

other vaccines and commends the Department for waiving cost shares.

*Response:* DoD agrees.

#### D. Provisions of Final Rule

The final rule amends sections 199.6 and 199.21 of the TRICARE regulation to authorize retail network pharmacies when functioning under the scope of their state laws to provide TRICARE authorized vaccines and immunizations to eligible beneficiaries as covered TRICARE pharmacy benefits.

#### E. Regulatory Procedures

*Executive Order 12866, "Regulatory Planning and Review" and Executive Order 13563, "Improving Regulation and Regulatory Review"*

Executive Order 12866 and 13563 requires that a comprehensive regulatory impact analysis be performed on any economically significant regulatory action, defined as one that would result in an annual effect of \$100 million or more on the national economy or which would have other substantial impacts. The DoD has examined the economic and policy implications of this final rule and has concluded that it is not a significant regulatory action.

*Congressional Review Act, 5 U.S.C. 801, et seq.*

Under the Congressional Review Act, a major rule may not take effect until at least 60 days after submission to Congress of a report regarding the rule. A major rule is one that would have an annual effect on the economy of \$100 million or more or have certain other impacts. This rule is not a major rule under the Congressional Review Act.

*Section 202, Public Law 104-4, "Unfunded Mandates Reform Act"*

This rule does not contain a Federal mandate that may result in the expenditure by State, local and tribal governments, in aggregate, or by the private sector, of \$100 million or more in any one year.

*Public Law 96-354, "Regulatory Flexibility Act" (5 U.S.C. 601)*

The Regulatory Flexibility Act (RFA) requires that each Federal agency prepare and make available for public comment, a regulatory flexibility analysis when the agency issues a regulation which would have a significant impact on a substantial number of small entities. This rule does not have a significant impact on a substantial number of small entities.

*Public Law 96-511, "Paperwork Reduction Act" (44 U.S.C. Chapter 35)*

This final rule does include information collection requirements that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3511). The information collection has been approved with the Office of Management and Budget control number 0720-0032.

*Executive Order 13132, "Federalism"*

This rule does not have federalism implications, as set forth in Executive Order 13132. This rule does not have substantial direct effects on the States; the relationship between the National Government and the States; or the distribution of power and responsibilities among the various levels of Government.

#### List of Subjects in 32 CFR Part 199

Claims, Health care, Health insurance, Military personnel, Pharmacy benefits.

Accordingly, 32 CFR part 199 is amended as follows:

#### PART 199—[AMENDED]

■ 1. The authority citation for part 199 continues to read as follows:

**Authority:** 5 U.S.C. 301; 10 U.S.C., Chapter 55.

■ 2. Section 199.6 is amended by revising paragraph (d)(3) to read as follows:

#### § 199.6 TRICARE—authorized providers.

\* \* \* \* \*

(d) \* \* \*

(3) *Pharmacies.* Pharmacies must meet the applicable requirements of state law in the state in which the pharmacy is located. In addition to being subject to the policies and procedures for authorized providers established by this section, additional policies and procedures may be established for authorized pharmacies under § 199.21 of this part implementing the Pharmacy Benefits Program.

\* \* \* \* \*

■ 3. Section 199.21 is amended by revising the heading of paragraph (h), and adding new paragraphs (h)(4) and (i)(2)(ii)(D) to read as follows:

#### § 199.21 Pharmacy benefits program.

\* \* \* \* \*

(h) *Obtaining pharmacy services under the retail network pharmacy benefits program.* \* \* \*

(4) *Availability of vaccines/immunizations.* A retail network pharmacy may be an authorized provider under the Pharmacy Benefits

Program when functioning within the scope of its state laws to provide authorized vaccines/immunizations to an eligible beneficiary. The Pharmacy Benefits Program will cover the vaccine and its administration by the retail network pharmacy, including administration by pharmacists who meet the applicable requirements of state law to administer the vaccine. A TRICARE authorized vaccine/immunization includes only vaccines/immunizations authorized as preventive care under the basic program benefits of § 199.4 of this part, as well as such care authorized for Prime enrollees under the uniform HMO benefit of § 199.18. For Prime enrollees under the uniform HMO benefit, a referral is not required under paragraph (n)(2) of § 199.18 for preventive care vaccines/immunizations received from a retail network pharmacy that is a TRICARE authorized provider. Any additional policies, instructions, procedures, and guidelines appropriate for implementation of this benefit may be issued by the TMA Director.

(i) \* \* \*

(2) \* \* \*

(ii) \* \* \*

(D) \$0.00 co-payment for vaccines/immunizations authorized as preventive care for eligible beneficiaries.

\* \* \* \* \*

Dated: July 5, 2011.

**Patricia L. Toppings,**  
*OSD Federal Register Liaison Officer,*  
*Department of Defense.*

[FR Doc. 2011-17516 Filed 7-12-11; 8:45 am]

BILLING CODE 5001-06-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

Docket No. USCG-2011-0264

RIN 1625-AA00

#### Safety Zones; Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Zone

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is amending 33 CFR 165.929 Safety Zones; Annual Events requiring safety zones in the Captain of the Port Lake Michigan zone. This rule will amend, establish, or delete the rules that restrict vessels from portions of water areas during events that pose a hazard to public safety. The safety zones amended or established by

this rule are necessary to protect spectators, participants, and vessels from the hazards associated with various maritime events.

