



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 28, 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.

CCGD5 (D5)	D5 358-04, 359-04, 409-04 THRU 412-04, 418-04, 419-04, 425-04, 426-04, 427-04, 431-04 THRU 441-04.
Group Philadelphia	PH 320-03, 321-03, 026-04, 045-04, 101-04, 178-04, 208-04, 215-04, 224-04, 231-04, 265-04, 294-04, 309-04, 327-04, 328-04, 330-04.
Group Atlantic City	AC 354-04, 355-04, 357-04, 359-04, 361-04, 363-04, 364-04, 365-04.
Activities Baltimore	BA 639-04, 640-04, 653-04, 654-04, 659-04, 667-04, 670-04, 679-04, 696-04, 701-04, 703-04, 704-04, 710-04, 712-04 THRU 718-04, 720-04, 722-04, 726-04, 731-04, 732-04, 738-4, 739-04, 741-04, 745-04, 746-04, 747-04, 751-04, 756-04, 758-04, 762-04, 763-04, 766-04, 772-04, 774-04, 776-04, 777-04, 780-04, 783-04, 785-04.
Group Eastern Shore	ES 138-04 139-04, 148-04, 150-04.
Group Hampton Roads	HR 447-04, 448-04, 449-04, 450-04, 453-04, 454-04.
Group Cape Hatteras	CH 172-04, 173-04, 177-04.
Group Fort Macon	FM 358-04, 360-04, 369-04, 373-04, 374-04, 376-04 THRU 379-04.

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 **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 – UPPER CHESAPEAKE BAY – PATAPSCO AND SEVERN RIVERS – WATERWAY RESTRICTION

Mariners are advised that on Tuesday, **October 26, 2004**, a dead ship tow of the U.S.S. Constellation is scheduled to occur on the waters of the upper Chesapeake Bay and its tributaries from Pier 1, Inner Harbor, Baltimore, Maryland to the U. S. Naval Academy seawall, Annapolis, Maryland. On Monday, **November 1, 2004**, a return dead ship tow is scheduled to occur from Annapolis, Maryland to Baltimore, Maryland. The event consists of a dead ship tow of the historic Sloop-of-War, with a saluting battery off Fort McHenry National Monument and Historic Site. A temporary safety zone becomes effective from **7 a.m. to 5 p.m. on Tuesday, October 26, 2004** and from **7 a.m. to 5 p.m. on Monday, November 1, 2004**. This moving safety zone, on all waters of the upper Chesapeake Bay and its tributaries within 200 yards ahead of and 100 yards outboard and aft of the U.S.S. Constellation while operating, is established for the safety of life and property on navigable waters during the event. If you have any questions please contact Mr. Ronald Houck, U.S. Coast Guard Activities Baltimore at (410) 576-2674.

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 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 100NM RADIUS OF POSITION 37-00.0N 070-00.0W AT SEA LEVEL. INTERFERENCE TESTING WILL BE CONDUCTED ON THE FOLLOWING DATES:

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

Mariners are advised that construction of the new Woodrow Wilson Memorial Bridge 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 BNM's 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.**

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 27-30, 2004 from 6:00 a.m. to 1:00 p.m.
Oct 04-08, 2004 from 6:00 a.m. to 1:00 p.m.
Oct 25-29, 2004 from 6:00 a.m. to 4:00 p.m.
Nov 15-19, 2004 from 6:00 a.m. to 1:00 p.m.
Dec 02-03, 2004 from 6:00 a.m. to 1:00 p.m.
Dec 06-10, 2004 from 6:00 a.m. to 1:00 p.m.
Dec 13-16, 2004 from 6:00 a.m. to 1:00 p.m.

Jan 10-14, 2004 from 6:00 a.m. to 1:00 p.m.
 Jan 31-Feb 4, 2004 from 6:00 a.m. to 1:00 p.m.
 Feb 07-11, 2004 from 6:00 a.m. to 1:00 p.m.
 Mar 14-18, 2004 from 6:00 a.m. to 1:00 p.m.
 Mar 21-25, 2004 from 6:00 a.m. to 1:00 p.m.
 Night live fire operations will be commence at 5:30 a.m. and last approximately 90 minutes on the following dates: Sep 29-30, Oct 29, Nov 19, Dec 09, Dec 16, Jan 14, Feb 04, Feb 11, Mar 18 & Mar 25. **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:

- Oct 17-22 October, 2004
- Nov 06-0, 2004 - from 8:00 a.m. to 4:00 p.m.
- Dec 04-05, 2004 - from 8:00 a.m. to 4:00 p.m.
- Jan 08-09, 2005 - from 8:00 a.m. to 4:00 p.m.
- Feb 05-06, 2005 - from 8:00 a.m. to 4:00 p.m.
- Mar 12-13, 2005 - from 8:00 a.m. to 4:00 p.m.
- May 21-22 2005 - from 8:00 a.m. to 4:00 p.m.

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. 28 September 2004.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
7	Shark River Lighted Whistle Buoy SI	LT EXT	12326	0357AC	39/04
60	Absecon Inlet Lighted Gong Buoy 1	LT EXT	12300	0364AC	39/04
640	Diamond Shoal Lighted Buoy 12	BUOYDMGD/LT EXT	11009	0379D5	33/04
840	Frying Pan Shoals Lighted Buoy 2FP	LT EXT	11536	0358FM	38/04
1074	Oyster Creek Channel Buoy 35A	OFF STA	12323	0359AC	39/04
1170	Absecon Inlet Lighted Gong Buoy 1	LT EXT	12318	0364AC	39/04
1195	Absecon Inlet Breakwater Light 7	DBN DEST	12301	0388AC	42/03
2050	Harbor of Refuge North End Light	LT EXT	12304	0311AC	34/04
2115	Rehoboth Bay Channel Light 9	TRLB	12216	0035ES	06/04
2125	Rehoboth Bay Daybeacon 12	MISSING	12214	0023ES	06/04
2148	Rehoboth Bay Channel Daybeacon 19	TRUB	12216	0048ES	09/04
2660	Salem River Entrance Channel Range Rear Light	LT DIM	12277	0223PH	27/04
3840	Enterprise Upper Range Front Light	LT DIM	12314	0304PH	34/03
3845	Enterprise Upper Range Rear Light	LT DIM	12314	0305PH	34/03
4340	Upper Delaware River Channel Buoy 105	OFF STA	12314	0324PH	39/04
4345	Upper Delaware River Channel Buoy 106	MISSING	12314	0322PH	39/04
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	12216	0013ES	07/04
4445	Pepper Creek Daybeacon 2	TRUB	12216	0043ES	09/04
4470	Pepper Creek Lighted Buoy WR10	TRLB	12216	0101ES	22/04
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

