

both. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation. The PATCOM shall be designated by the Commander, Coast Guard Sector San Francisco, California. The PATCOM is empowered to forbid and control the movement of all vessels in the regulated areas.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners.

Dated: September 23, 2022.

**Taylor Q. Lam,**

*Captain, U.S. Coast Guard, Captain of the Port, San Francisco.*

[FR Doc. 2022-21099 Filed 9-28-22; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2022-0794]

#### Safety Zone; Monte Foundation Fireworks, Capitola Pier, Capitola, CA

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Notification of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the safety zone for the Monte Foundation Fireworks Display in the Captain of the Port, San Francisco area of responsibility during the dates and times noted below. This action is necessary to protect life and property of the maritime public from the hazards associated with the fireworks display. During the enforcement period, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone, unless authorized by the Patrol Commander (PATCOM) or other federal, state, or local law enforcement agencies on scene to assist the Coast Guard in enforcing the regulated area.

**DATES:** The regulations in 33 CFR 165.1191, will be enforced for the location in Table 1 to § 165.1191, Item number 22, from 8 p.m. to 8:20 p.m. on October 9, 2022.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email MST1 Shannon Curtaz-Milian, Waterways Management, U.S. Coast Guard Sector San Francisco; telephone

(415) 399-7440, email *SFWaterways@uscg.mil*.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone established in 33 CFR 165.1191, Table 1, Item number 22, for the Monte Foundation Fireworks Display from 8 p.m. to 8:20 p.m. on October 9, 2022. The Captain of the Port has delegated the authority to issue the notification of enforcement for this regulation to the Prevention Department Head.

The safety zone will extend to all navigable waters around the land-based launch site at the Capitola Pier in Capitola, CA. During the 20-minute fireworks display, scheduled to begin at approximately 8 p.m. on October 9, 2022, the safety zone will encompass navigable waters around and under the fireworks launch site within a radius of 1,000 feet in approximate position 36°58'09.92" N, 121°57'15.06" W (NAD 83) for the Monte Foundation Fireworks Display.

This safety zone will be enforced from 8 p.m. until 8:20 p.m. on October 9, 2022, or as announced via Broadcast Notice to Mariners. In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners.

Under the provisions of 33 CFR 165.1191, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone during all applicable effective dates and times, unless authorized to do so by the PATCOM or other Official Patrol defined as a Federal, state, or local law enforcement agency on scene to assist the Coast Guard in enforcing the regulated area. Additionally, each person who receives notice of a lawful order or direction issued by the PATCOM or Official Patrol shall obey the order or direction. The PATCOM or Official Patrol may, upon request, allow the transit of commercial vessels through regulated areas when it is safe to do so.

If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notification, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: September 23, 2022.

**Taylor Q. Lam,**

*Captain, U.S. Coast Guard, Captain of the Port, San Francisco.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2022-0759]

#### Safety Zone; Rio Vista Bass Derby Fireworks, Sacramento River, Rio Vista, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notification of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the safety zone for the Rio Vista Bass Derby Fireworks Display in the Captain of the Port, San Francisco area of responsibility during the dates and times noted below. This action is necessary to protect life and property of the maritime public from the hazards associated with the fireworks display. During the enforcement period, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone, unless authorized by the Patrol Commander (PATCOM) or other Federal, State, or local law enforcement agencies on scene to assist the Coast Guard in enforcing the regulated area.

**DATES:** The regulations in 33 CFR 165.1191, will be enforced for the location in Table 1 to § 165.1191, Item number 23, from 10 a.m. through 9:30 p.m. on October 8, 2022.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email MST1 Shannon Curtaz-Milian, Waterways Management, U.S. Coast Guard Sector San Francisco; telephone (415) 399-7440, email *SFWaterways@uscg.mil*.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone established in 33 CFR 165.1191 Table 1, Item number 23, for the Rio Vista Bass Derby Fireworks Display from 10 a.m. through 9:30 p.m. on October 8, 2022.