**DATES:** This rule is effective August 12, 2011.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket USCG–2011–0264 and are available online at <http://www.regulations.gov>. This material is also available for inspection or copying at two locations: The Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays and the U.S. Coast Guard Sector Lake Michigan, 2420 South Lincoln Memorial Drive, Milwaukee, WI 53207, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call BM1 Adam Kraft, Prevention Department, Coast Guard Sector Lake Michigan, Milwaukee, WI at (414) 747–7148 or e-mail him at [Adam.D.Kraft@uscg.mil](mailto:Adam.D.Kraft@uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

### Regulatory Information

On May 24, 2011, we published a notice of proposed rulemaking entitled Safety Zones; Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Zone in the **Federal Register** (76 FR 30072). We received no comments on the proposed rule. No public meeting was requested, and none was held.

### Background and Purpose

Currently, 33 CFR 165.929 lists eighty-three different locations in the Captain of the Port Lake Michigan zone at which safety zones have been permanently established. Each of these eighty-three safety zones correspond to an annually recurring marine event. On April 1, 2011, the Coast Guard refined the internal boundaries of its Ninth District, resulting in changes to the Captain of the Port Lake Michigan zone. Consequently, eleven of the aforementioned eighty-three safety zones are now located within the Captain of the Port Sault Ste. Marie zone. In addition to the boundary change initiated by the Coast Guard, the

details of four of the annually recurring events have changed. Finally, the Captain of the Port, Sector Lake Michigan has determined that three additional recurring marine events require the implementation of permanent safety zones.

### Discussion of Comments and Changes

No comments were received regarding this rule.

### Discussion of Rule

This rule amends the regulations found in 33 CFR 165.929, Annual Events requiring safety zones in the Captain of the Port Lake Michigan zone. Specifically, this rule will revise § 165.929 in its entirety. The revision will include the deletion of eleven of the safety zones; the modification of the name, location, and enforcement periods of four other safety zones; and the addition of three new safety zones. These safety zones are necessary to protect vessels and people from the hazards associated with firework displays, boat races, and other marine events. Such hazards include obstructions to the navigable channels, explosive dangers associated with fireworks, debris falling into the water, high speed boat racing, and general congestion of waterways. Although this rule will remain in effect year round, the safety zones within it will be enforced only immediately before, during, and after each corresponding marine event.

The Captain of the Port, Sector Lake Michigan, will notify the public when the safety zones in this rule will be enforced. In keeping with 33 CFR 165.7(a), the Captain of the Port, Sector Lake Michigan, will use all appropriate means to notify the affected segments of the public. This will include, as practicable, publication in the **Federal Register**, Broadcast Notice to Mariners and/or Local Notice to Mariners. The Captain of the Port, Sector Lake Michigan, will, as practicable, issue a Broadcast Notice to Mariners notifying the public when any enforcement period is cancelled.

Entry into, transiting, or anchoring within each of the safety zones is prohibited during an enforcement period unless authorized by the Captain of the Port, Sector Lake Michigan, or his or her designated representative. All persons and vessels permitted to enter one of the safety zones established by this rule shall comply with the instructions of the Captain of the Port, Sector Lake Michigan, or his or her designated representative. The Captain of the Port, Sector Lake Michigan, or his

or her designated representative may be contacted via VHF Channel 16.

### Regulatory Analysis

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

### Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not “significant” under the regulatory policies and procedures of the Department of Homeland Security (DHS). We conclude that this rule is not a significant regulatory action because we anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zones created by this rule will be relatively small and enforced for relatively short time. Also, each safety zone is designed to minimize its impact on navigable waters. Furthermore, each safety zone has been designed to allow vessels to transit unrestricted to portions of the waterways not affected by the safety zones. Thus, restrictions on vessel movements within that particular area are expected to be minimal. Under certain conditions, moreover, vessels may still transit through each safety zone when permitted by the Captain of the Port, Sector Lake Michigan. On the whole, the Coast Guard expects insignificant adverse impact to mariners from the activation of these safety zones.

### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule would not have a significant economic impact on a substantial number of small entities. This rule would affect the following

entities, some of which might be small entities: The owners and operators of vessels intending to transit or anchor in any one of the below established safety zones while the safety zone is being enforced. These safety zones will not have a significant economic impact on a substantial number of small entities for the following reasons: Each safety zone in this rule will be in effect for only a few hours within any given 24 hour period. Each of the safety zones will be in effect only once per year. Furthermore, these safety zones have been designed to allow traffic to pass safely around each zone. Moreover, vessels will be allowed to pass through each zone at the discretion of the Captain of the Port, Sector Lake Michigan, or his or her designated representative.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

#### **Assistance for Small Entities**

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking process.

#### **Collection of Information**

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### **Federalism**

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

On May 25, 2011, the Coast Guard published a notice of proposed rule making entitled Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone in the **Federal Register** (76 FR 12374). The Coast Guard received 0 public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

#### **Unfunded Mandates Reform Act**

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

On May 25, 2011, the Coast Guard published a notice of proposed rule making entitled Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone in the **Federal Register** (76 FR 12374). The Coast Guard received 0 public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

#### **Taking of Private Property**

This rule will not affect the taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

On May 25, 2011, the Coast Guard published a notice of proposed rule making entitled Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone in the **Federal Register** (76 FR 12374). The Coast Guard received 0 public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

#### **Civil Justice Reform**

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

On May 25, 2011, the Coast Guard published a notice of proposed rule making entitled Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone in the **Federal Register** (76 FR 12374). The Coast Guard received 0 public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

#### **Protection of Children**

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and

would not create an environmental risk to health or risk to safety that might disproportionately affect children.

