



U.S. Department of Homeland Security

United States Coast Guard

**Fifth Coast Guard District
LOCAL NOTICE TO MARINERS**

Coastal Waters From Shrewsbury River, New Jersey to Little River, South Carolina

WEEKLY SUPPLEMENT

September 14, 2004

NIS watchstander, 24 hours a day at (703) 313-5900

INTERNET ADDRESS

[HTTP://www.navcen.uscg.gov](http://www.navcen.uscg.gov)

Weekly supplemental editions contain new information only available following the monthly edition. NOTE: Chart corrections and Light List changes appear only once each. A complete listing of current discrepancies and temporary changes appear in each issue. The **Local Notice to Mariners** is updated each Wednesday on the U.S. Coast Guard Navigation Center website at www.navcen.uscg.gov/lnm/d5. If you have questions about the LNM, contact:

COMMANDER, FIFTH COAST GUARD DISTRICT (oan)
431 Crawford Street, Portsmouth, Virginia, 23704-5004
Telephone (Day): (757)-398-6486. 24 Hour FAX: (757) 398-6303

BROADCAST NOTICE TO MARINERS

This section contains corrections to federal and private maintained Aids to Navigation, as well as NOS corrections. Navigation information having been of immediate concern to the Mariner and promulgated by the following **Broadcast Notice to Mariners (BNM's)** have been incorporated in this notice when still significant at the date of this publication.

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|----------------------|---|
| CCGD5 (D5) | D5 358-04, 359-04, 397-04, 398-04, 399-04, 402-04 THUR 407-04. |
| Group Philadelphia | PH 320-03, 321-03, 026-04, 045-04, 101-04, 178-04, 208-04, 215-04, 224-04, 229-04, 231-04, 258-04, 264-04, 265-04, 294-04, 307-04, 309-04. |
| Group Atlantic City | AC 327-04, 330-04, 331-04, 332-04, 339-04, 341-04, 342-04. |
| Activities Baltimore | BA 639-04, 640-04, 651-04, 653-04, 654-04, 659-04, 667-04, 670-04, 679-04, 680-04, 696-04, 701-04, 703-04, 704-04, 710-04, 712-04 THRU 718-04, 720-04, 722-04, 726-04, 732-04, 738-04, 739-04, 741-04, 743-04 THRU 750-04. |
| Group Eastern Shore | ES 136-04, 137-04, 139-04, 140-04, 142-04, 143-04. |
| Group Hampton Roads | HR 418-04, 423-04, 428-04, 434-04 THRU 438-04. |
| Group Cape Hatteras | CH 166-04, 169-04. |
| Group Fort Macon | FM 323-04, 324-04, 327-04, 337-04, 339-04, 340-04, 341-04, 343-04, 344-04, 346-04, 351-04, 353-04, 355-04, 356-04, 357-04. |

REFERENCES

Light List Reference: **ATLANTIC COAST, VOLUME II, COMDTPUB P16502.2, 2004 Edition**

U.S. Coast Pilot 3, Atlantic Coast: Sandy Hook to Cape Henry (37th) Edition

U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West (35th) Edition

All bearings are in degrees TRUE – All times are in Local Time unless otherwise noted.

NAVIGATION INTERNET SITES

| | |
|---|---|
| Chart Corrections: | http://chartmaker.ncd.noaa.gov and http://www.maptech.com |
| 2004 Light List/ Summary of Corrections | http://www.navcen.uscg.gov/pubs/LightLists/LightLists.htm |
| Coast Pilot Corrections: | HTTP://nauticalcharts.noaa.gov/nsd/cpdownload.htm |
| D5 LNM on Internet/Archived Back Issues for 2004: | HTTP://www.navcen.uscg.gov/lnm/d5 |
| Chesapeake Bay Weather Buoys: | Http://www.cbos.org/client.cgi |
| NOAA Weather Buoy sites: | http://seaboard.ndbc.noaa.gov/Maps/wrldmap.shtml |
| Tides On Line: | http://www.tidesonline.nos.noaa.gov |
| Tides, Currents, PORTS: | http://www.co-ops.nos.noaa.gov |
| ACOE Wilmington NC Navigation Link for NC portions Of the AAICW and coastal inlet depths (updated weekly) | http://www.saw.usace.army.mil/nav/Depths/shoaling3-10-04.pdf |
| Weather: | http://www.intellicast.com/ |
| LANTAREA/ District 5 Local Notice To Mariners for correspondence: | http://d5local@lantd5.uscg.mil |

I. SPECIAL NOTICES: This section contains information of special concern to the Mariner.

FIFTH COAST GUARD DISTRICT WATERS – INCREASED THREAT LEVEL

The U.S. Coast Guard is asking for assistance from all mariners to be on the lookout while they are transiting the local waterways. The Department of Homeland Security (DHS) and the U.S. Coast Guard are asking you to report any suspicious or peculiar activity that you may observe. Please make all reports to the U.S. Coast Guard via VHF-FM CH 16 or by using your cell phone to dial 911, the National Response Center (NRC) at 1-800-424-8802 or to the DHS Watch and Warning unit at (202) 323-3205.

CHESAPEAKE BAY REGULATED NAVIGATION AREA (RNA) REQUIREMENTS FOR PORT ENTRY/TRANSIT/DEPARTURE

Mariners have been advised that there has been an amendment to the **Chesapeake Bay Regulated Navigation Area**, which requires all vessels 300 gross tons, and over, including tug and barge combined, to obtain permission prior to entering, departing, and/or moving within the **Regulated Navigation Area**. To obtain permission, vessels shall contact the **Joint Harbor Operations Center (JHOC)** prior to entry or movement via Channel 12, or 13/16 VHF-FM and relay vessel documentation number, IMO number or VIN for verification. This includes entries from offshore, James River, Chesapeake Bay or Intracoastal Waterway. Alternate JHOC phone numbers are (757) 444-5210/5209. If the JHOC cannot be reached, the Captain of the Port (COTP) Command Duty Officer may be reached at (757) 668-5555.

REQUIRED BALLASTWATER MANAGEMENT REPORTS FOR VESSELS OPERATING OUTSIDE THE EEZ

Mariners are reminded that in accordance with 33 CFR 151.2040, all vessels which carry ballast water, including residual ballast water and sediments, are asked to submit a Ballast Water Management Report after operating outside the EEZ at their first port of call in U.S. waters. These reports may be transmitted electronically to <http://invasions.si.edu/ballast.htm>, e-mailed to ballast@serc.si.edu, faxed to Commandant, U.S. Coast Guard, c/o the NBIC at **301-261-4319**, or mailed to U.S. Coast Guard, c/o Smithsonian Environmental Research Center (SERC), P.O. Box 28, Edgewater, MD 21037-0028.

NJ & PA – UPPER DELAWARE - DELAWARE RIVER – BRIDGE RESTRICTIONS

The Coast Guard has authorized New Jersey Transit to restrict the operation of the Delair Railroad (vertical-lift) Bridge, at mile 104.6, across the Delaware River, in Philadelphia, Pennsylvania. To facilitate replacement of bridge timbers, the bridge will be maintained in the closed-to-navigation position each day from 8 a.m. to 4 p.m. on ten consecutive Mondays: on **September 20 and 27**; on **October 4, 11, 18, and 25**; and on **November 1, 8, 15, and 22, 2004**. At all other times, the bridge will operate in accordance with the current operating regulations outlined in 33 CFR 117.716. The available vertical clearance in the closed-to-navigation position is approximately 49 feet at Mean High Water (MHW) and 55 feet at Mean Low Water (MLW). Mariners able to pass under the closed span are advised to exercise extreme caution when transiting the area. **Chart: 12314.**

NJ-PA-DELAWARE RIVER-DELAWARE BAY – NAVAL VESSEL PROTECTIVE SECURITY ZONE

All mariners are advised a Naval Vessel Protective Security Zone exists around the USNS MENDONCA and the USNS SEAY while moored at Tioga Marine Terminal Philadelphia, PA. All vessels shall maintain 100 yards distance from the USNS MENDONCA or USNS SEAY while it is underway, moored or anchored. All mariners are requested to operate at a minimum speed necessary to maintain a safe course within 500 yards of the USNS MENDONCA OR USNS SEAY and are reminded to use caution when transiting near the vessels. This action is necessary to provide for the safety and security of the vessels. The U.S. Coast Guard and local law enforcement agencies will be enforcing the fixed Naval Vessel Protective Security Zone. All mariners are requesting to operate within 100 yards of the USNS MENDONCA or USNS SEAY should contact the USNS MENDONCA or USNS SEAY VIA VHF Channels 13 OR 16. **Charts: 12312 & 12314.**

NJ – DE – PA – DELAWARE RIVER – REEDY ISLAND – HAZARD TO NAVIGATION

There has been an anchor and wire lost in the vicinity of Reedy Island Anchorage #3 in position 39°-30'.6N, 075°-32'.6W. Mariners are advised to use extreme caution while transiting this area. **Chart: 12311.**

MD – CHESAPEAKE BAY – APPROACHES TO BALTIMORE HARBOR – HAZARD TO NAVIGATION

There has been an anchor and 400 feet of chain lost in General Anchorage #3 in approximate position 39°-14'-44".6N, 076°-33'-08".8W. Mariners are urged to use extreme caution when transiting the area. **Chart: 12281.**

MD-VA-DC-POTOMAC RIVER-MATTAWOMAN CREEK TO GEORGETOWN – SECURITY ZONES

Mariners are advised that due to heightened security alert conditions in and near Washington, DC, the Coast Guard has established temporary security zones upon the waters of the Potomac River. These security zones will remain in effect until **November 30, 2004**. The areas include: (A) for all persons or vessels engaged in commercial service, all waters of the Potomac River, surface to bottom, from the Woodrow Wilson Memorial Bridge upstream to the Long Railroad Bridge, including the waters of the Anacostia River downstream from the Highway 50 Bridge to the confluence with the Potomac River. Vessels engaged in commercial service must contact the Captain of the Port (COTP) Baltimore or his designated representative by telephone at (202) 767-1194, or U.S. Coast Guard Station Washington, D. C. on VHF-FM Channels 16 or 23A for authorization prior to entering or moving within this security zone, (B) for all other persons or vessels, all waters of the Georgetown Channel, Potomac River, surface to bottom, from the Long Railroad Bridge upstream to the Francis Scott Key Bridge. Vessels are allowed to enter, move within, or remain in this security zone, only with the authorization of the COTP Baltimore. **Chart: 12289.**

MD-CHESAPEAKE BAY-SEVERN RIVER-SPA CREEK – ANNAPOLIS BOAT SHOW

Annapolis Boat Shows, Inc. will conduct its annual U. S. Sailboat and Powerboat Shows in Annapolis Harbor from **Thursday, October 7** through **Sunday October 17, 2004**. In support of these events, temporary pilings, floating docks and submerged electrical cables will be placed in the northwestern quadrant of Annapolis Harbor beginning on **Monday, October 4, 2004**, and will remain in place through **Wednesday, October 20, 2004**. In addition, mariners are advised that special anchoring restrictions in the harbor will be in affect in the event of severe weather during this period. For any comments or questions, contact the Annapolis City Harbormaster's office, on marine radio VHF-FM Channel 17, or at telephone number (410) 263-7973. **Chart :12283.**

MD-CHESAPEAKE BAY-HEAD OF CHESAPEAKE BAY-ABERDEEN PROVING GROUND RESTRICTED AREA-HAZOPS-FIREX

MARINERS ARE ADVISED THAT IN ADDITION TO THE NORMAL PUBLISHED CLOSURE TIMES FOUND IN TITLE 33 CODE OF FEDERAL REGULATIONS PART 334.140, THE FOLLOWING PORTIONS OF THE ABERDEEN PROVING GROUND (APG), MD RESTRICTED AREA WATERS WILL BE CLOSED TO NAVIGATION, FISHING, AND CRABBING ACTIVITIES DUE TO FIRING HAZARDOUS TO SURFACE VESSELS: FROM **6 PM TO 11 PM ON 16 SEP 04 AND 21 SEP 04**, WITHIN THE EASTERN PORTION OF THE RESTRICTED AREA FROM BLACK POINT TO TAYLOR ISLAND POINT, AND FROM **6 PM TO 11 PM ON 14, 15, 17, 20, 22 AND 23 SEP 04**, WITHIN THE BUSH RIVER FROM BUSH RIVER WRECK LT WR6 (LLNR 27330) TO THE RESERVATION LINE. MILITARY TRAINING REQUIREMENTS DICTATE THIS CLOSURE, AND THERE MAY BE UNANTICIPATED CHANGES DUE TO CHANGES IN THE TRAINING SCENARIO. APG PATROL BOATS WILL BE POSITIONED IN THE AFFECTED AREA OF THE RESTRICTED WATERS. VESSEL TRAFFIC WILL ONLY BE PERMITTED THROUGH CONTACT WITH THESE PATROL BOATS. MARINERS ARE REMINDED THAT OPENING OF THE RESTRICTED ZONE TO THE PUBLIC GRANTS THEM NAVIGATION AND FISHING PURPOSES ONLY. LANDING VESSELS OR PERSONS ON THE SHORELINES OR ISLANDS WITHIN THE RESTRICTED AREA WATERS IS PROHIBITED AT ALL TIMES. MARINERS ARE ALSO DIRECTED NOT TO HANDLE OR ATTEMPT TO REMOVE ANY REMNANTS FROM THE WATERS OR BEACHES, AS THESE MAY BE EXTREMELY DANGEROUS ITEMS. INTERESTED PERSONS MAY CONTACT THE RANGE OFCR AT PH 410-278-2215.

VA/MD – POTOMAC RIVER – WOODROW WILSON BRIDGE – BRIDGE INFO

Mariners are advised that construction of the new Woodrow Wilson Memorial Drawbridge across the Potomac River, mile 103.8, between the City of Alexandria, Virginia and Oxon Hill, Maryland is ongoing until 2010. Excessive speed and wake by boaters may cause serious or fatal incidents to the Bridge project. It is crucial that mariners obey the speed restrictions and eliminate wakes through the work zone due to the sensitive and precise nature of the work and for worker safety. A temporary floating/sliding bridge will be in place in the waterway during drawbridge construction until further notice. There will be intermittent day-time channel restrictions as a result of the floating bridge and mariners are urged to listen to the BNMs for updates of it's position in the waterway. Mariners are also urged to use extreme caution when transiting this area for work barges, exposed piles, and anchor buoys. For further information and updates to construction operations, contact Mr. Mike Baker, Environmental Construction Manager for the Woodrow Wilson Bridge Project at 301-567-0094 Ext 242 or visit the Project's website online at www.wilsonbridge.com. **Charts: 12285 & 12289.** Bridge. **Chart 12207.**

MD SAFETY BROADCAST NOTICE TO MARINERS REQUEST - INTERFERENCE TO THE GPS NAVIGATION SIGNAL 300 NM EAST OF THE MARYLAND COAST

THE GPS NAVIGATION SIGNAL MAY BE UNRELIABLE DUE TO INTERFERENCETESTING ON THE FREQUENCIES OF M1575 AND M1227 USED IN SHIPBOARDNAVIGATION AND HANDHELD SYSTEMS. GPS SYSTEMS THAT RELY ON GPS, SUCHAS E-911, AIS AND DSC, MAY BE AFFECTED WITHIN A AFFECTED WINTIN A 100NM RADIUS OF POSITION 37-00.0N 070-00.0W AT SEA LEVEL.

INTERFERENCE TESTING WILL BE CONDUCTED ON THE FOLLOWING DATES:

- 28 SEP 04 FROM 1200-1600Z (0800-1200 LOCAL)
- 28 SEP 04 FROM 2000-2400Z (1600-2000 LOCAL)
- 29 SEP 04 FROM 1200-1600Z (0800-1200 LOCAL)
- 29 SEP 04 FROM 2000-2400Z (1600-2000 LOCAL)
- 30 SEP 04 FROM 1200-1600Z (0800-1200 LOCAL)
- 30 SEP 04 FROM 2000-2400Z (1600-2000 LOCAL)

VA – ELIZABETH RIVER – WESTERN BRANCH – ROUTE 17/ CHURCHLAND BRIDGE – REDUCED OVERHEAD POWER CABLE CLEARANCE

Virginia Power has informed the Coast Guard that the overhead power cable; South of the Churchland Bridge, Western Branch, Elizabeth River has sagged to 39 feet. Mariners are to use extreme caution in this area. Virginia Power will be resagging the overhead power cable to its authorized clearance of 45 feet in the immediate future. **Chart: 12253.**

VA – COASTAL – U.S. NAVAL BASE DAM NECK, VIRGINIA BEACH – SMALL ARMS RANGE LIVE FIRE SCHEDULE

All vessel operators are reminded to review Navigation Regulations as described in paragraph 334.380 of Chapter 2, of **U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West** when operating south of the entrance to the Chesapeake Bay, off the Dam Neck Naval Firing Range. When firing is in progress during daylight hours, red flags will be displayed at conspicuous locations on the beach at the facility. Vessels shall proceed through the area with caution and shall remain in the area no longer than necessary for transit.

The U.S. Naval Base Dam Neck Live Fire Range will be active during the following periods:

Sep 16-17, 2004 from 6:00 a.m. to 1:00 p.m.

Sep 20-24, 2004 from 6:00 a.m. to 1:00 p.m.

Sep 27-30, 2004 from 6:00 a.m. to 1:00 p.m.

Night live fire operations will commence at 4:30 a.m. and last approximately 90 minutes on the following dates: 23-24 September and 29-30 September. **Charts: 12203, 12205, 12207 & 12221.**

VA – COASTAL – STATE MILITARY RESERVATION, CAMP PENDLETON, VIRGINIA BEACH – SMALL ARMS LIVE FIRE SCHEDULE

The Camp Pendleton State Military Reservation Live Fire Small Arms Range described as "all of the waters seaward of the mean high water shore line within a sector between radial lines extending 13,500 yards seaward and bearing 090 degrees true and 150 degrees true, respectively, from a point on shore at 36° 49' 09"N, 075° 58' 45"W". All vessel operators are reminded to review Navigation Regulations as described in paragraph 334.380 of Chapter 2, of **U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West** when operating south of the entrance to the Chesapeake Bay. Firing will take place only during daylight hours and red flags will be displayed at conspicuous locations on the beach at the facility. Vessels shall proceed through the area with caution and shall remain in the area no longer than necessary for transit. **Charts: 12203, 12205, 12207 & 12221.**

The Camp Pendleton Live Fire Range will be active during the following periods:

15-16 September, 2004 - from 8:00 a.m. to 04:00 p.m.

17-18 September, 2004 - from 8:00 a.m. to 04:00 p.m.

06-07 November, 2004 - from 8:00 a.m. to 04:00 p.m.

04-05 December, 2004 - from 8:00 a.m. to 04:00 p.m.

08-09 January, 2005 - from 8:00 a.m. to 04:00 p.m.

05-06 February, 2005 - from 8:00 a.m. to 04:00 p.m.

12-13 March, 2005 - from 8:00 a.m. to 04:00 p.m.

21-22 May 2005 - from 8:00 a.m. to 04:00 p.m.

NORTH CAROLINA – INTRACOASTAL WATERWAY (ICW) – WRIGHTSVILLE BEACH – BRIDGE CLOSURE

The Wrightsville Beach Bridge, at ICW mile 283.1, across the North Carolina Cut will be closed to vessel traffic, on **Saturday, September 18, 2004**, from 7 a.m. until 11 a.m. to accommodate the 26th Annual Wilmington YMCA Triathlon. To avoid delays, mariners should plan their trips accordingly. **Chart :11541**

NC – COASTAL- BOGUE INLET TO NEW RIVER INLET AND NEW RIVER (AICWW) – Firing Exercises

The Commanding General, Marine Corps Base Camp Lejeune, North Carolina has advised that the danger zone (depicted as 334.440) as shown on National Ocean Service **Chart 11543**, and AICWW at New River may be hazardous to navigation due to field firing exercises. Firing exercises are scheduled daily. For additional information concerning specific dates and times refer to Monthly. **LNM 36/04.**

II. DISCREPANCIES: This section lists all discrepancies to Aids to Navigation and those corrected since the last published list. A discrepancy is a change in the status of an aid to navigation that differs from what is published and or charted.

DISCREPANCY ABBREVIATIONS

| | | |
|--------------------------------|--------------------------------|-----------------------------------|
| AC= Group Atlantic City | BA= Activities Baltimore | BNM= Broadcast Notice to Mariners |
| CH= Group Cape Hatteras | DBD= Dayboard | DBN= Daybeacon |
| DEST= Destroyed | ES= Group Eastern Shore | EXT= Extinguished |
| FM= Group Fort Macon | IMCH= Improper Characteristics | INOP= Inoperative |
| LNM= Local Notice to Mariners | LT= Light | OFF STA= Off Station |
| PH= Group Philadelphia | SHL= Shoaling | TRLB= Temporary Lighted Buoy |
| TRUB= Temporary Unlighted Buoy | TRLT= Temporary Light | |

FEDERAL AIDS DISCREPANCIES As of 0800 a.m. 14 September 2004.

| LLNR | Aid Name | Status | Chart Number | BNM Ref. | LNM Ref. |
|-------------|--|-----------------|---------------------|-----------------|-----------------|
| 465 | Chesapeake Bay Southern Approach Lighted Buoy 11 | LT EXT | 12200 | 0418HR | 36/04 |
| 505 | Rudee Inlet Jetty Light 4 | LT EXT | 12200 | 0142HR | 10/03 |
| 510 | Rudee Inlet Jetty Daybeacon 5 | DBN DEST | 12221 | 0502HR | 49/02 |
| 600 | Oregon Inlet Approach Lighted Whistle Buoy OI | LT EXT | 12200 | 0169CH | 37/04 |
| 640 | Diamond Shoal Lighted Buoy 12 | BUOYDMGD/LT EXT | 13003 | 0379D5 | 33/04 |
| 920 | Barnegat Inlet North Jetty Danger Buoy A | OFF STA | 12323 | 0339AC | 36/04 |
| 1175 | Absecon Inlet Lighted Buoy 2 | MISSING | 12316 | 0329AC | 36/04 |
| 1195 | Absecon Inlet Breakwater Light 7 | DBN DEST | 12318 | 0388AC | 42/03 |
| 2050 | Harbor of Refuge North End Light | LT EXT | 12214 | 0311AC | 34/04 |
| 2115 | Rehoboth Bay Channel Light 9 | TRLB | 12216 | 0035ES | 06/04 |
| 2117 | Rehoboth Bay Buoy 10 | OFF STA | 12214 | 0137ES | 35/04 |
| 2125 | Rehoboth Bay Daybeacon 12 | MISSING | 12214 | 0023ES | 06/04 |
| 2148 | Rehoboth Bay Channel Daybeacon 19 | TRUB | 12216 | 0048ES | 09/04 |
| 2170 | Rehoboth Bay Channel Daybeacon 25 | DBN IMCH | 12216 | 0136ES | 35/04 |
| 2660 | Salem River Entrance Channel Range Rear Light | LT DIM | 12277 | 0223PH | 27/04 |
| 3715 | Frankford Channel Upper Directional Light | LT EXT | 12314 | 0264PH | 32/04 |
| 3775 | Upper Delaware River Channel Lighted Buoy 18 | LT EXT | 12314 | 0258PH | 31/04 |
| 3840 | Enterprise Upper Range Front Light | LT DIM | 12314 | 0304PH | 34/03 |
| 3845 | Enterprise Upper Range Rear Light | LT DIM | 12314 | 0305PH | 34/03 |
| 4400 | Indian River Inlet Buoy 11 | BUOYSINK | 12214 | 0123ES | 27/04 |
| 4420.1 | Indian River Inlet Daybeacon 17A | TRLB | 12214 | 0018ES | 05/04 |
| 4430 | Indian River Junction Light IR | TRLB | 12214 | 0013ES | 07/04 |
| 4445 | Pepper Creek Daybeacon 2 | TRUB | 12216 | 0043ES | 09/04 |
| 4470 | Pepper Creek Lighted Buoy WR10 | TRLB | 12216 | 0101ES | 22/04 |

