



DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG-2026-0402]

RIN 1625-AA08

Special Local Regulation; Bush River and Otter Point Creek; Between Perryman, MD and Edgewood, MD

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary special local regulation (SLR) for certain waters of the Bush River and Otter Point Creek, in Maryland, between Perryman and Edgewood. This action is necessary to provide for the safety of life on these navigable waters, located at Edgewood, MD, during a high-speed power boat race on May 16, 2026, and May 17, 2026. This regulation prohibits persons and vessels from entering the regulated area unless specifically authorized by the Captain of the Port, Sector Maryland-National Capital Region (COTP), or a designated representative.

DATES: This rule is in effect from 9 a.m. on May 16, 2026, through 7 p.m. on May 17, 2026. It will only be subject to enforcement, however, from 9 a.m. through 7p.m. on each of the two days the rule is in effect.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG-2026-0402.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact LCDR Kate Newkirk, Sector Maryland-NCR, Waterways Management Division, U.S. Coast Guard: telephone 410-576-2596, or email MDNCRWaterways@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
§	Section
SLR	Special Local Regulation
U.S.C.	United States Code

II. Background and Authority

The Kent Narrows Racing Association applied for a permit under 33 CFR 100.15 to conduct the Harford County Spring Nationals Inboard Hydroplane Race on May 16, 2026, and May 17, 2026, from 10 a.m. to 6 p.m. on both days. The high-speed power boat racing event consists of approximately 50 participating racing boats – including composite and wood hull inboard hydroplanes – 12 to 28 feet in length. Following the approval of a permit, the COTP may issue special local regulations under 33 CFR 100.35, as the Coast Guard is doing in the form of this temporary final rule.

The Captain of the Port Sector Maryland-National Capital Region (COTP) is issuing this Special Local Regulation (SLR) under the authority in 46 U.S.C. 70041. The COTP has determined that potential hazards associated with the power boat race would be a safety concern for anyone intending to participate in this event and for vessels that operate within the specified waters of the Bush River and Otter Point Creek. The purpose of this rule is to protect event participants, non-participants, and transiting vessels before, during, and after the scheduled event.

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 to provide notice, consider any comments received, and publish a final rule

by May 16, 2026, when the rule must be in place to address the potential safety hazards associated with the high-speed power boat race.

For the same reasons, 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 temporary SLR from 9 a.m. on May 16, 2026, through 7 p.m. on May 17, 2026. Although it will be in effect during that period, it will only be enforced from 9 a.m. to 7 p.m. on May 16, 2026, and from 9 a.m. to 7 p.m. on May 17, 2026. The regulated area will cover all navigable waters of the Bush River and Otter Point Creek, shoreline to shoreline, bounded to the north by a line drawn from the western shoreline of the Bush River at latitude 39°21'15"N, longitude 076°14'39" W and thence eastward to the eastern shoreline of the Bush River at latitude 39°27'03" N, longitude 076°13'57" W, and bounded to the south by the Amtrak Railroad Bridge, across the Bush River at mile 6.8, between Perryman, MD and Edgewood, MD. These boundaries are based on a detailed course map for the event which the Coast Guard received from the sponsor on January 20, 2026.

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. 4321–4370f), 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 rule is a special local regulation. It is categorically excluded from further review under paragraph L61 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 100

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

For the reasons discussed in the preamble, the Coast Guard amends 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; 33 CFR 1.05-1.

2. Add § 100.T599-0402 to read as follows:

§ 100.T599-0402 Special Local Regulation; Bush River and Otter Point Creek; Between Perryman, MD and Edgewood, MD.

(a) *Location.* This special local regulation applies to the following area:

(1) *Regulated area.* All navigable waters of Bush River and Otter Point Creek, from shoreline to shoreline, bounded to the north by a line drawn from the western shoreline of the Bush River at latitude 39°27'15" N, longitude 076°14'39" W and thence

eastward to the eastern shoreline of the Bush River at latitude 39°27'03" N, longitude 076°13'57" W; and bounded to the south by the Amtrak Railroad Bridge, across the Bush River at mile 6.8, between Perryman, MD and Edgewood, MD. The race area, buffer zone, and spectator area are within the regulated area.

