

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165****[Docket No. USCG–2014–0672]****Safety Zone; USS MIDWAY Fireworks, San Diego, CA****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone for a USS MIDWAY private fireworks display on October 6, 2014. This marine event occurs on the navigable waters of San Diego Bay, immediately to the west of the USS MIDWAY located in San Diego Bay, California. This action is necessary to provide for the safety of the participants, crew, spectators, safety vessels, and general users of the waterway. During the enforcement period, persons and vessels are prohibited from entering into, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative.

**DATES:** The regulations for the marine event listed as Item 6 in Table 1 to 33 CFR 165.1123 will be enforced on October 6, 2014 from 9:45 p.m. to 10:15 p.m.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this document, call or email Petty Officer Giacomo Terrizzi, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone (619) 278–7233, email [Giacomo.Terrizzi@uscg.mil](mailto:Giacomo.Terrizzi@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone in San Diego Bay for the private fireworks display. This display occurs on October 6, 2014 from 9:45 p.m. to 10:15 p.m., off of the moored attraction vessel, USS MIDWAY. Fireworks displays occur frequently off of the USS MIDWAY, and the corresponding safety zone to the fireworks display is published in 33 CFR 165.1123, Table 1, Item 6.

Under the provisions of 33 CFR 165.1123, persons and vessels are prohibited from entering into, transiting through, or anchoring within the 600 foot regulated area safety zone that includes the tug and barge unless authorized by the Captain of the Port, or his designated representative. Persons or vessels desiring to enter into or pass through the safety zone may request permission from the Captain of the Port or a designated representative. If

permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or designated representative. Spectator vessels may safely transit outside the regulated area, but may not anchor, block, loiter, or impede the transit of participants or official patrol vessels or commercial traffic within the federal channel. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in patrol and notification of this regulation.

This document is issued under authority of 5 U.S.C. 552(a) and 33 CFR 165.1123. In addition to providing notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners, Broadcast Notice to Mariners, and local advertising by the event sponsor.

If the Captain of the Port Sector San Diego or his designated representative determines that the regulated area need not be enforced for the full duration stated in this document, he or she may use a Broadcast Notice to Mariners or other communications coordinated with the event sponsor to grant general permission to enter the regulated area.

Dated: August 1, 2014.

**J. S. Spaner,**

*Captain, U.S. Coast Guard, Captain of the Port San Diego.*

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**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165****[Docket Number USCG–2014–0723]****RIN 1625–AA00****Safety Zone, Shallowbag Bay; Manteo, NC****AGENCY:** Coast Guard, DHS.**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on Shallowbag Bay, Manteo, NC. This action is necessary to protect the life and property of the maritime public from the hazards posed by fireworks displays. This safety zone is intended to restrict vessels from a portion of Shallowbag Bay River during the Outer Banks Bluegrass Festival Fireworks display.

**DATES:** This rule is effective August 29, 2014 and will be enforced from 8 p.m.

to 10 p.m. on September 26, 2014 unless cancelled earlier by the Captain of the Port.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email LT Derek J. Burrill, Coast Guard Sector North Carolina, Coast Guard; telephone (910) 772–2230, email [Derek.J.Burrill@uscg.mil](mailto:Derek.J.Burrill@uscg.mil). If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

**SUPPLEMENTARY INFORMATION:****Table of Acronyms**

DHS Department of Homeland Security

FR Federal Register

NPRM Notice of Proposed Rulemaking

**A. Regulatory History and Information**

On May 17, 2013 we published a Notice of Proposed Rulemaking (NPRM) entitled “Safety Zone, Shallowbag Bay; Manteo, NC” in the **Federal Register** (78 FR 29091). We received no comments on the proposed rules. No public meeting was requested, and none was held.

**B. Basis and Purpose**

The legal basis for the rule is the Coast Guard’s authority to establish regulated navigation areas and other limited access areas: 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, 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1. This notice is issued under the authority of the Freedom of Information Act, 5 U.S.C. 552(a).

On September 26, 2014 fireworks will be launched from a barge located in Shallowbag Bay in Manteo, North Carolina as part of the Outer Banks Bluegrass Festival. The temporary safety zone created by this rule is necessary to ensure the safety of vessels and spectators from hazards associated with the fireworks display. Such hazards include obstructions to the waterway that may cause death, serious bodily harm, or property damage, as well as the accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. Establishing a safety zone to control vessel movement around the location of the launch area will help ensure the safety of persons and property in the vicinity of this event and help minimize the associated risks.

**C. Discussion of Proposed Rule**

A temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading, and launching of the Outer Banks Bluegrass