On May 25, 2011, the Coast Guard published a notice of proposed rule making entitled Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone in the **Federal Register** (76 FR 12374). The Coast Guard received 0 public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

#### **Indian Tribal Governments**

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

On May 25, 2011, the Coast Guard published a notice of proposed rule making entitled Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone in the **Federal Register** (76 FR 12374). The Coast Guard received 0 public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

#### **Energy Effects**

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

On May 25, 2011, the Coast Guard published a notice of proposed rule making entitled Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone in the **Federal Register** (76 FR 12374). The Coast Guard received 0 public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

## Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

On May 25, 2011, the Coast Guard published a notice of proposed rule making entitled Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone in the **Federal Register** (76 FR 12374). The Coast Guard received 0 public submissions commenting on the impact to small entities by this rule. There have been no changes made to the rule as proposed.

## Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction because it involves the establishment, disestablishment, and changing of safety zones.

## List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

## PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for Part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 165.929 to read as follows:

### § 165.929 Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone.

(a) St. Patrick's Day Fireworks; Manitowoc, WI.

(1) *Location.* All waters of the Manitowoc River and Manitowoc Harbor, near the mouth of the Manitowoc River on the south shore, within the arc of a circle with a 100-foot radius from the fireworks launch site located in position 44°05'30" N, 087°39'12" W (NAD 83).

(2) *Enforcement date and time.* The third Saturday of March; 5:30 p.m. to 7 p.m.

(b) Michigan Aerospace Challenge Sport Rocket Launch; Muskegon, MI.

(1) *Location.* All waters of Muskegon Lake, near the West Michigan Dock and Market Corp facility, within the arc of a circle with a 1500-yard radius from the rocket launch site located in position 43°14'21" N, 086°15'35" W (NAD 83).

(2) *Enforcement date and time.* The last Saturday of April; 8 a.m. to 4 p.m.

(c) Tulip Time Festival Fireworks; Holland, MI.

(1) *Location.* All waters of Lake Macatawa, near Kollen Park, within the arc of a circle with a 1000-foot radius from the fireworks launch site in position 42°47'23" N, 086°07'22" W (NAD 83).

(2) *Enforcement date and time.* The first Friday of May; 7 p.m. to 11 p.m. If the Friday fireworks are cancelled due to inclement weather, then this safety zone will be enforced on the first Saturday of May; 7 p.m. to 11 p.m.

(d) Rockets for Schools Rocket Launch; Sheboygan, WI.

(1) *Location.* All waters of Lake Michigan and Sheboygan Harbor, near the Sheboygan South Pier, within the arc of a circle with a 1500-yard radius from the rocket launch site located with its center in position 43°44'55" N, 087°41'52" W (NAD 83).

(2) *Enforcement date and time.* The first Saturday of May; 8 a.m. to 5 p.m.

(e) Celebrate De Pere; De Pere, WI.

(1) *Location.* 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°27'10" N, 088°03'50" W (NAD 83).

(2) *Enforcement date and time.* The Sunday before Memorial Day; 8:30 p.m. to 10 p.m.

(f) Michigan Super Boat Grand Prix; Michigan City, IN.

(1) *Location.* All waters of Lake Michigan in the vicinity of Michigan City, IN, bound by a line drawn from 41°43'42" N, 086°54'18" W; then north to 41°43'49" N, 086°54'31" W; then east to 41°44'48" N, 086°51'45" W; then south to 41°44'42" N, 086°51'31" W; then west returning to the point of origin. (NAD 83)

(2) *Enforcement date and time.* The first Sunday of August; 9 a.m. to 4 p.m.

(g) River Splash; Milwaukee, WI.

(1) *Location.* All waters of the Milwaukee River, near Pere Marquette Park, within the arc of a circle with a 300-foot radius from the fireworks launch site located on a barge in position 43°02'32" N, 087°54'45" W (NAD 83).

(2) *Enforcement date and time.* The first Friday and Saturday of June; 9 p.m. to 11 p.m. each day.

(h) International Bayfest; Green Bay, WI.

(1) *Location.* 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 1000-foot radius from the fireworks launch site located in position 44°31'24" N, 088°00'42" W (NAD 83).

(2) *Enforcement date and time.* The second Friday of June; 9 p.m. to 11 p.m.

(i) Harborfest Music and Family Festival; Racine, WI.

(1) *Location.* 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°43'43" N, 087°46'40" W (NAD 83).

(2) *Enforcement date and time.* Friday and Saturday of the third complete weekend of June; 9 p.m. to 11 p.m. each day.

(j) Spring Lake Heritage Festival Fireworks; Spring Lake, MI.

(1) *Location.* All waters of the Grand River, near buoy 14A, within the arc of a circle with a 500-foot radius from the fireworks launch site located on a barge in position 43°04'24" N, 086°12'42" W (NAD 83).

(2) *Enforcement date and time.* The third Saturday of June; 9 p.m. to 11 p.m.

(k) Elberta Solstice Festival Fireworks; Elberta, MI.

(1) *Location.* All waters of Betsie Bay, near Waterfront Park, within the arc of a circle with a 500-foot radius from the fireworks launch site located in position 44°37'43" N, 086°14'27" W (NAD 83).

(2) *Enforcement date and time.* The last Saturday of June; 9 p.m. to 11 p.m.

