

regulated navigation area, pursuant to the remediation efforts of the U.S. Environmental Protection Agency (EPA) and others in the Thea Foss and Wheeler-Osgood Waterways EPA superfund cleanup site. Vessels may otherwise transit or navigate within this area without reservation.

(2) The prohibition described in paragraph (b)(1) of this section does not apply to vessels or persons engaged in activities associated with remediation efforts in the Thea Foss or Wheeler-Osgood Waterways superfund sites, provided that the Captain of the Port, Puget Sound (COTP), is given advance notice of those activities by the EPA.

(c) *Waiver.* Upon written request stating the need and proposed conditions of the waiver, and any proposed precautionary measures, the COTP may authorize a waiver from this section if the COTP determines that the activity for which the waiver is sought can take place without undue risk to the remediation efforts described in paragraph (b)(1) of this section. The COTP will consult with EPA in making this determination when necessary and practicable.

[USCG-2008-0747, 75 FR 76281, Dec. 8, 2010]

§ 165.1330 Safety Zone; Fleet Week Maritime Festival, Pier 66, Elliott Bay, Seattle, Washington.

(a) *Location.* The following area is a safety zone: All waters extending 100 yards from Pier 66, Elliott Bay, WA within a box encompassed by the points, 47°36.719' N, 122°21.099' W; 47°36.682' N, 122°21.149' W; 47°36.514' N, 122°20.865' W; and 47°36.552' N, 122°20.814' W.

(b) *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, thirty minutes prior to the beginning, during and thirty minutes following the conclusion of the Parade of Ships. For the purpose of this rule, the Parade of Ships includes both the pass and review of the ships near Pier 66 and the aerial demonstrations immediately following the pass and review. The Captain of the Port may be assisted by other federal, state, or local agencies as needed.

(c) *Authorization.* In order to transit through this safety zone, authorization must be granted by the Captain of the Port, Puget Sound, or their Designated Representative. All vessel operators desiring entry into this safety zone shall gain authorization by contacting either the on-scene U.S. Coast Guard patrol craft on VHF Ch 13 or Ch 16, or Coast Guard Sector Puget Sound Joint Harbor Operations Center (JHOC) via telephone at (206) 217-6002. Requests shall indicate the reason why movement within the safety zone is necessary and the vessel's arrival and/or departure facility name, pier and/or berth. Vessel operators granted permission to enter this safety zone will be escorted by the on-scene patrol until no longer within the safety zone.

(d) *Enforcement period.* This rule is enforced annually during the parade of ships which typically occurs on a Wednesday during the last week of July or the first week in August from 8 a.m. until 8 p.m. unless cancelled sooner by the Captain of the Port.

[USCG-2010-0062, 76 FR 30018, May 24, 2011]

§ 165.1332 Safety Zones; annual firework displays within the Captain of the Port, Puget Sound Area of Responsibility.

(a) *Safety Zones.* The following areas are designated safety zones:

(1) All waters of Puget Sound, Washington, extending to a 450 yard radius from the following launch sites:

CAPTAIN OF THE PORT PUGET SOUND AOR ANNUAL FIREWORK DISPLAYS

| Event name (typically) | Event location | Latitude | Longitude |
|--|------------------------|---------------|----------------|
| Steilacoom Annual Fireworks | Steilacoom | 47° 10.4' N | 122° 36.2' W |
| Tacoma Freedom Fair | Commencement Bay | 47°17.103' N | 122°28.410' W |
| City of Anacortes | Fidalgo Bay | 48°30.016' N | 122°36.154' W |
| Alderbrook Resort & Spa Fireworks | Hood Canal | 47° 21.033' N | 123° 04.1' W |
| Fireworks Display | Henderson Bay | 47° 21.8' N | 122° 38.367' W |
| Des Moines Fireworks | Des Moines | 47° 24.117' N | 122° 20.033' W |
| Three Tree Point Community Fireworks | Three Tree Point | 47° 27.033' N | 122° 23.15' W |

