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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 147

[Docket Number USCG-2026-0603]

RIN 1625-AA00

Safety Zone; WHALE Floating Production System Outer Continental Shelf Facility, Alaminos Canyon 773, Gulf of America

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a safety zone around the WHALE Floating Production System (FPS), on the Outer Continental Shelf (OCS) in the Gulf of America. Establishing a safety zone around the facility will significantly reduce the threat of allisions, collisions, security breaches, oil spills, and releases of natural gas, and thereby protect the safety of life, property, and the environment. This proposed rulemaking would prohibit entry of vessels into this safety zone unless specifically authorized by the Commander, Coast Guard Heartland District or their designated representative. 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-2026-0603.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rule, contact Mr. Steven Wilkes, Heartland District Western Rivers & Waterways Division, U.S. Coast Guard; telephone (206) 815-1119, or email Steven.D.Wilkes2@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
DHS	Department of Homeland Security
FPS	Floating Production System
FR	*Federal Register*
NPRM	Notice of proposed rulemaking
OCS	Outer Continental Shelf
§	Section
U.S.C.	United States Code

II. Background and Authority

Shell Exploration and Production Company (Shell) requested that the Coast Guard establish a safety zone around its WHALE FPS facility. There are safety concerns for vessels operating in close proximity to the facility, as well as for the personnel aboard the facility and the environment that arise when unauthorized vessels operate in close proximity to the unit. Hazards associated with vessels operating in close proximity to an offshore platform include the threat of allisions, collisions, security breaches, oil spills, and releases of natural gas. Therefore, the District Commander is proposing this rule under the authority in 14 U.S.C. 544, 43 U.S.C. 1333, and the Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3, , which is needed to protect personnel, property, and the marine environment from these potential hazards.

III. Discussion of the Rule

This proposed rule would establish a permanent safety zone on the OCS in the deepwater area of the Gulf of America at Alaminos Canyon 773. The area of the proposed safety zone would be 500 meters (1640.4 feet) from each point on the WHALE FPS facility, which is located at approximate position 26°13′25.55″ N, 94°40′25.39″ W (NAD 83). No vessel, except attending vessels as defined in 33 CFR 147.20, or those less than 100 feet in length and not engaged in towing, would be permitted to enter the safety zone without obtaining permission from the District Commander or their designated representative. 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. 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 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 safety zone. The rule also permits certain smaller vessels to enter the safety zone, and other vessels may enter the zone with permission from the District Commander.

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 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 proposed 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.

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-2026-0603 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 147

Continental shelf, Marine safety, Navigation (water).

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 147 as follows:

PART 147—SAFETY ZONES

1. The authority citation for part 147 continues to read as follows:

Authority: 14 U.S.C. 544; 43 U.S.C. 1333; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

2. Add § 147.885 to read as follows:

§ 147.885 WHALE Floating Production System safety zone.

(a) *Description.* The WHALE, a Floating Production System (FPS), is in the deepwater area of the Gulf of America at Alaminos Canyon 773. The facility is located at approximate position: 26°13′25.55″ N, 94°40′25.39″ W (NAD 83). The area within 500 meters (1640.4 feet) from each point on the facility structure's outer edge is a safety zone.

(b) *Regulation.* No vessel may enter or remain in this safety zone except for the following:

(1) An attending vessel, as defined in § 147.20;

(2) A vessel under 100 feet in length overall not engaged in towing; or

(3) A vessel authorized by the Commander, Coast Guard Heartland District or a designated representative.

(c) *Requests for permission.* To seek permission to enter, contact the District Commander or the District Commander's representative on VHF-FM channel 16 or by telephone at (855) 485-3727. All vessels and personnel in the safety zone must comply with all lawful orders or directions given to them by the District Commander or the District Commander's designated representative.

W. E. Watson,
Rear Admiral, U.S. Coast Guard,
Commander, Coast Guard Heartland District.

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