

“Severability” clause that would allow valid parts to remain effective if other parts are found invalid, a “Contingent Voidness” clause that would void any portion of the act disapproved by the United States Secretary of the Interior, an “Effective Date” clause, which makes HB 587 effective the date in which it is passed and approved, and a “Retroactive Applicability” clause, which applies the changes made through HB 587 to actions or petitions that are pending but not yet decided on or after the 69th Montana Legislature 2025. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at [www.regulations.gov](http://www.regulations.gov).

### III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are seeking your comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the State program.

#### *Electronic or Written Comments*

If you submit written or electronic comments on the proposed rule during the 30-day comment period, they should be specific, confined to issues pertinent to the proposed regulations, and explain the reason for any recommended change(s). We appreciate any and all comments, but those most useful and likely to influence decisions on the final regulations will be those that either involve personal experience or include citations to and analyses of SMCRA, its legislative history, its implementing regulations, case law, other pertinent State or Federal laws or regulations, technical literature, or other relevant publications.

We cannot ensure that comments received after the close of the comment period (see **DATES**) or sent to an address other than those listed (see **ADDRESSES**) will be included in the docket for this rulemaking and considered.

#### *Public Availability of Comments*

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

### *Public Hearing*

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., M.D.T. on August 19, 2025. If you are disabled and need reasonable accommodations to attend a public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT**. We will arrange the location and time of the hearing with those persons requesting the hearing. If no one requests an opportunity to speak, we will not hold a hearing.

To assist the transcriber and ensure an accurate record, we request, if possible, that each person who speaks at the public hearing provide us with a written copy of his or her comments. The public hearing will continue on the specified date until everyone scheduled to speak has been given an opportunity to be heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after everyone scheduled to speak and others present in the audience who wish to speak, have been heard.

### *Public Meeting*

If only one person requests an opportunity to speak, we may hold a public meeting rather than a public hearing. If you wish to meet with us to discuss the amendment, please request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We will make a written summary of each meeting a part of the administrative record.

### IV. Procedural Determinations

#### *Executive Order 12866—Regulatory Planning and Review and Executive Order 13563—Improving Regulation and Regulatory Review*

Executive Order 12866 provides that the Office of Information and Regulatory Affairs in the Office of Management and Budget (OMB) will review all significant rules. Pursuant to OMB guidance, dated October 12, 1993 (OMB Memo M–94–3), the approval of State program and/or AML plan amendments is exempted from OMB review under Executive Order 12866. Executive Order 13563 reaffirms and supplements Executive Order 12866.

#### *Other Laws and Executive Orders Affecting Rulemaking*

When a State submits a program amendment to OSMRE for review, our

regulations at 30 CFR 732.17(h) require us to publish a notice in the **Federal Register** indicating receipt of the proposed amendment, its text or a summary of its terms, and an opportunity for public comment. We conclude our review of the proposed amendment after the close of the public comment period and determine whether the amendment should be approved, approved in part, or not approved. At that time, we will also make the determinations and certifications required by the various laws and Executive orders governing the rulemaking process and include them in the final rule.

### List of Subjects in 30 CFR Part 926

State regulatory program approval, State-Federal cooperative agreement, Required program amendments.

**Marcelo Calle,**

*Acting Regional Director, Interior Regions 5, 7–11.*

[FR Doc. 2025–14722 Filed 8–1–25; 8:45 am]

**BILLING CODE 4310–05–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 110

[Docket Number USCG–2025–0579]

RIN 1625–AA01

#### Anchorage Ground; Neches River, Port Arthur, TX

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard is proposing to establish an anchorage ground on the Neches River near Port Arthur, TX. This action is necessary to accommodate increased vessel traffic volume, improve navigational safety for vessels transiting the Sabine-Neches Waterway and provide for the overall safe and efficient flow of vessel traffic and commerce. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before September 3, 2025.

**ADDRESSES:** You may submit comments identified by docket number USCG–2025–0579 using the Federal Decision-Making Portal at <https://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email Mr. Douglas G. Hendrix, Marine Safety Unit (MSU) Port Arthur, U.S. Coast Guard; telephone 409-719-5086, email [douglas.g.hendrix2@uscg.mil](mailto:douglas.g.hendrix2@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
COTP Captain of the Port MSU Port Arthur  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

**II. Background, Purpose, and Legal Basis**

The Sabine-Neches Waterway is the maritime “highway” that supports the movement of more than 128 million tons of cargo each year. This cargo includes natural gas, crude oil, gasoline, jet fuel, chemicals, steel, lumber, grain and many other products. The waterway is vital to the economy of southeast Texas and the United States. The waterway consists of approximately 57 nautical miles of waterway extending from offshore to the Port of Beaumont. The narrowest portion of this waterway is 400-feet in width and approximately 25.5 nautical miles (29.5 statute miles) in length.