6150	Virginia Inside Passage Daybeacon 161	MISSING	12210	0149ES	39/04
6155	Virginia Inside Passage Daybeacon 162	TRUB	12210	NONEHR	25/04
6485	Virginia Inside Passage Daybeacon 244	DBN DMGD	12224	0026ES	06/04
6490	Virginia Inside Passage Light 245	LT EXT	12221	0447HR	39/04
6575	Virginia Inside Passage Daybeacon 264	TRUB	12224	0206ES	51/03
6790	North Inlet Light 1	TRLB	12210	NONEHR	11/04
7245	Old Plantation Flats Light	DBN DMGD	12221	0350HR	30/04
7305	Chesapeake Channel Lighted Buoy 44	RAC INOP	12221	0434HR	37/04
7315	Chesapeake Channel Lighted Bell Buoy 46	LT EXT	12225	0453HR	39/04
7440	Chesapeake Channel Lighted Bell Buoy 62	RAC INOP	12225	NONEHR	38/04
7585	USN Aerial Gunnery Area Lighted Bell Buoy D	LT EXT	12230	0753BA	38/04
7995	Craighill Channel Entrance Range Front Light	LT EXT	12282	0741BA	37/04
8000	Craighill Channel Entrance Range Rear Light	LT EXT	12273	0751BA	38/04
8240	Fort McHenry Anchorage Buoy A	MISSING	12281	0738BA	37/04
9565	Norfolk International Terminal Daybeacon 6	TRUB	12206	0344HR	30/04
9760	Western Branch Channel Daybeacon 6	DBN DEST	12253	0439HR	38/04
10070	Elizabeth River Southern Branch Buoy 26	OFF STA	12206	0428HR	36/04
11700	James River Channel Light 24	TRLB	12248	0294HR	25/04
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
16985	Bransons Cove Daybeacon 1B	TRLB	12285	0653BA	30/04
17205	Dukeharts Channel Daybeacon 9	TRUB	12286	0551BA	24/04
17210	Dukeharts Channel Daybeacon 10	TRUB	12285	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
18280	Occoquan River Channel Daybeacon 7	TRLB	12289	0542BA	24/04
18810	St. Jerome Creek Light 4	TRLB	12230	0300BA	09/04
18880	Patuxent River Light 3	DBN DMGD	12284	0554BA	24/04
19675	Fishing Creek Light 3	DBN IMCH	12263	0739BA	37/04
19905	Spa Creek Entrance Buoy 1SC	DBN IMCH	12282	0755BA	38/04
20565	Sparrows Point Steel Works Channel Buoy 3	LT EXT	12273	0584BA	38/04
21435	Old Plantation Flats Light	DBN DMGD	12280	0350HR	30/04
21440	Cape Charles City Range A Front Light	DBN DMGD	12221	0180HR	16/04
21450	Cape Charles City Light 1	TRLB	12280	0347HR	30/04
22330	Muddy Creek Daybeacon 1	TRUB	12228	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	TRLB	12230	0454BA	18/04
23430	Manokin River Daybeacon 9	TRLB	12231	0312BA	09/04
23495	Lower Thorofare Channel Light 2	FS INOP	12230	0434BA	16/04
23645	Sharkfin Shoal Channel Range Front Light	TRLB	12231	0493BA	21/04
23650	Sharkfin Shoal Channel Range Rear Light	MISSING	12230	0312BA	09/04
23795	Webster Cove Channel Buoy 1	OFF STA	12261	0654BA	30/04
24400	Goose Creek Light 1	TRLB	12230	0312BA	09/04
24410	Fishing Bay Light 3	TRLB	12261	0312BA	11/04
24470	Hearns Cove Channel Light 5	TRLB	12230	0312BA	09/04
24525	Honga River Light 12	TRLB	12261	0312BA	09/04
24580	Tar Bay Channel Light 1	TRLB	12230	0400BA	14/04
24585	Tar Bay Channel Light 2	LT IMCH	12264	0745BA	38/04
24620	Tyler Cove Channel Daybeacon 1	TRUB	12261	0639BA	30/04
24625	Tyler Cove Channel Daybeacon 2	TRUB	12264	0640BA	30/04
25525	Irish Creek Daybeacon 6	TRUB	12263	0220BA	14/01
26085	Eastern Bay Lighted Buoy 11	LT EXT	12270	0772BA	38/04
27325	Bush River Light 5	TRLB	12273	0318BA	10/04
28080	Oregon Inlet Channel Buoy 25	OFF STA	12205	0175CH	39/04
28340	Walter Slough Light 9	TRLB	12204	0171CH	38/04
28595	Colington Cut Entrance Light 2C	LT EXT	12205	0172CH	38/04
28725	Hatteras Inlet Light 9	LT EXT	11555	0176CH	39/04
29235	Barden Inlet Light 21	TRLB	11545	0323FM	33/04
29559	Bogue Inlet Buoy 14	OFF STA	11541	0309FM	33/04
29975	New Topsail Inlet Buoy 1	OFF STA	11541	0341FM	36/04
29997	New Topsail Inlet Buoy 3A	MISSING	11543	0344FM	37/04
30185	Masonboro Inlet Lighted Buoy 8	LT EXT	11539	0376FM	39/04
30285	Carolina Beach Inlet Buoy 5	OFF STA	11537	0300FM	33/04
30665	Cape Fear Channel Lighted Buoy 30	TRLB	11534	NONEFM	04/04
31055	Shallotte Inlet Buoy 1	MISSING	11536	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
34320	Harbor Island Warning Daybeacon	DBN DMGD	11550	0102FM	10/03
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
35875	New Jersey Intracoastal Waterway Daybeacon 223	MISSING	12316	0416AC	45/03
36015	New Jersey Intracoastal Waterway Daybeacon 265	TRUB	12316	NONEAC	29/04
36920	Elizabeth River Southern Branch Buoy 26	OFF STA	12206	0428HR	36/04
37175	Great Bridge Albemarle Sound Daybeacon 5	DBN DEST	12206	0451HR	39/04
38220	Goose Creek Light 22	DBN DMGD	11548	0378FM	39/04
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
39790	Wilmington Shortcut Daybeacon 3	LT EXT	11534	0358FM	38/04
39910	Cape Fear Channel Lighted Buoy 30	TRLB	11537	NONEFM	04/04
40305	Cape Fear Little River Daybeacon 71	DBN IMCH	11534	0319FM	36/04

FEDERAL AIDS DISCREPANCIES CORRECTED Since LNM 38/04.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
405	Chesapeake Bay Entrance Lighted Whistle Buoy CH	RESET ON STATION	12200	0443HR	38/04
440	Chesapeake Bay Southern Approach Lighted Buoy 6	RESET ON STATION	12200	0444HR	38/04
485	Chesapeake Bay Southern Approach Lighted Buoy 15	WATCHING PROPERLY	12200	0442HR	38/04
2117	Rehoboth Bay Buoy 10	RESET ON STATION	12214	0137ES	35/04
2170	Rehoboth Bay Channel Daybeacon 25	WATCHING PROPERLY	12216	0136ES	35/04
2835	New Castle Range Lighted Gong Buoy 7N	RELIGHTED	12311	0329PH	39/04
3625	Fisher Point Range Front Light	RELIGHTED	12312	0326PH	39/04
3810	Upper Delaware River Channel Buoy 23	RESET ON STATION	12314	0320PH	38/04
3835	Upper Delaware River Channel Buoy 29	RESET ON STATION	12314	0319PH	38/04
4040	Upper Delaware River Channel Buoy 54	RESET ON STATION	12314	0323PH	39/04
4170	Upper Delaware River Channel Lighted Buoy 76	RESET ON STATION	12314	0331PH	39/04
4175	Upper Delaware River Channel Lighted Buoy 78	RESET ON STATION	12314	0325PH	39/04
5970	Virginia Inside Passage Light 115	RELIGHTED	12210	0147ES	38/04
6275	Virginia Inside Passage Daybeacon 198	WATCHING PROPERLY	12210	0143ES	37/04
7140	Chesapeake Channel Lighted Buoy 20	RELIGHTED	12221	0445HR	38/04
10865	Newport News Channel Lighted Buoy 8	WATCHING PROPERLY	12256	0446HR	39/04
11090	Nansemond River Channel Light 16	WATCHING PROPERLY	12248	0450HR	39/04
12220	James River Lighted Buoy 62	WATCHING PROPERLY	12251	0235HR	20/04
13550	York River West Range Front Light	REBUILT/RECOVERED	12238	0542HR	40/03
13955	Upper York River Daybeacon 21	WATCHING PROPERLY	12228	0759BA	38/04
21530	Kings Creek Junction Light KC	WATCHING PROPERLY	12221	0372HR	32/04
23520	Tangier Sound Buoy 14	WATCHING PROPERLY	12231	0771BA	38/04
27050	Back River Light 3	RELIGHTED	12273	0779BA	39/04
27590	Susquehanna River Channel LB 1	RESET ON STATION	12274	0782BA	39/04
28025	Oregon Inlet Buoy 12	RESET ON STATION	12204	0173CH	39/04
28075	Oregon Inlet Channel Buoy 23	RESET ON STATION	12205	0174CH	39/04
29455	Morehead City Channel Lighted Buoy 23	RELIGHTED	11541	0372FM	39/04
29925	Southwest Creek Daybeacon 1	WATCHING PROPERLY	11542	0340FM	36/04
29950	New River Channel Daybeacon 55	WATCHING PROPERLY	11542	0399FM	36/04
30615	Sunny Point Terminal Light 16	RELIGHTED	11534	0371FM	38/04
35050	New Jersey Intracoastal Waterway Daybeacon 21	REBUILT/RECOVERED	12324	0151AC	17/04
35080	New Jersey Intracoastal Waterway Light 29	REBUILT/RECOVERED	12324	0130AC	15/04
35320	New Jersey Intracoastal Waterway Daybeacon 82	REBUILT/RECOVERED	12324	0113AC	13/04
35895	New Jersey Intracoastal Waterway Light 230	REBUILT/RECOVERED	12316	NONEAC	29/04
36055	New Jersey Intracoastal Waterway Daybeacon 277	WATCHING PROPERLY	12316	0121AC	13/04
36275	New Jersey Intracoastal Waterway Light 340	REBUILT/RECOVERED	12316	0289AC	33/04
36535	New Jersey Intracoastal Waterway Buoy 424	RESET ON STATION	12316	0228AC	26/04

PRIVATE AIDS DISCREPANCIES As of 0800 a.m. 28 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	TRUB	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	12270	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	TRUB	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 38/04.

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	Barnegat Inlet Buoy 16	RLCTD DUE TO SHLNG	12323	0155AC	17/04
980	Barnegat Inlet Buoy 17	RLCTD DUE TO SHLNG	12324	0193D5	17/04
985	Barnegat Inlet Buoy 18	RLCTD DUE TO SHLNG	12323	0193D5	17/04
995	Barnegat Inlet Buoy 20	RLCTD DUE TO SHLNG	12324	0154AC	17/04
1080	Oyster Creek Channel Buoy 37	RLCTD 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

TEMPORARY CHANGES CORRECTED

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNMR 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 NC-PORTSMOUTH ISLAND TO BEAUFORT CHANGE	NAD 83	CGD05/NOS	49/02
			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).

11520	41 st ed.	07/01/2003	LAST LNM: 33/04 CAPE HATTERAS TO CHARLESTON DELETE	NAD 83	NOS NW -8190	39/04
			6 fathom sounding, danger curve, blue tint and label Wk	centered at	34-26-13.600N	076-29-23.700W
			Danger curve, blue tint and label Obstrn PA	centered at	34-23-12.000N	076-32-54.000W
			14 fathom sounding, danger curve, blue tint and label: Unexploded ordnance (rep 1978)	centered at	34-13-39.600N	076-33-57.500W
	ADD		7 fathom sounding, danger curve, blue tint and label Wk	centered at	34-26-14.500N	076-29-27.000W
			16 fathom sounding, danger curve, blue tint and label: Unexploded ordnance (2003)	centered at	34-13-41.000N	076-33-53.600W
11534	33 rd ed.	03/01/2004	LAST LNM: 38/04 NC-SC-ICW-MYRTLE GROVE SOUND AND CAPE FEAR RIVER TO CASINO CREEK CHANGE (Supercedes LNM 33/04) Southport Channel Rear Range Light to Iso R 6s	NAD 83	CGD05	39/04
				in	33-54-58.068N	078-01-55.436W
11536	17 th ed.	02/01/2004	LAST LNM: 36/04 NC-APPROACHES TO CAPE FEAR RIVER CHANGE (Supercedes LNM 33/04) Southport Channel Rear Range Light to Iso R 6s	NAD 83	CGD05	39/04
				in	33-54-58.068N	078-01-55.436W
11537	35 th ed.	02/01/2004	LAST LNM: 34/04 NC- CAPE FEAR RIVER:- CAPE FEAR RIVER TO WILMINGTON CHANGE (Supercedes LNM 33/04) Southport Channel Rear Range Light to Iso R 6s	NAD 83	CGD05	39/04
				in	33-54-58.068N	078-01-55.436W
11541	34 th ed.	10/01/2003	LAST LNM: 38/04 NC-AIWW - NEUSE RIVER TO MYRTLE GROVE SOUND RELOCATE	NAD 83	CGD05	39/04
			Bogue Sound/New River Buoy 72A	from	34-33-12.956N	077-20-58.528W
				to	34-33-14.045N	077-20-56.891W
			Bogue Sound/New River Buoy 72B	from	34-33-14.071N	077-21-04.740W
				to	34-33-16.954N	077-21-07.130W
11542	16 th ed.	05/01/2004	LAST LNM: 34/04 NC- NEW RIVER RELOCATE	NAD 83	CGD05	39/04
			Bogue Sound/New River Buoy 72A	from	34-33-12.956N	077-20-58.528W

	Bogue Sound/New River Buoy 72B	to from to	34-33-14.045N 34-33-14.071N 34-33-16.954N	077-20-56.891W 077-21-04.740W 077-21-07.130W
11543	22 nd ed. 07/07/2001 NC-CAPE LOOKOUT TO NEW RIVER DELETE	LAST LNM: 33/04	NAD 83	NOS NW-8190 39/04
	Danger curve, blue tint and label	Obstn PA	centered at	34-23-12.000N 076-32-54.000W
11544	38 th ed. 03/01/2004 NC-PORTSMOUTH ISLAND TO BEAUFORT INCLUDING CAPE LOOKOUT SHOALS DELETE	LAST LNM: 38/04	NAD 83	NOS NW-8190 39/04
	Danger curve, blue tint and label	Obstn PA	centered at	34-23-12.000N 076-32-54.000W
	36 feet sounding, danger curve, blue tint and label Wk		centered at	34-26-13.600N 076-29-23.700W
	ADD			
	42 feet sounding, danger curve, blue tint and label Wk		centered at	34-26-14.500N 076-29-27.000W
11548	39 th ed. 11/01/2003 NC-PAMLICO SOUND WESTERN PART ADD	LAST LNM: 38/04	NAD 83	NOS NW-8206 39/04
	to NOAA WEATHER RADIO BROADCASTS note: Windsor, NC WNG-537 162.525 MHz Mamie, NC WWH-26 162.425 MHz		at	35-25-35.000N 076-07-20.000W
11553	28 th ed. 12/01/2002 NC-PUN/O RIVER TO NEUSE RIVER (SIDE B) ADD	LAST LNM: 38/04	NAD 83	NOS NW-8206 39/04
	to NOAA WEATHER RADIO BROADCASTS note: Mamie, NC WWH-26 162.425 24 hours daily		at-	35-08-00.000N- 076-28-32.500W
11554	16 th ed. 09/22/2001 NC-PAMLICO RIVER ADD	LAST LNM: 05/04	NAD 83	NOS NW-8206 39/04
	to NOAA WEATHER RADIO BROADCASTS note: Windsor, NC WNG-537 162.525 MHz		at	35-33-00.000N 076-53-50.000W
12204	35 th ed. 01/01/2003 NC-CURRITUCK BEACH LT TO WIMBLE SHOALS ADD	LAST LNM: 36/04	NAD 83	NOS NW-8206 39/04
	to NOAA WEATHER RADIO BROADCASTS note: Mamie, NC WWH-26 162.425 MHz		at	35-45-15.000N 075-53-05.000W
12205	28 th ed. 08/01/2003 VA-NC-CAPE HENRY TO PAMLICO SOUND ADD	LAST LNM: 38/04	NAD 83	NOS NW-8206 39/04
	Cover of Chart 12205 NOAA WEATHER RADIO BROADCASTS note: Mamie, NC WWH-26 162.425 24 hours daily Windsor, NC WNG-537 162.525 24 hours daily			
12206	30 th ed. 10/01/2003 VA-NC-NORFOLK TO ALBERMARLE SOUND (PAGE A-NORTH LANDING RIVER, ROUTE 1) ADD	LAST LNM: 38/04	NAD 83	NOS NW-8206 39/04
	NOAA WEATHER RADIO BROADCASTS note: Mamie, NC WWH-26 162.425 24 hours daily		at	36-42-00.000N 076-03-25.000W
12207	21 st ed. 02/01/2004 VA-NC- CAPE HENRY TO CURRITUCK BEACH LIGHT DELETE	LAST LNM: 38/04	NAD 83	CGD05 39/04
	Dam Neck Disposal Area Lighted Buoy B		in	36-49-30.538N 075-53-23.732W
	Dam Neck Disposal Area Lighted Buoy C		in	36-49-00.539N 075-53-23.732W
	ADD			NOS NW-8206
	to NOAA WEATHER RADIO BROADCASTS note: Mamie, NC WWH-26 162.425 MHz		at	36-45-00.000N 076-23-20.000W

