

through the Regulated Navigation Area.

[USCG–2008–0085, 74 FR 57887, Nov. 10, 2009, as amended by USCG–2015–0433, 80 FR 44283, July 27, 2015]

§ 165.160 Safety Zones; fireworks displays and swim events in Coast Guard Captain of the Port New York Zone.

(a) *Regulations.* The general regulations contained in 33 CFR 165.23 as well as the following regulations apply to the fireworks displays and swim events listed in Tables 1 and 2 to § 165.160. These regulations will be enforced for the duration of each event. Notifications will be made to the local maritime community through the Local Notice to Mariners and Broadcast Notice to Mariners well in advance of the events. If the event does not have a date listed, then exact dates and times of the enforcement period will be announced through a Notice of Enforcement in the FEDERAL REGISTER. Mariners should consult the FEDERAL REGISTER or their Local Notice to Mariners to remain apprised of schedule or event changes. First Coast Guard District Local Notice to Mariners can be found at <http://www.navcen.uscg.gov/>. The Captain of the Port Sector New York Marine Events schedule can also be viewed electronically at www.homeport.uscg.mil/newyork. Although listed in the Code of Federal Regulations, sponsors of events listed in Tables 1 and 2 to § 165.160 are still required to submit marine event applications in accordance with 33 CFR 100.15.

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

(1) *Designated representative.* A “designated representative” is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port, Sector New York (COTP), to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF–FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessels.* Official patrol vessels may consist of any Coast

Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(3) *Spectators.* All persons and vessels not registered with the event sponsor as participants or official patrol vessels.

(b) Vessel operators desiring to enter or operate within the regulated areas shall contact the COTP or the designated representative via VHF channel 16 or (718) 354–4353 (Sector New York command center) to obtain permission to do so.

(c) Spectators or other vessels shall not anchor, block, loiter, or impede the transit of event participants or official patrol vessels in the regulated areas during the effective dates and times, or dates and times as modified through the Local Notice to Mariners, unless authorized by COTP or designated representative.

(d) Upon being hailed by a U.S. Coast Guard vessel or the designated representative, by siren, radio, flashing light or other means, the operator of the vessel shall proceed as directed. Failure to comply with a lawful direction may result in expulsion from the area, citation for failure to comply, or both.

(e) The COTP or designated representative may delay or terminate any marine event in this subpart at any time it is deemed necessary to ensure the safety of life or property.

(f) The regulated area for all fireworks displays listed in Table 1 to § 165.160 is that area of navigable waters within a 360 yard radius of the launch platform or launch site for each fireworks display, unless otherwise noted in TABLE 1 to § 165.160 or modified in USCG First District Local Notice to Mariners at: <http://www.navcen.uscg.gov/>.

(g) Fireworks barges used in these locations will also have a sign on their port and starboard side labeled “Fireworks—Stay Away”. This sign will consist of 10 inch high by 1.5 inch wide red lettering on a white background. Shore sites used in these locations will display a sign labeled “Fireworks—Stay Away” with the same dimensions. These zones will be enforced from 6 p.m. (E.S.T.) to 1 a.m. (E.S.T.) each day a barge with a “Fireworks—Stay

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Away” sign on the port and starboard side is on-scene or a “Fireworks—Stay Away” sign is posted in a location listed in TABLE 1 to § 165.160.

(h) For all swim events listed in Table 2 to § 165.160, vessels not associated with the event shall maintain a separation of at least 100 yards from the participants.