The existing channel has not been improved since the mid-1960s while ships have continued to increase in length, beam and draft. Recent expansions in the oil and liquefied gas industries have resulted in increases in the number of docks and vessels operating on the Sabine-Neches Waterway. The combination of increased vessel traffic and their dimensions requires the implementation of operating protocols in order to ensure the safety of all vessel traffic on the waterway.

In 2011, the U.S. Army Corps of Engineers signed the “Chief’s Report” on a proposed deepening of the Sabine-Neches Waterway. This concluded a nearly 14-year assessment of plans submitted by the Sabine-Neches Navigation District, the local non-federal sponsor for dredging projects, to deepen the waterway from 40 feet to 48 feet. In addition to deepening the channel, the design and assessment phase planned for five anchorage basins for use by deep draft vessels.

In June 2014, the President of the United States signed the Water Resources Reform and Development Act (WRRDA) into law—the final step in the federal approval process. In 2018 federal funds were allocated which permitted

the beginning of the construction process and in late 2020 the dredging of Anchorage Basin 1 was completed.

The Coast Guard proposes to establish anchorage ground regulations in order to facilitate use of navigable waterways by both commercial and recreational vessels in Port Arthur, TX. This notice of proposed rulemaking (NPRM) identifies the location of the first anchorage, Anchorage 1, approved by the U.S. Army Corps of Engineers and the Sabine Neches Navigation District (SNND), and solicits comments from interested stakeholders to inform the development of anchorage regulations.

The first anchorage, called Anchorage 1, is located in the river oxbow located approximately 1.8 nautical miles west of the Rainbow Bridge in Port Arthur, TX. Additional anchorage ground locations are still under environmental review.

**III. Discussion of Proposed Rule**

The Coast Guard is proposing to establish new Anchorage Ground 1, as designed and constructed as part of the Sabine-Neches Waterway Deepening Project. Further, the proposed rule would establish usage requirements to ensure the anchorage is available and used for its intended purpose. Establishing this anchorage in the Code of Federal Regulations (CFR) and defining it on navigation charts would remove ambiguity as to the anchorage’s location and intended usage.

The proposed rule would limit usage of the anchorage to commercial vessels greater than 450-feet in length calling on commercial facilities on the Sabine-Neches Waterway. The placement of fixed moorings, piles or stakes would be prohibited. This anchorage would not be intended to be a long-term anchorage. Use of the anchorage would be limited to periods of 48-hours or less unless otherwise authorized by the Captain of the Port MSU Port Arthur (COTP). Additionally, use of the anchorage would be prohibited when the COTP sets Port Condition Zulu. These regulations are necessary to ensure that an adequate anchorage area remains available for the efficient facilitation of commerce. 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. Regulatory Planning and Review**

Executive Orders 12866 (Regulatory Planning and Review) and 13563 (Improving Regulation and Regulatory Review) 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. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

The Office of Management and Budget (OMB) has not designated this proposed rule a “significant regulatory action” under section 3(f) of Executive Order 12866. Accordingly, OMB has not reviewed it.

This regulatory action determination is based on the historical use of this area for commercial ships and the nearby availability of space for smaller, shallow draft vessels to anchor.

**B. 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. 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.

While some owners or operators of vessels intending to use the anchorage may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator. The anchorage area is not a popular or productive fishing location, nor is it frequented by recreational vessels. Typical surface navigation will not be affected as this area has been historically used as an anchorage area for deep draft ships.

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 rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in

understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

### C. Collection of Information

This proposed rule would not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### D. 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 proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would 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 proposed rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

### 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 proposed rule would not result in such an expenditure, we do discuss the potential effects of this proposed rule elsewhere in this preamble.

### F. 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. 4321–4370f), and have made a preliminary determination 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 involves establishing anchorage regulations for a newly constructed anchorage area. Normally such actions are categorically excluded from further review under paragraph L59(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary 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. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

### 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 through the Federal Decision-Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2025–0579 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 docket.** To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public

comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. Also, if you click on the Dockets tab and then the proposed rule, you should see a “Subscribe” option for email alerts. The option will notify you when comments are posted, or a final rule is published.

We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

**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 110

Anchorage grounds.

