This document is scheduled to be published in the Federal Register on 2026-08-14 and available online at https://www.federalregister.gov/d/2026-16645, and on https://govinfo.gov

9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-0498]

RIN 1625-AA00

Safety Zone; West Passage Narragansett Bay, Narragansett, RI

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters on the West Passage Narragansett Bay. The safety zone is needed to protect swimmers, personnel, vessels, and the marine environment from potential hazards during a swim event. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Southeastern New England, or their designated representative.

DATES: This rule is effective from 10:30 a.m. on August 18, 2026, through 1 p.m. on August 19, 2026. It will only be subject to enforcement, however, from 10:30 a.m. until 1 p.m. on August 18, 2026, unless the event is delayed because of weather conditions, in which case it will be subject to enforcement during those same hours on August 19, 2026.

ADDRESSES: To view available documents, go to https://www.regulations.gov and search for USCG 2026-0498.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MST2 Anna Medow, Sector Southeastern New England Waterways Management Division, U.S. Coast Guard; telephone 866-819-9128, or email Anna.L.Medow@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
COTP	Captain of the Port, Sector Southeastern New England
DHS	Department of Homeland Security
FR	*Federal Register*
NPRM	Notice of proposed rulemaking
RI	Rhode Island
§	Section
U.S.C.	United States Code

II. Background and Authority

On April 7, 2026, the Coast Guard received notification that the Dutch Island Swim will take place on the West Passage Narragansett Bay near Narragansett, RI. The Captain of the Port, Sector Southeastern New England (COTP) has determined that potential hazards associated with the swim event, such as the possibility that a vessel will hit a swimmer, are a safety concern for anyone within the zone. The COTP is issuing this rule under the authority in 46 U.S.C. 70034, to protect swimmers, personnel, vessels, and the marine environment in the navigable waters within the safety zone while the event is occurring.

The Coast Guard is issuing this rule without prior notice and comment. As 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 take and consider comments and publish a final rule within the time available prior to August 18, 2026, when the rule must be in place to protect swimmers, personnel, vessels, and the marine environment.

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 safety zone in the Narragansett Bay from 10:30 a.m. on August 18, 2026, through 1 p.m. on August 19. It will only be subject to enforcement, however, from 10:30 a.m. until 1 p.m. on August 18, 2026, unless the event is delayed because of weather conditions, in which case it will be subject to enforcement during those same hours on August 19, 2026. The day of enforcement will depend on the weather conditions and will be announced by broadcast in a Safety Marine Information Broadcast (SMIB). The safety zone will cover all navigable waters of the West Passage Narragansett Bay within 500 yards along a centerline from 41º 29'32.5" N, 071º25'12.0" W, thence ending at 41º 29'48.3" N, 71º 24'15.4" W. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the COTP.

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

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under Executive Order 13132 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 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. Add § 165.T01-0498 to read as follows:

§ 165.T01-0498 Safety Zone; West Passage Narragansett Bay, Narragansett, RI.

(a) *Location*. The following area is a safety zone: All navigable waters of the West Passage Narragansett Bay from surface to bottom within 500 yards along a centerline from 41º29’32.5” N, 71º’25’12.0” W, thence to 41º29’48.3” N, 71º’24’15.4” W. 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 Southeastern New England (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. 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 period*. This section is effective from 10:30 a.m. on August 18, 2026, through 1 p.m. on August 19, 2026. It will only be subject to enforcement, however, from 10:30 a.m. until 1 p.m. on August 18, 2026, unless the event is delayed because of weather conditions, in which case it will be subject to enforcement during those same hours on August 19, 2026.

Youngmee Moon,
Captain, U.S. Coast Guard,
Captain of the Port, Sector Southeastern New England.

[FR Doc. 2026-16645 Filed: 8/13/2026 8:45 am; Publication Date: 8/14/2026]