TABLE 1 TO § 165.160

2.0	New York Harbor
2.1 Liberty Island Safety Zone	<ul style="list-style-type: none"> • Launch site: A barge located in approximate position 40°41'16.5" N 074°02'23" W (NAD 1983), located in Federal Anchorage 20–C, about 360 yards east of Liberty Island. This Safety Zone is a 360-yard radius from the barge.
2.2 Ellis Island Safety Zone	<ul style="list-style-type: none"> • Launch site: A barge located between Federal Anchorages 20–A and 20–B, in approximate position 40°41'45" N 074°02'09" W (NAD 1983) about 365 yards east of Ellis Island. This Safety Zone is a 360-yard radius from the barge.
2.3 South Ellis Island Safety Zone	<ul style="list-style-type: none"> • Launch site: A barge located in approximate position 40°41'39.9" N 074°02'33.7" W (NAD 1983), about 260 yards south of Ellis Island. This Safety Zone is a 240-yard radius from the barge.
2.4 South Beach, Staten Island Safety Zone ..	<ul style="list-style-type: none"> • Launch site: A barge located in approximate position 40°35'11" N 074°03'42" W (NAD 1983), about 350 yards east of South Beach, Staten Island. This Safety Zone is a 360-yard radius from the barge.
2.5 Raritan Bay Safety Zone	<ul style="list-style-type: none"> • Launch site: A barge located in approximate position 40°30'04" N 074°15'35" W (NAD 1983), about 240 yards east of Raritan River Cutoff Channel Buoy 2 (LLNR 36595). This Safety Zone is a 240-yard radius from the barge.
2.6 Coney Island Safety Zone	<ul style="list-style-type: none"> • Launch site: A land shoot from the south end of Steeplechase Pier, Coney Island in approximate position 40°34'11" N 073°59'00" W (NAD 1983). This Safety Zone is a 250-yard radius from the launch site.
2.7 Arthur Kill, Elizabeth, NJ Safety Zone	<ul style="list-style-type: none"> • Launch site: A land shoot located in Elizabeth, New Jersey in approximate position 40°38'50" N 074°10'58" W (NAD 1983), about 675 yards west of Arthur Kill Channel Lighted Buoy 20 (LLNR 36780). This Safety Zone is a 150-yard radius from the launch site.

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2.8 Rockaway Beach Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°34'28.2" N 073°50'00" W (NAD 1983), 350 yards off of Beach 116th Street. This Safety Zone is a 360-yard radius from the barge.
2.9 Rockaway Inlet Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°34'19.1" N 073°54'43.5" W (NAD 1983), 1200 yards south of Point Breeze. This Safety Zone is a 360-yard radius from the barge.
2.10 Pierhead Channel, NJ Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°39'18.8" N 074°04'39.1 W (NAD 1983), approximately 350 yards north of the Kill Van Kull Channel. This Safety Zone is a 360-yard radius from the barge.
2.11 Midland Beach, Staten Island Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°34'12" N 074°04'29.6" W (NAD 1983), approximately 800 yards southeast of Midland Beach. This Safety Zone is a 500-yard radius from the barge.
2.12 Wolfes Pond Park, Staten Island Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°30'52.1" N 074°10'58.8" W (NAD 1983), approximately 540 yards east of Wolfe's Pond Park. This Safety Zone is a 500-yard radius from the barge.
2.13 Ocean Breeze Fishing Pier, Staten Island Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°34'46.3" N 074°04'02.0" W (NAD 1983), approximately 1150 yards west of Hoffman Island. This Safety Zone is a 360-yard radius from the barge.
2.14 Fort Hamilton Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°36'00" N 074°01'42.5" W (NAD 1983), approximately 1400 yards southeast of the Verrazano-Narrows Bridge. This Safety Zone is a 240-yard radius from the barge.
2.15 Liberty State Park Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°41'20.32" N 074°03'29.35" W (NAD 1983), approximately 334 yards south of Pier 7, Liberty State Park, Jersey City, New Jersey. This Safety Zone is a 240-yard radius from the barge.
3.0	Western Long Island Sound
3.1 Peningo Neck, Western Long Island Sound safety zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°56'21" N 073°41'23" W (NAD 1983), approximately 525 yards east of Milton Point, Peningo Neck, New York. This Safety Zone is a 300-yard radius from the barge.

