG dock.

(B) Inbound vessels shall be made-up and escorted from Elba Island Light 37 until the vessel is safely past the LNG dock.

(ii) The requirements in paragraph (d)(6)(i) of this section do not apply when one or more LNG tankships are moored in the LNG facility slip and no LNG tankship is moored at the pier outside of the LNG facility slip.

(iii) Vessels 1,600 gross tons or greater shall make a broadcast on channel 13 at the following points on the Savannah River:

(A) Buoy "33" in the vicinity of Fields Cut for inbound vessels;

(B) Buoy "53" in the vicinity of Fort Jackson for outbound vessels.

(iv) Vessels 1,600 gross tons or greater shall at a minimum, transit at bare steerageway when within an area 1,000 yards on either side of the LNG facility slip to minimize potential wake or surge damage to the LNG facility and vessel(s) within the slip.

(v) Vessels 1,600 gross tons or greater shall not meet nor overtake within an area 1,000 yards on either side of the LNG facility slip when an LNG tankship is present within the slip.

(vi) All vessels less than 1,600 gross tons shall not approach within 70 yards of an LNG tankship, carrying LNG in excess of heel, without the permission of the Captain of the Port.

(vii) Except for vessels involved in those operations noted in paragraph (c) of this section entitled Applicability, no vessel shall enter the LNG facility slip at any time without the permission of the Captain of the Port.

(e) *Waivers.* (1) The COTP may waive any requirement in this section, if the COTP finds that it is in the best interest of safety or in the interest of national security. Such waivers may be verbal or in writing.

(2) An application for a waiver of these requirements must state the compelling need for the waiver and describe the proposed operation and methods by which adequate levels of safety are to be obtained.

(f) *Enforcement.* Violations of this section should be reported to the Captain of the Port, Savannah, at (912) 652-4353. In accordance with the general regulations in §165.13 of this part, no person may cause or authorize the operation of a vessel in the regulated navigation area contrary to the provisions of this section.

[CGD07-05-138, 72 FR 2453, Jan. 19, 2007]

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§165.757 Safety Zones; Ports of Ponce, Tallaboa, and Guayanilla, Puerto Rico and Limetree Bay, St. Croix, U.S.V.I.

(a) *Location.* The following areas are established as a safety zones during the specified conditions:

(1) *Port of Ponce, Puerto Rico.* A 100-yard radius surrounding all Liquefied Hazardous Gas (LHG) vessels with product aboard while transiting north of Latitude 17°57.0' N in the waters of the Caribbean Sea on approach to or departing from the Port of Ponce, Puerto Rico (NAD 83). The safety zone remains in effect until the LHG vessel is docked.

(2) *Port of Tallaboa, Puerto Rico.* A 100-yard radius surrounding all Liquefied Hazardous Gas (LHG) vessels with product aboard while transiting north of Latitude 17°56.0' N in the waters of the Caribbean Sea on approach to or departing from the Port of Tallaboa, Puerto Rico (NAD 83). The safety zone remains in effect until the LHG vessel is docked.

(3) *Port of Guayanilla, Puerto Rico.* A 100-yard radius surrounding all Liquefied Hazardous Gas (LHG) vessels around with product aboard while transiting north of Latitude 17°57.0' N in the waters of the Caribbean Sea on approach to or departing from the Port of Guayanilla, Puerto Rico (NAD 83). The safety zone remains in effect until the LHG vessel is docked.

(4) *Port of Limetree Bay, St. Croix, U.S.V.I.* A 100-yard radius surrounding all Liquefied Hazardous Gas (LHG) vessels with product aboard while transiting north of Latitude 17°39.0' N in the waters of the Caribbean Sea on approach to or departing from the Port of Limetree Bay, U.S.V.I. (NAD 83). The safety zone remains in effect until the LHG vessel is docked.

(b) *Regulations.* In accordance with the general regulations in §165.23 of this part, anchoring, mooring or transiting in these zones is prohibited unless authorized by the Coast Guard Captain of the Port. Coast Guard Sector San Juan will notify the maritime community of periods during which these safety zones will be in effect by providing advance notice of scheduled arrivals and departures on LHG carriers via a broadcast notice to mariners on VHF Marine Band Radio, Channel 16 (156.8 MHz).

[COTP San Juan 02-038, 67 FR 60867, Sept. 27, 2002, as amended by USCG-2008-0179, 73 FR 35017, June 19, 2008]

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§165.758 Security Zone; San Juan, Puerto Rico.

(a) *Location.* Moving and fixed security zones are established 50 yards around all cruise ships entering, departing, moored or anchored in the Port of San Juan, Puerto Rico. The security zone for a cruise ship entering port is activated when the vessel is one mile north of the #3 buoy, at approximate position 18°28'17' N, 66°07'37.5' W. The security zone for a vessel is deactivated when the vessel passes this buoy 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) The 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.

[CGD07-02-042, 67 FR 76991, Dec. 16, 2002, as amended by USCG-2008-0179, 73 FR 35017, June 19, 2008]

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§165.759 Security Zones; Ports of Jacksonville, Fernandina, and Canaveral, Florida.

(a) *Regulated area.* Moving security zones are established 100 yards around all tank vessels, cruise ships, and military pre-positioned ships during transits entering or departing the ports of Jacksonville, Fernandina, and Canaveral, Florida. These moving security zones are activated when the subject vessels pass the St. Johns River Sea Buoy, at approximate position 30 deg. 23' 35" N, 81 deg. 19' 08" West, when entering the port of Jacksonville, or pass Port Canaveral Channel Entrance Buoys # 3 or # 4, at respective approximate positions 28 deg. 22.7 N, 80 deg 31.8 W, and 28 deg. 23.7 N, 80 deg. 29.2 W, when entering Port Canaveral. Fixed security zones are established 100 yards around all tank vessels, cruise ships, and military pre-positioned ships docked in the Ports of Jacksonville, Fernandina, and Canaveral, Florida.

(b) *Regulations.* 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, or a Coast Guard commissioned, warrant, or petty officer designated by him. The Captain of the Port will notify the public of any changes in the status of this zone by Marine Safety Radio Broadcast on VHF Marine Band Radio, Channel 22 (157.1 MHz).

(c) *Definition.* As used in this section: cruise ship means a passenger vessel, except for a ferry, greater than 100 feet in length that is authorized to carry more than 12 passengers for hire.

(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 Jacksonville 02-066, 68 FR 3186, Jan. 23, 2003]

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§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]

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§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 approximate 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]

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§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 Pier lights. The security zone for a vessel is deactivated when the cruise ship is beyond one nautical mile west of the Fredericksted Pier lights. The Fredericksted Pier lights are at the following coordinates: 17°42'49" N, 64°53'19" W. All coordinates are North American Datum 1983 (NAD 1983).

(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 San Juan or their designated representative.

(2) Persons desiring to transit through a security zone may contact the Captain of the Port San Juan who can be reached on VHF Marine Band Radio, Channel 16 (156.8 Mhz) or by calling (787) 289-2041, 24-hours-a-day, 7-days-a-week. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port or designated representative.

(3) 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 05-002, 70 FR 22256, Apr. 29, 2005]

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§165.764 [Reserved]

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§165.765 Regulated Navigation Area; Port Everglades Harbor, Fort Lauderdale, Florida.

(a) *Location.* The following area in Port Everglades harbor is a regulated navigation area: all waters of Port Everglades harbor, from shore to shore, encompassed by a line commencing at the south mid-point tip of Harbor Heights approximately 26°05.687' N, 080°06.684' W; thence south across Bar Cut to a point north of the Nova University Marina approximately 26°05.552' N, 080°06.682' W, thence southwesterly to a point near the center of Lake Mabel approximately 26°05.482' N, 080°06.793' W, thence northwesterly to a point near the Quick Flashing Red #12 approximately 26°05.666' N, 080°06.947' W, thence east to south mid-point tip of Harbor Heights (starting point) approximately 26°05.687' N, 080°06.684' W.

(b) *Regulations.* Vessels less than 150 meters entering and transiting through the regulated navigation area shall proceed at a slow speed. Nothing in this section alleviates vessels or operators from complying with all state and local laws in the area including manatee slow speed zones. Nor should anything in this section be construed as conflicting with the requirement to operate at safe speed under the Inland Navigation Rules, (33 CFR subchapter E).

(c) *Definition.* As used in this section, *slow speed* means the speed at which a vessel proceeds when it is fully off plane, completely settled in the water and not creating excessive wake. Due to the different speeds at which vessels of different sizes and configurations may travel while in compliance with this definition, no specific speed is assigned to slow speed. A vessel is not proceeding at slow speed if it is:

- (1) On a plane;
- (2) In the process of coming up on or coming off of plane; or
- (3) Creating an excessive wake.

[CDG07-03-069, 68 FR 63991, Nov. 12, 2003, as amended by USCG-2015-0433, 80 FR 44286, July 27, 2015]

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§§165.766-165.768 [Reserved]

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§165.769 Security Zone; Escorted Vessels, Charleston, South Carolina, Captain of the Port Zone.

(a) *Definitions.* The following definitions apply to this section:

COTP means Captain of the Port Charleston, SC.

Designated representatives 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 COTP, in the enforcement of the security zone.

Escorted vessel means a vessel, other than a large U.S. naval vessel as defined in 33 CFR 165.2015, that is accompanied by one or more Coast Guard assets or other Federal, State or local law enforcement agency assets clearly identifiable by lights, vessel markings, or with agency insignia as listed below:

Coast Guard surface or air asset displaying the Coast Guard insignia.

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

When escorted vessels are moored, dayboards or other visual indications such as lights or buoys may be used. In all cases, broadcast notice to mariners will be issued to advise mariners of these restrictions.

Minimum safe speed means the speed at which a vessel proceeds when it is fully off plane, completely settled in the water and not creating excessive wake. Due to the different speeds at which vessels of different sizes and configurations may travel while in compliance with this definition, no specific speed is assigned to minimum safe speed. In no instance should minimum safe speed be interpreted as a speed less than that required for a particular vessel to maintain steerageway. A vessel is not proceeding at minimum safe speed if it is:

- (1) On a plane;
- (2) In the process of coming up onto or coming off a plane; or
- (3) Creating an excessive wake.

(b) *Regulated area*. All navigable waters, as defined in 33 CFR 2.36, within the Captain of the Port Zone, Charleston, South Carolina 33 CFR 3.35-15.

(c) *Security zone*. A 300-yard security zone is established around each escorted vessel within the regulated area described in paragraph (b) of this section. This is a moving security zone when the escorted vessel is in transit and becomes a fixed zone when the escorted vessel is anchored or moored. A security zone will not extend beyond the boundary of the regulated area in this section.

(d) *Regulations*. (1) The general regulations for security zones contained in §165.33 of this part applies to this section.

(2) A vessel may request the permission of the COTP Charleston or a designated representative to enter the security zone described in paragraph (c) of this section. If permitted to enter the security zone, a vessel must proceed at the minimum safe speed and must comply with the orders of the COTP or a designated representative. No vessel or person may enter the inner 50-yard portion of the security zone closest to the vessel.

(e) *Notice of security zone*. The COTP will inform the public of the existence or status of the security zones around escorted vessels in the regulated area by Broadcast Notice to Mariners. Coast Guard assets or other Federal, State or local law enforcement agency assets will be clearly identified by lights, vessel markings, or with agency insignia. When escorted vessels are moored, dayboards or other visual indications such as lights or buoys may be used.

(f) *Contact information*. The COTP Charleston may be reached via phone at (843) 724-7616. Any on scene Coast Guard or designated representative assets may be reached via VHF-FM channel 16.

[USCG-2007-0115, 73 FR 30562, May 28, 2008]

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§165.770 Security Zone: HOVENSA Refinery, St. Croix, U.S. Virgin Islands.

(a) *Regulated area*. The Coast Guard is establishing a security zone in and around the HOVENSA Refinery on the south coast of St. Croix, U.S. Virgin Islands. This security zone includes all waters from surface to bottom, encompassed by an imaginary line connecting the following points: Point 1 in position 17°41'31" N, 064°45'09" W; Point 2 in position 17°39'36" N, 064°44'12" W; Point 3 in position 17°40'00" N, 064°43'36" W; Point 4 in position 17°41'48" N, 064°44'25" W; then tracing the shoreline along the water's edge to the point of origin. These coordinates are based upon North American Datum 1983 (NAD 1983).

(b) *Regulations*. (1) Under §165.33, entry into or remaining within the regulated area in paragraph (a) of this section is prohibited unless authorized by the Coast Guard Captain of the Port San Juan or vessels have a scheduled arrival at HOVENSA, Limetree Bay, St. Croix, in accordance with the Notice of Arrival requirements of 33 CFR part 160, subpart C.

(2) Persons and vessels desiring to transit the Regulated Area may contact the U.S. Coast Guard Captain of the Port San Juan at telephone number 787-289-2041 or on VHF 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.

[USCG-2008-0284, 73 FR 27746, May 14, 2008]

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§165.771 Safety Zone; Bahia de Ponce, Puerto Rico.

(a) *Location.* The following area is established as a safety zone during the specified conditions:

(1) A 100 yard radius around any vessel carrying Liquefied Natural Gas (LNG) cargo while transiting north of Latitude 17°54'00" N in the waters of the Caribbean Sea and the Bahia de Ponce, on approach to or departure from the Puerto de Ponce waterfront facility in Bahia de Ponce.

(2) The waters within 150 feet of any vessel carrying LNG cargo while moored at the Puerto de Ponce waterfront facility in Bahia de Ponce, between berths 4 and 7 at approximate position 17°58'12" N, 066°37'08" W.

(b) *Definitions.* The following definitions apply to this section:

Designated representative means Coast Guard Patrol Commander including Coast Guard coxswains, petty officers and other officers operating Coast Guard vessels and federal, state, and local officers designated by or assisting the COTP San Juan in the enforcement of the safety zone.

(c) *Regulations.* In accordance with the general regulations in §165.23 of this part, anchoring, mooring or transiting in these zones is prohibited unless authorized by the Coast Guard Captain of the Port or a designated representative. Persons and vessels desiring to transit the Regulated Area may contact the U.S. Coast Guard Captain of the Port San Juan at telephone number 787-289-2041 or on VHF channel 16 (156.9 MHz).

(d) *Enforcement periods.* The Coast Guard will notify the maritime community of effective periods via a broadcast notice to mariners on VHF Marine Band Radio, Channel 22A (156.8 MHz).

[USCG-2007-0075, 73 FR 54951, Sept. 24, 2008]

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§165.773 Security Zone; Escorted Vessels in Captain of the Port Zone Jacksonville, Florida.

(a) *Definitions.* The following definitions apply to this section:

COTP means Captain of the Port Jacksonville, FL.

Designated representatives means Coast Guard Patrol Commanders including Coast Guard coxswains, petty officers and other officers operating Coast Guard vessels or aircraft, and federal, state, and local officers designated by or assisting the COTP, in the enforcement of the security zone.

Escorted vessel means a vessel, other than a large U.S. naval vessel as defined in 33 CFR 165.2015, that is accompanied by one or more Coast Guard assets or other Federal, State, or local law enforcement agency assets clearly identifiable by lights, vessel markings, or with agency insignia as follows:

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

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

(3) When escorted vessels are moored, dayboards or other visual indications such as lights or buoys may be used. In all cases, broadcast notice to mariners will be issued to advise mariners of these restrictions.

Minimum safe speed means the speed at which a vessel proceeds when it is fully off plane, completely settled in the water and not creating excessive wake. Due to the different speeds at which vessels of different sizes and configurations may travel while in compliance with this definition, no specific speed is assigned to minimum safe speed. In no instance should minimum safe speed be interpreted as a speed less than that required for a particular vessel to maintain steerageway. A vessel is not proceeding at minimum safe speed if it is:

(1) On a plane;

(2) In the process of coming up onto or coming off a plane; or

(3) Creating an excessive wake.

(b) *Regulated area.* All navigable waters, as defined within Captain of the Port Zone, Jacksonville, Florida as defined in 33 CFR 3.35-20.

(c) *Security zone.* A 500-yard security zone is established around each escorted vessel within the regulated area described in paragraph (b) of this section. This is a moving security zone when the escorted vessel is in transit and becomes a fixed zone when the escorted vessel is anchored or moored. A security zone will not extend beyond the boundary of the regulated area in this section.

(d) *Regulations.* (1) The general regulations for security zones contained in §165.33 of this part applies to this section.

(2) A vessel may request the permission of the COTP or a designated representative to enter the security zone described in paragraph (c) of this section. If permitted to enter the security zone, a vessel must proceed at the minimum safe speed and must comply with the orders of the COTP or a designated representative. No vessel or person may enter the inner 100-yard portion of the security zone closest to the vessel.

(e) *Notice of security zone.* The COTP will inform the public of the existence or status of the security zones around escorted vessels in the regulated area by Broadcast Notice to Mariners. Coast Guard assets or other Federal, State or local law enforcement agency assets will be clearly identified by lights, vessel markings, or with agency insignia. When escorted vessels are moored, dayboards or other visual indications such as lights or buoys may be used.

(f) *Contact information.* The COTP Jacksonville may be reached via phone at (904) 564-7513. Any on scene Coast Guard or designated representative assets may be reached via VHF-FM channel 16.

[USCG-2008-0203, 73 FR 28710, May 19, 2008]

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§165.775 Safety Zone; Captain of the Port Zone Jacksonville; Offshore Cape Canaveral, Florida.

(a) *Regulated area.* (1) Zone (A) is defined by four latitude and longitude corner points. Zone A originates from the baseline at position 28°45.7' N, 080°42.7' W; then proceeds northeast to 28°50.1' N, 080°29.9' W; then proceeds southeast to 28°31.3' N, 080°19.6' W; then proceeds west back to the baseline at position 28°31.3' N, 080°33.4' W.

(2) Zone (B) is defined by four latitude and longitude corner points. Zone B originates from the baseline at position 28°40.1' N, 080°38.4' W; then proceeds northeast to 28°48.8' N, 080°28.9' W; then proceeds southeast to 28°29.7' N, 080°18.9' W; then proceeds west back to the baseline at position 28°29.7' N, 080°31.6' W.

(3) Zone (C) is defined by four latitude and longitude corner points. Zone C originates from the baseline at position 28°36.2' N, 080°35.3' W; then proceeds northeast to 28°45.6' N, 080°25.2' W; then proceeds south to 28°26' N, 080°20.8' W; then proceeds west back to the baseline at position 28°26' N, 080°34.4' W.

(4) Zone (D) is defined by four latitude and longitude corner points. Zone D originates from the baseline at position 28°31.6' N, 080°34' W; then proceeds east to 28°31.6' N, 080°20.1' W; then proceeds south to 28°16.7' N, 080°23.3' W; then proceeds northwest back to the baseline at position 28°21.6' N, 080°36.1' W.

(b) *Definitions.* The following definitions apply to this section:

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) Jacksonville in the enforcement of regulated navigation areas, safety zones, and security zones.

(c) *Regulations.* In accordance with the general regulations in §165.23 of this part, anchoring, mooring or transiting in this zone is prohibited unless authorized by the Coast Guard Captain of the Port Jacksonville or his designated representative.

(d) *Notice of a safety zone.* The proposed safety zones are temporary in nature and will only be enacted and enforced prior to, and just after a successful launch. The COTP will inform the public of the existence or status of the safety zone(s) by Broadcast Notice to Mariners on VHF-FM channel 16, Public Notice, on-scene presence, and by the display of a yellow ball from a 90-foot pole near the shoreline at approximately 28°35'00" N, 080°34'36" W, and from a 90-foot pole near the shoreline at approximately 28°25'18" N, 080°35'00" W. Coast Guard assets or other Federal, State, or local law enforcement assets will be clearly identified by lights, markings, or with agency insignia.

(e) *Contact information.* The COTP Jacksonville may be reached by telephone at (904) 564-7513. Any on-scene Coast Guard or designated representative assets may be reached on VHF-FM channel 16.

[USCG-2008-0411, 74 FR 14728, Apr. 1, 2009]

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§165.776 Security Zone; Coast Guard Base San Juan, San Juan Harbor, Puerto Rico.

(a) *Location.* The following area is a security zone: All waters from surface to bottom, encompassed by an imaginary line connecting the following points, beginning at 18°27'39" N, 066°06'56" W; then east to Point 2 at 18°27'39" N, 066°06'52" W; then south to Point 3 at 18°27'35" N, 066°06'52" W; then southwest to Point 4 at 18°27'30" N, 066°06'59" W; then northeast to

Point 5 at 18°27'25" N, 066°07'07" W; then north to Point 6 at 18°27'46" N, 066°07'10" W; then back to shore at the northwest end of the CG facility at Point 7 at 18°27'46" N, 066°07'07" W. These coordinates are based upon North American Datum 1983.

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

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, except U.S. Coast Guard or U.S. naval vessels.

(c) *Regulations.* (1) No person or vessel may enter into the security zone described in paragraph (a) of this section unless authorized by the Captain of the Port San Juan.

(2) Vessels seeking to enter the security zone established in this section may contact the COTP on VHF channel 16 or by telephone at (787) 289-2041 to request permission.

[USCG-2008-0440, 74 FR 9769, Mar. 6, 2009]

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§165.777 Security Zone; West Basin, Port Canaveral Harbor, Cape Canaveral, Florida.

(a) *Regulated area.* The following area is a security zone: All waters of the West Basin of Port Canaveral Harbor northwest of an imaginary line between two points: 28°24'57.88" N, 080°37'25.69" W to 28°24'37.48" N, 080°37'34.03" W.

(b) *Requirement.* (1) This security zone will be activated 4 hours prior to the scheduled arrival of a cruise ship at the West Basin of Port Canaveral Harbor during MARSEC Levels 2 and 3 or when the COTP determines there is a specified credible threat during MARSEC Level 1. This security zone will not be deactivated until the departure of all cruise ships from the West Basin. The zone is subject to enforcement when it is activated.

(2) Under general security zone regulations of 33 CFR 165.33, no vessel or person may enter or navigate within the regulated area unless specifically authorized by the COTP or the COTP's designated representative. Any person or vessel authorized to enter the security zone must operate in strict conformance with any direction given by the COTP or a designated representative and leave the security zone immediately if so ordered.

(3) The public will be notified when the security zone is activated by the display of a red ball on a 50-foot pole located at the east end of Cruise Ship terminal 10. This red ball will be lowered when the security zone is deactivated. To ensure boaters are given sufficient knowledge of the security zone, the Coast Guard will continuously broadcast the activations of the zone and law enforcement vessels will be on scene to inform boaters that the zone has been activated. Vessels encroaching on the security zone will be issued a Public Notice which clearly states the location of the security zone and the times it will be enforced. This will be the boater's first warning prior to enforcement action being taken.

(c) *Definitions.* The following definition applies to this section:

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 law enforcement officers designated by or assisting the COTP in the enforcement of the security zone.

(d) *Captain of the Port contact information.* If you have questions about this regulation, please contact the Sector Command Center at (904) 564-7513.

(e) *Enforcement periods.* This section will only be subject to enforcement when the security zone described in paragraph (a) is activated as specified in paragraph (b)(1) of this section.

[USCG-2008-0752, 74 FR 15856, Apr. 8, 2009]

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§165.778 Security Zone; Port of Mayaguez, Puerto Rico.

(a) *Security zone.* A moving and fixed security zone is established around all cruise ships entering, departing, mooring, or anchoring in the Port of Mayaguez, Puerto Rico. The regulated area includes all waters from surface to bottom within a 50-yard radius of the vessel. The zone is activated when a cruise ship on approach to the Port of Mayaguez enters within 1 nautical mile of the Bahia de Mayaguez Range Front Light located in position 18°13'12" N 067°10'46" W. The zone is deactivated when a cruise ship departs the Port of Mayaguez and is no longer within 1 nautical mile of the Bahia de Mayaguez Range Front Light.

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

Cruise ship means any vessel over 100 gross registered tons, carrying more than 12 passengers for hire.

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 San Juan in the enforcement of the security zone.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, except U.S. Coast Guard or U.S. Naval vessels and servicing pilot and tug boats.

(c) *Regulations.* (1) No person or vessel may enter into the security zone under this section unless authorized by the Captain of the Port San Juan.

(2) Vessels seeking to enter a security zone established in this section, may contact the COTP on VHF channel 16 or by telephone at (787) 289-2041 to request permission.

(3) All persons and vessels granted permission to enter the security zone must comply with the orders of the Captain of the Port San Juan and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(d) *Effective period.* This section is effective on April 29, 2009.

[USCG-2008-0070, 74 FR 14049, Mar. 30, 2009]

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§165.779 Regulated Navigation Area; Holiday Events; Biscayne Bay, Miami, FL.

(a) *Regulated area.* The regulated navigation area encompasses all waters of Biscayne Bay between Julia Tuttle and Turkey Point contained within the following points: Beginning at Point 1 in position 25°48'43" N, 80°08'29" W; thence south to Point 2 in position 25°29'07" N, 80°10'44" W; thence southwest to Point 3 in position 25°25'51" N, 80°12'00" W; thence west to Point 4 in position 25°25'51" N, 80°19'42" W; thence north to Point 5 in position 25°29'10" N, 80°20'58" W; thence north to Point 6 in position 25°37'35" N, 80°18'28" W; thence northeast to Point 7 in position 25°48'44" N, 80°11'17" W; thence back to origin. All coordinates are North American Datum 1983.

(b) *Definitions.* (1) The term "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 Miami in the enforcement of the regulated area.

(2) The term "Columbus Day" means the federally recognized holiday occurring annually on the second Monday in October.

(c) *Regulations.* All vessels within the regulated area are required to transit at no more than 15 knots, are subject to control by the Coast Guard, and must follow the instructions of designated representatives.

(d) *Enforcement period.* This section will be in enforced annually on Columbus Day weekend, starting at noon on the Saturday before Columbus Day through 2 a.m. on Monday (the Columbus Day holiday); from 9 p.m. December 31st until 2 a.m. January 1st; and from 7 p.m. until 2 a.m. on the night Fourth of July fireworks are scheduled in Downtown Miami and Key Biscayne.

[USCG-2015-0786, 81 FR 37160, June 9, 2016]

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§165.780 Safety Zone; Marine Safety Unit Savannah Safety Zone for Heavy Weather and other Natural Disasters, Savannah Captain of the Port Zone, Savannah, GA.

(a) *Regulated areas.* The following areas are established as safety zones during the specified conditions:

(1) *Savannah, GA.* All waters within the Port of Savannah, GA, encompassed within following locations: starting at the demarcation line drawn across the seaward extremity of the Savannah River entrance, and encompassing all of the waters of the Savannah River, Savannah GA.

(2) *Brunswick, GA.* All waters starting at the demarcation line drawn across the seaward extremity of the Savannah River entrance, and encompassing all of the waters of the Brunswick River, Brunswick GA.

(3) All coordinates are North American Datum 1983.

(b) *Definition.* (1) The term "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 Savannah in the enforcement of the regulated area.

(2) *Hurricane Port Condition YANKEE.* Set when weather advisories indicate that sustained Gale Force winds from a tropical or hurricane force storm are predicted to make landfall at the port within 24 hours.

(3) *Hurricane Port Condition ZULU.* Set when weather advisories indicate that sustained Gale Force winds from a tropical or hurricane force storm are predicted to make landfall at the port within 12 hours.

(c) *Regulations.* (1) *Hurricane Port Condition YANKEE.* All commercial, oceangoing vessels and barges over 500 GT are prohibited from entering the regulated areas designated as being in Port Condition YANKEE; within 24 hours of anticipated landfall of gale force winds (39 mph) from tropical or hurricane force storm; or upon the Coast Guard setting Port Condition YANKEE for inbound ocean going commercial vessel traffic over 500 GT. Oceangoing commercial vessel traffic outbound will be authorized to transit through the regulated areas until Port Condition ZULU.

(2) *Hurricane Port Condition ZULU.* All commercial, oceangoing vessels and barges over 500 GT are prohibited from entering the regulated areas designated as being in Port Condition ZULU; within 12 hours of anticipated landfall of a tropical storm or hurricane; or upon the Coast Guard setting Port Condition ZULU, unless written permission is obtained from the Captain of the Port. All ship-to-shore cargo operations must cease six hours prior to setting Port Condition Zulu.

(3) *Emergency Waterway Restriction for Other Disasters.* Any natural or other disasters that are anticipated to affect the COTP Savannah AOR will result in the prohibition of commercial vessel traffic transiting or remaining in any of the two regulated areas predicted to be affected as designated by the COTP Savannah.

(4) Persons and vessels desiring to enter, transit through, anchor in, or remain in the regulated area may contact the Captain of the Port Savannah via telephone at (912)-247-0073, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain in the regulated area is granted by the Captain of the Port Savannah or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Savannah or a designated representative.

(5) Coast Guard Marine Safety Unit Savannah will attempt to notify the maritime community of periods during which these safety zones will be in effect via Broadcast Notice to Mariners or by on-scene designated representatives.

(6) The Coast Guard will provide notice of the regulated area via Broadcast Notice to Mariners or by on-scene designated representatives.

(7) This regulation does not apply to authorized law enforcement agencies operating within the regulated area.

[USCG-2014-1017, 80 FR 26447, May 8, 2015]

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§165.781 Safety Zone; hurricanes and other disasters in Western Florida.

(a) *Regulated areas.* The following areas are established as a safety zone during the specified conditions:

(1) All waters within the Sector St. Petersburg Captain of the Port zone encompassing all navigable waters or tributaries between or within Fenholloway River through Chokoloskee Pass, Florida.

(2) [Reserved]

(b) *Definition.* (1) *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 COTP, in the enforcement of regulated navigation areas, safety zones, and security zones.

(2) *Hurricane Port Condition WHISKEY* means condition set when weather advisories indicates sustained gale force winds (39-54 mph/34-47 knots) from a tropical or hurricane force storm are predicted to make landfall at the port within 72 hours.

(3) *Hurricane Port Condition X-RAY* means condition set when weather advisories indicates sustained gale force winds (39-54 mph/34-47 knots) from a tropical or hurricane force storm are predicted to make landfall at the port within 48 hours.

(4) *Hurricane Port Condition YANKEE* means condition set when weather advisories indicate that sustained gale force winds (39-54 mph/34-47 knots) from a tropical or hurricane force storm are predicted to make landfall at the port within 24 hours.

(5) *Hurricane Port Condition ZULU* means condition set when weather advisories indicate that sustained gale force winds (39-54 mph/34-47 knots) from a tropical or hurricane force storm are predicted to make landfall at the port within 12 hours.

(c) *Regulations.* (1) *Hurricane Port Condition WHISKEY.* All vessel and port facilities must exercise due diligence in preparation for potential storm impacts. Slow-moving vessels may be ordered to depart to ensure safe avoidance of the incoming storm upon the anticipation of the setting of Port Condition X-RAY. The PHWAG will make recommendations to the Captain of the Port to identify vessels that may need to be diverted to ensure the safety of the port. Ports and waterfront facilities shall begin removing all debris and securing potential flying hazards. Container stacking plans shall be implemented. Waterfront facilities that, are unable to reduce container stacking height to no more than four high, must submit a container stacking protocol to the Captain of the Port (COTP).

(2) *Hurricane Port Condition X-RAY.* All vessels and port facilities shall ensure that potential flying debris is removed or secured. Hazardous materials/pollution hazards must be secured in a safe manner and away from waterfront areas. Facilities shall continue to implement container stacking protocol. Containers must not exceed four tiers, unless previously approved by

the COTP. Containers carrying hazardous materials may not be stacked above the second tier. All oceangoing commercial vessels greater than 500-gross tons must prepare to depart ports and anchorages within Tampa Bay. These vessels shall depart immediately upon the setting of Port Condition YANKEE. During this condition slow-moving vessels may be ordered to depart to ensure safe avoidance of the incoming storm. A COTP Order will be issued to vessels asked to depart early. COTP orders requiring vessel departure will be considered on a case-by-case basis. Vessels that are unable to depart the port must contact the COTP to request and receive permission to remain in port. Proof of facility owner/operator approval is required. Vessels with COTP's permission to remain in port must implement their pre-approved mooring arrangement. Terminal operators shall prepare to terminate all cargo operations. The COTP may require additional precautions to ensure the safety of the ports and waterways. Coast Guard Port Assessment Teams will be deployed to validate implementation of Port Condition X-RAY. The COTP will convene the Port Heavy Weather Advisory Group (PHWAG) as deemed necessary.

(3) *Hurricane Port Condition YANKEE*. Affected ports are closed to inbound vessel traffic. All oceangoing commercial vessels greater than 500-gross tons must have departed Tampa Bay. Appropriate container stacking protocol must be completed. Terminal operators must terminate all cargo operations not associated with storm preparations: cargo operations associated with storm preparations include moving cargo within or off the port for securing purposes, crane and other port/facility equipment preparations, and similar activities, but do not include moving cargo onto the port or vessel loading/discharging operations unless specifically authorized by the COTP. All facilities shall continue to operate in accordance with approved Facility Security Plans and comply with the requirements of the Maritime Transportation Security Act (MTSA). Drawbridges may be closed to vessel traffic as early as eight hours prior to the arrival of tropical storm force winds. Coast Guard Port Assessment Teams will conduct Port Condition YANKEE validation. The COTP will convene the Port Heavy Weather Advisory Group (PHWAG), as deemed necessary.

(4) *Hurricane Port Condition ZULU*. All port waterfront operations are suspended, except final preparations that are expressly permitted by the COTP necessary to ensure the safety of the ports and facilities. Coast Guard Port Assessment Teams will conduct final port assessments.

(5) *Emergency Restrictions for Other Disasters*. Any natural or other disasters that are anticipated to affect the Sector St. Petersburg Captain of the Port zone will result in the prohibition of commercial vessel traffic transiting or remaining in the port and/or facility operations.

[USCG-2014-0764, 80 FR 36715, June 26, 2015]

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§165.782 Safety Zone; restricted visibility in Tampa Bay.

(a) *Regulated areas*. The following areas are established as safety zones during the specified conditions:

(1) Zone 1 (Interbay) means all navigable waters within a box marked by the following coordinates: 27°52'56" N., 82°29'44" W.; thence to 27°52'50" N., 82°23'41" W.; thence to 27°57'27" N., 82°23'50" W. thence to 27°57'19" N., 82°29'39" W.. This encompasses all Navigable waterways North of Hillsborough Cut "C" Channel LB "25" (LLNR 23445) & "26" (LLNR 23450).

(2) Zone 2 (East Tampa/Big Bend) means all navigable waters within a box marked by the following coordinates: 27°52'50" N., 82°23'41" W.; thence to 27°46'36" N.; 82°24'04" W.; thence to 27°46'29" N., 82°31'21" W.; thence to 27°52'59" N., 82°31'24" W. This zone encompasses all navigable waterways between Hillsborough Cut "C" Channel LB "25" (LLNR 23445) & "26" (LLNR 23450) to Cut "6F" (LLNR 22830) Channel.

(3) Zone 3 (Old Tampa Bay) means all navigable waters within a box marked by the following coordinates: 27°46'29" N., 82°31'21" W.; 28°01'58" N., 82°31'39" W.; thence to 28°02'01" N., 82°43'20" W.; thence to 27°46'15" N., 82°43'24" W. This zone encompasses all navigable waterways between all of Old Tampa Bay to Cut "6F" (LLNR 22830) Channel.

(4) Zone 4 (Middle Tampa Bay) means all navigable waters within a box marked by the following coordinates: 27°46'34" N., 82°34'04" W.; thence to 27°38'40" N., 82°31'54" W.; thence to 27°44'38" N., 82°40'44" W.; thence to 27°46'15" N., 82°40'46" W. This zone encompasses all navigable waterways between Cut "6F" (LLNR 22830) Channel to Tampa Bay "1C" (LLNR 22590).

(5) Zone 5 (Lower Tampa Bay/Manatee) means all navigable waters within a box marked by the following coordinates: 27°44'33" N., 82°40'37" W.; thence to 27°58'59" N., 82°40'34" W.; thence to 27°36'18" N., 82°38'57" W.; thence to 27°34'10" N., 82°34'50" W.; thence to 27°37'56" N., 82°31'15" W. This zone encompasses all navigable waterways between Tampa Bay "1C" (LLNR 22590) to Sunshine Skyway Bridge.

(6) Zone 6 (Mullet Key) means all navigable waters within a box marked by the following coordinates: 27°38'59" N., 82°40'35" W.; thence to 27°36'44" N., 82°44'13" W.; thence to 27°32'20" N., 82°44'37" W.; thence to 27°31'18" N., 82°38'59" W.; thence to 27°34'09" N., 82°34'53" W.; thence to 27°36'15" N., 82°39'00" W. This zone encompasses all navigable waterways between the Sunshine Skyway Bridge to Mullet Key Channel LB "21" (LLNR 22365) & "22" (LLNR 22370).

(7) Zone 7 (Egmont Entrance) means all navigable waters within the area encompassed by the following coordinates: 27°36'27" N., 82°44'14" W.; thence to 27°39'46" N., 82°44'45" W.; thence to 27°39'36" N., 83°05'10" W.; thence to 27°32'29" N., 83°04'50" W.; thence to 27°32'21" N., 82°44'42" W. This zone includes the fairway anchorages.

(8) All coordinates are North American Datum 1983.

(b) *Definition.* (1) *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 COTP, in the enforcement of regulated navigation areas, safety zones, and security zones.

(2) [Reserved]

(c) *Regulations.* (1) Vessel should not commence an inbound, shift, or outbound transit during periods where visibility is less than one nautical mile due to fog or inclement weather.

(2) The COTP may open or close Tampa Bay or specific zones to vessel traffic described in the regulated areas section of this chapter.

[USCG-2014-0764, 80 FR 36716, June 26, 2015]

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§165.783 Safety Zone; firework displays in Captain of the Port Zone St. Petersburg, Florida.

(a) *Regulated area.* The following area is established as a safety zone during the specified conditions: All waters within the Sector St. Petersburg COTP Zone up to a 500-yard radius of all firework platforms, structures or barges during the storage, preparation, and launching of fireworks. Designated representatives may reduce the 500-yard zone based on prevailing conditions and enforcement needs.

(1) The Coast Guard realizes that some large scale events, such as those with many participants or spectators, or those that could severely restrict navigation or pose a significant hazard, may still require separate special local regulations or safety zones that address the specific peculiarities of the event. In those situations, the Coast Guard will create special local regulations or safety zones specifically for the event. Those regulations will supersede the regulations in this section.

(2) All firework platforms, structures or barges will also have a sign on their port and starboard side labeled "FIREWORKS—STAY AWAY". This sign will consist of 10-inch high by 1.5-inch wide red lettering on a white background. Shore fireworks site that affect navigable waterways will display a sign with the aforementioned specifications.

(b) *Definitions.*

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 COTP, in the enforcement of regulated navigation areas, safety zones, and security zones.

Captain of the Port (COTP) for the purpose of this section means the Commanding Officer of Coast Guard Sector St. Petersburg.

Captain of the Port St. Petersburg Zone is defined in 33 CFR 3.35-35.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Coast Guard Captain of the Port St. Petersburg or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain in the regulated area may contact the Captain of the Port St. Petersburg via telephone at (727)-824-7506, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain in the regulated area is granted by the Captain of the Port St. Petersburg or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port St. Petersburg or a designated representative.

(3) The Coast Guard will provide notice of the regulated area via Broadcast Notice to Mariners or by on-scene designated representatives. Fireworks platforms, piers, and structures will also have signs to notify the public of the danger and to keep away.

(4) This section does not apply to authorized law enforcement agencies operating within the regulated area.

[USCG-2014-0764, 80 FR 36716, June 26, 2015]

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§165.784 Safety Zone, Schuylkill River; Philadelphia, PA

(a) *Location.* The following area is a safety zone: All waters of the Schuylkill River in Philadelphia, PA, inside a boundary described as originating from 39°54'50" N., 075°12'12" W.; then West to 39°54'50" N., 075°12'15" W.; then Northeast to 39°55'10" N., 075°12'05" W.; the East to 39°55'10" N., 075°12'04" W.; then back to 39°54'50" N., 075°12'12" W.

(b) *Enforcement period.* (1) This regulation is enforced during times when a barge having a beam (width) of up to 80 feet is moored at the Deloach dock of Philadelphia Energy Solutions near Point Breeze.

(2) Prior to commencing enforcement of this regulation, the COTP or designated on-scene patrol personnel will notify the public whenever the regulation is being enforced, to include dates and times. The means of notification may include, but are not limited to, Broadcast Notice to Mariners, Local Notice to Mariners, Marine Safety Information Bulletins, or other appropriate means.

(c) *Regulations.* (1) All persons are required to comply with the general regulations governing safety zones in 33 CFR 165.23.

(2) All persons and vessels transiting through the Safety Zone must be authorized by the Captain of the Port or his representative.

(3) All persons or vessels wishing to transit through the Safety Zone must request authorization to do so from the Captain of the Port or his representative 30 minutes prior to the intended time of transit.

(4) Vessels granted permission to transit must do so in accordance with the directions provided by the Captain of the Port or his representative to the vessel.

(5) To seek permission to transit the Safety Zone, the Captain of the Port or his representative can be contacted via Sector Delaware Bay Command Center (215) 271-4940.

(6) This section applies to all vessels wishing to transit through the Safety Zone except vessels that are engaged in the following operations:

- (i) Enforcing laws;
- (ii) Servicing aids to navigation; and
- (iii) Emergency response vessels.

(7) No person or vessel may enter or remain in a safety zone without the permission of the Captain of the Port;

(8) Each person and vessel in a safety zone shall obey any direction or order of the Captain of the Port;

(9) No person may board, or take or place any article or thing on board, any vessel in a safety zone without the permission of the Captain of the Port; and

(10) No person may take or place any article or thing upon any waterfront facility in a safety zone without the permission of the Captain of the Port.

(d) *Definitions.* The Captain of the Port means the Commander of Sector Delaware Bay or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to act on his behalf.

(e) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the Safety Zone by Federal, State, and local agencies.

[USCG-2015-0094, 80 FR 52626, Sept. 1, 2015]

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§165.785 Security Zone; Presidential Security Zone, Palm Beach, FL.

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

(1) *Center zone.* All waters of Lake Worth Lagoon from surface to bottom within the following points: Beginning at Point 1 in position 26°41'21" N, 80°02'39" W; thence east to Point 2 in position 26°41'21" N, 80°02'13" W; thence south following the shoreline to Point 3 in position 26°39'58" N, 80°02'20" W; thence west to Point 4 in position 26°39'58" N, 80°02'38" W, thence back to origin at Point 1.

(2) *West zone.* All waters of Lake Worth Lagoon from surface to bottom within the following points: Beginning at Point 1 in position 26°41'21" N, 80°02'39" W; thence west to Point 2 in position 26°41'21" N, 80°03'00" W; thence south following the shoreline to Point 3 in position 26°39'58" N, 80°02'55" W; thence east to Point 4 in position 26°39'58" N, 80°02'38" W, thence back to origin at Point 1.

(3) *East zone.* All waters of the Atlantic Ocean from surface to bottom within the following points: Beginning at Point 1 in position 26°41'21" N, 80°02'01" W; thence south following the shoreline to Point 2 in position 26°39'57" N, 80°2'09" W; thence east to Point 3 in position 26°39'57" N, 80°01'36" W; thence north to Point 4 in position 26°41'22" N, 80°01'29" W, thence back to origin at Point 1.

(b) *Definition.* The term "designated representative" means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, as well as Federal, state, and local officers designated by or assisting the COTP Miami with enforcing the security zone.

(c) *Regulations*—(1) *Center zone*. All persons and vessels are prohibited from entering, transiting, anchoring in, or remaining within the security zone unless authorized by the COTP Miami or a designated representative.

(2) *West zone*. All persons and vessels are required to transit the security zone escorted by an on-scene designated representative at a steady speed and may not slow down or stop except in the case of unforeseen mechanical failure or other emergency. Any persons or vessels forced to slow or stop in the zone shall immediately notify the COTP Miami via VHF channel 16.

(3) *East zone*. All persons and vessels are required to transit the security zone at a steady speed and may not slow down or stop except in the case of unforeseen mechanical failure or other emergency. Any persons or vessels forced to slow or stop in the zone shall immediately notify the COTP Miami via VHF channel 16.

(4) *Contacting Captain of the Port*. Persons who must notify or request authorization from the COTP Miami may do so by telephone at (305)535-4472 or may contact a designated representative via VHF radio on channel 16. If authorization to enter, transit through, anchor in, or remain within the security zone is granted by the COTP Miami or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the COTP Miami or the designated representative.

(d) *Enforcement period*. This section will be enforced when the President of the United States, members of the First Family, or other persons under the protection of the Secret Service are present or expected to be present at the Mar-a-Lago Club in Palm Beach, Florida. The Coast Guard will rely on the methods described in §165.7 to notify the public prior to activation of any of the security zones described in paragraph (a) of this section. Coast Guard patrol assets will also be on-scene with flashing energized blue lights when the center, west, or east security zone is in effect.

[USCG-2017-0016, 83 FR 17298, Apr. 19, 2018]

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§165.786 Safety Zone; recurring marine events, Sector Key West, Florida.

(a) *Regulations*. (1) In accordance with 33 CFR 165.23, entering, transiting through, anchoring in, or remaining within the safety zones listed in the Table to §165.786 during periods of enforcement is prohibited unless authorized by the Captain of the Port (COTP) Sector Key West or a designated representative.

(2) These regulations will be enforced for the duration of each event. Notifications of exacts dates and times of the enforcement period will be made to the local maritime community through the Local Notice to Mariners and Broadcast Notice to Mariners and through a Notice of Enforcement in the FEDERAL REGISTER well in advance of the events. Mariners should consult the FEDERAL REGISTER or their Local Notice to Mariners to remain apprised of schedule their Local Notice to Mariners to remain apprised of schedule or event changes.

(3) During periods of enforcement, upon being hailed by a Coast Guard vessel by siren, radio, flashing light or other means, the operator must proceed as directed.

(4) Vessel operators desiring to enter, transit through, anchor in, or remain within the regulated area during the enforcement period shall contact the COTP Sector Key West or the designated on-scene representative via VHF channel 16 or call the Sector Key West Command Center at (305) 292-8727 to obtain permission.

(b) *Definition*. The term “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 COTP Key West in the enforcement of the regulated areas.

(c) The COTP Key West or designated representative may delay or terminate any event in this subpart at any time to ensure safety of life or property. Such action may be justified as a result of weather, traffic density, spectator operation, or participant behavior.

(d) The regulated area for all marine events listed in Table 1 of §165.786 is that area of navigable waters within 50 yards in front of the lead safety vessel preceding the first event participants, 50 yards behind the safety vessel trailing the last event participants, and at all times extend 100 yards on either side of safety vessels.

TABLE TO §165.786

[Datum NAD 1983]

4.0	APRIL
4.1 Key West Paddle Board Classic	Event Type: Paddle Event.
	Sponsor: Lazy Dog Adventure Outfitters.
	Dates: A one day event held on the last weekend in April.
	Time (Approximate): 9:00 a.m. to 4:00 p.m., daily.

