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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-0935]

RIN 1625-AA00

Safety Zone; St. Johns River, Jacksonville, FL

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary interim rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters on the St. Johns River, Jacksonville, FL. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with raising power lines across the river. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Jacksonville, or their designated representative. We invite your comments on this interim rule.

DATES: This rule is effective without actual notice from [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*] through March 5, 2027. For purposes of enforcement, actual notice will be used from July 27, 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 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Although this regulation is published as an interim rule without prior notice, public comment is nevertheless desirable to ensure that the regulation is both workable and reasonable while the rule remains in effect. If the Coast Guard determines on the basis of comments submitted that changes to the temporary interim rule are necessary, we will publish a temporary final rule, or other document, as appropriate. You

may submit comments identified by docket number USCG-2026-0935 using the Federal Decision-Making Portal 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 documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG-2026-0935 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MSTC Harold Rissman, Sector Jacksonville Waterways Management Division, U.S. Coast Guard; telephone (904) 714-7557, or email Harold.E.Rissman@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
COTP	Captain of the Port
DHS	Department of Homeland Security
FR	*Federal Register*
NPRM	Notice of proposed rulemaking
§	Section
U.S.C.	United States Code

II. Background and Authority

The Coast Guard received notification that Jacksonville Electric Authority (JEA) would be installing new power line towers to raise the height of the power lines across the St. Johns River, Jacksonville, Florida. The project includes the use of a helicopter to stretch the lines across the navigable channel over the St. Johns River. The Captain of the Port (COTP) Sector Jacksonville has determined that potential hazards associated with installation and deconstruction of power lines are a safety concern for anyone within the work area. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

Because of these potential hazards, 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 since the hazardous conditions will be presented starting on July 27, 2026. The project creates an urgent need for a safety zone to protect the safety of both the workers and the waterway users operating in the vicinity of the project. 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 raising power lines across the river.

Additionally, 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* because it is contrary to the public interest. It is contrary to public interest because immediate action is needed to respond to the potential hazardous conditions created by raising power lines across the river.

Although this regulation is published as an 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** 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 a safety zone from July 27, 2026, through March 5, 2027. However, the safety zone will only be in effect when the helicopters are actively engaged

in operations across the navigable channel. The anticipated time for the window of helicopter operations in the channel will be from 8:00 a.m. through 5:00 p.m. every day of the week unless there is a reason that the operations cannot take place. The window of time and dates are tentative and subject to weather, supply chain delays, or other unforeseen circumstances. The Coast Guard will rely on the methods described in 33 CFR 165.7 to notify the public prior to activation. Specifically, the Coast Guard will make notice of the safety zone via the Local Notice to Mariners and issue a Broadcast Notice to Mariners via marine channel 16 (VHF-FM) as soon as practicable in advance of these scheduled closures.

The safety zone will cover all navigable waters in the St. Johns River Ship Channel within the following points: Point 1 at 30º 23'23.3" N, 81º32'11.2" W, thence to Point 2 at 30º 23'.3" N, 81º 32'6.3" W, thence to Point 3 at 30º23'34" N, 81º31'6.2" W thence to Point 4 at 30º 23'21.4" N, 81º 31'1.6" W; thence returning to Point 1. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the Captain of the Port.

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 involves 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. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

V. Public Participation and Request for Comments

Although we are promulgating this as a temporary interim rule for lack of time to take comments prior to issuing the rule, we view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. 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-2026-0935 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 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 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.T07-0935 to read as follows:

§ 165.T07-0935 Safety Zone; St. Johns River, Jacksonville, FL.

(a) *Location*. The following area is a safety zone: All waters of the St. Johns River Ship Channel from surface to bottom, encompassed by a line connecting the following points beginning at Point 1 at 30º 23'23.3" N, 81º32'11.2" W, thence to Point 2 at 30º 23'.3" N, 81º 32'6.3" W, thence to Point 3 at 30º23'34" N, 81º31'6.2" W thence to

Point 4 at 30º 23’21.4” N, 81º 31’1.6” W; thence returning to Point 1. These coordinates are based on the World Geodetic System WGS 84.

(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 Sector Jacksonville (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 on VHF-FM channel 16 or by telephone at (904) 714-7557. 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) *Effective and Enforcement periods*. This section will be effective from July 27, 2026, through March 5, 2027, but will only be enforced while the helicopter is engaged in the construction and deconstruction of the lines and towers across the navigable channel of the St. John’s River. The COTP will make notice of the safety zone via the Local Notice to Mariners and issue a Broadcast Notice to Mariners via marine channel 16 (VHF-FM) as soon as practicable in advance of these scheduled closures.

J. C. Aleksak,
Captain, U.S. Coast Guard,
Captain of the Port, Sector Jacksonville.

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