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|-------|---|-----------------|-------|--------|-------|
| 4840 | Isle of Wight Bay Daybeacon 7 | TRUB | 12211 | 0100ES | 21/04 |
| 4867 | Isle of Wight Bay Buoy 12A | OFF STA | 12211 | 0117ES | 25/04 |
| 4995 | Sinepuxent Bay Daybeacon 1 | TRUB | 12211 | 0083ES | 17/04 |
| 5015 | Sinepuxent Bay Channel Daybeacon 6 | TRUB | 12211 | NONEHR | 11/04 |
| 5105 | Sinepuxent Bay Channel Daybeacon 27 | TRUB | 12211 | NONEHR | 11/04 |
| 5300 | Chincoteague Inlet Lighted Buoy 6 | MISSING | 12210 | 0139ES | 36/04 |
| 5777 | Virginia Inside Passage Daybeacon 59 | TRUB | 12210 | 0142ES | 37/04 |
| 6155 | Virginia Inside Passage Daybeacon 162 | TRUB | 12210 | NONEHR | 25/04 |
| 6275 | Virginia Inside Passage Daybeacon 198 | DBN IMCH | 12210 | 0143ES | 37/04 |
| 6790 | North Inlet Light 1 | TRLB | 12210 | NONEHR | 11/04 |
| 7245 | Old Plantation Flats Light | DBN DMGD | 12221 | 0350HR | 30/04 |
| 7290 | Rappahannock Shoal Channel South Range Front Light | LT EXT | 12280 | 0297HR | 26/04 |
| 7305 | Chesapeake Channel Lighted Buoy 44 | RAC INOP | 12221 | 0434HR | 37/04 |
| 7995 | Craighill Channel Entrance Range Front Light | LT EXT | 12273 | 0741BA | 37/04 |
| 8030 | Craighill Channel Lighted Buoy 6 | LT EXT | 12282 | 0633BA | 29/04 |
| 8240 | Fort McHenry Anchorage Buoy A | MISSING | 12281 | 0738BA | 37/04 |
| 9305 | Thimble Shoal Channel Lighted Buoy 19 | LT IMCH | 12221 | 0435HR | 37/04 |
| 9565 | Norfolk International Terminal Daybeacon 6 | TRLB | 12245 | 0344HR | 30/04 |
| 10070 | Elizabeth River Southern Branch Buoy 26 | OFF STA | 12206 | 0428HR | 36/04 |
| 11655 | James River Channel Light 15 | DBN DMGD | 12248 | 0433HR | 37/04 |
| 11700 | James River Channel Light 24 | TRLB | 12248 | 0294HR | 25/04 |
| 12065 | Goose Hill Channel Range Front Light | LT EXT | 12248 | 0387HR | 33/04 |
| 12070 | Goose Hill Channel Rear Range Light | LT EXT | 12248 | 0388HR | 33/04 |
| 12220 | James River Lighted Buoy 62 | LT DIM/DBN IMCH | 12251 | 0235HR | 20/04 |
| 12420 | Jordan Point Range Rear Light | LT EXT | 12251 | 0160HR | 15/04 |
| 12530 | James River Channel Light 120 | TRLB | 12251 | 0445HR | 33/03 |
| 12600 | James River Channel Light 121 | TRLB | 12252 | 0331HR | 29/04 |
| 12820 | Horseshoe Crossing Lighted Whistle Buoy HC | LT EXT | 12221 | 0436HR | 37/04 |
| 13550 | York River West Range Front Light | TRLB | 12241 | 0542HR | 40/03 |
| 13555 | York River West Range Rear Light | LT IMCH | 12238 | 0239HR | 21/04 |
| 16985 | Bransons Cove Daybeacon 1B | TRLB | 12285 | 0653BA | 30/04 |
| 17205 | Dukeharts Channel Daybeacon 9 | TRUB | 12285 | 0551BA | 24/04 |
| 17210 | Dukeharts Channel Daybeacon 10 | TRUB | 12286 | 0552BA | 24/04 |
| 17330 | Wicomico River Daybeacon 13W | TRLB | 12286 | 0312BA | 09/04 |
| 17375 | Horsehead Cliffs Warning Daybeacon | TRLB | 12285 | 0659BA | 31/04 |
| 17770 | Port Tobacco River Light 1 | TRLB | 12288 | 0457BA | 18/04 |
| 17920 | Potomac Creek Daybeacon 3 | TRUB | 12285 | NONEBA | 13/04 |
| 18005 | Aquia Creek Light 10 | DBN IMCH | 12288 | 0743BA | 37/04 |
| 18280 | Occoquan River Channel Daybeacon 7 | TRLB | 12285 | 0542BA | 24/04 |
| 18810 | St. Jerome Creek Light 4 | TRLB | 12285 | 0300BA | 09/04 |
| 18880 | Patuxent River Light 3 | DBN DMGD | 12230 | 0554BA | 24/04 |
| 19675 | Fishing Creek Light 3 | DBN IMCH | 12270 | 0739BA | 37/04 |
| 21435 | Old Plantation Flats Light | DBN DMGD | 12221 | 0350HR | 30/04 |
| 21440 | Cape Charles City Range A Front Light | DBN DMGD | 12224 | 0180HR | 16/04 |
| 21450 | Cape Charles City Light 1 | TRLB | 12221 | 0347HR | 30/04 |
| 21530 | Kings Creek Junction Light KC | TRLB | 12224 | 0372HR | 32/04 |
| 22330 | Muddy Creek Daybeacon 1 | TRUB | 12225 | 0598BA | 27/04 |
| 22335 | Muddy Creek Daybeacon 3 | TRLB | 12225 | 0598BA | 27/04 |
| 22580 | Pocomoke River Channel Buoy 18 | OFF STA | 12230 | 0512BA | 22/04 |
| 22990 | Rhodes Point Gut Channel Daybeacon 1 | TRUB | 12225 | 0340BA | 40/02 |
| 23145 | Tyler Creek Channel Daybeacon 9 | TRUB | 12231 | 0002BA | 02/04 |
| 23280 | Big Annemessex River Light 1 | TRLB | 12230 | 0318BA | 10/04 |
| 23300 | Big Annemessex River Light 6 | TRLB | 12231 | 0312BA | 09/04 |
| 23380 | Manokin River Light 2 | MISSING | 12230 | 0454BA | 18/04 |
| 23430 | Manokin River Daybeacon 9 | TRLB | 12231 | 0312BA | 09/04 |
| 23495 | Lower Thorofare Channel Light 2 | FS INOP/TRLB | 12230 | 0434BA | 16/04 |
| 23645 | Sharkfin Shoal Channel Range Front Light | TRLB | 12230 | 0493BA | 21/04 |
| 23650 | Sharkfin Shoal Channel Range Rear Light | MISSING | 12261 | 0312BA | 09/04 |
| 23795 | Webster Cove Channel Buoy 1 | OFF STA | 12230 | 0654BA | 30/04 |
| 24400 | Goose Creek Light 1 | TRLB | 12261 | 0312BA | 09/04 |
| 24410 | Fishing Bay Light 3 | TRLB | 12230 | 0312BA | 11/04 |
| 24470 | Hearns Cove Channel Light 5 | TRLB | 12261 | 0312BA | 09/04 |
| 24525 | Honga River Light 12 | TRLB | 12230 | 0312BA | 09/04 |
| 24580 | Tar Bay Channel Light 1 | TRLB | 12280 | 0400BA | 14/04 |
| 24620 | Tyler Cove Channel Daybeacon 1 | TRUB | 12261 | 0639BA | 30/04 |
| 24625 | Tyler Cove Channel Daybeacon 2 | TRUB | 12264 | 0640BA | 30/04 |
| 24930 | Choptank River Entrance Lighted Buoy 14 | LT EXT | 12263 | 0744BA | 37/04 |
| 25525 | Irish Creek Daybeacon 6 | TRUB | 12266 | 0220BA | 14/01 |
| 27325 | Bush River Light 5 | TRLB | 12273 | 0318BA | 10/04 |
| 29140 | Barden Inlet Light 1 | TRLB | 11543 | NONEFM | 04/04 |
| 29235 | Barden Inlet Light 21 | TRLB | 11545 | 0323FM | 33/04 |
| 29559 | Bogue Inlet Buoy 14 | OFF STA | 11541 | 0309FM | 33/04 |
| 29765 | Courthouse Bay Daybeacon 1 | DBN IMCH | 11542 | 0321FM | 35/04 |

| | | | | | |
|-------|--|----------|-------|--------|-------|
| 29925 | Southwest Creek Daybeacon 1 | DBN IMCH | 11542 | 0340FM | 36/04 |
| 29950 | New River Channel Daybeacon 55 | DBN IMCH | 11542 | 0399FM | 36/04 |
| 29975 | New Topsail Inlet Buoy 1 | OFF STA | 11541 | 0341FM | 36/04 |
| 29975 | New Topsail Inlet Buoy 1 | MISSING | 11543 | 0324FM | 33/04 |
| 29997 | New Topsail Inlet Buoy 3A | MISSING | 11541 | 0344FM | 37/04 |
| 30010 | New Topsail Inlet Lighted Buoy 5 | TRUB | 11541 | NONEFM | 09/04 |
| 30130 | Banks Channel Daybeacon 19 | TRUB | 11541 | 0237FM | 27/04 |
| 30285 | Carolina Beach Inlet Buoy 5 | OFF STA | 11534 | 0300FM | 33/04 |
| 30835 | Cape Fear River Channel Light WR 57 | MISSING | 11537 | NONEFM | 13/04 |
| 31055 | Shalotte Inlet Buoy 1 | MISSING | 11534 | 0327FM | 33/04 |
| 31665 | Kendrick Creek Channel Daybeacon 2 | MISSING | 12205 | 0143CH | 30/04 |
| 32470 | Lower Middle Ground Light LM | DBN DEST | 11548 | 0236FM | 27/04 |
| 32720 | Fodrey Creek Light 1 | TRLB | 11548 | 0098FM | 04/04 |
| 33245 | Gaylord Bay Ferry Terminal Channel Light 1 | TRLB | 11554 | 0220FM | 24/04 |
| 33505 | Raccoon Island North Daybeacon | MISSING | 11541 | NONEFM | 50/03 |
| 33530 | West Bay Mile Marker Light | MISSING | 11548 | 0401FM | 39/03 |
| 34320 | Harbor Island Warning Daybeacon | DBN DMGD | 11544 | 0102FM | 10/03 |
| 34345 | Core Sound Channel Light 5 | TRLB | 11550 | 0387FM | 27/04 |
| 34375 | Core Sound Light 13 | TRLB | 11544 | 0427FM | 40/03 |
| 34395 | Core Sound Daybeacon 18A | TRUB | 11550 | 0362FM | 35/03 |
| 34460 | Core Sound Light 19A | TRLB | 11544 | 0448FM | 42/03 |
| 34485 | Core Sound Daybeacon 23 | TRUB | 11550 | 0363FM | 35/03 |
| 34545 | Core Sound Light 28 | TRLB | 11544 | 0401FM | 39/03 |
| 34710 | Brooks Creek Daybeacon 1 | DBN IMCH | 12266 | 0310FM | 34/04 |
| 34770 | North River Warning Light | DBN DMGD | 11545 | 0527FM | 49/03 |
| 34932 | Manasquan Inlet Light 3 | LT EXT | 12300 | 0310AC | 34/04 |
| 34934 | Manasquan Inlet Light 4 | LT EXT | 12324 | 0316AC | 34/04 |
| 35050 | New Jersey Intracoastal Waterway Daybeacon 21 | TRLB | 12324 | 0151AC | 17/04 |
| 35080 | New Jersey Intracoastal Waterway Light 29 | TRLB | 12324 | 0130AC | 15/04 |
| 35320 | New Jersey Intracoastal Waterway Daybeacon 82 | TRLB | 12324 | 0113AC | 13/04 |
| 35875 | New Jersey Intracoastal Waterway Daybeacon 223 | MISSING | 12316 | 0416AC | 45/03 |
| 35895 | New Jersey Intracoastal Waterway Light 230 | TRLB | 12316 | NONEAC | 29/04 |
| 36015 | New Jersey Intracoastal Waterway Daybeacon 265 | TRUB | 12316 | NONEAC | 29/04 |
| 36055 | New Jersey Intracoastal Waterway Daybeacon 277 | DBN DMGD | 12316 | 0121AC | 13/04 |
| 36275 | New Jersey Intracoastal Waterway Light 340 | TRLB | 12316 | 0289AC | 33/04 |
| 36535 | New Jersey Intracoastal Waterway Buoy 424 | OFF STA | 12316 | 0228AC | 26/04 |
| 36920 | Elizabeth River Southern Branch Buoy 26 | OFF STA | 12206 | 0428HR | 36/04 |
| 38390 | Core Creek Light 20 | LT EXT | 11545 | 0293FM | 32/04 |
| 38400 | Core Creek Range Front Light | TRLB | 11541 | 0116FM | 12/03 |
| 38407 | Core Creek Light 24 | TRLB | 11545 | NONEFM | 33/04 |
| 38840 | Bogue Sound Daybeacon 7 | TRUB | 11541 | 0354FM | 37/04 |
| 39910 | Cape Fear Channel Lighted Buoy 30 | TRLB | 11534 | NONEFM | 04/04 |

FEDERAL AIDS DISCREPANCIES CORRECTED Since LNM 36/04.