	Location(s): Begins at Higgs Beach in Key West, Florida at a point Latitude 24°32.81' N, longitude 081°47.20' W, thence west offshore of Fort Zach State Park to latitude 24°32.72' N, longitude 081°48.77' W, thence north through Key West Harbor to latitude 24°34.10' N, longitude 081°48.14' W, thence east through Fleming Cut to latitude 24°34.42' N, longitude 081°45.08' W, south on Cow Key Channel to latitude 24°33.04' N, longitude 081°44.98' W, and thence west to point of origin at latitude 24°32.81' N, longitude 081°47.20' W.
6.0	JUNE
6.1 FKCC Swim Around Key West	Event Type: Swim Event.
	Sponsor: Florida Keys Community College.
	Dates: A one day event held on a Saturday in June.
	Time (Approximate): 7:30 a.m. to 4:00 p.m.
	Location(s): Begins at Smathers Beach in Key West, Florida at a point Latitude 24°33.01' N, longitude 081°46.47' W, thence west offshore of Fort Zach State Park to latitude 24°32.72' N, longitude 081°48.77' W, thence north through Key West Harbor to latitude 24°34.10' N, longitude 081°48.14' W, thence east through Fleming Cut to latitude 24°34.42' N, longitude 081°45.08' W, south on Cow Key Channel to latitude 24°33.04' N, longitude 081°44.98' W, and thence west to point of origin at latitude 24°33.01' N, longitude 081°46.47' W.
6.2 Annual Swim Around Key West	Event Type: Swim Event.
	Sponsor: Key West Athletic Association.
	Dates: A one day event held on a Saturday in June.
	Time (Approximate): 7:30 a.m. to 4:00 p.m.
	Location(s): Begins at Smathers Beach in Key West, Florida at a point Latitude 24°33.01' N, longitude 081°46.47' W, thence west offshore of Fort Zach State Park to latitude 24°32.72' N, longitude 081°48.77' W, thence north through Key West Harbor to latitude 24°34.10' N, longitude 081°48.14' W, thence east through Fleming Cut to latitude 24°34.42' N, longitude 081°45.08' W, south on Cow Key Channel to latitude 24°33.04' N, longitude 081°44.98' W, and thence west to point of origin at latitude 24°33.01' N, longitude 081°46.47' W.
7.0	JULY
7.1 Hemingway Paddle Board Race	Event Type: Paddle Event.
	Sponsor: Hemingway Sunset Run LLC.
	Dates: A one day event held on the 2nd or 3rd Saturday in July.
	Time (Approximate): 6:00 p.m. to 7:30 p.m.
	Location(s): Begins at Higgs Beach in Key West, Florida at a point Latitude 24°32.79' N, longitude 081°47.74' W, thence east to latitude 24°32.56' N, longitude 081°47.11' W, thence east to latitude 24°33.01' N, longitude 081°46.47' W, thence west to latitude 24°32.56' N, longitude 081°47.11' W, and thence west to point of origin at latitude 24°32.79' N, longitude 081°47.74' W.
9.0	SEPTEMBER
9.1 Swim for Alligator Lighthouse	Event Type: Swim Event.
	Sponsor: Friends of the Pool.
	Dates: A one day event held on the 3rd Saturday in September.
	Time (Approximate): 7:30 a.m. to 4:30 p.m.
	Location(s) (Primary): Beginning at a point Latitude 24°54.82' N, longitude 080°38.03' W, thence to latitude 24°54.36' N, longitude 080°37.72' W, thence to latitude 24°51.07' N, longitude 080°37.14' W, thence to latitude 24°54.36' N, longitude 080°37.72' W, thence to point of origin at latitude 24°54.82' N, longitude 080°38.03' W. Location(s) (Alternate) ¹ : Beginning at a point Latitude 24°54.82' N, longitude 080°38.03' W, thence to latitude 24°53.25' N, longitude 080°37.04' W, thence to latitude 24°52.05' N, longitude 080°38.85' W, thence to latitude 24°54.36' N, longitude 080°37.72' W, thence to point of origin at latitude 24°54.82' N, longitude 080°38.03' W.

[USCG-2017-0159, 83 FR 16782, Apr. 17, 2018]

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EIGHTH COAST GUARD DISTRICT

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§165.T08-0914 Safety Zone; Taylor Bayou Turning Basin, Port Arthur, TX.

(a) *Location.* The following area is a safety zone: Navigable waters of Taylor Bayou Turning Basin north of latitude 29°50'57.45' N. These coordinates are based on WGS 84.

(b) *Definition.* As used in this section, a *designated representative* means a Coast Guard coxswain, officer or petty officer, or a federal, state or local officer designated by or assisting the Captain of the Port Marine Safety Unit Port Arthur (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in §165.23 of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or a designated representative.

(2) To request permission to enter, contact COTP or a designated representative on VHF-FM channel 16, or contact Vessel Traffic Service (VTS) Port Arthur on VHF-FM channel 65A or by telephone at 409-719-5070. Those persons or vessels permitted to enter the safety zone must comply with all lawful directions given by the COTP or a designated representative.

(d) *Enforcement date.* This rule is effective without actual notice from July 18, 2018 through January 31, 2023. For the purposes of enforcement, actual notice will be used from July 11, 2018 through July 18, 2018.

EFFECTIVE DATE NOTE: By USCG-2017-0914, 83 FR 33844, July 18, 2018, §165.T08-0914 was added, effective July 18, 2018 through Jan. 31, 2023.

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§165.T08-0994 Security Zone; Mississippi River, New Orleans, LA.

(a) *Location.* Lower Mississippi River, from mile marker 90.0 to mile marker 106.0 above head of passes, extending 100 yards in all directions of escorted vessels.

(b) *Effective date.* This rule is effective in the FEDERAL REGISTER on February 10, 2014 and effective with actual notice for purposes of enforcement on December 31, 2013 through April 14, 2014.

(c) *Periods of enforcement.* This rule will be enforced during vessel escorts performed by Coast Guard assets or other Federal, State or local law enforcement agency assets clearly identified by lights, vessel markings, or agency insignia. The Captain of the Port (COTP) New Orleans or a COTP New Orleans designated representative will inform the public through broadcast notices to mariners of security zone enforcement periods as well as any changes that may occur.

(d) *Regulations.* (1) In accordance with the general regulations in §165.33 of this part, remaining in, entry into, or transiting within this security zone is prohibited. Section §165.33 also contains other general requirements.

(2) Vessels requiring deviation from this rule must request permission from the COTP New Orleans through the on-scene Coast Guard or other agency asset, via VHF Ch. 67.

(i) Requests for deviation may include requests to enter, remain in, or transit through certain parts of the security zone. If a deviation from the rule results in permission to enter, remain in, or transit through the security zone, all vessels shall operate at the minimum speed necessary to maintain a safe course, unless required to maintain speed by the Navigation Rules, and shall proceed as directed by the Coast Guard.

(ii) If authorized to operate within the security zone, no vessel or person is allowed within 50 yards of the escorted vessel. A specific request for deviation from this rule to operate within 50 yards of the escorted vessels must be requested and will be considered on a case-by-case basis by the COTP New Orleans.

(3) All persons and vessels shall comply with the instructions of the COTP New Orleans and designated personnel. Designated personnel include commissioned, warrant and petty officers of the U.S. Coast Guard, and local, state, and federal law enforcement officers on clearly identified law enforcement agency vessels.

(4) *Informational broadcasts.* The Captain of the Port or a designated representative will inform the public through marine safety information bulletins or broadcast notices to mariners of the enforcement of the security zone.

[USCG-2013-0994, 79 FR 7587, Feb. 10, 2014]

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§165.T08-0998 Safety Zone; Pensacola Bay, Pensacola, FL.

(a) *Location.* The following area is a temporary safety zone: All navigable waters of the Pensacola Bay within 500 yards of the construction of the new Pensacola Bay Bridge.

(b) *Enforcement period.* This section will be enforced from February 7, 2018 through December 31, 2020.

(c) *Regulations.* In accordance with the general regulations in §165.23, persons and vessels entering this safety zone must transit at idle or the slowest safe speed and comply with all lawful directions issued by the Captain of the Port Sector Mobile (COTP) or a designated representative.

(d) *Informational broadcasts.* The COTP or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the temporary safety zone as well as any changes in the planned schedule.

EFFECTIVE DATE NOTE: At 83 FR 6968, Feb. 16, 2018, temporary §165.T08-0998 was added, effective from Feb. 16, 2018, until Dec. 31, 2020.

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§165.801 Annual fireworks displays and other events in the Eighth Coast Guard District requiring safety zones.

[Link to an amendment published at 83 FR 55490, Nov. 6, 2018.](#)

The Coast Guard is establishing safety zones for the annual fireworks displays and other events requiring safety zones listed in the table to §165.801.

(a) In accordance with the general regulations in §165 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port or a designated representative.

(b) Persons or vessels desiring to enter into or passage through the zone must request permission from the Captain of the Port or a designated representative.

(c) If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or designated representative. Designated representatives include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(d) *Informational broadcasts:* The Captain of the Port or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zone as well as any changes in the planned schedule.

TABLE 1 OF §165.801—SECTOR OHIO VALLEY ANNUAL AND RECURRING SAFETY ZONES

Date	Sponsor/name	Sector Ohio Valley location	Safety zone
1. Multiple days—April through November	Pittsburgh Pirates/Pittsburgh Pirates Fireworks	Pittsburgh, PA	Allegheny River, Mile 0.2-0.9 (Pennsylvania).
2. Multiple days—April through November	Cincinnati Reds/Cincinnati Reds Season Fireworks	Cincinnati, OH	Ohio River, Mile 470.1-470.4; extending 500 ft. from the State of Ohio shoreline (Ohio).
3. 2 days—Third Friday and Saturday in April	Thunder Over Louisville/Thunder Over Louisville	Louisville, KY	Ohio River, Mile 601.0-607.0 (Kentucky).
4. Last Sunday in May	Friends of Ironton	Ironton, OH	Ohio River, Mile 326.7-327.7 (Ohio).
5. 1 day—A Saturday in July	Paducah Parks and Recreation Department/Cross River Swim	Paducah, KY	Ohio River, Mile 934.0-936.0 (Kentucky).
6. 1 day—First or second weekend in June	Bellaire All-American Days	Bellaire, OH	Ohio River, Mile 93.5-94.5 (Ohio).
7. 2 days—Second weekend of June	Rice's Landing Riverfest	Rices Landing, PA	Monongahela River, Mile 68.0-68.8 (Pennsylvania).
8. 1 day—One weekend in June	West Virginia Symphony Orchestra/Symphony Sunday	Charleston, WV	Kanawha River, Mile 59.5-60.5 (West Virginia).
9. 1 day—Saturday before 4th of July	Riverfest/Riverfest Inc.	Nitro, WV	Kanawha River, Mile 43.1-44.2 (West Virginia).
10. 1 day—First week or weekend in July	Greenup City	Greenup, KY	Ohio River, Mile 335.2-336.2 (Kentucky).
11. 1 day—First week or weekend in July	Middleport Community Association	Middleport, OH	Ohio River, Mile 251.5-252.5 (Ohio).
12. 1 day—First week or weekend in July	People for the Point Party in the Park	South Point, OH	Ohio River, Mile 317-318 (Ohio).
13. 1 day—Last weekend in June or first weekend in July	Riverview Park Independence Festival	Louisville, KY	Ohio River, Mile 617.5-620.5 (Kentucky).
14. 1 day—Third or fourth week in July	Upper Ohio Valley Italian Heritage Festival/Upper Ohio Valley Italian Heritage Festival Fireworks	Wheeling, WV	Ohio River, Mile 90.0-90.5 (West Virginia).
15. 1 day—4th or 5th of July	City of Cape Girardeau July 4th Fireworks Show on the River	Cape Girardeau, MO	Upper Mississippi River, Mile 50.0-52.0.
16. 1 day—Third or fourth of July	Harrah's Casino/Metropolis Fireworks	Metropolis, IL	Ohio River, Mile 942.0-945.0 (Illinois).
17. 1 day—During the first week of July	Louisville Bats Baseball Club/Louisville Bats Firework Show	Louisville, KY	Ohio River, Mile 602.0-605.0 (Kentucky).
18. 1 day—During the first week of July	Waterfront Independence Festival/Louisville Orchestra Waterfront 4th	Louisville, KY	Ohio River, Mile 602.0-605.0 (Kentucky).
19. 1 day—During the first week of July	Celebration of the American Spirit Fireworks/All American 4th of July	Owensboro, KY	Ohio River, Mile 754.0-760.0 (Kentucky).
20. 1 day—During the first week of July	Riverfront Independence Festival Fireworks	New Albany, IN	Ohio River, Mile 606.5-609.6 (Indiana).
21. 1 day—July 4th	Shoals Radio Group/Spirit of Freedom Fireworks	Florence, AL	Tennessee River, Mile 254.5-257.4 (Alabama).
22. 1 day—Saturday before July 4th	Town of Cumberland City/Lighting up the Cumberland	Cumberland City, TN	Cumberland River, Mile 103.0-105.5 (Tennessee).
23. 1 day—July 4th	City of Knoxville/Knoxville Festival on the 4th	Knoxville, TN	Tennessee River, Mile 646.3-648.7 (Tennessee).
24. 1 day—July 4th	Nashville NCVC/Independence Celebration	Nashville, TN	Cumberland River, Mile 189.7-192.3 (Tennessee).
25. 1 day—Saturday before July 4th, or Saturday after July 4th	Grand Harbor Marina/Grand Harbor Marina July 4th Celebration	Counce, TN	Tennessee-Tombigbee Waterway, Mile 448.5-451.0 (Tennessee).
26. 1 day—One of the first two weekends in July	City of Bellevue, KY/Bellevue Beach Park Concert Fireworks	Bellevue, KY	Ohio River, Mile 468.2-469.2 (Kentucky and Ohio).
27. 2 days—Sunday before Labor Day and Labor Day	Cincinnati Bell, WEBN, and Proctor and Gamble/Riverfest	Cincinnati, OH	Ohio River, Mile 469.2-470.5 (Kentucky and Ohio) and Licking River Mile 0.0-3.0 (Kentucky).
28. 1 day—July 4th	Summer Motions Inc./Summer Motion	Ashland, KY	Ohio River, Mile 322.1-323.1 (Kentucky).
29. 1 day—Last weekend in June or First weekend in July	City of Point Pleasant/Point Pleasant Sternwheel Fireworks	Point Pleasant, WV	Ohio River, Mile 265.2-266.2, Kanawha River Mile 0.0-0.5 (West Virginia).
30. 1 day—First week or weekend in July	City of Charleston/City of Charleston Independence Day Celebration	Charleston, WV	Kanawha River, Mile 58.1-59.1 (West Virginia).
31. 1 day—First week or weekend in July	Portsmouth River Days	Portsmouth, OH	Ohio River, Mile 355.5-356.5 (Ohio).
32. 1 day—Second Saturday in August	Guyasuta Days Festival/Borough of Sharpsburg	Pittsburgh, PA	Allegheny River, Mile 005.5-006.0 (Pennsylvania).
33. 1 day—Second or third week of August	Pittsburgh Foundation/Bob O'Connor Cookie Cruise	Pittsburgh, PA	Ohio River, Mile 0.0-0.5 (Pennsylvania).
34. 1 day—Second full week of August	PA FOB Fireworks Display	Pittsburgh, PA	Allegheny River, Mile 0.8-1.0 (Pennsylvania).
35. 1 day—Third week of August	Beaver River Regatta Fireworks	Beaver, PA	Ohio River, Mile 25.2-25.8 (Pennsylvania).
36. 1 day—December 31	Pittsburgh Cultural Trust/Highmark First Night Pittsburgh	Pittsburgh, PA	Allegheny River Mile, 0.5-1.0 (Pennsylvania).
37. 1 day—Friday before Thanksgiving	Pittsburgh Downtown Partnership/Light Up Night	Pittsburgh, PA	Allegheny River, Mile 0.0-1.0 (Pennsylvania).

38. Multiple days—April through November	Pittsburgh Riverhounds/Riverhounds Fireworks	Pittsburgh, PA	Monongahela River, Mile 0.22-0.77 (Pennsylvania).
39. 3 days—One of the last three weekends in June	Hadi Shrine/Evansville Freedom Festival Air Show	Evansville, IN	Ohio River, Miles 790.0-796.0 (Indiana).
40. 1 day—Second or third Saturday in June, the last day of the Riverbend Festival	Friends of the Festival, Inc./Riverbend Festival Fireworks	Chattanooga, TN	Tennessee River, Mile 462.7-465.2 (Tennessee).
41. 2 days—Second Friday and Saturday in June	City of Newport, KY/Italianfest	Newport, KY	Ohio River, Miles 468.6-471.0 (Kentucky and Ohio).
42. 1 day—Last weekend in June or first weekend in July	City of Aurora/Aurora Firecracker Festival	Aurora, IN	Ohio River Mile, 496.7; 1400 ft. radius from the Consolidated Grain Dock located along the State of Indiana shoreline at (Indiana and Kentucky).
43. 1 day—second weekend in June	City of St. Albans/St. Albans Town Fair	St. Albans, WV	Kanawha River, Mile 46.3-47.3 (West Virginia).
44. 1 day—Last week of June or first week of July	PUSH Beaver County/Beaver County Boom	Beaver, PA	Ohio River, Mile 25.2-25.6 (Pennsylvania).
45. 1 day—4th of July (Rain date—July 5th)	Monongahela Area Chamber of Commerce/Monongahela 4th of July Celebration	Monongahela, PA	Monongahela River, Mile 032.0-033.0 (Pennsylvania).
46. 1 day—Saturday Third or Fourth full week of July (Rain date—following Sunday)	Oakmont Yacht Club/Oakmont Yacht Club Fireworks	Oakmont, PA	Allegheny River, Mile 12.0-12.5 (Pennsylvania).
47. 1 day—Week of July 4th	EQT 4th of July Celebration	Pittsburgh, PA	Ohio River, Mile 0.0-0.5, Allegheny River, Mile 0.0-0.5, and Monongahela River, Mile 0.0-0.5 (Pennsylvania).
48. 1 day—3rd or 4th of July	City of Paducah, KY	Paducah, KY	Ohio River, Mile 934.0-936.0; Tennessee River, mile 0.0-1.0 (Kentucky).
49. 1 day—3rd or 4th of July	City of Hickman, KY	Hickman, KY	Lower Mississippi River, Mile 921.0-923.0 (Kentucky).
50. 1 day—Last weekend in June or first week in July	Evansville Freedom Celebration/4th of July Fireworks	Evansville, IN	Ohio River, Miles 790.0-796.0 (Indiana).
51. 1 day—One of the first two weekends in July	Madison Regatta, Inc./Madison Regatta	Madison, IN	Ohio River, Miles 554.0-561.0 (Indiana).
52. 1 day—July 4th	Cities of Cincinnati, OH and Newport, KY/July 4th Fireworks	Newport, KY	Ohio River, Miles 469.6-470.2 (Kentucky and Ohio).
53. 2 days—One weekend in July	Marietta Riverfront Roar Fireworks	Marietta, OH	Ohio River, Mile 171.6-172.6 (Ohio).
54. 1 day—First week or weekend in July	Gallia County Chamber of Commerce/Gallipolis River Recreation Festival	Gallipolis, OH	Ohio River, Mile 269.5-270.5 (Ohio).
55. 1 day—First week or weekend in July	Kindred Communications/Dawg Dazzle	Huntington, WV	Ohio River, Mile 307.8-308.8 (West Virginia).
56. Multiple days—September through January	University of Pittsburgh Athletic Department/University of Pittsburgh Fireworks	Pittsburgh, PA	Ohio River mile 0.0-0.1, Monongahela River mile 0.0-0.1, Allegheny River mile 0.0-0.25 (Pennsylvania).
57. Sunday, Monday, or Thursday from August through February	Pittsburgh Steelers Fireworks	Pittsburgh, PA	Allegheny River mile 0.0-0.25, Ohio River mile 0.0-0.1, Monongahela River mile 0.0-0.1.
58. 3 days—Third week in September	Wheeling Heritage Port Sternwheel Festival Foundation/Wheeling Heritage Port Sternwheel Festival	Wheeling, WV	Ohio River, Mile 90.2-90.7 (West Virginia).
59. 1 day—One weekend in September	Ohio River Sternwheel Festival Committee fireworks	Marietta, OH	Ohio River, Mile 171.5-172.5 (Ohio).
60. 1 day—Second weekend of October	Leukemia and Lymphoma Society/Light the Night Walk Fireworks	Nashville, TN	Cumberland River, Mile 189.7-192.1 (Tennessee).
61. 1 day—One weekend in October	West Virginia Motor Car Festival	Charleston, WV	Kanawha River, Mile 58-59 (West Virginia).
62. 1 day—Friday before Thanksgiving	Kittanning Light Up Night Firework Display	Kittanning, PA	Allegheny River, Mile 44.5-45.5 (Pennsylvania).
63. 1 day—First week in October	Leukemia & Lymphoma Society/Light the Night	Pittsburgh, PA	Ohio River, Mile 0.0-0.4 (Pennsylvania).
64. 1 day—Friday before Thanksgiving	Duquesne Light/Santa Spectacular	Pittsburgh, PA	Monongahela River, Mile 0.00-0.22, Allegheny River, Mile 0.00-0.25, and Ohio River, Mile 0.0-0.3 (Pennsylvania).
65. 1 day—During the first two weeks of July	City of Maysville Fireworks	Maysville, KY	Ohio River, Mile 408-409 (Kentucky).
66. 1 day—Saturday before Memorial Day	Venture Outdoors/Venture Outdoors Festival	Pittsburgh, PA	Allegheny River, Mile 0.0-0.25; Monongahela River, Mile 0.0-0.25 (Pennsylvania).
67. 1 day—Third Saturday in July	Pittsburgh Irish Rowing Club/St. Brendan's Cup Currach Regatta	Pittsburgh, PA	Ohio River, Mile 7.0-9.0 (Pennsylvania).
68. 1 day—July 4th	Wellsburg 4th of July Committee/Wellsburg 4th of July Freedom Celebration	Wellsburg, WV	Ohio River, Mile 73.5-74.5 (West Virginia).
69. 1 day—Last week in June or first week of July	Newburgh Fireworks Display	Newburgh, IN	Ohio River, Mile 777.3-778.3 (Indiana).
70. 3 days—Third or Fourth weekend in April	Henderson Tri-Fest/Henderson Breakfast Lions Club	Henderson, KY	Ohio River, Mile 802.5-805.5 (Kentucky).
71. 1 day—Third week of November	Gallipolis in Lights	Gallipolis, OH	Ohio River, Mile 269.2-270 (Ohio).
72. 1 day—One weekend in September	Tribute to the River	Point Pleasant, WV	Ohio River, Mile 264.6-265.6 (West Virginia).
73. 1 day—Labor Day or first week of September	Labor Day Fireworks Show	Marmet, WV	Kanawha River, Mile 67.5-68 (West Virginia).
74. 1 day—One weekend in August	Ravenswood River Festival	Ravenswood, WV	Ohio River, Mile 220-221 (West Virginia).
75. 1 day—First weekend or week in July	Queen's Landing Fireworks	Greenup, KY	Ohio River, Mile 339.3-340.3 (West Virginia).
76. 1 day—First weekend in June	Cumberland River Compact/Nashville Splash Bash	Nashville, TN	Cumberland River, Mile 189.7-192.1 (Tennessee).
77. 1 day—Second weekend in September	Nashville Symphony/Concert Fireworks	Nashville, TN	Cumberland River, Mile 190.1-192.3 (Tennessee).
78. 1 day—Second or third weekend in October	Outdoor Chattanooga/Swim the Suck	Chattanooga, TN	Tennessee River, Mile 452.0-454.5 (Tennessee).

79. 1 day—Friday or Saturday after Thanksgiving	Friends of the Festival/Cheer at the Pier	Chattanooga, TN	Tennessee River, Mile 462.7-465.2 (Tennessee).
80. 1 day—July 3rd	Chattanooga Presents/Pops on the River	Chattanooga, TN	Tennessee River, Mile 462.7-465.2 (Tennessee).
81. 7 days—Scheduled home games	University of Tennessee/UT Football Fireworks	Knoxville, TN	Tennessee River, Mile 645.6-648.3 (Tennessee).
82. 1 day—July 3rd	Randy Boyd/Independence Celebration Fireworks Display	Knoxville, TN	Tennessee River, Mile 625.0-628.0 (Tennessee).
83. 1 day—Second weekend in September	City of Clarksville/Clarksville Riverfest	Clarksville, TN	Cumberland River, Mile 124.5-127.0 (Tennessee).
84. 1 day—Fourth weekend in October	Chattajack	Chattanooga, TN	Tennessee River, Mile 462.7-465.5 (Tennessee).
85. 1 day—First week in May	Belterra Park Gaming Fireworks	Cincinnati, OH	Ohio River, Mile 460.0-462.0 (Ohio).
86. 1 day—First week of July	Cincinnati Symphony Orchestra	Cincinnati, OH	Ohio River, Mile 460.0-462.0 (Ohio).
87. 1 day—First week in August	Gliers Goetta Fest LLC	Newport, KY	Ohio River, Mile 469.0-471.0.
88. 1 day—last 2 weekends in August/first week of September	Wheeling Dragon Boat Race	Wheeling, WV	Ohio River mile 90.4-91.5 (West Virginia).
89. 1 day—week of July 4th	Wheeling Symphony fireworks	Wheeling, WV	Ohio River mile 90-92 (West Virginia).
90. 1 day—week of July 4th	Chester Fireworks	Chester, WV	Ohio River mile 42.0-44.0 (West Virginia).
91. 1 day—First week of August	Kittanning Folk Festival	Kittanning, PA	Allegheny River mile 44.0-46.0 (Pennsylvania).
92. 2 days—One weekend in August	Powerboat Nationals-Parkersburg Regatta/Parkersburg Homecoming Festival	Parkersburg, WV	Ohio River mile 183.5-185.5 (West Virginia).
93. 1 day—One weekend in August	Parkersburg Homecoming Festival-Fireworks	Parkersburg, WV	Ohio River mile 183.5-185.5 (West Virginia).

TABLE 2 OF \$165.801—SECTOR UPPER MISSISSIPPI RIVER ANNUAL AND RECURRING SAFETY ZONES

Date	Sponsor/name	Sector Upper Mississippi River location	Safety zone
1. 1 day—4th weekend in July	Marketing Minneapolis LLC/Target Aquatennial Fireworks	Minneapolis, MN	Upper Mississippi River mile marker 853.2 to 854.2.
2. 1 day—4th of July weekend	Radio Dubuque/Radio Dubuque Fireworks and Air show	Dubuque, IA	Upper Mississippi River mile marker 581.0 to 583.0.
3. 1 day—2nd weekend of June	City of Champlin/Father Hennepin Fireworks Display	Champlin, MN	Upper Mississippi River mile marker 870.5 to 872.0.
4. 1 day—4th of July weekend	Downtown Main Street/Mississippi Alumination	Red Wing, MN	Upper Mississippi River mile marker 790.8 to 791.2.
5. 1 day—4th of July weekend	Tan-Tar-A Resort/Tan-Tar-A 4th of July Fireworks	Lake of the Ozarks, MO	Lake of the Ozarks mile marker 025.8 to 026.2.
6. 1 day—1st weekend of September	Tan-Tar-A Resort/Tan-Tar-A Labor Day Fireworks	Lake of the Ozarks, MO	Lake of the Ozarks mile marker 025.8 to 026.2.
7. 1 day—Last Sunday in May	Tan-Tar-A Resort/Tan-Tar-A Memorial Day fireworks	Lake of the Ozarks, MO	Lake of the Ozarks mile marker 025.8 to 026.2.
8. 1 day—4th of July weekend	Lake City Chamber of Commerce/Lake City 4th of July Fireworks	Lake City, MN	Upper Mississippi River mile marker 772.4 to 772.8.
9. 1 day—4th of July weekend	Greater Muscatine Chamber of Commerce/Muscatine 4th of July	Muscatine, IA	Upper Mississippi River mile marker 455.0 to 456.0.
10. 1 day—Last weekend in June/First weekend in July	Friends of the River Kansas City/KC Riverfest	Kansas City, KS	Missouri River mile marker 364.8 to 365.2.
11. 1 day—4th of July weekend	Louisiana Chamber of Commerce/Louisiana July 4th Fireworks	Louisiana, MO	Upper Mississippi River mile marker 282.0 to 283.0.
12. 1 day—4th of July weekend	Guttenberg Development and Tourism/Stars and Stripes River Day	Guttenberg, IA	Upper Mississippi River mile marker 615.0 to 615.5.
13. 4 days—1st or 2nd week of July	Riverfest, Inc./La Crosse Riverfest	La Crosse, WI	Upper Mississippi River mile marker 697.5 to 698.5 (Wisconsin).
14. 1 day—2nd weekend in July	Prairie du Chien Area Chamber of Commerce/Prairie du Chien Area Chamber Fireworks	Prairie du Chien, WI	Upper Mississippi River mile marker 635.2 to 635.7.
15. 1 day—4th of July weekend	JMP Radio/Red White and Boom Peoria	Peoria, IL	Illinois River mile marker 162.5 to 162.1.
16. 1 day—Last weekend in June/First weekend in July	Hudson Boosters/Hudson Booster Days	Hudson, WI	St. Croix River mile marker 016.8 to 017.2.
17. 2 days—4th of July weekend	City of St. Charles/St. Charles Riverfest	St. Charles, MO	Missouri River mile marker 028.2 to 028.8.
18. 1 day—4th of July weekend	Minneapolis Park and Recreation Board/Red, White, and Boom Minneapolis	Minneapolis, MN	Upper Mississippi River mile marker 853.5 to 854.5.
19. 1 day—4th of July weekend	Davenport One Chamber/Red White and Boom	Davenport, IA	Upper Mississippi River mile marker 482.0 to 482.7.
20. 2 days—3rd weekend of July	Amelia Earhart Festival Committee/Amelia Earhart Festival	Kansas City, KS	Missouri River mile marker 422.0 to 424.5.
21. 1 day—4th of July weekend	Alton Exposition Commission/Mississippi Fireworks Festival	Alton, IL	Upper Mississippi River mile marker 202.5 to 203.0.
22. 1 day—3rd Sunday in June	Burlington Steamboat Days/Burlington Steamboat Days	Burlington, IA	Upper Mississippi River mile marker 403.5 to 404.5.
23. 1 day—Last Sunday in May	Lodge of the Four Seasons/Lodge of the Four Seasons Memorial Day Fireworks	Lake of the Ozarks, MO	Lake of the Ozarks mile marker 013.8 to 014.2.
24. 1 day—First weekend of September	Lodge of the Four Seasons/Labor Day Fireworks	Lake of the Ozarks, MO	Lake of the Ozarks mile marker 013.8 to 014.2.
25. 1 day—4th of July weekend	Lodge of the Four Seasons/Lodge of the Four Seasons 4th of July	Lake of the Ozarks, MO	Lake of the Ozarks mile marker 013.8 to 014.2.
26. 2 days—3rd weekend in July	Hasting Riverboat Days/Rivertown Days	Hasting, MN	Upper Mississippi River mile marker 813.7 to 815.2.

27. 1 day—Sunday of Father's Day weekend	Winona Steamboat Days/Winona Steamboat Days Fireworks	Winona, MN	Upper Mississippi River mile marker 725.4 to 725.7.
28. 3 days—4th of July weekend	Fair of St. Louis/Fair St. Louis	St. Louis, MO	Upper Mississippi River mile marker 179.2 to 180.0.
29. 1 day—Last weekend in June/First weekend in July	Bellevue Heritage Days/Bellevue Heritage Days	Bellevue, IA	Upper Mississippi River mile marker 556.0 to 556.5.
30. 1 day—4th of July weekend	Main Street Parkway Association/Parkville 4th of July Fireworks	Parkville, MO	Missouri River mile marker 378.0 to 377.5.
31. 1 day—4th of July weekend	Hermann Chamber of Commerce/Hermann 4th of July	Hermann, MO	Missouri River mile marker 097.0 to 098.0 (Missouri).
32. 1 day—4th of July weekend	Grafton Chamber of Commerce/Grafton Chamber 4th of July Fireworks	Grafton, IL	Illinois River mile marker 001.5 to 000.5 (Illinois).
33. 1 day—4th of July weekend	Salute to America Foundation, Inc./Salute to America	Jefferson City, MO	Missouri River mile marker 143.5 to 143.0 (Missouri).
34. 1 day—4th of July weekend	McGregor/Marquette Chamber Commerce/Independence Day Celebration	McGregor, IA	Upper Mississippi River mile marker 635.7 to 634.2.
35. 2 days—2nd weekend in August	Tug Committee/Great River Tug	Port Byron, IL	Upper Mississippi River mile marker 497.2 to 497.6 (Illinois).
36. 1 day—4th of July weekend	City of Stillwater/St. Croix Events/Stillwater 4th of July	Stillwater, MN	St. Croix River mile marker 022.9 to 023.5 (Minnesota).
37. 2 days—3rd weekend of September	Riverside Chamber of Commerce/Riverfest	Riverside, MO	Missouri River mile marker 371.8 to 372.2.
38. 4 days—3rd week of July	St. Croix Events/Lumberjack Days	Stillwater, MN	St. Croix River mile marker 022.9 to 023.5 (Minnesota).
39. 2 days—Weekend that precedes Labor Day Weekend	Lake of the Ozarks Shootout, Inc./Lake of the Ozarks Shootout	Lake of the Ozarks, MO	Lake of the Ozarks mile marker 032.5 to 034.5.
40. 2 days—1st weekend of September	City of Keithsburg/Keithsburg Fireworks Display	Keithsburg, IL	Upper Mississippi River mile marker 427.5 to 427.3.
41. 1 day—4th of July weekend	City of East Moline/City of East Moline Fireworks	East Moline, IA	Upper Mississippi River mile marker 490.2 to 489.8.
42. 2nd Weekend in August	Lansing Lion's Club/Lansing Fish Days Fireworks	Lansing, IA	Upper Mississippi River mile marker 662.8-663.9.
43. 3rd Weekend in August	River Action/Floatzilla	Rock Island, Illinois	Upper Mississippi River mile marker 479.0-486.0.
44. 1 day—Weekend before Thanksgiving	Main Street Parkway Association/Parkville Christmas on the River	Parkville, MO	Missouri River mile marker 377.5 to 378.0.
45. 1 day—4th of July weekend	City of Marquette/Marquette Independence Day Celebration	Marquette, IA	Upper Mississippi River mile marker 634.2 to 635.7.
46. 1 day—1st Weekend in June	St. Louis Brewers Guild Festival Fireworks	St. Louis, MO	Upper Mississippi River mile marker 179.2-180.
47. 1 day—4th Weekend in May	Lumiere Place/Memorial Day Fireworks	St. Louis, MO	Upper Mississippi River mile marker 180-180.5.
48. 1 day—1st Weekend in July	Lumiere Place/4th of July Fireworks	St. Louis, MO	Upper Mississippi River mile marker 180-180.5.
49. 1 day—1st Weekend in September	Lumiere Place/Labor Day Fireworks	St. Louis, MO	Upper Mississippi River mile marker 180-180.5.

TABLE 3 OF §165.801—SECTOR HOUSTON-GALVESTON ANNUAL AND RECURRING SAFETY ZONES

Date	Sponsor/name	Sector Houston-Galveston location	Safety zone
1. 1st Saturday (Rain date is 1st Sunday) in May	RIVERFEST Fireworks Display/Port Neches Chamber of Commerce, Port Neches, TX	Neches River, Port Neches, TX	All waters within a 500-yard radius of the fireworks barge anchored in approximate position 29°59'51" N 093°57'06" W (NAD 83).
2. 2nd Saturday in May	Contraband Days Fireworks Display/Contraband Days Festivities, Inc	Lake Charles, Lake Charles, LA	All waters within a 1000-foot radius of the fireworks barge anchored in approximate position 30°13'39" N, 093°13'42" W, Lake Charles, LA (NAD 83).
3. July 4th night and every Friday night in June and July	Kemah Board Walk Summer Season Fireworks Display, Kemah, TX	Clear Lake, TX	Clear Creek Channel, including the area within an 840-foot radius of the fireworks barge on the south side of the channel, 100 ft off of Kemah Boardwalk in Galveston, TX and an Rectangle extending 500 feet east, 500 feet west; 1000 feet north, and 1000 feet south, centered around fireworks barge at Light 19 on Clear Lake, Houston, TX.
4. July 4th	Sylvan Beach Fireworks	La Porte, TX	Rectangle Extending 250 feet east, 250 feet west; 1000 feet north, and 1000 feet south, centered around fireworks barge located at Sylvan Beach, Houston, TX.
5. July 4th (Rain date July 5th)	City of Beaumont 4th of July Celebration/City of Beaumont, TX	Neches River at Riverfront Park, Beaumont, TX	All waters of the Neches River, shoreline to shoreline, from the Trinity Industries dry dock to the northeast corner of the Port of Beaumont's dock No. 5.
6. 1st Saturday in December	Christmas Fireworks Display/City of Lake Charles, LA	Lake Charles, Lake Charles, LA	All waters within a 1000-foot radius of the fireworks barge anchored in approximate position 30°13'39" N, 093°13'42" W, Lake Charles, LA (NAD 83).
7. 4th of July	Red, White, Blue and You Fireworks Display/City of Lake Charles	Lake Charles, LA	All waters within a 1000-foot radius of the fireworks barge anchored in approximate position 30°13'39" N, 093°13'42" W, Lake Charles, LA (NAD 83).

TABLE 4 OF §165.801—SECTOR CORPUS CHRISTI ANNUAL AND RECURRING SAFETY ZONES

Date	Sponsor/name	Sector Corpus Christi location	Safety zone

1. Memorial Day Weekend	South Padre Island Convention & Visitors Bureau/Laguna Madre Memorial Day Firework	Lower Laguna Madre, South Padre Island, TX	All waters contained within a 1000-ft radius of the fireworks display barge moored at approximate location 26°06'19" N 097°10'55.4" W, South Padre Island, TX.
2. 2nd, 3rd or 4th Monday in June	Cameron County Clerk's Office/Texas District Court Clerk's Convention Fireworks	Lower Laguna Madre, South Padre Island, TX	All waters contained within a 1,000-ft radius of the fireworks display barge moored at approximate position 26°06'19" N 097°10'55.4" W, South Padre Island, TX.
3. July 4th Rain dates of July 5th and July 6th	City of Port Aransas/Port Aransas 4th of July Fireworks	Corpus Christi Ship Channel—Port Aransas, TX	All waters contained within a 600-ft radius of a point halfway between Port Aransas Harbor Day Beacon 2 to Port Aransas Ferry Landing in the Corpus Christi Ship Channel, Port Aransas, TX.
4. July 4th Rain dates of July 5th and July 6th	Buccaneer Commission/4th of July Big Bang Fireworks	USS <i>Lexington</i> /Corpus Christi, TX	All waters contained within a 1,000-ft radius from the bow of the USS <i>Lexington</i> located at approximate position 27°48'50" N 097°23'18.2" W, Corpus Christi, TX.
5. July 4th Rain dates of July 5th and July 6th	City of Port O'Connor Chamber of Commerce/4th of July Fireworks	King Fisher Park, Port O'Connor, TX	All waters contained within a 1,120-ft radius of the furthest extent of the King Fisher Pier located at approximate position 28°27'15.6" N 096°24'11.9" W, Port O'Connor, TX.
6. July 4th Rain dates of July 5th and July 6th	City of Point Comfort/4th of July Fireworks	Bayfront Park, Point Comfort, TX	All waters contained within a 1,000-ft radius of Bayfront Park located at approximate position 28°40'52.8" W 096°33'49.2" W, Point Comfort, TX.
7. July 4th Rain dates of July 5th and July 6th	City of Rockport/Wendell Family Fireworks	Rockport Beach Park/Rockport, TX	All waters contained within a 700-ft radius of the northeast point of Rockport Beach Park located at approximate position 28°02'05.2" N 097°02'048" W, Rockport, TX.
8. Last Saturday in September	Bayfest, Inc./Bayfest Fireworks	USS <i>Lexington</i> /Corpus Christi, TX	All waters contained within a 1,000-ft radius from the bow of the USS <i>Lexington</i> located at approximate position 27°48'50" N 097°23'18.2" W, Corpus Christi, TX.
9. Friday nights from May thru September	Boys & Girls Club of Laguna Madre/Fireworks over the Bay	Lower Laguna Madre, South Padre Island, TX	All waters contained within a 1,000-ft radius of the fireworks display barge moored at approximate position 26°06'19" N 097°10'55.4" W, South Padre Island, TX.
10. Labor Day weekend	Laguna Madre Education Foundation/Laguna Madre Labor Day Fireworks	Lower Laguna Madre, South Padre Island, TX	All waters contained within a 1,000-ft radius of the fireworks display barge moored at approximate position 26°06'19" N 097°10'55.4" W, South Padre Island, TX.
11. 1st or 2nd Friday and Saturday in December	City of Rockport/Rockport "Tropical" Christmas Festival Fireworks	Rockport Beach Park/Rockport, TX	All waters contained within a 700-ft radius of the northeast point of Rockport Beach Park located at approximate position 28°02'05.2" N 097°02'048" W, Rockport, TX.
12. December 30th, 31st or Jan 1st	South Padre Island Convention & Visitors Bureau/SPI New Year's Fireworks	Lower Laguna Madre, South Padre Island, TX	All waters contained within a 1,000-ft radius of the fireworks display barge moored at approximate position 26°06'19" N 097°10'55.4" W, South Padre Island, TX.
13. Odd Week Fridays from April thru September	Corpus Christi Hooks Baseball Team/Friday Night Fireworks	Corpus Christi Ship Channel, Corpus Christi, TX	All waters contained within a 1,000-ft radius of the Corpus Christi Hooks stadium parking lot located at approximate position 27°48'39.2" N 097°23'55.2" W, Corpus Christi, TX.
14. July 4th Rain dates of July 5th and July 6th	City of South Padre Island/South Padre Island July 4th Fireworks	Lower Laguna Madre, South Padre Island, TX	All waters contained within a 1,000-ft radius of the fireworks display barge moored at approximate position 26°06'19" N 097°10'55.4" W, South Padre Island, TX.

TABLE 5 OF §165.801—SECTOR NEW ORLEANS ANNUAL AND RECURRING SAFETY ZONES

Date	Sponsor/name	Sector New Orleans location	Safety zone
1. Monday before Mardi Gras	Riverwalk Marketplace/Lundi Gras Fireworks Display	Mississippi River, New Orleans, LA	Mississippi River mile marker 93.0 to 96.0, New Orleans, LA.
2. July 3rd	St. John the Baptist/Independence Day celebration	Mississippi River, Reserve, LA	Mississippi River mile marker 175.0 to 176.0, Reserve, LA.
3. July 4th	Riverfront Marketing Group/Independence Day Celebration	Mississippi River, New Orleans, LA	Mississippi River mile marker 94.3 to 95.3, New Orleans, LA.
4. July 4th	Boomtown Casino/Independence Day Celebration	Harvey Canal, Harvey, LA	Harvey Canal mile marker 4.0 to 5.0, Harvey, LA.
5. 4th of July	Independence Day Celebration, Main Street 4th of July (Fireworks Display)	Morgan City, LA	Morgan City Port Allen Route mile marker 0.0 to 1.0, Morgan City, LA.
6. July 4th	WBRZ—The Advocate 4th of July Fireworks Display	Baton Rouge, LA	In the vicinity of the USS <i>Kidd</i> , the Lower Mississippi River from mile marker 228.8 to 230.0, Baton Rouge, LA.
7. The Saturday before July 4th or on July 4th if that day is a Saturday	Independence Day Celebration/Bridge Side Marine	Grand Isle, LA	500 Foot Radius from the Pier located at Bridge Side Marine, 2012 LA Highway 1, Grand Isle, LA (Lat: 29°12'14" N; Long: 090°02'28.47" W).
8. 1st Weekend of September	LA Shrimp and Petroleum Festival Fireworks Display, LA Shrimp and Petroleum Festival and Fair Association	Morgan City, LA	Atchafalaya River at mile marker 118.5, Morgan City, LA.
9. 1st Weekend in December (Usually that Friday, subject to change due to weather)	Office of Mayor-President/Downtown Festival of Lights	Baton Rouge, LA	Located on Left Descending Bank, Lower Mississippi River north of the USS <i>Kidd</i> , at mile marker 230, Baton Rouge, LA.
10. December 31st	Crescent City Countdown Club/New Year's Celebration	Mississippi River, New Orleans, LA	Mississippi River mile marker 93.5-96.5, New Orleans, LA.
11. December 31st	Boomtown Casino/New Year's Celebration	Harvey Canal, Harvey, LA	Harvey Canal mile marker 4.0 to 5.0, Harvey, LA.
12. July 4th	USS <i>Kidd</i> Veterans Memorial/Fourth of July Star-Spangled Celebration	Baton Rouge, LA	In the vicinity of the USS <i>Kidd</i> , the Lower Mississippi River from mile marker 228.8 to 230.0, Baton Rouge, LA.

TABLE 6 OF §165.801—SECTOR LOWER MISSISSIPPI RIVER ANNUAL AND RECURRING SAFETY ZONES

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Date	Sponsor/name	Sector Lower MS River location	Safety zone
1. The Sunday before Memorial Day	Riverfest Inc./Riverfest Fireworks display	Arkansas River, Little Rock, AR	Regulated Area: Arkansas River mile marker 118.8 to 119.5, Main Street Bridge, Little Rock, AR.
2. The Saturday before Memorial Day	Memphis in May/Sunset Symphony Fireworks Display	Lower Mississippi River, Memphis, TN	Regulated Area: Lower Mississippi River mile marker 735.0 to 736.0, Memphis, TN.
3. July 4th or the weekend before	Fourth of July Fireworks/Memphis Center City Commission	Lower Mississippi River, Memphis, TN	Regulated Area: Lower Mississippi River mile marker 735.5 to 736.5, Mud Island, Memphis, TN.
4. July 4th or the weekend before	Pops on the River Fireworks Display/Arkansas Democrat Gazette	Arkansas River, Little Rock, AR	Regulated Area: Arkansas River mile marker 118.8 to 119.5, Main Street Bridge, Little Rock, AR.
5. July 4th or the weekend before	Uncle Sam Jam Fireworks, Alexandria, LA/Champion Broadcasting of Alexandria	Red River, Alexandria, LA	Regulated Area: Red River mile marker 83.0 to 87.0, Alexandria, LA.
6. July 4th or the weekend before	Greenville Chamber of Commerce/Fourth of July Fireworks	Lake Ferguson, Greenville, MS	Regulated Area: Waters of Lake Ferguson extending 500 yards in all directions from the concrete pad, 33°24'34" N, 091°03'58" W, adjacent to the Lighthouse Casino, Greenville, MS.
7. July 4th or the weekend before	Pyro Fire Inc./Fourth of July Celebration	Yazoo River, Vicksburg, MS	Regulated Area: Yazoo River, mile marker 1.0 to 3.0, Vicksburg, MS.
8. July 4th or the weekend before	Artisan Pyro Inc./Fourth of July Celebration	Lower Mississippi River, Natchez, MS	Regulated Area: Lower Mississippi River, mile marker 365.5 to 364.5, Natchez, MS.
9. Third Friday and Saturday in October	The Great Mississippi River Balloon Race and Fireworks show/Great Mississippi River Balloon Race Committee	Lower Mississippi River, Natchez, MS	Regulated Area: Lower Mississippi River, mile marker 365.5 to 364.5, Natchez, MS.
10. Fourth Saturday in May	Memphis in May Air Show, Memphis in May	Lower Mississippi River, Memphis, TN	Regulated Area: Lower Mississippi River, mile marker 733.0 to 735.5, Memphis, TN.
11. First Saturday in December	Monroe Christmas Fireworks/Monroe Jaycee	Ouachita River, Monroe, LA	Regulated Area: Ouachita River mile marker 168.0 to 169.0, Monroe, LA.
12. 4th of July Weekend	Monroe Renaissance	Ouachita River, Monroe, LA	Regulated Area: Ouachita River mile marker 168.0 to 169.0, Monroe, LA.

