

warrant, or petty officer who has been authorized by the Captain of the Port Maryland-National Capital Region to assist in enforcement of the safety zone described in paragraph (a) of this section.

(c) *Regulations.* The general safety zone regulations found in this part 165, subpart C apply to the safety zone created by this section.

(1) All persons are required to comply with the general regulations governing safety zones found in § 165.23.

(2) Entry into or remaining in this safety zone is prohibited unless authorized by the Coast Guard Captain of the Port Maryland-National Capital Region. All vessels underway within this safety zone at the time it is implemented are to depart the zone.

(3) Persons desiring to transit the area of the safety zone are to obtain authorization from the Captain of the Port, Maryland-National Capital Region or designated representative. To request permission to transit the area, the Captain of the Port Maryland-National Capital Region and or designated representatives can be contacted at telephone number 410-576-2693 or on marine band radio VHF-FM channel 16 (156.8 MHz). The Coast Guard vessels enforcing this section can be contacted on marine band radio VHF-FM channel 16 (156.8 MHz). Upon being hailed by a U.S. Coast Guard vessel, or other Federal, State, or local agency vessel, by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed. If permission is granted to enter the safety zone, all persons and vessels must comply with the instructions of the Captain of the Port Maryland-National Capital Region or designated representative and proceed as directed while within the zone.

(4) The U.S. Coast Guard may be assisted in the patrol and enforcement of the zone by Federal, State, and local agencies.

(d) *Enforcement period.* This section will be enforced from 10 a.m. to 5 p.m., each day, from August 22-25, 2024.

**Patrick C Burkett,**

*Captain, U.S. Coast Guard, Captain of the Port, Maryland-National Capital Region.*

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**BILLING CODE 9110-04-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

**[Docket Number USCG-2024-0551]**

**RIN 1625-AA00**

**Safety Zone; Drone Display, Hudson River, New York City, NY**

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

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in the navigable waters of the Hudson River in the vicinity of Pier 90 located in New York City, NY. The temporary safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by an aerial drone display scheduled for July 30, 2024. During the enforcement period, entry of vessels or persons into the safety zone is prohibited unless specifically authorized by the Captain of the Port, Sector New York.

**DATES:** This rule is effective from 9 p.m. through 11 p.m. on July 30, 2024. This rule will be subject to enforcement while the aerial drones are in-flight from approximately 9:30 p.m. to 10 p.m. on July 30, 2024.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2024-0551 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 rule, call or email MST1 Kathryn Veal, Waterways Management Division, U.S. Coast Guard; telephone 718-354-4151, email [Kathryn.M.Veal@uscg.mil](mailto:Kathryn.M.Veal@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
COTP Captain of the Port New York  
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 under authority in 5 U.S.C. 553(b)(B). This statutory 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." The event sponsor did not make the Coast Guard aware of the aerial drone show until there was insufficient time to publish a notice of proposed rulemaking (NPRM), take public comments, consider those comments, and issue a final rule by July 30, 2024. The Coast Guard finds that good cause exists for not publishing a NPRM with respect to this rule because doing so would be impracticable since prompt action is necessary to ensure public safety and respond to the potential safety hazards associated with drone activity in this regulated area.

Also, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because prompt action is needed to respond to the potential safety hazards associated with the 500 drones flying overhead on a heavily trafficked channel.

**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 New York (COTP) has determined that the potential hazards associated with the aerial drone display, consisting of 500 drones, on July 30, 2024, are a safety concern for anyone transiting the Hudson River at that time. Therefore, this rule is necessary to protect personnel, vessels, and the marine environment in the navigable waters near the event location.

**IV. Discussion of the Rule**

This rule establishes a safety zone from 9 p.m. to 11 p.m. on July 30, 2024, and subject to enforcement while the aerial drones are in-flight from approximately 9:30 p.m. to 10 p.m. on July 30, 2024. The aerial display will consist of one flight, lasting approximately 13 minutes, commencing at approximately 9:30 p.m. The Coast Guard only intends to enforce the rule while the drones are in flight. The safety zone will cover all navigable waters of the Hudson River encompassing a 400-foot radius at approximate position 40°46'07.7" N, 74°00'03.3" W in the vicinity of Pier 90 located in New York City, NY. When enforced, entry of vessels or persons into this zone is prohibited unless specifically authorized by the COTP or a 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, 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 section 3(f) of 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 duration and time-of-day of the safety zone. This safety zone will be of limited duration to minimize any adverse impacts to vessels who seek to transit the Hudson River on July 30, 2024. Vessel traffic will only be restricted in the limited access area while drones are in the air for an approximately 13-minute segment from 9 p.m. until 11 p.m. on July 30, 2024. Further, the Coast Guard will issue a Broadcast Notice to Mariners via VHF-FM Marine Channel 16 about the zone and persons or vessels desiring to enter the safety zone may do so with permission from the COTP or a Designated Representative. Advance public notifications will also be made to local mariners through appropriate means, which may include Local Notice to Mariners, Alert Warning System messaging capabilities, and Broadcast Notice to Mariners.

