



DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG-2025-1107]

RIN 1625-AA08

Special Local Regulation; East Passage, Narragansett Bay, Newport, RI

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes revising regulations for a special local regulation (SLR) established to protect personnel, vessels, and the marine environment from potential hazards inherent in a recurring sailboat race with a starting point on navigable waters of the Narragansett Bay, in Newport, RI. These revisions would modify the precise location of the starting point and make other changes. As under the current rule, non-participating persons and vessels would be prohibited from being in the regulated area unless specifically authorized by the Captain of the Port, Sector Southeastern New England. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: To submit comments and view available documents, go to <https://www.regulations.gov> and search for USCG-2025-1107.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rule, contact MST2 Nicholas Easley, Sector Southeastern New England Waterways Management Division, U.S. Coast Guard; telephone 401-435-2335, or email Nicholas.S.Easley@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
COTP	Captain of the Port, Southeastern New England Captain of the Port Zone
DHS	Department of Homeland Security
FR	<i>Federal Register</i>
NPRM	Notice of proposed rulemaking
§	Section
SLR	Special Local Regulation
U.S.C.	United States Code

II. Background and Authority

The Newport to Bermuda Race, established in 1906, is the world's oldest regularly scheduled ocean race, according to the Bermuda Race Foundation.¹ This biennially occurring sailboat race will hold its 54th edition in June 2026. But while the Coast Guard has had regulations governing the race area for decades,² these regulations have not all been identical. In 2024, for instance, we published a temporary final rule creating two alternative safety zones, the selection of which was based on weather conditions on the day of the event.³ And, on June 3, 2021, we amended the size and location of the starting areas in 33 CFR § 100.119, the rule we are proposing to amend now.⁴

On May 1, 2025, the event sponsor notified the Coast Guard that it will be conducting a sailboat race in the East Passage of Narragansett Bay, Newport, RI on June 19, 2026. The Captain of the Port, Southeastern New England Captain of the Port Zone (COTP) has determined that potential hazards associated with the sailboat race are a safety concern for anyone attempting to transit within the East Passage. Therefore, under the authority in 46 U.S.C. 70041, the COTP is proposing this rule to protect personnel,

¹ See <https://bermudarace.com/foundation/stories/> .

² See, e.g., 33 CFR 100.119 (1996).

³ See “Safety Zone; Narragansett Bay, Newport, RI” (89 FR 48844).

⁴ “Special Local Regulation; East Passage, Narragansett Bay, RI” (86 FR 29691).

vessels, and the marine environment in the navigable waters within the regulated area.

The regulatory text we are proposing appears at the end of this document.

III. Discussion of the Rule

This proposed rule would revise a special local regulation at 33 CFR 100.119.

The regulation is only subject to enforcement biennially, for the third Friday or Saturday of June, in even-numbered years on a date and times published in a “Notification of Enforcement” in the Federal Register and in a Local Notice to Mariners. While the 2026 sailboat race will launch from the East Passage in Narragansett Bay south of Rose Island, Newport, RI, similar to the 2024 sailboat race starting locations, the coordinates of the regulated areas are different from those currently in § 100.119. The regulated area of the special local regulations subject to enforcement would cover one of two possible locations, depending on the weather. When the weather is expected to be good, the regulated area subject to enforcement would cover all navigable waters from an area just south of Rose Island near Fort Adams. When inclement weather is expected, the regulated area will cover all navigable waters near Brenton Point.

The proposed location of the Special Local Regulation is as follows:

Latitude	Longitude
41°29'08" N	071°20'04" W
41°29'25" N	071°20'52" W
41°28'42" N	071°21'17" W
41°27'16" N	071°22'00" W
41°27'27" N	071°22'50" W
41°27'56" N	071°21'45" W

(2) In the event that weather conditions prohibit a safe race from starting within the approach to Newport Harbor, the race will begin offshore and the following regulated area applies (NAD 83):

Latitude	Longitude
41°26'04" N	071°22'16" W
41°25'36" N	071°21'58" W
41°25'22" N	071°22'39" W
41°25'49" N	071°22'56" W

The starting line will take place within one of the proposed regulated areas and will be decided prior to the race pending current weather conditions. The starting line box will be the restricted part of the waterway within the regulated area and that exact location will be broadcasted prior to the race start. The duration of the special local regulation is intended to ensure the safety of vessels and these navigable waters before, during, and after the scheduled sailboat race. No vessel or person is permitted to enter the regulated area without obtaining permission from the COTP or a designated representative. They may be contacted on VHF-FM Channel 16 or by phone at 866-819-9128. Persons and vessels permitted to enter this special local regulation must transit at their slowest safe speed and comply with all lawful directions issued by the COTP or a designated representative. The COTP or a designated representative will inform the public through Local Notice to Mariners of the enforcement period for the special local regulation as well as any changes in the planned schedule. The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

We developed this proposed 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 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 proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons.

Vessel traffic will be able to safely transit around this regulated area. This regulation will only impact a small area for a few hours. In addition, the Coast Guard will issue a Broadcast Notice to Mariners via VHF FM marine channel 16, which will allow small entities to adjust their transit plans, and the rule allows vessels to request permission to enter the regulated area from the COTP.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this proposed rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), if this proposed 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).

B. Collection of Information

This proposed 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 proposed 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 proposed 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 proposed 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 proposed 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 proposed rule is a special regulated area. It is categorically excluded from further review under paragraph L61.

V. 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-2025-1107 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 information 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 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements,

Waterways

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041, 4; 33 CFR 1.05-1.

2. Revise and republish § 100.119 to read as follows:

§ 100.119 Special local regulation; East Passage, Narragansett Bay, Newport, RI.

(a) *Location.* (1) Unless, as determined by the Captain of the Port, weather conditions prohibit a safe race start within the approach to Newport Harbor, the regulated area includes all waters of Narragansett Bay, Newport, RI, within the points provided in Table 1 (NAD 83):

Table 1 to paragraph (a)(1).

Latitude	Longitude
41°29'08" N	071°20'04" W
41°29'25" N	071°20'52" W
41°27'16" N	071°22'00" W
41°27'27" N	071°22'50" W

(2) In the event that weather conditions prohibit a safe race start within the approach to Newport Harbor, the race will begin offshore and the regulated area identified in Table 2 applies (NAD 83):

Table 1 to paragraph (a)(2).

Latitude	Longitude
41°26'04" N	071°22'16" W

Latitude	Longitude
41°25'36" N	071°21'58" W
41°25'22" N	071°22'39" W
41°25'49" N	071°22'56" W

(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, Southeastern New England Captain of the Port Zone (COTP) in the enforcement of the regulated area. *Participant* means all persons and vessels registered with the event sponsor as a participant in the race.

(c) *Regulations.* (1) All non-participants are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area described in paragraph (a) of this section unless authorized by the COTP or their 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 (508) 457-3211. Those in the special regulated area must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(3) The COTP will provide notice of the regulated area through advanced notice via broadcast notice to mariners and by on-scene designated representatives.

(d) *Enforcement period.* This section will be subject to enforcement biennially on a date and at times published in the Federal Register and in the Local Notice to Mariners.

Y. Moon,
Captain, U.S. Coast Guard,
Captain of the Port, Southeastern New England Captain of the Port Zone.
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