| LLNR | Aid Name | Status | Chart Number | BNM Ref. | LNM Ref. |
|-------|---|-------------------|--------------|----------|----------|
| 950 | Barnegat Inlet Lighted Buoy 9 | RELIGHTED | 12323 | 0305AC | 33/04 |
| 1460 | Cape May Harbor Range Rear Light | RELIGHTED | 12214 | 0293AC | 33/04 |
| 1485 | Delaware Bay Approach Lighted Whistle Buoy CH | RELIGHTED | 12304 | 0312AC | 34/04 |
| 2275 | Mispillion Inlet North Jetty Light 2 | RELIGHTED | 12304 | 0350AC | 37/04 |
| 2975 | Cherry Island Range Front Light | RELIGHTED | 12311 | 0305PH | 36/04 |
| 8255 | Fort McHenry Channel Lighted Buoy 7 | RESET ON STATION | 12281 | 0736BA | 36/04 |
| 9260 | Thimble Shoal Channel Lighted Buoy 10 | WATCHING PROPERLY | 12222 | 0425HR | 36/04 |
| 9270 | Thimble Shoal Channel Lighted Gong Buoy 12 | WATCHING PROPERLY | 12256 | 0426HR | 36/04 |
| 9275 | Thimble Shoal Channel Lighted Bell Buoy 13 | RESET ON STATION | 12221 | 0432HR | 37/04 |
| 9300 | Thimble Shoal Channel Lighted Buoy 18 | WATCHING PROPERLY | 12221 | 0431HR | 37/04 |
| 9365 | Naval Ordnance Lighted Buoy T | RELIGHTED | 12256 | 0427HR | 36/04 |
| 11480 | Deep Creek Channel Daybeacon 4 | WATCHING PROPERLY | 12248 | 0424HR | 36/04 |
| 12200 | James River Channel Lighted Buoy 57 | RELIGHTED | 12251 | 0429HR | 36/04 |
| 22575 | Pocomoke River Channel Buoy 17 | RELOCATED | 12228 | 0737BA | 37/04 |
| 27020 | Harts Island Channel Light 5 | RELIGHTED | 12278 | 0734BA | 36/04 |
| 28790 | Hatteras Inlet Channel Light 25 | WATCHING PROPERLY | 11555 | 0167CH | 37/04 |
| 29745 | New River Channel Daybeacon 15 | WATCHING PROPERLY | 11541 | 0320FM | 35/04 |
| 30215 | Wrightsville Channel Daybeacon 13 | REBUILT/RECOVERED | 11541 | 0325FM | 33/04 |
| 30313 | Cape Fear River Entrance Range Rear Passing Light | RELIGHTED | 11534 | 0349FM | 37/04 |
| 30435 | Oak Island Channel Daybeacon 6 | REBUILT/RECOVERED | 11534 | 0326FM | 33/04 |
| 30665 | Cape Fear Channel Lighted Buoy 30 | RELIGHTED | 11537 | 0345FM | 37/04 |
| 30675 | Upper Midnight Channel North Range Front Light | RELIGHTED | 11537 | 0342FM | 36/04 |
| 30725 | Cape Fear River Channel Lighted Buoy 40 | RELIGHTED | 11534 | 0350FM | 37/04 |
| 30740 | Upper Liliput Range Rear Light | RELIGHTED | 11537 | 0348FM | 37/04 |
| 35120 | New Jersey Intracoastal Waterway Light 39 | WATCHING PROPERLY | 12324 | 0259AC | 29/04 |
| 39545 | New River/Cape Fear River Light 98 | REBUILT/RECOVERED | 11541 | 0249FM | 27/04 |
| 39790 | Wilmington Shortcut Daybeacon 3 | WATCHING PROPERLY | 11534 | 0352FM | 37/04 |

| | | | | | |
|-------|--|-------------------|-------|--------|-------|
| 39880 | New River/Cape Fear River Light 177 | REBUILT/RECOVERED | 11537 | 0246FM | 27/04 |
| 39890 | Upper Midnight Channel North Range Front Light | RELIGHTED | 11537 | 0342FM | 36/04 |
| 39910 | Cape Fear Channel Lighted Buoy 30 | RELIGHTED | 11534 | 0345FM | 37/04 |
| 40175 | Lockwoods Folly River Daybeacon 10 | REBUILT/RECOVERED | 11534 | 0330FM | 33/04 |
| 40305 | Cape Fear Little River Daybeacon 71 | WATCHING PROPERLY | 11534 | 0319FM | 36/04 |
| 40330 | Cape Fear Little River Light 78 | REBUILT/RECOVERED | 11534 | 0332FM | 33/04 |
| 40350 | Cape Fear Little River Light 83 | REBUILT/RECOVERED | 11534 | 0333FM | 33/04 |
| 40365 | Cape Fear Little River Daybeacon 87 | REBUILT/RECOVERED | 11534 | 0334FM | 34/04 |

PRIVATE AIDS DISCREPANCIES As of 0800 a.m. 14 September 2004.

| LLNR | Aid Name | Status | Chart Number | BNM Ref. | LNM Ref. |
|---------|---|-------------------|--------------|----------|----------|
| 575 | NAVAIR COMBAT MANEUVRNG RANGE TWR LT | LT EXT | 12200 | 0175D5 | 17/04 |
| 1145 | Marshelder Channel Buoy 2 | MISSING | 12316 | 0449AC | 50/03 |
| 2119.19 | Herring Creek Daybeacon 19 | DBN DEST | 12216 | 0140ES | 34/03 |
| 2775 | Bulkhead Shoal Channel Lighted Buoy 2 | MISSING | 12331 | 0265PH | 32/04 |
| 4880 | Thorofare Channel Buoy 4 | MISSING | 12211 | 0117ES | 29/03 |
| 4905 | Thorofare Channel Buoy 12 | OFF STA | 12211 | 0110ES | 47/00 |
| 4915 | Thorofare Channel Buoy 15 | MISSING | 12221 | 0031ES | 20/02 |
| 4920 | Thorofare Channel Buoy 16 | MISSING | 12211 | 0032ES | 20/02 |
| 5457 | Greenbackville SAV Sanctuary Daybeacon A | MISSING | 12211 | 0040ES | 07/04 |
| 5457.1 | Greenbackville SAV Sanctuary Daybeacon B | MISSING | 12211 | 0040ES | 07/04 |
| 9730 | Elizabeth River Deperming Range Obstruction Light | DBN DMGD | 12253 | 0566HR | 40/03 |
| 10186.5 | Lynnhaven River Daybeacon 3LR | TR_UB | 12222 | 0147HR | 18/02 |
| 10230 | Lynnhaven River-Western Branch Daybeacon 11 | DBN DMGD | 12254 | 0422HR | 36/04 |
| 10335 | Long Creek Channel Daybeacon 2 LE | DBN DEST | 12222 | 0033HR | 04/03 |
| 12616 | Weanack Channel Entrance Lighted Buoy 2WC | LT EXT | 12252 | 0332HR | 29/04 |
| 13070 | Harris River Approach Daybeacon 8 | DBN DMGD | 12238 | 0226HR | 19/04 |
| 13575 | Virginia Power Underwater Obstruction Light A | LT EXT | 12238 | 0266HR | 23/04 |
| 15980 | Delco Moraine Lighted Obstruction Buoy | MISSING | 12237 | 0523HR | 45/01 |
| 16845 | Mill Creek Daybeacon 2 | DBN DMGD | 12233 | 0142BA | 05/01 |
| 17845 | Nanjemoy Creek Daybeacon 5 | DBN DEST | 12288 | 0205BA | 07/04 |
| 18012.5 | Aquia Creek Daybeacon 18 | MISSING | 12285 | 0197BA | 26/02 |
| 18430 | Little Hunting Creek Lighted Buoy 4 | OFF STA | 12289 | 0366BA | 18/03 |
| 18850 | Buzz's Marina Channel Daybeacon 6 | DBN DEST | 12233 | 0296BA | 12/03 |
| 18860 | N.A.S. Paxtuxent River Basin Entrance Light 2 | DBN DMGD | 12233 | 0337BA | 24/01 |
| 18865 | N.A.S. Patuxent River Basin Entrance Light 1 | DBN DMGD | 12233 | 0338BA | 24/01 |
| 20210 | Forked River Daybeacon 2 | DBN DMGD | 12282 | 0594BA | 39/03 |
| 20235 | Blackhole Creek Light 2 | DBN DMGD | 12282 | 0594BA | 39/03 |
| 20360 | Patapsco River 1/2 Measured Mile Marker Buoy A | OFF STA | 12281 | 0572BA | 25/04 |
| 20430 | Pennwood Channel Range Front Light | LT EXT | 12278 | 0581BA | 26/04 |
| 20435 | Pennwood Channel Range Rear Light | LT IMCH | 12278 | 0422BA | 16/04 |
| 20545 | Sparrow Pt. Steel Work Ch. Range Front Light | LT EXT | 12278 | 0302BA | 36/02 |
| 20705 | Sollers Point Daybeacon 1 | LT EXT | 12281 | 0732BA | 52/03 |
| 20760 | HAW Generating Plant Channel Buoy 7 | BUOYSINK | 12278 | 0594BA | 39/03 |
| 20805 | Hawkins Point Pier Buoy 2 | OFF STA | 12278 | 0103BA | 18/02 |
| 21425 | Kiptopeke Beach Breakwater North Light B | LT EXT | 12221 | 0676D5 | 49/01 |
| 22415 | POCOMKE SND ST BNDRY LINE DBN E | BUOYSINK/BUOYDMGD | 12228 | 0220BA | 07/04 |
| 22420 | POCOMKE SND ST BNDRY LINE DBN F | MISSING | 12228 | 0292BA | 09/04 |
| 22435 | POCOMKE SND ST BNDRY LINE DBN J | MISSING | 12228 | 0293BA | 09/04 |
| 23575 | Dorchester/Somerset County Line Marker AA | DBN DEST | 12231 | 0322BA | 10/04 |
| 23665 | Dorchester/Somerset County Line Marker CC | DBN DEST | 12231 | 0324BA | 10/04 |
| 24937 | UMCES Lighted Buoy CR (Choptank River) | OFF STA/LT EXT | 12263 | 0234BA | 07/04 |
| 25020 | Cambridge Channel Range Front Light | LT EXT | 12268 | 0382BA | 46/02 |
| 25025 | Cambridge Channel Range Rear Light | LT EXT | 12268 | 0383BA | 46/02 |
| 26270 | Cox Creek Daybeacon 4 | DBN DEST | 12263 | 0312BA | 09/04 |
| 26343.3 | Greenwood Creek Buoy 4 | OFF STA | 12263 | 0411BA | 24/03 |
| 27275 | Upper Gunpowder River Daybeacon 11 | DBN IMCH | 12273 | 0704BA | 34/04 |
| 27900 | Upper Elk River Buoy 2 | MISSING | 12274 | 0013BA | 03/04 |
| 27905 | Upper Elk River Buoy 4 | MISSING | 12274 | 0014BA | 03/04 |
| 28697 | South Ferry Terminal Buoy FD2 | BUOYDMGD | 11550 | 0068CH | 16/04 |
| 30562.3 | Sunny Point Terminal Warning Light L | TRLB | 11537 | 0016FM | 02/03 |
| 33200 | Jacobs Creek Canal Daybeacon 1 | DBN DMGD | 11554 | 0339FM | 34/02 |
| 33205 | Jacobs Creek Canal Daybeacon 2 | DBN DMGD | 11554 | 0340FM | 34/02 |
| 33427 | Swan Point Warning Daybeacon A | MISSING | 11548 | 0088FM | 09/03 |
| 38570 | TRIPLE S. MARINA DAYBEACON 8 | DBN DEST | 11547 | 0505FM | 51/01 |
| 39125 | COW CRK CH DBN 1 | DBN IMCH | 11541 | 0310FM | 33/04 |

PRIVATE AIDS DISCREPANCIES-CORRECTED Since LNM 36/04.

| LLNR | Aid Name | Status | Chart Number | BNM Ref. | LNM Ref. |
|-------|----------|--------|--------------|----------|----------|
| NONE. | | | | | |

III. TEMPORARY CHANGES/CORRECTIONS This section contains a summary of current temporary changes and corrections to Aids to Navigation. Aids may be temporarily relocated, established or altered for dredging, testing or marking an obstruction or wreck. A permanent correction shall be listed in **Section IV** giving the new position.

TEMPORARY CHANGES

| LLNR | Aid Name | Status | Chart Number | BNM Ref. | LNM Ref. |
|---------|---|---------------------|--------------|----------|----------|
| 975 | Barneгат Inlet Buoy 16 | RLCTD DUE TO SHLNG | 12323 | 0155AC | 17/04 |
| 980 | Barneгат Inlet Buoy 17 | RLCTD DUE TO SHLNG | 12323 | 0193D5 | 17/04 |
| 985 | Barneгат Inlet Buoy 18 | RLCTD DUE TO SHLNG | 12323 | 0193D5 | 17/04 |
| 995 | Barneгат Inlet Buoy 20 | RLCTD DUE TO SHLNG | 12324 | 0154AC | 17/04 |
| 1080 | Oyster Creek Channel Buoy 37 | RLCTED DUE TO SHLNG | 12323 | 0185D5 | 17/04 |
| 1085 | Oyster Creek Channel Buoy 37A | RLCTD DUE TO SHLNG | 12324 | 0185D5 | 17/04 |
| 1115 | Little Egg Inlet Buoy 4 | RLCTD DUE TO SHLNG | 12316 | 0185AC | 20/04 |
| 8330 | Swan Point Channel North Range Rear Light | DISCONTINUED | 12280 | 0240D5 | 22/04 |
| 9660 | Craney Island Anchorage Daybeacon A | DSCNTND FOR DRDGNG | 12207 | NONED5 | 14/04 |
| 12885.5 | Salt Ponds Daybeacon 10 | DSCNTND FOR DRDGNG | 12280 | 0369HR | 32/04 |
| 12890 | Salt Ponds Daybeacon 11 | DSCNTND FOR DRDGNG | 12221 | 0370HR | 32/04 |
| 12895 | Salt Ponds Daybeacon 12 | DSCNTND FOR DRDGNG | 12280 | 0371HR | 32/04 |
| 21460 | Cape Charles City Range B Front Light 8 | DISCONTINUED | 12224 | 0174D5 | 20/04 |

TEMPORARY CHANGES CORRECTED

| LLNR | Aid Name | Status | Chart Number | BNM Ref. | LNM Ref. |
|-------|----------|--------|--------------|----------|----------|
| NONE. | | | | | |

