

TABLE 1 TO § 165.939—Continued

Event	Location ^{1 2}	Date ³
(I) December Safety Zones		
(1) City of North Tonawanda NYE Fireworks.	North Tonawanda, NY. All waters of the Erie Canal, from surface to bottom, encompassed by a 105-foot radius around 43°01'17.96" N 78°52'41.04" W.	On or around the last night in December.

¹ All geographic coordinates in Table 1 to § 165.939 are North American Datum of 1983 (NAD 83).

² Location and zone size subject to change. Exact location and size will be posted in a Notice of Enforcement and Local Notice to Mariners.

³ Date subject to change. Exact date will be posted in a Notice of Enforcement and Local Notice to Mariners.

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Captain, U.S. Coast Guard, Captain of the Port Sector Eastern Great Lakes.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-0356]

RIN 1625-AA00

Safety Zone; Sector Mobile Annual and Recurring Safety Zones

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to revise its regulations for permanent safety zones in the Coast Guard Sector Mobile Captain of the Port Zone, 33 CFR 165.801 Table 7, to update the current list with revisions and additional events. The proposed safety zones are necessary to protect event participants, waterway users, and vessels from the potential hazards associated with these recurring events. This proposed rulemaking would prohibit persons from being in the proposed safety zones without permission from the Captain of the Port (COTP) or the COTP’s designated representative. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before June 26, 2026.

ADDRESSES: To submit comments and view available documents, go to <https://www.regulations.gov> and search for USCG-2026-0356.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking contact Chief Petty Officer Stacy Stevenson, U.S. Coast Guard Sector Mobile Waterways, by telephone at 251-382-8653 or email at sectormobilewaterways@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background and Authority

Airshows, fireworks displays, and swim and sailing events are held on a recurring basis on the navigable waters within the Coast Guard Sector Mobile Captain of the Port Zone. The Coast Guard has established safety zones for some of these recurring events to ensure the protection of the maritime public and event participants from associated potential hazards. The current list of annual and recurring safety zones in the Captain of the Port Mobile Zone (COTP) appears in Table 7 of 33 CFR 165.801, for airshows, fireworks displays and swim and sailing events, respectively. This table was last amended by a final rule entitled Safety Zone; Bay St. Louis, MS published in the **Federal Register** on September 5, 2025 (90 FR 42814).

The Coast Guard proposes to update the title and the list of recurring organized water events in Table 7 to 33 CFR 165.801 for events held on navigable waters within the COTP Mobile Zone. These events include airshows, fireworks displays, and swim and sailing events that require a limited access area to restrict vessel traffic for safety purposes. The current list in Table 7 must be amended to provide new information on existing safety zones, to add new safety zones, and to remove safety zones that are no longer required. The proposed rule would also remove the regulation for barge-based fireworks displays in 33 CFR 165.834 and relocate it to Table 7 of § 165.801—Sector Mobile Annual and Recurring Safety Zones, consolidating all events under a single citation.

The purpose of this rulemaking is to ensure the safety of vessels, event participants, and the navigable waters before, during, and after a scheduled

event. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70034.

The Coast Guard encourages the public to participate in this proposed rulemaking through the comment process so that any necessary changes can be identified and implemented in a timely and efficient manner. The Coast Guard will address all public comments accordingly, whether through response, additional revision to the regulation, or otherwise.

III. Discussion of the Rule

This proposed rule revises Table 7 to 33 CFR 165.801 by updating information for recurring safety zones in the COTP Mobile Zone. These updates include the following: (1) amend the title of Table 7; (2) amend the language for rows 1 through 4; (3) replace rows 5 and 6 with new recurring safety zones; (4) add new recurring safety zones to row 7 and rows 9 through 12; and (5) move the recurring safety zone regulation 33 CFR 165.834 to row 8. For events listed in the table, entry into the safety zone locations would be prohibited on the dates and times of the event, without permission of the Captain of the Port or a designated representative. This rule would also remove the regulation for barge-based fireworks displays in 33 CFR 165.834 and relocate it to Table 7 of 33 CFR 165.801 to consolidate recurring events in the COTP Mobile Zone.

IV. Regulatory Analyses

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

A. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and

operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons.

In general, the safety zone proposed by this rule are in areas where vessels may safety transit around the zone. If that is not possible, vessels may be able to transit through a safety zone with the Captain of the Port's permission. Also, these safety zones will only be enforced for limited durations, and the Coast Guard will issue a Broadcast Notice to Mariners via VHF FM marine channel 16, which will allow small entities to adjust their transit plans.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this proposed rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this proposed 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).

