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9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-1411]

RIN 1625-AA00

Safety Zone; Pasquotank River Harbor, Elizabeth City, NC

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for certain navigable waters on the Pasquotank River, at Elizabeth City, NC. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with an over-the-water drone display. The entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector North Carolina, or their designated representative.

DATES: This rule is effective from 7 p.m. to 8 p.m. on November 27, 2026.

ADDRESSES: To view available documents go to https://www.regulations.gov and search for USCG-2026-1411.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MST1 Eric Gordon, Sector North Carolina Waterways Management Division, U.S. Coast Guard; telephone 571-608-8783, or email d05-smb-secnc-marineevents@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
COTP	Captain of the Port, North Carolina

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 November 9, 2026, the Coast Guard was notified that a drone show will occur on November 27, 2026 over the Pasquotank River, at Elizabeth City, NC. The Captain of the Port, North Carolina (COTP) has determined that potential hazards associated with the drone show, such as being hit by a falling drone, will be a safety concern for anyone beneath the drones in flight and that a safety zone is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone. The COTP is issuing this rule under authority in 46 U.S.C. 70034.

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. The Coast Guard does not have enough time to solicit and respond to comments if it is to establish this safety zone by November 27, 2026, the date it must be in place to protect personnel, vessels, and the marine environment.

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 p.m. until 8 p.m. on November 27, 2026. The safety zone will cover all navigable waters within a 350 foot by 1,500 foot designated area near the Pasquotank River Harbor waterfront. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or their designated representative.

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.

The National Ombudsman resolves concerns of uneven or excessive federal regulatory enforcement. Reviews are confidential and do not waive the right to pursue administrative appeals or any other legal action. Contact 1-888-REG-FAIR (1-888-734-3247) or Ombudsman@SBA.gov.

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

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 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; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

2. Add § 165.T05-1411 to read as follows:

§ 165.T05-1411 Safety Zone; Pasquotank River Harbor, Elizabeth City, NC.

(a) *Location*. The following area is a safety zone: All waters of the Pasquotank River from surface to bottom, encompassed by a line connecting the following points beginning at 36°18.058' N, 076°13.069' W, thence to 36°18.057' N, 076°13.000' W, thence to 36°17.810' N, 076°13.000' W, thence to 36°17.810' N, 076°13.070' W and along the shoreline back to the beginning point. 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 North Carolina (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 by calling the Sector North Carolina Command Center at 833-732-8628. 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 will be enforced from 7 p.m. to 8 p.m. on November 27, 2026.

J. A. Harlow,
Captain, U.S. Coast Guard,
Captain of the Port Sector North Carolina.

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