(l) Pentwater July Third Fireworks; Pentwater, MI.

(1) *Location*. All waters of Lake Michigan and the Pentwater Channel within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 43°46'57" N, 086°26'38" W (NAD 83).

(2) *Enforcement date and time*. July 3; 9 p.m. to 11 p.m. If the July 3 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 4; 9 p.m. to 11 p.m.

(m) Taste of Chicago Fireworks; Chicago, IL.

(1) *Location*. All waters of Monroe Harbor and all waters of Lake Michigan bounded by a line drawn from 41°53'24" N, 087°35'59" W; then east to 41°53'15" N, 087°35'26" W; then south to 41°52'49" N, 087°35'26" W; then southwest to 41°52'27" N, 087°36'37" W; then north to 41°53'15" N, 087°36'33" W; then east returning to the point of origin (NAD 83).

(2) *Enforcement date and time*. July 3; 9 p.m. to 11 p.m. If the July 3 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 4; 9 p.m. to 11 p.m.

(n) U.S. Bank Fireworks; Milwaukee, WI.

(1) *Location*. All waters and adjacent shoreline of Milwaukee Harbor, in the vicinity of Veteran's Park, within the arc of a circle with a 1200-foot radius from the center of the fireworks launch site which is located on a barge with its approximate position located at 43°02'22" N, 087°53'29" W (NAD 83).

(2) *Enforcement date and time*. July 3; 9 p.m. to 11 p.m. If the July 3 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 4; 9 p.m. to 11 p.m.

(o) Independence Day Fireworks; Manistee, MI.

(1) *Location*. All waters of Lake Michigan, in the vicinity of the First Street Beach, within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 44°14'51" N, 086°20'46" W (NAD 83).

(2) *Enforcement date and time*. July 3; 9 p.m. to 11 p.m. If the July 3 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 4; 9 p.m. to 11 p.m.

(p) Frankfort Independence Day Fireworks; Frankfort, MI.

(1) *Location*. All waters of Lake Michigan and Frankfort Harbor, bounded by a line drawn from 44°38'05" N, 086°14'50" W; then south to 44°37'39" N, 086°14'50" W; then west to 44°37'39" N, 086°15'20" W; then north to 44°38'05" N, 086°15'20" W; then east returning to the point of origin (NAD 83).

(2) *Enforcement date and time*. July 4; 9 p.m. to 11 p.m. If the July 4 fireworks

are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(q) Freedom Festival Fireworks; Ludington, MI.

(1) *Location*. All waters of Lake Michigan and Ludington Harbor, in the vicinity of the Loomis Street Boat Ramp, within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 43°57'16" N, 086°27'42" W (NAD 83).

(2) *Enforcement date and time*. July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(r) White Lake Independence Day Fireworks; Montague, MI.

(1) *Location*. All waters of White Lake, in the vicinity of the Montague boat launch, within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 43°24'33" N, 086°21'28" W (NAD 83).

(2) *Enforcement date and time*. July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(s) Muskegon Summer Celebration July Fourth Fireworks; Muskegon, MI.

(1) *Location*. All waters of Muskegon Lake, in the vicinity of Heritage Landing, within the arc of a circle with a 1000-foot radius from a fireworks launch site located on a barge in position 43°14'00" N, 086°15'50" W (NAD 83).

(2) *Enforcement date and time*. July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(3) Impact on Special Anchorage Area regulations: Regulations for that portion of the Muskegon Lake East Special Anchorage Area, as described in 33 CFR 110.81(b), which are overlapped by this regulation, are suspended during this event. The remaining area of the Muskegon Lake East Special Anchorage Area not impacted by this regulation remains available for anchoring during this event.

(t) Grand Haven Jaycees Annual Fourth of July Fireworks; Grand Haven, MI.

(1) *Location*. All waters of The Grand River between longitude 087°14'00" W, near The Sag, then west to longitude 087°15'00" W, near the west end of the south pier (NAD 83).

(2) *Enforcement date and time*. July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(u) Celebration Freedom Fireworks; Holland, MI.

(1) *Location*. All waters of Lake Macatawa, in the vicinity of Kollen Park, within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 42°47'23" N, 086°07'22" W (NAD 83).

(2) *Enforcement date and time*. July 4, 2007; 9 p.m. to 11 p.m. Thereafter, this section will be enforced the Saturday prior to July 4; 9 p.m. to 11 p.m. If the fireworks are cancelled due to inclement weather, then this safety zone will be enforced the Sunday prior to July 4; 9 p.m. to 11 p.m.

(v) Van Andel Fireworks Show; Holland, MI.

(1) *Location*. All waters of Lake Michigan and the Holland Channel within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 42°46'21" N, 086°12'48" W (NAD 83).

(2) *Enforcement date and time*. July 3; 9 p.m. to 11 p.m. If the July 3 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 4; 9 p.m. to 11 p.m.

(w) Independence Day Fireworks; Saugatuck, MI.

(1) *Location*. All waters of Kalamazoo Lake within the arc of a circle with a 1000-foot radius from the fireworks launch site in position 42°38'52" N, 086°12'18" W (NAD 83).

(2) *Enforcement date and time*. July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(x) South Haven Fourth of July Fireworks; South Haven, MI.

(1) *Location*. All waters of Lake Michigan and the Black River within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 42°24'08" N, 086°17'03" W (NAD 83).