TABLE 7 OF §165.801—SECTOR MOBILE ANNUAL AND RECURRING MARINE EVENTS

Date	Sponsor/name	Sector Mobile location	Safety zone
1. 1 Day; 1st week of January	GoDaddy Bowl/GoDaddy.com	Mobile Channel, Mobile, AL	Mobile Channel, all waters extending 200 yards in all directions from a fireworks display barge located in the Mobile Channel between the Arthur R. Outlaw Convention Center and Cooper Riverside Park.
2. Multiple dates from May to December	Harbor Walk Seasonal Fireworks/Legendary, Inc	East Pass to Choctawhatchee Bay, Destin, FL	East Pass to Choctawhatchee Bay, all waters extending 700' in all directions from a fireworks display barge located in the East Pass.
3. 2 Days; 1st weekend in June	Billy Bowlegs Pirate Festival/Greater Fort Walton Beach Chamber of Commerce	Santa Rosa Sound, Ft. Walton Beach, FL	Santa Rosa Sound, all waters extending 150 yards around a fireworks display barge that will be located between Fort Walton Beach Landing and the Gulf Intracoastal Waterway.
4. July 4th	Niceville July 4th Fireworks Show/City of Niceville, FL	Boggy Bayou, Niceville, FL	Boggy Bayou, all waters extending 250 yards around a fireworks display barge that will be located west of the Dockside Café & Oyster Bar and Allen's Little Marina.
5. July 4th	Fourth of July Celebration/City of Fort Walton Beach	Santa Rosa Sound, Fort Walton Beach	Santa Rosa Sound, all waters extending 100 yards around a fireworks display barge that will be located between Fort Walton Beach Landing and the Gulf Intracoastal Waterway.
6. 1 Day; Last week in June or 1st week of July	Sound of Independence/Hurlburt Field AFB	Santa Rosa Sound, Mary Esther, FL	Santa Rosa Sound, all waters extending 200 yards around a fireworks display barge that will be located south of Hurlburt Field.
7. July 4th	Biloxi Bay Fireworks/Biloxi Bay Chamber of Commerce	Biloxi Bay, Biloxi, MS	Biloxi Bay, all waters extending 200 yards around a fireworks display barge that will be located south of the Biloxi Channel, between channel markers R"20" and R"22" and north of Deer Island.
8. December 31st/January 1st	New Year's Eve Celebration/City of Mobile	Mobile Channel, Mobile, AL	Mobile Channel, all waters extending 200 yards in all directions from a fireworks display barge located in the Mobile Channel between the Arthur R. Outlaw Convention Center and Cooper Riverside Park.
9. Biannually occurring during odd numbered years; 2 Days; Mid-March to end of April	Angels Over the Bay/Keesler Air Force Base	Back Bay Biloxi, Biloxi, MS	Back Bay Biloxi, Bounded by the following coordinates: Eastern boundary; Latitude 30°25'47.6" N, Longitude 088°54'13.6" W, to Latitude 30°24'43" N, Longitude 088°54'13.6" W. Western Boundary; Latitude 30°25'25.6" N, Longitude 088°56'9" W, to Latitude 30°24'55" N, Longitude 088°56'9" W.
10. 4 Days; 2nd weekend in July	Pensacola Beach Air Show/Santa Rosa Island Authority	Gulf of Mexico & Santa Rosa Sound, Pensacola, FL	Gulf of Mexico to include all waters 1.75 nautical miles east and 1.5 nautical miles west of position 30°19'36" N, 087°08'23" W and extending 1000 yards south of Pensacola Beach creating a box, referred to as the "Show Box". Santa Rosa Sound to include all waters from Deer Point to Sharp Point and all waters within Little Sabine Bay.

[USCG-2011-0286, 77 FR 12465, Mar. 1, 2012; 77 FR 28767, May 16, 2012, as amended by USCG-2013-1060, 79 FR 22404, Apr. 22, 2014; USCG-2015-1079, 81 FR 36173, June 6, 2016; USCG-2015-1029, 81 FR 38597, June 14, 2016; USCG-2017-0011, 82 FR 25966, June 6, 2017; USCG-2017-0272, 82 FR 28236, June 21, 2017; USCG-2018-0065, 83 FR 21889, May 11, 2018]

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§165.802 Lower Mississippi River, vicinity of Old River Control Structure—Safety Zone.

(a) The area enclosed by the following boundary is a safety zone—from the Black Hawk Point Light, mile 316.1 AHP LMR to a point opposite Ft. Adams Light, mile 311.5 AHP along the low water reference plane above the right descending bank;

thence to the levee on a line perpendicular to the channel centerline; thence along the levee to the upstream end of the Old River Overbank structure; thence along a line to the Black Hawk Point Light.

(b) Any vessel desiring to enter this safety zone must first obtain permission from the Captain of the Port, New Orleans. The resident engineer at Old River Control Structure (WUG-424) is delegated the authority to permit entry into this safety zone.

[CGD8-87-10, 53 FR 15207, Apr. 28, 1988, as amended by CGD8 89-03, 54 FR 16108, Apr. 21, 1989]

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§165.803 Mississippi River—regulated navigation area.

The following is a Regulated Navigation Area—The waters of the Mississippi River between miles 88 and 240 above Head of Passes.

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

(1) *Breakaway* means a barge that is adrift and is not under the control of a towing vessel.

(2) *COTP* means the Captain of the Port, New Orleans.

(3) *Fleet* includes one or more tiers.

(4) *Fleeting facility* means the geographic area along or near a river bank at which a barge mooring service, either for hire or not for hire, is established.

(5) *Mooring barge* or *spar barge* means a barge moored to mooring devices and to which other barges may be moored.

(6) *Mooring device* includes a deadman, anchor, pile or other reliable holding apparatus.

(7) *Person in charge* includes any owner, agent, pilot, master, officer, operator, crewmember, supervisor, dispatcher or other person navigating, controlling, directing or otherwise responsible for the movement, action, securing, or security of any vessel, barge, tier, fleet or fleeting facility subject to the regulations in this section.

(8) *Tier* means barges moored interdependently in rows or groups.

(b) *Waivers:* (1) The COTP may, upon written request, except as allowed in paragraph (3) of this subsection, waive any regulation in this section if it is found that the proposed operation can be conducted safely under the terms of that waiver.

(2) Each written request for a waiver must state the need for the waiver and describe the proposed operation.

(3) Under unusual circumstances due to time constraints, the person in charge may orally request an immediate waiver from the COTP. The written request for a waiver must be submitted within five working days after the oral request.

(4) The COTP may, at any time, terminate any waiver issued under this subsection.

(c) *Emergencies.* In an emergency, a person may depart from any regulation in this section to the extent necessary to avoid immediate danger to persons, property or the environment.

(d) *Mooring: General.* (1) No person may secure a barge to trees or to other vegetation.

(2) No person may allow a barge to be moored with unraveled or frayed lines or other defective or worn mooring.

(3) No person may moor barges side to side unless they are secured to each other from fittings as close to each corner of abutting sides as practicable.

(4) No person may moor barges end to end unless they are secured to each other from fittings as close to each corner of abutting ends as practicable.

(e) *Mooring to a mooring device.* (1) A barge may be moored to mooring devices if the upstream end of that barge is secured to at least one mooring device and the downstream end is secured to at least one other mooring device, except that from mile 127 to mile 240 a barge may be moored to mooring devices if the upstream end of that barge is secured to at least one mooring device.

(2) Barges moored in tiers may be shifted to mooring devices if the shoreward barge at the upstream end of the tier is secured to at least one mooring device, and the shoreward barge at the downstream end of the tier is secured to at least one other mooring device, except that from mile 127 to mile 240 barges moored in tiers may be shifted to mooring devices if the shoreward barge at the upstream end of the tier is secured to at least one mooring device.

(3) Each wire rope used between the upstream end of a barge and a mooring device must have at least a diameter of $1\frac{1}{4}$ inch. Chain or line used between the upstream end of a barge and a mooring device must be at least equivalent in strength to $1\frac{1}{4}$ inch diameter wire rope.

(4) Each wire rope used between the downstream end of a barge and a mooring device must have at least a diameter of $\frac{7}{8}$ inch. Chain or line used between the downstream end of a barge and a mooring device must be of at least equivalent strength of $\frac{7}{8}$ inch diameter wire rope.

(f) Moorings: Barge-to-barge; barge-to-vessel; barge-to-wharf or pier. The person in charge shall ensure that a barge moored to another barge, a mooring or spar barge, a vessel, a wharf, or a pier, is secured as near as practicable to each abutting corner of the barge being moored by:

(1) Three parts of wire rope of at least $\frac{7}{8}$ inch diameter with an eye at each end of the rope passed around the timberhead, caval, or button;

(2) A mooring of natural or synthetic fiber rope that has at least 75 percent of the breaking strength of three parts of $\frac{7}{8}$ inch diameter wire rope; or

(3) Fixed rigging that is at least equivalent to three parts of $\frac{7}{8}$ inch diameter wire rope.

(g) *Mooring: Person in charge.* (1) The person in charge of a barge, tier, fleet or fleeting facility shall ensure that the barge, tier, fleet or fleeting facility meets the requirements in paragraphs (d) and (e) of this section.

(2) The person in charge shall ensure that all mooring devices, wires, chains, lines and connecting gear are of sufficient strength and in sufficient number to withstand forces that may be exerted on them by moored barges.

(h) *Fleeting facility: inspection of moorings.* (1) The person in charge of a fleeting facility shall assign a person to inspect moorings in accordance with the requirements in paragraph (h)(2) of this section.

(2) The person assigned to inspect moorings shall inspect:

(i) At least twice each day during periods that are six hours or more apart, each mooring wire, chain, line and connecting gear between mooring devices and each wire, line and connecting equipment used to moor each barge; and

(ii) After a towboat adds barges to, withdraws barges from, or moves barges at a fleeting facility, each mooring wire, line, and connecting equipment of each barge within each tier affected by that operation.

(3) The person who inspects moorings shall take immediate action to correct each deficiency.

(i) *Fleeting facility: Records.* The person in charge of a fleeting facility shall maintain, and make available to the Coast Guard, records containing the following information:

(1) The time of commencement and termination of each inspection required in paragraph (h)(2) of this section.

(2) The name of each person who makes the inspection required in paragraph (h)(2) of this section.

(3) The identification of each barge entering and departing the fleeting facility, along with the following information:

(i) Date and time of entry and departure; and

(ii) The names of any hazardous cargo which the barge is carrying.

NOTE: The requirements in paragraph (i)(3) of this section for the listing of hazardous cargo refer to cargoes regulated by Subchapters D and O of Chapter I, Title 46, Code of Federal Regulations.

(j) *Fleeting facility: Surveillance.* (1) The person in charge of a fleeting facility shall assign a person to be in continuous surveillance and to observe the barges in the fleeting facility. Joint use of this person by adjacent facilities may be considered upon submission of a detailed proposal for a waiver to the COTP.

(2) The person who observes the barges shall:

(i) Inspect for movements that are unusual for properly secured barges; and

(ii) Take immediate action to correct each deficiency.

(k) *Fleeting facility: person in charge.* The person in charge of a fleeting facility shall ensure that each deficiency found under the requirements of paragraph (h) or (j) of this section is corrected.

(l) *Securing breakaways.* The person in charge shall take immediate action to:

(1) Secure each breakaway; and

(2) Report each breakaway as soon as possible to the COTP by telephone, radio or other means of rapid communication.

(m) *High water.* (1) This subsection applies to barges on the Mississippi River between miles 88 and 240 above Head of Passes when:

(i) The Carrollton gage stands 12 feet or more; or

(ii) The Carrollton gage stands 10 feet, the U.S. Army Corps of Engineers forecasts the Mississippi River is rising to 12 feet, and the District Commander determines these circumstances to be especially hazardous and issues orders directing that paragraphs (m)(2) and (3) of this section are in effect.

(2) During high water, the person in charge of a fleeting facility shall ensure compliance with the following requirements:

(i) Each fleet consisting of eight or more barges must be attended by at least one radar-equipped towboat for each 100 barges or less. Joint use of this towboat by adjacent facilities may be considered upon submission of a detailed proposal for a waiver.

(ii) Each fleet must have two or more towboats in attendance when:

(A) Barges are withdrawn from or moved within the fleet and the fleet at the start of the operation contains eight or more barges; or

(B) Barges are added to the fleet and the number of barges being added plus the fleet at the start of the operation total eight or more.

(iii) Each towboat required in paragraphs (m)(2)(i) and (2)(ii) of this section must be:

(A) Capable of safely withdrawing, moving or adding each barge in the fleet;

(B) Immediately operational;

(C) Radio-equipped;

(D) Within 500 yards of the barges; and

(iv) The person in charge of each towboat required in paragraphs (m)(2)(i) and (2)(ii) of this section shall maintain:

(A) A continuous guard on the frequency specified by current Federal Communications Commission regulations found in Part 83 of Title 47, Code of Federal Regulations; and

(B) When moored, a continuous watch on the barges in the fleeting facility.

(v) During periods when visibility is less than 200 yards, the person in charge of each towboat required in paragraph (m)(2)(i) of this subsection shall maintain, when moored, a continuous radar surveillance of the barges moored in the fleeting facility.

(3) During high water when visibility is reduced to less than 200 yards:

(i) Tows may not be assembled or disassembled;

(ii) No barge may be added to, withdrawn from or moved within a fleet except:

(A) A single barge may be added to or withdrawn from the channelward or downstream end of the fleet; and

(B) Barges made up in a tow may depart a fleet from the channelward or downstream end of the fleet; and

(iii) No person in charge of a tow arriving in this regulated navigation area may moor unless the COTP is notified prior to arrival in the regulated navigation area.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 82-020, 47 FR 35483, Aug. 16, 1982; CGD 79-026, 48 FR 35408, Aug. 4, 1983; CGD 88-075, 54 FR 14958, Apr. 14, 1989; CGD08-94-006, 59 FR 21935, Apr. 28, 1994; CGD08-94-006, 60 FR 37944, July 25, 1995]

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§165.805 Security Zones; Calcasieu River and Ship Channel, Louisiana.

(a) *Location.* (1) The following areas are designated as fixed security zones (all coordinates are based upon North American Datum of 1983 [NAD 83]):

(i) *Trunkline LNG basin*. All waters encompassed by a line connecting the following points, beginning at 30°06'36" N, 93°17'36" W, south to a point 30°06'33" N, 93°17'36" W, east to a point 30°06'30" N, 93°17'02" W, north to a point 30°06'33" N, 93°17'01" W, then tracing the shoreline along the water's edge to the point of origin.

(ii) *Cameron LNG basin*. All waters encompassed by a line connecting the following points, beginning at 30°02'33" N, 093°19'53" W, east to a point at 30°02'34" N, 093°19'50" W, south to a point at 30°02'10" N, 093°19'52" W and west to a point at 30°02'10" N, 93°19'59" W, then tracing the shoreline along the water's edge to the point of origin.

(iii) *PPG Industries basin*. All waters encompassed by a line connecting the following points: Beginning at 30°13'29" N, 93°16'34" W, southwest to a point at 30°13'11" N, 93°16'51" W, then proceeding southerly following 100 feet off the shoreline to a point at 30°12'57.2" N, 93°16'53.2" W, then east to a point at 30°12'57.2" N, 93°16'50.6" W then southerly to a point at 30°12'47.7" N, 93°16'50.3" W then west to the shoreline and then following along the water's edge to the point of origin.

(2) The following areas are moving security zones: All waters within the Captain of the Port, Port Arthur zone commencing at U.S. territorial waters and extending channel edge to channel edge on the Calcasieu Channel and shoreline to shoreline on the Calcasieu River, 2 miles ahead and 1 mile astern of certain designated vessels while in transit. Meeting, crossing or overtaking situations are not permitted within the security zone unless specifically authorized by the Captain of the Port. Coast Guard patrol assets will be on scene with flashing blue lights energized when the moving security zones are in effect.

(b) *Regulations*. (1) Entry into or remaining in a fixed zone described in paragraph (a)(1) of this section is prohibited for all vessels except:

- (i) Commercial vessels operating at waterfront facilities within these zones;
- (ii) Commercial vessels transiting directly to or from waterfront facilities within these zones;
- (iii) Vessels providing direct operational or logistical support to commercial vessels within these zones;
- (iv) Vessels operated by the appropriate port authority or by facilities located within these zones; and
- (v) Vessels operated by federal, state, county, or municipal agencies.

(2) Entry into or remaining in moving zones described in paragraph (a)(2) of this section is prohibited for all vessels except:

(i) Moored vessels or vessels anchored in a designated anchorage area. A moored or an anchored vessel in a security zone described in paragraph (a)(2) of this section must remain moored or anchored unless it obtains permission from the Captain of the Port to do otherwise;

- (ii) Commercial vessels operating at waterfront facilities located within the zone;
- (iii) Vessels providing direct operational support to commercial vessels within a moving security zone;
- (iv) Vessels operated by federal, state, county, or municipal agencies.

(3) Other persons or vessels requiring entry into security zones described in this section must request permission from the Captain of the Port, Port Arthur or designated representatives.

(4) To request permission as required by these regulations, contact Marine Safety Unit Lake Charles at (337) 491-7800 or the on scene patrol vessel.

(5) All persons and vessels within a security zone described in this section must comply with the instructions of the Captain of the Port, Port Arthur, designated on-scene U.S. Coast Guard patrol personnel or other designated representatives. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Designated representatives include federal, state, local and municipal law enforcement agencies.

(c) *Informational broadcasts*: The Captain of the Port, Port Arthur will inform the public when moving security zones have been established around vessels via Broadcast Notices to Mariners and written notice provided by escort vessels.

[USCG-2009-0317, 75 FR 18757, Apr. 13, 2010]

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§165.806 Sabine Neches Waterway, Texas—regulated navigation area.

(a) The following is a regulated navigation area—The Sabine Neches Waterway which includes the following waters: Sabine Pass Channel, Port Arthur Canal, Sabine Neches Canal, Neches River, Sabine River and all navigable waterways tributary thereto.

(b) Unless otherwise authorized by the Captain of the Port, Port Arthur, Texas, tows on a hawser of 1000 gross tons or greater transiting the Sabine-Neches Waterway are prohibited unless such tows have a tug of sufficient horsepower made up to the tow in such a manner as to insure that complete and effective control is maintained throughout the transit. Inbound vessels

only, may shift the tow or pick up an additional tug within 100 yards inside the entrance jetties provided that such action is necessary for reasons of prudent seamanship.

[CGD8-83-09, 49 FR 35500, Sept. 10, 1984]

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§165.807 Calcasieu River, Louisiana—regulated navigation area.

(a) The following is a regulated navigation area—The Calcasieu River from the Calcasieu jetties up to and including the Port of Lake Charles.

(b) Unless otherwise authorized by the Captain of the Port, Port Arthur, Texas, tows on a hawser of 1000 gross tons or greater transiting the Calcasieu River are prohibited unless such tows have a tug of sufficient horsepower made up to the tow in such a manner as to insure that complete and effective control is maintained at all times. Inbound vessels only, may shift the tow or pick up an additional tug within 100 yards inside the entrance jetties provided that such action is necessary for reasons for prudent seamanship.

[CGD8-83-09, 49 FR 35500, Sept. 10, 1984]

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§165.808 Corpus Christi Ship Channel, Corpus Christi, TX, safety zone.

(a) The following areas are established as safety zones during specified conditions:

(1) For incoming tank vessels loaded with Liquefied Petroleum Gas, the waters within a 500 yard radius of the LPG carrier while the vessel transits the Corpus Christi Ship Channel to the LPG receiving facility. The safety zone remains in effect until the LPG vessel is moored at the LPG receiving facility.

(2) For outgoing tank vessels loaded with LPG, the waters within a 500 yard radius of the LPG carrier while the vessel departs the LPG facility and transits the Corpus Christi Ship Channel. The safety zone remains in effect until the LPG vessel passes the seaward extremity of the Aransas Pass Jetties.

(b) The general regulations governing safety zones contained in 33 CFR 165.23 apply.

(c) The Captain of the Port will notify the maritime community of periods during which this safety zone will be in effect by providing advance notice of scheduled arrivals and departures of loaded LPG vessels via a Marine Safety Information Broadcast Notice to Mariners.

[CGD 8-84-07, 50 FR 15744, Apr. 22, 1985; 50 FR 19933, May 13, 1985]

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§165.809 Security Zones; Port of Port Lavaca-Point Comfort, Point Comfort, TX and Port of Corpus Christi Inner Harbor, Corpus Christi, TX.

(a) *Location.* The following area is designated as a security zone: all waters of the Corpus Christi Inner Harbor from the Inner Harbor Bridge (U.S. Hwy 181) to, and including the Viola Turning Basin.

(b) *Regulations.* (1) No recreational vessels, passenger vessels, or commercial fishing vessels may enter the security zone unless specifically authorized by the Captain of the Port Corpus Christi or a designated representative.

(2) Recreational vessels, passenger vessels and commercial fishing vessels requiring entry into the security zone must contact the Captain of the Port Corpus Christi or a designated representative. The Captain of the Port may be contacted via VHF Channel 16 or via telephone at (361) 888-3162 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, Corpus Christi or a designated representative.

(3) Designated representatives include U.S. Coast Guard commissioned, warrant, and petty officers.

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

[COTP Corpus Christi-02-003, 67 FR 64046, Oct. 17, 2002, as amended by COTP Corpus Christi-04-006, 70 FR 39178, July 7, 2005]

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§165.810 Mississippi River, LA-regulated navigation area.

(a) *Purpose and applicability.* This section prescribes rules for all vessels operating in the Lower Mississippi River below mile 233.9 above Head of Passes including South Pass and Southwest Pass, to assist in the prevention of allisions; collisions and groundings so as to ensure port safety and protect the navigable waters of the Mississippi River from environmental harm resulting from those incidents, and to enhance the safety of passenger vessels moored or anchored in the Mississippi River.

(b) Lower Mississippi River below mile 233.9 above Head of Passes including South and Southwest Passes:

(1) *Supervision.* The use, administration, and navigation of the waterways to which this paragraph applies shall be under the supervision of the District Commander, Eighth Coast Guard District.

(2) *Speed; high-water precautions.* When passing another vessel (in motion, anchored, or tied up), a wharf or other structure, work under construction, plant engaged in river and harbor improvement, levees withstanding flood waters, building partially or wholly submerged by high water, or any other structure liable to damage by collision, suction or wave action, vessels shall give as much leeway as circumstances permit and reduce their speed sufficiently to preclude causing damages to the vessel or structure being passed. Since this subparagraph pertains directly to the manner in which vessels are operated, masters of vessels shall be held responsible for strict observance and full compliance therewith. During high river stages, floods, or other emergencies, the District Commander may prescribe by navigation bulletins or other means the limiting speed in land miles per hour deemed necessary for the public safety for the entire section or any part of the waterways covered by this paragraph, and such limiting speed shall be strictly observed.

(3) *Towing.* Towing in any formation by a vessel with insufficient power to permit ready maneuverability and safe handling is prohibited.

(c) [Reserved]

(d) Navigation of South and Southwest Passes.

(1) No vessel, except small craft and towboats and tugs without tows, shall enter either South Pass or Southwest Pass from the Gulf until after any descending vessel which has approached within two and one-half ($2\frac{1}{2}$) miles of the outer end of the jetties and visible to the ascending vessel shall have passed to sea.

(2) No vessel having a speed of less than ten mph shall enter South Pass from the Gulf when the stage of the Mississippi River exceeds 15 feet on the Carrollton Gage at New Orleans. This paragraph does not apply when Southwest Pass is closed to navigation.

(3) No vessel, except small craft and towboats and tugs without tows, ascending South Pass shall pass Franks Crossing Light until after a descending vessel shall have passed Depot Point Light.

(4) No vessel, except small craft and towboats and tugs without tows, shall enter the channel at the head of South Pass until after an ascending vessel which has reached Franks Crossing Light shall have passed through into the river.

(5) When navigating South Pass during periods of darkness no tow shall consist of more than one towed vessel other than small craft, and during daylight hours no tow shall consist of more than two towed vessels other than small craft. Tows may be in any formation. When towing on a hawser, the hawser shall be as short as practicable to provide full control at all times.

(6) When towing in Southwest Pass during periods of darkness no tow shall consist of more than two towed vessels other than small craft, and during daylight hours no tow shall consist of more than three towed vessels other than small craft.

(e) Watch requirements for anchored and moored passenger vessels.

(1) *Passenger vessels.* Except as provided in paragraph (e)(2) of this section, each passenger vessel with one or more passengers on board, must—

(i) Keep a continuously manned pilothouse; and

(ii) Monitor river activities and marine VHF, emergency and working frequencies of the port, so as to be immediately available to take necessary action to protect the vessel, crew, and passengers if an emergency radio broadcast, danger signal, or visual or other indication of a problem is received or detected.

(2) Each ferryboat, and each small passenger vessel to which 46 CFR 175.110 applies, may monitor river activities using a portable radio from a vantage point other than the pilothouse.

(f) Each self-propelled vessel of 1,600 or more gross tons subject to 33 CFR part 164 shall also comply with the following:

(1) While under way in the RNA, each vessel must have an engineering watch capable of monitoring the propulsion system, communicating with the bridge, and implementing manual-control measures immediately when necessary. The watch must be physically present in the machinery spaces or in the machinery-control spaces and must consist of at least an appropriately licensed or credentialed engineer officer.

(2) Before embarking a pilot when entering or getting under way in the RNA, the master of each vessel shall ensure that the vessel is in compliance with 33 CFR part 164.

(3) The master shall ensure that the chief engineer has certified that the following additional operating conditions will be satisfied so long as the vessel is under way within the RNA:

(i) The main propulsion plant is in all respects ready for operations including the main-propulsion air-start systems, fuel systems, lubricating systems, cooling systems, and automation systems;

(ii) Cooling, lubricating, and fuel-oil systems are at proper operating temperatures;

(iii) Main propulsion machinery is available to immediately respond to the full range of maneuvering commands any load-limiting programs or automatic acceleration-limiting programs that would limit the speed of response to engine orders beyond that needed to prevent immediate damage to the propulsion machinery are capable of being overridden immediately.

(iv) Main-propulsion standby systems are ready to be immediately placed in service.

(g) [Reserved]

NOTE TO §165.810: Control Light provisions (previously referenced in paragraph (c) of this section) used to manage vessel traffic during periods of high waters in the vicinity of Algiers Point are located in 33 CFR 161.65(c). The special operating requirements (previously referenced in paragraph (g) of this section) used to manage vessel traffic in the vicinity of Eighty-one Mile Point are located in 33 CFR 161.65(e).

(Sec. 104, Pub. L. 92-340, 86 Stat. 424 (33 U.S.C. 1224); sec. 2, Pub. L. 95-474, 92 Stat. 1471 (33 U.S.C. 1223); 49 CFR 1.46(n)(4))

[CGD 75-082, 42 FR 51759, Sept. 29, 1977]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §165.810, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

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§165.811 Atchafalaya River, Berwick Bay, LA-regulated navigation area.

(a) The following is a regulated navigation area: the waters of the Atchafalaya River in Berwick Bay bounded on the northside from 2,000 yards north of the U.S. 90 Highway Bridge and on the southside from 4,000 yards south of the Southern Pacific Railroad (SPRR) Bridge.

(b) Within the regulated navigation area described in paragraph (a) of this section, §161.40 of this chapter establishes a VTS Special Area for waters within a 1000 yard radius of the SPRR Bridge.

(c) When the Morgan City River gauge reads 3.0 feet or above mean sea level, in addition to the requirements set forth in §161.13 of this chapter, the requirements of paragraph (d) and (e) of this section apply to a towing vessel which will navigate:

(1) under the lift span of the SPRR Bridge; or

(2) through the navigational opening of the U.S. 90 Highway Bridge; or

(3) through the navigational opening of the Highway 182 Bridge.

(d) *Towing requirements.* (1) Towing on a hawser is not authorized, except that one self-propelled vessel may tow one other vessel without barges upbound;

(2) A towing vessel and barges must be arranged in tandem, except that one vessel may tow one other vessel alongside;

(3) Length of tow must not exceed 1,180 feet; and

(4) Tows with a box end in the lead must not exceed 400 feet in length.

NOTE: The variation in the draft and the beam of the barges in a multi-barge tow should be minimized in order to avoid unnecessary strain on coupling wires.

(e) *Horsepower Requirement.* (1) The following requirements apply to a towing vessel of 3,000 hp or less:

TABLE 165.811(e)—MINIMUM AVAILABLE HORSEPOWER REQUIREMENT

[The greater value listed.]

Direction of tow	Daytime (sunrise to sunset)	Nighttime (sunset to sunrise)
Upbound	400hp or (Length of tow—300ft) × 3	600hp or (Length of tow—200ft) × 3.
Downbound	600hp or (Length of tow—200ft) × 3	600hp or (Length of tow) × 3.

NOTE: A 5% variance from the available horsepower is authorized.

(2) All tows carrying cargoes of particular hazard as defined in §160.202 of this chapter must have available horsepower of at least 600 hp or three times the length of tow, whichever is greater.

(f) *Notice of Requirements.* Notice that these rules are anticipated to be put into effect, or are in effect, will be given by:

(1) Marine information broadcasts;

(2) Notices to mariners;

(3) Vessel Traffic Center advisories or upon vessel information request; and

[CGD 90-020, 59 FR 36334, July 15, 1994, as amended by CGD 95-033, 60 FR 28333, May 31, 1995; CGD08-06-023, 72 FR 27741, May 17, 2007; USCG-2005-21869, 80 FR 5336, Jan. 30, 2015]

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§165.812 Security Zones; Lower Mississippi River, Southwest Pass Sea Buoy to Mile Marker 96.0, New Orleans, LA.

(a) *Location.* Within the Lower Mississippi River and Southwest Pass, moving security zones are established around all cruise ships between the Southwest Pass Entrance Lighted Buoy “SW”, at approximate position 28°52’42” N, 89°25’54” W [NAD 83] and Lower Mississippi River mile marker 96.0 in New Orleans, Louisiana. These moving security zones encompass all waters within 500 yards of a cruise ship. These zones remain in effect during the entire transit of the vessel and continue while the cruise ship is moored or anchored.

(b) *Regulations.* (1) Entry of persons and vessels into these zones is prohibited unless authorized as follows.

(i) Vessels may enter within 500 yards but not closer than 100 feet of a cruise ship provided they operate at the minimum speed necessary to maintain a safe course.

(ii) No person or vessel may enter within 100 feet of a cruise ship unless expressly authorized by the Coast Guard Captain of the Port New Orleans or his designated representative.

(iii) Moored vessels or vessels anchored in a designated anchorage area are permitted to remain within 100 feet of a cruise ship while it is in transit.

(2) Vessels requiring entry within 500 yards of a cruise ship that cannot slow to the minimum speed necessary to maintain a safe course must request express permission to proceed from the Captain of the Port New Orleans or his designated representative.

(3) For the purpose of this rule the term “cruise ship” is defined as a passenger vessel over 100 gross tons, carrying more than 12 passengers for hire, making a voyage lasting more than 24 hours, any part of which is on the high seas, and for which passengers are embarked or disembarked in the United States or its territories.

(4) The Captain of the Port New Orleans will inform the public of the moving security zones around cruise ships via Marine Safety Information Broadcasts.

(5) To request permission as required by these regulations contact “New Orleans Traffic” via VHF Channels 13/67 or via phone at (504) 589-2780 or (504) 589-6261.

(6) All persons and vessels within the moving security zones shall comply with the instructions of the Captain of the Port New Orleans and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

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

[COTP New Orleans-02-005, 67 FR 61989, Oct. 3, 2002]

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§165.813 Security Zones; Ports of Houston and Galveston, TX.

(a) *Location.* Within the Ports of Houston and Galveston, Texas, moving security zones are established encompassing all waters within 500 yards of a cruise ship between Galveston Bay Approach Lighted Buoy “GB”, at approximate position 29°14’44” N., 094°32’41” W. [NAD 83] and up to, and including, Barbours Cut. These zones remain in effect during the inbound and outbound entire transit of the cruise ship and continues while the cruise ship is moored or anchored.

(b) *Regulations.* (1) Entry of vessels or persons into these zones is prohibited unless authorized as follows.

(i) Vessels may enter within 500 yards but not closer than 100 yards of a cruise ship provided they operate at the minimum speed necessary to maintain a safe course.

(ii) No person or vessel may enter within 100 yards of a cruise ship unless expressly authorized by the Coast Guard Captain of the Port Houston-Galveston. Where the Houston Ship Channel narrows to 400 feet or less between Houston Ship Channel Entrance Lighted Bell Buoy “18”, light list nos. 23900/36055 at approximately 29°21’04” N., 094°47’00” W. [NAD 83]

and Barbours Cut, the Captain of the Port Houston-Galveston may permit vessels that must transit the navigable channel between these points to enter within 100 yards of a cruise ship.

(iii) Moored vessels or vessels anchored in a designated anchorage area are permitted to remain within 100 yards of a cruise ship while it is in transit.

(2) Vessels requiring entry within 500 yards of a cruise ship that cannot slow to the minimum speed necessary to maintain a safe course must request express permission to proceed from the Captain of the Port Houston-Galveston, or his designated representative.

(3) For the purpose of this section the term "cruise ship" is defined as a passenger vessel over 100 gross tons, carrying more than 12 passengers for hire, making a voyage lasting more than 24 hours, any part of which is on the high seas, and for which passengers are embarked or disembarked in the United States or its territories.

(4) The Captain of the Port Houston-Galveston will inform the public of the moving security zones around cruise ships via Marine Safety Information Broadcasts.

(5) To request permission as required by these regulations contact "Houston Traffic" via VHF Channels 11/12 or via phone at 281-464-4837.

(6) All persons and vessels within the moving security zone shall comply with the instructions of the Captain of the Port Houston-Galveston and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

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

[COTP Houston-Galveston-02-010, 67 FR 64048, Oct. 17, 2002, as amended by USCG-2014-0410, 79 FR 38448, July 7, 2014; USCG-2015-0433, 80 FR 44286, July 27, 2015]

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§165.814 Security Zones; Captain of the Port Houston-Galveston Zone.

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

(1) *Houston, TX.* The Houston Ship Channel and all associated turning basins, bounded by a line drawn between geographic positions 29°45'14" N., 095°05'47" W. to 29°45'04" N., 095°05'33" W. west to the T & N Rail Road Swing Bridge at the entrance to Buffalo Bayou, including all waters adjacent to the ship channel from shoreline to shoreline and the first 200 yards of connecting waterways.

(2) *Morgan's Point, TX.* The Barbours Cut Ship Channel and Turning Basin containing all waters west of a line drawn between Barbours Cut Junction Light "BC" 29°41'12" N., 094°59'10" W. (LLNR-24750), and Houston Ship Channel Light 91, 29°40'58" N., 094°58'59" W. (LLNR-24595) (NAD 1983).

(3) *Bayport, TX.* The Port of Bayport, Bayport Ship Channel and Bayport Turning Basin containing all waters south of latitude 29°36'45" N. and west of position 29°36'45" N., 094°59'31" W. (NAD 1983).

(4) *Texas City, TX.* The Port of Texas City Channel, Turning Basin and Industrial Canal containing all waters bounded by the area south and west of a line drawn from Texas City Channel Light 19 (LLNR 26160) through Texas City Cut B Inner Range Front Light (LLNR 26110) and terminating on land in position 29°23'16" N., 094°53'15" W. (NAD 1983).

(5) *Freeport, Texas.* (i) The Dow Barge Canal, containing all waters of the Dow Barge Canal north of a line drawn between 28°56.81' N/095°18.33' W and 28°56.63' N/095°18.54' W (NAD 1983).

(ii) The Brazos Harbor, containing all waters west of a line drawn between 28°56.45' N, 095°20.00' W, and 28°56.15' N, 095°20.00' W (NAD 1983) at its junction with the Old Brazos River.

(iii) The Dow Chemical plant, containing all waters of the Brazos Point Turning Basin within 100' of the north shore and bounded on the east by the longitude line drawn through 28°56.58' N/095°18.64' W and on the west by the longitude line drawn through 28°56.64' N/095°19.13' W (NAD 1983).

(iv) The Seaway Teppco Facility, containing all waters of the Brazos Port Turning Basin bounded on the south by the shore, the north by the Federal Channel, on the east by the longitude line running through 28°56.44' N, 095°18.83' W and 28°56.48' N 095°18.83' W and on the West by the longitude line running through 28°56.12' N, 095°19.27' W and 28°56.11' N, 095°19.34' W (NAD 1983).

(v) The Conoco Phillips Facility docks, containing all waters within 100' of a line drawn from a point on shore at Latitude 28°55.96' N, Longitude 095°19.77' W, extending west to a point on shore at Latitude 28°56.19' N, Longitude 095°20.07' W (NAD 1983).

(vi) The Freeport LNG Basin containing all waters shoreward of a line drawn between the eastern point at latitude 28°56'25" N, 095°18'13" W, and the western point at 28°56'28" N, 095°18'31" W, east towards the jetties.

(b) *Regulations.* (1) Entry of into these zones is prohibited except for the following:

- (i) Commercial vessels operating at waterfront facilities within these zones;
- (ii) Commercial vessels transiting directly to or from waterfront facilities within these zones;
- (iii) Vessels providing direct operational/logistic support to commercial vessels within these zones;
- (iv) Vessels operated by the appropriate port authority or by facilities located within these zones; and
- (v) Vessels operated by federal, state, county, or municipal agencies.

(2) Other persons or vessels requiring entry into a zone described in this section must request express permission to enter from the Captain of the Port Houston-Galveston, or designated representative. The Captain of the Port Houston-Galveston's designated representatives are any personnel granted authority by the Captain of the Port Houston-Galveston to receive, evaluate, and issue written security zone entry permits, or the designated on-scene U.S. Coast Guard patrol personnel described in paragraph (b)(4).

(3) To request permission as required by these regulations contact "Houston Traffic" via VHF Channels 11/12 or by phone at 281-464-4837.

(4) All persons and vessels shall comply with the instructions of the Captain of the Port Houston-Galveston and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

[COTP Houston-Galveston-02-009, 67 FR 23593, May 5, 2003, as amended by USCG-2009-0501, 75 FR 8493, Feb. 25, 2010; USCG-2008-0124, 75 FR 11002, Mar. 10, 2010; USCG-2014-0410, 79 FR 38448, July 7, 2014; USCG-2015-0433, 80 FR 44286, July 27, 2015]

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§165.815 Ohio River at Louisville, KY; regulated navigation area.

(a) The following is a regulated navigation area: The waters of the Ohio River from the Clark Memorial (Highway) Bridge at Mile 603.5, downstream to McAlpine Dam at Mile 604.4.

(b) The general regulations governing regulated navigation area contained in 33 CFR part 165, subpart B apply.

(c) No pleasure or fishing craft shall be operated within the regulated navigation area at any time without prior permission of the Captain of the Port, Louisville, Kentucky, except in case of emergency and except for passage through McAlpine Lock.

[CGD 2-89-04, 55 FR 23203, June 7, 1990. Redesignated by CGD 96-026, 61 FR 33669, June 28, 1996]

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§165.817 Arkansas River, Mile 118.2 to 125.4, Little Rock Arkansas—regulated navigation area.

(a) Location. The following is a regulated navigation area (RNA): The waters of the Arkansas River between mile 118.2 and mile 125.4.

(b) Regulations. Transit of the RNA is limited during periods of high velocity flow, defined as the flow rate of 70,000 cubic feet per second or more at the Murray Lock and Dam at mile 125.4. The flow rate at this location is calculated by the U.S. Army Corps of Engineers on a regular and routine basis. This information will be distributed by announcements by Coast Guard Marine Information Broadcasts, publication in Coast Guard Local Notice to Mariners, and telephone or radio contact with the Lockmaster at Murray Lock and Dam.

(c) Transit of the RNA during periods of high velocity flow may only occur under the following conditions:

- (1) Vessels may not meet or pass in the RNA.
- (2) No vessel shall anchor, stop, remain or drift without power at any time in the RNA.
- (3) All vessels shall continually monitor VHF-FM channel 13 on their radiotelephone while in or approaching the RNA.

(4) Prior to entering the RNA, downbound vessels shall make a broadcast in the blind on VHF-FM channel 13 announcing their estimated time of departure from Murray Lock and Dam or from the mooring cells at mile 121.5 to ensure there are no upbound vessels within the RNA. If there is upbound traffic within the RNA, the downbound vessel shall not depart until the upbound vessel has passed through the RNA. After departing, vessels will proceed through the RNA, including all drawbridges located therein, without delay.

(5) When upbound vessels reach mile 116, they shall make a broadcast in the blind on VHF-FM channel 13 announcing their estimated arrival time at the Rock Island Railroad Bridge at mile 118.2.

(6) When a downbound vessel is already in the RNA, an upbound vessel shall adjust its speed so as to avoid a meeting situation in the RNA.

(d) Refer to 33 CFR 117.123 for drawbridge operation regulations.

[CGD2-90-04, 57 FR 22176, May 27, 1992. Redesignated by CGD 96-026, 61 FR 33669, June 28, 1996]

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§165.818 Moving Security Zones, for certain vessels in Freeport Entrance Channel, Freeport, Texas.

(a) *Location.* The following areas are security zones: All waters within the Captain of the Port Houston-Galveston Zone commencing at U.S. territorial waters through the Freeport Entrance Channel, from surface to bottom, one thousand (1000) yards ahead and astern and five hundred (500) yards on each side of any vessel that has a moving security zone established around it.

(b) *Regulations.* Entry into or remaining in the zones described in paragraph (a) of this section is prohibited unless authorized as follows:

(1) Moored vessels or vessels anchored in a designated anchorage area are permitted to remain moored or anchored if they come within a security zone described in paragraph (a) of this section. A moored or an anchored vessel in a security zone must remain moored or anchored unless it obtains permission from the Captain of the Port to do otherwise.

(2) Commercial vessels operating at the waterfront facilities within these zones.

(3) Commercial vessel transiting directly to or from waterfront facilities within these zones.

(4) Vessels providing direct operational/logistic support to commercial vessels within these zones.

(5) Vessels operated by the port authority or by facilities located within these zones.

(6) Vessels operated by Federal, State, county, or municipal agencies.

(7) All persons and vessels within the moving security zone must comply with the instructions of the Captain of the Port Houston-Galveston and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(8) To request permission as required by these regulations, contact the Sector Houston-Galveston Command Center by telephone at (713) 671-5113. In Freeport, vessels should contact the Captain of the Port's designated on-scene representative for the moving security zone on VHF Channel 16, or by telephone at (979) 233-7551.

(c) *Certain vessel definition.* For the purposes of this section, certain vessel means any vessel within the 12 nautical mile U.S. Territorial Waters and bound for the Port of Freeport that is deemed to be in need of a moving security zone by the Captain of the Port, Houston-Galveston for security reasons. In making this determination, the Captain of the Port considers all relevant security factors, including but not limited to the presence of unusually harmful or hazardous substances and the risk to population or infrastructure.

(d) *Informational broadcasts.* The Captain of the Port Houston-Galveston will inform the public when moving security zones have been established around certain vessels via Broadcast Notice to Mariners on VHF channel 16 and 13. Vessels that have a moving security zone in place around them will display the international signal flag or pennant number five.

(e) *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.

[USCG-2008-0125, 75 FR 8490, Feb. 25, 2010]

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§165.819 Security Zone; Sabine Bank Channel, Sabine Pass Channel and Sabine-Neches Waterway, TX.

(a) *Location.* (1) The following LNG facility mooring basins are designated as fixed security zones whenever LNG carriers are moored within them:

(i) *Golden Pass LNG, Sabine TX:* All mooring basin waters south of a line connecting the following points—beginning at 29°45'58" N, 093°55'40" W; then east to a point at 29°45'52.8" N, 093°55'20.8" W; then bearing 120° T to the shoreline at 29°45'50" N, 093°55'17" W.

(ii) *Sabine Pass LNG, Cameron Parish, LA:* All mooring basin waters north of a line connecting the following points—beginning at the shoreline in position 29°44'34.7" N, 093°52'29" W; then southeast to a point at 29°44'31.4" N,

093°52'26.4" W; then bearing 121° T to a point at 29°44'25.2" N, 093°52'14.6" W; then bearing 116° T to the shoreline at 29°44'23.75 N, 093°52'00" W.

(2) The following areas are designated as moving security zones: All waters of the Captain of the Port, Port Arthur Zone commencing at U.S. territorial waters and extending from the surface to the bottom, channel edge to channel edge on the Sabine Bank and Sabine Pass Channels and shoreline to shoreline on the Sabine-Neches Waterway, 2 miles ahead and 1 mile astern of certain designated vessels while in transit within in the Captain of the Port, Port Arthur zone. Mariners would be notified of designated vessels by Broadcast Notice to Mariners and the presence of escort vessels displaying flashing blue law enforcement lights.

(b) *Regulations.* (1) Entry into or remaining in a fixed security zone described in paragraph (a)(1) of this section is prohibited for all vessels except:

- (i) Commercial vessels operating at waterfront facilities within these zones;
- (ii) Commercial vessels transiting directly to or from waterfront facilities within these zones;
- (iii) Vessels providing direct operational or logistical support to commercial vessels within these zones;
- (iv) Vessels operated by the appropriate port authority or by facilities located within these zones; and
- (v) Vessels operated by Federal, State, county, or municipal law enforcement agencies.

(2) Entry into or remaining in a moving security zone described in paragraph (a)(2) of this section is prohibited for all vessels except:

(i) Moored vessels or vessels anchored in a designated anchorage area. A moored or an anchored vessel in a security zone described in paragraph (a)(2) of this section must remain moored or anchored unless it obtains permission from the Captain of the Port to do otherwise;

- (ii) Commercial vessels operating at waterfront facilities located within the zone;
- (iii) Vessels providing direct operational support to commercial vessels within a moving security zone;
- (iv) Vessels operated by Federal, State, county, or municipal law enforcement agencies.

(3) Meeting, crossing or overtaking situations are not permitted within the security zone described in paragraph (a)(2) of this section unless specifically authorized by the Captain of the Port.

(4) Other persons or vessels requiring entry into security zones described in this section must request permission from the Captain of the Port, Port Arthur or designated representative.

(5) To request permission to enter a security zone described in this section, contact Vessel Traffic Service Port Arthur on VHF Channel 01A or 65A; by telephone at (409) 719-5070; by fax at (409) 719-5090; or contact the Captain of the Port's designated on-scene patrol vessel on VHF channel 13 or 16.

(6) All persons and vessels within a security zone described in this section must comply with the instructions of the Captain of the Port, Port Arthur, designated on-scene U.S. Coast Guard patrol personnel or other designated representatives. Designated on-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Designated representatives include Federal, State, local and municipal law enforcement agencies.

[USCG-2009-0316, 75 FR 65235, Oct. 22, 2010, as amended at 76 FR 1521, Jan. 11, 2011]

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§165.820 Security Zone; Ohio River Mile, 34.6 to 35.1, Shippingport, Pennsylvania.

(a) *Location.* The following area is a security zone: The waters of the Ohio River, extending 200 feet from the shoreline of the left descending bank beginning from mile marker 34.6 and ending at mile marker 35.1.

(b) *Regulations.* (1) Entry into or remaining in this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Pittsburgh.

(2) Persons and vessels desiring to transit the area of the security zone may contact the Captain of the Port Pittsburgh at telephone number 412-644-5808 or 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 Pittsburgh or his designated representative.

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

[COTP Pittsburgh-02-005, 67 FR 40163, June 12, 2002]

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§165.821 Ohio River at Cincinnati, OH; regulated navigation area.

(a) *Location.* The following is a regulated navigation area (RNA)—The waters of the Ohio River between mile 466.0 and mile 473.0.

(b) *Activation.* The restrictions in paragraphs (c) (1) through (4) are in effect from one-half hour before sunset to one-half hour after sunrise when the Cincinnati, Ohio, Ohio River Gauge is at or above the 45 foot level. The Captain of the Port, Louisville, Kentucky will publish a notice in the Local Notice to Mariners and will make announcements by Coast Guard Marine Information Broadcasts whenever the river level measured at the gauge activates or terminates the navigation restrictions in this section.

(c) *Regulations.* (1) Transit through the RNA by all downbound vessels towing cargoes regulated by Title 46 Code of Federal Regulations Subchapters D and O with a tow length exceeding 600 feet excluding the tow boat is prohibited.

(2) No vessel shall loiter, anchor, stop, remain or drift without power at any time within the navigation channel of the RNA.

(3) All commercial vessels shall continually monitor VHF-FM channel 13 on their radiotelephone while in or approaching the RNA.

(4) Between Ohio River miles 464.0 and 466.0, downbound vessels shall make a broadcast in the blind, on VHF-FM channel 13 announcing their estimated time of entering the RNA.

[CGD02-95-003, 61 FR 2417, Jan. 26, 1996. Redesignated by CGD 97-023, 62 FR 33365, June 19, 1997, as amended by USCG-1998-3799, 63 FR 35533, June 30, 1998]

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§165.822 Safety Zone; Fireworks Display, Kanawha River, WV.

(a) *Safety zones.* The following areas are designated safety zones: all waters between the specified mile markers on the Kanawha River, described as follows in the Table to §165.822(a):

TABLE TO §165.822(a)

Event name	Event location	Scheduled date
West Virginia Special Olympics Fireworks Display	Between mile 57.9 and 58.9, Charlestown, WV	First Friday in June.
West Virginia Symphony Sunday Fireworks Display	Between mile 59.5 and 60.5, Charlestown, WV	First Sunday in June.
St. Albans Fireworks Display	Between mile 46.0 and 47.0, St. Albans, WV	Last Saturday in June.

(b) *Enforcement.* The Captain of the Port Ohio Valley or designated representative will inform the public through broadcast notice to mariners of the enforcement periods for the safety zones.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Ohio Valley or designated representative.

(2) Persons or vessels requiring entry into or passage through this zone must request permission from the Captain of the Port Ohio Valley, or a designated representative. They may be contacted on VHF-FM Channels 13 or 16, or by telephone at (800) 253-7465.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port Ohio Valley and designated on-scene U.S. Coast Guard patrol personnel.

(4) On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

[USCG-2010-1015, 76 FR 28314, May 17, 2011]

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§165.825 Security Zones; Captain of the Port St. Louis, Missouri.

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

(1) *Fort Calhoun Nuclear Power Station Security Zone, Fort Calhoun, Nebraska*—all waters of the Missouri River, extending 75 feet from the shoreline of the right descending bank beginning from mile marker 645.6 and ending at mile marker 646.0.

(2) *Cooper Nuclear Station Security Zone, Brownville, Nebraska*—all waters of the Missouri River, extending 250 feet from the shoreline of the right descending bank beginning from mile marker 532.5 and ending at mile marker 532.9.

(3) *Quad Cities Generating Station Security Zone, Cordova, Illinois*—all waters of the Upper Mississippi River, extending 300 feet from the shoreline of the left descending bank beginning from mile marker 506.3 and ending at mile marker 507.3.

(4) *Prairie Island Nuclear Generating Facility Security Zone, Welch, Minnesota*—all waters of the Upper Mississippi River, extending 300 feet from the shoreline of the right descending bank beginning from mile marker 798.0 and ending at 798.3.

(5) *Clinton Power Station Security Zone, Clinton, Illinois*—all waters of Lake Clinton in Dewitt County in East Central Illinois bounded by a dam constructed near the confluence of Salt Creek River mile 56 and the north fork of Salt Creek. The zone extends out 600 feet from shore. Boundaries of the zone begin at 40°10'30" N, 88°50'30" W; thence east to 40°10'30" N, 88°49'55" W; thence south to 40°10'15" N, 88°49'55" W; thence west to 40°10'15" N, 88°50'30" W; thence returning north to the origin. These coordinates are based upon [NAD 83].

(b) *Regulations.* (1) Entry into these security zones is prohibited unless authorized by the Coast Guard Captain of the Port, St. Louis or designated representative.

(2) The Ft. Calhoun and Cooper security zones include a portion of the navigable channel of the Missouri River. All vessels that may safely navigate outside of the channel are prohibited from entering the security zone without the express permission of the Captain of the Port St. Louis or designated representative. Vessels that are required to use the channel for safe navigation are authorized entry into the zone but must remain within the channel unless expressly authorized by the Captain of the Port St. Louis or designated representative.

(3) Persons or vessels requiring the Captain of the Port St. Louis' permission to enter the security zones must contact the Coast Guard Sector Upper Mississippi River at telephone number 319 524-7511 or on VHF marine channel 16 or Marine Safety Detachment Quad Cities at telephone number 309 782-0627 or the Captain of the Port, St. Louis at telephone number 314 539-3091, ext. 3500 in order to seek permission to enter the security zones. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port, St. Louis or designated representative.

(4) Designated representatives are commissioned, warrant, and petty officers of the U.S. Coast Guard.

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

[COTP St. Louis-02-005, 67 FR 64043, Oct. 17, 2002]

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§165.827 Regulated Navigation Area; Galveston Channel, TX.

(a) *Location.* The following area is a regulated navigation area: All waters of the Galveston Channel within the area from Latitude 29°20'19" N, Longitude 094°46'36" W, east to Latitude 29°20'06" N, Longitude 094°46'15" W, south to Latitude 29°19'47" N, Longitude 094°46'27" W, west to Latitude 29°19'51" N, Longitude 094°46'45" W, and north to Latitude 29°20'19" N, Longitude 094°46'36" W.

(b) *Regulations.* (1) Vessels navigating this area must do so at a minimum safe speed so as to not cause any wake.

(2) Vessels may proceed at greater than a minimum safe speed with permission of the Captain of the Port Houston-Galveston or a designated representative.

(3) To request permission as required by these regulations, contact the Sector Houston-Galveston Command Center by telephone at (713)671-5113.

[USCG-2009-0931, 75 FR 47715, Aug. 9, 2010]

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§165.830 Regulated Navigation Area; Reporting Requirements for Barges Loaded with Certain Dangerous Cargoes, Inland Rivers, Eighth Coast Guard District.

(a) *Regulated Navigation Area.* The following waters are a regulated navigation area (RNA): the Mississippi River above mile 235.0, Above Head of Passes, including all its tributaries; the Atchafalaya River above mile 55.0, including the Red River; the Ohio River and all its tributaries; and the Tennessee River from its confluence with the Ohio River to mile zero on the Mobile River and all other tributaries between these two rivers.

(b) *Enforcement and applicability.* (1) Beginning January 1, 2016, reporting requirements under this RNA will be enforced only when directed by the District Commander or designated representative under paragraphs (d)(1)(ix), (d)(2)(iv), (f)(9), and (g)(4) of this section. Reporting points as listed in paragraph (e) of this section may be used to determine and inform where reporting is required. Compliance under other parts of this section is stayed until a future date published in the FEDERAL REGISTER, if determined necessary.

(2) This section applies to towing vessel operators and fleeting area managers responsible for CDC barges in the RNA. This section does not apply to:

- (i) Towing vessel operators responsible for barges not carrying CDCs barges, or
- (ii) Fleet tow boats moving one or more CDC barges within a fleeting area.

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

Barge means a non-self propelled vessel engaged in commerce, as set out in 33 CFR 160.202.

Certain Dangerous Cargo or (*CDC*) includes any of the following:

- (1) Division 1.1 or 1.2 explosives as defined in 49 CFR 173.50.
- (2) Division 1.5D blasting agents for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.
- (3) Division 2.3 “poisonous gas”, as listed in 49 CFR 172.101 that is also a “material poisonous by inhalation” as defined in 49 CFR 171.8, and that is in a quantity in excess of 1 metric ton per barge.
- (4) Division 5.1 oxidizing materials for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.
- (5) A liquid material that has a primary or subsidiary classification of Division 6.1 “poisonous material” as listed in 49 CFR 172.101 that is also a “material poisonous by inhalation”, as defined in 49 CFR 171.8 and that is in a bulk packaging, or that is in a quantity in excess of 20 metric tons per barge when not in a bulk packaging.
- (6) Class 7, “highway route controlled quantity” radioactive material or “fissile material, controlled shipment”, as defined in 49 CFR 173.403.
- (7) Bulk liquefied chlorine gas and bulk liquefied gas cargo that is flammable and/or toxic and carried under 46 CFR 154.7.
- (8) The following bulk liquids—
 - (i) Acetone cyanohydrin,
 - (ii) Allyl alcohol,
 - (iii) Chlorosulfonic acid,
 - (iv) Crotonaldehyde,
 - (v) Ethylene chlorohydrin,
 - (vi) Ethylene dibromide,
 - (vii) Methacrylonitrile,
 - (viii) Oleum (fuming sulfuric acid), and
 - (ix) Propylene oxide.

CDC barge means a barge containing CDCs or CDC residue.

Downbound means the tow is traveling with the current.

Eighth Coast Guard District means the Coast Guard District as set out in 33 CFR 3.40-1.

Fleeting area means any fleet, including any facility, located within the area covered by one single port.

Fleet tow boat means any size vessel that is used to move, transport, or deliver a CDC barge within a fleeting area.

Eighth District CDC Reporting Unit or (*D8 CDCRU*) means the Coast Guard office that is responsible for collecting the information required by this section.

Towing vessel means any size vessel that is used to move, transport, or deliver a CDC barge to a fleet or facility that is located in a different port than where the voyage originated.

Towing vessel operator means the Captain or pilot who is on watch on board a towing vessel.

Upbound means the tow is traveling against the current.

(d) *Regulations.* The following must report to the Eighth District CDC Reporting Unit Eighth District (D8 CDCRU):

(1) The towing vessel operator responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.830(f), in paragraph (f) of this section, to the D8 CDCRU:

(i) Upon point of entry into the RNA with one or more CDC barges;

(ii) Four hours before originating a voyage within the RNA with one or more CDC barges, except if the evolution of making up a tow with a CDC barge will take less than four hours before originating a voyage, and the towing vessel operator did not receive the order to make up a tow with a CDC barge in advance of four hours before originating the voyage with one or more CDC barges, in which case the towing vessel operator shall submit the required report to the D8 CDCRU as soon as possible after receiving orders to make up a tow with one or more CDC barges;

(iii) Upon dropping off one or more CDC barges at a fleeting area or facility;

(iv) Upon picking up one or more additional CDC barges from a fleeting area or facility;

(v) At designated reporting points, set forth in paragraph (e) of this section;

(vi) When the estimated time of arrival (ETA) to a reporting point varies by 6 hours from the previously reported ETA;

(vii) Any significant deviation from previously reported information;

(viii) Upon departing the RNA with one or more CDC barges; and

(ix) When directed by the District Commander or designated representative.

(2) The fleeting area manager responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.830(g), in paragraph (g) of this section, to the D8 CDCRU:

(i) Once daily, report all CDC barges within the fleeting area;

(ii) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat;

(iii) Any significant deviation from previously reported information; and

(iv) When directed by the District Commander or designated representative.

(3) Reports required by this section may be made by a company representative or dispatcher on behalf of the fleeting area manager.

(4) When required, reports under this section must be made either by email at d08-smb-cdcru@uscg.mil or via phone or fax as provided in the notification as directed by the District Commander or designated representative through the D8 CDCRU. Notification of when and where reporting is required may be made through Marine Safety Information Bulletins, Notices of Enforcement, email and/or through industry outreach. At all other times, reporting under this section is not required and communications should be directed to the Captain of the Port.

(5) The general regulations contained in 33 CFR 165.13 apply to this section.

(e) *Eighth Coast Guard District Inland River RNA Reporting points.* Towing vessel operators responsible for one or more CDC barges in the RNA must make reports to the D8 CDCRU at each point listed in this paragraph (e):

(1) Lower Mississippi River (LMR), between Mile Markers (M):

(i) M 235.0-240.0 (Entering & Exiting RNA)

(ii) M 338.0-343.0

(iii) M 430.0-435.0

(iv) M 520.0-525.0

(v) M 621.0-626.0

(vi) M 695.0-700.0

(vii) M 772.0-777.0

(viii) M 859.0-864.0

(ix) M 945.0-950.0

(2) Upper Mississippi River (UMR), between Mile Markers (M) and Departing Lock & Dam (L&D), unless otherwise indicated:

(i) L&D 3

(ii) L&D 4

(iii) L&D 8

- (iv) L&D 11
- (v) L&D 14
- (vi) L&D 18
- (vii) L&D 21
- (viii) L&D 25
- (ix) Arriving Melvin Price L&D (downbound)
- (x) Departing Melvin Price L&D (upbound)
- (xi) M 150.0-145.0
- (xii) M 66.0-61.0

(3) Missouri River (MOR), between Mile Markers (M):

- (i) M 54.0-56.0
- (ii) M 115.0-117.0
- (iii) M 208.0-210.0
- (iv) M 326.0-328.0
- (v) M 397.0-399.0
- (vi) M 487.0-489.0
- (vii) M 572.0-574.0
- (viii) M 652.0-654.0
- (ix) M 745.0-750.0

(4) Illinois River (ILR), at Mile Marker (M) and Lock & Dam (L&D), as indicated:

- (i) M 0.0
- (ii) Departing New LaGrange L&D
- (iii) M 140.0
- (iv) M 187.2 (Entering & Exiting RNA)

(5) Ohio River, between Mile Markers (M) and at Lock & Dam (L&D), as indicated:

- (i) M 950.0-952.0
- (ii) Arriving Smithland L&D
- (iii) M 826.0-828.0
- (iv) M 748.0-750.0
- (v) M 673.0-675.0
- (vi) M 628.0-630.0
- (vii) M 556.0-559.0
- (viii) M 511.0-513.0
- (ix) Departing Capt Anthony Meldahl L&D
- (x) Arriving Greenup L&D (upbound)
- (xi) Departing Greenup L&D (downbound)
- (xii) Departing Robert C. Byrd L&D (upbound)
- (xiii) Arriving Robert C. Byrd L&D (downbound)
- (xiv) Departing Belleville L&D
- (xv) Departing Hannibal L&D
- (xvi) Departing Montgomery L&D

(6) Allegheny River at Lock & Dam (L&D), as indicated:

- (i) Departing L&D 4 (upbound)
- (ii) Arriving L&D 4 (downbound)

(7) Monongahela River Departing Lock & Dam (L&D):

- (i) Grays Landing L&D
 - (ii) L&D 3
- (8) Kanawha River, at Lock & Dam (L&D), as indicated:
- (i) Arriving Winfield L&D (upbound)
 - (ii) Departing Winfield L&D (downbound)
- (9) Cumberland River, between Mile Markers (M) and Departing Lock & Dam (L&D), unless otherwise indicated:
- (i) Departing Old Hickory L&D (upbound)
 - (ii) Arriving Old Hickory L&D (downbound)
 - (iii) M 127.0-129.0
 - (iv) Barkley L&D
- (10) Tennessee River, between Mile Markers (M) and when Departing Lock & Dam (L&D), unless otherwise indicated:
- (i) Fort Loudon L&D
 - (ii) Watts Bar L&D
 - (iii) Departing Chickamauga L&D (upbound)
 - (iv) Arriving Chickamauga L&D (downbound)
 - (v) Nickajack L&D
 - (vi) Gunterville L&D
 - (vii) General Joe Wheeler L&D
 - (viii) Pickwick Landing L&D
 - (ix) M 122.0-124.0
 - (x) Kentucky L&D
- (11) Tennessee-Tombigbee River, between Mile Markers (M) and when Departing Lock & Dam (L&D):
- (i) Lock D
 - (ii) Aberdeen L&D
 - (iii) Aliceville L&D
 - (iv) M 202.0-203.0
 - (v) Coffeeville L&D
- (12) Mobile River, at Mile Marker (M):
- (i) 0.0 (Entering & Exiting RNA)
 - (ii) [Reserved]
- (13) Black Warrior River, when Departing L&D:
- (i) Holt L&D
 - (ii) [Reserved]
- (14) Alabama River, when Departing L&D:
- (i) Claiborne L&D
 - (ii) Henry L&D
- (15) McClellan-Kerr Arkansas River Navigation System, when Departing Lock & Dam (L&D), unless otherwise indicated:
- (i) Chouteau L&D
 - (ii) W.D. Mayo L&D
 - (iii) Ozark-Jeta Taylor L&D
 - (iv) L&D 9
 - (v) Arriving David D. Terry L&D (upbound)
 - (vi) Departing David D. Terry L&D (downbound)
 - (vii) L&D 2
- (16) Red River, between Mile Markers (M) and when Departing Lock & Dam (L&D):

(i) L.C. Boggs L&D

(ii) Lock 3

(iii) M 178.0-180.0

(17) Atchafalaya River, at Mile Marker (M):

(i) 55.0 (Entering & Exiting RNA)

(ii) [Reserved]

(f) *Information to be reported to the D8 CDCRU by towing vessel operators.* With the exception noted in paragraph (d)(1)(ii) of this section, towing vessel operators responsible for one or more CDC barges in the RNA must report all the information required by this section as set out in table 165.830(f) of this paragraph.

TABLE 165.830(f)—INFORMATION TO BE REPORTED TO THE D8 CDCRU BY TOWING VESSEL OPERATORS

	24-hour contact number	Name of vessel moving barge(s)	Barge(s) name and official number	Type, name and amount of CDC onboard	Estimated time of departure from fleeting area or facility	Name and location of destination of CDC barge (fleeting area or facility), including estimated time of arrival	Reporting point	Estimated time of arrival (ETA) to next reporting point (if applicable)
(1) Upon point of entry into the RNA with a CDC barge	X	X	X	X		X	X	X
(2) 4 hours before to originating a voyage within the RNA with one or more CDC barges; but see exception in paragraph (d)(1)(ii) of this section	X	X	X	X	X	X		X
(3) Upon dropping off one or more CDC barges at a fleeting area or facility		X	X					
(4) Upon picking up one or more additional CDC barges from a fleeting area or facility		X	X	X				
(5) At designated reporting points in table 165.830(e)		X	X	(¹)		(¹)	X	X
(6) When ETA to a reporting point varies by 6 hours from previously reported ETA		X	(¹)	(¹)				X
(7) Any significant deviation from previously reported information (all that apply)	X	X	X	X	X	X	X	X
(8) Upon departing the RNA with a CDC barge(s)		X	X				X	
(9) When directed by the District Commander or designated representative	X	X	X	X	X	X	X	X

¹If changed.

(g) *Information to be reported to the D8 CDCRU by fleeting area managers.* Fleeting area managers responsible for one or more CDC barges in the RNA must report the information required by this section as set out in table 165.830(g) of this paragraph.

TABLE 165.830(g)—INFORMATION TO BE REPORTED TO THE D8 CDCRU BY FLEETING AREA MANAGERS

	24-hour contact number	Barge(s) name and official number	Type, name and amount of CDC onboard	Location of CDC barge (fleeting area or facility)
(1) Once daily, all CDC barges in a fleeting area	X	X	X	X
(2) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat		X	X	X
(3) Any significant deviation from previously reported information (all that apply)	X	X	X	X
(4) When directed by the District Commander or designated representative	X	X	X	X

(h) *Alternative reporting.* The Eighth Coast Guard District Commander may consider and approve alternative methods to be used by a reporting party to meet any reporting requirements if—

(1) the request is submitted in writing to Commander, Eighth Coast Guard District (m), Hale Boggs Federal Bldg., 501 Magazine Street, New Orleans, LA 70130; and

(2) the alternative provides an equivalent level of the reporting that which would be achieved by the Coast Guard with the required check-in points.

(i) Deviation from this section is prohibited unless specifically authorized by the Commander, Eighth Coast Guard District or designated representative.

(Approved by the Office of Management and Budget under OMB control number 1625-0105)

[CDG08-03-029, 68 FR 57363, Oct. 3, 2003; 68 FR 63988, Nov. 12, 2003, as amended at 68 FR 69959, Dec. 16, 2003; USCG-2005-21869, 80 FR 5336, Jan. 30, 2015; USCG-2013-0760, 80 FR 79480, Dec. 22, 2015]

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§165.835 Security Zone; Port of Mobile, Mobile Ship Channel, Mobile, AL.

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

Cruise ship means a passenger vessel over 100 gross tons, carrying more than 12 passengers for hire, making a voyage lasting more than 24 hours any part of which is on the high seas, and for which passengers are embarked or disembarked in the United States or its territories. This definition covers passenger vessels that must comply with 33 CFR parts 120 and 128.

(b) *Location.* The following areas are security zones: all waters of the Port of Mobile and Mobile Ship Channel—

(1) Within 100 yards of a cruise ship that is transiting shoreward of the Mobile Sea Buoy (located in approximate position 28°07'50" N, 88°04'12" W; NAD 83), and

(2) Within 25 yards of a cruise ship that is moored shoreward of the Mobile Sea Buoy.

(c) *Periods of enforcement.* This rule will only be enforced when a cruise ship is transiting the Mobile Ship Channel shoreward of the Mobile Sea Buoy, while transiting in the Port of Mobile, or while moored in the Port of Mobile. The Captain of the Port Mobile or a designated representative would inform the public through broadcast notice to mariners of the enforcement periods for the security zone.

(d) *Regulations.* (1) Under §165.33 of this part, entry into a security zone is prohibited unless authorized by the Captain of the Port Mobile or a designated representative.

(2) While a cruise ship is transiting on the Mobile Ship Channel shoreward of the Mobile Sea Buoy, and while transiting in the Port of Mobile, all persons and vessels are prohibited from entering within 100 yards of a cruise ship.

(3) While a cruise ship is moored in the Port of Mobile, all persons and vessels are prohibited from entering within 25 yards of a cruise ship.

(4) Persons or vessels that desire to enter into the security zone for the purpose of passing or overtaking a cruise ship that is in transit on the Mobile Ship Channel or in the Port of Mobile must contact the on-scene Coast Guard representative, request permission to conduct such action, and receive authorization from the on-scene Coast Guard representative prior to initiating such action. The on-scene Coast Guard representative may be contacted on VHF-FM channel 16.

(5) All persons and vessels authorized to enter into this security zone must obey any direction or order of the Captain of the Port or designated representative. The Captain of the Port Mobile may be contacted by telephone at (251) 441-5976. The on-scene Coast Guard representative may be contacted on VHF-FM channel 16.

(6) All persons and vessels shall comply with the instructions of the Captain of the Port Mobile and designated on-scene U.S. Coast Guard patrol personnel. On-scene Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

[COTP Mobile-04-057, 70 FR 20813, Apr. 22, 2005]

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§165.836 Security Zone; Escorted Vessels, Mobile, Alabama, Captain of the Port.

(a) *Definitions.* The following definitions apply to this section:

COTP means Captain of the Port Mobile, AL.

Designated representatives 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 COTP, in the enforcement of the security zone.

Escorted vessel means a vessel, other than a large U.S. naval vessel as defined in 33 CFR 165.2015, that is accompanied by one or more Coast Guard assets or other Federal, State, or local law enforcement agency assets clearly identifiable by flashing lights, vessel markings, or with agency insignia as follows: Coast Guard surface or air asset displaying the Coast Guard insignia. State and/or local law enforcement asset displaying the applicable agency markings and/or equipment associated with the agency. *Escorted vessel* also means a moored or anchored vessel that was escorted by Coast Guard assets or other

Federal, State, or local law enforcement agency assets to its present location and some or all of those properly marked assets remain on-scene to continue to enforce the security zone.

Minimum safe speed means the speed at which a vessel proceeds when it is fully off plane, completely settled in the water and not creating excessive wake or surge. Due to the different speeds at which vessels of different sizes and configurations may travel while in compliance with this definition, no specific speed is assigned to minimum safe speed. In no instance should minimum safe speed be interpreted as a speed less than that required for a particular vessel to maintain steerageway. A vessel is not proceeding at minimum safe speed if it is:

- (1) On a plane;
- (2) In the process of coming up onto or coming off a plane; or
- (3) Creating an excessive wake or surge.

(b) *Regulated area*. All navigable waters, as defined in 33 CFR 2.36, within the Captain of the Port Zone, Mobile, Alabama, as described in 33 CFR 3.40-10.

(c) *Security zone*. A 500-yard security zone is established around each escorted vessel within the regulated area described in paragraph (b) of this section. This is a moving security zone when the escorted vessel is in transit and becomes a fixed zone when the escorted vessel is anchored or moored. A security zone will not extend beyond the boundary of the regulated area described in paragraph (b) of this section.

(d) *Regulations*. (1) The general regulations for security zones contained in §165.33 of this part applies to this section.

(2) A vessel may request the permission of the COTP Mobile or a designated representative to enter the security zone described in paragraph (c) of this section. If permitted to enter the security zone, a vessel must proceed at the minimum safe speed and must comply with the orders of the COTP or a designated representative.

(e) *Notice of security zone*. The COTP will inform the public of the existence or status of the security zones around escorted vessels in the regulated area by broadcast notices to mariners, normally issued at 30-minute intervals while the security zones remains in effect. Escorted vessels will be identified by the presence of Coast Guard assets or other Federal, State or local law enforcement agency assets.

(f) *Contact information*. The COTP Mobile may be reached via phone at (251) 441-6211. Any on scene Coast Guard or designated representative assets may be reached via VHF-FM channel 16.

[USCG-2008-1013, 73 FR 67107, Nov. 13, 2008, as amended at 74 FR 22102, May 12, 2009]

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§165.837 Safety Zone; Invista Inc Facility Docks, Victoria Barge Canal, Victoria, Texas.

(a) *Location*. The following area is a safety zone: All waters contained within a 500-foot (152.5m) extension east and west of the Invista Inc facility docks while performing offloading operations.

(b) *Enforcement period*. This rule will be enforced for periods of 24-30 hours twice a month, from the time the oversized barge docks at the Invista Inc facility until the vessel departs the facility upon conclusion of its offloading operations. The Captain of the Port Corpus Christi will issue a Broadcast Notice to Mariners before beginning enforcement and upon ceasing enforcement of the safety zone.

(c) *Definitions*. The following definition applies to this section:

designated representative means any commissioned, warrant, and petty officers of the Coast Guard on board Coast Guard, Coast Guard Auxiliary, and local, state, and Federal law enforcement vessels who have been authorized to act on the behalf of the Captain of the Port Corpus Christi.

(d) *Regulations*. (1) Persons desiring to transit the area of the safety zone may contact the Captain of the Port at telephone number 1-361-939-6393, or the barge on VHF Channel 16 (156.800MHz) 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.

(2) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or the designated representative.

(3) Upon being hailed by U.S. Coast Guard patrol personnel by siren, radio, flashing light, or other means the operator of a vessel must proceed as directed.

(4) The Coast Guard may be assisted by other Federal, State, or local agencies.

(5) In accordance with the general regulations in 33 CFR part 165.23, no person or vessel may enter or remain in the zone described in paragraph (a) of this section except for support vessels/aircraft and support personnel, or other vessels authorized by the Captain of the Port Corpus Christi or his designated representative.

(e) *Penalties.* Vessels or persons violating this rule are subject to the penalties set forth in 33 U.S.C. 1232 and 50 U.S.C. 192.

[USCG-2009-0797, 75 FR 13436, Mar. 22, 2010]

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§165.838 Regulated Navigation Area; Gulf Intracoastal Waterway, Inner Harbor Navigation Canal, New Orleans, LA.

(a) *Location.* The following is a regulated navigation area (RNA):

(1) The Gulf Intracoastal Waterway (GIWW) from Mile Marker (MM) 22 East of Harvey Locks (EHL), west on the GIWW, including the Michoud Canal and the Inner Harbor Navigation Canal (IHNC), extending North $\frac{1}{2}$ mile from the Seabrook Flood Gate Complex out into Lake Pontchartrain and South to the IHNC Lock.

(2) The Harvey Canal, between the Lapalco Boulevard Bridge and the confluence of the Harvey Canal and the Algiers Canal;

(3) The Algiers Canal, from the Algiers Lock to the confluence of the Algiers Canal and the Harvey Canal;

(4) The GIWW from the confluence of Harvey Canal and Algiers Canal to MM 7.5 West of Harvey Locks (WHL)

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

(1) Breakaway means a floating vessel that is adrift and that is not under its own power or the control of a towboat, or secured to its moorings.

(2) COTP means the Captain of the Port, New Orleans;

(3) *Facility* means a fleeting, mooring, industrial facility or marina along the shoreline at which vessels are or can be moored and which owns, possesses, moors, or leases vessels located in the areas described in paragraph (a) of this section.

(3) Fleet includes one or more tiers of barges.

(4) Fleeting or mooring facility means the area along the shoreline at which vessels are or can be moored.

(5) Floating vessel means any floating vessel to which the Ports and Waterways Safety Act, 33 U.S.C. 1221 *et seq.*, applies.

(6) Mooring barge or spar barge means a barge moored to mooring devices or secured to the ground by spuds, and to which other barges may be moored.

(7) Mooring device includes a deadman, anchor, pile or other reliable holding apparatus.

(8) *Navigational structures* are the Seabrook Floodgate Complex, the IHNC Lake Borgne Surge Barrier, and the West Closure Complex components of the Hurricane and Storm Damage Risk Reduction System (HSDRRS).

(9) Person in charge includes any owner, agent, pilot, master, officer, operator, crewmember, supervisor, dispatcher or other person navigating, controlling, directing or otherwise responsible for the movement, action, securing, or security of any vessel, barge, tier, fleet or fleeting or mooring facility subject to the regulations in this section.

(10) Tier means barges moored interdependently in rows or groups.

(11) *Port Coordination Team* is a body of public and private port stakeholders led by the COTP whose purpose is to share information, establish priorities, recommend and implement actions to address risks to ports and waterways during incidents and events.

(12) *Tropical Event* means the time period immediately preceding, during, and immediately following the expected impact of heavy weather from a tropical cyclone.

(c) *Enforcement.* (1) The provisions of paragraph (d) of this section will be enforced during a tropical event beginning 24 hours in advance of the predicted closure of the IHNC Lake Borgne Surge Barrier structure within the HSDRRS (IHNC & GIWW) in the area defined in paragraph (a)(1) of this section.

(2) The provisions of paragraph (d) of this section will be enforced beginning 24 hours in advance of the predicted closure of the West Closure Complex within the HSDRRS (Harvey & Algiers Canals) in the area defined in paragraphs (a)(2) through (4) of this section.

(3) If the Coast Guard receives notice of a closure less than 24 hours before closure, the provisions of paragraph (d) of this section will be enforced upon the COTP receiving the notice of predicted closing.

(4) In the event that a particularly dangerous storm is predicted, the COTP, in consultation with the Port Coordination Team, may require all floating vessels to evacuate the RNA beginning as early as 72 hours before predicted closure of any navigational structure or upon notice that particularly dangerous storm conditions are approaching, whichever is less.

(5) The COTP will notify the maritime community of the enforcement periods for this RNA through Marine Safety Information Bulletins and Safety Broadcast Notices to Mariners.

(d) *Regulations.* During the period that the RNA is enforced and before closure of the navigational structures, all floating vessels must depart the RNA except as follows:

(1) Floating vessels may remain in the Harvey and Algiers Canals, provided they are moored sufficiently to prevent a breakaway and meet the minimum mooring requirements and conditions set forth in paragraphs (f) and (g) of this section.

(2) Floating vessels may remain in the Michoud Canal at least $\frac{1}{4}$ mile north of the intersection of the Michoud Canal and the GIWW, the GIWW from MM 15 EHL to MM 10 EHL, provided they are moored sufficiently to prevent a breakaway and meet the minimum mooring requirements and conditions set forth in paragraphs (f) and (g) of this section.

(3) During the period that the RNA is enforced and before closure of the navigational structures, vessels may transit through the RNA en route to a destination outside of the RNA given there is sufficient time to transit prior to the closure of a navigational structure, or they may transit to a facility within the RNA with which they have a prearranged agreement. These vessel movements and time critical decisions will be made by the COTP in consultation with the Port Coordination Team.

(4) The COTP may review, on a case-by-case basis, alternatives to minimum mooring requirements and conditions set forth in paragraphs (f) and (g) of this section and may approve a deviation to these requirements and conditions should they provide an equivalent level of safety.

(e) *Special requirements for facilities.* In addition to the mooring and towboat requirements discussed in paragraph (f) and (g) of this section, Facilities within the area described in paragraph (a) of this section that wish to deviate from these restrictions because they have vessels intending to remain within the areas allowed in paragraphs (d)(1) and (2) of this section shall comply with the below documentation and maintenance requirements in order to obtain the COTP's approval for their vessel(s) to remain in the closed RNA.

(1) *Annual Hurricane Operations Plan.* All facilities that have vessels intending to deviate from this RNA and remain within the areas allowed in paragraphs (d)(1) and (2) of this section shall develop an operations plan. The operations plan shall be readily available by May 1st of each calendar year for review by the COTP. The Annual Hurricane Operations Plan shall include:

(i) A description of the maximum number of vessels the facility intends to have remaining at any one time during hurricane season.

(ii) A detailed plan for any vessel(s) that are intended to be sunk/grounded in place when the RNA is enforced if evacuation is not possible.

(iii) A diagram of the waterfront facility and fleeting area.

(iv) Name, call sign, official number, and operational status of machinery on board (*i.e.*, engines, generators, fire fighting pumps, bilge pumps, anchors, mooring machinery, etc.) each standby towboat.

(v) Characteristics for each vessel remaining at the fleeting or mooring facility, as applicable (length, breadth, draft, air draft, gross tonnage, hull type, horsepower, single or twin screw);

(vi) Details of mooring arrangements in accordance with mooring requirements and conditions set forth in paragraphs (g) and (h) of this section or COTP case-by-case approved deviations;

(vii) Certification by a professional engineer that the mooring arrangements are able to withstand winds of up to 140 mph, a surge water level of eleven feet, a current of four mph and a wave height of three feet within the canal basin in the area defined in paragraph (a)(1) of this section and a surge water level of eight feet, a current of four mph, and a wave height of two and a half feet within the canal basin in the area defined in paragraphs (a)(2) through (4) of this section;

(viii) Emergency contact information for the owner/operator, and/or agent of the facility/property.

(ix) 24-hour emergency contact information for qualified individuals empowered in writing by the owners/operators to make on-site decisions and authorize expenditures for any required pollution response or salvage.

(x) Full insurance disclosure to the COTP. Vessels moored to a facility shall provide insurance information to the facility.

(2) *Storm Specific Verification Report.* 72 hrs prior to predicted closure of the navigational structures, those facilities which have vessels that intend to remain within the RNA shall submit a Storm Specific Verification Report to the COTP New Orleans. The requirements for this Storm Specific Verification Report are located in the Canal Hurricane Operations Plan, which is Enclosure Six to the Sector New Orleans Maritime Hurricane Contingency Port Plan, <http://homeport.uscg.mil/nola>. The report shall include:

- (i) Updated contact information, including names of manned towboat(s) and individuals remaining on the towboat(s).
- (ii) Number of vessels currently moored and mooring configurations if less than stated in Annual Hurricane Operations Plan.

(iii) If the number of vessels exceeds the amount listed in the Annual Hurricane Operations Plan, describe process and timeframe for evacuating vessels to bring total number of vessels into alignment with the Annual Hurricane Operations Plan.

(3) The person in charge of a facility shall inspect each mooring wire, chain, line and connecting gear between mooring devices and each wire, line and connecting equipment used to moor each vessel, and each mooring device. Inspections shall be performed according to the following timelines and guidance:

- (i) Annually between May 1 and June 1 of each calendar year; and
- (ii) After vessels are added to, withdrawn from, or moved at a facility, each mooring wire, line, and connecting equipment of each barge within each tier affected by that operation; and
- (iii) At least weekly between June 1 and November 30; and
- (iv) 72 hrs prior to predicted closure of the navigation structures within this RNA; or within 6 hrs of the predicted closure, if the notice of predicted closure is less than 72 hrs.

(4) The person who inspects moorings shall take immediate action to correct any deficiency.

(5) *Facility records.* The person in charge of a fleeting or mooring facility shall maintain, and make available to the COTP, records containing the following information:

- (i) The time of commencement and termination of each inspection.
- (ii) The name of each person who makes the inspection.
- (iii) The identification of each vessel, barge entering or departing the fleeting or mooring facility, along with the following information:

(A) Date and time of entry and departure; and

(B) The names of any hazardous cargo which the vessel is carrying.

(6) The person in charge of a facility shall ensure continuous visual surveillance of all vessels at the facility.

(7) The person who observes the vessels shall:

- (i) Inspect for movements that are unusual for properly secured vessels; and
- (ii) Take immediate action to correct each deficiency.

(f) *Mooring requirements.* Facility owners shall consider all requirements within this section as minimum standards. Title 33 CFR 165.803, United Facilities Criteria (UFC) 4-159 and American Society of the Civil Engineers (ASCE) 7 should be utilized by Professional Engineers in the certification of the Annual Hurricane Operations Plan.

(1) No person may secure a vessel to trees or to other vegetation.

(2) No person may allow a vessel to be moored with unraveled or frayed lines or other defective or worn mooring.

(3) No person may moor barges side to side unless they are secured to each other from fittings as close to each corner of abutting sides as practicable.

(4) No person may moor barges end to end unless they are secured to each other from fittings as close to each corner of abutting ends as practicable.

(5) A vessel may be moored to mooring devices if both ends of that vessel are secured to mooring devices.

(6) Barges may be moored in tiers if each shoreward barge is secured to mooring devices at each end.

(7) A vessel must be secured as near as practicable to each abutting corner by:

(i) Three parts of wire rope of at least 1¼ inch diameter with an eye at each end of the rope passed around the timberhead, caval, or button;

(ii) A mooring of natural or synthetic fiber rope that has at least the breaking strength of three parts of 1¼ inch diameter wire rope; or

(iii) Fixed rigging that is at least equivalent to three parts of 1¼ inch diameter wire rope.

(8) The person in charge shall ensure that all mooring devices, wires, chains, lines and connecting gear are of sufficient strength and in sufficient number to withstand forces that may be exerted on them by moored vessels/barges.

(g) *Towboat Requirements.* The person in charge of a fleeting or mooring facility must ensure:

(1) Each facility consisting of eight or more vessels that are not under their own power must be attended by at least one radar-equipped towboat for every 50 vessels.

(2) Each towboat required must be:

(i) Able to secure any breakaways;

(ii) Capable of safely withdrawing or moving any vessel at the fleeting or mooring facility;

(iii) Immediately operational;

(iv) Radio-equipped;

(v) No less than 800 horsepower;

(vi) Within 500 yards of the vessels.

(3) The person in charge of each towboat required must maintain a continuous guard on the frequency specified by current Federal Communications Commission regulations found in 47 CFR part 83; a continuous watch on the vessels moored at facility; and report any breakaway as soon as possible to the COTP via telephone, radio or other means of rapid communication.

(h) Transient vessels will not be permitted to seek safe haven in the RNA except in accordance with a prearranged agreement between the vessel and a facility within the RNA.

(i) *Penalties.* Failure to comply with this section may result in civil or criminal penalties pursuant to the Ports and Waterways Safety Act, 33 U.S.C. 1221 *et seq.*

[USCG-2009-0139, 79 FR 21135, Apr. 15, 2014]

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§165.839 Safety Zone; Large Cruise Ships; Lower Mississippi River, Southwest Pass Sea Buoy to Mile Marker 96.0, New Orleans, LA.

(a) *Location.* Within the Lower Mississippi River and Southwest Pass, moving safety zones are established around all large cruise ships transiting between the Southwest Pass Entrance Lighted Buoy “SW”, at approximate position 28°52’42” N, 89°25’54” W [NAD 83] and Lower Mississippi River mile marker 96.0 in New Orleans, Louisiana. The moving safety zone extends bank to bank, encompassing all waters one-mile ahead and one-mile astern of a large cruise ship. The zone remains in effect during the entire transit of the large cruise ship.

(b) *Definitions.* As used in this section the term “large cruise ship” is defined as a vessel over 100 feet in length, carrying more than 500 passengers for hire, making a voyage lasting more than 24 hours, any part of which is on the high seas, and for which passengers are embarked or disembarked in the United States or its territories.

(c) *Regulations.* (1) In accordance with the general regulations in 33 CFR Part 165, Subpart C, no person or vessel may enter or remain in the Safety Zone except for vessels authorized by the Captain of the Port or Designated Representatives, except as provided for in paragraph (c)(3) of this section.

(2) For this section the Pilot directing the movement of the large cruise ship under the authority of the master has the authority to allow other vessels to enter the safety zone when necessary.

(3) All vessels are prohibited from entering this safety zone unless authorized as follows:

(i) Vessels that have made suitable passing or overtaking arrangements with the pilot onboard the large cruise ship may enter into this safety zone in accordance with those agreed upon arrangements.

(ii) Moored vessels or vessels anchored in a designated anchorage area may remain in their current moored or anchored position while the large cruise ship transits the area.

(iii) Barge Fleets or vessels working a fleet may continue their current operations while the large cruise ship transits the area.

(4) Vessels requiring a deviation from this rule must request permission from the Captain of the Port New Orleans. The Captain of the Port New Orleans may be contacted at (504) 365-2210.

[USCG-2010-0012, 77 FR 65818, Oct. 31, 2012]

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§165.840 Regulated Navigation Area, Gulf of Mexico: Mississippi Canyon Block 20, South of New Orleans, LA.

(a) *Location.* The following area is a Regulated Navigation Area: A 300-foot diameter area at the water surface centered on the following coordinates: 28°56'12.619"N, 008°58'10.303"W, and extending the entire water column from the surface to the seabed.

(b) *Regulations.* (1) In accordance with the general regulations in §165.11 of this part, all vessels are prohibited from anchoring, mooring, fishing, or otherwise loitering in the above described area except as authorized by the Captain of the Port, New Orleans.

(2) Persons or vessels requiring deviations from this rule must request permission from the Captain of the Port New Orleans. The Captain of the Port New Orleans may be contacted by telephone at (504) 365-2200.

[USCG-2013-0064, 78 FR 59236, Sept. 26, 2013]

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§165.842 Safety Zone; Upper Mississippi River between mile 38.0 and mile 46.0, Thebes, IL; and between mile 78.0 and mile 81.0, Grand Tower, IL.

(a) *Location.* The following areas are safety zones: All waters of the Upper Mississippi River from mile 38.0 to mile 46.0, Thebes, IL; and from mile 78.0 to mile 81.0, Grand Tower, IL, extending the entire width of the river.

(b) *Effective dates.* These safety zones are effective beginning November 10, 2014. Enforcement times and the requirements of this safety zones will be noticed as soon as is practicable before subsurface rock removal operations begin, actual notice will be used and additional notices made through Broadcast Notices to Mariners (BNM), or Local Notices to Mariners (LNM).

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this area is prohibited unless authorized by the Captain of the Port (COTP) Ohio Valley or a designated representative.

(2) The Captain of the Port (COTP) Ohio Valley may prescribe, for all or specific portions of the safety zones, periods of enforcement and minimum operational requirements necessary to enter, transit through, or stop within the safety zone in order to preserve safe navigation on the Upper Mississippi River during subsurface rock removal operations and clearing of vessel queues following rock removal operations, including, but not limited to, the required use of assist vessels; and restrictions on the following:

- (i) Tow size;
- (ii) Tow configuration;
- (iii) Vessel/barge draft;
- (iv) Speed;
- (v) Under keel clearance;
- (vi) Hours of transit; and
- (vii) One way traffic.

(3) All persons and vessels must comply with any requirement prescribed under paragraph (c)(2) of this section.

(4) Persons or vessels may request an exception from any requirement prescribed under paragraph (c)(2) of this section from the COTP Ohio Valley or a designated representative who may be a commissioned, warrant, or petty officer of the Coast Guard. The COTP Ohio Valley may be contacted by telephone at 1-800-253-7465 or on VHF-FM channel 16.

(d) *Enforcement.* The COTP Ohio Valley will notify the public of the specific requirements prescribed under paragraph (c) (2) of this section and of the times when those requirements will be enforced or when enforcement will be suspended, using means designed to ensure maximum effectual notice including, but not limited to, broadcast notices to mariners (BNM) and communications through the River Industry Action Committee.

[USCG-2013-0907, 79 FR 66626, Nov. 10, 2014]

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§165.843 Moving Security Zone; Escorted Vessels; Lower Mississippi River; New Orleans, LA.

(a) *Definitions.* The following definitions apply to this section:

COTP means Captain of the Port New Orleans, LA.

Designated representatives 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 COTP, in the enforcement of the security zone.

Escorted vessel means a vessel, other than a large U.S. naval vessel as defined in 33 CFR 165.2015, that is accompanied by one or more Coast Guard assets or other Federal, State or local law enforcement agency assets clearly identifiable by flashing lights, vessel markings, or with agency insignia as follows: Coast Guard surface or air asset displaying the Coast Guard insignia. State and/or local law enforcement asset displaying the applicable agency markings and/or equipment associated with the agency.

Minimum safe speed for navigation means the speed at which a vessel proceeds when it is fully off plane, completely settled in the water and not creating excessive wake or surge. Due to the different speeds at which vessels of different sizes and configurations may travel while in compliance with this definition, no specific speed is assigned to a minimum safe speed for navigation. In no instance should minimum safe speed be interpreted as a speed less than that required for a particular vessel to maintain steerageway. A vessel is not proceeding at minimum safe speed if it is:

- (i) On a plane;
- (ii) In the process of coming up, onto or coming off a plane; or
- (iii) Creating an excessive wake or surge.

(b) *Regulated area.* All navigable waters, as defined in 33 CFR 2.36, on the Lower Mississippi River between river miles 90.0 to 106.0 Above Head of Passes (AHP), New Orleans, Louisiana.

(c) *Security zone.* A temporary moving security zone, extending 300 yards in all directions of an escorted vessel, will be established around each escorted vessel within the regulated area described in paragraph (b) of this section. The security zone will not extend beyond the boundary of the regulated area in this section.

(d) *Notice of security zone.* The COTP will inform the public of the existence or status of any temporary moving security zones around escorted vessels in the regulated area by broadcast notices to mariners. The broadcast notice to mariners will inform the public of the enforcement period, size of the zone, and the navigable waters that will be affected, and will normally be issued at approximately 30-minute intervals while the moving security zone remains in effect. Escorted vessels will be identified by the presence of Coast Guard assets or other Federal, State or local law enforcement agency assets clearly identified by flashing lights, vessel markings, or agency insignia.

(e) *Regulations.* (1) In accordance with the general regulations in §165.33 of subpart D of this part, no person or vessel may enter or remain in a security zone without the permission of the Captain of the Port. Section 165.33 also contains other general requirements.

(2) Vessels may request permission from the Captain of the Port New Orleans through the on-scene Coast Guard or other agency asset to enter the security zone described in paragraph (c) of this section.

(i) If permission to enter and transit through the security zone is granted, the vessel shall operate at the minimum speed necessary to maintain a safe course, unless required to maintain speed by the Navigation Rules, and must proceed as directed by the COTP or a designated representative. When within the security zone, no vessel or person is allowed within 50 yards of the escorted vessel unless authorized by the Coast Guard.

(ii) [Reserved]

(f) *Contact information.* The COTP New Orleans may be reached via phone at (504) 365-2200. Any on-scene Coast Guard or designated representative assets may be reached via VHF-FM channel 16 or 67.

[USCG-2014-0995, 81 FR 8649, Feb. 22, 2016]

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§165.844 Safety Zone; Tennessee River, Miles 446.0 to 454.5, Chattanooga, TN.

(a) *Location.* All navigable waters of the Tennessee River beginning at mile marker 446.0 and ending at mile marker 454.5 at Chattanooga, TN.

(b) *Effective date.* This section is effective on March 5, 2018.

(c) *Periods of enforcement.* This section will be enforced whenever flow rates reach or exceed 100,000 cubic feet per second at Chickamauga lock and dam on the Tennessee River at mile marker 471.0. The Captain of the Port Sector Ohio Valley (COTP) or a designated representative will inform the public through broadcast notice to mariners of the enforcement period for the safety zone.

(d) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the COTP or a designated representative.

(2) Persons or vessels desiring entry into or passage through the zone must request permission from the COTP or a designated representative. U.S. Coast Guard Sector Ohio Valley may be contacted on VHF Channel 13 or 16, or at 1-800-253-7465.

