

(5) *Restricted area no. 5.* Restricted area no. 5 is the area inside the Lakeside Yacht Club docks which is outside restricted area 4 and northwest of a line 183 feet southeast and parallel to a reference line running between point A at 41°31'33.45" N, 81°39'47.45" W and point B at 41°31'19.67" N, 81°40'19.17" W.

(6) *Restricted area no. 6.* Restricted area no. 6 is the area inside the Lakeside Yacht Club docks which is outside restricted areas 4 and 5.

(b) *Restrictions applicable to vessels of certain heights.* Vessels with masts of certain heights are subject to the following restrictions with reference to the restricted areas detailed in paragraph (a) of this section. The height of a vessel is the height above the water line of masts, antennas, navigational equipment, or any other structure.

(1) *Less than 41 feet.* Vessels less than 41 feet in height are not subject to any restrictions under this section.

(2) *41 to 45 feet.* Vessels at least 41 feet in height yet less than 45 feet in height may not enter restricted area 1.

(3) *45 to 53 feet.* Vessels at least 45 feet in height yet less than 53 feet in height may not enter restricted area 1 and must comply with the clearance procedures prescribed in paragraph (c) when navigating through restricted area 2.

(4) *53 to 63 feet.* Vessels at least 53 feet in height yet less than 63 feet in height may not enter restricted area 1, must comply with the clearance procedures prescribed in paragraph (c) of this section when navigating through restricted area 2, and may not dock in or enter restricted area 4 at any time.

(5) *63 to 95 feet.* Vessels at least 63 feet in height yet less than 95 feet in height may not enter restricted area 1, must comply with the clearance procedures prescribed in paragraph (c) of this section when navigating through restricted areas 2 or 3, and may not dock in or enter restricted areas 4 or 5 at any time.

(6) *95 feet or more.* Vessel 95 feet or more in height may not enter any restricted area, 1 through 6, at any time.

(c) *Clearance procedures.* Except during the times specified in paragraph (d), operators of vessels subject to these procedures must do the following:

(1) Obtain clearance from the Burke Lakefront Air Traffic Control Tower before navigating through the restricted area(s);

(2) Navigate promptly through the area(s) at a safe and practical speed. Navigation at a safe and practical speed includes brief stops at the fueling dock inside restricted area 3 by vessels with masts between 63 and 95 feet in height; and

(3) Promptly inform the Burke Lakefront Air Traffic Control Tower after clearing the restricted area(s), or of any difficulty preventing prompt clearance. The Burke Lakefront Air Traffic Control Tower may be contacted on marine radio channel 14, or by telephone at (216) 781-6411 except as noted during the suspended hours listed in paragraph (d) of this section. The radio and telephone will be manned when the instrument guided approach system is being utilized.

(4) Clearance may also be obtained for longer periods or for groups of vessels when arranged in advance with Burke Lakefront Airport by any appropriate means of communication, including a prior written agreement.

(d) *Enforcement of clearance requirements.* The clearance procedures specified in paragraph (c) of this section will not be enforced during the following times:

(1) 11:00 p.m. n Fridays to 7:00 a.m. on Saturdays.

(2) 11:00 p.m. on Saturdays to 8:00 a.m. on Sundays.

(3) 12:00 midnight Sunday nights to 7:00 a.m. on Mondays.

(e) *Enforcement.* This section will not be enforced during any period in which the Federal Aviation Administration withdraws approval for operation of an instrument-only approach to runway 24 on the northeast end of Burke Lakefront Airport.

[CGD09-97-002, 64 FR 8006, Feb. 18, 1999]

§ 165.907 Safety Zones: Annual fireworks events in the Captain of the Port Detroit Zone.

(a) *Safety Zones.* The following areas are designated safety zones:

(1) *Bay-Rama Fishfly Festival, New Baltimore, MI:*

Coast Guard, DHS

§ 165.907

(i) *Location.* All waters off New Baltimore City Park, Lake St. Clair—Anchor Bay bounded by the arc of a circle with a 300-yard radius with its center located at approximate position 42°41' N, 082°44' W (NAD 1983).

(ii) *Expected date.* One day early in June.

(2) *Jefferson Beach Marina Fireworks, St. Clair Shores, MI:*

(i) *Location.* All waters of Lake St. Clair within a 300-yard radius of the fireworks barge in approximate position 42°32' N, 082°51' W (NAD 1983), about 1000 yards east of Jefferson Beach Marina.

(ii) *Expected date.* One day in the last week of June.

(3) *Sigma Gamma Assoc., Grosse Pointe Farms, MI:*

(i) *Location.* The waters off Ford's Cove, Lake St. Clair bounded by the arc of a circle with a 300-yard radius with its center in approximate position 42°27' N, 082°52' W (NAD 1983).

(ii) *Expected date.* One day in the last week of June.

(4) *Lake Erie Metro Park Fireworks:* (i) *Location.* The waters off the Brownstown Wave Pool area, Lake Erie bounded by the arc of a circle with a 300-yard radius with its center in approximate position 42°03' N, 083°11' W (NAD 1983).

(ii) *Expected date.* One day in the first week of July.

(5) *City of St. Clair Fireworks:*

(i) *Location.* The waters off St. Clair City Park, St. Clair River bounded by the arc of a circle with a 300-yard radius with its center in approximate position 42°49' N, 082°29' W (NAD 1983).

(ii) *Expected date.* One day in the first week of July.

(6) *Oscoda Township Fireworks:*

(i) *Location.* The waters off the DNR Boat Launch at the mouth of the Ausable River bounded by the arc of a circle with a 300-yard radius with its center in approximate position 44°19' N, 083°25' W (NAD 1983).

(ii) *Expected Date.* One day in the first week of July.

(7) *Port Austin Fireworks:*

(i) *Location.* The waters off the Port Austin Breakwall, Lake Huron bounded by the arc of a circle with a 300-yard radius with its center in approximate position 43°03' N, 082°40' W (NAD 1983).

(ii) *Expected Date.* One day in the first week of July.

(8) *City of Wyandotte Fireworks, Wyandotte, MI:*

(i) *Location.* The waters off the breakwall between Oak & Van Alstyne St., Detroit River bounded by the arc of a circle with a 300-yard radius with its center in approximate position 42°12' N, 083°09' W (NAD 1983).

(ii) *Expected date.* One day in the first week of July.

(9) *Grosse Pointe Farms Fireworks, Grosse Pointe Farms, MI:*

(i) *Location.* All waters of Lake St. Clair within a 300-yard radius of the fireworks barge in approximate position 42°23' N, 082°52' W (NAD 1983), about 300 yards east of Grosse Pointe Farms.

(ii) *Expected date.* One day in the first week of July.

(10) *Caseville Fireworks, Caseville, MI:*

(i) *Location.* The waters off the Caseville breakwall, Saginaw River bounded by the arc of a circle with a 300-yard radius with its center in approximate position 43°55' N, 083°17' W (NAD 1983).

(ii) *Expected date.* One day in the first week of July.

(11) *Algonac Pickerel Tournament Fireworks, Algonac, MI:*

(i) *Location.* All waters of the St. Clair River within a 300-yard radius of the fireworks barge in approximate position 42°37' N, 082°32' W (NAD 1983), between Algonac and Russell Island, St. Clair River—North Channel.

(ii) *Expected date.* One day in the first week of July.

(12) *Port Sanilac Fireworks, Port Sanilac, MI:*

(i) *Location.* The waters off the South Harbor Breakwall, Lake Huron bounded by the arc of a circle with a 300-yard radius with its center in approximate position 43°25' N, 082°31' W (NAD 1983).

(ii) *Expected date.* One day in the first week of July.

(13) *St. Clair Shores Fireworks, St. Clair Shores, MI:*

(i) *Location.* All waters of Lake St. Clair within a 300-yard radius of the fireworks barge in approximate position 42°32' N, 082°51' W (NAD 1983), about 1000 yards east of Veterans Memorial Park (off Masonic Rd.), St. Clair Shores.

(ii) *Expected date.* One day in the first week of July.

(14) *Port Huron 4th of July Fireworks, Port Huron, MI:*

(i) *Location.* All waters of the Black River within a 300-yard radius of the fireworks barge in approximate position 42°58' N, 082°25' W (NAD 1983), about 300 yards east of 223 Huron Ave., Black River.

(ii) *Expected date.* One day in the first week of July.

(15) *Grosse Pointe Yacht Club 4th of July Fireworks, Grosse Pointe Shores, MI:*

(i) *Location.* All waters of Lake St. Clair within a 300-yard radius of the fireworks barge in approximate position 42°25' N, 082°52' W (NAD 1983), about 400 yards east of the Grosse Pointe Yacht Club seawall, Lake St. Clair.

(ii) *Expected date.* One day in the first week of July.

(16) *Lexington Independence Festival Fireworks, Lexington, MI:*

(i) *Location.* All waters of Lake Huron within a 300-yard radius of the fireworks barge in approximate position 43°13' N, 082°30' W (NAD 1983), about 300 yards east of the Lexington breakwall, Lake Huron.

(ii) *Expected date.* One day in the first week of July.

(17) *City of Ecorse Water Festival Fireworks, Ecorse, MI:*

(i) *Location.* All waters of the Ecorse Channel within a 300-yard radius of the fireworks barge in approximate position 42°14' N, 083°09' W (NAD 1983), at the northern end of Mud Island, Ecorse.

(ii) *Expected date.* One day in the first week of July.

(18) *Grosse Ile Yacht Club Fireworks:*

(i) *Location.* The waters off the Grosse Ile Yacht Club Deck, Detroit River bounded by the arc of a circle with a 300-yard radius with its center approximately located at latitude 42°05' N, 083°09' W (NAD 1983).

(ii) *Expected date.* One day in the first week of July.

(19) *Trenton Fireworks Display, Trenton, MI:*

(i) *Location.* All waters of the Trenton Channel within a 300-yard radius of the fireworks barge in approximate position 42°09' N, 083°10' W (NAD 1983), about 200 yards east of Trenton, in the Trenton Channel.

(ii) *Expected date.* One day in the first week of July.

(20) *Belle Maer Harbor 4th of July Fireworks, Harrison Township, MI:*

(i) *Location.* All waters of Lake St. Clair within a 300-yard radius of the fireworks barge in approximate position 42°36' N, 082°47' W (NAD 1983), about 400 yards east of Belle Maer Harbor, Lake St. Clair—Anchor Bay.

(ii) *Expected date.* One day in the first week of July.

(21) *Tawas City 4th of July Fireworks, Tawas, MI:*

(i) *Location.* The waters off the Tawas City Pier, Lake Huron bounded by the arc of a circle with a 300-yard radius with its center in approximate position 44°13' N, 083°30' W (NAD 1983).

(ii) *Expected date.* One day in the first week of July.

(22) *Maritime Day Fireworks, Marine City, MI:*

(i) *Location.* All waters of the St. Clair River within a 300-yard radius of the fireworks barge in approximate position 42°43' N, 082°29' W (NAD 1983), about 500 yards east of Marine City, St. Clair River.

(ii) *Expected date.* One day in the second weekend of August.

(23) *Venetian Festival Boat Parade & Fireworks, St. Clair Shores, MI:*

(i) *Location.* All waters of Lake St. Clair within a 300-yard radius of the fireworks barge in approximate position 42°28' N, 082°52' W (NAD 1983), about 600 yards off Jefferson Beach Marina, Lake St. Clair.

(ii) *Expected date.* One day in the second weekend of August.

(b) *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. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator shall proceed as directed.

(3) The safety zones in this regulation are outside navigation channels and will not adversely affect shipping. In cases where shipping is affected,

commercial vessels may request permission from the Captain of the Port Detroit to transit the safety zone. Approval will be made on a case-by-case basis. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. The Captain of the Port may be contacted via U.S. Coast Guard Group Detroit on Channel 16, VHF-FM.

