

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. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

#### E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01 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 rule involves establishment of a temporary safety zone for navigable waters in the Corpus Christi Bay. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by pipeline removal activities that may include deployment of heavy equipment which will obstruct vessel traffic, continuous diver's operations, and various other activities which create underwater hazards while people are working. It is categorically excluded from further review under paragraph L60(a), in 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.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

#### 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. 01.3.

- 2. Add § 165.T08–0571 to read as follows:

#### § 165.T08–0571 Safety Zone; Corpus Christi Ship Channel, Corpus Christi, TX.

(a) *Location.* The safety zone will be within the following area: All navigable waters of the Corpus Christi Ship Channel, from the surface to bottom, encompassed by a line connecting the following points beginning at Point 1: 27°48'47.41" N, 97°16'49.55" W, thence to Point 2: 27°48'46.55" N, 97°16'54.8" W, thence to Point 3: 27°48'28.48" N, 97°16'58.94" W, thence to Point 4: 27°48'28.04" N, 97°16'51.42" W. These coordinates are based on World Geodetic System (WGS) 84.

(b) *Definitions.* As used in this section, designated representative means a Coast Guard Patrol officer, 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, Port Arthur, TX (COTP), in the enforcement of the safety zone.

(c) *Enforcement period.* This section will be subject to enforcement from 8 p.m. to 6 a.m. of the next day, on each day, from July 6, 2024, through July 30, 2024.

(d) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into these temporary safety zones is prohibited unless authorized by the Captain of the Port Sector Corpus Christi (COTP) or a designated representative. They may be

contacted on Channel 16 VHF–FM (156.8 MHz) or by telephone at 1–800–874–2143.

(2) If permission is granted, all persons and vessels shall comply with the instructions of the COTP or designated representative.

(e) *Information broadcasts.* The COTP or a designated representative will inform the public of the enforcement times and date for this safety zone through Broadcast Notices to Mariners, Local Notices to Mariners, and/or Safety Marine Information Broadcasts as appropriate.

Dated: July 6, 2024.

**T.H. Bertheau,**

*Captain, U.S. Coast Guard, Captain of the Port, Sector Corpus Christi.*

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#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2024–0560]

#### Safety Zones; Annual Fireworks Displays Within the Captain of the Port, Puget Sound Area of Responsibility—Mercer Island

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce a safety zone near Mercer Island, WA for an annual fireworks display in the Captain of the Port, Sector Puget Sound area of responsibility on July 13, 2024 and July 14, 2024 to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Thirteenth Coast Guard District identifies the regulated area for this event near Mercer Island, WA. No vessel operator may enter, transit, moor, or anchor within the safety zone, except for vessels authorized by the Captain of the Port, Sector Puget Sound or a Designated Representative.

**DATES:** The regulations in 33 CFR 165.1332 for the Mercer Island, WA location will be enforced from 9 p.m. on July 13, 2024, until 1 a.m. on July 14, 2024.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email LTJG Kaylee Lord at 206–217–6045, or email Sector Puget Sound

Waterways Management at [SectorPugetSoundWWM@uscg.mil](mailto:SectorPugetSoundWWM@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce special local regulations in 33 CFR 165.1332 for the Mercer Island regulated area from 9 p.m. on July 13, 2024 until 1 a.m. on July 14, 2024. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Thirteenth Coast Guard District, § 165.1332, specifies the location of the regulated area for the Mercer Island Celebration which encompasses portions of Lake Washington. The special requirements listed in 33 CFR 165.1332(b) apply to the activation and enforcement of the safety zone. During the enforcement periods, as reflected in § 165.1332(c), no vessel operator may enter, transit, moor, or anchor within the safety zone, except for vessels authorized by the Captain of the Port, Sector Puget Sound or Designated Representative.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via marine information broadcasts and Local Notice to Mariners. If the Safety Zone is canceled earlier than listed in this regulation, notification will be provided via Local Notice to Mariners and marine information broadcasts.

Dated: July 5, 2024.

**Mark A. McDonnell,**

*Captain, U.S. Coast Guard, Captain of the Port Sector Puget Sound.*

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**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2024-0006]

RIN 1625-AA00

#### Safety Zone; Captain of the Port Corpus Christi, TX

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for all navigable waters of the Captain of the Port Zone from the Mexico/US Border north to the Colorado Locks as defined in 33 CFR 3.40-35. This safety zone is being established to safeguard vessels, ports and waterfront facilities from damage due to Hurricane Beryl.

Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Corpus Christi, or a designated representative.

**DATES:** This rule is effective without actual notice from July 12, 2024, through July 15, 2024. For the purposes of enforcement, actual notice will be used from July 6, 2024, until July 12, 2024. It will be subject to enforcement each day.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2024-0006 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, call or email Commander Mike Metz, Sector Corpus Christi Waterways Management Division, U.S. Coast Guard; telephone 361-939-5130, email [Mike.W.Metz@uscg.mil](mailto:Mike.W.Metz@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
COTP Captain of the Port, Sector Corpus Christi  
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

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to 5 U.S.C. 553(b). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 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. This safety zone must be in place by July 6, 2024 to protect personnel, vessels, and the marine environment from potential hazards associated with Hurricane Beryl and there is insufficient time between now and July 6, 2024 to provide notice of a proposal to create these safety zones, consider comments received, and publish a final rule.

In addition, the Coast Guard finds that good cause also exists under 5 U.S.C. 553(d)(3) for making this rule effective

less than 30 days after publication in the **Federal Register** because the safety zone must be in effect less than 30 days from now to serve their purpose and it would be contrary to the public interest to delay its effective date until after the hurricane makes landfall.

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

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port, Sector Corpus Christi (COTP) has determined weather associated with the arrival of Hurricane Beryl makes this temporary safety zone necessary to prevent vessels from damaging themselves and port infrastructure such as piers, bridges, and facilities, and also help prevent the loss of life associated with vessel casualties.

##### IV. Discussion of the Rule

This rule is subject to enforcement, starting from 2 p.m. on July 6, 2024, to 12 p.m., through July 15, 2024. No vessel or person will be permitted to enter the temporary safety zones during the period in which the rule is subject to enforcement without obtaining permission from the COTP or a designated representative, who may be contacted on Channel 16 VHF-FM (156.8 MHz) or by telephone at 1-800-874-2143. The Coast Guard will issue Broadcast Notices to Mariners, Local Notices to Mariners, and/or Safety Marine Information Broadcasts as appropriate.

##### 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 approaches that maximize net benefits. This rule has not been designated a "significant regulatory action," under Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, and duration of the safety zones. The safety zone covers the entire Captain of the Port Zone from the Mexico/US Border north to the Colorado Locks as defined in 33 CFR 3.40-35. The temporary