

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2026–0616]

RIN 1625–AA00

#### Safety Zone; Albemarle and Chesapeake Canal, Chesapeake, VA

**AGENCY:** Coast Guard, Department of Homeland Security.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for navigable waters on a portion of the Albemarle and Chesapeake Canal in the vicinity of the Great Bridge Bridge, in Chesapeake, Virginia. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards which might arise during blank cannon fire. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Virginia or their designated representative.

**DATES:** This rule is effective from June 19, 2026, through June 21, 2026.

**ADDRESSES:** To view available documents go to <https://www.regulations.gov> and search for USCG–2026–0616.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, contact LCDR Justin Strassfield, Sector Virginia Waterways Management Division, U.S. Coast Guard; telephone (206) 815–7367, or email [Justin.Z.Strassfield@uscg.mil](mailto:Justin.Z.Strassfield@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
 COTP Captain of the Port, Sector Virginia  
 DHS Department of Homeland Security  
 FR Federal Register  
 NPRM Notice of proposed rulemaking  
 § Section  
 U.S.C. United States Code

##### II. Background and Authority

The Coast Guard has been notified that a Tall Ship will arrive at the Great Bridge Battlefield on the Albemarle and Chesapeake Canal, and that it will fire blank cannon fire from the vessel while in the federal channel. Hazards from the cannon fire include being hit by dangerous projectiles. The Captain of the Port, Sector Virginia (COTP) has determined that potential hazards associated with cannon fire are a safety concern for anyone within 250 yards of

the vessel from which the canon is fired. Therefore, the COTP is issuing this rule, under the authority in 46 U.S.C. 70034, to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone from harm which might arise from the firing of blank cannons.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The Coast Guard was notified of this event on May 15, 2026, but we must establish this safety zone by June 19, 2026, to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

In addition, under 5 U.S.C. 553(d)(3), the Coast Guard finds that there is good cause, due to a lack of time, for making this rule effective less than 30 days after publication in the **Federal Register**.

##### III. Discussion of the Rule

This rule establishes a safety zone which will be in effect from June 19 through June 21. It will only be subject to enforcement, however, from 6 p.m. until 7 p.m. on June 19, 2026, and on June 20, 2026, and June 21, 2026, from 11:30 a.m. until 12:30 p.m. and 2:30 p.m. until 3:30 p.m. on both days. The safety zone will reduce the likelihood of harm to people, vessels, and the environment from mishaps involving blank cannon fire. It will cover waters of the Albemarle and Chesapeake Canal in the vicinity of the bridge on Battlefield Boulevard in Great Bridge, in the City of Chesapeake, Virginia. The coordinates of the safety zone are provided in the text of the regulation below. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or their designated representative.

##### IV. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders.

###### A. Impact on Small Entities

The regulatory flexibility analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to rules that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment requirement that would otherwise apply to this

rulemaking, the Regulatory Flexibility Act's flexibility analysis provisions do not apply here.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

###### B. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

###### C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

###### D. Unfunded Mandates Reform Act

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Coast Guard certifies that this rule will not result in an annual expenditure of \$100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

###### E. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), and have determined that this action is one of a

category of actions that do not individually or cumulatively have a significant effect on the human environment.

This rule is a safety zone. It is categorically excluded from further review under paragraph L60(c) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; DHS Delegation No. 00170.1, Revision No. 01.4.

- 2. Add § 165.T05–0616 to read as follows:

#### § 165.T05–0616 Safety Zone; Albemarle and Chesapeake Canal, Chesapeake, VA.

(a) *Location.* The following area is a safety zone: all navigable waters of the Albemarle and Chesapeake Canal within the following positions: 36°43′14.711″ N, 076°14′14.177″ W; 36°43′12.404″ N, 076°14′14.181″ W; 36°43′14.525″ N, 076°14′22.752″ W; 36°43′16.010″ N, 076°14′23.041″ W. These coordinates are based on the World Geodetic System (WGS 84).