### 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 rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, this rule will

not have a significant economic impact on any vessel owner or operator because they are able to transit during the periods of time the drones are not in-flight.

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 rule. If the 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.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 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.

### C. 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).

### 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 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 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.

### 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, 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 rule involves a safety zone that will only be enforced during a limited time: a 13-minute segment starting at approximately 9:30 p.m. on July 30, 2024. 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. 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 protestors. Protesters are asked to call or email 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.T01–0551 to read as follows:

**§ 165.T01–0551 Safety Zone; Drone Display, Hudson River, New York City, NY.**

(a) *Location.* The following area is a safety zone: All navigable waters of the Hudson River in the vicinity of Pier 90 located in New York City, NY within a 400-foot radius from the approximate coordinate position 40°46′07.7″ N, 74°00′03.3″ W. These coordinates are based on North American Datum 83.

(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 New York (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 designated representative via VHF–FM Marine Channel 16 or by contacting the Coast Guard Sector New York Command Center at (718) 354–4353. 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 while the aerial drones are in flight between 9 p.m. and 11 p.m. on July 30, 2024.

**Jonathan Andrechik,**

*Captain, U.S. Coast Guard, Captain of the Port, Sector New York.*

[FR Doc. 2024–16752 Filed 7–26–24; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG–2024–0647]

**Safety Zone; Seafair Air Show Performance, Seattle, WA**

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce a safety zone on Lake Washington, Seattle, Washington for the annual Seafair Air Show Performance from 8 a.m. until 4 p.m., each day from August 1 through 4, 2024, to provide for the safety of life on navigable waterways during this 4-day event. The regulation for this safety zone identifies the regulated area for this event on Lake Washington, Seattle, Washington. During enforcement periods no person or vessel may enter or remain within the safety zone, except those authorized by the Captain of the Port Sector Puget Sound (COTP) or their designated representative(s). Vessels and persons granted authorization to enter the safety zone shall obey all lawful orders or directions of the COTP or their designated representative(s).

**DATES:** The regulations in 33 CFR 165.1319 will be enforced from 8 a.m. until 4 p.m., each day from August 1, 2024, through August 4, 2024.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email Lieutenant Commander John Robertson, U.S. Coast Guard, Sector Puget Sound, Waterways Management Division; by telephone 206–217–6051, or email *SectorPugetSoundWWM@uscg.mil*.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone in 33 CFR 165.1319 for the annual Seafair Air Show Performance from 8 a.m. until 4 p.m. each day from August 1 through August 4, 2024. This action is being taken to provide for the safety of life on navigable waterways during this 4-day event. The regulation for this safety zone, § 165.1319(b), specifies the location of this safety zone for the annual Seafair Air Show Performance which encompasses a portion of Lake Washington, Seattle, Washington. During the enforcement periods as reflected in § 165.1319(c), no person may enter or remain in the zone except support vessels and support personnel, vessels registered with the event organizer, or other vessels authorized by the COTP or their designated representative(s). Vessels and persons granted authorization to enter the safety zone must obey all lawful orders or directions of the COTP or their designated representative(s).

The COTP may be assisted by other federal, state, and local law enforcement agencies in enforcing this regulation.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of the enforcement period

via marine information broadcast and Local Notice to Mariners.

Dated: July 24, 2024.

**Mark A. McDonnell,**

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

[FR Doc. 2024–16696 Filed 7–29–24; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG–2024–0662]

**Security Zones, Seattle's Seafair Fleet Week Moving Vessels, Puget Sound, WA**

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce Seattle's Seafair Fleet Week moving vessels security zones from July 30, 2024 through August 5, 2024 to safeguard these vessels from destruction, loss, or injury from sabotage or other subversive acts, accidents, or events of a similar nature. The regulation for these security zones identifies all navigable waters within 500 yards of the designated participating vessels for the Parade of Ships in Elliott Bay, Seattle, Washington as the regulated areas for this event. During the enforcement periods no person or vessel may enter or remain in the established security zones without authorization from the Captain of the Port Sector Puget Sound (COTP) or their designated representative(s). The COTP has granted general permission for vessels to enter the outer 400 yards of the security zones provided they operate at the minimum speed necessary to maintain course unless required to maintain speed by the navigation rules.

**DATES:** The regulations in 33 CFR 165.1333 will be enforced for the security zones identified in the **SUPPLEMENTARY INFORMATION SECTION** from 8 a.m. on July 30, 2024 through 8 p.m. on August 5, 2024.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email Lieutenant Commander John Robertson, U.S. Coast Guard, Sector Puget Sound, Waterways Management Division; by telephone 206–217–6051, or email *SectorPugetSoundWWM@uscg.mil*.