

(b) *Regulation.* No vessel may enter or remain in this safety zone except for the following:

(1) An attending vessel, as defined in § 147.20;

(2) A vessel under 100 feet in length overall not engaged in towing; or

(3) A vessel authorized by the Commander, Coast Guard Heartland District or a designated representative.

(c) *Requests for permission.* To seek permission to enter, contact the District Commander or the District Commander's representative on VHF-FM channel 16 or by telephone at (855) 485-3727. All vessels and personnel in the safety zone must comply with all lawful orders or directions given to them by the District Commander or the District Commander's designated representative.

W.E. Watson.

Rear Admiral, U.S. Coast Guard, Commander, Coast Guard Heartland District.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-0997]

RIN 1625-AA00

Safety Zone; Lake Michigan, Gary, IN

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 Lake Michigan in Gary, IN. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with an over water air show, drone display, and fireworks display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Lake Michigan, or their designated representative.

DATES: This rule is effective from August 20, 2026 through August 23, 2026.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG-2026-0997.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Kyle Goetz, Marine

Safety Unit Chicago, U.S. Coast Guard; telephone: 630-986-2155, email: D09-SMB-MSUChicago-WWM@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

The Coast Guard received notification that an air and water show will take place over Lake Michigan near Gary, IN. The Captain of the Port (COTP) Lake Michigan has determined that potential hazards associated with an air and water show are a safety concern for anyone in the area directly below the air show course.

Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

Because of these potential hazards, 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 confirmed a temporary final rule was necessary on August 10, 2026, but we must establish this safety zone by August 20, 2026, to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

For the same reason, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists 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 from 8:30 a.m. until 5 p.m. each day from August 20, 2026 through August 23, 2026. In addition, the rule also establishes a safety zone from 6:30 p.m. until 10:30 p.m. on August 21, 2026. The safety zone will cover all navigable waters on Lake Michigan bounded by a line drawn from 41°37.217' N, 087°16.763' W; then east along the shoreline to 41°37.413' N, 087°13.822' W; then north to 41°38.017' N, 087°13.877' W; then southwest to 41°37.805' N, 087°16.767' W; then south returning to the point of origin. Vessels and persons will not be allowed to enter

the zone during this time, unless authorized by the Captain of the Port.

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(a) establish or increase size—REC required; 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.

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.T09–0997 to read as follows:

§ 165.T09–0997 Safety Zone; Lake Michigan; Gary, IN.

(a) *Location.* The following area is a safety zone: All waters of Lake Michigan, from surface to bottom, encompassed by a line connecting the following points beginning at 41°37.217' N, 087°16.763' W, thence to 41°37.413' N, 087°13.822' W, thence to 41°38.017' N, 087°13.877' W, thence to 41°37.805' N, 087°16.767' W, then returning to the point of origin. 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 designated by or assisting the Captain of the Port Lake Michigan (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 (833) 900–2247. 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[s].* This section will be enforced from 8:30 a.m. to 5:00 p.m. each day from August 20, 2026 through August 23, 2026. Additionally, this section will be enforced from 6:30 p.m. to 10:30 p.m. on August 21, 2026.

R.N. Macon,

Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.

[FR Doc. 2026–16807 Filed 8–17–26; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2026–1001]

Safety Zone; Ohio Street Beach Swim Course, Lake Michigan, Chicago Harbor, Chicago, IL

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone for the North Avenue Swim & Triathlon Yo (NASTY) Carb Party event to provide for the safety of life on navigable waterways during a swim race. Our regulation for marine events within the Coast Guard Great Lakes District identifies the safety zone for this event in Chicago, IL. During the enforcement period, entry into, transiting, or remaining within the safety zone is prohibited unless

authorized by the Captain of the Port Lake Michigan or a designated on-scene representative.

DATES: The regulations in 33 CFR 165.932 will be enforced from 6 a.m. through 8 a.m. on August 21, 2026.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Kyle Goetz, Marine Safety Unit Chicago, U.S. Coast Guard; 630–986–2155; *D09-SMB-MSUChicago-WWM@uscg.mil*.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a safety zone regulation in 33 CFR 165.932 for the North Avenue Swim & Triathlon Yo (NASTY) Carb Party event from 6 a.m. to 8 a.m. on Friday August 21, 2026. The regulation for the safety zone, Ohio Street Beach Swim Course, Lake Michigan, Chicago Harbor, Chicago, IL in § 165.932, specifies the location of the safety zone for this event.

In accordance with the general regulations in § 165.23, entry into, transiting, or remaining within this safety zone is prohibited unless authorized by the Captain of the Port (COTP), Lake Michigan or his or her designated representative.

This safety zone is closed to all vessel traffic, except as may be permitted by the COTP, Lake Michigan or a designated on-scene representative. Vessel operators desiring to enter or operate within the safety zone shall contact the COTP, Lake Michigan or an on-scene representative to obtain permission to do so.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with notification of this enforcement period via Broadcast Notice to Mariners. The COTP, Lake Michigan may be reached by contacting the Coast Guard Sector Lake Michigan Command Center at (833) 900–2247. An on-scene designated representative may be reached via VHF–FM Channel 16.

R.N. Macon,

Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.

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SURFACE TRANSPORTATION BOARD

49 CFR Parts 1011, 1152, and 1244

[Docket No. EP 789]

Changes to Delegations

AGENCY: Surface Transportation Board.

ACTION: Final rule.