IV. CHART CORRECTIONS:

This section contains corrections to federal and private maintained Aids to Navigation, as well as NOS corrections. This section contains corrective actions affecting chart(s). Corrections appear numerically by chart number, and pertain to that chart only. **The mariner must decide which Chart(s) to correct. The following example explains the individual elements of a typical chart correction.**

| Chart Number | Chart Edition | Edition Date | Last Local Notice to Mariners | Horizontal Datum Reference | Source of Correction | Current Local Notice to Mariners |
|--------------|---|------------------------------------|--|----------------------------|--|----------------------------------|
| 11541 | 33 rd ed. | 11/01/2002 | LAST LNM 47/02 | NAD 83 | CGD05/NOS | 49/02 |
| | NC-PORTSMOUTH ISLAND TO BEAUFORT CHANGE | | | | | |
| | | | South River Light 1 to Daybeacon 1, SG | in | 34-59-23.345N | 076-35-25.467W |
| | Corrective Action | Object of corrective Action | | | Position (Degrees, minutes, seconds and tenths) | |

The letter (M) immediately following the chart number indicates that the correction should be applied to the Metric side of the chart only. (TEMP) Indicates that the chart correction action is temporary in nature. Courses and bearings are given in degrees true, clockwise from 000°. Bearings of light sectors are toward the light from seaward. The nominal range of lights is in nautical miles (NM).

| | | | | | | |
|-------|---|------------|---|---------|--------------------------------|----------------------------------|
| 12205 | 28th ed. | 08/01/2003 | LAST LNM: 36/04 | NAD 83 | CGD05 | 37/04 |
| | VA-NC- CAPE HENRY TO PAMLICO SOUND (including ALBEMARLE SOUND) DELETE | | | | | |
| | | | Croatan Sound Daybeacon 3A delete PA | in | 35-56-10.006N | 075-46-05.105W |
| 12210 | 36th ed. | 11/01/2002 | LAST LNM: 30/04 | NAD 83 | CGD05 | 37/04 |
| | VA-CHINCOTEAGUE INLET TO GREAT MACHIPONGO INLET RELOCATE | | | | | |
| | | | Virginia Inside Passage Daybeacon 1 | from to | 37-53-56.034N 37-53-56.053N | 075-25-06.150W 075-25-05.767W |
| | | | Virginia Inside Passage Daybeacon 16 | from to | 37-51-51.690N 37-51-51.912N | 075-28-26.820W 075-28-26.688W |
| | | | Virginia Inside Passage Daybeacon 24 | from to | 37-50-13.059N 37-50-13.628N | 075-30-01.191W 075-30-01.496W |
| | | | Virginia Inside Passage Daybeacon 34 | from to | 37-49-36.114N 37-49-35.994N | 075-30-40.818W 075-30-40.536W |
| | | | Virginia Inside Passage Daybeacon 36 | from to | 37-49-30.078N 37-49-30.324N | 075-30-55.008W 075-30-54.042W |
| | | | Virginia Inside Passage Light 124 | from to | 37-36-15.720N 37-36-15.984N | 075-40-27.540W 075-40-27.636W |
| | CHANGE/RELOCATE | | | | | |
| | | | Virginia Inside Passage Buoy 2B to Daybeacon 2B, TR, relocate | from to | 37-53-37.978N 37-53-37.867N | 075-24-52.115W 075-24-52.344W |

| | | | | | | |
|-------|----------------------|---|-------------|--|---------------|----------------|
| | | | | | NOS NW – 8145 | |
| | CHANGE | Depth legend to: 6½ FT BY 60 FT NOV 2003 | at | | 37-35-23.400N | 075-40-48.800W |
| 12211 | 41 st ed. | 01/01/2003 LAST LNM: 36/04 | NAD 83 | | CGD05 | 37/04 |
| | | DE-MD-VA-FENWICK ISLAND TO CHINCOTEAGUE INLET RELOCATE | | | | |
| | | Virginia Inside Passage Daybeacon 1 | from | | 37-53-56.034N | 075-25-06.150W |
| | | | to | | 37-53-56.053N | 075-25-05.767W |
| | DELETE | Virginia Inside Passage Daybeacon 1A | in | | 37-53-53.350N | 075-25-08.950W |
| | CHANGE/RELOCATE | Virginia Inside Passage Buoy 2B to Daybeacon 2B, TR, relocate | from | | 37-53-37.978N | 075-24-52.115W |
| | | | to | | 37-53-37.867N | 075-24-52.344W |
| 12221 | 75 th ed. | 09/01/2003 LAST LNM: 36/04 | NAD 83 | | NOS NW -7798 | 37/04 |
| | | VA-CHESAPEAKE BAY ENTRANCE CHANGE | | | | |
| | | Depth legend to: 3 FT MID 60 FT 2003 | at | | 37-13-20.000N | 076-25-05.000W |
| 12225 | 55 th ed. | 08/01/2004 LAST LNM: 35/04 | NAD 83 | | NOS NW - 8177 | 37/04 |
| | | VA-MD-CHESAPEAKE BAY - WOLF TRAP TO SMITH POINT ADD | | | | |
| | | Tabulation –Rappahannock Shoal Channel | centered at | | 37-54-30.000N | 076-23-30.000W |
| 12226 | 16 th ed. | 11/10/2001 LAST LNM: 32/04 | NAD 83 | | NOS NW - 8177 | 37/04 |
| | | VA-CHESAPEAKE BAY - WOLF TRAP TO PUNGOTEAGUE CREEK ADD | | | | |
| | | Tabulation - Rappahannock Shoal Channel | centered at | | 37-24-30.000N | 075-51-00.000W |
| 12238 | 38 th ed. | 11/01/2003 LAST LNM: 33/04 | NAD 83 | | NOS NW - 7798 | 37/04 |
| | | VA-CHESAPEAKE BAY MOBJACK BAY AND YORK RIVER ENTRANCE CHANGE | | | | |
| | | Depth legend to: 3 FT MID 60 FT OCT 2003 | at | | 37-13-20.000N | 076-25-05.000W |
| 12241 | 21 st ed. | 01/05/2002 LAST LNM: 32/04 | NAD 83 | | NOS NW - 7798 | 37/04 |
| | | VA-YORK RIVER - YORKTOWN AND VICINITY CHANGE | | | | |
| | | Depth legend to: 3 FT MID 60 FT OCT 2003 | at | | 37-13-20.000N | 076-25-05.000W |
| | DELETE | Channel limits | from | | 37-13-36.900N | 076-25-05.500W |
| | | | to | | 37-12-55.200N | 076-24-48.800W |
| | ADD | Channel limits | from | | 37-13-40.700N | 076-25-05.000W |
| | | | to | | 37-13-18.500N | 076-25-04.900W |
| | | | to | | 37-13-05.500N | 076-25-01.100W |
| | | | to | | 37-12-55.200N | 076-24-48.400W |
| | DELETE | Low water line and green tint within the area | joining | | 37-13-27.000N | 076-25-01.700W |
| | | | to | | 37-13-15.200N | 076-25-01.700W |
| | | | to | | 37-13-11.500N | 076-25-01.200W |
| | | | to | | 37-13-08.000N | 076-24-59.200W |
| | | | to | | 37-13-09.800N | 076-25-06.400W |
| | | | to | | 37-13-11.300N | 076-25-05.400W |
| | | | to | | 37-13-13.100N | 076-25-05.900W |
| | | | to | | 37-13-14.300N | 076-25-06.800W |
| | | | to | | 37-13-18.700N | 076-25-08.100W |
| | | | to | | 37-13-27.000N | 076-25-08.100W |
| | ADD | 1 ft sounding | at | | 37-13-13.600N | 076-25-03.000W |
| | | 2 ft sounding | at | | 37-13-11.200N | 076-25-02.300W |
| | | 9 ft sounding | at | | 37-13-12.200N | 076-25-04.100W |
| | | 7 ft sounding | at | | 37-13-08.100N | 076-25-02.900W |
| | DELETE | 6 ft sounding | at | | 37-13-07.500N | 076-25-03.500W |
| 12248 | 40 th ed. | 09/01/2003 LAST LNM: 26/04 | NAD 83 | | NOS NW - 8148 | 37/04 |
| | | JAMES RIVER NEWPORT NEWS TO JAMESTOWN ISLAND CHANGE | | | | |
| | | Depth legend to: 2 FT BY 60 FT MAR 2004 | at | | 36-52-58.440N | 076-28-53.490W |
| | | Depth legend to: 1 1/2 FT DEC 2003 | at | | 37-04-52.700N | 076-39-40.050W |

| | | | | | | |
|-------|--|------------|-----------------|-------------|---------------|----------------|
| 12300 | 44 th ed. | 07/01/2004 | LAST LNM: 33/04 | NAD 83 | NOS NW - 8213 | 37/04 |
| | APPROACHES TO NEW YORK NANTUCKET SHOALS TO FIVE FATHOM BANK ADD | | | | | |
| | 8 1/2 fm sounding, dotted danger curve, blue tint and label: Wk | | | centered at | 39-19-52.300N | 074-04-38.800W |
| 12311 | 43 rd ed. | 07/01/2004 | LAST LNM: 31/04 | NAD 83 | NOS NW - 8179 | 37/04 |
| | NJ-DE-DELAWARE RIVER SMYRNA RIVER TO WILMINGTON ADD | | | | | |
| | Tabulation - Christina River Channel Depths | | | centered at | 39-44-27.000N | 075-38-22.000W |
| 12312 | 52 nd ed. | 01/01/2003 | LAST LNM: 32/04 | NAD 83 | NOS NW - 8179 | 37/04 |
| | DE-PA-NJ-DELAWARE RIVER WILMINGTON TO PHILADELPHIA ADD | | | | | |
| | Tabulation - Christina River Channel Depths | | | centered at | 39-46-50.000N | 075-31-47.000W |
| 12318 | 42 nd ed. | 05/01/2004 | LAST LNM: 30/04 | NAD 83 | NOS NW - 8213 | 37/04 |
| | LITTLE EGG INLET TO HEREFORD INLET ADD | | | | | |
| | 52 ft sounding, dotted danger curve, blue tint and label: Wk | | | centered at | 39-19-52.300N | 074-04-38.800W |
| 13003 | 47 th ed. | 06/01/2003 | LAST LNM: 30/04 | NAD 83 | NOS NW - 8213 | 37/04 |
| | CAPE SABLE TO CAPE HATTERAS ADD | | | | | |
| | 8 1/2 fm sounding, dotted danger curve, blue tint and label: Wk | | | centered at | 39-19-52.300N | 074-04-38.800W |

A weekly electronic update service is now available for NOAA's digital, raster nautical charts. All Notice to Mariner corrections from USCG, NGA and CHS are included. The service is provided via a partnership between NOAA and Maptech, Inc. Further information is available from NOAA at (301)-713-2770, <http://chartmaker.ncd.noaa.gov> or from Maptech at (978)-933-3000, <http://www.maptech.com>.

V. ADVANCE NOTICES: This section contains advance notice of approved projects, changes to aids to navigation, bridge regulations or upcoming temporary changes such as dredging, etc. Mariners are advised to use caution while transiting these areas. Comments on this change should be forwarded to the **Commander Fifth Coast Guard District (oan), 431 Crawford Street, Portsmouth, VA 23703-5004**

NJ – DELAWARE BAY (EAST SIDE) – NANTUXENT POINT LIGHT (LLNR 1970) – CHANGE IN AIDS TO NAVIGATION STRUCTURE

On or about 30 September, 2004, Nantuxent Point Light (LLNR 1970) will be changed from "NR on skeleton tower" to "NR on pile". **Chart : 12216.**

NJ – CAPE MAY HARBOR – AIDS TO NAVIGATION CHANGE

On or about 20 September, 2004, the following changes will be made to the Cape May Harbor aids to navigation:

- (a). Discontinue Cape May Harbor Junction Light C (LLNR 1470).
- (b). Establish new Cape May Harbor Range Front Light (LLNR 1455).
- (c). Rename Cape May Harbor Range Front Light (LLNR 1460) to Cape May Harbor Range Rear Light.
- (d). Relocate Cape May Harbor Light 4 (LLNR 1455) to same structure as Cape May Harbor Range Front Light.
- (e). Renumber old Cape May Light 4 to Light 6 (LLNR 36735).
- (f). Renumber Cape May Harbor Light 5 to Light 7 (LLNR 36740).
- (g). Renumber Cape May Harbor Light 6 to Light 8 (LLNR 36745).
- (h). Renumber Cape May Harbor Daybeacon 8 to Daybeacon 10 (LLNR 36750).
- (i). Renumber Cape May Harbor Daybeacon 10 to Daybeacon 12 (LLNR 36755).
- (j). Renumber Cape May Harbor Daybeacon 11 to Daybeacon 13 (LLNR 36760).
- (k). Renumber Cape May Harbor Light 12 to Light 14 (LLNR 36765).
- (l). Renumber Cape May Harbor Light 14 to Light 16 (LLNR 36780).

Chart: 12317.

VA – COASTAL – RUDEE INLET – AIDS TO NAVIGATION CHANGE

On or about 30 September, 2004, Rudee Inlet Jetty Light 4 (LLNR 505) and Rudee Inlet Jetty Daybeacon 5 (LLNR 510) will be discontinued.

Charts: 12205, 12207 & 12208.