The safety zone will extend to all navigable waters of the Sacramento River, from surface to bottom, within a circle formed by connecting all points 100 feet out from the fireworks barge during the loading, transit, and arrival of the fireworks barge from the loading location to the display location and until the start of the fireworks display. From 10 a.m. through 4 p.m. October 8, 2022, the fireworks barge will load pyrotechnics from the Dutra Group, Oly Yard 615 River Road, Rio Vista, CA. The fireworks barge will remain at the loading location until its transit to the

display location. From 7:45 p.m. to 7:55 p.m. on October 8, 2022 the loaded fireworks barge will transit from the Dutra Group, Oly Yard 615 River Road, Rio Vista, CA to the launch site off of Rio Vista, CA in approximate position 38°09'16.00" N, 121°41'17.00" W (NAD 83), where it will remain until the conclusion of the fireworks display. During the 15-minute fireworks display, scheduled to begin at approximately 8:45 p.m. on October 8, 2022, and 30 minutes after the conclusion of the fireworks display, the safety zone will increase in size and encompass all navigable waters of the Sacramento River, from surface to bottom, within a circle formed by connecting all points 1000 feet out from the fireworks barge near Rio Vista, CA in approximate position 38°09'16.00" N, 121°41'17.00" W (NAD 83). This safety zone will be enforced from 10 a.m. until 9:30 p.m. on October 8, 2022, or as announced via Broadcast Notice to Mariners.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners.

Under the provisions of 33 CFR 165.1191, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone during all applicable effective dates and times, unless authorized to do so by the PATCOM or other Official Patrol defined as a federal, state, or local law enforcement agency on scene to assist the Coast Guard in enforcing the regulated area. Additionally, each person who receives notice of a lawful order or direction issued by the PATCOM or Official Patrol shall obey the order or direction. The PATCOM or Official Patrol may, upon request, allow the transit of commercial vessels through regulated areas when it is safe to do so.

If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: September 23, 2022.

**Taylor Q. Lam,**

*Captain, U.S. Coast Guard, Captain of the Port, San Francisco.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2022-0483]

RIN 1625-AA87

#### Security Zone; San Francisco Bay, San Francisco, CA

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing a security zone in the navigable waters of the San Francisco Bay near Yerba Buena Island within the San Francisco Captain of the Port (COTP) zone. This security zone is necessary to provide for the security of military service members onboard vessels moored at the pier and the government property associated with these valuable national assets. This regulation will prohibit the entry of, transiting through, or anchoring within a portion of the San Francisco Bay extending from Yerba Buena Island unless specifically authorized by the Captain of the Port San Francisco.

**DATES:** This rule is effective October 31, 2022.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2022-0483 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 rulemaking, call or email LT William Harris, Sector San Francisco, U.S. Coast Guard; telephone 415-399-7443, email [SFWaterways@uscg.mil](mailto:SFWaterways@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

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

##### II. Background Information and Regulatory History

In October 2021, the Captain of the Port (COTP) San Francisco identified a need for clearer Aids to Navigation to inform the boating public of restricted areas near Yerba Buena Island. Further discussion discovered that current regulations established a Restricted

Area, but not a Security Zone. The COTP has determined that potential security concerns associated with the mooring of Coast Guard Cutters necessitate a Coast Guard Security Zone.

In response, on July 18, 2022 the Coast Guard published a notice of proposed rulemaking (NPRM) titled "Security Zone; San Francisco Bay, San Francisco, CA" (87 FR 42665). There we stated why we issued the NPRM, and invited comments on our proposed regulatory action related to this fireworks display. During the comment period that ended August 17, 2022, we received no comments.

##### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The purpose of this rule is to ensure the security of Coast Guard facilities, personnel, and vessels, at all times within the navigable waters of the San Francisco Bay on the east side of Yerba Buena Island from a point along the southeastern shore of Yerba Buena Island at 37°48'27" N, 122°21'44" W; east to 37°48'27" N, 122°21'35" W; north to 37°48'49" N, 122°21'35" W, a point on the northeastern side of Yerba Buena Island.

##### IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published July 18, 2022. There are no changes in the regulatory text of this rule from the regulatory text in the NPRM.

This rule establishes a security zone within the navigable waters of the San Francisco Bay on the east side of Yerba Buena Island from a point along the southeastern shore of Yerba Buena Island at 37°48'27" N, 122°21'44" W; east to 37°48'27" N, 122°21'35" W; north to 37°48'49" N, 122°21'35" W, a point on the northeastern side of Yerba Buena Island. No vessel or person will be permitted to enter the security zone unless authorized by the COTP.

##### 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, and we discuss First Amendment rights of protestors.

###### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory