

Approved: August 10, 2016.
C.J. Spain,
*Deputy Assistant Judge Advocate General
 (Admiralty and Maritime Law), Acting.*
 Dated: August 31, 2016

C. Pan,
*Lieutenant, Judge Advocate General's Corps,
 U.S. Navy, Alternate Federal Register Liaison
 Officer.*
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**DEPARTMENT OF HOMELAND
 SECURITY**

Coast Guard

33 CFR Part 165

[Docket No. USCG-2016-0798]

**Safety Zones; Fireworks Events in
 Captain of the Port New York Zone**

AGENCY: Coast Guard, DHS.
ACTION: Notice of enforcement of
 regulation.

SUMMARY: The Coast Guard will enforce various safety zones within the Captain of the Port New York Zone on the specified dates and times. This action is necessary to ensure the safety of vessels and spectators from hazards associated with fireworks displays. During the enforcement period, no person or vessel

may enter the safety zones without permission of the Captain of the Port (COTP).

DATES: The regulation for the safety zones described in 33 CFR 165.160 will be enforced on the dates and times listed in the table in **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Petty Officer First Class Ronald Sampert U.S. Coast Guard; telephone 718-354-4154, email ronald.j.sampert@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones listed in 33 CFR 165.160 on the specified dates and times as indicated in Table 1 below. This regulation was published in the **Federal Register** on November 9, 2011 (76 FR 69614).

TABLE 1

Rose Event, Pier D, Hudson River Safety Zone, 33 CFR 165.160(5.7)	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.
2. Pop Event Planning, Ellis Island Safety Zone., 33 CFR 165.160(2.2)	<ul style="list-style-type: none"> • Date: September 10, 2016. • Time: 7 p.m.–9 p.m. • 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.
3. Save the Date, Ellis Island Safety Zone, 33 CFR 165.160(2.2)	<ul style="list-style-type: none"> • Date: September 15, 2016. • Time: 8:45 p.m.–10 p.m. • 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. • Date: October 27, 2016. • Time: 8:30 p.m.–10 p.m.

Under the provisions of 33 CFR 165.160, vessels may not enter the safety zones unless given permission from the COTP or a designated representative. Spectator vessels may transit outside the safety zones but may not anchor, block, loiter in, or impede the transit of other vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 165.160(a) and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide mariners with advanced notification of enforcement periods via the Local Notice to Mariners and marine information broadcasts.

If the COTP determines that a safety zone need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be

used to grant general permission to enter the safety zone.

Dated: August 18, 2016.
M.H. Day,
*Captain, U.S. Coast Guard, Captain of the
 Port New York.*
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DEPARTMENT OF COMMERCE

**National Oceanic and Atmospheric
 Administration**

50 CFR Part 216

[Docket No. 160413333-6721-01]

RIN 0648-BF98

**Approach Regulations for Humpback
 Whales in Waters Surrounding the
 Islands of Hawaii Under the Marine
 Mammal Protection Act**

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Interim final rule; notice of availability of Environmental Assessment.

SUMMARY: We, NMFS, are issuing regulations under the Marine Mammal