VA – VIRGINIA INSIDE PASSAGE – AIDS TO NAVIGATION CHANGE

The Coast Guard will be discontinuing Ramshorn Channel Light 2 (LLNR 6960) and changing Virginia Inside Passage Daybeacon 215 (LLNR 6355) to Virginia Inside Passage Light 215 (LLNR 6355) showing a FI G 4s. Lighting equipment will be removed when endangered by ice. **Charts: 12221 & 12224.**

NC – CORE SOUND –AIDS TO NAVIGATION CHANGE

On or about 30 September, 2004, Barden Inlet light 1 (LLNR 29140) will be changed to Barden Inlet Lighted Buoy 1 (LLNR 29140).
On or about 30 October, 2004, the following changes will be made to core sound aids to navigation:

- (a). Core Sound Light 5 (LLNR 34345) to Lighted Buoy 5.
- (b). Core Sound Light 13 (LLNR 34375) to Lighted Buoy 13.
- (c). Core Sound Daybeacon 18A (LLNR 34395) to Buoy 18A.
- (d). Core Sound Light 19 (LLNR 34455) to Lighted Buoy 19.
- (e). Core Sound Light 19A (LLNR 34460) to Lighted Buoy 19A.
- (f). Core Sound Daybeacon 23 (LLNR 34485) to Buoy 23.
- (g). Core Sound Light 28 (LLNR 34545) to Lighted Buoy 28.

Chart 11550.

BRIDGE ADVANCE NOTICE

DC – POTOMAC RIVER - ANACOSTIA RIVER - NEW DRAWBRIDGE REGULATIONS

Effective on **September 7, 2004**, the U.S. Coast Guard is changing the regulations governing the operation of the CSX Transportation (CSX) Rail (vertical-lift) Bridge across Anacostia River, at mile 3.4, in Washington DC. CSX, who owns and operates this drawbridge, requested changes to the operating procedures for the drawbridge. This final rule would eliminate the need for a bridge tender by allowing the bridge to be operated from a remote location. This change would maintain the bridge's current level of operational capabilities and continue providing for the reasonable needs of rail transportation and vessel navigation. Copies of **PUBLIC NOTICE 5-1021** which describe the change in detail can be obtained by writing to the above address or by calling (757) 398-6222. **Chart 12289**

VI. PROPOSED CHANGES: Periodically the Coast Guard evaluates the system of Aids To Navigation and bridge regulations to determine whether the conditions for which the aids were established have changed. All comments should include the following information: 1) Quantity, type, capacity and value of vessels involved, and the extent that these vessels traverse the area under consideration seasonally, by day, and by night. 2) where practicable, the type of navigation devices, such as compasses, radio direction finders, radar, LORAN, DGPS, and search lights, with which such vessels are equipped. 3) The number of passengers and type, quantity, and value of cargo involved. 4) A chart section or sketch showing the action proposed when necessary to clearly describe the recommended improvement. Written comments on this proposal should be forwarded to: **COMMANDER, FIFTH COAST GUARD DISTRICT (OAN) 431 Crawford Street, Portsmouth, VA 23704-5004**, unless otherwise noted.

MD – UPPER CHESAPEAKE BAY – DISCONTINUE TOLCHESTER DIRECTIONAL LIGHT (LLNR 8525)

The Coast Guard is soliciting for comments on discontinuing Tolchester Directional Light (LLNR 8525). Comments concerning this proposal may be sent to the above address, attention Mr. Al Grimes, not later than **30 September, 2004**. **Charts: 12272, 12273 & 12278.**

VA – LOWER CHESAPEAKE BAY – CHERRYSTONE CHANNEL – AIDS TO NAVIGATION CHANGE

The Coast Guard is soliciting for comments on the following changes to the aids to navigation for the Cherrystone Channel:

- (a) Rename Cherrystone Channel Light 2 (LLNR 21430) to Cherrystone Channel Light 2C (LLNR 21430).
- (b) Rename/ renumber Kings Creek Light 1 (LLNR 21520) to Cherrystone Channel Light 3C (LLNR 21520).
- (c) Rename/ renumber and change flash characteristic of Kings Creek Junction Light KC (LLNR 21525) to Cherrystone Channel Light 4C (LLNR 21525) Flashing Red 6 seconds (Fl R. 6s) . Comments concerning this proposal may be sent to the above address, attention Mr. Al Grimes, not later than **27 September, 2004**. **Chart: 12224.**

NC – DISESTABLISHMENT OF BODIE ISLAND LIGHT (LLNR 590) AS A FEDERAL AIDS TO NAVIGATION

The Coast Guard is soliciting comments on the transfer of Bodie Island Light (LLNR 590) from a federal maintained to a private aids to navigation to be maintained by the National Park Service (NPS). Comments concerning this proposal may be sent to the above address, attention Mr. Tom Flynn, not later than **01 November, 2004**.

BRIDGE PROPOSALS

NJ - MANASQUAN INLET – MANASQUAN RIVER – TEMPORARY DEVIATION FOR ROUTE 70 BRIDGE

The U.S. Coast Guard has issued an extension of a temporary deviation to test an alternate drawbridge regulation for the Route 70 Bridge, mile 3.4, across Manasquan River, at Riviera Beach, New Jersey. Under this temporary 90-day deviation, effective **August 2, 2004, through October 31, 2004**, the Route 70 Bridge will open on signal on the hour, except that from 5 p.m. to 7 p.m., Monday through Friday and from 11 p.m. to 7 a.m. the draw need not be opened. The purpose of this temporary deviation is to test an alternate drawbridge operation schedule for 90 days and solicit comments from the public. Comments on this test deviation should be forwarded to the above address attention (obr) no later than **November 5, 2004**. Copies of **PUBLIC NOTICE 5-1022** which describes the test deviation in detail can be obtained by writing to the above address or by calling (757) 398-6222. **Chart 12324.**

VA – CHESAPEAKE BAY – RAPPAHANNOCK RIVER – CAT POINT CREEK - PROPOSED BRIDGE

The U.S. Coast Guard has received an application for a bridge permit from the Virginia Department of Transportation. The applicant proposes to construct a new low-level fixed bridge at a location 0.5 miles North of Intersection Route 624, 6.5 miles above the mouth of Cat Point Creek a tributary of the Rappahannock River in Warsaw, Virginia. The proposed vertical and horizontal clearances of the bridge would be 6 feet at mean high water and 50 feet, respectively. Comments on this proposal should be forward to the above address attention (obr) no later than **September 20, 2004**. Copies of the **PRELIMINARY PUBLIC NOTICE 5-1019** which describe the proposal in detail can be obtained by writing to the above address or by calling (757) 398-6629. **Chart 12237.**

VA – ATLANTIC INTRACOASTAL WATERWAY (AIWW), SOUTHERN BRANCH OF THE ELIZABETH RIVER TO THE ALBERMARLE AND CHESAPEAKE CANAL – CHANGE IN REGULATION

The U.S. Coast Guard proposes to change the regulations that govern the operation of the Norfolk Southern #7 Railroad Bridge across the Southern Branch of the Elizabeth River, at AIWW mile 5.8, in Chesapeake, VA. The Norfolk Southern Corporation, who owns and operates this drawbridge, requested changes to the operating procedures for the drawbridge. This proposed rule would increase vessel openings and eliminate the need for a bridge tender by allowing the bridge to be operated from a remote location. This proposed change would provide for the reasonable needs of navigation. Comments on this proposal should be forwarded to the above address attention (obr) no later than

October 26, 2004. Copies of **PUBLIC NOTICE 5-1024** which describe the change in detail can be obtained by writing to the above address or by calling (757) 398-6422. **Chart 12253.**

NC – CAPE FEAR RIVER – NORTHEAST CAPE FEAR RIVER - BRIDGE INFORMATION

The U.S. Coast Guard is proposing to change the regulations governing the operation of the CSX Railroad Bridge (Hilton Drawbridge) across the Northeast Cape Fear River, mile 1.5, in Wilmington, North Carolina. CSX owns and operates the Hilton Drawbridge and proposes changes to the regulation that would eliminate the tender and allow them to remotely operate the bridge. It is also proposed that the bridge will remain open for mariners and only be closed for passing trains. This proposed change would maintain the bridge's current level of operational capabilities and provide for the reasonable needs of rail transportation and vessel navigation. Comments on this proposal should be forwarded to Commander (obr), Fifth Coast Guard District, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004 no later than **04 October, 2004.** Copies of **PUBLIC NOTICE 5-1020.** which describes the proposal in detail can be obtained by writing to the above address or by calling (757) 398-6222. **Chart 11537.**

VII. GENERAL This section contains information of general concern to the mariner. Mariners are advised to use caution while transiting these areas. The following is a list of dredging/construction operations being conducted in the Fifth Coast Guard District. Mariners should be aware that the dredge and pontoon lines are held in place by cables, which are attached to anchors some distance from the dredge and pontoons. Buoys are attached to the anchors so that they may be moved as the dredge advances. Mariners are advised that aids to navigation may be temporarily relocated to facilitate dredging. The dredge and related equipment will be lighted and marked in accordance with International or Inland Navigation Rules and the dredge will monitor Channels 13 and 16 VHF-FM unless otherwise noted. Dredge operations are usually conducted 7 days a week, 24 hours a day. Mariners are cautioned to strictly comply with Inland Navigation Rules when approaching, passing and leaving the area of operation, to remain a safe distance from the equipment, and to contact the dredge for specific transiting information. Owners and lessees of fishnets, crabpots and other structures that may be in the vicinity and that may hinder the free navigation of attending vessels and equipment must remove these from the area where tugs, tender boats and other equipment will be navigating prior to the commencement of the dredging operations.

CONSTRUCTION/DREDGING LOCAL NOTICE TO MARINERS NOTIFICATION DEADLINES

Construction and dredging companies should notify **Commander, Fifth Coast Guard District (oan), 431 Crawford Street, Portsmouth, VA 23704-5004** at **least 3 weeks prior to operation** begin date for information to be published in the **Local Notice to Mariners.** It is requested that notification be delivered by letter or fax and followed up by telephone. Fax # (757) 398-6303 and voice Phone # (757) 398-6486 or at the D5LOCAL INTERNET SITE.

| LOCATION | START/COMPLETION DATE | DREDGE/COMPANY | REF LNM |
|--|-----------------------|------------------------|---------|
| DE – Roosevelt Inlet – Lewes Beach – Dredging | 26 Aug – 26 Oct 2004 | MARION | 35/04 |
| DE – Delaware River – Christina River – Dredging | 12 Sep – 10 Oct 2004 | PULLEN | 36/04 |
| MD – Baltimore Harbor – Dredging | Until further notice | WEEKS MARINE | 23/03 |
| NJ – Cape May Inlet to Cape May Point – Beach Nourishment | 20 Sep – 20 Dec 2004 | R.N. WEEKS | 37/04 |
| NJ – Cape May to Oyster Creek – Dredging | 10 May – 30 Sep 2004 | MIKE THOMAS | 18/04 |
| VA – Norfolk Naval Station Pier 6 – Dredging | 13 Sep – 15 Dec 2004 | VIRGINIAN | 37/04 |
| VA – Norfolk Harbor Reach – Dredging | 01 Oct – 01 Aug 2005 | CHARLESTON | 37/04 |
| VA – Rappahannock RV/Hoskins Creek – Dredging | 11 Sep - 23 Oct 2004 | BLUE RIDGE | 35/04 |
| VA – York River – York River Refinery - Dredging | 18 Aug – 30 Oct 2004 | DREDGE DB-2400 | 32/04 |
| VA – James River – James Island – Dredging | 13 Aug – 30 Sep 2004 | TANGIER | 32/04 |
| VA – Elizabeth River – Craney Island Reach – Dredging | 04 Jun – 04 Jan 2005 | RS WEEKS | 22/04 |
| VA – Rudee Inlet – Dredging | Until Further Notice | RUDEE II | |
| VA – James River –Skiffes Creek– Dredging | 01 July – 30 Sep 2004 | ENTERPRISE | 03/04 |
| VA – Elizabeth River – Western Branch – Bridge demolition/Construction | Apr 2002 – Dec 2004 | Tidewater Construction | 16/02 |
| NC – AIWW/New River – Dredging | 12 Aug – 19 Sep 2004 | | 31/04 |
| NC – Northeast Cape Fear River/Smith Creek Parkway – Bridge Construction | 01 Jun – 31 Jan 2005 | TIDEWATER CONSTR | 19/03 |
| NC – Oregon Inlet – Dredging | 13 Sep – 12 Nov 2004 | BEACHBUILDER | 35/04 |
| NC – AICWW – New River Jacksonville – Dredging | 12 Aug – 19 Sep 2004 | RICHMOND | 33/04 |

INFORMATION CONCERNING BRIDGES ACROSS NAVIGABLE WATERS OF THE FIFTH COAST GUARD DISTRICT

The following is a list of operating information for certain bridges within the Fifth Coast Guard District. Mariners are advised that the bridges may be operating on a temporary schedule, with reduced clearances, undergoing bridge repairs or under new bridge construction. Mariners are advised to proceed with caution, comply with Inland Navigation Rules at all bridges and to contact the bridge on channels 13 and 16 VHF-FM. For more information refer to the referenced **Local Notice To Mariner** or contact the **Commander, Fifth Coast Guard District (oan-b), 431 Crawford Street, Portsmouth, VA, 23704-5004** via written correspondence, by voice phone at (757) 398-6222., or at the LANTAREA Office Aids to Navigation INTERNET SITE.