(c) *Effective period.* The Captain of the Port Detroit will publish a Notice of Implementation in the FEDERAL REGISTER as well as in the Ninth Coast Guard District Local Notice to Mariners the dates and times this section is in effect.

[CGD09-01-002, 66 FR 27869, May 21, 2001]

§ 165.909 Safety Zones; Annual fireworks events in the Captain of the Port Milwaukee Zone.

(a) *Safety zones.* The following areas are designated safety zones:

(1) *Pridefest Fireworks—Milwaukee, WI.*

(i) *Location.* All waters off of Henry W. Maier Festival Park Harbor Island, outer Milwaukee Harbor from the point of origin at 43°02.209' N, 087°53.714' W; southeast to 43°02.117' N, 087°53.417' W; then south to 43°01.767' N, 087°53.417' W; then southwest to 43°01.555' N, 087°53.772' W; then north following the shoreline back to the point of origin (NAD 83). The Harbor Island Lagoon Area is encompassed by this safety zone.

(ii) *Expected date and time.* Second week in June; sunset to termination of display.

(2) *Summerfest Fireworks—Milwaukee, WI.*

(i) *Location.* All waters off of Henry W. Maier Festival Park Harbor Island, outer Milwaukee Harbor encompassed by a line drawn from the point of origin at 43°02.209' N, 087°53.714' W; then southeast to 43°02.117' N, 087°53.417' W; then south to 43°01.767' N, 087°53.417' W; then southwest to 43°01.555' N, 087°53.772' W; then north following the shoreline back to the point of origin (NAD 83). The Harbor Island Lagoon Area is encompassed by this safety zone.

(ii) *Expected date and time.* Last week in June; sunset to termination of display.

(3) *Summerfest Hole-in-One Shoot/Stunt Shows.*

(i) *Location.* All waters of the Harbor Island Lagoon, outer Milwaukee Harbor from the point of origin at 43°02.50' N, 087°53.78' W then west to 43°02.50' N, 087°53.85' W; then following the shoreline of the Henry W. Maier Festival Park and Harbor Island back to the point of origin. All geographic coordinates are North American Datum of 1983 (NAD 83).

(ii) *Expected date and time.* Last week in June through the first two weeks in July; 11:30 a.m. to 9:15 p.m.

(4) *Festa Italiana Fireworks—Milwaukee, WI.*

(i) *Location.* All waters off of Henry W. Maier Festival Park Harbor Island, outer Milwaukee Harbor from the point of origin at 43°02.209' N, 087°53.714' W; then southeast to 43°02.117' N, 087°53.417' W; then south to 43°01.767' N, 087°53.417' W; then southwest to 43°01.555' N, 087°53.772' W; then north following the shoreline back to the point of origin (NAD 83). The Harbor Island Lagoon Area is also included in this safety zone.

(ii) *Expected date and time.* Third week in July; sunset to termination of display.

(5) *Germanfest Fireworks—Milwaukee, WI.*

(i) *Location.* All waters off of Henry W. Maier Festival Park Harbor Island, outer Milwaukee Harbor from the point of origin at 43°02.209' N, 087°53.714' W; then southeast to 43°02.117' N, 087°53.417' W; then south to 43°01.767' N, 087°53.417' W; southwest to 43°01.555' N, 087°53.772' W; then north following the shoreline back to the point of origin (NAD 83). The Harbor Island Lagoon Area is encompassed by this safety zone.

(ii) *Expected date and time.* Last week in July; sunset to termination of display.

(6) *African World Festival—Milwaukee, WI.*

(i) *Location.* All waters off of Henry W. Maier Festival Park Harbor Island, outer Milwaukee Harbor from the point of origin at 43°02.209' N, 087°53.714' W; then southeast to 43°02.117' N, 087°53.417' W; then south to 43°01.767' N, 087°53.417' W; then southwest to 43°01.555' N, 087°53.772' W; then north following the shoreline back to the point of origin