CAPTAIN OF THE PORT PUGET SOUND AOR ANNUAL FIREWORK DISPLAYS—Continued

| Event name (typically) | Event location | Latitude | Longitude |
|---|-------------------------|---------------|----------------|
| City of Renton Fireworks | Renton, Lake Washington | 47°30.386' N | 122°12.502' W |
| Port Orchard Fireworks | Port Orchard | 47° 32.883' N | 122° 37.917' W |
| Chimes and Lights | Port Orchard | 47° 32.75' N | 122° 38.033' W |
| Seattle Seafair | Lake Washington | 47° 34.333' N | 122° 16.017' W |
| Mercer Island Celebration | Mercer Island | 47° 35.517' N | 122° 13.233' W |
| Medina Days | Medina Park | 47° 36.867' N | 122° 14.5' W |
| Bainbridge Island Fireworks | Eagle Harbor | 47°37.142' N | 122°30.397' W |
| Whaling Days | Dyes Inlet | 47° 38.65' N | 122° 41.35' W |
| Yarrow Point Community | Yarrow Point | 47° 38.727' N | 122° 13.466' W |
| City of Kenmore Fireworks | Lake Forest Park | 47°45.25' N | 122°15.75' W |
| Kirkland Concours D'Elegance | Kirkland | 47° 39.521' N | 122° 12.439' W |
| Kirkland Fireworks | Kirkland | 47° 40.583' N | 122° 12.84' W |
| Liberty Bay Fireworks | Liberty Bay | 47° 43.917' N | 122° 39.133' W |
| Sheridan Beach Community | Lake Forest Park | 47° 44.783' N | 122° 16.917' W |
| Langlie's Old Fashioned Independence Celebration. | Indianola | 47° 44.817' N | 122° 31.533' W |
| Lake Forest Park Fireworks | Lake Forest Park | 47° 45.117' N | 122° 16.367' W |
| Vashon Island Fireworks | Quartermaster Harbor | 47°24.0' N | 122°27.0' W |
| Kingston Fireworks | Appletree Cove | 47° 47.65' N | 122° 29.917' W |
| Mukilteo Lighthouse Festival | Possession Sound | 47° 56.9' N | 122° 18.6' W |
| Brewster Fire Department Fireworks | Brewster | 48°05.362' N | 119°47.147' W |
| Port Angeles | Port Angeles Harbor | 48° 07.033' N | 123° 24.967' W |
| Port Townsend Sunrise Rotary | Port Townsend | 48°08.413' N | 122°45.531' W |
| Friday Harbor Independence | Friday Harbor | 48°32.255' N | 123°0.654' W |
| Roche Harbor Fireworks | Roche Harbor | 48° 36.7' N | 123° 09.5' W |
| Deer Harbor Annual Fireworks Display | Deer Harbor | 48° 37.0' N | 123° 00.25' W. |
| Orcas Island | Orcas Island | 48° 41.317' N | 122° 54.467' W |
| Blast Over Bellingham | Bellingham Bay | 48° 44.933' N | 122° 29.667' W |
| True Colors Event | Blaine | 48° 59.488' N | 122° 46.339' W |
| John Eddy Wedding | Magnolia Bluff | 49° 38.988' N | 122° 25.356' W |
| City of Mount Vernon Fireworks | Edgewater Park | 48° 25.178' N | 122° 20.424' W |
| Chase Family Fourth at Lake Union | Lake Union | 47° 38.418' N | 122° 20.111' W |
| Port Ludlow Fireworks | Port Ludlow | 47°55.161' N | 122°41.157' W |
| Boston Harbor 4th of July | Boston Harbor | 47°08.626' N | 122°54.149' W |
| Everett 4th of July | Port Gardner | 48°00.672' N | 122°13.391' W |

(2) [Reserved]

(b) *Special requirements.* Firework barges or launch sites on land used in locations stated in this rule shall display a sign. The sign will be affixed to the port and starboard side of the barge or mounted on a post 3 feet above ground level when on land and in close 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

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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 timeframes:

(1) The last two weeks of December until the conclusion of the first week-end 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, as amended by USCG-2011-0842, 76 FR 61265, Oct. 4, 2011; USCG-2013-0220, 78 FR 29025, May 17, 2013]

§ 165.1333 Security Zones, Seattle’s Seafair Fleet Week moving vessels, Puget Sound, WA.

(a) *Location.* The following areas are security zones: all navigable waters within 500 yards of each designated participating vessel while each such vessel is in the Sector Puget Sound Captain of the Port (COTP) zone, as defined in 33 CFR 3.65-10, during a time specified in paragraph (e) of this sec-

tion. The Coast Guard will publish a notice in the FEDERAL REGISTER each year at least 03 days before the start of the Seattle Seafair Fleet Week to identify the designated participating vessels for that year. The Coast Guard will also provide this information in the Local Notice to Mariners.

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

Designated participating vessel means a military vessel participating in the Seattle Seafair Fleet Week that has been designated by the Sector Puget Sound COTP in accordance with this section.

Designated representative means any Coast Guard commissioned, warrant, or petty officer who has been designated by the COTP to implement or enforce this section.

Seattle Seafair Fleet Week means an annual event involving a parade of U.S. Navy, U.S. Coast Guard, and foreign military ships in Seattle’s Elliott Bay waterfront and tours of those ships while docked at Port of Seattle facilities.

(c) *Regulations.* Under 33 CFR Part 165, Subpart D, no person or vessel may enter or remain in the security zones described in paragraph (a) of this section without the permission of the COTP or a designated representative. The COTP has granted general permission for vessels to enter the outer 400 yards of the security zones as long as those vessels within the outer 400 yards of the security zones operate at the minimum speed necessary to maintain course unless required to maintain speed by the navigation rules. The COTP may be assisted by other federal, state or local agencies with the enforcement of the security zones.

(d) *Authorization.* All vessel operators who desire to enter the inner 100 yards of the security zones or transit the outer 400 yards at greater than minimum speed necessary to maintain course must obtain permission from the COTP or a Designated Representative by contacting the on-scene Coast Guard patrol craft on VHF 13 or Ch 16. Requests must include the reason why movement within this area is necessary. Vessel operators granted permission to enter the security zones will be escorted by the on-scene Coast