| BRIDGE | TYPE | WATERWAY | MILE | SUBJECT | COMP. DATE | LNM |
|---------------------------------------|------|--------------------------|-------|-----------------------|-----------------------|-------|
| Christina River Bridge | F | Delaware River | 5.5 | Bridge repairs | Until further notice | 42/02 |
| Ben Franklin Bridge | | Delaware River | 100.2 | Painting/sandblasting | Until further notice | 47/03 |
| Third Street Bridge | B | Delaware/Christina River | 2.3 | Bridge repair | Until further notice | 19/01 |
| Woodrow Wilson Bridge | B | Potomac River | 103.8 | Bridge Replacement | Until further notice | 20/01 |
| Route 50 Hwy Bridge | | Choptank River | 15.6 | Cleaning/Painting | 05 Febuary 2005 | 32/04 |
| Choptank River Bridge | | Choptank River | 51.2 | Painting | 30 September 2004 | 28/04 |
| Route 13 Bridge Pocomoke MD | | Pocomoke River | 15.8 | Cleaning/Painting | 31 October 2004 | 32/04 |
| SR 123 Occoquan River | | Occoquan River | 5.0 | Bridge construction | 30 May 2005 | 43/03 |
| VA Rt. 33 Mattaponi River | | Mattaponi River | | Bridge Construction | Nov 2006 | 23/04 |
| Jones Creek | | James River | | Bridge Replacement | Until further notice | 35/03 |
| Weems/College Creek bridge | | Weems and College Creek | | Bridge Construction | Until further notice | 16/04 |
| Virginia Rt. 33/Lord Delaware Birdge. | | Mattaponi River | | Bridge Construction | Until further notice. | 17/04 |

KEY: F=Fixed, DR=Draw, RIV=River, CH=Channel, HBR=Harbor, AICWW=Atlantic Intracoastal Waterway, B=Bascule,E=East(Eastern),

W=West(Western), S=South(Southern),N=North(Northern), SW=Swing Bridge, SYS=System, RR=Railroad, Sked=Schedule, Constr=Construction, Rest=Restricted, SR=State Route, RSP=Removable Span, VL=Vertical Lift

SUMMARY OF GENERAL ARTICLES IN EFFECT FOR THE WATERS OF THE FIFTH COAST GUARD DISTRICT

NJ –CAPE MAY INLET TO CAPE MAY POINT - BEACH NOURISHMENT

The Weeks Marine Hopper Dredge R.N. WEEKS will be conducting beach nourishment from Cape May Inlet to Cape May Point from **20 September, 2004** through **20 December, 2004**. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII**. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Charts: 12214, 12317 & 12304.**

LNM 37/04

MD – CHESAPEAKE BAY – PATAPSCO RIVER - BRIDGE INFORMATION

Mariners are advised to take caution when approaching the Francis Scott Key Bridge over the Patapsco River, Mile 6.0, in Baltimore, Maryland. The bridge will be cleaned and painted between **September 16, 2004** and **June 16, 2005**. Barges will be used but the channel shall remain open/unrestricted for the passage of vessels. **Chart: 12278.**

LNM 37/04

MD – CHESTER RIVER – ESTABLISHMENT OF MOORING BUOY

Maryland Department of Natural Resources Tidewater Ecosystem Assessment, D-2, has established Blunts Reserve Mooring Buoy in position 38 59 34.7 N – 76 11 46.2W in association with the deployment of a vertical profiling water quality monitor in the area of Blunts Bar Oyster Sanctuary in the Chester Rive. POC is Chris Heyer 410-260-8692. **Charts: 12263, 12270 & 12272.**

LNM 37/04

VA -- ELIZABETH RIVER – NORFOLK NAVAL STATION PIER 6 - DREDGING

The Dredge VIRGINIAN will be conducting dredging operations in the Elizabeth River in the vicinity of Naval Station Pier 6 from **13 September , 2004** through **15 December, 2004**. Tug and scows will transport the dredge material to the Craney Island Disposal Area. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII**. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Charts 12222, 12253, & 12245.**

LNM 37/04

VA –LOWER CHESAPEAKE BAY – NORFOLK HARBOR CHANNEL - DREDGING

The Dredge CHARLESTON will be conducting dredging operations in Norfolk Harbor Channel between Fort Wool and Lamberts Point from **01 October, 2004** through **01 August, 2005**. A submerged pipeline will transport the dredge material to the Craney Island Disposal Area. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII**. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Charts 12222, 12245 & 12253.**

LNM 37/04

VA – NEWPORT NEWS – KINDER MORGAN PIERS - DREDGING

The Dredge VIRGINIAN will be conducting dredging operations at pier IX of the Kinder Morgan Piers on the Newport News waterfront from **01 September, 2004** through **20 September, 2004**. Scows will transport the dredge material to the Craney Island Disposal Area. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII**. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Chart: 12248.**

LNM 36/04

VIII. LIGHT LIST CORRECTIONS FOR COMDTPUBP16502.2 VOLUME II, 2004 EDITION.

An asterisk*, indicates the column in which a correction has been made or new information added.

The 2004 Light List/ Summary of Corrections and an updated Light List can be found at

<http://www.navcen.uscg.gov/pubs/LightLists/LightLists.htm>

| LLNR | (2) Name and Location | (3) N/W Position | (4) Characteristic | (5) Ht | (6) Rng | (7) Structure | (8) Remarks | (9) LNM |
|------|--|--------------------------|-----------------------|-----------|------------|------------------|----------------|------------|
| 130 | <i>Five Fathom Bank Traffic Lane Lighted Buoy FB</i> | 38 46 51 N 74 55 35 W | FI Y 6s | | 6 | Yellow. | | 37/04 |
| | | | | | * | | | |
| 348 | <i>Surface Gunnery Area 8 Lighted Buoy GA</i> | 37 12 00 N 74 51 40 W | FI Y 6s | | 4 | Yellow. | | 37/04 |
| | | | | | * | | | |
| 349 | <i>Surface Gunnery Area 8 Lighted Buoy GC</i> | 37 12 15 N 74 51 49 W | FI Y 2.5s | | 4 | Yellow. | | 37/04 |
| | | | | | * | | | |

| | | | | | | | |
|-------|--|--------------------------|-----------|---|-----------------------|---|-------|
| 465 | - Lighted Buoy 11 | 36 53 08 N 75 53 19 W | FI G 2.5s | 4 | Green. | | 37/04 |
| | | | | * | | | |
| 475 | - Lighted Buoy 13 | 36 54 03 N 75 54 22 W | FI G 4s | 4 | Green. | | 37/04 |
| | | | | * | | | |
| 515 | Dam Neck Disposal Area Lighted Buoy A | | FI Y 2.5s | 5 | Yellow. | Position changed frequently for dredging. | 37/04 |
| | | | | * | | | |
| 565 | Bodie Island Lighted Buoy 8 | 35 55 49 N 75 27 35 W | FI R 4s | 4 | Red. | | 37/04 |
| | | | | * | | | |
| 640 | Diamond Shoal Lighted Buoy 12 | 35 09 05 N 75 17 33 W | Q R | 4 | Red disc-shaped hull. | Marks remaining structure of Diamond Shoal Light. | 37/04 |
| | | * | | | | | |
| 765 | - Lighted Buoy F | 34 21 55 N 77 17 28 W | FI Y 6s | 6 | Yellow. | | 37/04 |
| | | * | | | | | |
| 5520 | - Daybeacon 1 | 37 53 56 N 75 25 06 W | | | SG on pile. | | 37/04 |
| | | * | | | | | |
| 5533 | - Daybeacon 2B | | | | TR on pile. | | 37/04 |
| | * | | | | * | | |
| 9230 | - Lighted Buoy 6 | | FI R 6s | 4 | Red. | | 37/04 |
| | | | * | | | | |
| 30320 | - Channel Lighted Buoy 4 | 33 48 06 N 78 02 25 W | FI R 4s | 4 | Red. | | 37/04 |
| | | * | | | | | |
| 30372 | - Channel Buoy 12 | | FI R 2.5s | 4 | Red. | | |
| | | | | * | | | |

ENCLOSURES/LINKS/MARINE EVENTS/TEMPORARY SPECIAL REGULATIONS

1. Chart 12225 - [Tabulation](#) – Rappahannock Shoal Channel. <http://chartmaker.ncd.noaa.gov> and <http://www.maptech.com>
2. Chart 12226 - [Tabulation](#) - Rappahannock Shoal Channel. <http://chartmaker.ncd.noaa.gov> and <http://www.maptech.com>
3. Chart 12311 - [Tabulation](#) - Christina River Channel. <http://chartmaker.ncd.noaa.gov> and <http://www.maptech.com>
4. Chart 12312 - [Tabulation](#) - Christina River Channel. <http://chartmaker.ncd.noaa.gov> and <http://www.maptech.com>

5. Special Local Regulations for Marine Events; Southern Branch, Elizabeth River, Portsmouth, VA

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish temporary special local regulations for the “International Search and Rescue Competition”, a marine event to be held on the waters of the Southern Branch of the Elizabeth River at Portsmouth, Virginia. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in portions of the Southern Branch of the Elizabeth River during the event.

DATES: Comments and related material must reach the Coast Guard on or before [Insert date 30 days after date of publication in the FEDERAL REGISTER].

ADDRESSES: You may mail comments and related material to Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, hand-deliver them to Room 119 at the same address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays, or fax them to (757) 398-6203. The Auxiliary and Recreational Boating Safety Branch, Fifth Coast Guard District, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the above address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD05-04-138), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

In order to provide notice and an opportunity to comment before issuing an effective rule, we are providing a shorter than normal comment period. A 30-day comment period is sufficient to allow those who might be affected by this rulemaking to submit their comments because the regulations have a narrow, local application, and there will be local notifications in addition to the Federal Register publication such as press releases, marine information broadcasts, and the Local Notice to Mariners.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Commander (oax), Fifth Coast Guard District at the address under ADDRESSES explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the Federal Register.

Background and Purpose

The United States and Canadian Coast Guard Auxiliaries will sponsor the "International Search and Rescue Competition", a marine event to be held on the waters of the Southern Branch of the Elizabeth River at Portsmouth, Virginia, on **November 5 and 6, 2004**. The event will consist of International teams competing in various events designed to demonstrate competence in maritime search and rescue techniques. To provide for the safety of participants, spectators and support vessels, the Coast Guard proposes to temporarily restrict vessel traffic in the Southern Branch of the Elizabeth River, including the North Ferry Landing, during the event.

Discussion of Proposed Rule

The Coast Guard proposes to establish temporary special local regulations on waters of the Southern Branch of the Elizabeth River at Portsmouth, Virginia. The temporary regulations would be in effect from 8 a.m. to 6 p.m. on November 5 and 6, 2004. The effect would be to restrict general navigation in the regulated area during the event. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel would be allowed to enter or remain in the regulated area. The proposed regulated area is needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3 (f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6 (a) (3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Although this proposed regulation would prevent traffic from transiting the Southern Branch of the Elizabeth River during the event, the effect of this proposed regulation would not be significant due to the limited duration that the regulated area will be in effect, and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly. Additionally, the proposed regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic would be able to transit the Southern Branch of the Elizabeth River whenever the Coast Guard Patrol Commander determines it safe to do so.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 - 612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. 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. This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit the Southern Branch of the Elizabeth River during the event.

This proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons. This proposed rule would be in effect for only a short period. The proposed regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic will be allowed to transit the Southern Branch of the Elizabeth River whenever

the Coast Guard Patrol Commander determines it safe to do so. Before the enforcement period, we would issue maritime advisories so mariners can adjust their plans accordingly.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this 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.

Assistance for Small Entities

Under section 213 (a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under ADDRESSES. 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.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).
Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

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 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3 (a) and 3 (b) (2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

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.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under those sections.

Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule. Comments on this section will be considered before we make the final decision on whether to categorically exclude this rule from further environmental review.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR Part 100 as follows:
PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:
Authority: 33 U.S.C. 1233, Department of Homeland Security Delegation No. 0170.1

2. Add temporary § 100.35-T05-138 to read as follows:
§ 100.35-T05-138; Southern Branch, Elizabeth River, Portsmouth, VA

(a) Regulated area. The regulated area is established for the waters of the Southern Branch of the Elizabeth River including the North Ferry Landing, from shoreline to shoreline, bounded to the north by a line drawn along Latitude 36°50'23" N and bounded to the south by a line drawn along Latitude 36°50'12" N. All coordinates reference Datum NAD 1983.

(b) Definitions:

(1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Hampton Roads.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Group Hampton Roads with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(c) Special local regulations:

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol.

(ii) Proceed as directed by any Official Patrol.

(d) Effective period. This section is effective from 8 a.m. to 6 p.m. on November 5 and 6, 2004.

DATED: August 16, 2004

BEN R. THOMASON, III
Captain, U.S. Coast Guard
Acting Commander, Fifth Coast Guard District

6. Special Local Regulations for Marine Events; Western Branch, Elizabeth River, Portsmouth, VA

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish temporary special local regulations for the "Power in the Park" hydroplane races, a marine event to be held on the waters of the Southern Branch of the Elizabeth River at Portsmouth, Virginia on **September 25 and 26, 2004**. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in portions of the Western Branch of the Elizabeth River during the event.