12208	10th ed. 05/01/2004	LAST LNM: 38/04	NAD 83	CGD05	39/04
	VA- APPROACHES TO THE CHESAPEAKE BAY DELETE				
	Dam Neck Disposal Area Lighted Buoy B		in	36-49-30.538N	075-53-23.732W
	Dam Neck Disposal Area Lighted Buoy C		in	36-49-00.539N	075-53-23.732W
12214	45th ed. 05/01/2004	LAST LNM: 33/04	NAD 83	CGD05	39/04
	NJ- DE- CAPE MAY TO FENWICK ISLAND CHANGE/RELOCATE				
	Cape May Harbor Range Front Light 4		from	38-57-15.255N	074-52-41.303W
	to QR 16FT, relocate		to	38-57-07.762N	074-52-35.156W
12221	75th ed. 09/01/2003	LAST LNM: 38/04	NAD 83	CGD05	39/04
	VA- CHESAPEAKE BAY ENTRANCE RELOCATE				
	Poquoson Flats Channel Daybeacon 2PF		from	37-06-27.100N	076-14-46.200W
			to	37-06-27.283N	076-14-46.040W
	DELETE				
	Dam Neck Disposal Area Lighted Buoy B		in	36-49-30.538N	075-53-23.732W
	Dam Neck Disposal Area Lighted Buoy C		in	36-49-00.539N	075-53-23.732W
12222	46th ed. 05/01/2004	LAST LNM: 34/04	NAD 83	CGD05	39/04
	VA- CHESAPEAKE BAY CAPE CHARLES TO NORFOLK HARBOR RELOCATE				
	Poquoson Flats Channel Daybeacon 2PF		from	37-06-27.100N	076-14-46.200W
			to	37-06-27.283N	076-14-46.040W
12225	55th ed. 08/01/2004	LAST LNM: 37/04	NAD 83	CGD05	39/04
	VA-CHESAPEAKE BAY: WOLF TRAP TO SMITH POINT RELOCATE				
	Nandua Creek Warning Daybeacon B		from	37-37-54.000N	075-54-16.400W
			to	37-37-54.471N	075-54-16.762W
	Nandua Creek Warning Daybeacon C		from	37-37-57.700N	075-54-06.000W
			to	37-37-55.492N	075-54-08.685W
	ADD				
	Depth legend: 6 1/2 ft rep 2002		at	37-32-09.500N	076-21-25.000W
12226	16th ed. 11/10/2001	LAST LNM: 37/04	NAD 83	CGD05	39/04
	VA- CHESAPEAKE BAY: WOLF TRAP TO PUNGOTEAGUE CREEK RELOCATE				
	Nandua Creek Warning Daybeacon C		from	37-37-57.700N	075-54-06.000W
			to	37-37-55.492N	075-54-08.685W
	DELETE/RELOCATE				
	Nandua Creek Warning Daybeacon B		from	37-37-54.000N	075-54-16.400W
	delete PA, relocate		to	37-37-54.471N	075-54-16.762W
12231	27 th ed. 09/01/2004	LAST LNM: 34/04	NAD 83	NOS	39/04
	MD-VA-CHESAPEAKE BAY-TANGIER SOUND-NORTHERN PART NEW EDITION				
	1 : 40,000 New edition due to numerous Notice to Mariners changes. This NOAA chart is now available in both the Print-on Demand and digital raster formats. See http://chartmaker.ncd.noaa.gov/mcd/dole.htm for details. The corresponding traditional paper chart will be available in two to eight weeks.				
12235	30 th ed. 03/01/2004	LAST LNM: 35/04	NAD 83	NOS NW-8112	39/04
	VA-RAPPAHANNOCK RIVER ENTRANCE -PIANKATANK AND GREAT WICOMICO RIVERS ADD				
	Depth legend: 6 1/2 ft rep 2002		at	37-32-08.000N	076-21-28.000W
12238	38th ed. 11/01/2003	LAST LNM: 37/04	NAD 83	CGD05	39/04
	VA- CHESAPEAKE BAY: MOBJACK BAY AND YORK RIVER ENTRANCE RELOCATE				
	Poquoson Flats Channel Daybeacon 2PF		from	37-06-27.100N	076-14-46.200W
			to	37-06-27.283N	076-14-46.040W
12263	53 rd ed. 11/01/2003	LAST LNM: 36/04	NAD 83	NOS NW-8206	39/04
	MD-CHEASAPEAKE BAY COVE POINT TO SANDY ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz				
			at	38-27-00.000N	076-00-00.000W

