

TABLE 1 TO § 100.100

*	*	*	*	*	*	*
7 .....	July					
*	*	*	*	*	*	*
7.8 Mystic Sharkfest Swim .....		<ul style="list-style-type: none"> <li>• Date: A single day during July.</li> <li>• Time: To be determined annually.</li> <li>• Location: All waters of the Mystic River in Mystic, CT from Mystic Seaport, down the Mystic River, under the Bascule Drawbridge at 41°21'17.046" N, 071° 58'8.742" W, to finish at the boat launch ramp at the north end of Seaport Marine.</li> </ul>				
*	*	*	*	*	*	*

Dated: July 8, 2021.  
**E. J. Van Camp,**  
*Captain, U.S. Coast Guard, Captain of the Port Long Island Sound.*  
 [FR Doc. 2021-14970 Filed 7-13-21; 8:45 am]  
**BILLING CODE 9110-04-P**

**DEPARTMENT OF HOMELAND SECURITY**  
**Coast Guard**  
**33 CFR Part 165**  
**[Docket Number USCG-2021-0524]**  
**RIN 1625-AA00**  
**Safety Zone; Pacific Ocean, Offshore Barbers Point, Oahu, HI—Recovery Operations**  
**AGENCY:** Coast Guard, DHS.  
**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for the navigable waters of the Southwest shores of Oahu, Hawaii, near Barbers Point. The temporary safety zone encompasses all waters extending 3 nautical miles in all directions from position 21°16'36" N, 158°01'42" W. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with ongoing operations to salvage a downed aircraft in this area. Entry of vessels or persons in this zone is prohibited unless specifically authorized by the Captain of the Port (COTP) Honolulu.  
**DATES:** This rule is effective without actual notice from July 14, 2021 until 12 p.m. on July 30, 2021. For the purposes of enforcement, actual notice will be used from July 2, 2021, until July 14, 2021.  
**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2021-0524 in the search box and click

“Search.” Next, in the Document Type column, select “Supporting & Related Material.”

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Lieutenant Commander Joshua Williams, Waterways Management Division, U.S. Coast Guard Sector Honolulu at (808) 541-2359 or [Joshua.b.williams@uscg.mil](mailto:Joshua.b.williams@uscg.mil).

**SUPPLEMENTARY INFORMATION:**  
**I. Table of Abbreviations**  
 CFR Code of Federal Regulations  
 DHS Department of Homeland Security  
 FR Federal Register  
 NPRM Notice of proposed rulemaking  
 § Section  
 U.S.C. United States Code

**II. Background Information and Regulatory History**  
 The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 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 immediate action is needed to respond to the potential safety hazards associated with this salvage effort, and therefore publishing an NPRM is impracticable and contrary to public interest.

**III. Legal Authority and Need for Rule**  
 The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). On July 2, 2021, the Coast Guard was informed of a cargo plane crash off the Southwest shores of Oahu, Hawaii near Barber’s Point. The Coast Guard COTP Sector

Honolulu has determined that the potential hazards associated with the salvage operations constitute a safety concern for anyone within the designated safety zone. This rule is necessary to protect personnel, vessels, and the marine environment within the navigable waters of the safety zone during ongoing salvage operations.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable and contrary to the public interest because immediate action is necessary to ensure the safety of the ongoing recovery operations.

**IV. Discussion of the Rule**  
 This rule is effective from July 2, 2021 through 12 p.m. on July 30, 2021, or until salvage operations are complete, whichever is earlier. If the safety zone is terminated prior to 12 p.m. on July 30, 2021, the Coast Guard will provide notice via a broadcast notice to mariners. The temporary safety zone encompasses all waters extending 3 nautical miles in all directions around the location of ongoing salvage operations near position 21°16'36" N, 158°01'42" W. This zone extends from the surface of the water to the ocean floor. The zone is intended to protect personnel, vessels, and the marine environment in these navigable waters from potential hazards associated with the salvage operations of one downed helicopter in this area. No vessel or person will be permitted to enter the safety zone absent the express authorization of the COTP or his designated representative.

**V. 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, and we discuss First Amendment rights of protestors.

#### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on [provide factual reasons related to the waterway, duration of rule, etc.].

#### B. 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. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator. This safety zone is limited in size and duration, and mariners may request to enter the zone by contacting the COTP.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s

responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 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.

#### C. 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).

#### D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

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.

#### E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### F. 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. 4321–4370f), 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 involves a safety zone with a duration of 28 days or until salvage operations are completed. It is categorically excluded from further review under paragraph L60(d) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

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

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, and 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; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T14–0524 to read as follows:

#### § 165.T14–0524 Safety Zone; Pacific Ocean, Offshore Barbers Point, Oahu, HI—Recovery Operations.

(a) *Location.* The safety zone is located within the COTP Zone (See 33 CFR 3.70–10) and will encompass all navigable waters extending 3 nautical miles in all directions around the location of ongoing salvage operations near position 21°16′36″ N, 158°01′42″ W. This zone extends from the surface of the water to the ocean floor.

