

§ 165.941

33 CFR Ch. I (7-1-10 Edition)

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 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.

(f) *Notification.* The Captain of the Port Buffalo will notify the public that that the zones in this proposal 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 established by this section is cancelled.

[USCG-2008-0219, 73 FR 28705, May 19, 2008]

§ 165.941 Safety Zones; Annual Fireworks 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 Harsen's 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) Alpena Fireworks, Alpena, MI:

(i) *Location:* All waters of Lake Huron within an 800-foot radius of the fireworks launch site located at position 45°2.7' N, 083°26.8' W (NAD 83). This area is located near the end of Mason Street, South of State Avenue, in Alpena, MI.

(ii) *Expected date*: One evening during the last week in of June or the first week of July. The exact dates and times for this event will be determined annually.

(6) 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.

(7) Gatzeros Fireworks, Grosse Point 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 Point 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.

(8) 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.

(9) 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.

(10) 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 posi-

tion 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.

(11) 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.

(12) 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.

(13) 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.

(14) 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.

(15) 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.

(16) 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.

(17) 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.

(18) 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.

(19) 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.

(20) 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.

(21) 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.

(22) 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.

(23) 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.

(24) 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.

(25) Kellys Island, Island Fest Fireworks, Kellys 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.

(26) 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.

(27) 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.

(28) 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.

(29) 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.

(30) Bay-Rama Fishfly Festival Fireworks, New Baltimore, MI:

(i) *Location:* All waters of Lake St. Clair-Anchor 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.

(31) 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.

(32) 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.

(33) 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.

(34) 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.

(35) 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.

(36) 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.

(37) 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.

(38) 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

Russel 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.

(39) 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.

(40) 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.

(41) 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.

(42) 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.

(43) 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.

(44) 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.

(45) Grosse Isle Yacht Club Fireworks, Grosse Isle, 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 Isle 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.

(46) 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.

(47) 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.

(48) 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.

(49) 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.

(50) 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 Point 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.

(51) 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.

(52) 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.

(53) 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.

(54) 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.

(55) 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.

(56) 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.

(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 will issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone established by this section is cancelled.

[USCG-2008-0218, 73 FR 46197, Aug. 8, 2008, as amended by USCG-2010-0126, 75 FR 32668, June 9, 2010]

ELEVENTH COAST GUARD DISTRICT

§ 165.T11-281 Safety Zone; Lake Mead Intake Construction; Lake Mead, Boulder City, NV.

(a) *Location.* The limits of the safety zone will include the navigable waters of Lake Mead within a 1300 foot radius around the construction vessels located at approximately 36°05'24" N, 114°45'60" W.

(b) *Enforcement period.* This section will be enforced from March 15, 2010 through December 31, 2010 during construction operations. The safety zone will only be enforced during blasting, excavation, and other general construction operations. General public boating will be notified prior to commencement of construction operations by construction crew via Broadcast No-

tice to Mariners. If the construction concludes prior to the scheduled termination time, the COTP will cease enforcement of this safety zone.

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

(1) *Designated representative* means any Commissioned, Warrant, or Petty Officers of the Coast Guard, Coast Guard Auxiliary, or local, state, and federal law enforcement vessels who have been authorized to act on the behalf of the COTP.

(2) *Non-authorized personnel and vessels*, means any civilian boats, fishermen, divers, and swimmers.

(d) *Regulations.* (1) Entry into, transit through or anchoring within this safety zone is prohibited unless authorized by the COTP San Diego or his designated representative.

(2) Non-authorized personnel and vessels requesting permission to transit through the safety zone may request authorization to do so from the COTP San Diego or his designated representative. They may be contacted on VHF-FM Channel 16, or at telephone number (619) 278-7033.

(3) Vessels involved in the construction operations are allowed in the confines of the established safety zone.

(4) All persons and vessels must comply with the instructions of the Coast Guard COTP or his designated representative.

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

(6) The Coast Guard may be assisted by other federal, state, or local agencies.

EFFECTIVE DATE NOTE: By USCG-2009-1031, 75 FR 13234, Mar. 19, 2010, temporary § 165.T11-281 was added, effective Mar. 19, 2010 through Dec. 31, 2010.

§ 165.T11-304 Safety zone; Sea World Summer Nights Fireworks; Mission Bay, San Diego, California.

(a) *Location.* The limits of the safety zone will include a 600 foot radius around the barge in approximate position 32°46'03" N, 117°13'11" W.

(b) *Enforcement period.* This section will be enforced from 8:50 p.m. to 10