

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact LCDR Carol Yin, Sector Honolulu Waterways Management Division, U.S. Coast Guard; telephone 808–291–2923, or email *Carol.D.Yin@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 on August 3, 2026, that Pasha Hawaii will ship three ship-to-shore cranes from Los Angeles, CA to Honolulu, HI, via tug and barge, with a scheduled arrival date of August 14, 2026. The Coast Guard initially published a temporary final rule to implement a safety zone from August 13, 2026 through August 17, 2026 (91 FR 52023; August 12, 2026). Due to Tropical Storm Lala, the tug and barge's updated arrival date is August 19, 2026. The day and time of this safety zone enforcement will depend on the arrival, but enforcement may start as soon as 6 a.m. on August 19, 2026. Hazards from this shipment include but are not limited to the tug and barge being restricted in its ability to maneuver, which creates hazards for the public on the water. The Captain of the Port (COTP) Honolulu has determined that potential hazards associated with the shipment of the three ship-to-shore cranes are a safety concern for anyone while the tug and barge are transiting in Mamala Bay on its approach to Honolulu Harbor. 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 was notified of the updated arrival date on August 17, 2026, but we must establish this safety zone by August 19, 2026, to protect personnel, vessels, and the marine environment while the tug and barge are approaching Honolulu Harbor. 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 moving safety zone that will be enforced from August 19, 2026 through August 25, 2026. The day and time of enforcement will depend on the arrival of T/V DENISE FOSS (O.N. 1254223) and its tow, FOSS 3612 (O.N. 1255436), entering Mamala Bay in the vicinity of Honolulu Harbor and will be announced to the public in advance. The safety zone will cover all navigable waters within a 500 yard radius of the T/V DENISE FOSS (O.N. 1254223) and its tow, FOSS 3612 (O.N. 1255436). Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the Captain of the Port. An image of the vessel is available in the docket on *regulations.gov* by searching docket number USCG–2026–0221.

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) 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.T14–0220 to read as follows:

§ 165.T14–0220 Safety Zone; T/V DENISE FOSS (O.N. 1254223), Honolulu, HI.

(a) *Location.* The following area is a safety zone: All navigable waters within a 500-yard radius around the T/V DENISE FOSS (O.N. 1254223) and its tow, FOSS 3612 (O.N. 1255436), in Mamala Bay on its approach to Honolulu Harbor.

(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 Honolulu (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 (800) 552–6458. 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 section will be subject to enforcement from 6 a.m. on August 19, 2026 through 9 a.m. on August 25, 2026. The section will be enforced until the T/V DENISE FOSS (O.N. 1254223) and its tow, FOSS 3612 (O.N. 1255436), enter the Honolulu Harbor Security Zone.

N.S. Worst,

Captain, U.S. Coast Guard, Captain of the Port Sector Honolulu.

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DEPARTMENT OF THE INTERIOR**National Park Service****36 CFR Part 7**

**[NPS–GUIS–41942; PPSSEGUIA0
PPMPSAS1Z.Y00000]**

RIN 1024–AE55

**Gulf Islands National Seashore;
Personal Watercraft**

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: The National Park Service revises special regulations governing the use of personal watercraft at Gulf Islands National Seashore. This rule reduces the distance of flat wake speed zones from certain shorelines and codifies existing closures at West Petit Bois Island and the Fort Pickens ferry pier.

DATES: This rule is effective September 23, 2026.

ADDRESSES: The comments received on the proposed rule are available on <http://www.regulations.gov> in Docket ID: NPS–2021–0001.

FOR FURTHER INFORMATION CONTACT:

Richard A. Clark, Superintendent, Gulf Islands National Seashore, rick_clark@nps.gov, (850) 934–2600/(228) 230–4100. Individuals in the United States who are deaf, deafblind, 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:

Background

Gulf Islands National Seashore (the Seashore) encompasses the longest stretch of federally protected seashore in the United States. The Seashore includes seven barrier islands that span nearly 160 miles, coastal mainland, and adjacent waters in the northeastern part of the Gulf of Mexico. The Seashore comprises 139,175 acres within Mississippi and Florida, 4,630 acres of which (consisting of Horn and Petit Bois Islands) are designated wilderness. The resources of the Seashore vary widely, including marine, bayou, salt marsh, live oak, and southern magnolia forests.

Congress established the Seashore in 1971 in order to preserve for public use and enjoyment areas possessing outstanding natural, historic, and recreational values. 16 U.S.C. 459h(a).

The National Park Service (NPS) administers the Seashore as a unit of the National Park System and has the authority to regulate the use of and management of the Seashore as it considers necessary or proper. 54 U.S.C. 100751(a). This includes the authority to regulate boating and other activities on waters located within System units that are subject to the jurisdiction of the United States. 54 U.S.C. 100751(b).

The Seashore is one of the most heavily visited units in the National Park System. The Seashore attracts several million visitors from throughout the nation, who come to enjoy the beach and cultural and historic features. More than 80% of the Seashore is marine habitat and accessible only by boat or other watercraft. Many visitors use personal watercraft (PWC) to access and enjoy the Seashore.

Compliance and PWC Regulations

NPS general regulations at 36 CFR 3.9 state that PWC may be used only where authorized by special regulation and only in the 21 System units that are identified in those regulations, including the Seashore. In 2006, the NPS promulgated special regulations to manage the use of PWC at the Seashore. 71 FR 26244 (May 4, 2006). These regulations, which are codified at 36 CFR 7.12, establish where PWC may be used, how they may be operated, and where they may be landed. Among other things, they permit PWC use in all waters of the Seashore where other motorized vessels are allowed.

In 2008, Bluewater Network and The Wilderness Society filed a lawsuit claiming that the environmental assessment (EA) supporting the special regulations was inadequate and violated the National Environmental Policy Act, the NPS Organic Act, and the Administrative Procedure Act. In 2010, the U.S. District Court for the District of Columbia held that the impact analysis in the EA was inadequate and remanded the EA to the NPS. *Bluewater Network v. Salazar*, 721 F. Supp.2d 7 (D.D.C. 2010). The court did not vacate the special regulations, however, which have continued to govern the use of PWC within the Seashore.

In June 2019, consistent with the court's decision, the NPS completed a Final Personal Watercraft Plan/ Environmental Impact Statement (FEIS) that contains a more comprehensive analysis of the impacts of PWC use within the Seashore. The Record of Decision (ROD) for this project was originally approved by the NPS Regional Director of Interior Region 2 on August 13, 2019. The NPS then revised the selected alternative to remove a