TABLE 1 TO § 165.160—Continued

3.2 Satans Toe, Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> • Launch Site: A barge located in approximate position 40°55'21" N 073°43'41" W (NAD 1983), approximately 635 yards northeast of Larchmont Harbor (East Entrance) Light 2 (LLNR 25720). This Safety Zone is a 360-yard radius from the barge.
3.3 Larchmont, NY, Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> • Launch site: A barge located in approximate position 40°54'45" N 073°44'55" W (NAD 1983), approximately 450 yards southwest of the entrance to Horseshoe Harbor. This Safety Zone is a 240-yard radius from the barge.
3.4 Manursing Island, Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> • Launch site: A barge located in approximate position 40°57'47" N 073°40'06" W (NAD 1983), approximately 380 yards north of Rye Beach Transport Rock Buoy 2 (LLNR 25570). This Safety Zone is a 360-yard radius from the barge.
3.5 Glen Island, Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> • Launch site: A barge located in approximate position 40°53'12" N 073°46'33" W (NAD 1983), approximately 350 yards east of the northeast corner of Glen Island, New York. This Safety Zone is a 240-yard radius from the barge.
3.6 Twin Island, Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> • Launch site: A land shoot located on the east end of Orchard Beach, New York in approximate position 40°52'10" N 073°47'07" W (NAD 1983). This Safety Zone is a 200-yard radius from the launch site.
3.7 Davenport Neck, Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> • Launch site: A barge located in Federal Anchorage 1–A in approximate position 40°53'46" N 073°46'04" W (NAD 1983), approximately 360 yards north of Emerald Rock Buoy (LLNR 25810). This Safety Zone is a 360-yard radius from the barge.
3.8 Glen Cove, Hempstead Harbor Safety Zone.	<ul style="list-style-type: none"> • Launch site: A barge located in approximate position 40°51'58" N 073°39'34" W (NAD 1983), approximately 500 yards northeast of Glen Cove Breakwater Light 5 (LLNR 27065). This Safety Zone is a 360-yard radius from the barge.
3.9 Bar Beach, Hempstead Harbor Safety Zone.	<ul style="list-style-type: none"> • Launch site: A barge located in approximate position 40°49'50" N 073°39'12" W (NAD 1983), approximately 190 yards north of Bar Beach, Hempstead Harbor, New York. This Safety Zone is a 180-yard radius from the barge.

TABLE 1 TO § 165.160—Continued

3.10 Larchmont Harbor (north), Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°55'21.8" N 073°44'21.7" W (NAD 1983), approximately 560 yards north of Umbrella Rock. This Safety Zone is a 240-yard radius from the barge.
3.11 Orchard Beach, The Bronx Safety Zone	<ul style="list-style-type: none"> Launch site: All waters of Long Island Sound in an area bound by the following points: 40°51'43.5" N 073°47'36.3" W; thence to 40°52'12.2" N 073°47'13.6" W; thence to 40°52'02.5" N 073°46'47.8" W; thence to 40°51'32.3" N 073°47'09.9" W (NAD 1983), thence to the point of origin.
3.12 Larchmont Harbor (south), Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°55'16" N 073°44'15" W (NAD 1983), approximately 440 yards north of Umbrella Rock, Larchmont Harbor, New York. This Safety Zone is a 240-yard radius from the barge.
3.13 Sands Point Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°52'03" N 073°43'39" W (NAD 1983), northeast of Hart Island, in the vicinity of Sands Point, New York. This Safety Zone is a 180-yard radius from the barge.
3.14 Echo Bay, Western Long Island Sound Safety Zone.	<ul style="list-style-type: none"> Launch site: A shore launch located in approximate position 40°54'34.41" N 073°45'56.61" W (NAD 1983), southeast portion of Harrison Island, New York. This Safety Zone is a 180-yard radius from the barge.
4.0	East River
4.1 Wards Island, East River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°46'57.8" N 073°55'28.6" W (NAD 1983), approximately 330 yards north of the Robert F. Kennedy Bridge (Triborough Bridge) Bridge. This Safety Zone is a 150-yard radius from the barge.
4.2 Newtown Creek, East River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°44' 24 N 073°58'00" W (NAD 1983), approximately 785 yards south of Belmont Island. This Safety Zone is a 360-yard radius from the barge.
4.3 Corlears, East River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°42'34.53" N 073°58'33.37" W (NAD 1983), approximately 570 yards south of the Williamsburg Bridge, 250 yards west of Railroad Avenue, Corlears Hook, New York. This Safety Zone is a 180-yard radius from the barge.

TABLE 1 TO § 165.160—Continued

4.4 Seaport, East River Safety Zone	<ul style="list-style-type: none"> Launch site: All waters of the East River south of the Brooklyn Bridge and north of a line drawn from the southwest corner of Pier 3, Brooklyn, to the southeast corner of Pier 6, Manhattan.
5.0	Hudson River
5.1 Pier 60, Hudson River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°44'49" N 074°01'02" W (NAD 1983), approximately 500 yards west of Pier 60, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.2 The Battery, Hudson River Safety Zone ...	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°42'00" N 074°01'17" W (NAD 1983), approximately 500 yards south of The Battery, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.3 Battery Park City, Hudson River Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°42'39" N 074°01'21" W (NAD 1983), approximately 480 yard southwest of North Cove Yacht Harbor, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.4 Pier 90, Hudson River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°46'11.8" N 074°00'14.8" W (NAD 1983), approximately 375 yards west of Pier 90, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.5 Yonkers, NY, Hudson River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°56'14.5" N 073°54'33" W (NAD 1983), approximately 475 yards northwest of the Yonkers Municipal Pier, New York. This Safety Zone is a 360-yard radius from the barge.
5.6 Hastings-on-Hudson, Hudson River Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°59'44.5" N 073°53'28" W (NAD 1983), approximately 425 yards west of Hastings-on-Hudson, New York. This Safety Zone is a 360-yard radius from the barge.
5.7 Pier D, Hudson River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°42'57.5" N 074°01'34" W (NAD 1983), approximately 375 yards southeast of Pier D, Jersey City, New Jersey. This Safety Zone is a 360-yard radius from the barge.