(2) *Enforcement date and time*. July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(y) St. Joseph Fourth of July Fireworks; St. Joseph, MI.

(1) *Location*. All waters of Lake Michigan and the St. Joseph River within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 42°06'48" N, 086°29'5" W (NAD 83).

(2) *Enforcement date and time*. July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(z) Town of Dune Acres Independence Day Fireworks; Dune Acres, IN.

(1) *Location.* All waters of Lake Michigan within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 41°39'23" N, 087°04'59" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(aa) Gary Fourth of July Fireworks; Gary, IN.

(1) *Location.* 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°37'19" N, 087°14'31" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(bb) Joliet Independence Day Celebration Fireworks; Joliet, IL.

(1) *Location.* 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°31'31" N, 088°05'15" W (NAD 83).

(2) *Enforcement date and time.* July 3; 9 p.m. to 11 p.m. If the July 3 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 4; 9 p.m. to 11 p.m.

(cc) Glencoe Fourth of July Celebration Fireworks; Glencoe, IL.

(1) *Location.* All waters of Lake Michigan, in the vicinity of Lake Front Park, within the arc of a circle with a 500-foot radius from the fireworks launch site located in position 42°08'17" N, 087°44'55" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(dd) Lakeshore Country Club Independence Day Fireworks; Glencoe, IL.

(1) *Location.* All waters of Lake Michigan within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 42°08'27" N, 087°44'57" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(ee) Shore Acres Country Club Independence Day Fireworks; Lake Bluff, IL.

(1) *Location.* All waters of Lake Michigan, approximately one mile north of Lake Bluff, IL, within the arc of a circle with a 1000-foot radius from the

fireworks launch site located in position 42°17'59" N, 087°50'03" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(ff) Kenosha Independence Day Fireworks; Kenosha, WI.

(1) *Location.* All waters of Lake Michigan and Kenosha Harbor within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 42°35'17" N, 087°48'27" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(gg) Fourthfest of Greater Racine Fireworks; Racine, WI.

(1) *Location.* All waters of Lake Michigan and Racine Harbor, in the vicinity of North Beach, within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 42°44'17" N, 087°46'42" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(hh) Sheboygan Fourth of July Celebration Fireworks; Sheboygan, WI.

(1) *Location.* All waters of Lake Michigan and Sheboygan Harbor, in the vicinity of the south pier, within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 43°44'55" N, 087°41'51" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(ii) Manitowoc Independence Day Fireworks; Manitowoc, WI.

(1) *Location.* All waters of Lake Michigan and Manitowoc Harbor, in the vicinity of south breakwater, within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 44°05'24" N, 087°38'45" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(jj) Sturgeon Bay Independence Day Fireworks; Sturgeon Bay, WI.

(1) *Location.* All waters of Sturgeon Bay, in the vicinity of Sunset Park, within the arc of a circle with a 1000-foot radius from the fireworks launch

site located on a barge in position 44°50'37" N, 087°23'18" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(kk) Fish Creek Independence Day Fireworks; Fish Creek, WI.

(1) *Location.* All waters of Green Bay, in the vicinity of Fish Creek Harbor, within the arc of a circle with a 1000-foot radius from the fireworks launch site located on a barge in position 45°07'52" N, 087°14'37" W (NAD 83).

(2) *Enforcement date and time.* The first Saturday after July 4; 9 p.m. to 11 p.m.

(ll) Celebrate Americafest Fireworks; Green Bay, WI.

(1) *Location.* All waters of the Fox River between the railroad bridge located 1.03 miles above the mouth of the Fox River and the Main Street Bridge located 1.58 miles above the mouth of the Fox River, including all waters of the turning basin east to the mouth of the East River.

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(mm) Marinette Fourth of July Celebration Fireworks; Marinette, WI.

(1) *Location.* All waters of the Menominee River, in the vicinity of Stephenson Island, within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 45°06'09" N, 087°37'39" W and all waters located between the Highway U.S. 41 bridge and the Hattie Street Dam (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(nn) Evanston Fourth of July Fireworks; Evanston, IL.

(1) *Location.* 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°02'56" N, 087°40'21" W (NAD 83).

(2) *Enforcement date and time.* July 4; 9 p.m. to 11 p.m. If the July 4 fireworks are cancelled due to inclement weather, then this safety zone will be enforced July 5; 9 p.m. to 11 p.m.

(oo) Muskegon Summer Celebration Fireworks; Muskegon, MI.

(1) *Location.* All waters of Muskegon Lake, in the vicinity of Heritage Landing, within the arc of a circle with a 1000-foot radius from a fireworks

barge located in position 43°14'00" N, 086°15'50" W (NAD 83).

(2) *Enforcement date and time.* The Sunday following July 4; 9 p.m. to 11 p.m.

(3) Impact on Special Anchorage Area regulations: Regulations for that portion of the Muskegon Lake East Special Anchorage Area, as described in 33 CFR 110.81(b), which are overlapped by this regulation, are suspended during this event. The remaining area of the Muskegon Lake East Special Anchorage Area is not impacted by this regulation and remains available for anchoring during this event.

(pp) Gary Air and Water Show; Gary, IN.

(1) *Location.* All waters of Lake Michigan bounded by a line drawn from 41°37'42" N, 087°16'38" W; then east to 41°37'54" N, 087°14'00" W; then south to 41°37'30" N, 087°13'56" W; then west to 41°37'17" N, 087°16'36" W; then north returning to the point of origin (NAD 83).