12268	10 th ed. 03/23/2002	LAST LNM: 35/04	NAD 83	NOS NW-8206	39/04
	MD-CHOPTANK RIVER - CAMBRIDGE TO GREENSBORO ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz at				
				38-36-10.000N	075-51-00.000W
12270	33 rd ed. 12/01/2003	LAST LNM: 36/04	NAD 83	NOS NW-8206	39/04
	MD-CHESAPEAKE BAY - EASTERN BAY AND SOUTH ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz at				
				38-49-50.000N	076-08-42.000W
12272	29 th ed. 04/20/2002	LAST LNM: 39/04	NAD 83	NOS NW-8206	39/04
	MD-CHESTER RIVER ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz at				
				39-11-10.000N	076-06-15.000W
12273	55 th ed. 05/01/2004	LAST LNM: 39/04	NAD 83	NOS NW-8206	39/04
	MD-CHESAPEAKE BAY SANDY PT TO SUSQUEHANNA RIVER ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz at				
				39-07-10.000N	076-00-15.000W
12274	33 rd ed. 07/01/2002	LAST LNM: 33/04	NAD 83	NOS NW-8206	39/04
	MD-HEAD OF CHESAPEAKE BAY ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz at				
				39-34-25.000N	076-16-00.000W
12272	29 th ed. 04/20/2002	LAST LNM: 22/04	NAD 83	CGD05	39/04
	MD- CHESTER RIVER RELOCATE				
	Swan Creek Entrance Light 6		from	39-08-21.500N	076-15-47.700W
			to	39-08-21.145N	076-15-47.529W
12277	32 nd ed. 07/01/2003	LAST LNM: 38/04	NAD 83	NOS NW-8206	39/04
	DE-MD-NJ-CHESAPEAKE AND DELAWARE CANAL ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz at				
				39-33-27.000N	075-43-05.000W
12278	72 nd ed. 04/20/2002	LAST LNM: 33/04	NAD 83	CGD05	39/04
	MD- CHESAPEAKE BAY APPROACHES TO BALTIMORE RELOCATE				
	Swan Creek Entrance Light 6		from	39-08-21.500N	076-15-47.700W
			to	39-08-21.145N	076-15-47.529W
				NOS NW-8206	
	ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz at				
				39-02-15.000N	076-31-20.000W
12280	4 th ed. 10/01/2003	LAST LNM: 33/04	NAD 83	CGD05	39/04
	MD - VA - CHESAPEAKE BAY DELETE				
	Dam Neck Disposal Area Lighted Buoy B		in	36-49-30.538N	075-53-23.732W
	Dam Neck Disposal Area Lighted Buoy C		in	36-49-00.539N	075-53-23.732W
	RELOCATE				
	Poquoson Flats Channel Daybeacon 2PF		from	37-06-27.100N	076-14-46.200W
			to	37-06-27.283N	076-14-46.040W
				NOS NW-8206	
	ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz at				
				39-15-00.000N	077-16-00.000W
12282	34 th ed. 09/01/2003	LAST LNM: 21/04	NAD 83	NOS NW-8206	39/04
	MD-CHESAPEAKE BAY SEVERN AND MAGOTHY ADD				
	to NOAA WEATHER RADIO BROADCASTS note: Sudlersville, MD WXX-97 162.50 MHz at				
				38-56-10.000N	076-30-45.000W

12285	36th ed. 01/01/2004	LAST LNM: 36/04	NAD 83	CGD05	39/04
	MD-VA-DC- POTOMAC RIVER ADD/RELOCATE				
	Cuckold Creek Light 1, add range 3M, relocate	from		38-18-49.300N	076-55-49.900W
		to		38-18-48.842N	076-55-49.390W
12286	29th ed. 11/01/2002	LAST LNM: 31/04	NAD 83	CGD05	39/04
	VA-MD-POTOMAC RIVER: PINEY POINT TO LOWER CEDAR POINT RELOCATE				
	Cuckold Creek Light 1	from		38-18-49.300N	076-55-49.900W
		to		38-18-48.842N	076-55-49.390W
12304	44 th ed. 07/01/2004	LAST LNM: 36/04	NAD 83	CGD05	39/04
	NJ-DE-DELAWARE BAY CHANGE/RELOCATE				
	Cape May Harbor Range Front Light 4 to	from		38-57-15.255N	074-52-41.303W
	QR, 16FT, relocate	to		38-57-07.762N	074-52-35.156W
				NOS NW-8206	
	ADD				
	to NOAA WEATHER RADIO BROADCASTS note:				
	Sudlersville, MD WXX-97 162.50 MHz	at		39-13-45.000N	074-52-20.000W
12311	43 rd ed. 07/01/2004	LAST LNM: 38/04	NAD 83	NOS NW-8206	39/04
	NJ-DE-DELAWARE RIVER SMYRNA RIVER TO WILMINGTON ADD				
	to NOAA WEATHER RADIO BROADCASTS note:				
	Sudlersville, MD WXX-97 162.50 MHz	at		39-30-20.000N	075-21-10.000W
12312	52 nd ed. 01/01/2003	LAST LNM: 37/04	NAD 83	NOS NW-8206	39/04
	DE-PA-NJ-DELAWARE RIVER WILMINGTON TO PHILADELPHIA ADD				
	to NOAA WEATHER RADIO BROADCASTS note:				
	Sudlersville, MD WXX-97 162.50 MHz	at		39-54-40.000N	075-26-10.000W
12316	31st ed. 05/01/2004	LAST LNM: 38/04	NAD 83	CGD05	39/04
	NJ-IWW-LITTLE EGG HARBOR TO CAPE MAY RELOCATE				
	New Jersey Intracoastal Waterway	from		39-26-40.855N	074-23-29.440W
	Daybeacon 162	to		39-26-41.597N	074-23-28.814W
	CHANGE/RELOCATE				
	Cape May Harbor Range Front Light 4 to	from		38-57-15.255N	074-52-41.303W
	QR, 16FT, relocate	to		38-57-07.762N	074-52-35.156W
	CHANGE				
	Cape May Harbor Light 4 to Light 6	in		38-57-07.500N	074-52-49.009W
	Cape May Harbor Light 5 to Light 7, range 3M	in		38-57-03.307N	074-52-56.606W
	Cape May Harbor Light 6 to Light 8	in		38-57-03.834N	074-53-18.563W
	Cape May Harbor Daybeacon 8 to				
	Daybeacon 10	in		38-57-02.157N	074-53-28.102W
	Cape May Harbor Daybeacon 10 to				
	Daybeacon 12	in		38-57-00.236N	074-53-36.287W
	Cape May Harbor Daybeacon 11 to				
	Daybeacon 13	in		38-56-56.436N	074-53-42.725W
	Cape May Harbor Light 12 to Light 14	in		38-56-57.274N	074-53-52.882W
	Cape May Canal East End Entrance Light 14				
	to Light 16	in		38-57-07.864N	074-54-08.380W
	DELETE				
	Cape May Harbor Junction Light C	in		38-57-07.078N	074-52-36.730W
12317	32nd ed. 05/01/2004	LAST LNM: 26/04	NAD 83	CGD05	39/04
	NJ- CAPE MAY HARBOR CHANGE/RELOCATE				
	Cape May Harbor Range Front Light 4 to	from		38-57-15.255N	074-52-41.303W
	QR, 16FT, relocate	to		38-57-07.762N	074-52-35.156W
	CHANGE				
	Cape May Harbor Light 4 to Light 6	in		38-57-07.500N	074-52-49.009W
	Cape May Harbor Light 5 to Light 7 range 3M	in		38-57-03.307N	074-52-56.606W
	Cape May Harbor Light 6 to Light 8	in		38-57-03.834N	074-53-18.563W
	Cape May Harbor Daybeacon 8 to				

	Daybeacon 10	in	38-57-02.157N	074-53-28.102W	
	Cape May Harbor Daybeacon 10 to Daybeacon 12	in	38-57-00.236N	074-53-36.287W	
	Cape May Harbor Daybeacon 11 to Daybeacon 13	in	38-56-56.436N	074-53-42.725W	
	Cape May Harbor Light 12 to Light 14	in	38-56-57.274N	074-53-52.882W	
	Cape May Canal East End Entrance Light 14 to Light 16	in	38-57-07.864N	074-54-08.380W	
DELETE	Cape May Harbor Junction Light C	in	38-57-07.078N	074-52-36.730W	
			NOS NW-8197		
ADD	Green fill to Daybeacon G "479"	at	38-57-47.700N	074-52-13.200W	
12324	31 st ed. 01/01/2004	LAST LNM: 38/04	NAD 83	NOS NW-8105	39/04
	NJ-SANDY HOOK TO LITTLE EGG HARBOR (SIDE A-SHARK RIVER INSET)				
	SHARK RIVER Change note:				
	Controlling depths were 7 1/2 feet for width's of 100 - 150 feet to the Ocean Avenue Bridge, thence 7 feet by mid 50 feet to the Municipal Boat Basin. Apr 2004.				
		at	40-11-33.010N	074-02-42.280W	

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**

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.**

BRIDGE ADVANCE NOTICE

None.