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5.8 Pier 54, Hudson River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°44'31" N 074°01'00" W (NAD 1983), approximately 380 yards west of Pier 54, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.9 Pier 84, Hudson River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°45'56.9" N 074°00'25.4" W (NAD 1983), approximately 380 yards west of Pier 84, Manhattan, New York. This Safety Zone is a 360-yard radius from the barge.
5.10 Peekskill Bay, Hudson River Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 41°17'16" N 073°56'18" W (NAD 1983), approximately 670 yards north of Travis Point. This Safety Zone is a 360-yard radius from the barge.
5.11 Jersey City, NJ, Hudson River Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°42'37.3" N 074°01'41.6" W (NAD 1983), approximately 420 yards east of Morris Canal Little Basin. This Safety Zone is a 360-yard radius from the barge.
5.12 Newburgh, NY, Hudson River Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 41°30'01.2" N 073°59'42.5" W (NAD 1983), approximately 930 yards east of Newburgh, New York. This Safety Zone is a 360-yard radius from the barge.
5.13 Poughkeepsie, NY, Hudson River Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 41°42'24.50" N 073°56'44.16" W (NAD 1983), approximately 420 yards north of the Mid Hudson Bridge. This Safety Zone is a 300-yard radius from the barge.
5.14 Pier 40, Hudson River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°43'30" N 074°01'06.7" W (NAD 1983), in the vicinity of the Holland Tunnel Ventilator, 530 yards south of Pier 40, Manhattan, New York. This Safety Zone is a 240-yard radius from the barge.
5.15 Fort Tryon Park, Hudson River Safety Zone.	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°51'52" N 073°56'24" W (NAD 1983), approximately 1750 yards north of the George Washington Bridge. This Safety Zone is a 180-yard radius from the barge.
6.0	Hutchinson River
6.1 Bronx, NY Hutchinson River Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°52'31" N 073°49'24" W (NAD 1983). This Safety Zone is a 120-yard radius from the barge.
7.0	Navesink River

TABLE 1 TO § 165.160—Continued

7.1 Keyport, NJ, Safety Zone	Launch site: A barge located in approximate position 40°26'24" N 074°12'18" W (NAD 1983), approximately 200 yards north of Keyport, NJ. This Safety Zone is a 150-yard radius from the barge.
7.2 Rumson, NJ, Safety Zone	<ul style="list-style-type: none"> Launch site: A barge located in approximate position 40°22'39.1" N 074°01'07.3" W (NAD 1983), approximately 600 yards south of the Oceanic Bridge. This Safety Zone is a 300-yard radius from the barge.
7.3 Red Bank, NJ, Safety Zone	Launch site: A barge located in approximate position 40°21'20" N 074°04'10" W (NAD 1983), approximately 360 yards northwest of Red Bank, NJ. This Safety Zone is a 300-yard radius from the barge.

TABLE 2 TO § 165.160

1.0	Hudson River
1.1 Hudson Valley Triathlon	<ul style="list-style-type: none"> Event Type: Swim Event Date: The first weekend after the 4th of July. The following area is a safety zone: All waters of the Hudson River in the vicinity of Ulster Landing, bound by the following points: 42°00'03.7" N, 073°56'43.1" W; thence to 41°59'52.5" N, 073°56'34.2" W thence to 42°00'15.1" N, 073°56'25.2" W thence to 42°00'05.4" N, 073°56'41.9" W thence along the shoreline to the point of beginning. This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
1.2 Newburgh Beacon Swim	<ul style="list-style-type: none"> Event Type: Swim Event. Date: Last weekend in July. Rain Date: The first weekend in August. Location: Participants will cross the Hudson River between Newburgh and Beacon, New York approximately 1300 yards south of the Newburgh-Beacon Bridges. This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
1.3 Hudson River Swim for Life	<ul style="list-style-type: none"> Event Type: Swim Event. Date: 2nd weekend in September. Location: Participants will cross the Hudson River in the vicinity of Nyack, New York between Lower Nyack Ledge and Kingsland Point, approximately 200 yards north of the Tappan Zee Bridge.

