



DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2025-1105]

RIN 1625-AA00

Safety Zone; West of Cyril E. King Airport, St. Thomas, VI

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a safety zone for certain navigable waters west of Cyril E. King Airport in St. Thomas, U.S. Virgin Islands (USVI). The safety zone is needed protect personnel, vessels, and the marine environment from potential hazards created by the proximity of the low flying aircrafts to vessels in the vicinity of the waters off the Cyril E. King Airport in St. Thomas, USVI. This rulemaking prohibits entry of vessels or persons into this safety zone unless specifically authorized by the Captain of the Port, Sector San Juan or their designated representative.

DATES: This rule is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG-2025-1105.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact Lieutenant Commander Rachel E. Thomas, Sector San Juan, Waterways Management Division Chief, Coast Guard; telephone (571) 613-1417, email Rachel.E.Thomas@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
U.S.C.	United States Code

II. Background and Authority

On January 7, 2026, the Coast Guard published a notice of proposed rulemaking (NPRM) titled. Safety Zone; West of Cyril E. King Airport, St. Thomas, VI.¹ In that NPRM, we stated why we issued the NPRM and invited comments on our proposed regulatory action related to this safety zone, the comment period ended on February 6, 2026. We received one comment.

Under the authority in 46 U.S.C. 70034, the Captain of the Port (COTP) has determined that this rule is necessary to protect personnel, vessels, and the marine environment from potential hazards associated with the safety zone. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or their designated representative.

III. Discussion of Comments, Changes, and the Rule

During the comment period that ended on February 6, 2026, we received one comment. The commenter noted the proposed regulatory text only included two GPS coordinates and recommended that the safety zone be defined as a closed polygon with four coordinates. The Coast Guard agrees. In response to this comment, and a desire for better accuracy of the expanse of the zone, we have changed the regulatory text from only having 2 coordinate points to 4 coordinate points completely enclosing the area that will be a safety zone. We have not extended or altered the safety zone but are only marking its bounds more clearly for the public. No other changes were made.

¹ (91 FR 490).

This rule establishes a safety zone because there is an immediate need to mitigate the risk of vessels transiting between private port authority managed yellow buoys and the end of the St. Thomas Cyril E. King runway because of their proximity to the low flying aircrafts. The safety zone would cover all navigable waters directly west of the airport's runway end. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or their designated representative. The regulatory text we are proposing appears at the end of this document.

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 Act of 1980 (RFA), 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. Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities.

The Coast Guard certifies that, although some small entities may intend to transit the safety zone above, this rule will not have a significant economic impact on a substantial number of small entities. Vessel traffic will be able to safely transit around this safety zone. This regulation will only impact navigable waters within 400 yards from shore directly west of the airport's runway within the two private port authority managed yellow buoys. In addition, the Coast Guard will issue a Broadcast Notice to Marines 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 zone from the COTP.

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).

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 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. Under the undesignated center heading “USCG Southeast District”, add § 165.793 to read as follows:

§ 165.793 Safety Zone; West of Cyril E. King Airport, St. Thomas, VI

(a) *Location.* The following area is a safety zone: All navigable waters directly west of the end of the airport’s runway from the following coordinates located at 18°

20.286°N, -64° 59.0214°W; and 18° 20.1156° N, -64° 59.0238° W through the two private port authority managed yellow buoys located at 18°20.288°N – 64°59.343°W; 18°20.116°N – 64°59.343°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 San Juan (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 by telephone at (787) 289-2041, or a designated representative via VHF-FM radio on channel 16 to request authorization. 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.* The regulation described in paragraph (a) will be enforced at all times.

(2) The COTP may be assisted in the patrol and enforcement of the zone by Federal, State, and local agencies.

Robert E. Stiles
Captain, U.S. Coast Guard,
Acting Captain of the Port Sector San Juan.