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer with law enforcement authority designated by or assisting the Captain of the Port, Sector Virginia (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF–FM channel 16 or by telephone at 877–722–5727. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This rule is effective from June 19, 2026, through June 21, 2026. This section will only be enforced, however, from 6 p.m. until 7 p.m. on June 19, 2026, and on June 20, 2026, and June 21, 2026, from 11:30 a.m. until 12:30 p.m. and 2:30 p.m. until 3:30 p.m. on both days.

**Peggy M. Britton,**

*Captain, U.S. Coast Guard, Captain of the Port, Sector Virginia.*

[FR Doc. 2026–10176 Filed 5–20–26; 8:45 am]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

#### 43 CFR Part 4

[Docket No. DOI–2022–0010; 256D0102DM; D6CS00000; DLSN00000.000000; DX6CS25]

RIN 1094–AA57

#### Practices Before the Department of the Interior

**AGENCY:** Office of Hearings and Appeals, Interior.

**ACTION:** Final rule.

**SUMMARY:** The Office of Hearings and Appeals (OHA) is issuing this final rule to adopt the interim final rule (IFR) published on January 10, 2025, with a few changes made to respond to public comments, to clarify procedures, and to correct typographical errors. The IFR was originally set to go into effect February 10, 2025, but the effective date was delayed several times until July 21, 2025, to provide time for review pursuant to the memorandum of January 20, 2025, from President Donald J. Trump, entitled Regulatory Freeze Pending Review. The IFR became effective on July 21, 2025.

**DATES:** Effective May 21, 2026. Submit comments on information collection issues under the Paperwork Reduction Act of 1995 by June 22, 2026.

**ADDRESSES:** *Comments Related to Information Collection Requirements:* Send your comments on the information collection request to the Departmental Information Collection Clearance Officer, U.S. Department of the Interior, Jeffrey Parrillo, 1849 C Street NW Washington, DC 20240; or by email to DOI-PRA@ios.doi.gov. Please reference OMB Control Number 1094–New/RIN 1094–AA57 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** Paul Kienzle, 202–208–3350. Individuals in the United States who are deaf, blind, hard of hearing, or have a speech

disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

#### SUPPLEMENTARY INFORMATION:

#### I. Background

On January 10, 2025, OHA published an IFR titled Practices Before the Department of the Interior, with an effective date of February 10, 2025. OHA also invited the public to submit comments by February 10, 2025, indicating it would consider the comments received and consider further revisions, if appropriate. OHA received three sets of comments.

OHA later published a Rule Correction on June 2, 2025, at 90 FR 23290. The Rule Correction corrected the IFR to address: two technical errors in the amendatory instructions for §§ 4.845 and 4.1301, typographical errors in §§ 4.1, 4.26, and 4.27(a), and additional typographical errors in the amendatory instructions for §§ 4.845 and 4.1301 and the instructions provided for submitting comments on the Information Collection Review. The Rule Correction also removed the IFR's two references to an Executive Order that was revoked on January 20, 2025.

On January 20, 2025, the President issued a Memorandum titled “Regulatory Freeze Pending Review.” The President's Memorandum directed executive departments to “consider postponing for 60 days from the date of [the] memorandum the effective date for any rules that have been published in the **Federal Register**, or any rules that have been issued in any manner but have not taken effect, for the purpose of reviewing any questions of fact, law, and policy that the rules may raise.”

In order to conduct this review, OHA delayed the effective date of the IFR to March 21, 2025 (90 FR 9222), again to May 5, 2025 (90 FR 12461), again to June 4, 2025 (90 FR 18927), and again to July 21, 2025 (90 FR 24231). Pursuant to the President's Memorandum, the Department reviewed the IFR and identified a few changes to be made in response to public comments, including restoring provisions in OHA's regulations that the IFR had changed. The IFR went into effect on July 21, 2025. This final rule adopts the IFR with changes that respond to public comments, provide clarification, and correct typographical errors.

OHA is placing the final rule in immediate effect because good cause exists under 5 U.S.C. 553(d)(3) to forgo