(2) *Enforcement date and time.* Friday, Saturday, and Sunday of the second weekend of July; from 10 a.m. to 9 p.m. each day.

(qq) Milwaukee Air and Water Show; Milwaukee, WI.

(1) *Location.* All waters and adjacent shoreline of Lake Michigan and Bradford Beach located within a 4000-yard by 1000-yard rectangle. The rectangle will be bounded by the points beginning at points beginning at 43°02'50" N, 087°52'36" W; then northeast to 43°04'33" N, 087°51'12" W; then northwest to 43°04'40" N, 087°51'29" W; then southwest to 43°02'57" N, 087°52'53" W; the southeast returning to the point of origin (NAD 83).

(2) *Enforcement date and time.* Thursday, Friday, Saturday, and Sunday of the first weekend of August; from 10 a.m. to 5 p.m. each day.

(rr) Annual Trout Festival Fireworks; Kewaunee, WI.

(1) *Location.* All waters of Kewaunee Harbor and Lake Michigan within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 44°27'29" N, 087°29'45" W (NAD 83).

(2) *Enforcement date and time.* Friday of the second complete weekend of July; 9 p.m. to 11 p.m.

(ss) Michigan City Summerfest Fireworks; Michigan City, IN.

(1) *Location.* All waters of Michigan City Harbor and Lake Michigan within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 41°43'42" N, 086°54'37" W (NAD 83).

(2) *Enforcement date and time.* Sunday of the first complete weekend of July; 9 p.m. to 11 p.m.

(tt) Port Washington Fish Day Fireworks; Port Washington, WI.

(1) *Location.* 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 1000-foot radius from the fireworks launch site located in position 43°23'07" N, 087°51'54" W (NAD 83).

(2) *Enforcement date and time.* The third Saturday of July; 9 p.m. to 11 p.m.

(uu) Bay View Lions Club South Shore Frolics Fireworks; Milwaukee, WI.

(1) *Location.* All waters of Milwaukee Harbor and Lake Michigan, in the vicinity of South Shore Park, within the arc of a circle with a 500-foot radius from the fireworks launch site in position 42°59'42" N, 087°52'52" W (NAD 83).

(2) *Enforcement date and time.* Friday, Saturday, and Sunday of the second or third weekend of July; 9 p.m. to 11 p.m. each day.

(vv) Venetian Festival Fireworks; St. Joseph, MI.

(1) *Location.* 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 1000-foot radius from the fireworks launch site located in position 42°06'48" N, 086°29'15" W (NAD 83).

(2) *Enforcement date and time.* Saturday of the third complete weekend of July; 9 p.m. to 11 p.m.

(ww) Joliet Waterway Daze Fireworks; Joliet, IL.

(1) *Location.* 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°31'15" N, 088°05'17" W (NAD 83).

(2) *Enforcement date and time.* Friday and Saturday of the third complete weekend of July; 9 p.m. to 11 p.m. each day.

(xx) EAA Airventure; Oshkosh, WI.

(1) *Location.* All waters of Lake Winnebago bounded by a line drawn from 43°57'30" N, 088°30'00" W; then south to 43°56'56" N, 088°29'53" W, then east to 43°56'40" N, 088°28'40" W; then north to 43°57'30" N, 088°28'40" W; then west returning to the point of origin (NAD 83).

(2) *Enforcement date and time.* The last complete week of July, beginning Monday and ending Sunday; from 8 a.m. to

8 p.m. each day.

(yy) Venetian Night Fireworks; Saugatuck, MI.

(1) *Location.* 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°38'52" N, 086°12'18" W (NAD 83).

(2) *Enforcement date and time.* The last Saturday of July; 9 p.m. to 11 p.m.

(zz) Roma Lodge Italian Festival Fireworks; Racine, WI.

(1) *Location.* All waters of Lake Michigan and Racine Harbor within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 42°44'04" N, 087°46'20" W (NAD 83).

(2) *Enforcement date and time.* Friday and Saturday of the last complete weekend of July; 9 p.m. to 11 p.m.

(aaa) Venetian Night Fireworks; Chicago, IL.

(1) *Location.* All waters of Monroe Harbor and all waters of Lake Michigan bounded by a line drawn from 41°53'03" N, 087°36'36" W; then east to 41°53'03" N, 087°36'21" W; then south to 41°52'27" N, 087°36'21" W; then west to 41°52'27" N, 087°36'37" W; then north returning to the point of origin (NAD 83).

(2) *Enforcement date and time.* Saturday of the last weekend of July; 9 p.m. to 11 p.m.

(bbb) Port Washington Maritime Heritage Festival Fireworks; Port Washington, WI.

(1) *Location.* 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 1000-foot radius from the fireworks launch site located in position 43°23'07" N, 087°51'54" W (NAD 83).

(2) *Enforcement date and time.* Saturday of the last complete weekend of July or the second weekend of August; 9 p.m. to 11 p.m.

(ccc) Grand Haven Coast Guard Festival Fireworks; Grand Haven, MI.

(1) *Location.* All waters of the Grand River between longitude 087°14'00" W, near The Sag, then west to longitude 087°15'00" W, near the west end of the south pier (NAD 83).

(2) *Enforcement date and time.* First weekend of August; 9 p.m. to 11 p.m.

(ddd) Sturgeon Bay Yacht Club Evening on the Bay Fireworks; Sturgeon Bay, WI.