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 110 as follows:

### PART 110—ANCHORAGE REGULATIONS

- 1. The authority citation for part 110 continues to read as follows:

**Authority:** 33 U.S.C. 2071; 46 U.S.C. 70006, 70034; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Add § 110.198 to subpart B to read as follows:

#### § 110.198 Neches River, Port Arthur, TX.

(a) *Anchorage Basin 1.* The waters adjacent to the Neches River encompassed by a line connecting the following points (NAD83):

Latitude	Longitude
29 59'13.885"	093 54'36.971"
29 59'22.667"	093 54'32.087"
29 59'31.530"	093 54'34.034"
29 59'32.525"	093 54'31.358"
29 59'21.325"	093 54'23.455"
29 59'17.148"	093 54'19.485"
29 59'18.391"	093 54'27.317"
29 59'12.547"	093 54'28.540"

(b) *Regulations.* (1) The anchorage grounds described in paragraph (a) of this section are for short duration use by commercial vessels greater than 450-feet in length calling on commercial facilities on the Sabine-Neches Waterway.

(2) Except when stress of weather or adverse tides or currents make sailing

impractical or hazardous, vessels shall not anchor in the anchorage area for periods exceeding 48-hours unless expressly authorized by the Captain of the Port MSU Port Arthur (COTP) to anchor for longer periods.

(3) The anchor(s) of anchored vessels must be placed within the anchorage area so that no portion of the hull or rigging shall at any time extend outside the boundaries of the anchorage area.

(4) Any vessel anchored in this area shall be capable of moving and when ordered to move by the Captain of the Port shall do so with reasonable promptness.

(5) Fixed moorings, piles or stakes, and floats or buoys for marking anchorages or moorings in place are prohibited.

(6) In an emergency the COTP may shift the position of any unattended vessel moored in or near any anchorage.

Dated: July 22, 2025.

**David C. Barata,**

*Rear Admiral, U.S. Coast Guard, Commander,  
U.S. Coast Guard Heartland (Eighth) District.*

[FR Doc. 2025–14688 Filed 8–1–25; 8:45 am]

BILLING CODE 9110–04–P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2025–0223]

RIN 1625–AA87

**Security Zones; Tampa Bay: Big Bend, Boca Grande, Crystal River, East Bay, Hillsborough Bay, MacDill Air Force Base, Manbirtee Key, Old Port Tampa, Port Manatee, Port Tampa, Port St. Petersburg, Port Sutton and Weedon Island, FL**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard is proposing to establish a permanent security zone in the vicinity of Seaport Manatee facilities and ship berths. This action is necessary to enhance safety and protect vessels, facilities, and infrastructure from potential threats. We invite your comments on this proposed rulemaking. This proposed rulemaking would allow for controlled access of authorized vessels and facility personnel within the security zone only.

**DATES:** Comments and related material must be received by the Coast Guard on or before September 3, 2025.

**ADDRESSES:** You may submit comments identified by docket number USCG–

2025–0223 using the Federal Decision-Making Portal at <https://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email Lieutenant Ryan McNaughton, Sector St. Petersburg, Ports & Waterways Branch Chief, U.S. Coast Guard; telephone (571) 608–7131, email [Ryan.A.McNaughton@uscg.mil](mailto:Ryan.A.McNaughton@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, Purpose, and Legal Basis**

In February 2024, Seaport Manatee requested the establishment of a Coast Guard security zone in vicinity of Seaport Manatee facilities and ship berths to bolster protection of the port. The security zone would enhance safety and protect vessels, facilities, and waterfront infrastructure from potential threats. The security zone would prevent unauthorized access, sabotage, and damage to vessels, infrastructure, and human life. Throughout 2024, the Tampa Bay Harbor Safety and Security Committee (TBHSSC), as well as the Area Maritime Security Committee (AMSC), have discussed and are in concurrence that an additional security zone in Port Manatee would enhance Port Safety and Security, aligning with goals of the Area Maritime Safety Plan (AMSP). The purpose of this rulemaking is to ensure the security of protected vessels, facilities and waterfront infrastructure from potential threats in the vicinity of Seaport Manatee. The Coast Guard may issue security zone regulations under authority in 46 U.S.C. 70051 and 70124.

##### **III. Discussion of Proposed Rule**

This rule establishes a permanent security zone in the vicinity of Seaport Manatee facilities and ship berths to bolster protection of the port. Entry into this security zone is prohibited unless specifically authorized by COTP or their designated representative. A designated representative is a commissioned,

warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of the U.S. Coast Guard Sector St. Petersburg. 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 analysis based on a number of these statutes and Executive orders.

##### **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. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This NPRM has not been designated a “significant regulatory action” under section 3(f) of Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size and location of the security zone. Vessel traffic would be able to safely transit around this security zone which would impact a small, designated area around Seaport Manatee Piers and facility.

##### **B. 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. 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.

While some owners or operators of vessels intending to transit the security zone may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

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