(3) All persons and vessels shall comply with the instructions of the COTP and designated U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

[USCG-2015-1113, 83 FR 8750, Mar. 1, 2018]

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§165.845 Safety Zone; Lower Mississippi River, mile markers 94 to 97 above Head of Passes, New Orleans, LA.

(a) *Location.* The following area is a safety zone: All navigable waters of the Lower Mississippi River, New Orleans, LA from mile marker (MM) 94 (29°57'32" N, 90°03'05" W) to MM 97 (29°55'19" N, 90°04'00" W), NAD83 datum, on the Lower Mississippi River, above Head of Passes.

(b) *Enforcement period.* The safety zone established by this section will be enforced only upon notice of the Captain of the Port Sector New Orleans (COTP). In accordance with 33 CFR 165.7, for each enforcement of a safety zone established under this section, the COTP will publish a notice of enforcement in the FEDERAL REGISTER as early as practicable. In addition, the COTP will also inform the public of the enforcement area and times of this section as indicated in paragraph (d) of this section.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited to all vessels and persons except vessels authorized by the COTP or designated representative. A designated representative means any Coast Guard commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of Sector New Orleans.

(2) Persons and vessels requiring entry into this safety zone must request permission from the COTP or a designated representative. They may be contacted on VHF-FM Channel 16 or 67 or by telephone at (504) 365-2200.

(3) Persons and vessels permitted to enter this safety zone must transit at their slowest safe speed and comply with all lawful directions issued by the COTP or the designated representative.

(d) *Information broadcasts.* The COTP or a designated representative will inform the public of the enforcement period of this safety zone through Vessel Traffic Service Advisories, Broadcast Notices to Mariners (BNMs), Local Notice to Mariners (LNMs), and/or Marine Safety Information Bulletins (MSIBs) as appropriate.

[USCG-2018-0372, 83 FR 39883, Aug. 13, 2018]

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§165.T09-0082 Safety Zone; Cleveland Dragon Boat Festival and Head of the Cuyahoga, Cuyahoga River, Cleveland, OH.

(a) *Location.* The following area is a safety zone: All waters of the Cuyahoga River, Cleveland, OH between a line drawn perpendicular to the river banks from position 41°29'55" N., 081°42'23" W. (NAD 83) just past the Detroit-Superior Viaduct bridge at MM 1.42 of the Cuyahoga River south to a line drawn perpendicular to the river banks at position 41°28'32" N., 081°40'16" W. (NAD 83) just south of the Interstate 490 bridge at MM 4.79 of the Cuyahoga River.

(b) *Enforcement period.* The third Saturday of September each year from 7 a.m. to 4 p.m.

(c) *Definitions.* The following definitions apply to this section:

(1) "On-scene Representative" means any Coast Guard commissioned, warrant, or petty officer designated by the Captain of the Port Buffalo to monitor a safety zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zones, and take other actions authorized by the Captain of the Port.

(2) "Public vessel" means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(d) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone identified in paragraph (a) of this section is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative.

(2) The safety zone identified in paragraph (a) of this section is closed to all vessel traffic, except as may be permitted by the Captain of the Port Buffalo or his designated on-scene representative.

(3) Vessel operators desiring to enter or operate within the safety zone must contact the Captain of the Port Buffalo or his on-scene representative to obtain permission to do so. The Captain of the Port Buffalo or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Buffalo, or his on-scene representative.

(4) Additionally, all vessels over 65 feet intending to transit, moor or conduct operations to include loading or discharging of cargo or passengers in the Cuyahoga River while the safety zone is being enforced should request permission from the COTP or his/her designated representative at least 12 hours before the zone is established.

(e) *Exemption.* Public vessels, as defined in paragraph (c) of this section, are exempt from the requirements in this section.

(f) *Waiver.* For any vessel, the Captain of the Port Buffalo or his designated representative may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of public or environmental safety.

[USCG-2014-0082, 80 FR 51943, Aug. 27, 2015]

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§165.T09-0971 Safety zone; overhead cable replacement, Maumee River, Toledo, OH.

(a) *Location.* The following area is a temporary safety zone: all U.S. navigable waters of the Maumee River, Toledo, OH, starting from the CSX Railroad Bridge at River Mile Marker 1.07 and ending 700 feet down river from the CSX Railroad Bridge.

(b) *Effective and enforcement period.* This regulation will be enforced from 8:30 a.m. on November 27, 2012 until 6:30 p.m. on December 7, 2012. This regulation will be enforced from 8:30 a.m. until 6:30 p.m. on each day of this period.

(c) *Definitions.* The following definitions apply to this section:

(1) "On-scene Representative" means any Coast Guard Commissioned, warrant, or petty officer designated by the Captain of the Port Detroit to monitor a safety zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zones, and take other actions authorized by the Captain of the Port.

(2) "Public vessel" means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(d) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated representative.

(2) This safety zone is closed to all vessel traffic, excepted as may be permitted by the Captain of the Port Detroit or his designated representative. All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or his designated representative. Upon being hailed by the U.S. Coast Guard by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(3) All vessels must obtain permission from the Captain of the Port or his designated representative to enter, move within, or exit the safety zone established in this section when this safety zone is enforced. Vessels and persons granted permission to enter the safety zone must obey all lawful orders or directions of the Captain of the Port or a designated representative. While within a safety zone, all vessels must operate at the minimum speed necessary to maintain a safe course.

(e) *Exemption.* Public vessels, as defined in paragraph (b) of this section, are exempt from the requirements in this section.

(f) *Waiver.* For any vessel, the Captain of the Port Detroit or his designated representative may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of public or environmental safety.

(g) *Notification.* The Captain of the Port Detroit will notify the public that the safety zones in this section are or will be enforced by all appropriate means to the affected segments of the public including publication in the FEDERAL REGISTER as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port will issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone is cancelled.

[USCG-2012-0971, 77 FR 71699, Dec. 4, 2012]

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§165.901 Great Lakes—regulated navigation areas and safety zones.

(a) The following are regulated navigation areas:

(1) *Lake Huron.* (i) The waters of Lake Huron known as South Channel between Bois Blanc Island and Cheboygan, Michigan; bounded by a line north from Cheboygan Crib Light (LL-1340) at 45°39'48" N., 84°27'36" W.; to Bois Blanc Island at 45°43'42" N., 84°27'36" W.; and a line north from the mainland at 45°43'00" N., 84°35'30" W; to the western tangent of Bois Blanc Island at 45°48'42" N., 84°35'30" W.

(ii) The waters of Lake Huron between Mackinac Island and St. Ignace, Michigan, bounded by a line east from position 45°52'12" N., 84°43'00" W.; to Mackinac Island at 45°52'12" N., 84°39'00" W.; and a line east from the mainland at 45°53'12" N., 84°43'30" W.; to the northern tangent of Mackinac Island at 45°53'12" N., 84°38'48" W.

(2) *Lake Michigan.* (i) The waters of Lake Michigan known as Gray's Reef Passage bounded by a line from Gray's Reef Light (LL-2006) at 45°46'00" N., 85°09'12" W.; to White Shoals Light (LL-2003) at 45°50'30" N., 85°08'06" W.; to a point at 45°49'12" N., 85°04'48" W.; then to a point at 45°45'42" N., 85°08'42" W.; then to the point of beginning.

(ii) The waters of Lake Michigan known as Green Bay from Rock Island Passage or Porte Des Morts Passage north to Escanaba Light at 45°44'48" N., 087°02'14" W.; south to the Fox River Entrance at 44°32'22" N., 088°00'19" W., to the Sturgeon Bay Ship Canal from Sherwood Point Light at 44°53'34" N., 087°26'00" W.; to Sturgeon Bay Ship Canal Light at 44°47'42" N., 087°18'48" W.; and then to the point of beginning.

(b) Regulations:

(1) In the RNAs under paragraph (a) of this section, the District Commander or respective COTP may issue orders to control vessel traffic for reasons which include but are not limited to: Channel obstructions, winter navigation, unusual weather conditions, or unusual water levels. Prior to issuing these orders, the District Commander or respective COTP will provide advance notice as reasonably practicable under the circumstances. The respective COTP may close and open these regulated navigation areas as ice conditions dictate.

(2) Prior to the closing or opening of the regulated navigation areas, the COTP will give interested parties, including both shipping interests and island residents, not less than 72 hours notice of the action. This notice will be given through Broadcast Notice to Mariners, Local Notice to Mariners, and press releases to the media (radio, print and television), local COTP will ensure widest dissemination. No vessel may navigate in a regulated navigation area which has been closed by the COTP. The general regulations in 33 CFR 165.13 apply. The District Commander or respective COTP retains the discretion to authorize vessels to operate outside of issued orders.

(c) The following are safety zones:

(1) *Lake Erie.* The area known as the Lake Erie Islands which is defined as the U.S. waters of Lake Erie at the intersection of the International Border at 082°55'00" W., following the International Border eastward to the intersection of the International Border at 082°35'00" W., moving straight south to position 41°25'00" N., 082°35'00" W., continuing west to position 41°25'00" N., 082°55'00" W., and ending north at the International Border and 082°55'00" W.

(2) *Lake Huron.* The waters of Lake Huron known as Saginaw Bay, Michigan; bounded by a line from Port Austin Reef Light (LL-10275) at 44°04'55" N., 082°58'57" W.; to Tawas Light (LL-11240) at 44°15'13" N., 083°26'58" W.; to Saginaw Bay Range Front Light (LL-10550) at 43°38'54" N., 083°51'06" W.; then to the point of beginning.

(d) *Enforcement:* (1) The District Commander or respective Captain of the Port (COTP) will enforce these safety zones as ice conditions dictate. Under normal seasonal conditions, only one closing each winter and one opening each spring are anticipated.

(2) Prior to closing or opening these safety zones, the District Commander or respective COTP will give the public advance notice, not less than 72 hours prior to the closure. This notice will be given through Broadcast Notice to Mariners, Local Notice to Mariners, and press releases to the media (radio, print and television), and the local COTP will ensure widest dissemination. The general regulations in 33 CFR 165.23 apply. The District Commander or respective COTP retains the discretion to permit vessels to enter/transit a closed safety zone under certain circumstances.

[USCG-2015-0084, 82 FR 37519, Aug. 11, 2017]

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§165.902 Safety Zone; Lower Niagara River at Niagara Falls, New York.

(a) The following is a safety zone—The United States waters of the Niagara River from the crest of the American and Horseshoe Falls, Niagara Falls, New York to a line drawn across the Niagara River from the downstream side of the mouth of Gill Creek to the upstream end of the breakwater at the mouth of the Welland River.

(b) The following is a safety zone—The United States waters of the Lower Niagara River, Niagara Falls, NY from a straight line drawn from position 43°07'10.70" N., 079°04'02.32" W. (NAD 83) and 43°07'09.41" N., 079°04'05.41" W. (NAD 83) just south of the whirlpool rapids from the east side of the river to the international border of the United States, to a straight line drawn from position 43°06'34.01" N., 079°03'28.04" W. (NAD 83) and 43°06'33.52" N., 079°03'30.42" W. (NAD 83) at the International Railroad Bridge.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by USCG-2015-0492, 82 FR 23516, May 23, 2017]

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§165.903 Safety Zones: Cuyahoga River and Old River, Cleveland, OH.

(a) *Location.* The waters of the Cuyahoga River and the Old River extending ten feet into the river at the following eleven locations, including the adjacent shorelines, are safety zones, coordinates for which are based on NAD 83.

(1) From the point where the shoreline intersects longitude 81°42'24.5" W, which is the southern side of the Norfolk and Southern No. 1 railroad bridge, southeasterly along the shore for six hundred (600) feet to the point where the shoreline intersects longitude 81°42'24.5" W, which is the Holy Moses Water Taxi Landing at Fado's Restaurant.

(2) One hundred (100) feet downriver to one hundred (100) feet upriver from 41 degrees 29'53.5" N, 81 degrees 42'33.5" W, which is the knuckle on the north side of the Old River entrance at Ontario Stone.

(3) Fifty (50) feet downriver to fifty (50) feet upriver from 41 degrees 29'48.4" N, 81 degrees 42'44" W, which is the knuckle adjacent to the Ontario Stone warehouse on the south side of the Old River.

(4) From 41 degrees 29'51.1" N, 81 degrees 42'32.0" W, which is the corner of Christie's Cabaret pier at Sycamore Slip on the Old River, to fifty (50) feet east of 41 degrees 29'55.1" N, 81 degrees 42'27.6" W, which is the north point of the pier at Shooter's Restaurant on the Cuyahoga River.

(5) Twenty-five (25) feet downriver to twenty-five (25) feet upriver of 41 degrees 29'48.9" N, 81 degrees 42'10.7" W, which is the knuckle toward the downriver corner of the Nautica Stage.

(6) Ten (10) feet downriver to ten (10) feet upriver of 41 degrees 29'45.5" N, 81 degrees 42'9.7" W, which is the knuckle toward the upriver corner of the Nautica Stage.

(7) The fender on the west bank of the river at 41 degrees 29'45.2" N, 81 degrees 42.10" W, which is the knuckle at Bascule Bridge (railroad).

(8) The two hundred seventy (270) foot section on the east bank of the river between the Columbus Road bridge (41 degrees 29'18.8" N, 81 degrees 42'02.3W) downriver to the chain link fence at the upriver end of the Commodores Club Marina.

(9) Fifty (50) feet downriver of twenty-five (25) feet upriver from 41 degrees 29'24.5" N, 81 degrees 41'57.2" W, which is the knuckle at the Upriver Marine fuel pump.

(10) Seventy-five (75) feet downriver to seventy-five (75) feet upriver from 41 degrees 29'33.7" N, 81 degrees 41'57.5" W, which is the knuckle adjacent to the warehouse at Alpha Precast Products (United Ready Mix).

(11) Fifteen (15) feet downriver to fifteen (15) feet upriver from 41 degrees 29'41" N, 81 degrees 41'38.6" W, which is the end of the chain link fence between The Club Mega and Shippers C & D.

(b) *Regulations*—(1) *General Rule.* Except as provided below, entry of any kind or for any purpose into the foregoing zones is strictly prohibited in accordance with the general regulations in §165.23 of this part.

(2) *Exceptions.* Any vessel may transit, but not moor, stand or anchor in, the foregoing zones as necessary to comply with the Inland Navigation Rules or to otherwise facilitate safe navigation. Cargo vessels of 1600 gross tons (GT) or greater may moor in these zones when conducting cargo transfer operations.

(3) *Waivers.* Owners or operators of docks wishing a partial waiver of these regulations may apply to the Captain of the Port, Cleveland, Ohio. Partial waivers will only be considered to allow for the mooring of vessels in a safety zone when vessels of 1600 GT or greater are not navigating in the proximate area. Any requests for a waiver must include a plan to ensure immediate removal of any vessels moored in a safety zone upon the approach of a vessel(s) 1600 GTs or greater.

[COTP Cleveland REG 89-01, 54 FR 9778, Mar. 8, 1989, as amended by CGD 09-95-018, 61 FR 37685, July 19, 1996; USCG-2000-7223, 65 FR 40059, June 29, 2000; USCG-2001-9286, 66 FR 33642, June 25, 2001]

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§165.904 Lake Michigan at Chicago Harbor & Burnham Park Harbor—Safety and Security Zone.

(a) *Location.* All waters of Lake Michigan within Burnham Park Harbor shoreward of a line across the entrance of the harbor connecting coordinates 41°51'09" N, 087°36'36" W and 41°51'11" N, 087°36'22" W.

(b) *Effective times and dates.* This safety and security zone will be in effect at various times to be published in the Coast Guard Local Notice to Mariners or broadcasted via Marine Radio VHF-FM Channels 16 & 22. These times will include the actual effective time and date and the termination time and date.

(c) *Restrictions.* (1) In accordance with the general regulations in section 165.23 and 165.33 of this part, entry into this zone is prohibited, unless authorized by the U.S. Coast Guard Captain of the Port Lake Michigan, or the U.S. Secret Service. Other general requirements in §§165.23 and 165.33 also apply. Further, no person may enter or remain in the shoreline areas of the established safety and security zone, unless cleared by a Coast Guard or U.S. Secret Service official.

(2) Vessels in Burnham Park Harbor at the commencement of the safety and security zone must be moored and remain moored while the safety and security zone is established, unless authorized to get underway by a Coast Guard or U.S. Secret Service official.

(3) No person may engage in swimming, snorkeling, or diving within the established safety and security zone, except with the permission of the Captain of the Port or U.S. Secret Service.

[CGD09-94-005, 59 FR 45227, Sept. 1, 1994, as amended by USCG-2011-0489, 76 FR 63204, Oct. 12, 2011]

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§165.905 USX Superfund Site Safety Zones: St. Louis River.

(a) The following areas of the St. Louis River, within the designated boxes of latitude and longitude, are safety zones:

(1) *Safety Zone #1 (North Spirit Lake):*

North Boundary: 46°41'33" W

South Boundary: 46°41'18" W

East Boundary: 92°11'53" W

West Boundary: 92°12'11" W

(2) *Safety Zone #2 (South Spirit Lake):*

North Boundary: 46°40'45" N

South Boundary: 46°40'33" N

East Boundary: 92°11'40" W

West Boundary: 92°12'05" W

(b) Transit of vessels through the waters covered by these zones is prohibited. Swimming (including water skiing or other recreational use of the water which involves a substantial risk of immersion in the water) or taking of fish (including all forms of aquatic animals) from the waters covered by these safety zones is prohibited at all times.

[CGD09-95-026, 60 FR 52862, Oct. 11, 1995]

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§165.906 Lakeside Yacht Club in Cleveland Harbor, Cleveland, OH—regulated navigation areas.

(a) *Restricted Areas.* The following are areas inside Cleveland Harbor which are subject to navigational restrictions based on the height of vessel masts as specified in paragraph (b) of this section. For the purpose of this section, the term "mast" will be used to include masts, antennae or any other portion of the vessel extending above the waterline. All of these areas are inside the "Lakeside Yacht Club entrance channel," defined as the water area between the Lakeside Yacht Club jetties and the Burke Lakefront Airport landfill, or inside the "Lakeside Yacht Club docks," defined as the docking area inside the Lakeside Yacht Club jetties and immediately adjacent to Lakeside Yacht Club.

(1) *Restricted area no. 1.* Restricted area no. 1 is the water area on the southwest end of the Lakeside Yacht Club entrance channel which is southwest of a line running 328° T and northwest of a line running 232° T from a point at 41°31'28.00" N, 81°40'02.60" W, which point is marked by a fixed flashing yellow light.

(2) *Restricted area no. 2.* Restricted area no. 2 is the water area of the Lakeside Yacht Club entrance channel which is outside restricted area no. 1 and the entrance to the Yacht Club docking area, and southwest of a line running 328° T from the intersection of 81°39'58.47" W and reference line running between point A at 41°31'33.45" N, 81°39'47.45" W and point B at 41°31'19.67" N, 81°40'19.17" W.

(3) *Restricted area no. 3.* Restricted area no. 3 is the water area of the Lakeside Yacht Club entrance channel which is outside restricted area no. 1, and southwest of a line running 328° T from point A at 41°31'33.45" N., 81°39'47.45" W.

(4) *Restricted area no. 4.* Restricted area no. 4 is the area inside the Lakeside Yacht Club docks which is southwest of a line running 328° T from the intersection of 81°39'58.47" W and a reference line running between point A at 41°31'33.45" N, 81°39'47.45" W and point B at 41°31'19.67" N, 81°40'19.17" W, and northwest of the same reference line.

(5) *Restricted area no. 5.* Restricted area no. 5 is the area inside the Lakeside Yacht Club docks which is outside restricted area 4 and northwest of a line 183 feet southeast and parallel to a reference line running between point A at 41°31'33.45" N, 81°39'47.45" W and point B at 41°31'19.67" N, 81°40'19.17" W.

(6) *Restricted area no. 6.* Restricted area no. 6 is the area inside the Lakeside Yacht Club docks which is outside restricted areas 4 and 5.

(b) *Restrictions applicable to vessels of certain heights.* Vessels with masts of certain heights are subject to the following restrictions with reference to the restricted areas detailed in paragraph (a) of this section. The height of a vessel is the height above the water line of masts, antennas, navigational equipment, or any other structure.

(1) *Less than 41 feet.* Vessels less than 41 feet in height are not subject to any restrictions under this section.

(2) *41 to 45 feet.* Vessels at least 41 feet in height yet less than 45 feet in height may not enter restricted area 1.

(3) *45 to 53 feet.* Vessels at least 45 feet in height yet less than 53 feet in height may not enter restricted area 1 and must comply with the clearance procedures prescribed in paragraph (c) when navigating through restricted area 2.

(4) *53 to 63 feet.* Vessels at least 53 feet in height yet less than 63 feet in height may not enter restricted area 1, must comply with the clearance procedures prescribed in paragraph (c) of this section when navigating through restricted area 2, and may not dock in or enter restricted area 4 at any time.

(5) *63 to 95 feet.* Vessels at least 63 feet in height yet less than 95 feet in height may not enter restricted area 1, must comply with the clearance procedures prescribed in paragraph (c) of this section when navigating through restricted areas 2 or 3, and may not dock in or enter restricted areas 4 or 5 at any time.

(6) *95 feet or more.* Vessel 95 feet or more in height may not enter any restricted area, 1 through 6, at any time.

(c) *Clearance procedures.* Except during the times specified in paragraph (d), operators of vessels subject to these procedures must do the following:

(1) Obtain clearance from the Burke Lakefront Air Traffic Control Tower before navigating through the restricted area(s);

(2) Navigate promptly through the area(s) at a safe and practical speed. Navigation at a safe and practical speed includes brief stops at the fueling dock inside restricted area 3 by vessels with masts between 63 and 95 feet in height; and

(3) Promptly inform the Burke Lakefront Air Traffic Control Tower after clearing the restricted area(s), or of any difficulty preventing prompt clearance. The Burke Lakefront Air Traffic Control Tower may be contacted on marine radio channel 14, or by telephone at (216) 781-6411 except as noted during the suspended hours listed in paragraph (d) of this section. The radio and telephone will be manned when the instrument guided approach system is being utilized.

(4) Clearance may also be obtained for longer periods or for groups of vessels when arranged in advance with Burke Lakefront Airport by any appropriate means of communication, including a prior written agreement.

(d) *Enforcement of clearance requirements.* The clearance procedures specified in paragraph (c) of this section will not be enforced during the following times:

(1) 11:00 p.m. n Fridays to 7:00 a.m. on Saturdays.

(2) 11:00 p.m. on Saturdays to 8:00 a.m. on Sundays.

(3) 12:00 midnight Sunday nights to 7:00 a.m. on Mondays.

(e) *Enforcement.* This section will not be enforced during any period in which the Federal Aviation Administration withdraws approval for operation of an instrument-only approach to runway 24 on the northeast end of Burke Lakefront Airport.

[CGD09-97-002, 64 FR 8006, Feb. 18, 1999]

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§165.909 [Reserved]

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§165.910 Security Zones; Captain of the Port Lake Michigan.

(a) *Security zones.* The following areas, defined by coordinates based upon North American Datum 1983, are security zones:

(1) *Jardine Water Filtration Plant*—(i) *Location.* All waters of Lake Michigan within the arc of a 100-yard radius with its center located on the north wall of Jardine Water Filtration Plant, approximate position 41°53'46" N, 087°36'23" W; (NAD 83)

(ii) *Regulations.* The Captain of the Port Lake Michigan will normally permit those U.S. Coast Guard certificated passenger vessels that normally load and unload passengers at Navy Pier to operate in the zone. However, should the Captain of the Port Lake Michigan determine it is appropriate, he will require even those U.S. Coast Guard certificated passenger vessels which normally load and unload passengers at Navy Pier to request permission before leaving or entering the security zones. The Captain of the Port Lake Michigan will notify these vessels via Broadcast Notice to Mariners if they must notify the Coast Guard before entering or transiting the security zone. As such, vessels that regularly operate within this zone are responsible for monitoring Broadcasts Notice to Mariners for the Chicago area. These broadcasts will be made by U.S. Coast Guard Sector Lake Michigan.

(2) *Dresden Nuclear Power Plant.* All waters of the Illinois River in the vicinity of Dresden Nuclear Power Plant encompassed by a line starting on the shoreline at 41°23'45" N, 88°16'18" W; then east to the shoreline at 41°23'39" N, 88°16'09" W; then following along the shoreline back to the beginning.

(3) *Donald C. Cook Nuclear Power Plant.* All waters of Lake Michigan around the Donald C. Cook Nuclear Power Plant encompassed by a line starting on the shoreline at 41°58.656' N, 86°33.972' W; then northwest to 41°58.769' N, 86°34.525' W; then southwest to 41°58.589' N, 86°34.591' W; then southeast to the shoreline at 41°58.476' N, 86°34.038' W; and following along the shoreline back to the beginning.

(4) *Palisades Nuclear Power Plant.* All waters of Lake Michigan around the Palisades Nuclear Power Plant within a line starting on the shoreline at 42°19'07" N, 86°19'05" W; then northwest to 42°19'22" N, 86°19'54" W; then north to 42°19'44" N, 86°19'43" W; then southeast back to the shoreline at 42°19'31" N, 86°18'50" W; then following along the shoreline back to the beginning.

(5) *Hammond Intake Crib.* All navigable waters bounded by the arc of a circle with a 100-yard radius with its center in approximate position 41°42'15" N, 087°29'49" W (NAD 83).

(6) *Zion Nuclear Power Plant.* All waters of Lake Michigan encompassed by a line starting on the shoreline at 42°26'36" N, 87°48'03" W; then southeast to 42°26'20" N, 87°47'35" W; then northeast to 42°26'53" N, 87°47'22" W; then northwest to the shoreline at 42°27'06" N, 87°48'00" W; then following along the shoreline back to the beginning.

(7) *68th Street Water Intake Crib.* All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the 68th Street Crib with its center in approximate position 41°47'10" N, 87°31'51" W.

(8) *Dever Water Intake Crib.* All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the Dever Crib with its center in approximate position 41°54'55" N, 87°33'20" W.

(9) *79th Street Water Intake Crib.* All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the 79th Street Water Filtration Plant with its center in the approximate position 41°45'30" N, 87°32'32" W.

(10) *Wilson Avenue Intake Crib.* All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the Wilson Avenue Crib with its center in approximate position 41°58'00" N, 087°35'30" W. (NAD83)

(11) *Four Mile Intake Crib.* All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the Four Mile Crib with its center in approximate position 41°52'40" N, 087°32'45" W. (NAD83)

(b) *Regulations.* (1) Under §165.33, entry into these zones is prohibited unless authorized by the Coast Guard Captain of the Port Lake Michigan. Section 165.33 also contains other general requirements.

(2) All persons and vessels shall comply with the instruction of the Captain of the Port Lake Michigan or the designated on-scene U.S. Coast Guard patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state, and federal law enforcement vessels. Emergency response vessels are authorized to move within the zone but must abide by the restrictions imposed by the Captain of the Port.

(3) Persons who would like to transit through a security zone in this section must contact the Captain of the Port Lake Michigan at telephone number (414) 747-7182 or on VHF channel 16 (156.8 MHz) to seek permission to transit the area. If

permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port Lake Michigan or his or her designated representative.

(c) *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.

[CGD09-02-001, 67 FR 53502, Aug. 16, 2002; 67 FR 65041, Oct. 23, 2002, as amended by CGD09-04-020, 69 FR 71709, Dec. 10, 2004; USCG-2011-0489, 76 FR 63204, Oct. 12, 2011; 76 FR 79537, Dec. 22, 2011]

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§165.911 Security Zones; Captain of the Port Buffalo Zone.

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

(1) *Nine Mile Point and Fitzpatrick Nuclear Power Plants.* The navigable waters of Lake Ontario bounded by the following coordinates: commencing at 43°30.8' N, 076°25.7' W; then north to 43°31.2' N, 076°25.7' W; then east-northeast to 43°31.6' N, 076°24.9' W; then east to 43°31.8' N, 076°23.2' W; then south to 43°31.5' N, 076°23.2' W; and then following the shoreline back to the point of origin (NAD 83).

(2) *Ginna Nuclear Power Plant.* The waters of Lake Ontario bounded by the following area, starting at 43°16.9' N, 077°18.9' W; then north to 43°17.3' N, 077°18.9' W; then east to 43°17.3' N, 077°18.3' W; then south to 43°16.7' N, 077°18.3' W; then following the shoreline back to starting point (NAD 83).

(3) *Moses-Saunders Power Dam.* The waters of the St. Lawrence River bounded by the following area, starting at 45°00.73' N, 074°47.85' W; southeast following the international border to 45°00.25' N, 074°47.56' W; then southwest to 45°00.16' N, 074°47.76' W; then east to the shoreline at 45°00.16' N, 074°47.93' W; then northwest to 45°00.36' N, 074°48.16' W; then northeast back to the starting point (NAD 83).

(4) *Long Sault Spillway Dam.* The waters of the St. Lawrence River bounded by the following area, starting at 44°59.5' N, 074°52.0' W; north to 45°00.0' N, 074°52.0' W; east to 45°00.0' N, 074°51.6' W, then south to 44°59.5' N, 074°51.6' W; then west back to the starting point (NAD 83).

(b) *Regulations.* (1) In accordance with §165.33, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Buffalo.

(2) Persons or vessels desiring to transit the area of the Nine Mile Point and Fitzpatrick Nuclear Power Plants or Ginna Nuclear Power Plant security zones must contact the Captain of Port Buffalo at telephone number (716) 843-9570, or on VHF/FM channel 16 to seek permission to transit the area. Persons desiring to transit the area of Moses-Saunders Power Dam or Long Sault Spillway Dam security zones must contact the Supervisor, Marine Safety Detachment Massena at telephone number (315) 769-5483, or on VHF/FM channel 16 to seek permission to transit the area. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or his or her designated representative.

(c) *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.

[CGD09-02-005, 67 FR 53500, Aug. 16, 2002, as amended by USCG-2010-0821, 75 FR 61100, Oct. 4, 2010]

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§165.912 Security Zone; Lake Erie, Perry, OH.

(a) *Location:* The following area is a security zone: all navigable waters of Lake Erie bounded by a line drawn between the following coordinates beginning at 41°48.187' N, 081°08.818' W; then due north to 41°48.7' N, 081°08.818' W; then due east to 41°48.7' N, 081°08.455' W; then due south to the south shore of Lake Erie at 41°48.231' N, 081°08.455' W; thence westerly following the shoreline back to the beginning (NAD 83).

(b) *Regulations.* In accordance with the general regulations in §165.33 of this part, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Cleveland, or the designated on-scene representative.

(c) *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.

[CGD09-02-006, 67 FR 52611, Aug. 13, 2002]

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§165.914 [Reserved]

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§165.915 Security zones; Captain of the Port Detroit.

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

(1) *Enrico Fermi 2 Nuclear Power Station*. All waters and adjacent shoreline encompassed by a line commencing at 41°58.4' N, 083°15.4' W; then northeast to 41°58.5' N, 083°15.0' W; then southeast to 41°58.2' N, 083°13.7' W; then south to 41°56.9' N, 083°13.8' W; then west to 41°56.9' N, 083°15.2' W; then back to the starting point at 41°58.4' N, 083°15.4' W (NAD 83).

(2) *Davis Besse Nuclear Power Station*. All waters and adjacent shoreline encompassed by a line commencing at 41°36.1' N, 083°04.7' W; north to 41°37.0' N, 083°03.9' W; east to 41°35.9' N, 083°02.5' W; southwest to 41°35.4' N, 083°03.7' W; then back to the starting point 41°36.1' N, 083°04.7' W (NAD 83).

(3) *North American International Auto Show, Detroit River, Detroit, MI*. All waters of the Detroit River encompassed by a line beginning at a point of origin on land adjacent to the west end of Joe Lewis Arena at 42°19.44' N, 083°03.11' W; then extending offshore approximately 150 yards to 42°19.39' N, 083°03.07' W; then proceeding upriver approximately 2000 yards to a point at 42°19.72' N, 083°01.88' W; then proceeding onshore to a point on land adjacent to the Tricentennial State Park at 42°19.79' N, 083°01.90' W; then proceeding downriver along the shoreline to connect back to the point of origin on land adjacent to the west end of the Joe Louis Arena (NAD 83). This security zone will be enforced for two weeks in the month of January with the exact dates and times to be published annually via a Notice of Enforcement.

(b) *Regulations*. (1) In accordance with §165.33, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Detroit. Section 165.33 also contains other general requirements.

(2) Persons desiring to transit through either of these security zones, prior to transiting, must contact the Captain of the Port Detroit at telephone number (419) 418-6050, or on VHF/FM channel 16 and request permission. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or his or her designated representative.

(c) *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.

[CGD09-02-011, 67 FR 46386, July 15, 2002, as amended by USCG-2013-0034, 79 FR 4079, Jan. 24, 2014]

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§165.916 Security Zones; Captain of the Port Milwaukee Zone, Lake Michigan.

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

(1) *Kewaunee Nuclear Power Plant*. All navigable waters of Western Lake Michigan encompassed by a line commencing from a point on the shoreline at 44°20.715' N, 087°32.080' W; then easterly to 44°20.720' N, 087°31.630' W; then southerly to 44°20.480' N, 087°31.630' W; then westerly to 44°20.480' N, 087°31.970' W, then northerly following the shoreline back to the point of origin (NAD 83).

(2) *Point Beach*. All navigable waters of Western Lake Michigan encompassed by a line commencing from a point on the shoreline at 44°17.06 N, 087°32.15 W, then northeasterly to 44°17.12 N, 087°31.59 W, then southeasterly to 44°16.48 N, 087°31.42 W, then southwesterly to 44°16.42 N, 087°32.02 W, then northwesterly along the shoreline back to the point of origin. All coordinates are based upon North American Datum 1983.

(b) *Regulations*. (1) In accordance with §165.33, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Milwaukee. Section 165.33 also contains other general requirements.

(2) Persons desiring to transit the area of the security zone may contact the Captain of the Port at telephone number (414) 747-7155 or on VHF-FM Channel 16 to seek permission to transit the area. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or his or her designated representative.

(c) *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.

[CGD09-02-007, 67 FR 49578, July 31, 2002, as amended by CGD09-03-277, 69 FR 4242, Jan. 29, 2004]

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§165.918 Safety Zones; Recurring Safety Zones in Captain of the Port Sault Sainte Marie.

(a) *Regulations*. The following regulations apply to the safety zones listed in Table 165.918 of this section:

(1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within any of the safety zones listed in this section is prohibited unless authorized by the Captain of the Port Sault Sainte Marie, or a designated representative.

(2) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port Sault Sainte Marie or a designated representative. Upon being hailed by the U.S. Coast Guard by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(3) When a safety zone established by this section is being enforced, all vessels must obtain permission from the Captain of the Port Sault Sainte Marie or a designated representative to enter, move within, or exit that safety zone. Vessels and

persons granted permission to enter the safety zone shall obey all lawful orders or directions of the Captain of the Port Sault Sainte Marie or a designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

(b) *Suspension of enforcement.* If the event concludes earlier than scheduled, the Captain of the Port Sault Sainte Marie or a designated representative will issue a Broadcast Notice to Mariners notifying the public that enforcement of the respective safety zone is suspended.

(c) *Exemption.* Public vessels, defined as any vessel owned or operated by the United States or by State or local governments, operating in an official capacity are exempted from the requirements of this section.

(d) *Waiver.* For any vessel, the Captain of the Port Sault Sainte Marie or a designated representative may, at his or her discretion, waive any of the requirements of this section, upon finding that circumstances are such that application of this section is unnecessary or impractical for the purposes of safety or environmental safety.

(e) *Contacting the Captain of the Port.* While a safety zone listed in this section is enforced, the Captain of the Port Sault Sainte Marie or a designated representative may be contacted via VHF Channel 16 or telephone at (906) 635-3319. Vessel operators given permission to enter or operate in a safety zone must comply with all directions given to them by the Captain of the Port Sault Sainte Marie, or a designated representative.

(f) *Notice of enforcement.* The Coast Guard will provide advance notice of the enforcement including specific date, time, and size of the safety zone being enforced in Table 165.918, by issuing a Notice of Enforcement, as well as, a Broadcast Notice to Mariners.

TABLE 165.918

[Datum NAD 1983]

Event	Location	Event date
(1) Mackinaw Area Visitors Bureau Friday Night Fireworks; Mackinaw City, MI	All U.S. navigable waters of the Straits of Mackinac within an approximate 1000-foot radius from the fireworks launch site located in position 45°46'35.48" N, 084°43'16.20" W	Friday nights between late May and Early September.
(2) Jordan Valley Freedom Festival Fireworks; East Jordan, MI	All U.S. navigable waters of Lake Charlevoix, near the City of East Jordan, within the arc of a circle with an approximate 1200-foot radius from the fireworks launch site in position 45°09'18" N, 085°07'48" W	This event historically occurs in mid to late June.
(3) Grand Marais Splash In; Grand Marais, MI	All U.S. navigable waters within the southern portion of West Bay bound within the following coordinates: 46°40'22.08" N, 085°59'0.12" W, 46°40'22.08" N, 85°58'22.08" W, and 46°40'14.64" N, 85°58'19.56" W, with the West Bay shoreline forming the South and West boundaries of the zone	This event historically occurs mid to late June.
(4) Festivals of Fireworks Celebration Fireworks; St. Ignace, MI	All U.S. navigable waters of East Moran Bay within an approximate 1000-foot radius from the fireworks launch site at the end of the Starline Mill Slip, centered in position: 45°52'24.62" N, 084°43'18.13" W	On or around July 4th and Saturdays beginning late June to early September.
(5) National Cherry Festival Airshow Safety Zone; Traverse City, MI	All U.S. navigable waters of the West Arm of Grand Traverse Bay within a box bounded by the following coordinates: 44°46'51.6" N, 085°38'15.6" W, 44°46'23.4" N, 085°38'22.8" W, 44°46'30.00" N, 085°35'42.00" W, and 44°46'2.34" N, 085°35'50.4" W	This event historically occurs late June or early July.
(6) National Cherry Festival Finale Fireworks; Traverse City, MI	All U.S. navigable waters of the West Arm of Grand Traverse Bay within the arc of a circle with an approximate 1200-foot radius from the fireworks launch site located on a barge in position 44°46'12" N, 085°37'06" W	This event historically occurs late June or early July.
(7) Canada Day Celebration Fireworks; Sault Sainte Marie, MI	All U.S. navigable waters of the St. Marys River within an approximate 1400-foot radius from the fireworks launch site, centered approximately 160 yards north of the U.S. Army Corp of Engineers Soo Locks North East Pier, at position 46°30'20.40" N, 084°20'17.64" W	On or around July 1.
(8) Marquette Fourth of July Celebration Fireworks; Marquette, MI	All U.S. navigable waters of Marquette Harbor within an approximate 1200-foot radius of the fireworks launch site, centered in position 46°32'23.0" N, 087°23'13.1" W	On or around July 4th.
(9) Munising Fourth of July Celebration Fireworks; Munising, MI	All U.S. navigable waters of South Bay within an approximate 800-foot radius from the fireworks launch site at the end of the Munising City Dock, centered in position: 46°24'50.08" N, 086°39'08.52" W	On or around July 4th.
(10) Sault Sainte Marie Fourth of July Celebration Fireworks; Sault Sainte Marie, MI	All U.S. navigable waters of the St. Marys River within an approximate 1000-foot radius around the eastern portion of the U.S. Army Corp of Engineers Soo Locks North East Pier, centered in position: 46°30'19.66" N, 084°20'31.61" W	On or around July 4th.
(11) Mackinac Island Fourth of July Celebration Fireworks; Mackinac Island, MI	All U.S. navigable waters of Lake Huron within an approximate 750-foot radius of the fireworks launch site, centered approximately 1000 yards west of Round Island Passage Light, at position 45°50'34.92" N, 084°37'38.16" W	On or around July 4th.
(12) Harbor Springs Fourth of July Celebration Fireworks; Harbor Springs, MI	All U.S. navigable waters of Lake Michigan and Harbor Springs Harbor within the arc of a circle with an approximate 1200-foot radius from the fireworks launch site located on a barge in position 45°25'30" N, 084°59'06" W	On or around July 4th.
(13) Bay Harbor Yacht Club Fourth of July Celebration Fireworks; Petoskey, MI	All U.S. navigable waters of Lake Michigan and Bay Harbor Lake within the arc of a circle with an approximate 750-foot radius from the fireworks launch site located on a barge in position 45°21'50" N, 085°01'37" W	On or around July 4th.
(14) Petoskey Fourth of July Celebration Fireworks; Petoskey, MI	All U.S. navigable waters of Lake Michigan and Petoskey Harbor, in the vicinity of Bay Front Park, within the arc of a circle with an approximate 1200-foot radius from the fireworks launch site located in position 45°22'40" N, 084°57'30" W	On or around July 4th.
(15) Boyne City Fourth of July Celebration Fireworks; Boyne City, MI	All U.S. navigable waters of Lake Charlevoix, in the vicinity of Veterans Park, within the arc of a circle with an approximate 1400-foot radius from the fireworks launch site located in position 45°13'30" N, 085°01'40" W	On or around July 4th.
		On or around July 4th.

(16) Alpena Fourth of July Celebration Fireworks; Alpena, MI	All U.S. navigable waters of Lake Huron within an approximate 1000-foot radius of the fireworks launch site located near the end of Mason Street, South of State Avenue, at position 45°02'42" N, 083°26'48" W	
(17) Traverse City Fourth of July Celebration Fireworks; Traverse City, MI	All U.S. navigable waters of the West Arm of Grand Traverse Bay within the arc of a circle with an approximate 1200-foot radius from the fireworks launch site located on a barge in position 44°46'12" N, 085°37'06" W	On or around July 4th.
(18) Charlevoix Venetian Festival Friday Night Fireworks; Charlevoix, MI	All U.S. navigable waters of Lake Charlevoix, in the vicinity of Depot Beach, within the arc of a circle with an approximate 1200-foot radius from the fireworks launch site located on a barge in position 45°19'08" N, 085°14'18" W	This event historically occurs in late July.
(19) Charlevoix Venetian Saturday Night Fireworks; Charlevoix, MI	All U.S. navigable waters of Round Lake within the arc of a circle with an approximate 500-foot radius from the fireworks launch site located on a barge in position 45°19'03" N, 085°15'18" W	This event historically occurs in late July.
(20) Elk Rapids Harbor Days Fireworks; Elk Rapids, MI	All U.S. navigable waters within the arc of a circle with an approximate 750-foot radius from the fireworks launch site located on a barge in position 44°54'6.95" N, 85°25'3.11" W	This event historically occurs in early August.
(21) Nautical City Fireworks; Rogers City	All U.S. navigable waters within the arc of a circle with an approximate 750-foot radius from the fireworks launch site located near Harbor View Road in position 45°25'04.72" N, 83°47'51.21" W	Early August.

[USCG-2018-0198, 83 FR 18417, Apr. 27, 2018]

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\$165.920 Regulated Navigation Area: USCG Station Port Huron, Port Huron, MI, Lake Huron.

(a) *Location.* All waters of Lake Huron encompassed by the following: starting at the northwest corner at 43°00.4' N, 082°25.327' W; then east to 43°00.4' N, 082°25.23.8' W; then south to 43°00.3' N, 082°25.238' W; then west to 43°00.3' N, 082°25.327' W; then following the shoreline north back to the point of origin (NAD 83).

(b) *Special regulations.* No vessel may fish, anchor, or moor within the RNA without obtaining the approval of the Captain of the Port (COTP) Detroit. Vessels need not request permission from COTP Detroit if only transiting through the RNA. COTP Detroit can be reached by telephone at (313) 568-9560, or by writing to: Sector Detroit, 110 Mt. Elliot Ave., Detroit MI 48207-4380.

[CDG09-03-287, 69 FR 23103, Apr. 28, 2004, as amended by USCG-2012-0306, 77 FR 37315, June 21, 2012]

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\$165.921 Regulated Navigation Area; Reporting Requirements for Barges Loaded with Certain Dangerous Cargoes, Illinois Waterway System located within the Ninth Coast Guard District.

(a) *Regulated Navigation Area.* The following waters are a regulated navigation area (RNA): the Illinois Waterway System above mile 187.2 to the Chicago Lock on the Chicago River at mile 326.7 and to the confluence of the Calumet River and Lake Michigan at mile 333.5 of the Calumet River.

(b) *Enforcement and applicability.* (1) Beginning January 1, 2016, reporting requirements under this RNA will be enforced only when directed by the District Commander or designated representative under paragraphs (d)(1)(ix), (d)(2)(iv), (f)(9), and (g)(4) of this section. Reporting points as listed in paragraph (e) of this section may be used to determine and inform where reporting is required. Compliance under other parts of this section is stayed until a future date published in the FEDERAL REGISTER, if determined necessary.

(2) This section applies to towing vessel operators and fleeting area managers responsible for CDC barges in the RNA. This section does not apply to:

- (i) Towing vessel operators responsible for barges not carrying CDCs barges, or
- (ii) Fleet tow boats moving one or more CDC barges within a fleeting area.

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

Barge means a non-self propelled vessel engaged in commerce, as set out in 33 CFR 160.202.

Certain Dangerous Cargo or (CDC) includes any of the following:

(1) Division 1.1 or 1.2 explosives as defined in 49 CFR 173.50.

(2) Division 1.5D blasting agents for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(3) Division 2.3 "poisonous gas", as listed in 49 CFR 172.101 that is also a "material poisonous by inhalation" as defined in 49 CFR 171.8, and that is in a quantity in excess of 1 metric ton per barge.

(4) Division 5.1 oxidizing materials for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(5) A liquid material that has a primary or subsidiary classification of Division 6.1 "poisonous material" as listed in 49 CFR 172.101 that is also a "material poisonous by inhalation", as defined in 49 CFR 171.8 and that is in a bulk packaging, or that is in a quantity in excess of 20 metric tons per barge when not in a bulk packaging.

(6) Class 7, "highway route controlled quantity" radioactive material or "fissile material, controlled shipment", as defined in 49 CFR 173.403.

(7) Bulk liquefied chlorine gas and bulk liquefied gas cargo that is flammable and/or toxic and carried under 46 CFR 154.7.

(8) The following bulk liquids—

(i) Acetone cyanohydrin,

(ii) Allyl alcohol,

(iii) Chlorosulfonic acid,

(iv) Crotonaldehyde,

(v) Ethylene chlorohydrin,

(vi) Ethylene dibromide,

(vii) Methacrylonitrile,

(viii) Oleum (fuming sulfuric acid), and

(ix) Propylene Oxide.

CDC barge means a barge containing CDCs or CDC residue.

Downbound means the tow is traveling with the current.

Fleet tow boat means any size vessel that is used to move, transport, or deliver a CDC barge within a fleeting area.

Fleeting area means any fleet, including any facility, located within the area covered by one single port.

Ninth District CDC Reporting Unit or ((D9 CDCRU)) means the Coast Guard office that is responsible for collecting the information required by this section.

Ninth Coast Guard District means the Coast Guard District as set out in 33 CFR 3.45-1.

Towing vessel means any size vessel that is used to move, transport, or deliver a CDC barge to a fleet or facility that is located in a different port than where the voyage originated.

Towing vessel operator means the Captain or pilot who is on watch on board a towing vessel.

Upbound means the tow is traveling against the current.