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 – CHESAPEAKE BAY – TANGIER SOUND – SMITH ISLAND - BIG THOROFARE WEST - SMITH ISLAND WEST SIDE WARNING DAYBEACON – AIDS TO NAVIGATION CHANGE.

The Coast Guard is soliciting for comments on discontinuing Smith Island West Side Warning Daybeacon (LLNR 23195). Comments concerning this proposal may be sent to the above address, attention Mr. Al Grimes, not later than **25 October, 2004.** **Chart: 12231.**

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 – 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
MD – Baltimore Harbor – Dredging	Until further notice	WEEKS MARINE	23/03
NJ – Fairless Turning Basin – Dredging	01 Oct 001 Nov 2004	PULLEN	39/04
NJ – Manasquan Inlet – Dredging	10 Oct – 31 Dec 2004	MIKE THOMAS	39/04
NJ – Cape May Inlet to Cape May Point – Beach Nourishment	20 Sep – 20 Dec 2004	R.N. WEEKS	37/04
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	R.S. 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 – Lockwoods Folly – Dredging	20 Sep – 25 Oct 2005	RICHMOND	38/04
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

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 February 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 Occuquan River	Occuquan 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/PA –DELAWARE RIVER – FAIRLESS TURNING BASIN – DREDGING

The Dredge PULLEN will be conducting dredging operations in Delaware River/ Fairless Turning Basin from **01 October, 2004** through **01 November, 2004**. A pipeline will run from the dredging area to the Disposal Area on Money Island. 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: 12312.**

LNM 39/04

NJ – MANASQUAN INLET – DREDGING

The Dredge MIKE THOMAS will be conducting dredging operations in Manasquan Inlet from **10 October, 2004** through **31 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: 12323 & 12324.**

LNM 39/04

NJ – GREAT BAY – MULLICA RIVER – NACOTE CREEK - BRIDGE INFORMATION

Mariners are advised to use caution when transiting the US 9 Bridge over Nacote Creek, mile 1.5, in Port Republic, New Jersey. Structural inspection crews will be on site from **September 20, 2004 to November 20, 2004**, from 8 a.m. to 4 p.m. Contractors will occupy a workboat in the vicinity. This movable operation will not impede vessel traffic. **Chart: 12316.**

LNM 38/04

NJ – GREAT BAY - MULLICA RIVER – BRIDGE INFORMATION

Mariners are advised to use caution when transiting the Route 563/Green Bank Road Bridge over Mullica River, mile 18.0, in Green Bank, New Jersey. Structural inspection crews will be on site from **September 20, 2004 to November 20, 2004**, from 8 a.m. to 4 p.m. Contractors will occupy a workboat in the vicinity. This movable operation will not impede vessel traffic. **Chart: 12316.**

LNM 38/04

NJ – INTRACOASTAL WATERWAY (ICW) - LITTLE EGG HARBOR TO CAPE MAY – INSIDE THOROFARE – BRIDGE INFORMATION

Mariners are advised to use caution when transiting the Dorset Avenue Bridge over Inside Thorofare, at ICW mile 71.2, in Ventnor City, New Jersey. Structural inspection crews will be on site from **September 20, 2004 to November 20, 2004**, from 8 a.m. to 4 p.m. Contractors will occupy a workboat in the vicinity. This movable operation will not impede vessel traffic. **Chart: 12316.**

LNM 38/04

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

NC --LOCKWOODS FOLLY - DREDGING

The Dredge RICHMOND will be conducting dredging operations in Lockwoods Folly from **20 September, 2004** through **25 October, 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: 11534.**

LNM 38/04

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
520	Dam Neck Disposal Area Lighted Buoy B						Remove from list.	39/04

*

525	<i>Dam Neck Disposal Area Lighted Buoy C</i>							Remove from list.	39/04
								*	
1455 36733	- RANGE FRONT LIGHT 4	38 57 08 N 74 52 35 W	Q R	16		TR-TY on multi-pile structure.		Visible all around. Higher intensity on rangeline. Lighted throughout 24 hours.	39/04
	*	*	*	*		*		*	
1460	- RANGE REAR LIGHT 960 yards, 327° from front light.		F W	40		On white skeleton tower.		Visible on rangeline only. Lighted throughout 24 hours.	39/04
	*					*		*	
1470 36725	CAPE MAY HARBOR JUNCTION LIGHT C							Remove from list.	39/04
								*	
30410 40040	SOUTHPORT CHANNEL RANGE REAR LIGHT 1,426 yards 319.5° from front light.		Iso R 6s	42		KRW and SG-SY on multi-pile structure.		Visible only on rangeline.	39/04
			*					*	
36725 1470	- JUNCTION LIGHT C							Remove from list.	39/04
								*	
36733 1455	- RANGE FRONT LIGHT 4	38 57 08 N 74 52 35 W	Q R	16	3	TR-TY on multi-pile structure. On same structure as Cape May Harbor Range Front light.			39/04
*	*	*	*	*	*	*		*	
36735	- LIGHT 6	38 57 08 N 74 52 49 W	FI R 4s	15	3	TR-TY on pile.			39/04
	*								
36740	- LIGHT 7		FI G 4s	15	3	SG-SY on pile.			39/04
	*								
36745	- LIGHT 8	38 57 04 N 74 53 19 W	FI R 6s	15	4	TR-TY on pile.			39/04
	*								
36750	- Daybeacon 10	38 57 02 N 74 53 28 W				TR-TY on pile.			39/04
	*								
36755	- Daybeacon 12	38 57 00 N 74 53 36 W				TR-TY on pile.			39/04
	*								
36760	- Daybeacon 13	38 56 54 N 74 53 42 W				SG-SY on pile.			39/04
	*								
36765	- LIGHT 14	38 56 58 N 74 53 52 W	FI R 4s	15	4	TR-TY on pile.			39/04
	*								
36780	- CAPE MAY CANAL EAST END ENTRANCE LIGHT 16	38 57 08 N 74 54 09 W	FI R 4s	12	3	TR on multi-pile structure.			39/04
	*								

ENCLOSURES/LINKS/MARINE EVENTS/TEMPORARY SPECIAL REGULATIONS

1. 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

2. Special Local Regulations for Marine Events; Sunset Lake, Wildwood Crest, NJ

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a special local regulation during the "Sunset Lake Hydrofest", a marine event to be held **October 2 and 3, 2004**, on the waters of Sunset Lake, Wildwood Crest, New Jersey. This special local regulation is necessary to provide for the safety of life on navigable waters during the event. This action will restrict vessel traffic in portions of Sunset Lake during the event.

DATES: This rule is effective from 7:00 a.m. on **October 2, 2004 to 6:00 p.m. on October 3, 2004**.

ADDRESSES: Documents indicated in this preamble as being available in the docket, are part of docket CGD05-04-160 and are available for inspection of copying at Commander (oax), 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: Dennis Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, 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 a NPRM and for making this regulation effective less than 30 days after publication in the Federal Register. Publishing a NPRM and delaying its effective date would be contrary to public interest, since immediate action is needed to protect event participants, spectator craft and other vessels transiting the event area from the dangers in high-speed power boats racing. Additionally, the parameters of the safety zone are limited to the race area, and the length of time this zone will be effective is limited to the times and dates of the event.

Background and Purpose

On October 2 and 3, 2004, the Sunset Lake Hydrofest Association will sponsor the "Sunset Lake Hydrofest", on the waters of Sunset Lake near Wildwood Crest, New Jersey. The event will consist of approximately 100 inboard hydroplanes, Jersey Speed Skiffs and flat-bottom Ski boats racing in heats counter-clockwise around an oval racecourse. A fleet of approximately 100 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 Rule

The Coast Guard is establishing a temporary special local regulation on specified waters of Sunset Lake. The temporary special local regulation will be enforced from 7:30 a.m. to 4:30 p.m. on October 2 and 3, 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. This regulation is 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, 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 rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Although this regulation prevents traffic from transiting a portion of Sunset Lake during the event, the effect of this 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 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 Sunset Lake by navigating around the regulated area.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule will 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 affects 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 Sunset Lake during the event.

This rule will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will be in effect for only a limited period. Vessel traffic could pass safely around the regulated area. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans accordingly.

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. If the rule will 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 rule calls 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 an 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 will not create an environmental risk to health or risk to safety that might 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 will 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 rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We 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 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.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.

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-T05-160 to read as follows:

§ 100.35-T05-160 Sunset Lake, Wildwood Crest, NJ

(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 Group Atlantic City.

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

(3) Participant includes all vessels participating in the Sunset Lake Hydrofest under the auspices of the Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Group Atlantic City.

(4) Regulated area includes all waters of Sunset Lake, New Jersey, from shoreline to shoreline, south of latitude 38°58'32" N. 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 be enforced from 7:30 a.m. to 4:30 p.m. on October 2 and 3, 2004.

Dated: September 14, 2004

3. Special Local Regulations for Marine Events; Morehead City Harbor Channel, Morehead City, NC

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations during the "North Carolina Seafood Festival and Fireworks Display", an event to be held **October 2, 2004** over the waters of Morehead City Harbor Channel at Morehead City, NC. In the event of inclement weather the alternate date is **October 3, 2004**. 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 Morehead City waterfront during the fireworks display.

DATES: This rule is effective from 8:45 p.m. to 9:45 p.m. on October 2, 2004 and on October 3, 2004.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket CGD05-04-180 and are available for inspection or copying at Commander (oax), 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: D. M. Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, 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), the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM would be impracticable. The event will take place on October 2, 2004. Because of the danger posed by the pyrotechnic display, special local regulations are necessary to provide for the safety of spectator craft and other vessels transiting the event area.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying the effective date would be contrary to the public interest, since immediate action is needed to ensure the safety of the event participants, spectator craft and other vessels transiting the event area. However advance notifications will be made to users of Morehead City Harbor Channel via marine information broadcasts and area newspapers.

Background and Purpose

On October 2, 2004, the North Carolina Seafood Festival will sponsor the "NC Seafood Festival and Fireworks Display". The fireworks display will be launched from Sugar Loaf Island but the hazardous fallout area will extend over Morehead City Harbor Channel. A fleet of spectator vessels is expected to gather near the event site to view the fireworks display. To provide for the safety of spectators and other transiting vessels, the Coast Guard will temporarily restrict vessel traffic in Morehead City Harbor Channel during the fireworks display.

Discussion of Rule

The Coast Guard is establishing temporary special local regulations on specified waters of Morehead City Harbor Channel at Morehead City, North Carolina. The regulated area includes all waters of Morehead City Harbor Channel that fall within a 1000 foot radius of latitude 34°43'01" N, 076°42'98" W, a position located at the west end of Sugar Loaf Island. The temporary special local regulations will be in effect from 8:45 p.m. to 9:45 p.m. on October 2, 2004. In the event of inclement weather the alternate date is October 3, 2004. The effect will be to restrict general navigation in the regulated area during the fireworks display. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area during the enforcement period. The Patrol Commander will notify the public of specific enforcement times by Marine

Radio Safety Broadcast. These regulations are needed to control vessel traffic during the event to enhance the safety of spectators and transiting vessels.

Regulatory Evaluation

This 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 rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation restricts vessel traffic from transiting a portion of Morehead City Harbor Channel 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 marine information broadcasts and area newspapers so mariners can adjust their plans accordingly.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have 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 this section of the Morehead City Harbor Channel during the event.

This rule will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will be in effect for only a short period, from 8:45 p.m. to 9:45 p.m. on October 2, 2004. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans accordingly.

Assistance for Small Entities

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

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 calls 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 an 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 create 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 does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

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. 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 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.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 event 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-T05-180 to read as follows:

§ 100.35-T05-180, Morehead City Harbor Channel, Morehead City, NC.

(a) Regulated area. The regulated area includes all waters of Morehead City Harbor Channel that fall within a 1000 foot radius of latitude 34°43'01" N, 076°42'98" W, a position located at the west end of Sugar Loaf Island. 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 Fort Macon.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Group Fort Macon 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 8:45 p.m. to 9:45 p.m. on October 2, 2004. In the event of inclement weather, the alternate date is October 3, 2004.

4. Special Local Regulations for Marine Events; Martin Lagoon, Middle River, MD

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations during the "Baltimore County Community Waterfront Festival", an event to be held October 2, 2004 at Martin Lagoon, Middle River, 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 temporarily restrict vessel traffic in a portion of the Middle River waterfront to accommodate watercraft static displays, fire-rescue demonstrations and fireworks display.

DATES: This rule is effective from 9 a.m. to 10 p.m. on **October 2, 2004**. If this event is postponed due to weather this temporary final rule will be effective from 9 a.m. to 10 p.m. on **October 3, 2004**.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket CGD05-04-183 and are available for inspection or copying at Commander (oax), 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: D. M. Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, 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), the Coast Guard finds that good cause exists for not publishing an NPRM, publishing an NPRM would be impracticable and contrary to public interest. The danger posed by the pyrotechnic display, and on the water fire-rescue demonstrations make special local regulations necessary to provide for the safety of spectator craft and other vessels transiting the event area.

Under 5 U.S.C. 553(d)(3) and for the same reasons, the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying the effective date would be contrary to the public interest, since immediate action is needed to ensure the safety of the event participants, spectator craft and other vessels transiting the event area. However advance notifications will be made to users of Martin Lagoon via marine information broadcasts and area newspapers.

Background and Purpose

On October 2, 2004, Baltimore County will sponsor the "Baltimore County Community Waterfront Festival". Various watercraft static displays and fire-rescue demonstrations will be staged within Martin Lagoon. The fireworks display will be launched from Wilson Point Park but the hazardous fallout area will extend over Martin Lagoon. A fleet of spectator vessels is expected to gather near the event site to view the fireworks display. 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 Rule

The Coast Guard is establishing temporary special local regulations on specified waters of Martin Lagoon at Middle River, Maryland. The regulated area includes all waters of Martin Lagoon that are north of a line drawn from latitude 39°19'34" N, 076°25'41" W, thence to a position located at 39°19'33" N, 076°25'33" W. The temporary special local regulations will be in effect from 9 a.m. to 10 p.m. on October 2, 2004. If the marine event is postponed due to weather, then the temporary special local regulations will be enforced during the same time period on October 3, 2004. The effect will be to restrict general navigation in the regulated area during the marine event and fireworks display. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area during the enforcement period. The Patrol Commander will notify the public of specific enforcement times by Marine Radio Safety Broadcast. These regulations are needed to control vessel traffic during the event to enhance the safety of spectators and transiting vessels.

Regulatory Evaluation

This 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 rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation restricts vessel traffic from transiting Martin Lagoon 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 marine information broadcasts and area newspapers so mariners can adjust their plans accordingly.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have 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 Martin Lagoon during the event.

This rule will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will be in effect for only a short period, from 9 a.m. to 10 p.m. on October 2, 2004. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans accordingly.

