

the Port, a designated representative or designated on-scene patrol personnel.

(B) Persons seeking Captain of the Port permission to enter within a particular zone for official business other than authorized passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations or authorized docking or undocking operations may request such authorization by contacting: Commander Coast Guard Sector New York, via the Sector Command Center (SCC), at: 212 Coast Guard Drive, Staten Island, NY 10305, or via fax to (718) 354-4125 or by contacting the Sector Command Center Duty Officer by phone at: (718) 354-4353.

(17) *Waterfront heliports*—(i) *Location*. All waters of the East River within 25 yards of the East 34th Street and Wall Street Heliports, and all waters of the Hudson River within 25 yards of the West 30th Street Heliport and the Jersey City/Newport Helistop, areas of land or water under and in immediate proximity to them; buildings on such structures or contiguous to them; and equipment and materials on such structures and in such buildings. When a barge, ferry, or other commercial vessel is conducting transfer operations at a waterfront heliport, the 25-yard zone is measured from the outboard side of the commercial vessel.

(ii) *Regulations*. (A) Vessels not actively engaged in passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations, or docking or undocking operations, authorized in advance by the Facility Security Plan, Facility Security Officer or designated representative, must not enter within any part of a zone described in paragraph (a)(17) of this section without the express permission of the Coast Guard Captain of the Port, a designated representative, or designated on-scene patrol personnel.

(B) Persons seeking Captain of the Port permission to enter within a particular zone for official business other than authorized passenger, cargo, provision, facility maintenance or inspection, bunker transfer operations or authorized docking or undocking operations may request such authorization by contacting: Commander Coast Guard Sector New York, via the Sector

Command Center (SCC), at: 212 Coast Guard Drive, Staten Island, NY 10305, or via fax to (718) 354-4125 or by contacting the Sector Command Center Duty Officer by phone at: (718) 354-4353.

(C) Vessels entering or departing the marina north of the Newport Helistop are authorized to transit through the safety/security zone around the Newport Helistop during their transit, provided that helicopters are not taking off or landing. No loitering or unnecessary delay is authorized during these transits.

(b) *Regulations*. (1) Entry into or remaining in a safety or security zone is prohibited unless authorized by the Coast Guard Captain of the Port, New York.

(2) Persons desiring to transit the area of a safety or security zone may contact the Captain of the Port at telephone number 718-354-4088 or on VHF channel 14 (156.7 MHz) or VHF channel 16 (156.8 MHz) to seek permission to transit the area. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port or his or her designated representative.

[CGD01-02-132, 68 FR 2890, Jan. 22, 2003, as amended by CGD01-03-036, 69 FR 2670, Jan. 20, 2004; CGD01-03-020, 69 FR 23306, June 15, 2004; USCG-2008-0179, 73 FR 35017, June 19, 2008; USCG-2007-0074, 74 FR 7191, Feb. 13, 2009; USCG-2016-0799, 83 FR 30044, June 27, 2018; USCG-2018-0532, 85 FR 5570, Jan. 31, 2020]

§ 165.171 Safety Zones for fireworks displays and swim events held in Coast Guard Sector Northern New England Captain of the Port Zone.

(a) The general regulations contained in 33 CFR 165.23, as well as the regulations in this section, apply to the fireworks displays and swim events listed in table 1 of this section. 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

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schedule or event changes. First Coast Guard District Local Notice to Mariners can be found at <http://www.navcen.uscg.gov/>. Although listed in the Code of Federal Regulations, sponsors of events listed the Table 1 to §165.171 are still required to submit marine event applications in accordance with 33 CFR 100.15.

(b) The following definitions apply to this section:

(1) *Designated Representative*. A “Designated Representative” is any Coast Guard Commissioned, Warrant or Petty Officer designated by the Captain of the Port, Sector Northern New England (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.

(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) Vessel operators desiring to enter or operate within the regulated areas shall contact the COTP or the Designated Representative via VHF channel 16 or (207) 741–5465 (Coast Guard Sector Northern New England Command Center) to obtain permission to do so.

(e) 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.

(f) The COTP or Designated Representative may delay or terminate any marine event in this section at any time it is deemed necessary to ensure the safety of life or property.

(g) The regulated area for all fireworks displays listed in the table 1 of this section is that area of navigable waters within a 200-yard radius of the launch platform or launch site for each fireworks display, unless otherwise noted in the Table 1 to §165.171 or modified in USCG First District Local Notice to Mariners at: <http://www.navcen.uscg.gov/>.

(h) For all swim events listed in the Table 1 to §165.171, vessels not associated with the event shall maintain a separation of at least 200 feet from the participants.

(i) The specific calendar date upon which the listed event falls will be published Notice of Enforcement in the FEDERAL REGISTER.

TABLE 1 TO § 165.171

6.0	JUNE
6.1 Windjammer Days Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in June.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine, in approximate position: 43°50'38" N, 069°37'57" W (NAD 83).
7.0	JULY
7.1 Burlington Independence Day Fireworks ..	<ul style="list-style-type: none"> • Event Type: Firework Display.

TABLE 1 TO § 165.171—Continued

	<ul style="list-style-type: none"> • Date: One-night event in July.¹ • Time (Approximate): 9:00 p.m. to 11:00 p.m. • Location: From a barge in the vicinity of Burlington Harbor, Burlington, Vermont, in approximate position: 44°28'31" N, 073°13'31" W (NAD 83).
7.2 Camden 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:00 p.m. • Location: In the vicinity of Camden Harbor, Maine, in approximate position: 44°12'32" N, 069°02'58" W (NAD 83).
7.3 Bar Harbor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Bar Harbor Town Pier, Bar Harbor, Maine, in approximate position: 44°23'31" N, 068°12'15" W (NAD 83).
7.4 Boothbay Harbor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine, in approximate position: 43°50'38" N, 069°37'57" W (NAD 83).
7.5 Moosabec 4th of July Committee Fireworks.	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Beals Island, Jonesport, Maine, in approximate position: 44°31'18" N, 067°36'43" W (NAD 83).
7.6 Lubec 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Lubec Public Boat Launch in approximate position: 44°51'52" N, 066°59'06" W (NAD 83).
7.7 Portland Harbor 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in July.¹ • Time (Approximate): 8:30 p.m. to 10:30 p.m. • Location: In the vicinity of East End Beach, Portland, Maine, in approximate position: 43°40'15" N, 070°14'42" W (NAD 83).
7.8 Stonington 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of Two Bush Island, Stonington, Maine, in approximate position: 44°08'57" N, 068°39'54" W (NAD 83).
7.9 Southwest Harbor 4th of July Fireworks ...	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: Southwest Harbor, Maine, in approximate position: 44°16'25" N, 068°19'21" W (NAD 83).
7.10 Tri for a Cure Swim Clinics and Triathlon	<ul style="list-style-type: none"> • Event Type: Swim Event.

TABLE 1 TO § 165.171—Continued

	<ul style="list-style-type: none"> • Date: A multi-day event held throughout July.¹ • Time (Approximate): 8:30 a.m. to 11:30 a.m. • Location: The regulated area includes all waters of Portland Harbor, Maine, in the vicinity of Spring Point Light within the following points (NAD 83): <ul style="list-style-type: none"> 43°39'01" N, 070°13'32" W. 43°39'07" N, 070°13'29" W. 43°39'06" N, 070°13'41" W. 43°39'01" N, 070°13'36" W.
7.11 Colchester Triathlon	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: A one-day event in July.¹ • Time (Approximate): 7:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters of Malletts Bay on Lake Champlain, Vermont, within the following points (NAD 83): <ul style="list-style-type: none"> 44°32'57" N, 073°12'38" W. 44°32'46" N, 073°13'00" W. 44°33'24" N, 073°11'43" W. 44°33'14" N, 073°11'35" W.
7.12 Peaks to Portland Swim	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: A one-day event in July.¹ • Time (Approximate): 5:00 a.m. to 1:00 p.m. • Location: The regulated area includes all waters of Portland Harbor between Peaks Island and East End Beach in Portland, Maine, within the following points (NAD 83): <ul style="list-style-type: none"> 43°39'20" N, 070°11'58" W. 43°39'45" N, 070°13'19" W. 43°40'11" N, 070°14'13" W. 43°40'08" N, 070°14'29" W. 43°40'00" N, 070°14'23" W. 43°39'34" N, 070°13'31" W. 43°39'13" N, 070°11'59" W.
7.13 Friendship Days Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: A one-day event in July.¹ • Time (Approximate): 8:00 p.m. to 10:30 p.m. • Location: In the vicinity of the Town Pier, Friendship Harbor, Maine, at position: <ul style="list-style-type: none"> 43°58'23" N, 069°20'12" W (NAD83).
7.14 Nubble Light Swim Challenge	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: A one-day event in July.¹ • Time (Approximate): 9:00 a.m. to 12:30 p.m. • Location: The regulated area includes all waters around Cape Neddick, Maine, and within the following coordinates (NAD83) <ul style="list-style-type: none"> 43°10'28" N, 070°36'26" W. 43°10'34" N, 070°36'06" W. 43°10'30" N, 070°35'45" W. 43°10'17" N, 070°35'24" W. 43°09'54" N, 070°35'18" W. 43°09'42" N, 070°35'37" W. 43°09'51" N, 070°37'05" W.
7.15 Castine 4th of July Fireworks	<ul style="list-style-type: none"> • Event Type: Fireworks Display. • Date: One-night event in July.¹ • Time (Approximate): 9:00 p.m. to 10:30 p.m.

TABLE 1 TO § 165.171—Continued

	<ul style="list-style-type: none"> • Location: In the vicinity of the town dock in the Castine Harbor, Castine, Maine, in approximate position: 44°23'10" N, 068°47'28" W (NAD 83).
8.0	AUGUST
8.1 North Hero Air Show	<ul style="list-style-type: none"> • Event Type: Air Show. • Date: A one-day event in August.¹ • Time (Approximate): 10:00 a.m. to 5:00 p.m. • Location: In the vicinity of Shore Acres Dock, North Hero, Vermont, in approximate position (NAD83): 44°48'24" N, 073°17'02" W. 44°48'22" N, 073°16'46" W. 44°47'53" N, 073°16'54" W. 44°47'54" N, 073°17'09" W.
8.2 Islesboro Crossing Swim	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: A one-day event in August.¹ • Time (Approximate): 6:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters of West Penobscot Bay from Ducktrap Beach, Lincolnville, ME, to Grindel Point, Islesboro, ME, within the following points (NAD83): 44°17'44" N, 069°00'11" W. 44°16'58" N, 068°56'35" W. 44°17'31" N, 068°56'40" W.
8.3 Casco Bay Island Swim/Run	<ul style="list-style-type: none"> • Event Type: Swim/Run Event. • Date: A one-day event in August.¹ • Time (Approximate): 7:30 a.m. to 1:00 p.m. • Location: All waters of Casco Bay, Maine, in the vicinity of Casco Bay Island archipelago and within the following coordinates (NAD 83): 43°42'47" N, 070°07'07" W. 43°38'09" N, 070°11'57" W. 43°34'57" N, 070°12'55" W. 43°41'31" N, 070°11'37" W. 43°43'25" N, 070°08'25" W.
8.4 Port Mile Swim	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: A one-day event August.¹ • Time (Approximate): 7:00 a.m. to 9:00 a.m. • Location: All waters of Casco Bay, Maine, in the vicinity of East End Beach within the following points (NAD 83): 43°40'09" N, 070°14'27" W. 43°40'05" N, 070°14'01" W. 43°40'21" N, 070°14'09" W.
8.5 Ironman 70.3 Maine	<ul style="list-style-type: none"> • Event Type: Swim Event. • Date: A one-day event August.¹ • Time (Approximate): 6:00 a.m. to 08:30 a.m. • Location: All waters of Saco Bay, Maine, in the vicinity of Old Orchard Beach within the following points (NAD 83): 43°30'54" N, 070°22'24" W. 43°31'14" N, 070°22'08" W.

TABLE 1 TO § 165.171—Continued

8.6 Lake Champlain Swimming Race	43°30'39" N, 070°21'46" W. 43°31'00" N, 070°21'30" W. • Event Type: Swim Event. • Date: A one-day event in August. ¹ • Time (Approximate): 9:00 a.m. to 3 p.m. • Location: Essex Beggs Point Park, Essex, NY, to Charlotte Beach, Charlotte, VT (NAD83). 44°18'32" N, 073°20'52" W. 44°20'03" N, 073°16'53" W.
9.0	SEPTEMBER
9.1 Camden Windjammer Festival Fireworks	• Event Type: Fireworks Display. • Date: A one-night event in September. ¹ • Time (Approximate): 8:00 p.m. to 9:30 p.m. • Location: From a barge in the vicinity of Northeast Point, Camden Harbor, Maine. in approximate position: 44°12'18" N, 069°03'11" W (NAD 83).
9.2 The Lobsterman Triathlon	• Event Type: Swim Event. • Date: A one-day event in September. ¹ • Time (Approximate): 8:00 a.m. to 11:00 a.m. • Location: The regulated area includes all waters in the vicinity of Winslow Park in South Freeport, Maine, within the following points (NAD 83): 43°47'59" N, 070°06'56" W. 43°47'44" N, 070°06'56" W. 43°47'44" N, 070°07'27" W. 43°47'57" N, 070°07'27" W.

¹ Date subject to change. Exact date will be posted in Notice of Enforcement and Local Notice to Mariners.

[USCG–2019–0951, 85 F R 31369, May 26, 2020]

§ 165.172 Safety Zone; Underwater Hazard, Gravesend Bay, Brooklyn, NY.

(a) *Location.* The following area is a safety zone: All navigable waters of Gravesend Bay within a 110-yard radius of a point in position 40°36'30" N, 074°02'14" W (NAD 83), approximately 70-yards southeast of the Verrazano Bridge Brooklyn tower.

(b) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) Entering into, transiting through, diving, dredging, dumping, fishing, trawling, conducting salvage operations, remaining within or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port (COTP) New York or the designated on-scene representative.

(3) The “designated on-scene representative” is any Coast Guard commissioned, warrant, or petty officer who has been designated by the COTP New York.

(4) Vessel operators desiring to enter or operate within the safety zone may contact the COTP New York or the designated representative at the Coast Guard Sector New York Command Center via VHF Channel 16 or by phone at (718) 354-4353 to request permission.

(5) Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the COTP New York or the on-scene representative.

[USCG–2010–1091, 76 FR 31234, May 31, 2011]