(d) *Regulations*. The following must report to the Ninth District CDC Reporting Unit Eighth District (D9 CDCRU):

(1) The towing vessel operator responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.921(f), in paragraph (f) of this section, to the D9 CDCRU:

(i) Upon point of entry into the RNA with one or more CDC barges;

(ii) Four hours before originating a voyage within the RNA with one or more CDC barges, except if the evolution of making up a tow with a CDC barge will take less than 4 hours before originating a voyage, and the towing vessel operator did not receive the order to make up a tow with a CDC barge in advance of 4 hours before originating the voyage with one or more CDC barges, in which case the towing vessel operator shall submit the required report to the D9 CDCRU as soon as possible after receiving orders to make up a tow with one or more CDC barges;

(iii) Upon dropping off one or more CDC barges at a fleeting area or facility;

(iv) Upon picking up one or more additional CDC barges from a fleeting area or facility;

(v) At designated reporting points, set forth in paragraph of this section;

(vi) When the estimated time of arrival (ETA) to a reporting point varies by 6 hours from the previously reported ETA;

(vii) Any significant deviation from previously reported information;

(viii) Upon departing the RNA with one or more CDC barges; and

(ix) When directed by the District Commander or designated representative.

(2) The fleeting area manager responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.921(g), in paragraph (g) of this section, to the D9 CDCRU:

(i) Once daily, report all CDC barges within the fleeting area;

(ii) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat;

(iii) Any significant deviation from previously reported information; and

(iv) When directed by the District Commander or designated representative.

(3) Reports required by this section may be made by a company representative or dispatcher on behalf of the fleeting area manager.

(4) When required, reports under this section must be made either by email at *d09-smb-cdcru@uscg.mil* or via phone or fax as provided in the notification as directed by the District Commander or designated representative through the D9 CDCRU. Notification of when and where reporting is required may be made through Marine Safety Information Bulletins, Notices of Enforcement, email and/or through industry outreach. At all other times, reporting under this section is not required and communications should be directed to the Captain of the Port.

(5) The general regulations contained in 33 CFR 165.13 apply to this section.

(e) *Ninth Coast Guard District Illinois Waterway System RNA Reporting points.* Towing vessel operators responsible for one or more CDC barges in the RNA must make reports to the D9 CDCRU at each point listed in this paragraph (e).

(1) Illinois River (ILR) Upbound, at Mile Markers (M) and when Departing Lock & Dam (L&D)—

(i) M 187.2 (Southern Boundary MSU Chicago AOR),

(ii) M 303.5 Junction of Chicago Sanitary Ship Canal and Calumet-Sag Channel,

(iii) M 326.4 Thomas S. O'Brien L&D, Calumet River,

(iv) M 333.5 Confluence of Calumet River and Lake Michigan, and

(v) M 326.7 Chicago L&D, Chicago River.

(2) Illinois River (ILR) Downbound Reporting Points, at Mile Markers (M) and when Departing Lock & Dam (L&D)—

(i) M 326.7 Chicago L&D, Chicago River,

(ii) M 333.5 Confluence of Calumet River and Lake Michigan,

(iii) M 326.4 Thomas S. O'Brien L&D, Calumet River,

(iv) M 303.5 Junction of Chicago Sanitary Ship Canal and Calumet-Sag Channel, and

(v) M 187.2 (Southern Boundary MSU Chicago AOR).

(f) *Information to be reported to the D9 CDCRU by towing vessel operators.* With the exception noted in paragraph (d)(1)(ii) of this section, towing vessel operators responsible for one or more CDC barges in the RNA must report all the information required by this section as set out in table 165.921(f) of this paragraph.

TABLE 165.921(f)—INFORMATION TO BE REPORTED TO THE D9 CDCRU BY TOWING VESSEL OPERATORS

	24-hour contact number(s)	Name of vessel moving barge(s)	Barge (s) name and official number	Type, name and amount of CDC onboard	Estimated time of departure from fleeting area or facility	Name and location of destination of CDC barge (fleeting area or facility), including estimated time of arrival	Reporting point	Estimated time of arrival (ETA) to next reporting point (if applicable)
(1) Upon point of entry into the RNA with a CDC barge	X	X	X	X		X	X	X
(2) 4 hours before originating a voyage within the RNA with one or more CDC barges; but see exception in paragraph (d)(1)(ii) of this section.	X	X	X	X	X	X		X
		X	X					

(3) Upon dropping off one or more CDC barges at a fleeting area or facility								
(4) Upon picking up one or more additional CDC barges from a fleeting area or facility.		X	X	X				
(5) At designated reporting points in 165.921(e)		X	X	(¹)		(¹)	X	X
(6) When ETA to a reporting point varies by 6 hours from previously reported ETA		X	(¹)	(¹)				X
(7) Any significant deviation from previously reported information (all that apply)	X	X	X	X	X	X	X	X
(8) Upon departing the RNA with a CDC barge (s)		X	X				X	
(9) When directed by the District Commander or designated representative	X	X	X	X	X	X	X	X

¹If changed.

(g) *Information to be reported to the D9 CDCRU by fleeting area managers.* Fleeting area managers responsible for one or more CDC barges in the RNA must report the information required by this section as set out in table 165.921(g) to this paragraph.

TABLE 165.921(g)—INFORMATION TO BE REPORTED TO THE D9 CDCRU BY FLEETING AREA MANAGERS

	24-hour contact number	Barge(s) name and official number	Type, name and amount of CDC onboard	Location of CDC barge (fleeting area or facility)
(1) Once daily, all CDC barges in a fleeting area	X	X	X	X
(2) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat		X	X	X
(3) Any significant deviation from previously reported information (all that apply)	X	X	X	X
(4) When directed by the District Commander or designated representative	X	X	X	X

(h) *Alternative reporting.* The Ninth Coast Guard District Commander may consider and approve alternative methods to be used by a reporting party to meet any reporting requirements if—

(1) The request is submitted in writing to Commander, Ninth Coast Guard District (m), 1240 E. Ninth Street, Cleveland, Ohio, 44199-2060; and

(2) The alternative provides an equivalent level of the reporting that which would be achieved by the Coast Guard with the required check-in points.

(i) Deviation from this section is prohibited unless specifically authorized by the Commander, Ninth Coast Guard District or designated representative.

(Approved by the Office of Management and Budget under OMB control number 1625-1505)

[CDG09-03-241, 68 FR 57622, Oct. 6, 2003, as amended by USCG-2005-21869, 80 FR 5336, Jan. 30, 2015; USCG-2013-0849, 80 FR 81189, Dec. 29, 2015]

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§165.923 Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL.

(a) *Regulated navigation area and regulations.* (1) The following is a regulated navigation area (RNA): All waters of the Chicago Sanitary and Ship Canal, Romeoville, IL located between mile marker 295.5 and mile marker 297.2.

(2)(i) The general regulations contained in §165.13 apply.

(ii) Vessels that comply with the following restrictions are permitted to transit the RNA:

(A) Vessels must be greater than 20 feet in length.

(B) Vessels must not be a personal or human powered watercraft (*i.e.*, jet skis, waver runners, kayaks, row boats, etc.).

(C) Vessels engaged in commercial service, as defined in 46 U.S.C. 2101(5), may not pass (meet or overtake) in the RNA and must make a SECURITÉ call when approaching the RNA to announce intentions and work out passing arrangements.

(D) Commercial tows transiting the RNA must use wire rope or appropriate alternatives to ensure electrical connectivity between all segments of the tow.

(E) All vessels are prohibited from loitering in the RNA.

(F) Vessels may enter the RNA for the sole purpose of transiting to the other side and must maintain headway throughout the transit. All vessels and persons are prohibited from dredging, laying cable, dragging, fishing, conducting salvage operations, or any other activity, which could disturb the bottom of the RNA.

(G) Except for law enforcement and emergency response personnel, all personnel on vessels transiting the RNA should remain inside the cabin, or as inboard as practicable. If personnel must be on open decks, they must wear a Coast Guard approved personal flotation device.

(H) Vessels may not moor or lay up on the right or left descending banks of the RNA.

(I) Towboats may not make or break tows if any portion of the towboat or tow is located in the RNA.

(J) Persons onboard any vessel transiting the RNA in accordance with this rule or otherwise are advised they do so at their own risk.

(K) All vessels transiting the RNA are required to transit at a no wake speed but still maintain bare steerageway.

(L)(1) All vessels are prohibited from transiting the restricted navigation area with any non-potable water on board if they intend to release that water in any form within, or on the other side of the restricted navigation area. Non-potable water includes, but is not limited to, any water taken on board to control or maintain trim, draft, stability, or stresses of the vessel. Likewise, it includes any water taken on board due to free communication between the hull of the vessel and exterior water. Potable water is water treated and stored aboard the vessel that is suitable for human consumption.

(2) Vessels with non-potable water on board are permitted to transit the restricted navigation area if they have taken steps to prevent the release, in any form, of that water in or on the other side of the restricted navigation area. Alternatively, vessels with non-potable water on board are permitted to transit the restricted navigation area if they have plans to dispose of the water in a biologically sound manner.

(3) Vessels with non-potable water aboard that intend to discharge on the other side of the restricted navigation area must contact the Coast Guard's Ninth District Commander or his or her designated representatives prior to transit and obtain permission to transit and discharge. Examples of discharges that may be approved include plans to dispose of the water in a biologically sound manner or demonstrate through testing that the non-potable water does not contain potential live Silver or Asian carp, viable eggs, or gametes.

(4) In accordance with the general regulations in §165.23, entry into, transiting, or anchoring within this safety zone by vessels with non-potable water on board is prohibited unless authorized by the Coast Guard's Ninth District Commander, his or her designated representatives, or an on-scene representative.

(5) The Captain of the Port, Lake Michigan, may further designate an "on-scene" representative. The Captain of the Port, Lake Michigan, or the on-scene representative may be contacted via VHF-FM radio Channel 16 or through the Coast Guard Lake Michigan Command Center at (414) 747-7182.

(b) *Definitions.* The following definitions apply to this section:

Designated representative means the Captain of the Port Lake Michigan and Commanding Officer, Marine Safety Unit Chicago.

On-scene representative means any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Lake Michigan, to act on his or her behalf. The on-scene representative of the Captain of the Port, Lake Michigan, will be aboard a Coast Guard, Coast Guard Auxiliary, or other designated vessel or will be onshore and will communicate with vessels via VHF-FM radio or loudhailer.

Vessel means every description of watercraft or other artificial contrivance used, or capable or being used, as a means of transportation on water. This definition includes, but is not limited to, barges.

(c) *Compliance.* All persons and vessels must comply with this section and any additional instructions or orders of the Coast Guard's Ninth District Commander or his or her designated representatives. Any person on board any vessel transiting this RNA in accordance with this rule or otherwise does so at his or her own risk.

(d) *Waiver.* For any vessel, the Coast Guard's Ninth District Commander or his or her designated representatives may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of vessel and mariner safety.

[USCG-2017-1095, 83 FR 34045, July 19, 2018]

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§165.927 Safety Zone; St. Louis River, Duluth/Interlake Tar Remediation Site, Duluth, MN.

(a) *Location:* The following area is a safety zone: All waters of Stryker Bay and Hallett Slips 6 & 7 which are located north of a boundary line delineated by the following points: From the shoreline at 46°43'10.00" N, 092°10'31.66" W, then south to

46°43'06.24" N, 092°10'31.66" W, then east to 46°43'06.24" N, 092°09'41.76" W, then north to the shoreline at 46°43'10.04" N, 092°09'41.76" W. [Datum NAD 83].

(b) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Duluth, or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Duluth or his designated on-scene representative.

(3) The "designated on-scene representative" of the Captain of the Port is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port to act on his behalf. The on-scene representative of the Captain of the Port will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on-scene representative may be contacted by calling Coast Guard Marine Safety Unit Duluth at (218) 720-5286.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Duluth to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone shall comply with all directions given to them by the Captain of the Port Duluth or his on-scene representative.

[CGD09-06-122, 71 FR 66112, Nov. 13, 2006]

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§165.928 Security Zone; Mackinac Bridge, Straits of Mackinac, Michigan.

(a) *Definitions.* The following definitions apply to this section:

(1) *Designated Representative* means those persons designated by the Captain of the Port to monitor these security zones, permit entry into these zones, give legally enforceable orders to persons or vessels within these zones and take other actions authorized by the Captain of the Port. Persons authorized in paragraph (e) to enforce this section and Vessel Traffic Service St. Marys River (VTS) are Designated Representatives.

(2) *Federal Law Enforcement Officer* means any employee or agent of the United States government who has the authority to carry firearms and make warrantless arrests and whose duties involve the enforcement of criminal laws of the United States.

(3) *Navigable waters of the United States* means those waters defined as such in 33 CFR part 2.

(4) *Public vessel* means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(5) *Michigan Law Enforcement Officer* means any regularly employed member of a Michigan police force responsible for the prevention and detection of crime and the enforcement of the general criminal laws of Michigan as defined in Michigan Compiled Laws section 28.602(l)(i).

(b) *Security zone.* The following area is a security zone: All waters enclosed by a line connecting the following points: 45°50.763 N: 084°43.731 W, which is the northwest corner; thence east to 45°50.705 N: 084°43.04 W, which is the northeast corner; thence south to 45°47.242 N: 084°43.634 W, which is the southeast corner; thence west to 45°47.30 N: 084°44.320 W, which is the southwest corner; then north to the point of origin. The zone described above includes all waters on either side of the Mackinac Bridge within one-quarter mile of the bridge. [Datum: NAD 1983].

(c) *Obtaining permission to enter or move within, the security zone:* All vessels must obtain permission from the COTP or a Designated Representative to enter or move within, the security zone established in this section. Vessels with an operable Automatic Identification System (AIS) unit should seek permission from the COTP or a Designated Representative at least 1 hour in advance. Vessels with an operable AIS unit may contact VTS St. Marys River (Soo Traffic) on VHF channel 12. Vessels without an operable AIS unit should seek permission at least 30 minutes in advance. Vessels without an operable AIS unit may contact Coast Guard Station St. Ignace on VHF channel 16.

(d) *Regulations.* The general regulations in 33 CFR part 165 subpart D, apply to any vessel or person in the navigable waters of the United States to which this section applies. No person or vessel may enter the security zone established in this section unless authorized by the Captain of the Port or his designated representatives. Vessels and persons granted permission to enter the security zone shall obey all lawful orders or directions of the Captain of the Port or his designated representatives. All vessels entering or moving within the security zone must operate at speeds which are necessary to maintain a safe course and which will not exceed 12 knots.

(e) *Enforcement.* Any Coast Guard commissioned, warrant or petty officer may enforce the rules in this section. In the navigable waters of the United States to which this section applies, when immediate action is required and representatives of the Coast Guard are not present or not present in sufficient force to provide effective enforcement of this section, any Federal Law Enforcement Officer or Michigan Law Enforcement Officer may enforce the rules contained in this section pursuant to 33 CFR 6.04-11. In addition, the Captain of the Port may be assisted by other Federal, state or local agencies in enforcing this section pursuant to 33 CFR 6.04-11.

(f) *Exemption.* Public vessels as defined in paragraph (a) of this section are exempt from the requirements in this section.

(g) *Waiver.* For any vessel, the Captain of the Port Sault Ste. Marie may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purpose of port security, safety or environmental safety.

(h) *Enforcement period.* This rule will be enforced Labor Day of each year; 6 a.m. (local) to 11:59 p.m. (midnight) (local).

[CGD09-06-019, 71 FR 45389, Aug. 9, 2006]

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§165.929 Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone.

(a) *Regulations.* The following regulations apply to the safety zones listed in Table 165.929 of this section.

(1) The general regulations in §165.23.

(2) All vessels must obtain permission from the Captain of the Port (COTP) Lake Michigan or his or her designated representative to enter, move within, or exit a safety zone established in this section when the safety zone is enforced. Vessels and persons granted permission to enter one of the safety zones listed in this section must obey all lawful orders or directions of the COTP Lake Michigan or his or her designated representative. Upon being hailed by the U.S. Coast Guard by siren, radio, flashing light or other means, the operator of a vessel must proceed as directed.

(3) The enforcement dates and times for each of the safety zones listed in Table 165.929 are subject to change, but the duration of enforcement would remain the same, or nearly the same, total number of hours as stated in the table. In the event of a change, the COTP Lake Michigan will provide notice to the public by publishing a Notice of Enforcement in the FEDERAL REGISTER, as well as, issuing a Broadcast Notice to Mariners.

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative* means any Coast Guard commissioned, warrant, or petty officer designated by the COTP Lake Michigan to monitor a safety zone, permit entry into a safety zone, give legally enforceable orders to persons or vessels within a safety zone, and take other actions authorized by the COTP Lake Michigan.

(2) *Public Vessel* means a vessel that is owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(3) *Rain date* refers to an alternate date and/or time in which the safety zone would be enforced in the event of inclement weather.

(c) *Suspension of enforcement.* The COTP Lake Michigan may suspend enforcement of any of these zones earlier than listed in this section. Should the COTP Lake Michigan suspend any of these zones earlier than the listed duration in this section, he or she may make the public aware of this suspension by Broadcast Notice to Mariners and/or on-scene notice by his or her designated representative.

(d) *Exemption.* Public Vessels, as defined in paragraph (b) of this section, are exempt from the requirements in this section.

(e) *Waiver.* For any vessel, the COTP Lake Michigan or his or her designated representative may waive any of the requirements of this section upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of safety or security.

TABLE 165.929

Event	Location ¹	Enforcement date and time ²
(a) March Safety Zones		
(1) St. Patrick's Day Fireworks	Manitowoc, WI. All waters of the Manitowoc River within the arc of a circle with a 250-foot radius from a center point launch position at 44°05.492' N, 087°39.332' W	The third Saturday of March; 5:30 p.m. to 7 p.m.
(2) Public Fireworks Display	Green Bay, WI. All waters of the Fox River in the vicinity of the Main Street and Walnut Street Bridge within an area bounded by the following coordinates: 44°31.211' N, 088°00.833' W; then southwest along the river bank to 44°30.944' N, 088°01.159' W; then southeast to 44°30.890' N, 088°01.016' W; then northeast along the river bank to 44°31.074' N, 088°00.866' W; then northwest returning to the point of origin	March 15; 11:50 a.m. to 12:30 p.m. Rain date: March 16; 11:50 a.m. to 12:30 p.m.
(b) April Safety Zones		
(1) Michigan Aerospace Challenge Sport Rocket Launch	Muskegon, MI. All waters of Muskegon Lake, near the West Michigan Dock and Market Corp facility, within the arc of a circle with a 1,500-yard radius from the rocket launch site located in position 43°14.018' N, 086°15.585' W	The last Saturday of April; 8 a.m. to 4 p.m.
(c) May Safety Zones		
(1) Tulip Time Festival Fireworks	Holland, MI. All waters of Lake Macatawa, near Kollen Park, within the arc of a circle with a 1,000-foot radius from the fireworks launch site in approximate center position 42°47.496' N, 086°07.348' W	The first Saturday of May; 9:30 p.m. to 11:30 p.m. Rain date: The first Friday of May; 9:30 p.m. to 11:30 p.m.
(2) Cochrane Cup		

	Blue Island, IL. All waters of the Calumet Saganashkee Channel from the South Halstead Street Bridge at 41°39.442' N, 087°38.474' W; to the Crawford Avenue Bridge at 41°39.078' N, 087°43.127' W; and the Little Calumet River from the Ashland Avenue Bridge at 41°39.098' N, 087°39.626' W; to the junction of the Calumet Saganashkee Channel at 41°39.373' N, 087°39.026' W	The first Saturday of May; 6:30 a.m. to 5 p.m.
(3) Rockets for Schools Rocket Launch	Sheboygan, WI. All waters of Lake Michigan and Sheboygan Harbor, near the Sheboygan South Pier, within the arc of a circle with a 1,500-yard radius from the rocket launch site located with its center in position 43°44.914' N, 087°41.869' W	The first Saturday of May; 8 a.m. to 5 p.m.
(4) Celebrate De Pere Fireworks	De Pere, WI. All waters of the Fox River, near Voyageur Park, within the arc of a circle with a 500-foot radius from the fireworks launch site located in position 44°27.167' N, 088°03.833' W	The Saturday or Sunday before Memorial Day; 8:30 p.m. to 10 p.m.
(d) June Safety Zones		
(1) International Bayfest	Green Bay, WI. All waters of the Fox River, near the Western Lime Company 1.13 miles above the head of the Fox River, within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 44°31.408' N, 088°00.710' W	The second Friday of June; 9 p.m. to 11 p.m.
(2) Harborfest Music and Family Festival	Racine, WI. All waters of Lake Michigan and Racine Harbor, near the Racine Launch Basin Entrance Light, within the arc of a circle with a 200-foot radius from the fireworks launch site located in position 42°43.722' N, 087°46.673' W	Friday and Saturday of the third complete weekend of June; 9 p.m. to 11 p.m. each day.
(3) Spring Lake Heritage Festival Fireworks	Spring Lake, MI. All waters of the Grand River within the arc of a circle with a 700-foot radius from a barge in center position 43°04.375' N, 086°12.401' W	The third Saturday of June; 9 p.m. to 11 p.m.
(4) Elberta Solstice Festival	Elberta, MI. All waters of Betsie Lake within the arc of a circle with a 500-foot radius from the fireworks launch site located in approximate center position 44°37.607' N, 086°13.977' W	The last Saturday of June; 9 p.m. to 11 p.m.
(5) World War II Beach Invasion Re-enactment	St. Joseph, MI. All waters of Lake Michigan in the vicinity of Tiscornia Park in St. Joseph, MI beginning at 42°06.918' N, 086°29.421' W; then west/northwest along the north breakwater to 42°06.980' N, 086°29.682' W; then northwest 100 yards to 42°07.018' N, 086°29.728' W; then northeast 2,243 yards to 42°07.831' N, 086°28.721' W; then southeast to the shoreline at 42°07.646' N, 086°28.457' W; then southwest along the shoreline to the point of origin	The last Saturday of June; 8 a.m. to 2 p.m.
(6) Ephraim Fireworks	Ephraim, WI. All waters of Eagle Harbor and Lake Michigan within the arc of a circle with a 750-foot radius from the fireworks launch site located on a barge in position 45°09.304' N, 087°10.844' W	The third Saturday of June; 9 p.m. to 11 p.m.
(7) Thunder on the Fox	Elgin, IL. All waters of the Fox River from the Kimball Street Bridge, located at approximate position 42°02.499' N, 088°17.367' W, then 1,250 yards north to a line crossing the river perpendicularly running through position 42°03.101' N, 088°17.461' W	Friday, Saturday, and Sunday of the third weekend in June; 10 a.m. to 7 p.m. each day.
(8) Olde Ellison Bay Days Fireworks	Ellison Bay, WI. All waters of Green Bay, in the vicinity of Ellison Bay Wisconsin, within the arc of a circle with a 400-foot radius from the fireworks launch site located on a barge in approximate center position 45°15.595' N, 087°05.043' W	The fourth Saturday of June; 9 p.m. to 10 p.m.
(9) Sheboygan Harborfest Fireworks	Sheboygan, WI. All waters of Lake Michigan and Sheboygan Harbor within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 43°44.914' N, 087°41.897' W	June 15; 8:45 p.m. to 10:45 p.m.
(e) July Safety Zones		
(1) Town of Porter Fireworks Display	Porter, IN. All waters of Lake Michigan within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in center position 41°39.927' N, 087°03.933' W	The first Saturday of July; 8:45 p.m. to 9:30 p.m.
(2) City of Menasha 4th of July Fireworks	Menasha, WI. All waters of Lake Winnebago and the Fox River within the arc of a circle with an 800-foot radius from the fireworks launch site located in center position 44°12.017' N, 088°25.904' W	July 4; 9 p.m. to 10:30 p.m.
(3) Pentwater July Third Fireworks	Pentwater, MI. All waters of Lake Michigan and the Pentwater Channel within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 43°46.942' N, 086°26.625' W	July 3; 9 p.m. to 11 p.m. Rain date: July 4; 9 p.m. to 11 p.m.
(4) Taste of Chicago Fireworks	Chicago, IL. All waters of Monroe Harbor and Lake Michigan bounded by a line drawn from 41°53.380' N, 087°35.978' W; then southeast to 41°53.247' N, 087°35.434' W; then south to 41°52.809' N, 087°35.434' W; then southwest to 41°52.453' N, 087°36.611' W; then north to 41°53.247' N, 087°36.573' W; then northeast returning to the point of origin	July 3; 9 p.m. to 11 p.m. Rain date: July 4; 9 p.m. to 11 p.m.
(5) St. Joseph Fourth of July Fireworks	St. Joseph, MI. All waters of Lake Michigan and the St. Joseph River within the arc of a circle with a 1,000-foot radius from the fireworks launch site in position 42°06.867' N, 086°29.463' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(6) U.S. Bank Fireworks	Milwaukee, WI. All waters and adjacent shoreline of Milwaukee Harbor, in the vicinity of Veteran's Park, within the arc of a circle with a 1,200-foot radius from the center of the fireworks launch site which is located on a barge in approximate position 43°02.362' N, 087°53.485' W	July 3; 8:30 p.m. to 11 p.m. Rain date: July 4; 8:30 p.m. to 11 p.m.
(7) Manistee Independence Day Fireworks	Manistee, MI. All waters of Lake Michigan, in the vicinity of the First Street Beach, within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 44°14.854' N, 086°20.757' W	July 3; 9 p.m. to 11 p.m. Rain date: July 4; 9 p.m. to 11 p.m.
(8) Frankfort Independence Day Fireworks	Frankfort, MI. All waters of Lake Michigan and Frankfort Harbor, bounded by a line drawn from 44°38.100' N, 086°14.826' W; then south to 44°37.613' N, 086°14.802' W; then west to 44°37.613' N, 086°15.263' W; then north to 44°38.094' N, 086°15.263' W; then east returning to the point of origin	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(9) Freedom Festival Fireworks	Ludington, MI. All waters of Lake Michigan and Ludington Harbor within the arc of a circle with a 800-foot radius from the fireworks launch site located in position 43°57.171' N, 086°27.718' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(10) White Lake Independence Day Fireworks	Montague, MI. All waters of White Lake within the arc of a circle with an 800-foot radius from a center position at 43°24.621' N, 086°21.463' W	July 4; 9:30 p.m. to 11:30 p.m. Rain date: July 5; 9:30 p.m. to 11:30 p.m.
(11) Muskegon Summer Celebration July Fourth Fireworks	Muskegon, MI. All waters of Muskegon Lake, in the vicinity of Hartshorn Municipal Marina, within the arc of a circle with a 700-foot radius from a center position at 43°14.039' N, 086°15.793' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(12) Grand Haven Jaycees Annual Fourth of July Fireworks	Grand Haven, MI. All waters of the Grand River within the arc of a circle with a 800-foot radius from the fireworks launch site located on the west bank of the Grand River in position 43°3.908' N, 086°14.240' W	July 4; 9 p.m. to 11:30 p.m. Rain date: July 5; 9 p.m. to 11:30 p.m.
(13) Celebration Freedom Fireworks	Holland, MI. All waters of Lake Macatawa in the vicinity of Kollen Park within the arc of a circle with a 2,000-foot radius of a center launch position at 42°47.440' N, 086°07.621' W	July 4; 10 p.m. to 11:59 p.m. Rain date: July 4; 10 p.m. to 11:59 p.m.
(14) Van Andel Fireworks Show	Holland, MI. All waters of Lake Michigan and the Holland Channel within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in approximate position 42°46.351' N, 086°12.710' W	July 4; 9 p.m. to 11 p.m. Rain date: July 3; 9 p.m. to 11 p.m.
(15) Saugatuck Independence Day Fireworks	Saugatuck, MI. All waters of Kalamazoo Lake within the arc of a circle with a 500-foot radius from the fireworks launch site in center position 42°39.074' N, 086°12.285' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(16) South Haven Fourth of July Fireworks	South Haven, MI. All waters of Lake Michigan and the Black River within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in center position 42°24.125' N, 086°17.179' W	July 3; 9:30 p.m. to 11:30 p.m.

(17) Town of Dune Acres Independence Day Fireworks	Dune Acres, IN. All waters of Lake Michigan within the arc of a circle with a 700-foot radius from the fireworks launch site located in position 41°39.303' N, 087°05.239' W	The first Saturday of July; 8:45 p.m. to 10:30 p.m.
(18) Gary Fourth of July Fireworks	Gary, IN. All waters of Lake Michigan, approximately 2.5 miles east of Gary Harbor, within the arc of a circle with a 500-foot radius from the fireworks launch site located in position 41°37.322' N, 087°14.509' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(19) Joliet Independence Day Celebration Fireworks	Joliet, IL. All waters of the Des Plaines River, at mile 288, within the arc of a circle with a 500-foot radius from the fireworks launch site located in position 41°31.522' N, 088°05.244' W	July 3; 9 p.m. to 11 p.m. Rain date: July 4; 9 p.m. to 11 p.m.
(20) Glencoe Fourth of July Celebration Fireworks	Glencoe, IL. All waters of Lake Michigan in the vicinity of Lake Front Park, within the arc of a circle with a 1,000-foot radius from a barge in position 42°08.404' N, 087°44.930' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(21) Lakeshore Country Club Independence Day Fireworks	Glencoe, IL. All waters of Lake Michigan within the arc of a circle with a 600-foot radius from a center point fireworks launch site in approximate position 42°09.130' N, 087°45.530' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(22) Shore Acres Country Club Independence Day Fireworks	Lake Bluff, IL. All waters of Lake Michigan within the arc of a circle with a 600-foot radius from approximate position 42°17.847' N, 087°49.837' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(23) Kenosha Independence Day Fireworks	Kenosha, WI. All waters of Lake Michigan and Kenosha Harbor within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 42°35.283' N, 087°48.450' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(24) Fourthfest of Greater Racine Fireworks	Racine, WI. All waters of Racine Harbor and Lake Michigan within the arc of a circle with a 900-foot radius from a center point position at 42°44.259' N, 087°46.635' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(25) Sheboygan Fourth of July Celebration Fireworks	Sheboygan, WI. All waters of Lake Michigan and Sheboygan Harbor, in the vicinity of the south pier, within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 43°44.917' N, 087°41.850' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(26) Manitowoc Independence Day Fireworks	Manitowoc, WI. All waters of Lake Michigan and Manitowoc Harbor, in the vicinity of south breakwater, within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 44°05.395' N, 087°38.751' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(27) Sturgeon Bay Independence Day Fireworks	Sturgeon Bay, WI. All waters of Sturgeon Bay, in the vicinity of Sunset Park, within the arc of a circle with a 1,000-foot radius from the fireworks launch site located on a barge in position 44°50.562' N, 087°23.411' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(28) Fish Creek Independence	Fish Creek, WI. All waters of Green Bay, in the vicinity of Fish Creek Harbor, within the arc of a circle with a 1,000-foot radius from the fireworks launch site located on a barge in position 45°07.867' N, 087°14.617' W	July 2; 9 p.m. to 11 p.m. Rain date: July 2; 9 p.m. to 11 p.m.
(29) Fire over the Fox Fireworks	Green Bay, WI. All waters of the Fox River including the mouth of the East River from the Canadian National Railroad Bridge in approximate position 44°31.467' N, 088°00.633' W then southwest to the Main St. Bridge in approximate position 44°31.102' N, 088°00.963' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(30) Celebrate Americafest Ski Show	Green Bay, WI. All waters of the Fox River, including the mouth of the East River from the West Walnut Street Bridge in approximate position 44°30.912' N, 088°01.100' W, then northeast to an imaginary line running perpendicularly across the river through coordinate 44°31.337' N, 088°00.640' W	July 4 from 2:30 p.m. to 4:30 p.m. Rain date: July 5; 2:30 p.m. to 4:30 p.m.
(31) Marinette Fourth of July Celebration Fireworks	Marinette, WI. All waters of the Menominee River, in the vicinity of Stephenson Island, within the arc of a circle with a 900-foot radius from the fireworks launch site in center position 45°6.232' N, 087°37.757' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(32) Evanston Fourth of July Fireworks	Evanston, IL. All waters of Lake Michigan, in the vicinity of Centennial Park Beach, within the arc of a circle with a 500-foot radius from the fireworks launch site located in position 42°02.933' N, 087°40.350' W	July 4; 9 p.m. to 11 p.m. Rain date: July 5; 9 p.m. to 11 p.m.
(33) Gary Air and Water Show	Gary, IN. All waters of Lake Michigan bounded by a line drawn from 41°37.217' N, 087°16.763' W; then east along the shoreline to 41°37.413' N, 087°13.822' W; then north to 41°38.017' N, 087°13.877' W; then southwest to 41°37.805' N, 087°16.767' W; then south returning to the point of origin	July 6 thru 10; 8:30 a.m. to 5 p.m.
(34) Annual Trout Festival Fireworks	Kewaunee, WI. All waters of Kewaunee Harbor and Lake Michigan within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 44°27.493' N, 087°29.750' W	Friday of the second complete weekend of July; 9 p.m. to 11 p.m.
(35) Michigan City Summerfest Fireworks	Michigan City, IN. All waters of Michigan City Harbor and Lake Michigan within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 41°43.700' N, 086°54.617' W	Sunday of the second complete weekend of July; 8:30 p.m. to 10:30 p.m.
(36) Port Washington Fish Day Fireworks	Port Washington, WI. All waters of Port Washington Harbor and Lake Michigan, in the vicinity of the WE Energies coal dock, within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 43°23.117' N, 087°51.900' W	The third Saturday of July; 9 p.m. to 11 p.m.
(37) Bay View Lions Club South Shore Frolics Fireworks	Milwaukee, WI. All waters of Lake Michigan and Milwaukee Harbor, in the vicinity of South Shore Yacht Club, within the arc of a circle with a 900-foot radius from the fireworks launch site in position 42°59.658' N, 087°52.808' W	Friday, Saturday, and Sunday of the second or third weekend of July; 9 p.m. to 11 p.m. each day.
(38) Venetian Festival Fireworks	St. Joseph, MI. All waters of Lake Michigan and the St. Joseph River, near the east end of the south pier, within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 42°06.800' N, 086°29.250' W	Saturday of the third complete weekend of July; 9 p.m. to 11 p.m.
(39) Joliet Waterway Daze Fireworks	Joliet, IL. All waters of the Des Plaines River, at mile 287.5, within the arc of a circle with a 300-foot radius from the fireworks launch site located in position 41°31.250' N, 088°05.283' W	Friday and Saturday of the third complete weekend of July; 9 p.m. to 11 p.m. each day.
(40) EAA Airventure	Oshkosh, WI. All waters of Lake Winnebago in the vicinity of Willow Harbor within an area bounded by a line connecting the following coordinates: Beginning at 43°56.822' N, 088°29.904' W; then north approximately 5,100 feet to 43°57.653' N, 088°29.904' W, then east approximately 2,300 feet to 43°57.653' N, 088°29.374' W; then south to shore at 43°56.933' N, 088°29.374' W; then southwest along the shoreline to 43°56.822' N, 088°29.564' W; then west returning to the point of origin	The last complete week of July, beginning Monday and ending Sunday; 8 a.m. to 8 p.m. each day.
(41) Saugatuck Venetian Night Fireworks	Saugatuck, MI. All waters of Kalamazoo Lake within the arc of a circle with a 500-foot radius from the fireworks launch site located on a barge in position 42°39.073' N, 086°12.285' W	The last Saturday of July; 9 p.m. to 11 p.m.
(42) Roma Lodge Italian Festival Fireworks	Racine, WI. All waters of Lake Michigan and Racine Harbor within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 42°44.067' N, 087°46.333' W	Friday and Saturday of the last complete weekend of July; 9 p.m. to 11 p.m.
(43) Chicago Venetian Night Fireworks		Saturday of the last weekend of July; 9 p.m. to 11 p.m.

	Chicago, IL. All waters of Monroe Harbor and all waters of Lake Michigan bounded by a line drawn from 41°53.050' N, 087°36.600' W; then east to 41°53.050' N, 087°36.350' W; then south to 41°52.450' N, 087°36.350' W; then west to 41°52.450' N, 087°36.617' W; then north returning to the point of origin	
(44) New Buffalo Business Association Fireworks	New Buffalo, MI. All waters of Lake Michigan and New Buffalo Harbor within the arc of a circle with a 800-foot radius from the fireworks launch site located in position 41°48.153' N, 086°44.823' W	July 3rd or July 5th; 9:30 p.m. to 11:15 p.m.
(45) Start of the Chicago to Mackinac Race	Chicago, IL. All waters of Lake Michigan in the vicinity of the Chicago Harbor Entrance at Chicago, IL, within a rectangle that is bounded by a line drawn from 41°53.251' N, 087°35.393' W; then east to 41°53.251' N, 087°34.352' W; then south to 41°52.459' N, 087°34.364' W; then west to 41°52.459' N, 087°35.393' W; then north back to the point of origin	July 22; 2 p.m. to 4:30 p.m. and July 23; 9 a.m. to 3 p.m.
(46) Fireworks at Pier Wisconsin	Milwaukee, WI. All waters of Milwaukee Harbor, including Lakeshore Inlet and the marina at Pier Wisconsin, within the arc of a circle with a 300-foot radius from the fireworks launch site on Pier Wisconsin located in approximate position 43°02.178' N, 087°53.625' W	Dates and times will be issued by Notice of Enforcement and Broadcast Notice to Mariners.
(47) Gills Rock Fireworks	Gills Rock, WI. All waters of Green Bay near Gills Rock, WI within a 1,000-foot radius of the launch vessel in approximate position at 45°17.470' N, 087°01.728' W	July 4; 8:30 p.m. to 10:30 p.m.
(48) City of Menominee 4th of July Celebration Fireworks	Menominee, MI. All waters of Green Bay, in the vicinity of Menominee Marina, within the arc of a circle with a 900-foot radius from a center position at 45°06.417' N, 087°36.024' W	July 4; 9 p.m. to 11 p.m.
(49) Miesfeld's Lakeshore Weekend Fireworks	Sheboygan, WI. All waters of Lake Michigan and Sheboygan Harbor within an 800-foot radius from the fireworks launch site located at the south pier in approximate position 43°44.917' N, 087°41.967' W	July 29; 9 p.m. to 10:30 p.m. Rain date: July 30; 9 p.m. to 10:30 p.m.
(50) Marinette Logging and Heritage Festival Fireworks	Marinette, WI. All waters of the Menominee River, in the vicinity of Stephenson Island, within the arc of a circle with a 900-foot radius from the fireworks launch site in position 45°06.232' N, 087°37.757' W	July 13; 9 p.m. to 11 p.m.
(51) Summer in the City Water Ski Show	Green Bay, WI. All waters of the Fox River in Green Bay, WI from the Main Street Bridge in position 44°31.089' N, 088°00.904' W then southwest to the Walnut Street Bridge in position 44°30.900' N, 088°01.091' W	Each Wednesday of July through August; 6 p.m. to 6:30 p.m. and 7 p.m. to 7:30 p.m.
(52) Holiday Celebration Fireworks	Kewaunee, WI. All waters of Kewaunee Harbor and Lake Michigan within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 44°27.481' N, 087°29.735' W	July 4; 8:30 p.m. to 10:30 p.m. Rain date: July 5; 8:30 p.m. to 10:30 p.m.
(53) Independence Day Fireworks	Wilmette, IL. All waters of Lake Michigan and the North Shore Channel within the arc of a circle with a 1,000-foot radius from the fireworks launch site located at approximate center position 42°04.674' N, 087°40.856' W	July 3; 8:30 p.m. to 10:15 p.m.
(54) Neenah Fireworks	Neenah, WI. All waters of Lake Winnebago within a 700-foot radius of an approximate launch position at 44°11.126' N, 088°26.941' W	July 3 or 4; 8:45 p.m. to 10:30 p.m.
(55) Milwaukee Air and Water Show	Milwaukee, WI. All waters of Lake Michigan in the vicinity of McKinley Park and Bradford Beach located within an area that is approximately 5,000 yards by 1,500 yards. The area will be bounded by the points beginning at 43°02.455' N, 087°52.880' W; then southeast to 43°02.230' N, 087°52.061' W; then northeast to 43°04.451' N, 087°50.503' W; then northwest to 43°04.738' N, 087°51.445' W; then southwest to 43°02.848' N, 087°52.772' W; then returning to the point of origin	Third weekend in July 8 a.m. to 5 p.m.
(f) August Safety Zones		
(1) Super Boat Grand Prix	Michigan City, IN. All waters of Lake Michigan bounded by a rectangle drawn from 41°43.655' N, 086°54.550' W; then northeast to 41°44.808' N, 086°51.293' W, then northwest to 41°45.195' N, 086°51.757' W; then southwest to 41°44.063' N, 086°54.873' W; then southeast returning to the point of origin	The first Sunday of August; 9 a.m. to 4 p.m. Rain date: The first Saturday of August; 9 a.m. to 4 p.m.
(2) Port Washington Maritime Heritage Festival Fireworks	Port Washington, WI. All waters of Port Washington Harbor and Lake Michigan, in the vicinity of the WE Energies coal dock, within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 43°23.117' N, 087°51.900' W	Saturday of the last complete weekend of July or the second weekend of August; 9 p.m. to 11 p.m.
(3) Grand Haven Coast Guard Festival Fireworks	Grand Haven, MI. All waters of the Grand River within the arc of a circle with an 800-foot radius from the fireworks launch site located on the west bank of the Grand River in position 43°03.907' N, 086°14.247' W	First weekend of August; 9 p.m. to 11 p.m.
(4) Sturgeon Bay Yacht Club Evening on the Bay Fireworks	Sturgeon Bay, WI. All waters of Sturgeon Bay within the arc of a circle with a 500-foot radius from the fireworks launch site located on a barge in approximate position 44°49.297' N, 087°21.447' W	The first Saturday of August; 8:30 p.m. to 10:30 p.m.
(5) Hammond Marina Venetian Night Fireworks	Hammond, IN. All waters of Hammond Marina and Lake Michigan within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 41°41.883' N, 087°30.717' W	The first Saturday of August; 9 p.m. to 11 p.m.
(6) North Point Marina Venetian Festival Fireworks	Winthrop Harbor, IL. All waters of Lake Michigan within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 42°28.917' N, 087°47.933' W	The second Saturday of August; 9 p.m. to 11 p.m.
(7) Waterfront Festival Fireworks	Menominee, MI. All waters of Green Bay, in the vicinity of Menominee Marina, within the arc of a circle with a 1,000-foot radius from a center position at 45°06.447' N, 087°35.991' W	August 3; 9 p.m. to 11 p.m.
(8) Ottawa Riverfest Fireworks	Ottawa, IL. All waters of the Illinois River, at mile 239.7, within the arc of a circle with a 300-foot radius from the fireworks launch site located in position 41°20.483' N, 088°51.333' W	The first Sunday of August; 9 p.m. to 11 p.m.
(9) Chicago Air and Water Show	Chicago, IL. All waters and adjacent shoreline of Lake Michigan and Chicago Harbor bounded by a line drawn from 41°55.900' N at the shoreline, then east to 41°55.900' N, 087°37.200' W, then southeast to 41°54.000' N, 087°36.000' W, then southwestward to the northeast corner of the Jardine Water Filtration Plant, then due west to the shore	August 18 thru 21; 8:30 a.m. to 5 p.m.
(10) Pentwater Homecoming Fireworks	Pentwater, MI. All waters of Lake Michigan and the Pentwater Channel within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in position 43°46.942' N, 086°26.633' W	Saturday following the second Thursday of August; 9 p.m. to 11 p.m.
(11) Chicago Match Cup Race	Chicago, IL. All waters of Chicago Harbor in the vicinity of Navy Pier and the Chicago Harbor break wall bounded by coordinates beginning at 41°53.617' N, 087°35.433' W; then south to 41°53.400' N, 087°35.433' W; then west to 41°53.400' N, 087°35.917' W; then north to 41°53.617' N, 087°35.917' W; then back to point of origin	August 6 thru 11; 8 a.m. to 8 p.m.
(12) New Buffalo Ship and Shore Fireworks	New Buffalo, MI. All waters of Lake Michigan and New Buffalo Harbor within the arc of a circle with a 800-foot radius from the fireworks launch site located in position 41°48.150' N, 086°44.817' W	August 10; 9:30 p.m. to 11:15 p.m.
(13) Operations at Marinette Marine	Marinette, WI. All waters of the Menominee River in the vicinity of Marinette Marine Corporation, from the Bridge Street Bridge located in position 45°06.188' N, 087°37.583' W, then approximately .95 NM southeast to a line crossing the river perpendicularly passing through positions 45°05.881' N, 087°36.281' W and 45°05.725' N, 087°36.385' W	This zone will be enforced in the case of hazardous cargo operations or vessel launch by issue of Notice of Enforcement and Marine Broadcast.
(14) Fireworks Display		

	Winnetka, IL. All waters of Lake Michigan within the arc of a circle with a 900-foot radius from a center point barge located in approximate position 42°06.402' N, 087°43.115' W	Third Saturday of August; 9:15 p.m. to 10:30 p.m.
(15) Algoma Shanty Days Fireworks	Algoma, WI. All waters of Lake Michigan and Algoma Harbor within the arc of a circle with a 1,000-foot radius from the fireworks launch site located in a center position of 44°36.400' N, 087°25.900' W	Sunday of the second complete weekend of August; 9 p.m. to 11 p.m.
(16) Venetian Night Parade	Chicago, IL. All waters of Lake Michigan, in the vicinity of Navy Pier, bounded by coordinates beginning at 41°53.771' N, 087°35.815' W; and then south to 41°53.367' N, 087°35.814' W; then west to 41°53.363' N, 087°36.587' W; then north to 41°53.770' N, 087°36.601' W; then east back to the point of origin	Last Saturday of August; 6:30 p.m. to 9:30 p.m.
(17) Milwaukee Venetian Boat Parade	Milwaukee, WI. All waters of Lake Michigan within Milwaukee Bay from McKinley Marina at 43°02.066' N, 087°52.966' W; then along Veterans Park shoreline to 43°02.483' N, 087°53.683; then to the Milwaukee Art Museum at 043°02.366' N	Every third Saturday of August; 8 p.m. to 11 p.m.
(18) Milwaukee Open Water Swim	Milwaukee, WI. All waters on Lake Michigan in the Milwaukee River, between the Milwaukee River and Kinnickinnic River convergence, starting at 43°1'31.908" N, 87°54'10.900" W, going North under the I-794 overpass to 43°2'9.2184" N, 87°54'35.8128" W, and returning to the starting point	The second Saturday of August; 6 a.m. to 9 a.m.
(g) September Safety Zones		
(1) ISAF Nations Cup Grand Final Fireworks Display	Sheboygan, WI. All waters of Lake Michigan and Sheboygan Harbor, in the vicinity of the south pier in Sheboygan Wisconsin, within a 500-foot radius from the fireworks launch site located on land in position 43°44.917' N, 087°41.850' W	September 13; 7:45 p.m. to 8:45 p.m.
(2) Sister Bay Marinafest Ski Show	Sister Bay, WI. All waters of Sister Bay within an 800-foot radius of position 45°11.585' N, 087°07.392' W	September 3; 1 p.m. to 3:15 p.m.
(3) Sister Bay Marinafest Fireworks	Sister Bay, WI. All waters of Sister Bay within an 800-foot radius of the launch vessel in approximate position 45°11.585' N, 087°07.392' W	September 3 and 4; 8:15 p.m. to 10 p.m.
(4) Harborfest Boat Parade	Milwaukee, WI. All waters of Lake Michigan within Milwaukee River and Kinnickinnic River including the Municipal Mooring Basin beginning at Milwaukee River at 43°3.284' N, 087°54.2673' W then south on the Milwaukee River to 43°1.524' N, 087°54.173' W, then south on the Kinnickinnic River and ending in the Municipal Mooring Basin at 43°0.8291' N, 087°54.0751' W	The second Saturday of September; 10 a.m. to 2 p.m.
(h) October Safety Zones		
(1) Corn Festival Fireworks	Morris, IL. All waters of the Illinois River within a 560-foot radius from approximate launch position at 41°21.173' N, 088°25.101' W	The first Saturday of October; 8:15 p.m. to 9:15 p.m.
(i) November Safety Zones		
(1) Downtown Milwaukee Fireworks	Milwaukee, WI. All waters of the Milwaukee River in the vicinity of the State Street Bridge within the arc of a circle with a 300-foot radius from a center point fireworks launch site in approximate position 43°02.559' N, 087°54.749' W	The third Thursday of November; 6 p.m. to 8 p.m.
(2) Magnificent Mile Fireworks Display	Chicago, IL. All waters and adjacent shoreline of the Chicago River bounded by the arc of the circle with a 210-foot radius from the fireworks launch site with its center in approximate position of 41°53.350' N, 087°37.400' W	The third weekend in November; sunset to termination of display.
(j) December Safety Zones		
(1) New Year's Eve Fireworks	Chicago, IL. All waters of Monroe Harbor and Lake Michigan within the arc of a circle with a 1,000-foot radius from the fireworks launch site located on a barge in approximate position 41°52.683' N, 087°36.617' W	December 31; 11 p.m. to January 1 at 1 a.m.

