



DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-0149]

RIN 1625-AA11

Regulated Navigation Area; Raritan River, Perth Amboy, NJ

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary Interim Rule and request for comments.

SUMMARY: The Coast Guard is establishing a temporary regulated navigation area (RNA) on the Raritan River near the Raritan River Railroad Swing Bridge (mile 0.5) in Perth Amboy, NJ, due to bridge replacement construction. The RNA imposes a “Slow-No Wake” speed restriction, prohibits vessel transit in the south span channel, and other restrictions. Full enforcement periods of the regulated area, prohibiting all vessel entry, will be implemented only during hazardous construction operations involving multiple tugs and large barges maneuvering in and obstructing the navigable channel. This rule is necessary to protect personnel, vessels, and the marine environment from construction-related hazards.

DATES: This rule is effective without actual notice from [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] through June 30, 2030. For the purposes of enforcement, actual notice will be used from April 15, 2026, until [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]. Comments and related material must be received by the Coast Guard on or before [INSERT DATE 90 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments identified by docket number USCG-2026-0149 at <https://www.regulations.gov>. See the “Public Participation and Request for

Comments” portion of the SUPPLEMENTARY INFORMATION section for further instructions on submitting comments. To view available documents go to <https://www.regulations.gov> and search for USCG-2026-0149.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact Mr. Jeffrey Yunker, Sector New York Waterways Management Division, U.S. Coast Guard; telephone 571-607-2628, or email Jeffrey.M.Yunker@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
COTP	Captain of the Port
DHS	Department of Homeland Security
FR	<i>Federal Register</i>
NPRM	Notice of proposed rulemaking
RNA	Regulated Navigation Area
§	Section
U.S.C.	United States Code

II. Background and Authority

On January 12, 2026, SKANSKA KOCH under contract with New Jersey Transit notified the Coast Guard they are building a new vertical lift bridge west of the existing Raritan River Railroad Swing Bridge (mile 0.5). The scope of this project will include erection of a new vertical lift bridge, associated towers, and flanking spans as well as the demolition of the swing span truss that currently spans the Raritan River between Perth Amboy and South Amboy, NJ. Multiple tugs and large barges will be maneuvering in and around the navigable channel. With multiple barges part of the transloading and jacking process of construction, flanking and lift spans will be raised twenty feet above the waterway and barges will be in a ballast condition with minimal freeboard during operations raising concern from passing vessels wake and surge and concerns of vessels near the construction worksite. Based on the hazardous condition created by this construction project, the Northeast Coast Guard District Commander has determined that

establishment of a temporary RNA through rulemaking is warranted to ensure the safety of life, property, and the environment within the regulated area.

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Commander of the Northeast Coast Guard District has determined that potential hazards associated with this bridge construction will continue to exist through June 30, 2030, creating a safety concern for anyone transiting the Raritan River in the vicinity of the Railroad Swing Bridge removal and replacement bridge construction project. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the regulated area while bridge replacement operations are taking place.

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 and contrary to the public interest. Construction to replace the Raritan River Railroad Swing Bridge is currently underway, creating a hazardous condition. Therefore, there is an urgent need for the RNA to protect the safety of both the construction crew and the waterway users operating in the vicinity of the bridge construction. An interruption of the project to accommodate a full notice and comment period would also delay necessary operations, result in increased costs, and postponement to the completion date of the bridge project and subsequent reopening of the replacement to the Raritan River Railroad Swing Bridge for normal operations. We did not receive sufficient notice to solicit comments prior to the establishment of this RNA.

Because of the hazards associated with the bridge construction and replacement, 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. Delaying the effective date of this rule would be impracticable and contrary to public interest because

immediate action is needed to respond to the hazardous conditions created by the replacement of the bridge that has already commenced.

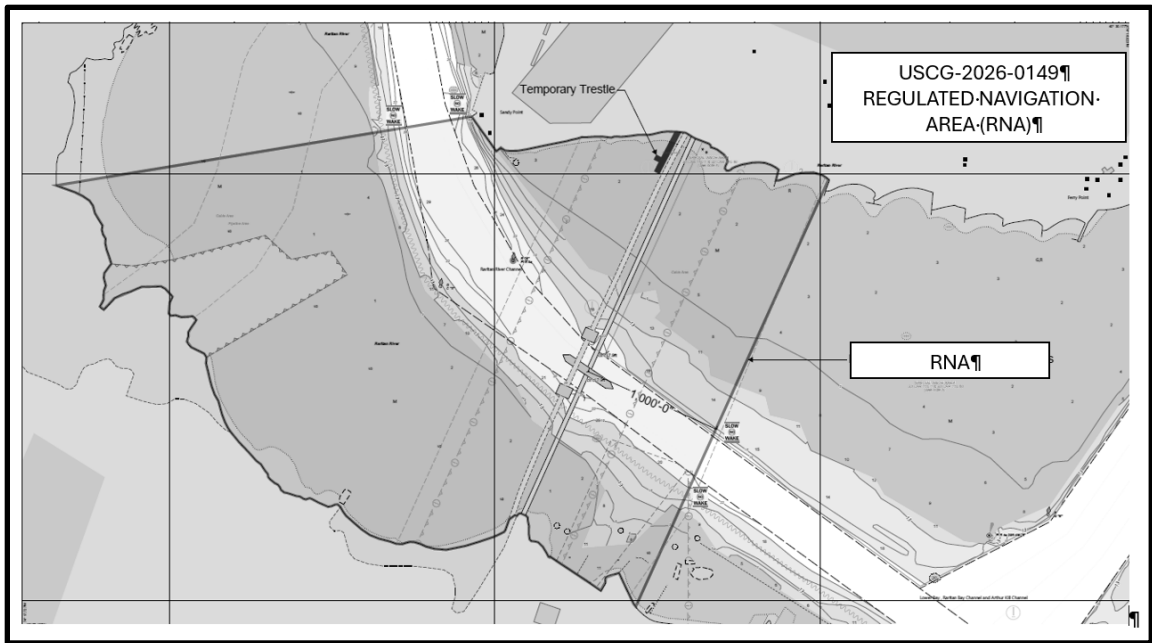
Although this regulation is published as a temporary interim rule without prior notice, public comment is nevertheless desirable to ensure that the regulation is both workable and reasonable. Accordingly, persons wishing to comment may do so by submitting written comments as set out under ADDRESSES section in this preamble. Commenters should include their names and addresses, identify the docket number for the regulation, and give reasons for their comments. If the Coast Guard determines that changes to the temporary interim rule are necessary, we will publish a temporary final rule or other appropriate document.

III. Discussion of the Rule

This rule establishes an RNA from 12:01 a.m. on April 15, 2026, until 11:59 p.m. on June 30, 2030.

The Coast Guard is creating a RNA as shown in figure 1, to include all navigable waters of the Raritan River, mile 0.5, in the vicinity of the Raritan River Railroad Swing Bridge, Perth Amboy, NJ, surface to bottom, encompassed by a line connecting the following approximated positions, beginning at 40° 30' 04.06"N, 074° 17' 02.15"W (NW corner of Sandy Point, thence to 40° 29' 59.30"N, 074° 17' 40.55"W, thence southeast along the shoreline to 40° 29' 29.55"N, 074° 16' 47.02"W; thence to 40° 29' 58.89"N, 074° 16' 29.49"W; and thence westerly along the shoreline to the point of origin, expressed in Degrees (°) Minutes (') Seconds (") (DMS) based on North American Datum 1983 (NAD 83).

Figure 1 Chartlet showing the boundaries of the RNA



The RNA will establish the following operating restrictions on vessels:

- i) Entry and movement within the RNA is subject to a “Slow-No Wake” speed limit. All vessels may not produce a wake and may not attain speeds greater than five (5) knots unless a higher minimum speed is necessary to maintain bare steerageway.
- ii) No vessel is permitted to transit through the south span navigational channel of the bridge(s) at any given time.
- iii) Any vessel transiting through the RNA must make a direct passage. No vessel may stop, fish, moor, anchor, or loiter within the RNA at any time.
- iv) Vessels may not pass (overtake) another vessel within the RNA.
- v) Only one vessel is permitted to pass through the north span navigational channel of the bridge(s) at any given time.
- vi) Except when transiting through the north span navigation channel, no vessel or craft may operate within 20 feet of the bridge(s).
- vii) The operator of any vessel transiting in the RNA must comply with all lawful directions given to them by the COTP or the COTP's on-scene representative.
- viii) When a full enforcement period of the regulated area is activated, only vessel authorized by COTP may enter or remain within the regulated area.

The “Slow-No Wake” speed limit, south channel closure, and other restrictions—except for the limited full enforcement period prohibiting vessels from entering the regulated area—will be enforced throughout the entire effective period.

Full enforcement periods of the regulated area, which entails prohibiting all vessel entry within the regulated area, will be implemented only during hazardous construction operations involving multiple tugs and large barges maneuvering in and obstructing the navigable channel for heavy lift, construction, or demolition activities at the Raritan River Railroad Swing Bridge (mile 0.5). These intermittent full closures are anticipated to occur between July 1, 2026, and September 30, 2029.

Currently, six full enforcement periods are planned, during which all vessel transits through the regulated area will be prohibited. These dates are tentative and subject to change due to weather, construction or supply chain delays, or other unforeseen circumstances. SKANSKA KOCH will provide email updates to all stakeholders as the project progresses and as the full closure dates and times are finalized based on construction progress.

Full enforcement periods prohibiting vessels from entering the regulated area are planned during the following approximate dates:

- **July to August 2026**, two separate one-day full-channel closures to install Perth Amboy Counterweights.
- **July to December 2027** one seven-day full channel closure for Tower Erection.
- **October 2027 to June 2028**, Float-In South Amboy Flanking Span, one seven-day full channel closure.
- **October 2027 to June 2028**, Float in Perth Amboy Flanking Span, one, seven-day full channel closure.
- **January to September 2028**, Float in Lift Span, one 30-day full channel closure.

- **July to September 2029**, Existing Swing Span Demolition, one 14-day full channel closure.