(1) *Location.* All waters of Sturgeon Bay, in the vicinity of the Sturgeon Bay Yacht Club, within the arc of a circle with a 500-foot radius from the fireworks launch site located on a barge in position 44°49'33" N, 087°22'26" W (NAD 83).

(2) *Enforcement date and time.* The first Saturday of August; 9 p.m. to 11 p.m.

(eee) Hammond Marina Venetian Night Fireworks; Hammond, IN.

(1) *Location*. All waters of Hammond Marina and Lake Michigan within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 41°41'53" N, 087°30'43" W (NAD 83).

(2) *Enforcement date and time*. The first Saturday of August; 9 p.m. to 11 p.m.

(fff) North Point Marina Venetian Festival Fireworks; Winthrop Harbor, IL.

(1) *Location*. All waters of Lake Michigan within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 42°28'55" N, 087°47'56" W (NAD 83).

(2) *Enforcement date and time*. The second Saturday of August; 9 p.m. to 11 p.m.

(ggg) Waterfront Festival Fireworks; Menominee, MI.

(1) *Location*. All waters of Green Bay, in the vicinity of Menominee Marina, within the arc of a circle with a 1000-foot radius from a fireworks barge in position 45°06'17" N, 087°35'48" W (NAD 83).

(2) *Enforcement date and time*. Saturday following first Thursday in August; 9 p.m. to 11 p.m.

(hhh) Ottawa Riverfest Fireworks; Ottawa, IL.

(1) *Location*. 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°20'29" N, 088°51'20" W (NAD 83).

(2) *Enforcement date and time*. The first Sunday of August; 9 p.m. to 11 p.m.

(iii) Algoma Shanty Days Fireworks; Algoma, WI.

(1) *Location*. All waters of Lake Michigan and Algoma Harbor within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 44°36'24" N, 087°25'54" W (NAD 83).

(2) *Enforcement date and time*. Sunday of the second complete weekend of August; 9 p.m. to 11 p.m.

(jjj) New Buffalo Ship and Shore Festival Fireworks; New Buffalo, MI.

(1) *Location*. All waters of Lake Michigan and New Buffalo Harbor within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 41°48'09" N, 086°44'49" W (NAD 83).

(2) *Enforcement date and time*. The second Sunday of August; 9 p.m. to 11 p.m.

(kkk) Pentwater Homecoming Fireworks; Pentwater, MI.

(1) *Location*. All waters of Lake Michigan and the Pentwater Channel within the arc of a circle with a 1000-foot radius from the fireworks launch site located in position 43°46'56.5" N, 086°26'38" W (NAD 83).

(2) *Enforcement date and time*. Saturday following the second Thursday of August; 9 p.m. to 11 p.m.

(lll) Chicago Air and Water Show; Chicago, IL.

(1) *Location*. All waters and adjacent shoreline of Lake Michigan and Chicago Harbor bounded by a line drawn from 41°55'54" N at the shoreline, then east to 41°55'54" N, 087°37'12" W, then southeast to 41°54'00" N, 087°36'00" W (NAD 83), then southwestward to the northeast corner of the Jardine Water Filtration Plant, then due west to the shore.

(2) *Enforcement date and time*. The third Thursday, Friday, Saturday, and Sunday of August; from 9 a.m. to 6 p.m. each day.

(mmm) Downtown Milwaukee BID 21 Fireworks; Milwaukee, WI.

(1) *Location*. All waters of the Milwaukee River between the Kilbourn Avenue Bridge at 1.7 miles above the Milwaukee Pierhead Light to the State Street Bridge at 1.79 miles above the Milwaukee Pierhead Light.

(2) *Enforcement date and time*. The third Thursday of November; 6 p.m. to 8 p.m.

(nnn) New Years Eve Fireworks; Chicago, IL.

(1) *Location*. All waters of Monroe Harbor and Lake Michigan within the arc of a circle with a 1000-foot radius from the fireworks launch site located on a barge in position 41°52'41" N, 087°36'37" W (NAD 83).

(2) *Enforcement date and time*. December 31; 11 p.m. to January 1; 1 a.m.

(ooo) Cochrane Cup; Blue Island, IL.

(1) *Location*. All waters of the Calumet Saganashkee Channel from the South Halstead Street Bridge at 41°39'27" N, 087°38'29" W; to the Crawford Avenue Bridge at 41°39'05" N, 087°43'08" W; and the Little Calumet River from the Ashland Avenue Bridge at 41°39'7" N, 087°39'38" W; to the junction of the Calumet Saganashkee Channel at 41°39'23" N, 087°39'00" W (NAD 83).

(2) *Enforcement date and time*. The first Saturday of May; 6:30 a.m. to 5 p.m.

(ppp) World War II Beach Invasion Re-enactment; St. Joseph, MI.

(1) *Location*. All waters of Lake Michigan in the vicinity of Tiscornia Park in St. Joseph, MI beginning at 42°06'55" N, 086°29'23" W; then west/northwest along the north breakwater to 42°06'59" N, 086°29'41" W; the northwest 100 yards to 42°07'01" N, 086°29'44" W; then northeast 2,243 yards to 42°07'50" N, 086°28'43" W; the southeast to the shoreline at 42°07'39" N, 086°28'27" W; then southwest along

the shoreline to the point of origin (NAD 83).

(2) *Enforcement date and time*. The third Saturday of June; 8 a.m. to 2 p.m.

(qqq) Ephraim Fireworks; Ephraim, WI.