¹All coordinates listed in Table 165.929 reference Datum NAD 1983.

²As noted in paragraph (a)(3) of this section, the enforcement dates and times for each of the listed safety zones are subject to change.

[USCG-2018-0082, 83 FR 32584, July 13, 2018]

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§165.930 Safety Zone, Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL.

(a) *Location.* The safety zone consists of the following areas:

(1) *Des Plaines River.* All U.S. waters of the Des Plaines River located between mile marker 286.0 (Brandon Road Lock and Dam) and mile marker 290.0 (point at which the Des Plaines River connects with the Chicago Sanitary and Ship Canal).

(2) *Chicago Sanitary and Ship Canal.* All U.S. waters of the Chicago Sanitary and Ship Canal between mile marker 290.0 (point at which the Chicago Sanitary and Ship Canal connects to the Des Plaines River) and mile marker 321.8 (point at which the Chicago Sanitary and Ship Canal Connects to the South Branch Chicago River).

(3) *South Branch Chicago River.* All U.S. waters of the South Branch Chicago River between mile marker 321.8 (point at which the South Branch Chicago River connects to the Chicago Sanitary and Ship Canal) and mile marker 325.6 (point at which the South Branch Chicago River connects to the Chicago River (Main Branch) and North Branch Chicago River).

(4) *Chicago River (Main Branch).* All U.S. waters of the Chicago River (Main Branch) between mile marker 325.6 (point at which the Chicago River connects to the South Branch Chicago River) and 100 yards extending past the end of the Chicago River covering the area of the Federal channel within Chicago Harbor.

(5) *North Branch Chicago River.* All U.S. waters of the North Branch Chicago River between mile marker 325.6 (point at which the North Branch Chicago River connects to the Chicago River (Main Branch) and the South Branch Chicago River) and mile marker 331.4 (end of navigation channel).

(6) *Calumet-Saganashkee Channel*. All U.S. waters of the Calumet-Saganashkee Channel between mile marker 303.5 (point at which the Calumet-Saganashkee Channel connects to the Chicago Sanitary and Ship Canal) and mile marker 333.0; all U.S. waters of the Calumet-Saganashkee Channel between mile marker 333.0 and Lake Michigan (Calumet Harbor).

(b) *Effective period*. This rule is effective July 18, 2011.

(c) *Enforcement*. (1) The Captain of the Port, Sector Lake Michigan, may enforce this safety zone in whole, in segments, or by any combination of segments. The Captain of the Port, Sector Lake Michigan, may suspend the enforcement of any segment of this safety zone for which notice of enforcement had been given.

(2) The safety zone established by this section will be enforced, pursuant to paragraph (c)(1) of this section, only upon notice by the Captain of the Port, Sector Lake Michigan. Suspension of any previously announced period of enforcement will also be provided by the Captain of the Port, Sector Lake Michigan. All notices of enforcement and notices of suspension of enforcement will clearly describe any segments of the safety zone affected by the notice. At a minimum, notices of enforcement and notices of suspension of enforcement will identify any affected segments by reference to mile markers. When possible, the Captain of the Port, Sector Lake Michigan, will also identify enforced segments of this safety zone by referencing readily identifiable geographical points. In addition to providing the geographical bounds of any enforced segment of this safety zone, notices of enforcement will also provide the date(s) and time(s) at which enforcement will commence or suspend.

(3) The Captain of the Port, Sector Lake Michigan, will publish notices of enforcement and notices of suspension of enforcement in accordance with 33 CFR 165.7(a) and in a manner that provides as much notice to the public as possible. The primary method of notification will be through publication in the FEDERAL REGISTER. The Captain of the Port, Sector Lake Michigan, will also provide notice through other means, such as Broadcast Notice to Mariners, local Notice to Mariners, local news media, distribution in leaflet form, and on-scene oral notice. Additionally, the Captain of the Port, Sector Lake Michigan, may notify representatives from the maritime industry through telephonic and email notifications.

(d) *Regulations*. (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, mooring, laying up, or anchoring within any enforced segment of the safety zone is prohibited unless authorized by the Captain of the Port, Sector Lake Michigan, or his or her designated representative.

(2) The "designated representative" of the Captain of the Port, Sector Lake Michigan, is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Sector Lake Michigan, to act on his or her behalf. The designated representative of the Captain of the Port, Sector Lake Michigan, will be aboard a Coast Guard, Coast Guard Auxiliary, or other designated vessel or will be on shore and will communicate with vessels via VHF radio, loudhailer, or by phone. The Captain of the Port, Sector Lake Michigan, or his or her designated representative may be contacted via VHF radio Channel 16 or the Coast Guard Sector Lake Michigan Command Center at 414-747-7182.

(3) To obtain permission to enter or operate within an enforced segment of the safety zone established by this section, Vessel operators must contact the Captain of the Port, Sector Lake Michigan, or his or her designated representative. Vessel operators given permission to operate in an enforced segment of the safety zone must comply with all directions given to them by the Captain of the Port, Sector Lake Michigan, or his or her designated representative.

(4) When a segment of the safety zone is being enforced, it will be closed to all vessel traffic, except as may be permitted by the Captain of the Port, Sector Lake Michigan, or his or her designated representative. As soon as operations permit, the Captain of the Port, Sector Lake Michigan, will issue a notice of suspension of enforcement as specified in paragraph (c) of this section.

(5) All persons entering any enforced segment of the safety zone established in this section are advised that they do so at their own risk.

[USCG-2011-0228, 76 FR 35109, June 16, 2011]

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§165.931 Safety Zone, Chicago Harbor, Navy Pier Southeast, Chicago, IL.

(a) *Location*. The following area is a safety zone: The waters of Lake Michigan within Chicago Harbor bounded by coordinates beginning at 41°53'26.5" N, 087°35'26.5" W; then south to 41°53'7.6" N, 087°35'26.3" W; then west to 41°53'7.6" N, 087°36'23.2" W; then north to 41°53'26.5" N, 087°36'24.6" W then east back to the point of origin (NAD 83).

(b) *Definitions*. The following definitions apply to this section:

(1) *Designated representative* means any Coast Guard Commissioned, warrant, or petty officer designated by the Captain of the Port, Lake Michigan to monitor a safety zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zone, and take other actions authorized by the Captain of the Port.

(2) *Public vessel* means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(c) *Regulations.* (1) In accordance with the general regulations in 33 CFR 165.23, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port, Lake Michigan, or his designated representative.

(2) This safety zone is closed to all vessel traffic, excepted as may be permitted by the Captain of the Port, Lake Michigan or his designated representative. All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or his designated representative. Upon being hailed by the U.S. Coast Guard by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(3) All vessels must obtain permission from the Captain of the Port or his designated representative to enter, move within, or exit the safety zone established in this section when this safety zone is enforced. Vessels and persons granted permission to enter the safety zone must obey all lawful orders or directions of the Captain of the Port or a designated representative.

(d) *Notice of enforcement or suspension of enforcement.* The safety zone established by this section will be enforced only upon notice of the Captain of the Port. The Captain of the Port will cause notice of enforcement of the safety zone established by this section to be made by all appropriate means to the affected segments of the public including publication in the FEDERAL REGISTER as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners.

(e) *Exemption.* Public vessels, as defined in paragraph (b) of this section, are exempt from the requirements in this section.

(f) *Waiver.* For any vessel, the Captain of the Port Lake Michigan or his designated representative may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of public or environmental safety.

[USCG-2013-0320, 78 FR 42867, July 18, 2013]

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§165.932 Safety Zone; Ohio Street Beach Swim Course, Lake Michigan, Chicago Harbor, Chicago, IL.

(a) *Location.* All U.S. navigable waters of Lake Michigan bound by a line drawn from 41°53.7767' N, 087°36.48' W then North to 41°53.9517' N, 087°36.505' W then Northwest to 41°54.1533' N, 087°36.6933' W then Southwest to 41°54.065' N, 087°37.1517' W then Southeast to 41°53.6033' N, 087°36.8333' W then East to 41°53.6317' N, 087°36.7017' W and then along the shoreline back to the point of origin (NAD83).

(b) *Enforcement period.* The safety zone established by this section will be enforced only upon notice by the Captain of the Port, Lake Michigan. The Captain of the Port, Lake Michigan will publish notices of enforcement in accordance with 33 CFR 165.7(a) and in a manner that provides as much notice as possible. The primary method of notification will be through publication to the Federal Register. The Captain of the Port, Lake Michigan, may also provide notice through other means, such as Broadcast Notice to Mariners, Local Notice to Mariners, local news media, distribution in leaflet form, and on-scene oral notice.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port, Lake Michigan or a designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port, Lake Michigan or a designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port, Lake Michigan is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Lake Michigan to act on his or her behalf.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port, Lake Michigan or an on-scene representative to obtain permission to do so. The Captain of the Port, Lake Michigan or an on-scene representative may be contacted via VHF Channel 16 or at (414) 747-7182.

[USCG-2017-1066, 83 FR 23224, May 18, 2018]

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§165.933 Safety Zone, Chicago Harbor, Navy Pier East, Chicago, IL.

(a) *Location.* The following area is a safety zone: The waters of Lake Michigan within Chicago Harbor between the east end of Navy Pier and the Chicago Harbor breakwater beginning at 41°53'37" N, 087°35'26" W; then south to 41°53'24" N, 087°35'26" W; then east to 41°53'24" N, 087°35'55" W; then north to 41°53'37" N, 087°35'55" W; then back to the point of origin.

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative* means any Coast Guard commissioned, warrant, or petty officer designated by the Captain of the Port Lake Michigan to monitor this safety zone, permit entry into this zone, give legally enforceable orders to persons or vessels within this zone and take other actions authorized by the Captain of the Port.

(2) *Public vessel* means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(c) *Regulations.* (1) The general regulations in 33 CFR 165.23 apply.

(2) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port Lake Michigan or a designated representative. Upon being hailed by the U.S. Coast Guard by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(3) All vessels must obtain permission from the Captain of the Port Lake Michigan or a designated representative to enter, move within or exit the safety zone established in this section when this safety zone is enforced. Vessels and persons granted permission to enter the safety zone shall obey all lawful orders or directions of the Captain of the Port Lake Michigan or a designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

(d) *Notice of Enforcement or Suspension of Enforcement.* The safety zone established by this section will be enforced only upon notice of the Captain of the Port. The Captain of the Port Lake Michigan will cause notice of enforcement of the safety zone established by this section to be made by all appropriate means to the affected segments of the public including publication in the FEDERAL REGISTER as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port Lake Michigan will issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone established by this section is suspended.

(e) *Exemption.* Public vessels as defined in paragraph (b) of this section are exempt from the requirements in this section.

(f) *Waiver.* For any vessel, the Captain of the Port Lake Michigan or a designated representative may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of safety or environmental safety.

[CGD09-07-007, 72 FR 32525, June 13, 2007]

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§165.935 Safety Zone, Milwaukee Harbor, Milwaukee, WI.

(a) *Location.* The following area is a safety zone: the waters of Lake Michigan within Milwaukee Harbor including the Harbor Island Lagoon enclosed by a line connecting the following points: beginning at 43°02'00" N, 087°53'53" W; then south to 43°01'44" N, 087°53'53" W; then east to 43°01'44" N, 087°53'25" W; then north to 43°02'00" N, 087°53'25" W; then west to the point of origin.

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative* means any Coast Guard commissioned, warrant, or petty officer designated by the Captain of the Port Lake Michigan to monitor this safety zone, permit entry into this zone, give legally enforceable orders to persons or vessels within this zone and take other actions authorized by the Captain of the Port.

(2) *Public vessel* means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(c) *Regulations.* (1) The general regulations in 33 CFR 165.23 apply.

(2) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or a designated representative. Upon being hailed by the U.S. Coast Guard by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(3) All vessels must obtain permission from the Captain of the Port or a designated representative to enter, move within or exit the safety zone established in this section when this safety zone is enforced. Vessels and persons granted permission to enter the safety zone shall obey all lawful orders or directions of the Captain of the Port or a designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

(d) *Notice of Enforcement or Suspension of Enforcement.* The safety zone established by this section will be enforced only upon notice of the Captain of the Port. The Captain of the Port will cause notice of enforcement of the safety zone established by this section to be made by all appropriate means to the affected segments of the public including publication in the FEDERAL REGISTER as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port will issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone established by this section is suspended.

(e) *Exemption.* Public vessels as defined in paragraph (b) of this section are exempt from the requirements in this section.

(f) *Waiver.* For any vessel, the Captain of the Port Lake Michigan or a designated representative may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of safety or environmental safety.

[CGD09-07-008, 72 FR 32523, June 13, 2007]

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§165.939 Safety Zones; Annual Events in the Captain of the Port Buffalo Zone.

(a) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative.

(2) These safety zones are closed to all vessel traffic, except as may be permitted by the Captain of the Port Buffalo or his designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port Buffalo is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Buffalo to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone must contact the Captain of the Port Buffalo or his on-scene representative to obtain permission to do so. The Captain of the Port Buffalo or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Buffalo, or his on-scene representative.

(5) The enforcement dates and times for each of the safety zones listed in Table 165.939 are subject to change, but the duration of enforcement would remain the same or nearly the same total number of hours as stated in the table. In the event of a change, the Captain of the Port Buffalo will provide notice to the public by publishing a Notice of Enforcement in the FEDERAL REGISTER, as well as, issuing a Broadcast Notice to Mariners.

(b) *Definitions.* The following definitions apply to this section:

(1) *Designated representative* means any Coast Guard commissioned, warrant, or petty officers designated by the Captain of the Port Buffalo to monitor a safety zone, permit entry into a safety zone, give legally enforceable orders to persons or vessels within a safety zone, and take other actions authorized by the Captain of the Port Buffalo.

(2) *Public vessel* means a vessel that is owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(3) *Rain date* refers to an alternate date and/or time in which the safety zone would be enforced in the event of inclement weather.

(c) *Suspension of enforcement.* The Captain of the Port Buffalo may suspend enforcement of any of these zones earlier than listed in this section. Should the Captain of the Port suspend any of these zones earlier than the listed duration in this section, he or she may make the public aware of this suspension by Broadcast Notice to Mariners and/or on-scene notice by his or her designated representative.

(d) *Exemption.* Public vessels, as defined in paragraph (b) of this section, are exempt from the requirements in this section.

(e) *Waiver.* For any vessel, the Captain of the Port Buffalo or his or her designated representative may waive any of the requirements of this section upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of safety or security.

TABLE 165.939

Event	Location ¹	Enforcement date and time ²
(a) June Safety Zones		
(1) Festival of the Fish	Vermillion, OH. All U.S. waters within a 420 foot radius of the fireworks launch site located at position 41°25'45" N and 082°21'54" W, (NAD 83)	The 3rd Saturday in June.
(2) City of Syracuse Fireworks Celebration	Syracuse, NY. All U.S. waters of Onondaga Lake within a 350 foot radius of land position 43°03'37.0" N, 076°09'59.0" W in Syracuse, NY	The last weekend of June.
(3) Rochester Harbor and Carousel Festival	Rochester, NY. All U.S. waters of Lake Ontario within a 1,120 foot radius of land position 43°15'40.2" N, 077°36'05.1" W in Rochester, NY	The 4th Monday of June.
(4) Seneca River Days	Baldwinsville, NY. All U.S. waters of the Seneca River within an 840 foot radius of land position 43°09'25.0" N, 076°20'21.0" W in Baldwinsville, NY	The 2nd weekend of June.
(5) Flagship Niagara Mariner's Ball Fireworks	Erie, PA. All waters of Presque Isle Bay, Erie, PA within a 350-foot radius from the launch site located at position 42°08'22.5" N, 080°05'15.6" W	The 1st weekend in June.
		The 3rd weekend in June.

(6) Hope Chest Buffalo Niagara Dragon Boat Festival	Buffalo, NY. All waters of the Buffalo River, Buffalo, NY starting at position 42°52'12.0" N, 078°52'17.0" W then Southeast to 42°52'03.0" N, 078°52'12.0" W then East to 42°52'03.0" N, 078°52'10.0" W then Northwest to 42°52'13.0" N, 078°52'16.0" W and then returning to the point of origin	
(b) July Safety Zones		
(1) Cleveland Triathlon	Cleveland, OH. All U.S. waters of Lake Erie at North Coast Harbor, Cleveland, OH within 100 feet of a line starting at position 41°30'34.6" N and 081°41'51.3" W extending in a straight line to the East Basin Breakwall at position 41°30'51.8" N and 081°42'08.5" W	The 4th or 5th Sunday in July.
(2) Roverfest Fireworks Display	Cleveland, OH. All U.S. waters of Lake Erie, Cleveland, OH within a 280 foot radius from position 41°30'34.23" N and 081°08'55.73" W	The 2nd or 3rd weekend in July.
(3) High Speed Boat Races	Fairport, OH. All U.S. waters of Lake Erie, off of Headlands Beach State Park, Fairport, OH inside an area starting on shore at position 41°44'33" N, 081°19'14" W extending NW in a straight line to position 41°45'00" N, 081°19'35" W, then NE in a straight line to position 41°45'59" N, 081°17'30" W, and SE back to the shore at position 41°45'43" N, 081°17'08" W	The 3rd weekend in July.
(4) Downtown Cleveland Alliance July 4th Fireworks	Cleveland, OH. All U.S. waters of Lake Erie and Cleveland Harbor within a 1,000-foot radius of land position 41°30'10" N, 081°42'36" W (NAD 83) at Dock 20	On or around the 4th of July.
(5) Mentor Harbor Yacht Club Fireworks	Mentor, OH. All U.S. waters of Lake Erie and Mentor Harbor within a 700 foot radius of land position 41°43'36" N, 081°21'09" W	On or around the 4th of July.
(6) Parade of Lights	Cleveland, OH. All U.S. waters within 25 feet of the vessels participating in the Cleveland Parade of Lights in the Cuyahoga River. The safety zone will move with participating vessels as they transit from the mouth of the Cuyahoga River in the vicinity of position 41°29'59" N, 081°43'31" W, to Merwin's Wharf in the vicinity of 41°29'23" N, 081°42'16" W, and returning to the mouth of the Old River at 41°29'55" N, 081°42'18" W	The 3rd or 4th weekend in July.
(7) Lorain Independence Day Celebration	Lorain, OH. All U.S. waters within a 700 foot radius of the fireworks launch site located at position 41°28'35.42" N and 082°10'51.28" W	On or around the 4th of July.
(8) Conneaut Festival	Conneaut, OH. All U.S. waters within a 570 foot radius of the fireworks launch site located at position 41°58'00.43" N and 080°33'34.93" W	On or around the 4th of July.
(9) Fairport Harbor Mardi Gras	Fairport, OH. All U.S. waters within a 275 foot radius of the fireworks launch site located at position 41°45'29.55" N and 081°16'19.97" W	On or around the 4th of July.
(10) Sheffield Lake Community Days	Sheffield Lake, OH. All U.S. waters of Lake Erie and Sheffield Lake Boat ramp within a 350 foot radius of land position 41°29'27.65" N, 082°6'47.71" W	The 2nd weekend in July.
(11) Bay Village Independence Day Celebration	Bay Village, OH. All U.S. waters within a 560 foot radius of the fireworks launch site located at position 41°29'23.9" N and 081°55'44.5" W	On or around the 4th of July.
(12) Lake Erie Open Water Swim	Cleveland, OH. All U.S. waters of Lake Erie, south of a line drawn between positions 41°29'30" N, 081°44'21" W and 41°29'21" N, 081°45'04" W to the shore	The 2nd or 3rd weekend in July.
(13) Boldt Castle 4th of July Fireworks	Heart Island, NY. All U.S. waters of the Saint Lawrence River within a 1,120 foot radius of land position 44°20'38.5" N, 075°55'19.1" W at Heart Island, NY	On or around the 4th of July.
(14) Clayton Chamber of Commerce Fireworks	Calumet Island, NY. All U.S. waters of the Saint Lawrence River within an 840 foot radius of land position 44°15'04.0" N, 076°05'40" W at Calumet Island, NY	On or around the 4th of July.
(15) French Festival Fireworks	Cape Vincent, NY. All U.S. waters of the Saint Lawrence River within an 840 foot radius of land position 44°07'54.6.0" N, 076°20'01.3" W in Cape Vincent, NY	The 2nd weekend of July.
(16) Lyme Community Days	Chaumont, NY. All U.S. waters of Chaumont Bay within a 560 foot radius of land position 44°04'06.3" N, 076°08'56.8" W in Chaumont, NY	The 4th weekend of July.
(17) Village Fireworks	Sackets Harbor, NY. All U.S. waters of Black River Bay within an 840 foot radius of land position 43°56'51.9" N, 076°07'46.9" W in Sackets Harbor, NY	On or around the 4th of July.
(18) Can-Am Festival	Sackets Harbor, NY. All U.S. waters of Black River Bay within a 1,120 foot radius of land position 43°57'15.9" N, 076°06'39.2" W in Sackets Harbor, NY	The 3rd weekend of July.
(19) Brewerton Fireworks	Brewerton, NY. All U.S. waters of Lake Oneida within an 840 foot radius of the barge at position 43°14'16.4" N, 076°08'03.6" W in Brewerton, NY	On or around the 4th of July.
(20) Celebrate Baldwinsville Fireworks	Baldwinsville, NY. All U.S. waters of the Seneca River within a 700 foot radius of land position 43°09'24.9" N, 076°20'18.9" W in Baldwinsville, NY	The 1st weekend of July.
(21) Island Festival Fireworks	Baldwinsville, NY. All U.S. waters of the Seneca River within a 1,120 foot radius of land position 43°09'22.0" N, 076°20'15.0" W in Baldwinsville, NY	The 1st weekend of July.
(22) Village Fireworks	Sodus Point, NY. All U.S. waters of Sodus Bay within a 1,120 foot radius of land position 43°16'28.7" N, 076°58'27.5" W in Sodus Point, NY	On or around the 4th of July.
(23) A Salute to our Heroes	Hamlin Beach State Park, NY. All U.S. waters of Lake Ontario within a 560 foot radius of land position 43°21'51.9" N, 077°56'59.6" W in Hamlin, NY	The 1st weekend in July.
(24) Olcott Fireworks	Olcott, NY. All U.S. waters of Lake Ontario within a 1,120 foot radius of land position 43°20'23.6" N, 078°43'09.5" W in Olcott, NY	On or around the 4th of July.
(25) North Tonawanda Fireworks	North Tonawanda, NY. All U.S. waters of the East Niagara River within a 1,400 foot radius of land position 43°01'39.6" N, 078°53'07.5" W in North Tonawanda, NY	On or around the 4th of July.
(26) Tonawanda's Canal Fest Fireworks	Tonawanda, NY. All U.S. waters of the East Niagara River within a 210 foot radius of land position 43°01'17.8" N, 078°52'40.9" W in Tonawanda, NY	The 4th Sunday of July.
(27) Tom Graves Memorial Fireworks	Port Bay, NY. All waters of Port Bay, NY, within a 840 foot radius of the barge located in position 43°17'52.4" N, 076°49'55.7" W in Port Bay, NY	On or around the 3rd of July.
(28) Oswego Harborfest, Oswego, NY	Oswego, NY. All waters of Oswego Harbor, Oswego, NY contained within a 700 foot radius of position 43°28'06.9" N, 076°31'08.1" W along with a 350 foot radius of the breakwall between positions 43°27'53.0" N, 076°31'25.3" W then Northeast to 43°27'58.6" N, 076°31'12.1" W	The last week of July.
(29) Oswego Independence Day Celebration Fireworks	Oswego, NY. All waters of Lake Ontario, Oswego, NY within a 490-foot radius from the launch site located at position 43°27'55.8" N, 076°30'59.0" W	On or around the 4th of July.
(c) August Safety Zones		
(1) Whiskey Island Paddlefest	Cleveland, OH. All U.S. waters of Lake Erie; Cleveland Harbor, from 41°29'59.5" N and 081°42'59.3" W to 41°30'4.4" N and 081°42'44.5" W to 41°30'17.3" N and 081°43'0.6" W to 41°30'9.4" N and 081°43'2.0" W to 41°29'54.9" N and 081°43'34.4" W to 41°30'0.1" N and 081°43'3.1" W and back to 41°29'59.5" N and 081°42'59.3" W (NAD 83)	The 3rd or 4th weekend in August.
(2) D-Day Conneaut	Conneaut, OH. All U.S. waters of Conneaut Township Park, Lake Erie, within an area starting at 41°57.71" N, 080°34.18" W, to 41°58.36" N, 080°34.17" W, then to 41°58.53" N, 080°33.55" W, to 41°58.03" N, 080°33.72" W (NAD 83), and returning to the point of origin	The 3rd weekend in August.

(3) Celebrate Erie Fireworks	Erie, PA. All U.S. waters of Presque Isle Bay within an 800 foot radius of land position 42°08'19.0" N, 080°05'29.0" W in Erie, PA	The 3rd weekend of August.
(4) Thunder on the Niagara Hydroplane Boat Races	North Tonawanda, NY. All U.S. waters of the Niagara River near the North Grand Island Bridge, encompassed by a line starting at 43°03'32.9" N, 078°54'46.9" W to 43°03'14.6" N, 078°55'16.0" W then to 43°02'39.7" N, 078°54'13.1" W then to 43°02'59.9" N, 078°53'42.0" W and returning to the point of origin	The 2nd weekend of August.
(d) September Safety Zones		
(1) Madison Light Up the Park	Madison Township, OH. All U.S. waters of Lake Erie, within a 210 ft radius of position 41°50'17" N and 081°02'51" W (NAD 83)	The 1st weekend in September.
(2) Cleveland National Airshow	Cleveland, OH. All U.S. waters of Lake Erie and Cleveland Harbor (near Burke Lakefront Airport) from position 41°30'20" N and 081°42'20" W to 41°30'50" N and 081°42'49" W, to 41°32'09" N and 081°39'49" W, to 41°31'53" N and 081°39'24" W, then return to the original position (NAD 83)	The Wednesday before Labor Day through Labor Day.
(3) Head of the Cuyahoga	Cleveland, OH. All U.S. waters of the Cuyahoga River, between a line drawn perpendicular to the river banks from position 41°29'55" N, 081°42'23" W (NAD 83) just past the Detroit-Superior Viaduct bridge at MM 1.42 of the Cuyahoga River south to a line drawn perpendicular to the river banks at position 41°28'32" N, 081°40'16" W (NAD 83) just south of the Interstate 490 bridge at MM 4.79 of the Cuyahoga River	The 3rd weekend in September.

¹All coordinates listed in Table 165.929 reference Datum NAD 1983.

²As noted in paragraph (a)(3) of this section, the enforcement dates and times for each of the listed safety zones are subject to change, and will be published in a Notice of Enforcement prior to the event.

[USCG-2017-1112, 83 FR 25572, June 4, 2018]

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§165.941 Safety Zones; Annual Events in the Captain of the Port Detroit Zone.

(a) *Safety Zones.* The following areas are designated Safety zones: (1) Roostertail Fireworks (barge), Detroit, MI:

(i) *Location:* All waters of the Detroit River within a 300-foot radius of the fireworks launch site located at position 42°21'16.67" N, 082°58'20.41" W. (NAD 83). This area is located between Detroit and Belle Isle near the Roostertail restaurant.

(ii) *Expected date:* One evening during the third week in July. The exact dates and times for this event will be determined annually.

(2) Washington Township Summerfest Fireworks, Toledo, OH:

(i) *Location:* All waters of the Ottawa River within a 600-foot radius of the fireworks launch site located at position 41°43'29" N, 083°28'47" W (NAD 83). This area is located at the Fred C. Young Bridge, Toledo, OH.

(ii) *Expected date:* One evening during the last week in June or the first week in July. The exact dates and times for this event will be determined annually.

(3) Au Gres City Fireworks, Au Gres, MI:

(i) *Location:* All waters of Saginaw Bay within a 700-foot radius of the fireworks launch site located at position 44°1.4' N, 083°40.4' W (NAD 83). This area is located at the end of the pier near the end of Riverside Drive in Au Gres, MI.

(ii) *Expected date:* One evening during the last week in June or the first week in July. The exact dates and times for this event will be determined annually.

(4) The Old Club Fireworks, Harsens Island, MI:

(i) *Location:* All waters of Lake St. Clair within an 850-foot radius of the fireworks launch site located at position 42°32.4' N, 082°40.1' W (NAD 83). This area is located near the southern end of Harsens Island, MI.

(ii) *Expected date:* One evening during the last week of June or the first week of July. The exact dates and times for this event will be determined annually.

(5) Put-In-Bay Fourth of July Fireworks, Put-In-Bay, OH:

(i) *Location:* All waters of Lake Erie within a 1000-foot radius of the fireworks launch site located at position 41°39.7' N, 082°48.0' W (NAD 83). This area is located in Put-In-Bay Harbor.

(ii) *Expected date:* One evening during the first week of July. The exact dates and times for this event will be determined annually.

(6) Gatzeros Fireworks, Grosse Pointe Park, MI:

(i) *Location:* All waters of Lake St. Clair within a 300-foot radius of the fireworks launch site located at position 42°22.6' N, 082°54.8' W (NAD 83). This area is located near Grosse Pointe Park, MI.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(7) Harrisville Fireworks, Harrisville, MI:

(i) *Location*: All waters of Lake Huron within a 450-foot radius of the fireworks launch site located at position 44°39.7' N, 083°17.0' W (NAD 83). This area is located at the end of the break wall at the Harrisville harbor in Harrisville, MI.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(8) Harbor Beach Fireworks, Harbor Beach, MI:

(i) *Location*: All waters of Lake Huron within a 700-foot radius of the fireworks launch site located at position 43°50.8' N, 082°38.6' W (NAD 83). This area is located at the end of the railroad pier east of the end of State Street in Harbor Beach, MI.

(ii) *Expected date*: One evening during the second week in July. The exact dates and times for this event will be determined annually.

(9) Trenton Rotary Roar on the River Fireworks, Trenton, MI:

(i) *Location*: All waters of the Detroit River within a 420-foot radius of the fireworks launch site located at position 42°7.8' N, 083°10.4' W (NAD 83). This area is located between Grosse Ile and Elizabeth Park in Trenton, MI.

(ii) *Expected date*: One evening during the third week in July. The exact dates and times for this event will be determined annually.

(10) Nautical Mile Venetian Festival Fireworks, St. Clair Shores, MI:

(i) *Location*: All waters of Lake St. Clair within a 210-foot radius of the fireworks launch site located at position 42°28.2' N, 082°52.5' W (NAD 83). This area is located near Jefferson Beach Marina in St. Clair Shores, MI.

(ii) *Expected date*: One evening during the second week in August. The exact dates and times for this event will be determined annually.

(11) Cheeseburger Festival Fireworks, Caseville, MI:

(i) *Location*: All waters of Lake Huron within a 300-foot radius of the fireworks launch site located at position 43°56.9' N, 083°17.2' W (NAD 83). This area is located near the break wall located at Caseville County Park, Caseville, MI.

(ii) *Expected date*: One evening during the second week in August. The exact dates and times for this event will be determined annually.

(12) Detroit International Jazz Festival Fireworks, Detroit, MI:

(i) *Location*: All waters of the Detroit River within a 560-foot radius of the fireworks launch site located at position 42°19.6' N, 83°2.6' W (NAD 83). This area is located in the Detroit River between Cobo Hall and the GM Headquarters in Detroit, MI.

(ii) *Expected date*: One evening during the last week in August or the first week in September. The exact dates and times for this event will be determined annually.

(13) Marine City Maritime Festival Fireworks, Marine City, MI:

(i) *Location*: All waters of the St. Clair River within an 840-foot radius of the fireworks launch site located at position 42°42.9' N, 082°29.1' W (NAD 83). This area is located east of Marine City.

(ii) *Expected date*: One evening during the third week in September. The exact dates and times for this event will be determined annually.

(14) Schoenith Family Foundation Fireworks, Detroit, MI:

(i) *Location*: All waters of the Detroit River, within a 210-foot radius of the fireworks launch site located at position 42°21.2' N, 82°58.4' W. (NAD 83). This area is located between Detroit and Belle Isle.

(ii) *Expected date*: One evening during the third week in September. The exact dates and times for this event will be determined annually.

(15) Toledo Country Club Memorial Celebration and Fireworks, Toledo, OH:

(i) *Location*: All waters of the Maumee River, within a 250-yard radius of the fireworks launch site located on shore at position 41°35'12.58" N, 83°36'16.58" W. (NAD 83). This area is located at the Toledo Country Club's 18th Green and encompasses the fireworks launch site.

(ii) *Expected date*: One evening during the last week in May. The exact dates and times for this event will be determined annually.

(16) Luna Pier Fireworks Show, Luna Pier, MI:

(i) *Location*: All waters of Lake Erie, within a 300-yard radius of the fireworks launch site located at position 41°48'32" N, 83°26'23" W. (NAD 83). This area is located at the Clyde E. Evens Municipal Pier.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(17) Toledo Country Club 4th of July Fireworks, Toledo, OH:

(i) *Location*: All waters of the Maumee River, within a 250-yard radius of the fireworks launch site located on shore at position 41°35'12.58" N, 83°36'16.58" W. (NAD 83). This area is located at the Toledo Country Club's 18th Green and encompasses the fireworks launch site.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(18) Pharm Lights Up The Night Fireworks, Toledo, OH:

(i) *Location*: All waters of the Maumee River, within a 300-yard radius of the fireworks launch site located at position 41°38'35" N, 83°31'54" W. (NAD 83). This position is located at the bow of the museum ship SS WILLIS B. BOYER.

(ii) *Expected date*: One day evening during the first or second weeks in July. The exact dates and times for this event will be determined annually.

(19) Perrysburg/Maumee 4th of July Fireworks, Perrysburg, OH:

(i) *Location*: All waters of the Maumee River, within an 850-foot radius of the fireworks launch site located at position 41°33'27" N, 83°38'59" W. (NAD 83). This position is located at the Perrysburg/Maumee Hwy 20 Bridge.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(20) Lakeside July 4th Fireworks, Lakeside, OH:

(i) *Location*: All waters of Lake Erie, within a 560-foot radius of the fireworks launch site located at position 41°32'52" N, 82°45'03" W. (NAD 83). This position is located at the Lakeside Association Dock.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(21) Catawba Island Club Fireworks, Catawba Island, OH:

(i) *Location*: All waters of Lake Erie, within a 300-yard radius of the fireworks launch site located at position 41°34'20" N, 82°51'18" W. (NAD 83). This position is located at the northwest end of the Catawba Cliffs Harbor Light Pier.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(22) Red, White and Blues Bang Fireworks, Huron, OH:

(i) *Location*: All waters of the Huron River, within a 300-yard radius of the fireworks launch site located at position 41°23'29" N, 82°32'55" W. (NAD 83). This position is located at the Huron Ore Docks in Huron, OH.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(23) Huron Riverfest Fireworks, Huron, OH:

(i) *Location*: All waters of Huron Harbor, within a 350-foot radius of the fireworks launch site located at the Huron Ore Docks at position 41°23'38" N, 82°32'59" W. (NAD 83).

(ii) *Expected date*: One evening during the second week in July. The exact dates and times for this event will be determined annually.

(24) Kelleys Island, Island Fest Fireworks, Kelleys Island, OH:

(i) *Location*: All waters of Lake Erie, within a 300-yard radius of the fireworks launch site located at position 41°35'43" N, 82°43'30" W. (NAD 83). This position is located at the old Neuman Boat Line Dock.

(ii) *Expected date*: One evening during the third or fourth weeks in July. The exact dates and times for this event will be determined annually.

(25) Riverfest at the International Docks, Toledo, OH:

(i) *Location*: All waters of the Maumee River, extending from the bow of the museum ship SS WILLIS B. BOYER (41°38'35" N, 83°31'54" W), then north/north-east to the south end of the City of Toledo Street (41°38'51" N, 83°31'50" W), then south-west to the red nun buoy #64 (41°38'48" N, 83°31'58"), then south/south-east back to the point of origin at the bow of the museum ship SS WILLIS B. BOYER. (NAD 83).

(ii) *Expected date*: One evening during the first week in September. The exact dates and times for this event will be determined annually.

(26) Rossford Labor Day Fireworks, Rossford, OH:

(i) *Location*: All waters of the Maumee River, within a 350-yard radius of the fireworks launch site located at position 41°36'58" N, 83°33'56" W. (NAD 83). This position is located at Veterans Memorial Park.

(ii) *Expected date*: One evening during the first week in September. The exact dates and times for this event will be determined annually.

(27) Lakeside Labor Day Fireworks, Lakeside, OH:

(i) *Location*: All waters of Lake Erie, within a 560-foot radius of the fireworks launch site located at position 41°32'52" N, 82°45'03" W. (NAD 83). This position is located at the Lakeside Association Dock.

(ii) *Expected date*: One evening during the first week in September. The exact dates and times for this event will be determined annually.

(28) Catawba Island Club Fireworks, Catawba Island, OH:

(i) *Location*: All waters of Lake Erie, within a 300-yard radius of the fireworks launch site located at position 41°34'20" N, 82°51'18" W. (NAD 83). This position is located at the northwest end of the Catawba Cliffs Harbor Light Pier.

(ii) *Expected date*: One evening during the first week in September. The exact dates and times for this event will be determined annually.

(29) Bay-Rama Fishfly Festival Fireworks, New Baltimore, MI:

(i) *Location*: All waters of Lake St. Clair-Anchorage Bay, off New Baltimore City Park, within a 300-yard radius of the fireworks launch site located at position 42°41' N, 082°44' W (NAD 83).

(ii) *Expected date*: One evening during the first week in June. The exact dates and times for this event will be determined annually.

(30) Lake Erie Metropark Fireworks, Gibraltar, MI:

(i) *Location*: All waters of Lake Erie, off Lake Erie Metro Park, within a 300-yard radius of the fireworks launch site located at position 42°03' N, 083°11' W (NAD 83). This position is located off the Brownstown Wave pool area.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(31) City of St. Clair Fireworks, St. Clair, MI:

(i) *Location*: All waters off the St. Clair River near St. Clair City Park, within a 300-yard radius of the fireworks launch site located at position 42°49' N, 082°29' W (NAD 83).

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(32) Oscoda Township Fireworks, Oscoda, MI:

(i) *Location*: All waters of Lake Huron, off the DNR Boat Launch near the mouth of the Au Sable River within a 300-yard radius of the fireworks launch site located at position 44°19' N, 083°25' W (NAD 83).

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(33) Port Austin Fireworks, Port Austin, MI:

(i) *Location*: All waters of Lake Huron, off the Port Austin break wall within a 300-yard radius of the fireworks launch site located at position 42°03' N, 082°40' W. (NAD 83).

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(34) City of Wyandotte Fireworks, Wyandotte, MI:

(i) *Location*: All waters of the Detroit River, off the break wall between Oak and Van Alstyne St., within a 300-yard radius of the fireworks launch site located at position 42°12' N, 083°09' W. (NAD 83).

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(35) Grosse Pointe Farms Fireworks, Grosse Pointe Farms, MI:

(i) *Location*: All waters of Lake St. Clair, within a 300-yard radius of the fireworks barge located at position 42°23' N, 082°52' W. (NAD 83). This position is located 300 yards east of Grosse Pointe Farms, MI.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(36) Caseville Fireworks, Caseville, MI:

(i) *Location*: All waters of Saginaw Bay, within a 300-yard radius of the fireworks launch site located at position 43°56.9' N, 083°17.2' W. (NAD 83). This position is located off the Caseville break wall.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(37) Algonac Pickerel Tournament Fireworks, Algonac, MI:

(i) *Location*: All waters of the St. Clair River, within a 300-yard radius of the fireworks barge located at position 41°37' N, 082°32' W. (NAD 83). This position is located between Algonac and Russell Island, St. Clair River-North Channel.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(38) Port Sanilac Fireworks, Port Sanilac, MI:

(i) *Location*: All waters of Lake Huron within a 300-yard radius of the fireworks launch site located at position 43°25' N, 082°31' W. (NAD 83). This position is located at the South Harbor Break wall in Port Sanilac.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(39) St. Clair Shores Fireworks, St. Clair Shores, MI:

(i) *Location*: All waters of Lake St. Clair within a 300-yard radius of the fireworks barge located at position 42°32' N, 082°51' W. (NAD 83). This position is located 1000 yards east of Veteran's Memorial Park, St. Clair Shores.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(40) Port Huron 4th of July Fireworks, Port Huron, MI:

(i) *Location*: All waters of the Black River within a 300-yard radius of the fireworks barge located at position 42°58' N, 082°25' W. (NAD 83). This position is located 300 yards east of 223 Huron Ave., Black River.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(41) Grosse Pointe Yacht Club 4th of July Fireworks, Grosse Pointe Shores, MI:

(i) *Location*: All waters of Lake St. Clair within a 300-yard radius of the fireworks barge located at position 42°25' N, 082°52' W. (NAD 83). This position is located 400 yards east of the Grosse Pointe Yacht Club seawall, Lake St. Clair.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(42) Lexington Independence Festival Fireworks, Lexington, MI:

(i) *Location*: All waters of Lake Huron within a 300-yard radius of the fireworks barge located at position 43°13' N, 082°30' W. (NAD 83). This position is located 300 yards east of the Lexington break wall, Lake Huron.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(43) City of Ecorse Water Festival Fireworks, Ecorse, MI:

(i) *Location*: All waters of the Detroit River within a 300-yard radius of the fireworks barge located at position 41°14' N, 083°09' W. (NAD 83). This position is located in the Ecorse Channel at the northern end of Mud Island.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(44) Grosse Ile Yacht Club Fireworks, Grosse Ile, MI:

(i) *Location*: All waters of the Detroit River within a 300-yard radius of the fireworks launch site located at position 42°05' N, 083°09' W. (NAD 83). This position is located in front of the Grosse Ile Yacht Club.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(45) Trenton Fireworks, Trenton, MI:

(i) *Location*: All waters of the Detroit River within a 300-yard radius of the fireworks barge located at position 42°09' N, 083°10' W. (NAD 83). This position is located 200 yards east of Trenton in the Trenton Channel near Trenton, MI.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(46) Belle Maer Harbor 4th of July Fireworks, Harrison Township, MI:

(i) *Location*: All waters of Lake St. Clair within a 300-yard radius of the fireworks barge located at position 42°36' N, 082°47' W. (NAD 83). This position is located 400 yards east of Belle Maer Harbor, Lake St. Clair.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(47) Tawas City 4th of July Fireworks, Tawas, MI:

(i) *Location*: All waters of Lake Huron within a 300-yard radius of the fireworks launch site located at position 44°13' N, 083°30' W. (NAD 83). This position is located off the Tawas City Pier.

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(48) Venetian Festival Boat Parade and Fireworks, St. Clair Shores, MI:

(i) *Location*: All waters of Lake St. Clair within a 300-yard radius of the fireworks barge located at position 42°28' N, 082°52' W. (NAD 83). This position is located 600 yards off Jefferson Beach Marina, Lake St. Clair.

(ii) *Expected date*: One evening during the second week in August. The exact dates and times for this event will be determined annually.

(49) Celebrate America Fireworks, Grosse Pointe Farms, MI:

(i) *Location*: All waters of Lake St. Clair within a 500-foot radius of the fireworks launch site located at position 42°22'58" N, 082°53'46" W. (NAD 83). This area is located southeast of the Grosse Pointe Yacht Club.

(ii) *Expected date*: One evening during the third week in June. The exact dates and times for this event will be determined annually.

(50) Target Fireworks, Detroit, MI:

(i) *Location*: The following three areas are safety zones:

(A) The first safety zone area will encompass all waters of the Detroit River bounded by the arc of a circle with a 900-foot radius with its center in position 42°19'23" N, 083°04'34" W.

(B) The second safety zone area will encompass a portion of the Detroit River bounded on the South by the International Boundary line, on the West by 083°03'30" W, on the North by the City of Detroit shoreline and on the East by 083°01'15" W.

(C) The third safety zone will encompass a portion of the Detroit River bounded on the South by the International Boundary line, on the West by the Ambassador Bridge, on the North by the City of Detroit shoreline, and on the East by the downstream end of Belle Isle. The Captain of the Port Detroit has determined that vessels below 65 feet in length may enter this zone.

(ii) *Expected date*: One evening during the last week in June. The exact dates and times for this event will be determined annually.

(51) Sigma Gamma Association Fireworks, Grosse Pointe Farms, MI:

(i) *Location*: All waters of Lake St. Clair, within a 300-yard radius of the fireworks launch site located at position 42°27' N, 082°52' W (NAD 83) This position is located in the vicinity of Ford's Cove.

(ii) *Expected date*: One evening during the last week in June. The exact dates and times for this event will be determined annually.

(52) Southside Summer Fireworks, Port Huron, MI:

(i) *Location*: All waters of St. Clair River within a 300 yard radius of position 42°57'55" N, 082°25'20" W. This position is located on the shore of the St. Clair River in the vicinity of Oak and 3rd Street, Port Huron, MI. All geographic coordinates are North American Datum of 1983 (NAD 83).

(ii) *Expected date*: One evening during the last week in June. The exact dates and times for this event will be determined annually.

(53) Bay City Fireworks Festival, Bay City, MI:

(i) *Location*: All waters of the Saginaw River near Bay City, MI, from the Veteran's Memorial Bridge, located at position 43°35.8' N; 083°53.6' W, south approximately 1000 yards to the River Walk Pier, located at position 43°35.3' N; 083°53.8' W. All geographic coordinates are North American Datum of 1983 (NAD 83).

(ii) *Expected date*: Three evenings during the first week in July. The exact dates and times for this event will be determined annually.

(54) Toledo 4th of July Fireworks, Toledo, OH:

(i) *Location*: All waters of the Maumee River within a 300-yard radius of the fireworks launch site located at position 41°38'35" N, 083°31'54" W. All geographic coordinates are North American Datum of 1983 (NAD 83).

(ii) *Expected date*: One evening during the first week in July. The exact dates and times for this event will be determined annually.

(55) Toledo Labor Day Fireworks, Toledo, OH:

(i) *Location*: All waters of the Maumee River within a 300-yard radius of the fireworks launch site located at position 41°38'35" N, 083°31'54" W. All geographic coordinates are North American Datum of 1983 (NAD 83).

(ii) *Expected date*: One evening during the first week in September. The exact dates and times for this event will be determined annually.

(56) Catawba Island Club Fireworks; Catawba Island, OH:

(i) *Location*. All waters of Lake Erie within a 250-yard radius of the fireworks launch site located at position 41-34'-18.10" N, 082-51'-18.70" W (NAD 83).

(ii) *Expected date*. This safety zone will be enforced one evening during the last week in May.

(57) Put-In-Bay Chamber of Commerce Fireworks, Put-In-Bay, OH:

(i) *Location*. All waters of Lake Erie within a 1,000-foot radius of the fireworks launch site located at position 41-39'-19" N, 082-48'-57" W (NAD 83). This area is located in the Put-In-Bay Harbor.

(ii) *Expected dates*. This safety zone will be enforced one evening during the third week in June, one evening during the last week in June, one evening during the first week in September, and one evening during the second week in September.