TABLE 2 TO § 165.160—Continued

	<ul style="list-style-type: none"> • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
1.4 Toughman Half Triathlon	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: 2nd weekend in September. • Location: Participants will swim in the vicinity of Croton Point Park, New York between Potato Rock and Harmon, New York from the shoreline out to 1000 yards. • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
2.0	East River
2.1 Brooklyn Bridge Swim	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: 2nd or 3rd weekend in September. • Location: Participants will swim between Brooklyn and Manhattan, New York crossing the East River along the Brooklyn Bridge. • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
3.0	Western Long Island Sound
3.1 Swim Across America	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: 4th weekend in July and 2nd weekend in August. • Location: Participants will swim between Glen Cove and Larchmont, New York and an area of Hempstead Harbor between Glen Cove and the vicinity of Umbrella Point. • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
4.0	Upper New York Bay, Lower New York Bay
4.1 Ederle Swim	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: 2nd or 3rd weekend in October. • Location: Participants will swim between Manhattan, New York and the north shore of Sandy Hook, New Jersey transiting through the upper New York Bay, under the Verrazano-Narrows Bridge and across the Lower New York Bay. The route direction is determined by the predicted tide state and direction of current on the scheduled day of the event. • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
4.2 Rose Pitonof Swim.	<ul style="list-style-type: none"> • Event Type: Swim Event • Date: The 2nd weekend in August.

TABLE 2 TO § 165.160—Continued

	<ul style="list-style-type: none"> • Location: Participants will swim between Manhattan, New York and the shore of Coney Island, New York transiting through the Upper New York Bay, under the Verrazano-Narrows Bridge and south in the Lower New York Bay. The route direction is determined by the predicted tide state and direction of current on the scheduled day of the event. • This Safety Zone includes all waters within a 100-yard radius of each participating swimmer.
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[USCG–2010–1001, 76 FR 69617, Nov. 9, 2011, as amended by USCG–2015–0433, 80 FR 44283, July 27, 2015; USCG–2018–0532, 85 FR 5570, Jan. 31, 2020]

§ 165.162 Safety Zone; Witt-Penn Bridge Construction, Hackensack River, Jersey City, NJ.

(a) *Location.* The following area is a safety zone: All waters from surface to bottom of the Hackensack River bound by the following approximate positions: North of a line drawn from 40°44′27.4″ N., 074°05′09.8″ W. to 40°44′22.9″ N., 074°04′53.1″ W. (NJ PATH Bridge at mile 3.0), and south of a line drawn from 40°44′33.2″ N., 074°04′51.0″ W. to 40°44′28.2″ N., 074°04′42.7″ W. (500 feet north of the new Witt-Penn Bridge) (NAD 83).

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

(1) *Designated representative.* A “designated representative” is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port (COTP) to act on his or her behalf. A designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF–FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) *Official patrol vessels.* Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(c) *Enforcement periods.* (1) This safety zone is in effect permanently starting January 7, 2016, but will only be en-

forced when deemed necessary by the COTP.

(2) The Coast Guard will rely on the methods described in §165.7 to notify the public of the time and duration of any closure of the safety zone. Violations of this safety zone may be reported to the COTP at 718–354–4353 or on VHF–Channel 16.

(d) *Regulations.* (1) The general regulations contained in §165.23, as well as paragraphs (d)(2) and (3) of this section, apply.

(2) During periods of enforcement, all persons and vessels must comply with all orders and directions from the COTP or a COTP’s designated representative.

(3) During periods of enforcement, upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of the vessel must proceed as directed.

[USCG–2014–1008, 80 FR 76211, Dec. 8, 2015]

§ 165.163 Safety Zones; Port of New York/New Jersey Fleet Week.

(a) The following areas are established as safety zones:

(1) *Safety Zone A*—(i) *Location.* A moving safety zone for the Parade of Ships including all waters 500 yards ahead and astern, and 200 yards of each side of the designated column of parade vessels as it transits the Port of New York and New Jersey from the Verrazano Narrows Bridge to Riverside State Park on the Hudson River between West 137th and West 144th Streets, Manhattan.