All dates are tentative and subject to change. Details will be provided as the relevant phase of the construction project approaches, and the contractor is able to confirm specific dates and times based on project progression, weather forecasts, supply chain status, and other factors.

This regulated area and duration are intended to ensure the safety of personnel, vessels, and these navigable waters during the bridge construction and removal of the existing swing span and pivot pier.

The dates and times of the full enforcement periods, during which all vessel transits through the regulated area will be prohibited, will be published in the Local Notice to Mariners, posted on the Coast Guard Navigation Center Maritime Safety Information Products page at <https://www.navcen.uscg.gov/msi>, and issue a Broadcast Notice to Mariners via marine channel 16 (VHF-FM) as soon as practicable in response to an emergency or hazardous condition.

This rule will remain in effect through June 30, 2030, which should accommodate the possibility of project delays due to unforeseen circumstances. If the project is completed before June 30, 2030, enforcement of the regulated navigation area will be suspended, and notice will be provided via the Local Notice to Mariners.

The Coast Guard Northeast District Local Notice to Mariners can be found at: <https://www.navcen.uscg.gov/maritime-safety-information>.

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 regulated navigation area. 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 will be available in the docket.

VI. 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-2026-0149 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 webpage.

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 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; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

2. Add § 165.T01-0149 to read as follows:

§ 165.T01-0149 Regulated Navigation Area; Raritan River, Perth Amboy, NJ.

(a) *Location.* The following area is a Regulated Navigation Area (RNA): all

navigable waters of the Raritan River, mile 0.5, in the vicinity of the Raritan River Railroad Swing Bridge, Perth Amboy, NJ, surface to bottom, encompassed by a line connecting the following approximated positions, beginning at 40° 30' 04.06"N, 074° 17' 02.15"W (NW corner of Sandy Point, thence to 40° 29' 59.30"N, 074° 17' 40.55"W, thence southeast along the shoreline to 40° 29' 29.55"N, 074° 16' 47.02"W; thence to 40° 29' 58.89"N, 074° 16' 29.49"W; and thence westerly along the shoreline to the point of origin, expressed in Degrees (°) Minutes (') Seconds (") (DMS) based on North American Datum 1983 (NAD 83).

(b) *Definitions.* The following definitions apply to this section.

(1) *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 Northeast Coast Guard District Commander in the enforcement of the regulated area.

(2) *Local officer* means any officer, agent, or employee of a unit of local government authorized by law or by a local government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(c) *Regulations.* In addition to the general RNA regulations in § 165.13, the following regulations apply to the RNA described in paragraph (a) of this section.

(1) Nothing in this regulation relieves any vessel, owner, operator, charterer, master, or person directing the movement of a vessel, from the consequences of any neglect to comply with this part or any other applicable law or regulation (i.e. the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS) or 33 CFR part 84—Subchapter E, Inland Navigation Rules) or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

(2) Entry and movement within the RNA is subject to a “Slow-No Wake” speed

limit. All vessels may not produce a wake and may not attain speeds greater than five (5) knots unless a higher minimum speed is necessary to maintain bare steerageway.

(3) No vessel is permitted to transit through the south span navigational channel of the bridge(s) at any given time.

(4) Any vessel transiting through the RNA must make a direct passage. No vessel may stop, fish, moor, anchor, or loiter within the RNA at any time.

(5) Vessels may not pass (overtake) another vessel within the RNA.

(6) Only one vessel is permitted to pass through the north span navigational channel of the bridge(s) at any given time.

(7) Except when transiting through the north span navigation channel, no vessel or craft may operate within 20 feet of the bridge(s).

(8) The operator of any vessel transiting in the RNA must comply with all lawful directions given to them by the COTP or the COTP's on-scene representative.

(9) When a full enforcement period of the regulated area is activated, only vessel authorized by COTP may enter or remain within the RNA.

(d) *Enforcement.* The following enforcement periods and requirements apply to this RNA.

(1) This section will be enforced from 12:01 a.m. on April 15, 2026, to 11:59 p.m. on June 30, 2030.

(2) The “Slow-No Wake” speed limit, south channel closure, and other restrictions—except for the limited full enforcement period prohibiting vessels from entering the regulated area—will be enforced throughout the entire enforcement period.

(3) Full enforcement periods of the regulated area, prohibiting all vessel entry, will be enforced only during hazardous construction operations involving multiple tugs and large barges maneuvering in and obstructing the navigable channel for heavy lift, construction, or demolition activities. The Coast Guard will issue information on full

enforcement periods through Local Notice to Mariners, the Coast Guard Navigation Center Maritime Safety Information Products page at <https://www.navcen.uscg.gov/msi>, and Broadcast Notice to Mariners via marine channel 16 (VHF-FM) as soon as practicable.

(4) Persons or vessels seeking to deviate from the restrictions described in section (c) of this section or to enter the regulated area during a full enforcement period must request authorization from the COTP or the COTP's on-scene designated representative on VHF-16 or via phone at (718) 354-4353.

Michael E. Platt,

Rear Admiral, U.S. Coast Guard,

Commander, Northeast District.

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