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9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-0024]

RIN 1625-AA00

Safety Zone: Piers Park, Boston Inner Harbor, East Boston MA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for a portion of the navigable waters of Boston Inner Harbor, in the vicinity of Piers Park, East Boston, Massachusetts. The temporary safety zone is needed to protect the maritime public and event participants from potential hazards created by a swim event taking place in a heavily trafficked portion of the harbor scheduled for September 13, 2026. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Boston, or a designated representative.

DATES: This rule is effective from 7 a.m. through noon on September 13, 2026.

ADDRESSES: To view available documents, go to https://www.regulations.gov and search for USCG-2026-0024.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. Timothy W. Chase, Sector Boston, Waterways Management, telephone (617) 447-1620, email Timothy.W.Chase@uscg.mil

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
COTP	Captain of the Port, Sector Boston

DHS	Department of Homeland Security
FR	*Federal Register*
NPRM	Notice of proposed rulemaking
§	Section
U.S.C.	United States Code

II. Background and Authority

On July 13, 2026, the Coast Guard received notification that a swim event would be taking place in a heavily trafficked portion of Boston Inner Harbor in the vicinity of Piers Park, East Boston, Massachusetts. The Captain of the Port (COTP) Boston has determined that potential hazards associated with this swim event, such as collisions between swimmers and watercraft, are a safety concern for anyone within the designated event 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.

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. We do not have enough time to solicit and respond to comments, and publish a final rule by September 13, 2026.

For the same reason, 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 from 7 a.m. through noon on September 13, 2026. The safety zone will cover all the navigable waters of a portion of Boston Inner Harbor in the vicinity of Piers Park, East Boston, specifically within a box bound by the following coordinates: Corner #1 42° 21’ 41.22”N, 071° 2’22.6”W, thence to Corner #2 42° 21’26.53”N, 071° 2’32.28”W, thence to Corner #3 42° 21’2.59”N, 071° 1’32.92”W,

thence to Corner #4 42° 21’13.14”N, 071° 1’24.6”W, and returning to the point of origin. Positions provided are expressed in Degrees (°) Minutes (') Seconds (“) (DMS) based on North American Datum 1983 (NAD 83). The duration of the zone is intended to protect event participants and support personnel, vessels, and the marine environment in these navigable waters during the swim event. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

Requests to enter the zone will be considered and reviewed on a case-by-case basis. The COTP may be contacted by telephone at (856) 416-3015 or can be reached by VHF-FM channel 16. Persons and vessels permitted to enter this safety zone must transit at their slowest safe speed to minimize wake and comply with all lawful directions issued by the COTP or the designated representative.

V. 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, 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 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.T01-0024 to read as follows:

§ 165.T01-0024 Safety Zone; Piers Park, Boston Inner Harbor, East Boston MA.

(a) *Regulated area*. The following area is a safety zone: all navigable waters of a portion of Boston Inner Harbor in the vicinity of Piers Park, East Boston, specifically within a box bound by the following coordinates: Corner #1 42° 21’ 41.22”N, 071° 2’22.6”W, thence to Corner #2 42° 21’26.53”N, 071° 2’32.28”W, thence to Corner #3

42° 21’2.59”N, 071° 1’32.92”W, thence to Corner #4 42° 21’13.14”N, 071° 1’24.6”W, and returning to the point of origin. Positions provided are expressed in Degrees (°) Minutes (') Seconds (“) (DMS) based on North American Datum 1983 (NAD 83).

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

(1) *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 Boston (COTP) in the enforcement of the regulations in this section.

(2) *Participant* means all persons registered with the event sponsor as a participant in the event.

(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 designated via VHF-FM Marine Channel 16 or by contacting the Coast Guard Sector Boston Command Center at (857) 416-3015. 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.

(3) The COTP or a designated representative will inform the public of the enforcement period for the regulated area as well as any changes of the enforcement times through local notice to mariners, Broadcast Notices to Mariners, or both, via VHF-FM marine channel 16.

(d) *Enforcement period*: This section will be enforced from 7 a.m. through noon on September 13, 2026.

Dated: August 18, 2026

J. J. Schock,
Commander, U.S. Coast Guard,
Acting Captain of the Port Sector Boston.

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