

proximity to the shoreline facing the water labeled “FIREWORKS-DANGER-STAY AWAY.” This will provide on-scene notice that the safety zone is, or will, be enforced on that day. This notice will consist of a diamond shaped sign, 4 foot by 4 foot, 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. An on-scene patrol vessel will enforce these safety zones 30 minutes prior to the start and 30 minutes after the conclusion of the fireworks display.

(c) *Notice of enforcement.* These safety zones will be activated and thus subject to enforcement, under the following conditions: the Coast Guard must receive and approve a marine event permit for each firework display and then the Captain of the Port will cause notice of the enforcement of these safety zones to be made by all appropriate means to provide notice to the affected segments of the public as practicable, in accordance with 33 CFR 165.7(a). The Captain of the Port will issue a Broadcast Notice to Mariners and Local Notice to Mariners notifying the public of activation and suspension of enforcement of these safety zones. Additionally, an on-scene Patrol Commander will ensure enforcement of this safety zone by limiting the transit of non-participating vessels in the designated areas described above.

(d) *Regulations.* In accordance with the general regulations in 33 CFR part 165, subpart C, no vessel operator may enter, transit, moor, or anchor within this safety zone, except for vessels authorized by the Captain of the Port or Designated Representative.

(e) *Authorization.* All vessel operators who desire to enter the safety zone must obtain permission from the Captain of the Port or Designated Representative by contacting either the on-scene patrol craft on VHF Ch 13 or Ch 16 or the Coast Guard Sector Seattle Joint Harbor Operations Center (JHOC) via telephone at (206) 217-6002.

(f) *Enforcement period.* This rule will be enforced from 5 p.m. until 1 a.m.

each day a barge with a “FIREWORKS-DANGER-STAY AWAY” sign is located within any of the above designated safety zone locations and meets the criteria established in section (b), within the following time-frames:

(1) The last two weeks of December until the conclusion of the first weekend of January.

(2) The last weekend of June until the conclusion of the third week of July.

(3) The second weekend of August until the conclusion of the fourth week of August.

(4) The first weekend of September until the conclusion of the third week of September.

(5) The first weekend of December.

(g) *Contact information.* Questions about safety zones and related events should be addressed to COMMANDER (spw), U.S. COAST GUARD SECTOR, Attention: Waterways Management Division, 1519 Alaskan Way South, Seattle, WA 98134-1192.

[USCG-2010-0063, 75 FR 33700, June 15, 2010]

FOURTEENTH COAST GUARD DISTRICT

§ 165.T14-204 **Safety Zone; fixed mooring balls, south of Barbers Pt Harbor Channel, Oahu, Hawaii.**

(a) *Location.* The following area is a safety zone: All waters contained within a 400-yard radius (366-meter) radius around position 21°18'35.00" N., 158°07'33.00" W. This position is approximately 2,500 yards south of Barbers Point Harbor channel buoy #2, Oahu, Hawaii. This Safety Zone will have six (6), 24-inch white mooring balls with a single blue reflective stripe. The mooring balls will be placed 133 yards (121 meters) in a circular design for preapproved vessel mooring purposes. This safety zone extends from the surface of the water to the ocean floor. These coordinates are based upon the National Oceanic and Atmospheric Administration Coast Survey, Pacific Ocean, Oahu, Hawaii, chart 19357.

(b) *Regulations.* (1) Entry into or remaining in the safety zone described in paragraph (a) of this section is prohibited unless authorized by the Coast Guard Captain of the Port Honolulu zone.

(2) Persons desiring to transit the safety zone may contact the Honolulu Captain of the Port on VHF channel 81A (157.075 MHz), VHF channel 16 (156.800 MHz), or at telephone numbers 1-808-563-9906 or 808-842-2600 to seek permission to transit the area with a designated escort vessel. 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. All other vessels are requested to pass to the west, or makai side, of the Safety Zone to avoid grounding on the shallow and live coral reef area located between the safety zone and the shoreline.

(c) *Enforcement period.* This rule will be enforced from 6 a.m. on July 1, 2010 until 6 p.m. on July 21, 2010 or unless canceled earlier by the Captain of the Port.

(d) *Regulations.* In accordance with the general regulations in 33 CFR part 165, Subpart C, no person or vessel may enter or remain in the zone except for support vessels/aircraft and support personnel, or other vessels authorized by the Captain of the Port or his designated representatives.

(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.

EFFECTIVE DATE NOTE: By USCG-2010-0457, 75 FR 38021, July 1, 2010, temporary §165.1402 was added, effective from 6 a.m. on July 1, 2010 through 6 p.m. on July 21, 2010.

§ 165.1401 Apra Harbor, Guam—safety zones.

(a) The following is designated as Safety Zone A—The waters of the Pacific Ocean and Apra Outer Harbor encompassed within an arc of 725 yards radius centered at the center of Wharf H. (Located at 13°27'47" N and 144°39'01.9" E. Based on World Geodetic System 1984 Datum)

(b) The following is designated Safety Zone B—The waters of Apra Outer Harbor encompassed within an arc of 680 yards radius centered at the center of Naval Wharf Kilo. (Located at 13°26'43" N, 144°37'46.7" E. Based on World Geodetic system 1984 Datum)

(c) *Special regulations.* (1) Section 165.23 does not apply to Safety Zone A and/or Safety Zone B, except when

Wharf H and/or Naval Wharf Kilo, or a vessel berthed at Wharf H and/or Naval Wharf Kilo, is displaying a red (BRAVO) flag by day or a red light by night.

(2) In accordance with the general regulations in 165.23 of this part, entry into these zones is prohibited unless authorized by the Captain of the Port, Guam.

[COTP Guam Reg. 89-001, 55 FR 18725, May 4, 1990]

§ 165.1402 Apra Outer Harbor, Guam—regulated navigation area.

(a) The following is a regulated navigation area—The waters of the Pacific Ocean and Apra Outer Harbor enclosed by a line beginning at latitude 13°26'47" N, longitude 144°35'07" E; thence to Spanish Rocks at latitude 13°27'09.5" N, longitude 144°37'20.6" E; thence along the shoreline of Apra Outer Harbor to latitude 13°26'28.1" N, longitude 144°39'52.5" E (the northwest corner of Polaris Point); thence to latitude 13°26'40.2" N, longitude 144°39'28.1" E; thence to latitude 13°26'32.1" N, longitude 144°39'02.8" E; thence along the shoreline of Apra Outer Harbor to Orote Point at latitude 13°26'42" N, longitude 144°36'58.5" E; thence to the beginning. (Based on WGS 84 Datum)

(b) Regulations:

(1) Except for public vessels of the United States, vessels may not enter Apra Outer Harbor without permission of the Captain of the Port if they have on board more than 25 tons of high explosives.

(2) Except for vessels not more than 65 feet in length, towboats or tugs without tows, no vessel may pass another vessel in the vicinity of the Outer Harbor entrance.

(3) Vessels over 100 gross tons shall:

(i) Steady on the entrance range at least 2 miles west of the entrance when approaching Apra Outer Harbor and;

(ii) [Reserved]

(iii) Steady on the range when departing Apra Outer Harbor.

(4) Vessels may not anchor in the fairway. The fairway is the area within 375 feet on either side of a line beginning at latitude 13°26'47" N, longitude 144°35'07" E; thence to latitude 13°27'14.1" N, longitude 144°39'14.4" E;