B. Collection of Information

This proposed 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 proposed 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 proposed 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 proposed 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 proposed 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 proposed rule is for the establishment of safety zones located in the immediate vicinity of various marine events and that will each be enforced for a relatively short duration. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment

applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2026–0356 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in the docket. To view available documents, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. We will post public comments in our online docket. Additional information is on the <https://www.regulations.gov> Frequently Asked Questions web page.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

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 is proposing to amend 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; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

■ 2. Remove § 165.834 Safety Zone; Reoccurring Firework Displays near Convention Center on the Mobile River, Mobile, AL

■ 3. Revise Table 7 of § 165.801 to read as follows:

* * * * *

TABLE 7 OF § 165.801—SECTOR MOBILE ANNUAL AND RECURRING SAFETY ZONES

Date	Sponsor/name	Sector mobile location	Safety zone
1. Multiple dates from May to December.	Harbor Walk Seasonal Firework.	East Pass to Choctawhatchee Bay, Destin, FL.	East Pass to Choctawhatchee Bay, to include all waters extending 700' in all directions from a fireworks display barge located in the East Pass.
2. July 4th	City of Niceville Fireworks	Boggy Bayou, Niceville, FL	Boggy Bayou, to include all waters extending 250 yards around a fireworks display barge that will be located at the approximate position 30°30'46" N, 86°29'13" W. located at the approximate position 30°30'46" N, 86°29'13" W.
3. 1 Day; Last week in June or 1st week of July.	Hurlburt Field AFB Fireworks ...	Santa Rosa Sound, Mary Esther, FL.	Santa Rosa Sound, to include all waters extending 200 yards around a fireworks display barge that will be located south of Hurlburt Field.
4. July 4th	Mississippi Sound Fireworks	Mississippi Sound, Biloxi, MS ..	Mississippi Sound, to include all waters extending 250 yards around a fireworks display barge, between channel markers R"18" and R"22" and north of Deer Island.
5. 4 Days; 2nd weekend in July	Pensacola Beach Air Show	Gulf of America & Santa Rosa Sound, Pensacola, FL.	Gulf of America, to include all waters 1.75 nautical miles east and 1.5 nautical miles west of position 30°19'36" N, 87°08'23" W and extending 1000 yards south of Pensacola Beach creating a box, referred to as the "Show Box". Santa Rosa Sound to include all waters from Deer Point to Sharp Point and all waters within Little Sabine Bay.
6. 3rd or 4th Saturday or Sunday of September.	Swim/paddle event across St. Louis Bay.	St. Louis Bay, Bay St. Louis, MS.	St. Louis Bay, to include all waters bound by the following approximate coordinates: 30°19'8" N, 89°19'19" W, 30°18'58" N 89°17'25" W, 30°18'22" N, 89°19'39" W, 30°18'18" N, 89°17'34" W.
7. Recurring dates throughout the year..	Pensacola Sailing/Foiling Regatta.	Pensacola Bay, Pensacola, FL	Pensacola Bay, to include all navigable waters west of Pensacola Bay Bridge along the southern shoreline to 30°20'36" N, 087°11'01" W at Deer Point, south to 30°20'21" N, 087°11'00" W, then along the north side of the Gulf Intra Coastal Waterway to 30°19'56" N, 087°15'58" W, then north to 30°20'40"N, 087°16'00" W, and along the shoreline to the Pensacola Bay Bridge, excluding Bayou Grande, Davenport Bayou, Bayou Chico Channel, Pensacola Bay Channel, and the Gulf Intracoastal Waterway.
8. Recurring Fireworks Display	Mobile River Fireworks	Mobile River, Mobile, AL	Mobile River, to include all waters 100 yards in all directions from fireworks display barges in the vicinity of Mile Marker 0 near the Arthur R. Outlaw Convention Center.
9. 2 Days in April	Panama City Airshow	Gulf of America, Panama City, FL.	Gulf of America, to include waters bound by the following approximate coordinates: 30°12'57" N, 85°53'56" W, 30°13'18" N, 85°53'42" W, 30°11'55" N, 85°52'01" W, and 30°12'16" N, 85°51'47" W.
10. 2 Days in October or November.	Keesler Air Force Base Airshow.	Biloxi Back Bay Waterway and Mississippi Sound, Biloxi, MS.	<i>Base Show Box:</i> Biloxi Back Bay, to include waters bound by the following approximate coordinates: 30°24'25" N, 88°55'58" W, 30°24'14" N, 88°55'39" W; 30°25'02" N, 88°54'60" W; 30°25'14" N, 88°55'18" W. <i>Beach Show Box:</i> Mississippi Sound, to include all waters bound by the following approximate coordinates 30°23'33" N, 88°55'55" W, 30°23'34" N, 88°53'38" W, 30°23'3" N, 88°55'55" W, 30°23'4" N, 88°53'38" W.
11. Multiple days in April	Powerboat Races	Mississippi Sound, Biloxi, MS ..	Mississippi Sound, all waters bound by the following approximate positions: 30°23'30" N, 88°52'7"W, 30°23'24" N, 88°52'14" W, 30°23'22" N, 88°52'13"W, 30°23'18" N, 88°52'7" W, 30°23'11" N, 88°51'51" W 30°23'12" N, 88°51'45" W, 30°23'18" N, 88°51'44" W, 30°23'23" N, 88°51'45" W
12. Semiannually	Drone Show	Mississippi Sound, Biloxi, MS ..	Mississippi Sound, all waters bound by the following approximate positions: 30° 23'25" N, 88° 53'47" W, 30° 23'34" N, 88° 53'38" W, to 30° 23'28" N, 088° 53'12" W, 30° 23'25" N, 88° 53'12" W

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