(2) *Race Area.* The area is bounded by a line commencing at position latitude 39°26'39.48" N, longitude 076°15'23.44" W, to latitude 39°26'36.52" N, longitude 076°15'13.33" W, to latitude 39°26'36.94" N, longitude 076°15'10.01" W, to latitude 39°26'38.59" N, longitude 076°15'07.41" W, to latitude 39°26'41.03" N, longitude 076°15'06.22" W, to latitude 39°26'43.61" N, longitude 076°15'06.76" W, to latitude 39°26'45.63" N, longitude 076°15'08.89" W, to latitude 39°26'47.93" N, longitude 076°15'16.76" W, to latitude 39°26'50.24" N, longitude 076°15'24.63" W, to latitude 39°26'49.81" N, longitude 076°15'27.95" W, to latitude 39°26'48.16" N, longitude 076°15'30.56" W, to latitude 39°26'45.72" N, longitude 076°15'31.75" W, to latitude 39°26'43.15" N, longitude 076°15'31.20" W, to latitude 39°26'41.13" N, longitude 076°15'29.07" W thence back to the beginning point.

(3) *Buffer Zone.* The buffer zone surrounds the entire race area and is bounded by a line commencing at position latitude 39°26'39.60" N, longitude 076°15'30.00" W, to latitude 39°26'37.80" N, longitude 076°15'24.00" W, to latitude 39°26'34" N, longitude 076°15'14.40" W, to latitude 39°26'34.80" N, longitude 076°15'09.00" W, to latitude 39°26'37.20" N, longitude 076°15'05.40" W, to latitude 39°26'40.80" N, longitude 076°15'03.60" W, to latitude 39°26'44.40" N, longitude 076°15'04.20" W, to latitude 39°26'46.80" N, longitude 076°15'07.20" W, to latitude 39°26'49.80" N, longitude 076°15'15.60" W, to latitude 39°26'52.20" N, longitude 076°15'25.20" W, to latitude 39°26'51.60" N, longitude 076°15'28.80" W, to latitude 39°26'49.20" N, longitude 076°15'32.40" W, to latitude 39°26'45.60" N, longitude 076°15'34.20" W, to latitude 39°26'42.60" N, longitude 076°15'33.60" W thence back to the beginning point.

(4) *Spectator Area*. The spectator area is designated as all waters immediately surrounding the buffer zone up to a distance of 500 feet immediately surrounding the buffer zone.

(b) *Definitions*. As used in this section—

Buffer Zone is a neutral area that surrounds the perimeter of the race area within the regulated area described by this section. The purpose of a buffer area is to minimize potential collision conflicts with marine event participants or high-speed power boats and nearby transiting vessels. This area provides separation between a race area and other vessels that are operating in the vicinity of the regulated area established by the special local regulations 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 Sector Maryland-National Capital Region (COTP) in the enforcement of the regulated area.

Event Patrol Commander or Event PATCOM means a commissioned, warrant, or petty officer of the U.S. Coast Guard who has been so designated by the Commander, Coast Guard Sector Maryland-National Capital Region.

Official patrol means any vessel assigned or approved by Commander, Coast Guard Sector Maryland-National Capital Region with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

Participant means all persons and vessels registered with the event sponsor as a participant in the race.

Race area is an area described by a line bound by coordinates provided in latitude and longitude that outlines the boundary of a race area within the regulated area defined by this section.

(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 (156.8 MHz) and channel 22A (157.1 MHz). Those in the regulated area must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement periods.* This section will be enforced from 9 a.m. to 7 p.m. on May 16, 2026, and from 9 a.m. to 7 p.m. on May 17, 2026.

Dated: April 16, 2026.

Patrick C. Burkett,
Captain, U.S. Coast Guard,
Captain of the Port Maryland-National Capital Region.

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