

(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]

ELEVENTH COAST GUARD DISTRICT

§ 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]

§ 165.T11-534 Safety zone; Bay Bridge construction, San Francisco Bay, San Francisco, CA.

(a) *Location.* This temporary safety zone is established in the navigable waters of the San Francisco Bay near Yerba Buena Island, California as depicted in National Oceanic and Atmospheric Administration (NOAA) Chart 18650. The safety zone will encompass the navigable waters of the San Francisco Bay within a box connected by the following points: 37°49'06" N, 122°21'17" W; 37°49'01" N, 122°21'12" W; 37°48'48" N, 122°21'35" W; 37°48'53" N, 122°21'40" W (NAD 83).

(b) *Enforcement period.* The zone described in paragraph (a) of this section will be in effect from 12:01 a.m. on November 1, 2012 until 11:59 p.m. on July 31, 2013. 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.

EFFECTIVE DATE NOTE: By USCG-2012-0945, 77 FR 70893, Nov. 28, 2012, temporary §165.T11-534 was added, effective Nov. 28, 2012 until 11:59 p.m. on July 31, 2013.

§ 165.T11-0551 Safety Zone; America’s Cup Sailing Events.

(a) *Definitions*—(1) *America’s Cup Racing Vessel.* As used in this section, “America’s Cup Racing Vessel” means an official competing vessel of the 34th America’s Cup sailing events.

(2) *Patrol Commander.* As used in this section, “Patrol Commander” or “PATCOM” means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other

officer, or a Federal, State, or local officer designated by the Captain of the Port San Francisco (COTP) to assist in the enforcement of the safety zone.

(b) *Location and enforcement period.* A safety zone extends 100 yards around America’s Cup Racing Vessels from noon until 5 p.m. on program days between August 21, 2012, and August 26, 2012; and from 11 a.m. until 4 p.m. on program days between July 4, 2013, and September 23, 2013. The enforcement period may be curtailed earlier by the Captain of the Port (COTP) or Patrol Commander. Notice of the specific program dates and times will be issued via Broadcast Notice to Mariners and published by the Coast Guard in the FEDERAL REGISTER.

(c) *Regulations.* (1) The provisions of 33 CFR 165.23 apply to this safety zone. No person or vessel underway may enter or remain within 100 yards of an America’s Cup Racing Vessel unless authorized by PATCOM.

(2) This safety zone shall not relieve any vessel, including America’s Cup Racing Vessels, from the observance of the Navigation Rules.

(3) To request authorization to operate within 100 yards of an America’s Cup Racing Vessel, contact PATCOM on VHF Channel 23A.

(4) When conditions permit, PATCOM should:

(i) Permit vessels constrained by their navigational draft or restricted in their ability to maneuver to pass within 100 yards of America’s Cup Racing Vessels in order to ensure a safe passage in accordance with the Navigation Rules; and

(ii) Permit vessels anchored in a designated anchorage area to remain at anchor when within 100 yards of a passing America’s Cup Racing Vessel.

EFFECTIVE DATE NOTE: By USCG-2011-0551, 77 FR 41902, July 17, 2012, temporary §165.T11-0551 was added, effective from Aug. 21, 2012 until Sept. 23, 2013.

§ 165.T11-560 Safety Zone; Sea World San Diego Fireworks 2013 Season, Mission Bay; San Diego, CA.

(a) *Location.* The safety zone will include the area within 600 feet of the fireworks barge in approximate position 32°46’03” N, 117°13’11” W.