



## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

### 33 CFR Parts 166 and 167

[Docket No. USCG-2019-0279]

RIN 1625-AC57

### Shipping Safety Fairways Along the Atlantic Coast

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Notice of proposed rulemaking; reopening of the comment period.

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**SUMMARY:** On January 19, 2024, the Coast Guard published a proposed rule to establish shipping safety fairways (“fairways”) and related vessel routing measures along the Atlantic coast, from Long Island, New York to Port St. Lucie, Florida to preserve safe and reliable transit of vessels along well-established traffic patterns and routes and to further improve navigation safety. The Coast Guard is reopening the comment period for the proposed rulemaking for an additional 45 days to allow the public to submit additional comments on the proposed rule while the draft Programmatic Environmental Impact Statement is also available for public comment.

**DATES:** The comment period for the proposed rulemaking published on January 19, 2024, at 89 FR 3587, is reopened. Comments and related material must be received by the Coast Guard on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may submit comments identified by docket number USCG-2019-0279 at [www.regulations.gov](http://www.regulations.gov). See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** For information about this document,

call or email Maureen Kallgren, Coast Guard; telephone 202-372-1561, email

*Maureen.R.Kallgren@uscg.mil.*

## **SUPPLEMENTARY INFORMATION:**

### **Public Participation and Request for Comments**

The Coast Guard views 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. We review all comments received.

*Submitting comments.* We encourage you to submit comments at *www.regulations.gov*. To do so, go to *www.regulations.gov*, type USCG-2019-0279 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 *www.regulations.gov*, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this notice for alternate instructions.

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

### **Background and Discussion**

On January 19, 2024, the Coast Guard published a notice of proposed rulemaking (NPRM), “Shipping Safety Fairways Along the Atlantic Coast” (89 FR 3587). In the NPRM, we proposed to establish shipping safety fairways (“fairways”), traffic separation schemes (TSS), precautionary areas, and one fairway anchorage along the Atlantic Coast of the United States from Long Island, New York to Port St. Lucie, Florida, identified in

the Atlantic Coast Port Access Route Study. Fairways would preserve the safe and reliable transit of vessels along well-established traffic patterns and routes. While vessels are not required to use them, fairways are designed to keep traditional navigation routes free from fixed structures that could impact navigation safety and impede other shared offshore activities.

The Coast Guard recognizes that there is increasing interest in offshore commercial development and believes this development is best served by establishing consistent and well-defined fairways and one fairway anchorage. The proposed fairways and fairway anchorage facilitate safe and efficient commercial shipping traffic, ensuring consistent and secure access to the major ports of the U.S. Atlantic Coast. The Coast Guard is also proposing to establish traffic separation schemes and precautionary areas along the Atlantic coast to further enhance navigational safety. The NPRM provided for a 90-day comment period, which was extended for 30 days (89 FR 20582) and closed on May 17, 2024.

#### *Draft Programmatic Environmental Impact Statement*

As noted in section VII.M. of the NPRM, the Coast Guard published the NPRM without the draft National Environmental Policy Act document that usually accompanies an NPRM. The Coast Guard has prepared that document, a draft Programmatic Environmental Impact Statement/Overseas Environmental Impact Statement (draft PEIS/OEIS), to evaluate the potential environmental effects associated with this proposed rule. The draft PEIS/OEIS also evaluates potential routing measures in the Gulf of Maine described in the separate advance notice of proposed rulemaking (ANPRM), “Shipping Safety Fairways in the Gulf of Maine” (89 FR 91296), as well as additional vessel routing measures for purposes of programmatic NEPA review that may be addressed, if at all, through separate future rulemakings. The Coast Guard will provide the draft PEIS/OEIS and other documentation for public review and comment in docket USCG-2023-0928.

The Coast Guard is reopening the public comment period of the NPRM to align with the opening of the public comment period of the draft PEIS/OEIS (see docket USCG-2023-0928). This allows the interested public to submit any additional comments they may have on the proposed vessel routing measures in the NPRM after reviewing the draft PEIS/OEIS.

#### *Supplemental Regulatory Analysis*

In addition to providing an opportunity for the public to comment on the proposed vessel routing measures in the NPRM, the Coast Guard is providing a supplemental regulatory analysis for public comment (available in the docket). President Trump issued Executive Order 14148 (Initial Rescission of Harmful Executive Orders and Actions) (90 FR 8237) on January 25, 2025. That Executive order revoked Executive Order 14008 (Tackling the Climate Crisis at Home and Abroad). On April 9, 2025, President Trump issued Executive Order 14269 (Restoring America's Maritime Dominance) (90 FR 15635), which focuses on strengthening America's maritime sector. The Coast Guard evaluated the regulatory analysis in the NPRM and identified how the proposed regulation facilitates maritime commerce and may allow for cost savings in the industry.

Additionally, after reviewing public comments submitted to the NPRM docket as well as comments received during our public meetings, the Coast Guard noted that the shipping industry was generally supportive of codifying the fairways. As such, the Coast Guard has further assessed the impacts of the proposed rule that were not identified at the time of publication of the NPRM. The Coast Guard appreciates any comments on the supplemental regulatory analysis for the NPRM.

#### *Request for Comments*

To provide the public with the opportunity to submit any additional comments on the NPRM and supplemental economic analysis while the draft PEIS is also available for review, we have decided to reopen the public comment period for 45 days. The comment

period is now open through [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. We request that you do not resubmit comments already in the docket.

This notice is issued under the authority of 5 U.S.C. 552(a).

February 13, 2026.

Robert C. Compher,  
Captain, U.S. Coast Guard,  
Acting Assistant Commandant for Prevention Policy.

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