DATES: Comments and related material must reach the Coast Guard on or before [Insert date 30 days after date of publication in the FEDERAL REGISTER.].

ADDRESSES: You may mail comments and related material to Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, hand-deliver them to Room 119 at the same address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays, or fax them to (757) 398-6203. The Auxiliary and Recreational Boating Safety Branch, Fifth Coast Guard District, maintains the public docket for this rulemaking.

Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the above address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD05-04-152), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

In order to provide notice and an opportunity to comment before issuing an effective rule, we are providing a shorter than normal comment period. A 30-day comment period is sufficient to allow those who might be affected by this rulemaking to submit their comments because the regulations have a narrow, local application, and there will be local notifications in addition to the Federal Register publication such as press releases, marine information broadcasts, and the Local Notice to Mariners.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Commander (oax), Fifth Coast Guard District at the address under ADDRESSES explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the Federal Register.

Background and Purpose

The Virginia Boat Racing Association will sponsor the "Power in the Park" hydroplane races, a marine event to be held on the waters of the Western Branch of the Elizabeth River at Portsmouth, Virginia, on **September 25 and 26, 2004**. The event will consist of hydroplanes racing in heats around an oval course adjacent to Portsmouth City Park. To provide for the safety of participants, spectators and support vessels, the Coast Guard proposes to temporarily restrict vessel traffic in the event area during the races.

Discussion of Proposed Rule

The Coast Guard proposes to establish temporary special local regulations on waters of the Western Branch of the Elizabeth River at Portsmouth, Virginia. The temporary regulations would be in effect from 7:30 a.m. to 6:30 p.m. on September 25 and 26, 2004. The effect would be to restrict general navigation in the regulated area during the event. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel would be allowed to enter or remain in the regulated area. The proposed regulated area is needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3 (f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6 (a) (3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Although this proposed regulation would prevent traffic from transiting or anchoring in the affected section of the Western Branch of the Elizabeth River during the event, the effect of this proposed regulation would not be significant due to the limited duration that the regulated area would be in effect and the extensive advance notifications that would be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly. Additionally, the proposed regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic would also be allowed to transit the regulated area between heats, when the Patrol Commander determines it safe to do so.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 - 612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. 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. This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit or anchor in the Western Branch of the Elizabeth River during the event.

This proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons. This proposed rule would be in effect for only a short period. The proposed regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessels desiring to transit the Western Branch of the Elizabeth River during the event would be allowed to transit the regulated area between heats, when the Patrol Commander determines it safe to do so. Before the enforcement period, we would issue maritime advisories so mariners can adjust their plans accordingly.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this 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.

Assistance for Small Entities

Under section 213 (a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under ADDRESSES. 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.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520.).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

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 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3 (a) and 3 (b) (2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

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.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under those sections.

Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule. Comments on this section will be considered before we make the final decision on whether to categorically exclude this rule from further environmental review.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR Part 100 as follows:

PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, Department of Homeland Security Delegation No. 0170.1.

2. Add temporary § 100.35-T05-152 to read as follows:

§ 100.35-T05-152; Western Branch, Elizabeth River, Portsmouth, VA

(a) **Regulated area.** The regulated area is established for the waters of the Western Branch of the Elizabeth River from shoreline to shoreline, bounded to the east by a line drawn along Longitude 076°21'59" West and bounded to the west by a line drawn along Longitude 076°22'43" West. All coordinates reference Datum NAD 1983.

(b) **Definitions.**

(1) **Coast Guard Patrol Commander** means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Hampton Roads.

(2) **Official Patrol** means any vessel assigned or approved by Commander, Coast Guard Group Hampton Roads with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(c) **Special local regulations.**

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol.

(ii) Proceed as directed by any Official Patrol.

(d) **Enforcement period.** This section will be enforced from 7:30 a.m. to 6:30 p.m. on September 25 and 26, 2004.

DATED: August 18, 2004

7. Special Local Regulations for Marine Events; Choptank River, Cambridge, MD

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish special local regulations during the "Cambridge Offshore Challenge", a marine event to be held over the waters of the Choptank River at Cambridge, Maryland. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in the Choptank River during the event.

DATES: Comments and related material must reach the Coast Guard on or before [Insert date 30 days after date of publication in the FEDERAL

REGISTER.]

ADDRESSES: You may mail comments and related material to Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, hand-deliver them to Room 119 at the same address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays, or fax them to (757) 398-6203. The Auxiliary and Recreational Boating Safety Branch, Fifth Coast Guard District, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the above address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Dennis Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD05-04-147), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

In order to provide notice and an opportunity to comment before issuing an effective rule, we are providing a shorter than normal comment period. A 30-day comment period is sufficient to allow those who might be affected by this rulemaking to submit their comments because the regulations have a narrow, local application, and there will be local notifications in addition to the Federal Register publication such as press releases, marine information broadcasts, and the Local Notice to Mariners.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the address listed under ADDRESSES explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the Federal Register.

Background and Purpose

On **September 26, 2004**, the Chesapeake Bay Powerboat Association will sponsor the "2004 Cambridge Offshore Challenge", on the waters of the Choptank River at Cambridge, Maryland. The event will consist of approximately 50 offshore powerboats conducting high-speed competitive races between the Route 50 bridge and Chancellor Point. A fleet of approximately 250 spectator vessels is expected to gather nearby to view the competition. Due to the need for vessel control during the event, vessel traffic will be temporarily restricted to provide for the safety of participants, spectators and transiting vessels.

Discussion of Proposed Rule

The Coast Guard proposes to establish temporary special local regulations on specified waters of the Choptank River. The temporary special local regulations will be enforced from 10:30 a.m. to 5:30 p.m. on September 26, 2004, and will restrict general navigation in the regulated area during the event. Except for participants and vessels authorized by the Coast Guard Patrol Commander, no person or vessel will be allowed to enter or remain in the regulated area. These regulations are needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not

reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Although this regulation will prevent traffic from transiting a portion of the Choptank River during the event, the effect of this regulation will not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly. Additionally, the regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic will be able to transit the regulated area between heats, when the Coast Guard Patrol Commander deems it is safe to do so.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. 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. This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit or anchor in a portion of the Choptank River during the event.

This proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons. This proposed rule would be in effect for only a limited period. Vessel traffic will be able to transit the regulated area between heats, when the Coast Guard Patrol Commander deems it is safe to do so. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans accordingly.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this 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.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under ADDRESSES. 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.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism. 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 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630.

Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

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.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards

Environment

We have analyzed this proposed rule under Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under that section.

Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule. Comments on this section will be considered before we make the final decision on whether to categorically exclude this rule from

further environmental review.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; Department of Homeland Security Delegation No. 0170.1.

2. Add a temporary § 100.35-T05-147 to read as follows:

§ 100.35-T05-147 Choptank River, Cambridge, MD

(a) Definitions:

(1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Activities Baltimore with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(3) Participant includes all vessels participating in the 2004 Cambridge Offshore Challenge under the auspices of the Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Activities Baltimore.

(4) Regulated area includes all waters of the Choptank River, from shoreline to shoreline, bounded to the west by the Route 50 bridge and bounded to the east by a line drawn longitude 076°01'30" W at Chancellor Point. All coordinates reference Datum: NAD 1983.

(b) Special local regulations:

(1) Except for event participants and persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol.

(ii) Proceed as directed by any Official Patrol.

(iii) Unless otherwise directed by the Official Patrol, operate at a minimum wake speed not to exceed six (6) knots.

(c) Enforcement period. This section will enforced from 10:30 a.m. to 5:30 p.m. on September 26, 2004.

Dated: 16 August 2004

Ben R. Thomason, III
Captain, U.S. Coast Guard
Commander, Fifth Coast Guard District
Acting

8. Special Local Regulations for Marine Events; Patapsco River, Inner Harbor, Baltimore, MD

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations during the "Catholic Charities Dragon Boat Races", a marine event to be held **September 18, 2004** on the waters of the Patapsco River, Inner Harbor, Baltimore, MD. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to temporarily restrict vessel traffic in a portion of the Inner Harbor during the event.

DATE: This rule is effective from 6:30 a.m. to 6:30 p.m. on September 18, 2004.

ADDRESSES: Documents indicated in this preamble as being available in the docket, are part of docket CGD05-04-158 and are available for inspection or copying at Commander (Aoax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Section, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B) and (d)(3) the Coast Guard finds that good cause exists for not publishing an NPRM and making it effective less than 30 days after publishing in the Federal Register. Publishing an NPRM would be impracticable because of the danger posed to event participants by other vessels operating near the competition. For this reason, special local regulations are necessary to provide for the safety of life at sea during the event. In addition, advance notifications will be made via the Local Notice to Mariners, marine information broadcasts, and area newspapers.

Background and Purpose

On September 18, 2004, Associated Catholic Charities, Inc. will sponsor Dragon Boat Races in the Inner Harbor. The event will consist of 40 teams rowing Chinese Dragon Boats in heats of 2 to 4 boats for a distance of 400-meters. Due to the need for vessel control during the event, the Coast Guard will temporarily restrict vessel traffic in the event area to provide for the safety of participants, spectators and other transiting vessels.

Discussion of Rule

The Coast Guard is establishing special local regulations on specified waters of the Patapsco River, Inner Harbor, Baltimore, MD. The regulations will be in effect from 6:30 a.m. to 6:30 p.m. on September 18, 2004. The effect will be to restrict general navigation in the regulated area during the event. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area. Vessel traffic will be allowed to transit the regulated area at slow speed between heats, when the Coast Guard Patrol Commander determines it is safe to do so. These regulations are needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this rule prevents traffic from transiting a portion of the Inner Harbor during the event, the effect of this rule will not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers so mariners can adjust their plans accordingly. In addition, vessel traffic will be allowed to transit the regulated area at slow speed between heats, when the Coast Guard Patrol Commander determines it is safe to do so.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 - 612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. 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. This rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit or anchor in the effected portions of the Inner Harbor during the event.

Although this regulation prevents traffic from transiting a portion of the Inner Harbor during the event, the effect of this regulation will not be significant because of the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers so mariners can adjust their plans accordingly. In addition, vessel traffic will be allowed to transit the regulated area at slow speeds between heats, when the Coast Guard Patrol Commander determines it is safe to do so.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking process.

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).
Collection of Information

This rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).
Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

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 or more in any one year. Though this rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial and 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.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under those sections. Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 100 as follows:

PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, Department of Homeland Security Delegation No. 0170.1

2. Add temporary § 100.35-T05-158 to read as follows:

§ 100.35-T05-158, Patapsco River, Inner Harbor, Baltimore, MD.

(a) Regulated area. The regulated area is established for the waters of the Inner Harbor from shoreline to shoreline, bounded on the east by a line drawn along longitude 076° 36' 30" West. All coordinates reference Datum NAD 1983.

(b) Definitions.

(1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Activities Baltimore with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(c) Special local regulations:

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

- (i) Stop the vessel immediately when directed to do so by any Official Patrol.
- (ii) Proceed as directed by any Official Patrol.

(d) Effective period. This section will be effective from 6:30 a.m. to 6:30 p.m. on September 18, 2004.

DATED: September 2, 2004

BEN R. THOMASON, III
Captain, U.S. Coast Guard
Acting Commander, Fifth Coast Guard District

9. Special Local Regulations for Marine Events; Norfolk Harbor, Elizabeth River, Norfolk and Portsmouth, VA

ACTION: Notice of implementation of regulation.

SUMMARY: The Coast Guard is implementing the special local regulations at 33 CFR 100.501 during the "Chesapeake Bay Workboat Races" to be held **September 19, 2004**, on the waters of the Elizabeth River between Norfolk and Portsmouth, Virginia. These special local regulations are necessary to control vessel traffic due to the confined nature of the waterway and expected vessel congestion during the marine event. The effect will be to restrict general navigation in the regulated area for the safety of participants, spectators and other vessels transiting the event area.

EFFECTIVE DATES: 33 CFR 100.501 is effective from 1:30 p.m. to 4:30 p.m. on **September 19, 2004**.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Commander, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, VA 23704, (757) 398-6204.

SUPPLEMENTARY INFORMATION: Norfolk Festevents will sponsor the "Chesapeake Bay Workboat Races" on the waters of the Elizabeth River on September 19, 2004. Approximately 25 traditional Chesapeake Bay deadrise workboats will race along an oval course in the Norfolk Harbor. A fleet of spectator vessels is expected. Therefore, to ensure the safety of participants, spectators, and transiting vessels, 33 CFR 100.501 will be in effect for the duration of the event. Under provisions of 33 CFR 100.501, a vessel may not enter the regulated area unless it receives permission from the Coast Guard Patrol Commander. Vessel traffic will be allowed to transit the regulated area as the race progresses, when the Patrol Commander determines it is safe to

do so.

In addition to this notice, the maritime community will be provided extensive advance notification via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly.

DATED: September 1, 2004

SALLY BRICE-O'HARA
Rear Admiral, U.S. Coast Guard
Commander, Fifth Coast Guard District

SALLY BRICE-O'HARA
Rear Admiral, U.S. Coast Guard
Commander, Fifth Coast Guard District