(b) *Enforcement period.* This rule is effective from 1 p.m. (HST) on July 2, 2021 through 12 p.m. (HST) on July 30, 2021, or until salvage operations are complete, whichever is earlier. If the safety zone is terminated prior to 12 p.m. (HST) on July 30, 2021, the Coast Guard will provide notice via a broadcast notice to mariners.

(c) *Regulations.* The general regulations governing safety zones contained in 33 CFR 165.23 apply to the safety zone created by this temporary final rule.

(1) All persons are required to comply with the general regulations governing safety zones found in 33 CFR part 165.

(2) Entry into or remaining in this zone is prohibited unless expressly authorized by the COTP or his designated representative.

(3) Persons desiring to transit the safety zone identified in paragraph (a) of this section may contact the COTP at the Command Center telephone number (808) 842-2600 and (808) 842-2601, fax (808) 842-2642 or on VHF channel 16 (156.8 Mhz) to seek permission to transit the zone. If permission is granted, all persons and vessels must comply with the instructions of the COTP or his designated representative and proceed at the minimum speed necessary to maintain a safe course while in the zone.

(4) The U.S. Coast Guard may be assisted in the patrol and enforcement of the safety zone by Federal, State, and local agencies.

(d) *Notice of enforcement.* The COTP Honolulu will cause Notice of the Enforcement of the safety zone described in this section to be made by Broadcast to the maritime community via marine safety broadcast notice to mariners on VHF channel 16 (156.8 MHz).

(e) *Definitions.* As used in this section, designated representative means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the COTP to assist in enforcing the safety zone described in paragraph (a) of this section.

Dated: July 2, 2021.

**N.S. Worst,**

*Commander, U.S. Coast Guard, Alternate Captain of the Port Honolulu.*

[FR Doc. 2021-14860 Filed 7-13-21; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2021-0507]

#### Safety Zones; Annual Events in the Captain of the Port Buffalo Zone

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone located in federal regulations for a recurring marine event. This action is necessary and intended for the safety of life and property on navigable waters during this event. During the enforcement period, no person or vessel may enter the respective safety zone without the permission of the Captain of the Port Buffalo or a designated representative.

**DATES:** The regulations listed in 33 CFR 165.939 as listed in Table 165.939(c)(1) will be enforced from 7:15 a.m. through 1:15 p.m. on July 17, 2021.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email MST2 Natalie Smith, Waterways Management Division, U.S. Coast Guard Marine Safety Unit Cleveland; telephone (216) 937-6004, email *D09-SMB-MSUCLEVELAND-WWM@uscg.mil*.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the Safety Zones; Annual Events in the Captain of the Port Buffalo Zone listed in 33 CFR 165.939, Table 165.939(c)(1) for the Whiskey Island Paddlefest in Cleveland, OH, on all U.S. waters of Lake Erie, Cleveland Harbor, from 41°29'59.5" N and 081°42'59.3" W, to 41°30'4.4" N and 081°42'44.5" W, to 41°30'17.3" N and 081°43'0.6" W, to 41°30'9.4" N and 081°43'2.0" W, to 41°29'54.9" N and 081°43'34.4" W, to 41°30'0.1" N and 081°43'3.1" W, and back to 41°29'59.5" N and 081°42'59.3" W (NAD 83) from 7:15 a.m. through 1:15 p.m. on July 17, 2021. The scheduled date of zone enforcement differs from that published in 33 CFR 165.939 to accommodate the sponsoring organization's priority to better align their event with other occurring local events, other paddle races taking place in the Great Lakes region, and to ensure the availability of personnel and resources to support the event.

Pursuant to 33 CFR 165.23, entry into, transiting, or anchoring within the safety zone during an enforcement period is prohibited unless authorized by the Captain of the Port Buffalo or a designated representative. Those seeking permission to enter the safety zone may request permission from the Captain of the Port Buffalo via channel 16, VHF-FM. Vessels and persons granted permission to enter the safety zone shall obey the directions of the Captain of the Port Buffalo or a designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notice of enforcement is issued under authority of 33 CFR 165.939 and

5 U.S.C. 552 (a). In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via Broadcast Notice to Mariners or Local Notice to Mariners. If the Captain of the Port Buffalo determines that the safety zone need not be enforced for the full duration stated in this notice he or she may use a Broadcast Notice to Mariners to grant general permission to enter the respective safety zone.

**R.R. Kistner,**

*Captain, U.S. Coast Guard, Alternate Captain of the Port Buffalo.*

[FR Doc. 2021-14769 Filed 7-13-21; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2021-0062]

RIN 1625-AA87

#### Security Zone: Electric Boat Shipyard, Groton, CT

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard will modify the security zone boundaries surrounding the Electric Boat Shipyard in Groton, Connecticut. The amendment to the Security Zone is due to the expanding operations at Electric Boat Shipyard.

**DATES:** This rule is effective August 13, 2021.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2021-0062 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Marine Science Technician 3rd Class Ashley Dodd, Waterways Management Division, Sector Long Island Sound; Tel: (203) 468-4469; Email: *Ashley.M.Dodd@uscg.mil*.

**SUPPLEMENTARY INFORMATION:**

#### I. Table of Abbreviations

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section