(1) *Location*. 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°09'18" N, 087°10'51" W (NAD 83).

(2) *Enforcement date and time*. The third Saturday of June; 9 p.m. to 11 p.m.

(rrr) Thunder on the Fox; Elgin, IL.

(1) *Location*. All waters of the Fox River, near Elgin, Illinois, between Owasco Avenue, located at approximate position 42°03'06" N, 088°17'28" W and the Kimball Street bridge, located at approximate position 42°02'31" N, 088°17'22" W (NAD 83).

(2) *Enforcement date and time*. Friday, Saturday, and Sunday of the third weekend in June; 10 a.m. to 7 p.m. each day.

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

(A) Designated representative means any Coast Guard commissioned, warrant, or petty officer designated by the Captain of the Port, Sector Lake Michigan, to monitor a safety zone, permit entry into a zone, give legally enforceable orders to persons or vessels within a safety zone, and take other actions authorized by the Captain of the Port, Sector Lake Michigan.

(B) Public vessel means a vessel that is owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(ii) *Regulations*.

(A) The general regulations in 33 CFR 165.23 apply.

(B) All persons and vessels must comply with the instructions of the Captain of the Port, Sector 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 shall proceed as directed.

(C) All vessels must obtain permission from the Captain of the Port, Sector 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 shall obey all lawful orders or directions of the Captain of the Port, Sector Lake Michigan, or his or her designated representative. While within a safety zone, all vessels shall operate at the

minimum speed necessary to maintain a safe course.

(iii) *Suspension of Enforcement.* If the Captain of the Port, Sector Lake Michigan, suspends enforcement of any of these zones earlier than listed in this section, the Captain of the Port, Sector Lake Michigan, or his or her designated representative will notify the public by suspending the respective Broadcast Notice to Mariners.

(iv) *Exemption.* Public vessels, as defined in paragraph (B) of this section, are exempt from the requirements in this section.

(v) *Waiver.* For any vessel, the Captain of the Port, Sector 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 environmental safety.

Dated: June 29, 2011.

**M.W. Sibley,**

*Captain, U.S. Coast Guard, Captain of the Port, Sector Lake Michigan.*

[FR Doc. 2011-17635 Filed 7-12-11; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2010-0803]

RIN 1625-AA87

#### Security Zones; Sector Southeastern New England Captain of the Port Zone

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing security zones around cruise ships in the Southeastern New England Captain of the Port (COTP) Zone. This final rule creates a 100-yard radius security zone encompassing all navigable waters around any cruise ship anchored or moored, and 200-yard radius security zone encompassing all navigable waters around any cruise ship underway that is being escorted by Coast Guard or law enforcement agencies assisting the Coast Guard. These zones are needed to protect cruise ships and the public from destruction, loss, or injury from sabotage, subversive acts, or other malicious acts of a similar nature. Persons or vessels may not enter these security zones without permission

of the COTP or a COTP designated representative.

**DATES:** This rule is effective August 12, 2011.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2010-0803 and are available online by going to <http://www.regulations.gov>, inserting USCG-2010-0803 in the "Keyword" box, and then clicking "Search." This material is also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Mr. Edward G. LeBlanc, Chief, Waterways Management Division, Coast Guard Sector Southeastern New England, at 401-435-2351, or [Edward.G.LeBlanc@uscg.mil](mailto:Edward.G.LeBlanc@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

On April 5, 2011, we published a notice of proposed rulemaking (NPRM) entitled Security Zones; Sector Southeastern New England Captain of the Port Zone in the **Federal Register** (76 FR 18674). We received no comments on the proposed rule.

##### Basis and Purpose

The legal basis for this rule is 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, 160.5; Department of Homeland Security Delegation No. 0170.1, which collectively authorizes the Coast Guard to define Security Zones.

The Coast Guard's maritime security mission includes the requirement to protect cruise ships from destruction, loss, or injury from sabotage, subversive acts, or other malicious acts of a similar nature. Protecting these vessels from potential threats or harm while transiting, or while moored, at any berth, or at anchor in the waters of Southeastern New England COTP Zone is necessary to safeguard cruise ships and the general public. The Coast Guard is establishing a permanent regulation that creates security zones for all navigable waters around certain cruise

ships in the Southeastern New England COTP Zone.

#### Background

On September 22, 2010, the COTP Southeastern New England issued a temporary final rule that established 33 CFR 165.T01-0864 which created security zones nearly identical to the security zones created by this rule. See Security Zone: Passenger Vessels, Southeastern New England Captain of the Port Zone, 75 FR 63714, October 18, 2010. In a rule published March 31, 2011 (FR Doc. 2011-7640), temporary § 165.T01-0864 was extended through October 1, 2011. This final rule removes a temporary security zone regulation in § 165.T01-0864. On April 5, 2011, we published a notice of proposed rulemaking (NPRM) entitled Security Zones; Sector Southeastern New England Captain of the Port Zone in the **Federal Register** (76 FR 18674). We received no comments on the proposed rule.

#### Discussion of Comments and Changes

No comments were received in response to the NPRM, and no changes from the proposed rule have been made.

#### Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

#### Executive Order 12866 and Executive Order 13563

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. These security zones will be activated and enforced only when a cruise ship is transiting, anchored, or moored within the Southeastern New England COTP zone. Persons and/or vessels may enter a security zone if they obtain permission from the Coast Guard COTP, Southeastern New England.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently