

§ 165.167

33 CFR Ch. I (7-1-04 Edition)

These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

(4) Vessels equal to or greater than 20 meters (65.6 feet) in length, carrying persons for the purpose of viewing the fireworks, may take position in an area inside the safety zone, at least 200 yards off the bulkhead on the west bank and just off the pierhead faces on the east bank of the East River between the Williamsburg Bridge and North 9th Street, Brooklyn. This area is bound by the following points: 40°42'45.5" N 073°58'07.4" W; thence to 40°42'50.4" N 073°58'23.2" W; thence to 40°43'23.1" N 073°58'12.7" W; thence to 40°43'21.5" N 073°57'45.7" W; (NAD 1983) thence back to the point of beginning. All vessels must be in this location by 6:30 p.m. (e.s.t.) the day of the event.

[CGD01-00-242, 66 FR 20405, Apr. 23, 2001]

**§ 165.167 Safety Zone: East River Western Channel, Manhattan, NY.**

(a) *Location.* The waters of the East River enclosed by the following boundaries are established as a safety zone: beginning on the Manhattan riverbank at a point 40°45'35.7" N, 073°57'25.2" W (Point A), thence southeasterly to a point 40°45'34.8" N, 073°57'23.2" W (Point B), thence southwesterly along the western boundary of the federal navigable channel to a point 40°45'09.5" N, 073°57'46.3" W (Point C), then northwesterly to the Manhattan riverbank at a point 40°45'10.5" N, 073°57'48.9" W (Point D), thence northeasterly along the riverbank to the place of beginning (Point A). All coordinates are North American Datum 1983.

(b) *Regulations.* The general regulations contained in §165.23 of this part apply.

[CGD01-02-090, 67 FR 56489, Sept. 4, 2002]

**§ 165.168 Safety Zones: New York Harbor, Western Long Island Sound, East River, and Hudson River Fireworks.**

(a) *New York Harbor.* Figure 1 of this section displays the safety zone areas in paragraphs (a)(1) through (a)(9).

(1) *Liberty Island Safety Zone:* All waters of Upper New York Bay within a 360-yard radius of the fireworks barge 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.

(2) *Ellis Island Safety Zone:* All waters of Upper New York Bay within a 360-yard radius of the fireworks 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.

(3) *South Beach, Staten Island Safety Zone:* All waters of Lower New York Bay within a 360-yard radius of the fireworks barge in approximate position 40°35'11" N 074°03'42" W (NAD 1983), about 350 yards east of South Beach, Staten Island.

(4) *Raritan Bay Safety Zone:* All waters of Raritan Bay in the vicinity of the Raritan River Cutoff and Ward Point Bend (West) within a 240-yard radius of the fireworks barge 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).

(5) *Coney Island Safety Zone:* All waters of Lower New York Bay within a 250-yard radius of the fireworks land shoot located on the south end of Steeplechase Pier, Coney Island, in approximate position 40°34'11" N 073°59'00" W (NAD 1983).

(6) *Arthur Kill, Elizabeth, New Jersey Safety Zone:* All waters of the Arthur Kill within a 150-yard radius of the fireworks 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 Buoy 20 (LLNR 36780).

(7) *South Ellis Island Safety Zone:* All waters of Upper New York Bay within a 240-yard radius of the fireworks barge in approximate position 40°41'39.9" N 074°02'33.7" W (NAD 1983), about 260 yards south of Ellis Island.

(8) *Rockaway Beach Safety Zone:* All waters of the Atlantic Ocean within a 360 yard radius of the fireworks barge in approximate position 40°34'28.2" N 073°50'00.0" W (NAD 1983), off Beach 116th Street.

(9) *Rockaway Inlet Safety Zone:* All waters of Rockaway Inlet within a 360

yard radius of the fireworks barge in approximate position 40°34'19.1" N 073°54'43.5" W (NAD 1983), about 1,200 yards south of Point Breeze.

(b) *Western Long Island Sound*. Figure 2 of this section displays the safety zone areas in paragraphs (b)(1) through (b)(10).

(1) *Penigo Neck, Western Long Island Sound Safety Zone*: All waters of western Long Island Sound within a 300-yard radius of the fireworks barge in approximate position 40°56'21" N 073°41'23" W (NAD 1983), about 525 yards east of Milton Point, Penigo Neck, New York.

(2) *Satans Toe, Western Long Island Sound Safety Zone*: All waters of western Long Island Sound within a 360-yard radius of the fireworks barge in approximate position 40°55'21" N 073°43'41" W (NAD 1983), about 635 yards northeast of Larchmont Harbor (East Entrance) Light 2 (LLNR 25720).

(3) *Larchmont, Western Long Island Sound Safety Zone*: All waters of western Long Island Sound within a 240-yard radius of the fireworks barge in approximate position 40°54'45" N 073°44'55" W (NAD 1983), about 450 yards southwest of the entrance to Horseshoe Harbor.

(4) *Manursing Island, Western Long Island Sound Safety Zone*: All waters of western Long Island Sound within a 360-yard radius of the fireworks barge in approximate position 40°57'47" N 073°40'06" W (NAD 1983), about 380 yards north of Rye Beach Transport Rock Buoy 2 (LLNR 25570).

(5) *Glen Island, Western Long Island Sound Safety Zone*: All waters of western Long Island Sound within a 240-yard radius of the fireworks barge in approximate position 40°53'12" N 073°46'33" W (NAD 1983), about 350 yards east of the northeast corner of Glen Island, New York.

(6) *Twin Island, Western Long Island Sound Safety Zone*: All waters of western Long Island Sound within a 200-yard radius of the fireworks land shoot in approximate position 40°52'10" N 073°47'07" W (NAD 1983), at the east end of Orchard Beach, New York.

(7) *Davenport Neck, Western Long Island Sound Safety Zone*: All waters of western Long Island Sound within a 360-yard radius of the fireworks barge

in Federal Anchorage No. 1-A, in approximate position 40°53'46" N 073°46'04" W (NAD 1983), about 360 yards northwest of Emerald Rock Buoy (LLNR 25810).

(8) *Glen Cove, Hempstead Harbor Safety Zone*: All waters of Hempstead Harbor within a 360-yard radius of the fireworks barge in approximate position 40°51'58" N 073°39'34" W (NAD 1983), about 500 yards northeast of Glen Cove Breakwater Light 5 (LLNR 27065).

(9) *Bar Beach, Hempstead Harbor Safety Zone*: All waters of Hempstead Harbor within a 180-yard radius of the fireworks barge in approximate position 40°49'50" N 073°39'12" W (NAD 1983), about 190 yards north of Bar Beach, Hempstead Harbor, New York.

(10) *Larchmont Harbor, Western Long Island Sound Safety Zone*: All waters of western Long Island Sound within a 240-yard radius of the fireworks barge in approximate position 40°55'21.8" N 073°44'21.7" W (NAD 1983), about 540 yards north of Umbrella Rock.

(c) *East River*. Figure 3 of this section displays the safety zone areas in paragraphs (c)(1) through (c)(4).

(1) *Pier 14, East River Safety Zone*: All waters of the East River within a 180-yard radius of the fireworks barge in approximate position 40°42'07.5" N 074°00'06" W (NAD 1983), about 250 yards southeast of Pier 14, Manhattan, New York.

(2) *Wards Island, East River Safety Zone*: All waters of the East River within a 150-yard radius of the fireworks land shoot in approximate position 40°46'55.5" N 073°55'33" W (NAD 1983), about 200 yards northeast of the Triborough Bridge.

(3) *Pier 16, East River Safety Zone*: All waters of the East River within a 180-yard radius of the fireworks barge in approximate position 40°42'12.5" N 074°00'02.0" W (NAD 1983), about 200 yards east of Pier 16.

(4) *Newtown Creek, East River Safety Zone*: All waters of the East River within a 360-yard radius of the fireworks barge in approximate position 40°44'24.0" N 073°58'00.0" W (NAD 1983), about 785 yards south of Belmont Island.

(d) *Hudson River*. Figure 4 of this section displays the safety zone areas in paragraphs (d)(1) through (d)(11).

(1) *Pier 60, Hudson River Safety Zone:* All waters of the Hudson River within a 360-yard radius of the fireworks barge in approximate position 40°44'49" N 074°01'02" W (NAD 1983), about 500 yards west of Pier 60, Manhattan, New York.

(2) *The Battery, Hudson River Safety Zone:* All waters of the Hudson River and Anchorage Channel within a 360-yard radius of the fireworks barge in approximate position 40°42'00" N 074°01'17" W (NAD 1983), about 500 yards south of The Battery, Manhattan, New York.

(3) *Battery Park City, Hudson River Safety Zone:* All waters of the Hudson River within a 360-yard radius of the fireworks barge in approximate position 40°42'39" N 074°01'21" W (NAD 1983), about 480 yards southwest of North Cove Yacht Harbor, Manhattan, New York.

(4) *Pier 90, Hudson River Safety Zone:* All waters of the Hudson River within a 360-yard radius of the fireworks barge in approximate position 40°46'11.8" N 074°00'14.8" W (NAD 1983), about 375 yards west of Pier 90, Manhattan.

(5) *Yonkers, New York, Hudson River Safety Zone:* All waters of the Hudson River within a 360-yard radius of the fireworks barge in approximate position 40°56'14.5" N 073°54'33" W (NAD 1983), about 475 yards northwest of the Yonkers Municipal Pier, New York.

(6) *Hastings-on-Hudson, New York, Hudson River Safety Zone:* All waters of the Hudson River within a 360-yard radius of the fireworks barge in approximate position 40°59'44.5" N 073°53'28" W (NAD 1983), about 425 yards west of Hastings-on-Hudson, New York.

(7) *Pier D, Hudson River Safety Zone:* All waters of the Hudson River within a 360-yard radius of the fireworks barge in approximate position 40°42'57.5" N 074°01'34" W (NAD 1983), about 375 yards southeast of Pier D, Jersey City, New Jersey.

(8) *Pier 54, Hudson River Safety Zone:* All waters of the Hudson River within a 360-yard radius of the fireworks barge in approximate position 40°44'31" N 074°01'00" W (NAD 1983), about 380 yards west of Pier 54, Manhattan.

(9) *Pier 84, Hudson River Safety Zone:* All waters of the Hudson River within a 360-yard radius of the fireworks barge in approximate position 40°45'56.9" N

074°00'25.4" W (NAD 1983), about 380 yards west of Pier 84, Manhattan.

(10) *Peekskill Bay, Hudson River Safety Zone:* All waters of Peekskill Bay within a 360-yard radius of the fireworks barge in approximate position 41°17'16" N 073°56'18" W (NAD 1983), about 670 yards north of Travis Point.

(11) *Jersey City, Hudson River Safety Zone:* All waters of the Hudson River within a 360-yard radius of the fireworks barge in approximate position 40°42'37.3" N 074°01'41.6" W (NAD 1983), about 420 yards east of Morris Canal Little Basin.

(e) *Notification.* Coast Guard Activities New York will cause notice of the activation of these safety zones to be made by all appropriate means to effect the widest publicity among the affected segments of the public, including publication in the local notice to mariners, marine information broadcasts, and facsimile. 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" high by 1.5" 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.

(f) *Effective Period.* This section is effective from 6 p.m. (e.s.t.) to 1 a.m. (e.s.t.) each day a barge with a "FIREWORKS—STAY AWAY" sign on the port and starboard side is on-scene or a "FIREWORKS—STAY AWAY" sign is posted in a location listed in paragraphs (a) through (d) of this section. Vessels may enter, remain in, or transit through these safety zones during this time frame if authorized by the Captain of the Port New York or designated Coast Guard patrol personnel on scene.

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

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene-patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U. S. Coast Guard vessel by siren, radio, flashing light, or other means,

the operator of a vessel shall proceed as directed.

Figure 1  
§ 165.168(a) New York Harbor Fireworks Safety Zones drawn to scale.

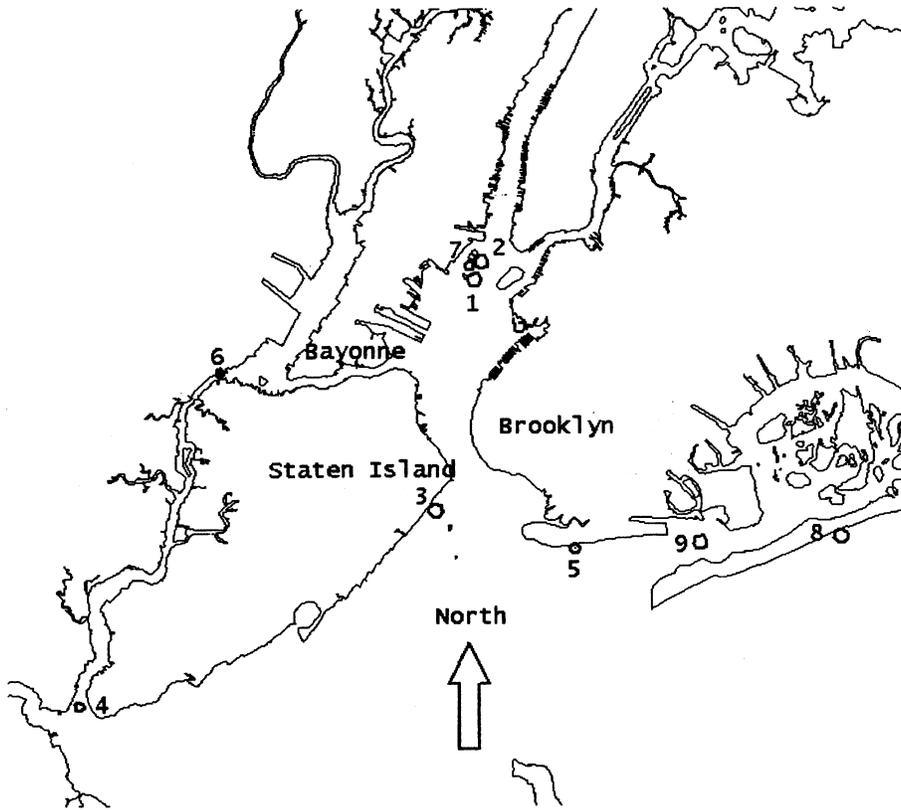


Figure 2  
§ 165.168(b) Western Long  
Island Sound Fireworks Safety  
Zones drawn to scale.

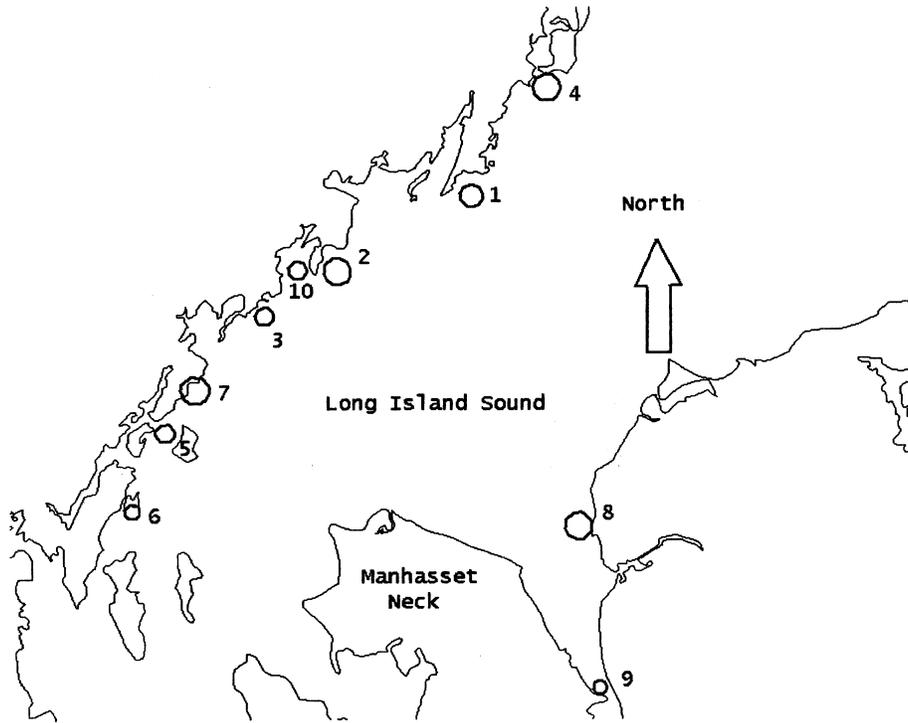
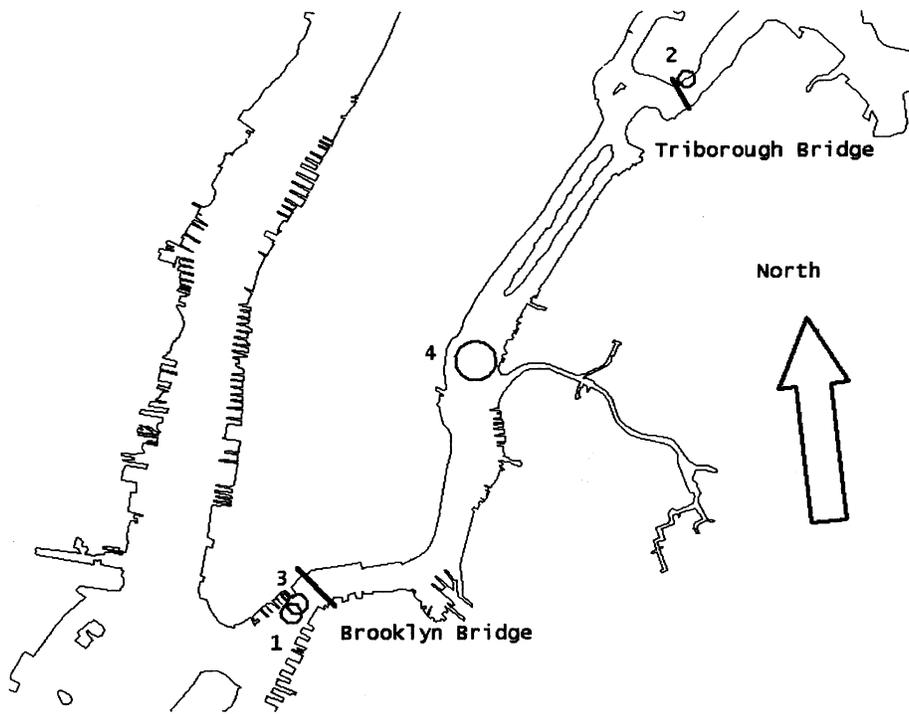
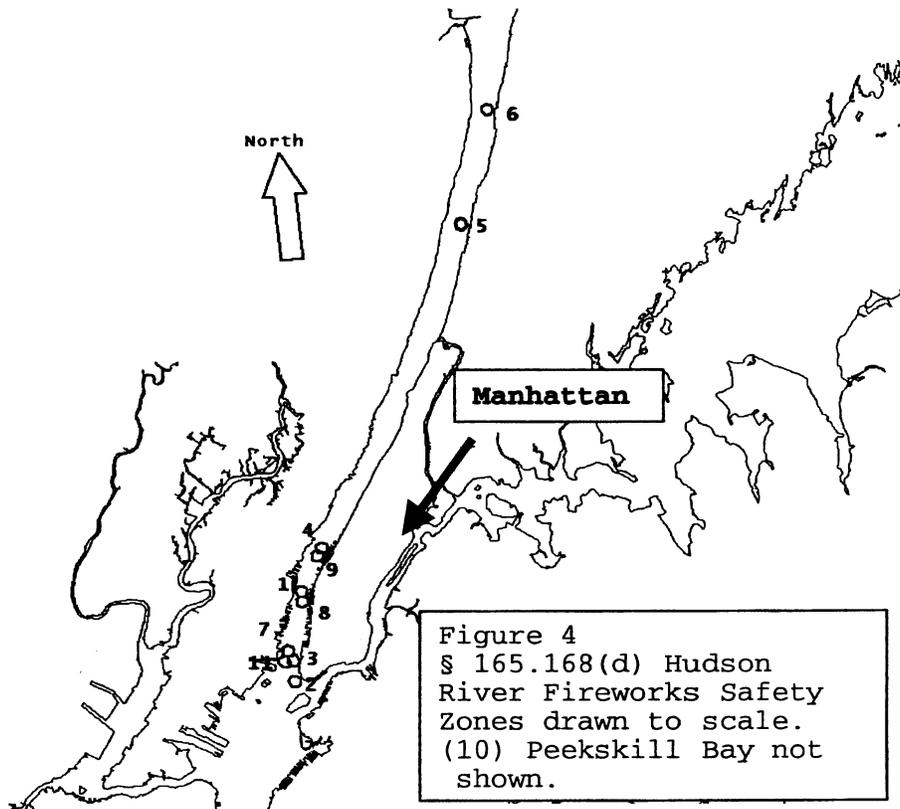


Figure 3  
§ 165.168(c) East River  
Fireworks Safety Zones  
drawn to scale.





[CDG01-00-004, 65 FR 43239, July 13, 2000, as amended by CGDO1-00-221, 66 FR 16000, Mar. 22, 2001]

**§ 165.169 Safety and Security Zones: New York Marine Inspection Zone and Captain of the Port Zone.**

(a) *Safety and security zones.* The following waters within the New York Marine Inspection Zone and Captain of the Port Zone are safety and security zones:

(1) *Indian Point Nuclear Power Station (IPNPS).* All waters of the Hudson River within a 300-yard radius of the IPNPS pier in approximate position 41°16'12.4" N, 073°57'16.2" W (NAD 83).

(2) *U.S. Coast Guard Cutters and Shore Facilities.* All waters within 100 yards of: Each moored, or anchored, Coast Guard Cutter; Coast Guard Station New York, Staten Island, NY; Coast Guard Station Sandy Hook, NJ; Coast

Guard Station Kings Point, NY; and Coast Guard Aids to Navigation Team New York, Bayonne, NJ.

(3) *Commercial Waterfront Facilities.* All waters within 25 yards of each commercial waterfront facility that is capable of accepting barge, ferry or other commercial vessels. For purposes of this section, "commercial waterfront facility" means all piers, wharves, docks and similar structures to which barge, ferry or other commercial vessels may be secured; 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.

(i) When a barge, ferry or other commercial vessel is conducting transfer operations at a commercial waterfront facility, the 25-yard zone is measured