Assistance for Small Entities

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

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 calls 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 an 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 create 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 does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

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. 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 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.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 event permit are specifically excluded from further analysis and documentation under those sections.

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-T05-183 to read as follows:

§ 100.35-T05-183, Martin Lagoon, Middle River, Maryland.

(a) Regulated area. The regulated area includes all waters of Martin Lagoon that are north of a line drawn from latitude 39°19'34" N, 076°25'41" W, thence to a position located at 39°19'33" N, 076°25'33" W. All coordinates reference Datum NAD 1983.

(d) 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.

(e) 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 9 a.m. to 10 p.m. on October 2, 2004. If the marine event is postponed due to weather, then the temporary special local regulations will be enforced during the same time period on October 3, 2004.

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

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations during the "Chesapeake Ultra Triathlon", an event to be held **October 9, 2004** over the waters of Choptank River at Cambridge, 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 Choptank River during the Chesapeake Ultra Triathlon swim.

DATES: This rule is effective from 6:30 a.m. to 10:30 a.m. on October 9, 2004.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket CGD05-04-182 and are available for inspection or copying at Commander (oax), 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: D. M. Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, 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), the Coast Guard finds that good cause exists for not publishing an NPRM, publishing an NPRM would be impracticable and contrary to public interest as immediate action is necessary to protect those using the waterway. Because of the danger posed to the swimmers competing within a confined area, special local regulations are necessary to provide for the safety of event participants, support craft and other vessels transiting the event area.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying the effective date would be contrary to the public interest, since immediate action is needed to ensure the safety of the event participants, support craft, spectator craft and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event. However advance notifications will be made to users of the waterway via marine information broadcasts and area newspapers.

Background and Purpose

On October 9, 2004, the Columbia Triathlon Association will sponsor the "Chesapeake Ultra Triathlon". The swimming segment of the event will consist of approximately 300 swimmers competing across a 2.4-mile course along the Choptank River between the Hyatt Regency Chesapeake Bay Resort Beach and Great Marsh Park, Cambridge, Virginia. The competition will begin at the Hyatt Regency Beach. The participants will swim across to the finish line located at Great Marsh Park, swimming approximately 100 yards off shore, parallel with the shoreline. Approximately 20 support vessels will accompany the swimmers. Due to the need for vessel control during the swimming event, the Coast Guard will temporarily restrict vessel traffic in the event area to provide for the safety of participants, support craft and other transiting vessels.

Discussion of Rule

The Coast Guard is establishing temporary special local regulations on specified waters of the Choptank River between the beachfront adjacent to the Hyatt Regency Chesapeake Bay Resort and Great Marsh Park at Cambridge, Maryland. The temporary special local regulations will be in effect from 6:30 a.m. to 10:30 a.m. on October 9, 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 may be allowed to transit the regulated area at slow speed as the swim progresses, when the Coast Guard Patrol Commander determines it is safe to do so. The Patrol Commander will notify the public of specific enforcement times by Marine Radio Safety Broadcast. 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, 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 rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation restricts vessel traffic from transiting a portion of 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 marine information broadcasts and area newspapers so mariners can adjust their plans accordingly.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have 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 this section of the Choptank River during the event.

This rule will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will be in effect for only a short period, from 6:30 a.m. to 10:30 a.m. on October 9, 2004. Vessels desiring to transit the event area will be able to transit the regulated area at slow speed as the swim progresses, when the Coast Guard Patrol Commander determines it is safe to do so. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans accordingly.

Assistance for Small Entities

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

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 calls 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 an 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 create 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 does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

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. 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 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.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 event permit are specifically excluded from further analysis and documentation under those sections.

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-T05-182 to read as follows:

§ 100.35-T05-182. Choptank River, Cambridge, Maryland.

(a) Regulated area. The regulated area includes all waters of the Choptank River within 200 yards either side of a line drawn northwesterly from a point on the shoreline at latitude 38°33'45" N, 076°02'38" W, thence to latitude 38°35'06" N, 076°04'42" W, a position located at Great Marsh Park, Cambridge, MD. All coordinates reference Datum NAD 1983.

(f) 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.

(g) 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 6:30 a.m. to 10:30 a.m. on October 9, 2004.

Dated: September 23, 2004

6. Special Local Regulations for Marine Events; Willoughby Bay, Norfolk, VA

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations during the "Hampton Roads Sailboard Classic", a marine event to be held **October 23 and 24, 2004** on the waters of Willoughby Bay, Norfolk, 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 Willoughby Bay during the event.

DATES: This rule is effective from 10 a.m. to 4:30 p.m. on October 23, 2004 and from 9:30 a.m. to 3 p.m. on October 24, 2004.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket CGD05-04-184 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: D. M. Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, 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), the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM would be impracticable and contrary to public interest, as the event will take place on October 23 and 24, 2004. The danger posed to participants by wakes from transiting vessels make special local regulations necessary to provide for the safety of event participants, support craft and other vessels transiting the event area.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying the effective date would be contrary to the public interest, since immediate action is needed to ensure the safety of participants, support craft, spectator craft and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event. Additionally, advance notifications will be made to affected users of the waterway via marine information broadcasts and area newspapers.

Background and Purpose

The Windsurfing Enthusiasts of Tidewater will sponsor the marine event "Hampton Roads Sailboard Classic" on October 23 and 24, 2004, on the waters of Willoughby Bay, Norfolk, Virginia. The event will consist of approximately 40 sailboards racing in heats along several courses within Willoughby Bay. Spectator vessels are expected to gather near the event site to view the competition. To provide for the safety of event participants, spectators and transiting vessels during the event, the Coast Guard will temporarily restrict vessel movement in the event area during the sailboard races.

Discussion of Rule

The Coast Guard is establishing temporary special local regulations on specified waters of Willoughby Bay. The temporary special local regulations will be in effect from 10 a.m. to 4:30 p.m. on October 23, 2004 and from 9:30 a.m. to 3 p.m. on October 24, 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 will be allowed to enter or remain in the regulated area. Non-participating vessels desiring to transit Willoughby Bay during the event will be able to navigate safely around 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 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 temporary rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation prevents traffic from transiting a portion of Willoughby Bay during the event, the effect of this regulation will not be significant because transiting vessels will be able to safely navigate around the regulated area and extensive advance notifications will be made to the maritime community via 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.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have 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 this section of Willoughby Bay during the event.

This rule will not have a significant economic impact on a substantial number of small entities for the following reasons. Transiting vessels will be able to safely navigate around the regulated area. Extensive advance notifications will be made to the maritime community via marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we offered to assist small entities in understanding the rule so that they could 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 calls 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 an 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 create 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 does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

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. 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 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.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 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 a temporary section, § 100.35-T05-184 to read as follows:

§ 100.35-T05-184, Willoughby Bay, Norfolk, VA.

(a) **Regulated area.** The regulated area is established for the waters of Willoughby Bay contained within the following coordinates:

<u>Latitude</u>	<u>Longitude</u>
36° 58' 36.0" North	076° 18' 42.0" West
36° 58' 00.0" North	076° 18' 00.0" West
36° 57' 49.0" North	076° 18' 14.0" West
36° 57' 36.0" North	076° 17' 55.0" West
36° 57' 26.0" North	076° 18' 06.0" West
36° 58' 15.0" North	076° 19' 08.0" West
36° 58' 36.0" North	076° 18' 42.0" 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 this 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 Dates. This section is in effect from 10 a.m. to 4:30 p.m. on October 23, 2004 and from 9:30 a.m. to 3 p.m. on October 24, 2004.

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