(58) Bay Point Fireworks Display, Marblehead, OH:

(i) *Location.* All waters of Lake Erie within a 250-yard radius of the fireworks launch site located at position 41-30'-29.23" N, 082-43'-8.45" W (NAD 83).

(ii) *Expected date.* This safety zone will be enforced one evening during the first week in July.

(59) Marysville Days Fireworks, Marysville, MI:

(i) *Location.* All waters of the St. Clair River within a 600 foot radius of the fireworks launch site located on land at position 42-54'-25" N, 082-27'-58" W (NAD 83).

(ii) *Expected date.* This safety zone will be enforced one evening during the last week in June.

(60) *Revolution 3 Triathlon, Lake Erie, Sandusky Bay, Cedar Point, OH—*

(i) *Locations.* All waters of Lake Erie within positions 41-29'-00.04" N 082-40'-48.16" W to 41-29'-19.28" N 082-40'-38.97" W to 41-29'-02.51" N 082-40'-20.82" W to 41-28'-45.52" N 082-40'-35.75" W then following the shoreline to the point of origin. In the event that weather requires triathlon organizers to change the locations of the swimming leg, the safety zones will alternatively encompass all waters of Lake Erie, Sandusky Bay, Cedar Point, OH extending outward 100 yards on either side of a line running between 41-28'-38.59" N 082-41'-10.51" W and 41-28'-17.25" N 082-40'-54.09" W (NAD 83) running adjacent to the Cedar Point Marina.

(ii) *Enforcement period:* Two consecutive mornings during the first or second weekend in September. Exact dates and times will be determined annually and the Captain of the Port will publish a Notice of Enforcement to inform the public.

(b) *Definitions.* The following definitions apply to this section:

(1) Designated Representative means any Coast Guard commissioned, warrant, or petty officer designated by the Captain of the Port Detroit to monitor a safety zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zones, and take other actions authorized by the Captain of the Port.

(2) Public vessel means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated representative.

(2)(i) These safety zones are closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit or his designated representative.

(ii) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or his designated representative.

(iii) Upon being hailed by the U.S. Coast Guard by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(3)(i) All vessels must obtain permission from the Captain of the Port or his designated representative to enter, move within, or exit the safety zone established in this section when this safety zone is enforced.

(ii) Vessels and persons granted permission to enter the safety zone must obey all lawful orders or directions of the Captain of the Port or a designated representative.

(iii) While within a safety zone, all vessels must operate at the minimum speed necessary to maintain a safe course.

(d) *Exemption.* Public vessels, as defined in paragraph (b) of this section, are exempt from the requirements in this section.

(e) *Waiver.* For any vessel, the Captain of the Port Detroit or his designated representative may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of public or environmental safety.

(f) *Notification.* The Captain of the Port Detroit will notify the public that the safety zones in this section are or will be enforced by all appropriate means to the affected segments of the public including publication in the FEDERAL REGISTER as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port may issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone established by this section is cancelled if deemed necessary.

[USCG-2008-0218, 73 FR 46197, Aug. 8, 2008, as amended by USCG-2010-0126, 75 FR 32668, June 9, 2010; USCG-2012-0306, 77 FR 37315, June 21, 2012; USCG-2012-0313, 77 FR 42178, July 18, 2012; USCG-2012-0730, 79 FR 16677, Mar. 26, 2014]

§165.943 Safety Zones; Recurring Events in Captain of the Port Duluth Zone.

(a) *Regulations.* The following regulations apply to the safety zones listed in Table 1 to this section:

(1) The Coast Guard will provide advance notice of the enforcement date and time of the safety zone being enforced in Table 1 to this section, by issuing a Notice of Enforcement, as well as a Broadcast Notice to Mariners.

(2) During the enforcement period, the general regulations found in §165.23 shall apply.

(b) *Contacting the Captain of the Port.* While a safety zone listed in this section is enforced, the Captain of the Port Duluth or his or her on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Duluth, or his or her on-scene representative.

(c) *Exemption.* Public vessels, defined as any vessel owned or operated by the United States or by State or local governments, operating in an official capacity are exempted from the requirements of this section.

TABLE 1 TO §165.943

[Datum NAD 1983]

Event	Location	Event date
(1) Bridgefest Regatta Fireworks Display	All waters of the Keweenaw Waterway in Hancock, MI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 47°07'22" N, 088°35'28" W	Mid June.
(2) Ashland 4th of July Fireworks Display	All waters of Chequamegon Bay in Ashland, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°35'50" N, 090°52'59" W	On or around July 4th.
(3) City of Bayfield 4th of July Fireworks Display	All waters of the Lake Superior North Channel in Bayfield, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°48'40" N, 090°48'32" W	On or around July 4th.
(4) Cornucopia 4th of July Fireworks Display	All waters of Siskiwit Bay in Cornucopia, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°51'35" N, 091°06'15" W	On or around July 4th.
(5) Duluth 4th Fest Fireworks Display	All waters of the Duluth Harbor Basin, Northern Section in Duluth, MN within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°46'14" N, 092°06'16" W	On or around July 4th.
(6) LaPointe 4th of July Fireworks Display	All waters of Lake Superior in LaPointe, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°46'40" N, 090°47'22" W	On or around July 4th.
(7) Two Harbors 4th of July Fireworks Display	All waters of Agate Bay in Two Harbors, MN within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 47°00'54" N, 091°40'04" W	On or around July 4th.
(8) Superior 4th of July Fireworks Display	All waters of Superior Bay in Superior, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°43'28" N, 092°03'38" W	On or around July 4th.
(9) Point to LaPointe Swim	All waters of the Lake Superior North Channel between Bayfield and LaPointe, WI within an imaginary line created by the following coordinates: 46°48'50" N, 090°48'44" W, moving southeast to 46°46'44" N, 090°47'33" W, then moving northeast to 46°46'52" N, 090°47'17" W, then moving northwest to 46°49'03" N, 090°48'25" W, and finally returning to the starting position	Early August.
(10) Lake Superior Dragon Boat Festival Fireworks Display	All waters of Superior Bay in Superior, WI within the arc of a circle with a radius of no more than 1,120 feet from the launch site at position 46°43'28" N, 092°03'47" W	Late August.
(11) Superior Man Triathlon	All waters of the Duluth Harbor Basin, Northern Section in Duluth, MN within an imaginary line created by the following coordinates: 46°46'36" N, 092°06'06" W, moving southeast to 46°46'32" N, 092°06'01" W, then moving northeast to 46°46'45" N, 092°05'45" W, then moving northwest to 46°46'49" N, 092°05'49" W, and finally returning to the starting position	Late August.

[USCG-2018-0102, 83 FR 28381, June 19, 2018]

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§165.944 Regulated Navigation Area; Straits of Mackinac.

(a) *Location.* All navigable waters of the Straits of Mackinac bounded by longitudes 084°20' W and 085°10' W and latitudes 045°39' N and 045°54' N (NAD 83), including Grays Reef Passage, the South Channel between Bois Blanc Island and Cheboygan, MI, and the waters between Mackinac Island and St. Ignace, MI.

(b) *Applicability.* Unless otherwise stated, the provisions of this regulated navigation area (RNA) apply to the following vessels:

(1) Vessels of 40 meters (approx. 131 feet) or more in length, while navigating;

(2) Towing vessels of 20 meters (approx. 65 feet) or more in length, while engaged in towing another vessel astern, alongside or by pushing ahead; or

(3) Vessels certificated to carry 50 or more passengers for hire, when engaged in trade; or

(4) Each dredge or floating plant.

(c) *Regulations.* The general regulations contained in §§165.10, 165.11, and 165.13 apply within this RNA.

(1) Nothing in this regulation relieves any vessel, owner, operator, charterer, master, or person directing the movement of a vessel, from the consequences of any neglect to comply with this part or any other applicable law or regulation (*i.e.* the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS) or the Inland Navigation Rules) or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

(2) Vessels transiting through the RNA must comply with all directions given to them by the COTP, or a designated representative. The "designated representative" of the COTP is any Coast Guard commissioned, warrant or petty officer who is designated by the COTP to act on their behalf. The designated representative may be on a Coast Guard vessel; or other designated craft; or on shore and communicating via VHF-16 or telephone, 906-635-3319.

(3) Vessels transiting through the RNA must make a direct passage. No vessel may anchor or loiter within the RNA at any time without the expressed permission of the COTP or a designated representative.

(4) Vessels are prohibited from anchoring in any charted submerged cable and/or pipeline areas; except when expressly permitted by the COTP. Vessels desiring to anchor within the confines of the RNA, but outside a charted submerged cable and/or pipeline area, must contact the COTP or a designated representative one (1) hour in advance of anchoring via VHF-16 or telephone 906-635-3319. The person directing the movement of the vessel desiring to anchor shall provide the time, purpose and location for the proposed anchoring. Vessels who receive permission to anchor, shall notify the COTP or a designated representative no less than 15 minutes prior to getting underway via VHF-16 or telephone 906-635-3319.

(5) In an emergency, any vessel may deviate from this regulation to the extent necessary to avoid endangering the safety of persons, the environment, and/or property. If deviation from the regulation is necessary, the master or his designee shall inform the Coast Guard as soon as it is practicable to do so.

(6) The owner, operator, charterer, master or person directing the movement of a vessel desiring to anchor within the prescribed RNA for the purposes of work, dredging, or survey must receive permission from the COTP or a designated representative a minimum of 72 hours in advance of the desired activity. Vessels engaged in activities, such as tourism, ferrying, or sightseeing, which require anchoring, within the RNA boundaries, but not within charted submerged cables and/or pipelines areas, may request a waiver from the COTP.

(7) In the RNA, the District Commander or COTP may establish temporary traffic rules for reasons that include but are not limited to channel obstructions, winter navigation, unusual weather conditions, or unusual water levels.

(8) There may be times that the Ninth District Commander or the COTP finds it necessary to close the RNA to vessel traffic. During times of limited closure, persons and vessels may request permission to enter the RNA by contacting the COTP or a designated representative via VHF-16 or telephone 906-635-3319.

(d) *Definitions.* As used in this RNA:

(1) *Captain of the Port* means the United States Coast Guard Captain of the Port (COTP) of Sault Sainte Marie, Michigan.

(2) *Straits of Mackinac* means the navigable waters of the Great Lakes connecting Lake Huron to Lake Michigan passing between the upper and lower peninsulas of Michigan.

(3) *Loiter* means to linger aimlessly in or about a place making purposeless stops in the course of a trip, journey, or errand. Loitering does not include brief stops for sight-seeing, ferry, or tourism purposes.

(e) *Notification.* The Coast Guard will rely on the methods described in §165.7 to notify the public of the time and duration of any closure of the RNA. Reports of violations of this RNA should go to COTP Sault Sainte Marie at 906-635-3319 or on VHF-Channel 16.

(f) *Waiver.* For any vessel, the COTP or a designated representative may waive any of the requirements of this section, upon finding that circumstances are such that application of this section is unnecessary or impractical for the purposes of safety or environmental safety.

[USCG-2018-0563, 83 FR 49283, Oct. 1, 2018]

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ELEVENTH COAST GUARD DISTRICT

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§165.T11-504 Safety zone; Independence Day Fireworks Celebration for the City of Richmond, Richmond Inner Harbor, Richmond, CA.

(a) *Location.* This temporary safety zone is established for the navigable waters of Richmond Inner Harbor near Richmond, CA as depicted in National Oceanic and Atmospheric Administration (NOAA) Chart 18649. From 9:30 p.m. until 9:50 p.m. on July 3, 2012, the temporary safety zone will encompass the navigable waters around the fireworks launch site in position 37°54'34" N, 122°21'17" W (NAD 83) within a radius of 420 feet.

(b) *Enforcement period.* The zone described in paragraph (a) of this section will be enforced from 9:30 p.m. through 10 p.m. on July 3, 2012. The Captain of the Port San Francisco (COTP) will notify the maritime community of periods during which this zone will be enforced via Broadcast Notice to Mariners in accordance with 33 CFR 165.7.

(c) *Definitions.* As used in this section, "designated representative" means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer on a Coast Guard vessel or a Federal, State, or local officer designated by or assisting the COTP in the enforcement of the safety zone.

(d) *Regulations.* (1) Under the general regulations in 33 CFR part 165, subpart C, entry into, transiting or anchoring within this safety zone is prohibited unless authorized by the COTP or a designated representative.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the COTP or a designated representative.

(3) Vessel operators desiring to enter or operate within the safety zone must contact the COTP or a designated representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the COTP or a designated representative. Persons and vessels may request permission to enter the safety zone on VHF-23A or through the 24-hour Command Center at telephone (415) 399-3547.

[USCG-2012-0419, 77 FR 39417, July 3, 2012]

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§165.T11-630 Safety zone; Giants Enterprises Fireworks Display, San Francisco Bay, San Francisco, CA.

(a) *Location.* This temporary safety zone is established in the navigable waters of the San Francisco Bay near Pier 48 in San Francisco, CA as depicted in National Oceanic and Atmospheric Administration (NOAA) Chart 18650. From 11 a.m. until 10:50 p.m. on May 21, 2014, the temporary safety zone applies to the nearest point of the fireworks barge within a radius of 100 feet during the loading, transit, and arrival of the fireworks barge from Pier 50 to the launch site near Pier 48 in approximate position 37°46'40" N, 122°22'58" W (NAD83). From 10:50 p.m. until 11 p.m. on May 21, 2014, the temporary safety zone will increase in size and encompass the navigable waters around and under the fireworks barge in approximate position 37°46'40" N, 122°22'58" W (NAD83) within a radius of 700 feet.

(b) *Enforcement period.* The zone described in paragraph (a) of this section will be enforced from 11 a.m. through 11 p.m. on May 21, 2014. The Captain of the Port San Francisco (COTP) will notify the maritime community of periods during which this zone will be enforced via Broadcast Notice to Mariners in accordance with 33 CFR 165.7.

(c) *Definitions.* As used in this section, "designated representative" means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer on a Coast Guard vessel or a Federal, State, or local officer designated by or assisting the COTP in the enforcement of the safety zone.

(d) *Regulations.* (1) Under the general regulations in 33 CFR Part 165, Subpart C, entry into, transiting or anchoring within this safety zone is prohibited unless authorized by the COTP or a designated representative.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the COTP or a designated representative.

(3) Vessel operators desiring to enter or operate within the safety zone must contact the COTP or a designated representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the COTP or a designated representative. Persons and vessels may request permission to enter the safety zone on VHF-23A or through the 24-hour Command Center at telephone (415) 399-3547.

[USCG-2014-0174, 79 FR 23916, Apr. 29, 2014]

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§165.1101 Security Zone: San Diego Bay, CA.

(a) *Location.* The following area is a security zone: the water area within Naval Station, San Diego enclosed by the following points: Beginning at 32°41'16.5" N, 117°08'01" W (Point A); thence running southwesterly to 32°40'58.3" N, 117°08'11.0" W (Point B); to 32°40'36.0" N 117°07'49.1" W (Point C); to 32°40'17.0" N, 117°07'34.6" W (Point D); to 32°39'36.4" N, 117°07'24.8" W (Point E); to 32°39'38.5" N 117°07'06.5" W, (Point F); thence running generally northwesterly along the shoreline of the Naval Station to the place of the beginning. All coordinates referenced use datum: NAD 1983.

(b) *Regulations.* (1) In accordance with the general regulations in §165.33 of this part, entry into the area of this zone is prohibited unless authorized by the Captain of the Port San Diego; Commander, Naval Base San Diego; Commander, Navy Region Southwest; or the Commanding Officer, Naval Station, San Diego.

(2) Persons desiring to transit the area of the security zone may contact the Captain of the Port at telephone number 619-683-6495 or on VHF 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.

(c) *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.

(d) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of this security zone by the U.S. Navy.

[COTP San Diego 04-019, 70 FR 2021, Jan. 12, 2005]

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§165.1102 Security Zone; Naval Base Point Loma; San Diego Bay, CA.

(a) *Location.* The following area is a security zone: The water adjacent to the Naval Base Point Loma, San Diego, CA, enclosed by the following coordinates:

32°42'28.8" N, 117°14'13.2" W (Point A)

32°42'28.8" N, 117°14'12.6" W (Point B)

32°42'10.2" N, 117°14'03.0" W (Point C)

32°42'06.2" N, 117°14'01.5" W (Point D)

32°41'49.5" N, 117°14'07.0" W (Point E)

32°41'47.4" N, 117°14'11.4" W (Point F)

32°41'43.8" N, 117°14'12.6" W (Point G)

32°41'31.8" N, 117°14'13.8" W (Point H)

32°41'33.0" N, 117°14'01.2" W (Point I)

32°41'10.2" N, 117°13'57.0" W (Point J)

32°41'10.2" N, 117°13'58.2" W (Point K)

Thence running generally north along the shoreline to Point A.

(b) *Regulations.* (1) The general regulations governing security zones found in 33 CFR 165.33 apply to the security zone described in paragraph (a) of this section.

(2) Entry into, or remaining in, the areas of either zone is prohibited unless authorized by the Captain of the Port San Diego; Commanding Officer, Naval Base Point Loma; or Commander, Naval Region Southwest.

(3) Persons desiring to transit the area of the security zone may request permission from the Captain of the Port San Diego at telephone number (619) 278-7033 or on VHF channel 16 (156.8 MHz) or from either the Commanding Officer, Naval Base Point Loma or the Commanding Officer Navy Region Southwest by calling the Navy Port Operation Dispatch at telephone number (619) 556-1433 or on VHF-FM channels 16 or 12. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port San Diego or his or her designated representative.

(c) *Definitions.* For purposes of this section: Captain of the Port San Diego, means the Commanding Officer of the Coast Guard Sector San Diego; Commander, Navy Region Southwest, means Navy Region Commander responsible for the Southwest Region; Commanding Officer, Naval Base Point Loma, means the Installation Commander of the naval base located on Point Loma, San Diego, California; Designated Representative, means any U.S. Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port San Diego to assist in the enforcement of the security zone described in paragraph (a) of this section.

(d) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the security zone described in paragraph (a) of this section by the U.S. Navy and local law enforcement agencies.

[USCG-2013-0580, 78 FR 72027, Dec. 2, 2013]

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§165.1103 Security Zone; Naval Mine Anti Submarine Warfare Command; San Diego Bay, San Diego, CA.

(a) *Location.* (1) The following area is a security zone: The water adjacent to the Naval Mine Anti Submarine Warfare Command, bound by the following coordinates:

32°43'40.9" N, 117°12'54.9" W (A)

32°43'40.6" N, 117°12'52.3" W (B)

32°43'22.5" N, 117°12'57.8" W (C)

32°43'23.4" N, 117°13'01.3" W (D)

Thence running generally northwest along the shoreline to Point A.

(2) The proposed security zone at the Naval Mine Anti Submarine Warfare Command would be established to provide for the 100 feet of standoff distance.

(b) *Regulations.* (1) The general regulations governing security zones found in 33 CFR 165.33 apply to the security zone described in paragraph (a) of this section.

(2) Entry into, or remaining in, the areas of either zone is prohibited unless authorized by the Captain of the Port San Diego; Commanding Officer, Naval Mine Anti Submarine Warfare Command; or Commander, Naval Region Southwest.

(3) Persons desiring to transit the area of the security zone may request permission from the Captain of the Port San Diego at telephone number (619) 278-7033 or on VHF channel 16 (156.8 MHz) or from either the Commanding Officer, Naval Mine Anti Submarine Warfare Command or the Commander, Navy Region Southwest by calling the Navy Port Operation Dispatch at telephone number (619) 556-1433 or on VHF-FM channels 16 or 12. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port San Diego or his or her designated representative.

(c) *Definitions.* For purposes of this section: Captain of the Port San Diego, means the Commanding Officer of the Coast Guard Sector San Diego; Commander, Navy Region Southwest, means Navy Region Commander responsible for the Southwest Region; Commanding Officer, Naval Mine Anti Submarine Warfare Command, means the Installation Commander of the naval base located on Point Loma, San Diego, California; Designated Representative, means any U.S. Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port San Diego to assist in the enforcement of the security zone described in paragraph (a) of this section.

(d) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the security zone described in paragraph (a) of this section by the U.S. Navy and local law enforcement agencies.

[USCG-2013-0580, 78 FR 72028, Dec. 2, 2013]

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§165.1104 Security Zone: San Diego Bay, CA.

(a) *Location.* The following area is a security zone: on the waters along the northern shoreline of Naval Base Coronado, the area enclosed by the following points: Beginning at 32°42'53.0" N, 117°11'45.0" W (Point A); thence running northerly to 32°42'55.5" N, 117°11'45.0" W, (Point B); thence running easterly to 32°42'57.0" N, 117°11'31.0" W, (Point C); thence southeasterly to 32°42'42.0" N, 117°11'04.0" W (Point D); thence southeasterly to 32°42'21.0" N, 117°10'47.0" W (Point E) thence running southerly to 32°42'13.0" N, 117°10'51.0" W (Point F); thence running generally northwesterly along the shoreline of Naval Base Coronado to the place of beginning. All coordinates referenced use datum: NAD 1983.

(b) *Regulations.* (1) In accordance with the general regulations in Sec. 165.33 of this part, entry into the area of this zone is prohibited unless authorized by the Captain of the Port San Diego; Commander, Naval Base Coronado, or Commander, Navy Region Southwest.

(2) Persons desiring to transit the area of the security zone may contact the Captain of the Port at telephone number 619-683-6495 or on VHF 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.

(c) *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.

(d) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of this security zone by the U.S. Navy.

[COTP San Diego, 68 FR 25290, May 12, 2003]

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§165.1105 Security Zone: San Diego Bay, California.

(a) *Location.* (1) The following area is a security zone: The water area adjacent to Naval Air Station North Island, Coronado, California, and within 100 yards (91 meters) of Bravo Pier, and vessels moored thereto, bounded by the following points (when no vessel is moored at the pier):

- (i) Latitude 32°41'53.0" N, Longitude 117°13'33.6" W;
- (ii) Latitude 32°41'53.0" N, Longitude 117°13'40.6" W;
- (iii) Latitude 32°41'34.0" N, Longitude 117°13'40.6" W;
- (iv) Latitude 32°41'34.0" N, Longitude 117°13'34.1" W.

(2) Because the area of this security zone is measured from the pier and from vessels moored thereto, the actual area of this security zone will be larger when a vessel is moored at Bravo Pier.

(b) *Regulations.* In accordance with the general regulations in §165.33 of this part, entry into the area of this zone is prohibited unless authorized by the Captain of the Port or the Commanding Officer, Naval Air Station North Island. Section 165.33 also contains other general requirements.

[COTP San Diego Reg. 85-11, 51 FR 3776, Jan. 30, 1986, as amended at 52 FR 8893, Mar. 20, 1987. Redesignated by USCG-2001-9286, 66 FR 33642, June 25, 2001]

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§165.1106 San Diego Bay, California—safety zone.

(a) The waters of San Diego Bay enclosed by the following boundaries are a safety zone:

From a point located on the boundary of Coast Guard Air Station San Diego, California at latitude 32°43'37.2" N, longitude 117°10'45.0" W (point A), for a point of beginning; thence southeasterly to latitude 32°43'36.2" N, longitude 117°10'41.5" W (point B); thence southwesterly to latitude 32°43'20.2" N, longitude 117°10'49.5" W (point C); thence northwesterly to latitude 32°43'25.7" N, longitude 117°11'04.6" W (point D); thence northeasterly to latitude 32°43'35.7" N, longitude 117°10'59.5" W (point E); thence generally easterly along the air station boundary to the point of beginning (point A).

(b)(1) In accordance with the general regulations in §165.23 of this part, entry into the area of this zone is prohibited unless authorized by the Captain of the Port, except as provided for below.

(2) Vessels may transit the area of this safety zone without permission, but may not anchor, stop, remain within the zone, or approach within 100 yards (92 meters) of the land area of Coast Guard Air Station San Diego or structures attached thereto.

[CGD 85-034, 50 FR 14703, Apr. 15, 1985 and COTP San Diego Reg. 85-06, 50 FR 38003, Sept. 19, 1985. Redesignated by USCG-2001-9286, 66 FR 33642, June 25, 2001]

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§165.1107 San Diego Bay, California.

(a) *Location.* The area encompassed by the following geographic coordinates is a regulated navigation area:

32°41'24.6" N	117°14'21.9" W
32°41'34.2" N	117°13'58.5" W
32°41'34.2" N	117°13'37.2" W
Thence south along the shoreline to	
32°41'11.2" N	117°13'31.3" W
32°41'11.2" N	117°13'58.5" W
Thence north along the shoreline to the point of origin.	

Datum: NAD 1983.

(b) *Regulations.* (1) During submarine docking/undocking operations at the U.S. Naval Submarine Base on Ballast Point, San Diego Bay, California, mariners transiting within the regulated navigation area shall proceed at a speed that generates no wake from their vessel.

(2) The Coast Guard will issue a Broadcast Notice to Mariners, and if time permits a Local Notice to Mariners, to inform the maritime community of the dates and times of the submarine docking/undocking operations covered by paragraph (b)(1).

(3) The master and/or operator of a vessel within the regulated navigation area shall comply with any other orders or directions issued by the Coast Guard as required for the safety of the submarine docking/undocking operations covered by paragraph (b)(1).

[CGD11-90-07, 56 FR 14645, Apr. 11, 1991; 56 FR 40360, Aug. 14, 1991, as amended by USCG-1998-3799, 63 FR 35533, June 30, 1998. Redesignated by USCG-2001-9286, 66 FR 33642, June 25, 2001]

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§165.1108 Security Zones; Cruise Ships, Port of San Diego, California.

(a) *Definition.* "Cruise ship" as used in this section means a passenger vessel, except for a ferry, 100 gross tons or more, authorized to carry more than 12 passengers for hire; capable of making international voyages lasting more than 24 hours, any part of which is on the high seas; and for which passengers are embarked, disembarked or at a port of call in the San Diego port.

(b) *Location.* The following areas are security zones: All navigable waters, extending from the surface to the sea floor, within a 100-yard radius around any cruise ship that is located within the San Diego port area landward of the sea buoys bounding the Port of San Diego.

(c) *Regulations.* Under regulations in 33 CFR part 165, subpart D, a person or vessel may not enter into or remain in the security zones created by this section unless authorized by the Coast Guard Captain of the Port, San Diego (COTP) or a COTP designated representative. Persons desiring to transit these security zones may contact the COTP at telephone number (619) 278-7033 or on VHF-FM 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.

(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.

(e) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the security zones by the San Diego Harbor Police.

[COTP San Diego 02-026, 68 FR 1008, Jan. 8, 2003, as amended by USCG-2011-0038, 76 FR 15218, Mar. 21, 2011]

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§165.1110 Security Zone: Coronado Bay Bridge, San Diego, CA.

(a) *Location.* All navigable waters of San Diego Bay, from the surface to the sea floor, within 25 yards of all piers, abutments, fenders and pilings of the Coronado Bay Bridge. These security zones will not restrict the main navigational channel nor will it restrict vessels from transiting through the channel.

(b) *Regulations.* (1) Under §165.33, entry into, transit through, loitering, or anchoring within any of these security zones by all persons and vessels is prohibited, unless authorized by the Captain of the Port, or his designated representative. Mariners seeking permission to transit through a security zone may request authorization to do so from Captain of the Port or his designated representative. The Coast Guard can be contacted on San Diego Bay via VHF-FM channel 16.

(2) Vessels may enter a security zone if it is necessary for safe navigation and circumstances do not allow sufficient time to obtain permission from the Captain of the Port.

[COTP San Diego 04-015, 69 FR 43915, July 23, 2004]

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§165.1120 Security Zone; Naval Amphibious Base, San Diego, CA.

(a) *Location.* The following area is a security zone: the waters of San Diego Bay, enclosed by lines connecting the following points: Beginning at 32°40'30.0" N, 117°10'03.0" W (Point A); thence running northeasterly to 32°40'54.0" N, 117°09'35.5" W (Point B); thence running northeasterly to 32°40'55.0" N, 117°09'27.0" W (Point C); thence running southeasterly to 32°40'43.0" N, 117°09'09.0" W (Point D); thence running southerly to 32°40'39.0" N, 117°09'08.0" (Point E); thence running southwesterly to 32°40'30.0" N, 117°09'12.9" W (Point F); thence running a short distance to 32°40'29.0" N, 117°09'14.0" W (Point G); thence running southwesterly to 32°40'26.0" N, 117°09'17.0" W (Point H); thence running northwesterly to the shoreline to 32°40' 31.0" N, 117°09' 22.5" W (Point I), thence running along the shoreline to the beginning point.

(b) *Regulations.* In accordance with the general regulations in §165.33 of this part, entry into the area of this zone is prohibited unless authorized by the Captain of the Port or the Commander, Navy Region Southwest.

(c) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of this security zone by the U.S. Navy.

[CGD11-01-011, 67 FR 4661, Jan. 31, 2002]

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§165.1121 [Reserved]

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§165.1122 San Diego Bay, Mission Bay and their Approaches—Regulated navigation area.

(a) *Regulated navigation area.* The following area is a regulated navigation area (RNA): All waters of San Diego Bay, Mission Bay, and their approaches encompassed by a line commencing at Point La Jolla (32°51'06" N, 117°16'42" W); thence proceeding seaward on a line bearing 255° T to the outermost extent of the territorial seas; thence proceeding southerly along the outermost extent of the territorial seas to the intersection of the maritime boundary with Mexico; thence proceeding easterly, along the maritime boundary with Mexico to its intersection with the California coast; thence proceeding northerly, along the shoreline of the California coast—and including the inland waters of San Diego Bay and Mission Bay, California, shoreward of the COLREGS Demarcation Line —back to the point of origin. All coordinates reference 1983 North American Datum (NAD 83).

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

COLREGS Demarcation Line means the line described at 33 CFR 80.1104 or 80.1106.

Public vessel means a vessel that is owned or demise—(bareboat) chartered by the government of the United States, by a State or local government, or by the government of a foreign country and that is not engaged in commercial service.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water other than a public vessel.

(c) *Applicability.* This section applies to all vessels of 100 gross tons (GT) or more, including tug and barge combinations of 100 GT or more (combined), operating within the RNA, with the exception of public vessels, vessels not intending to cross the COLREGS Demarcation Line and enter San Diego Bay or Mission Bay, and any vessels exercising rights under principles of international law, including innocent passage or force majeure, within the area of this RNA. Vessels operating properly installed, operational, type approved automatic identification system (AIS) as denoted in 33 CFR 164.46 are exempted from making requests as required in this regulation.

(d) *Regulations.* (1) No vessel to which this rule applies may enter, depart or move within San Diego Bay or Mission Bay unless it complies with the following requirements:

(i) Obtain permission to enter San Diego Bay or Mission Bay from the Captain of the Port or designated representative immediately upon entering the RNA. However, to avoid potential delays, we recommend seeking permission 30 minutes prior to entering the RNA.

(ii) Follow all instructions issued by the Captain of the Port or designated representative.

(iii) Obtain permission for any departure from or movement within the RNA from the Captain of the Port or designated representative prior to getting underway.

(iv) Follow all instructions issued by the Captain of the Port or designated representative.

(v) Requests may be made by telephone at 619-278-7033 (select option 2) or via VHF-FM radiotelephone on channel 16 (156.800 Mhz). The call sign for radiotelephone requests to the Captain of the Port or designated representative is "Coast Guard Sector San Diego."

(2) For purposes of the requirements in paragraph (d)(1) of this section, the Captain of the Port or designated representative means any official designated by the Captain of the Port, including but not limited to commissioned, warrant, and petty officers of the U.S. Coast Guard, and any U.S. Coast Guard patrol vessel. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

(e) *Waivers.* The Captain of the Port or designated representative may, upon request, waive any regulation in this section.

[CGD11-05-002, 70 FR 70495, Nov. 22, 2005]

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§165.1123 Southern California Annual Firework Events for the San Diego Captain of the Port Zone.

(a) *General.* Safety zones are established for the events listed in Table 1 of this section. Further information on exact dates, times, and other details concerning the exact geographical description of the areas are published by the Eleventh Coast Guard District in the Local Notice to Mariners at least 20 days prior to the event.

(b) *Regulations.* All persons and vessels not registered with the sponsor as participants or as official patrol vessels are considered spectators. The "official patrol" consists of any Coast Guard; other Federal, state, or local law enforcement; and any public or sponsor-provided vessels assigned or approved by the cognizant Coast Guard Sector Commander to patrol each event.

(1) No spectator shall anchor, block, loiter, nor impede the through transit of participants or official patrol vessels in the safety zone during all applicable effective dates and times unless cleared to do so by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, any spectator located within a safety zone during all applicable effective dates and times shall come to an immediate stop.

(3) The Patrol Commander (PATCOM) is empowered to forbid and control the movement of all vessels in the safety zone. The Patrol Commander shall be designated by the cognizant Coast Guard Sector Commander; will be a U.S. Coast Guard commissioned officer, warrant officer, or petty officer to act as the Sector Commander's official representative. As the Sector Commander's representative, the PATCOM may terminate the event any time it is deemed necessary for the protection of life and property. PATCOM may be reached on VHF-FM Channel 13 (156.65MHz) or 16 (156.8MHz) when required, by the call sign "PATCOM".

(4) The Patrol Commander may, upon request, allow the transit of vessels through the safety zone when it is safe to do so.

(5) The Coast Guard may be assisted by other Federal, state, or local agencies.

TABLE 1 TO §165.1123

[All coordinates referenced use datum NAD 83]

1. San Diego, CA POPS Fireworks Display	
Sponsor	San Diego Symphony
Event Description	Fireworks Display.
Date	Friday/Saturday/Sunday last weekend of June through first weekend of September.
Location	San Diego Bay South Embarcadero, San Diego, CA
Regulated Area	800-foot radius safety zone around tug/barge combination located at approximately: 32°42'16" N, 117°09'59" W.
2. Fourth of July Fireworks, Mission Bay	
Sponsor	Mission Bay Yacht Club
Event Description	Fireworks Display.
Date	One evening; the first week in July.
Location	Mission Bay, San Diego, CA.
Regulated Area	800-foot radius safety zone around tug/barge combination located at approximately 32°47'00" N, 117°14'45" W.
3. Coronado Glorietta Bay Fourth of July Fireworks	
Sponsor	Coronado, CA.
Event Description	Fireworks Display.
Date	One evening; the first week in July.
Location	Glorietta Bay, CA.
Regulated Area	800-foot radius safety zone around a tug/barge combination located at approximately: 32°40'43" N, 117°10'14" W.
4. San Diego Parade of Lights Fireworks Display	
Sponsor	Greater Shelter Island Association.
Event Description	Boat Parade/Fireworks display.
Date	Two evenings in December.
Location	San Diego Harbor, San Diego, CA.
Regulated Area	800-foot radius safety zone around a tug/barge combination in the northern portion of the San Diego Main Ship Channel off of Harbor Island located at approximately: 32°43'25" N, 117°11'50" W. (Note: see also 33 CFR 100.1101, Table 1, for related marine event).
5. Big Bay Boom Fourth of July Fireworks	
Sponsor	Port of San Diego.
Event Description	Fireworks Display.
Date	One evening; first week in July
Location	San Diego Bay, San Diego, CA.
Regulated Area	1000-foot radius safety zone around four tug/barge combinations located at approximately: Shelter Island Barge: 32°42'48" N, 117°13'12" W; Harbor Island Barge: 32°43'00" N, 117°12'00" W; Embarcadero Barge: 32°42'45" N, 117°10'47" W; Seaport Village Barge: 32°42'02" N, 117°10'00" W.
6. MIDWAY Fireworks	
Sponsor	USS MIDWAY Association.
Event Description	Fireworks Display.
Date	Evening shows throughout the year.
Location	San Diego Bay off the USS MIDWAY, San Diego, CA.
Regulated Area	800-foot radius safety zone around either the tug/barge combination immediately to the west of the USS MIDWAY located at approximately: 32°42'46" N, 117°10'47" W or off of the western end of the flight deck of the USS MIDWAY.
7. Sea World Fireworks	
Sponsor	Sea World.
Event Description	Fireworks Display.
Date	Nightly; between Memorial Day and Labor Day. Approximately 10 evening shows between Labor Day and Memorial Day, primarily on weekend evenings. Between Thanksgiving and New Year's Day as conditions allow.
Location	Mission Bay/Fiesta Island, San Diego, CA.
	800-foot radius safety zone around a tug/barge combination located at approximately: 32°46'03" N, 117°13'11" W.

[USCG-2009-0559, 76 FR 50671, Aug. 16, 2011, as amended by USCG-2013-0362, 79 FR 9091, Feb. 18, 2014]

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§165.1124 Annual Firework Events on the Colorado River, between Davis Dam (Bullhead City, Arizona) and Headgate Dam (Parker, Arizona) within the San Diego Captain of Port Zone.

(a) *General.* Safety zones are established for the events listed in Table 1 of this section. Further information on exact dates, times, and other details concerning the exact geographical description of the areas are published by the Eleventh Coast Guard District in the Local Notice to Mariners at least 20 days prior to the event.

(b) *Regulations.* All persons and vessels not registered with the sponsor as participants or as official patrol vessels are considered spectators. The "official patrol" consists of any Coast Guard; other Federal, state, or local law enforcement; and any public or sponsor-provided vessels assigned or approved by the cognizant Coast Guard Sector Commander to patrol each event.

(1) No spectator shall anchor, block, loiter, nor impede the through transit of participants or official patrol vessels in the safety zone during all applicable effective dates and times unless cleared to do so by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, any spectator located within a safety zone during all applicable effective dates and times shall come to an immediate stop.

(3) The Patrol Commander (PATCOM) is empowered to forbid and control the movement of all vessels in the safety zone. The Patrol Commander shall be designated by the cognizant Coast Guard Sector Commander; will be a U.S. Coast Guard commissioned officer, warrant officer, or petty officer to act as the Sector Commander's official representative. As the Sector Commander's representative, the PATCOM may terminate the event any time it is deemed necessary for the protection of life and property. PATCOM may be reached on VHF-FM Channel 13 (156.65MHz) or 16 (156.8MHz) when required, by the call sign "PATCOM".

(4) The Patrol Commander may, upon request, allow the transit of vessels through the safety zone when it is safe to do so.

(5) The Coast Guard may be assisted by other Federal, state, or local agencies.

TABLE 1 TO §165.1124

[All coordinates referenced use datum NAD 83]

1. Avi Resort & Casino Memorial Day Fireworks	
Sponsor	Avi Resort & Casino.
Event Description	Fireworks Display.
Date	Sunday before Memorial Day.
Location	Laughlin, NV.
Regulated Area	River closure from 8 p.m.-10 p.m. The safety zone includes all navigable waters of the lower Colorado River at Laughlin, NV encompassed by the following coordinates: 35°01'05" N, 114°38'20" W; 35°01'05" N, 114°38'15" W; along the shoreline to 35°00'50" N, 114°38'13" W; 35°00'49" N, 114°38'18" W; along the shoreline to 35°01'05" N, 114°38'20" W.
2. Laughlin/Bullhead City Rockets Over the River Fireworks	
Sponsor	Laughlin Tourism Committee.
Event Description	Fireworks Display. Two events over the 4th of July Weekend. One will be on the 4th and the other will be on a weekend evening closest to the 4th of July.
Date	First week in July.
Location	Laughlin, NV./Bullhead City, AZ.
Regulated Area	The temporary safety zone is specifically defined as all navigable waters of the lower Colorado River at Laughlin, NV encompassed by the following coordinates: 35°09'53" N, 114°34'15" W; 35°09'53" N, 114°34'07" W; along the shoreline to 35°09'25" N, 114°34'09" W; 35°09'06" N, 114°34'17" W; along the shoreline to 35°09'53" N, 114°34'15" W.
3. Avi Resort & Casino Independence Day Fireworks	
Sponsor	Avi Resort & Casino.
Event Description	Fireworks Display.
Date	First week in July.
Location	Laughlin, NV.
Regulated Area	River closure from 8 p.m.-10 p.m. The safety zone includes all navigable waters of the lower Colorado River at Laughlin, NV encompassed by the following coordinates: 35°01'05" N, 114°38'20" W; 35°01'05" N, 114°38'14" W; along the shoreline to 35°00'50" N, 114°38'13" W; 35°00'49" N, 114°38'18" W; along the shoreline to 35°01'05" N, 114°38'20" W.
4. Avi Resort & Casino Labor Day Fireworks	
Sponsor	Avi Resort & Casino.
Event Description	Fireworks Display.
Date	Sunday before Labor Day.
Location	Laughlin, NV.

Regulated Area	River closure from 8 p.m.-10 p.m. The safety zone includes all navigable waters of the lower Colorado River at Laughlin, NV encompassed by the following coordinates: 35°01'05" N, 114°38'20" W; 35°01'05" N, 114°38'15" W; along the shoreline to 35°00'20" N, 114°38'13" W; 35°00'49" N, 114°38'18" W; along the shoreline to 35°01'05"N, 114°38'20" W.
5. Colorado Belle & Edgewater Hotel/Casino Thanksgiving Fireworks	
Sponsor	Edgewater Hotel & Casino
Event Description	Fireworks Display.
Date	One evening during Thanksgiving week.
Location	Laughlin, NV.
Regulated Area	The temporary safety zone is specifically defined as all navigable waters of the lower Colorado River at Laughlin, NV, from 10 p.m.-12:30 a.m., encompassed by the following coordinates: 35°09'51" N, 114°34'08" W; 35°09'53" N, 114°34'15" W, along the shoreline to 35°09'31" N, 114°34'17" W; 35°09'33" N, 114°34'08" W along the shoreline to 35°09'51" N, 114°34'08" W.
6. Colorado Belle & Edgewater Hotel/Casino New Years Eve Fireworks	
Sponsor	Edgewater Hotel & casino.
Event Description	Fireworks Display.
Date	New Years Eve.
Location	Laughlin, NV.
Regulated Area	The temporary safety zone is specifically defined as all navigable waters of the lower Colorado River at Laughlin, NV, from 10 p.m.-12:30 a.m., encompassed by the following coordinates: 35°09'51" N, 114°34'08" W; 35°09'53" N, 114°34'15" W along the shoreline to 35°09'31" N, 114°34'18" W; 35°09'33" N, 114°34'08" W along the shoreline to 35°09'51" N, 114°34'08" W.

[USCG-2009-0559, 76 FR 50672, Aug. 16, 2011, as amended by USCG-2013-0362, 79 FR 9092, Feb. 18, 2014]

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§165.1125 Southern California Annual Firework Events for the Los Angeles Long Beach Captain of the Port zone.

(a) *General.* Safety zones are established for the events listed in Table 1 of this section. Further information on exact dates, times, and other details concerning the exact geographical description of the areas are published by the Eleventh Coast Guard District in the Local Notice to Mariners at least 20 days prior to the event.

(b) *Regulations.* All persons and vessels not registered with the sponsor as participants or as official patrol vessels are considered spectators. The "official patrol" consists of any Coast Guard; other Federal, state, or local law enforcement; and any public or sponsor-provided vessels assigned or approved by the cognizant Coast Guard Sector Commander to patrol each event.

(1) No spectator shall anchor, block, loiter, nor impede the through transit of participants or official patrol vessels in the safety zone during all applicable effective dates and times unless cleared to do so by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, any spectator located within a safety zone during all applicable effective dates and times shall come to an immediate stop.

(3) The Patrol Commander (PATCOM) is empowered to forbid and control the movement of all vessels in the safety zone. The Patrol Commander shall be designated by the cognizant Coast Guard Sector Commander; will be a U.S. Coast Guard commissioned officer, warrant officer, or petty officer to act as the Sector Commander's official representative; and will be located aboard the lead official patrol vessel. As the Sector Commander's representative, the PATCOM may terminate the event any time it is deemed necessary for the protection of life and property. PATCOM may be reached on VHF-FM Channel 13 (156.65MHz) or 16 (156.8MHz) when required, by the call sign "PATCOM".

(4) The Patrol Commander may, upon request, allow the transit of commercial vessels through the safety zone when it is safe to do so.

(5) The Coast Guard may be assisted by other Federal, state, or local agencies.

TABLE 1 TO §165.1125

[All coordinates referenced use datum NAD 83.]

1. Cambria American Legion Post Fourth of July Fireworks	
Sponsor	Cambria American Legion Post.
Event Description	Fireworks Display.
Date	July 4th.
Location	Shamel Beach, Cambria, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
2. LA County Dept of Beach and Harbors 4th of July Fireworks	
Sponsor	Los Angeles, CA County Dept of Beach and Harbors.
Event Description	Fireworks Display.
Date	July 4th.
Location	Main Ship Channel of Marina Del Rey, CA.

Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
3. Fourth of July Fireworks, City of Dana Point	
Sponsor	City of Dana Point, CA.
Event Description	Fireworks Display.
Date	July 4th.
Location	Offshore Dana Point Harbor, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
4. Fourth of July Fireworks, City of Long Beach	
Sponsor	City of Long Beach, CA.
Event Description	Fireworks Display.
Date	July 4th.
Location	Long Beach Harbor, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
5. Fourth of July Fireworks, Irvine Cove Community Association	
Sponsor	Irvine Cove Community Association.
Event Description	Fireworks Display.
Date	July 4th.
Location	Offshore Laguna Beach, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
6. Fourth of July Fireworks, Emerald Bay Community Association	
Sponsor	Emerald Bay Community Association.
Event Description	Fireworks Display.
Date	July 4th.
Location	Offshore Laguna Beach, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
7. Fourth of July Fireworks, Morro Bay CoC	
Sponsor	Morro Bay Chamber of Commerce.
Event Description	Fireworks Display.
Date	July 4th.
Location	Offshore Morro Bay State Park.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
8. Fourth of July Fireworks, Catalina Island CoC	
Sponsor	Catalina Island Chamber of Commerce.
Event Description	Fireworks Display.
Date	July 4th.
Location	Avalon Bay, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
9. Fourth of July Fireworks, City of Santa Barbara	
Sponsor	City of Santa Barbara, CA.
Event Description	Fireworks Display.
Date	July 4th.
Location	Harbor Entrance of Santa Barbara, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
10. Fourth of July Fireworks, City of Faria	
Sponsor	City of Faria, CA.
Event Description	Fireworks Display.
Date	July 4th.
Location	Offshore Faria Beach, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
11. Fourth of July Fireworks, City of Redondo Beach	
Sponsor	City of Redondo Beach, CA.
Event Description	Fireworks Display.
Date	July 4th.
Location	Offshore Redondo Beach, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
12. Fourth of July Fireworks, City of San Pedro	
Sponsor	City of San Pedro, CA.

Event Description	Fireworks Display.
Date	July 4th.
Location	Offshore Cabrillo Beach, CA.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.
13. Fourth of July Fireworks, City of Cayucos	
Sponsor	City of Cayucos, CA.
Event Description	Fireworks Display.
Date	July 4th.
Location	Cayucos Pier.
Regulated Area	100-foot radius around the fireworks launch barge during the loading of pyrotechnics aboard the fireworks barge and during the transit of the fireworks barge from the loading location to the display location. Increases to a 1,000-foot radius upon commencement of the fireworks display.

[USCG-2009-0559, 76 FR 50673, Aug. 16, 2011]

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§165.1131 Security Zone: Wilson Cove, San Clemente Island, California.

(a) *Location.* The following area is a security zone: The water area adjacent to San Clemente Island, California within 1.5 nautical miles (1.73 statute miles, 2.8 kilometers) of the shoreline of San Clemente Island from Wilson Cove North End Light (LLNR 2565) to Spruce Pier, approximately 4.1 nautical miles (4.7 statute miles, 7.65 kilometers) southeast of Wilson Cove North End Light, described as follows:

Starting at a point on the shoreline of San Clemente Island, California, in position 33°01'25.0" N, 118°33'43.0" W, for a place of beginning (point A), thence northeasterly to 33°02'11.0" N, 118°32'13.5" W (point B), thence southeasterly to 32°58'40.5"