



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

October 19, 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, 449-04, 454-04,455-04,464-04, 466-04, 467-04, 469-04 THRU 472-04.
Group Philadelphia	PH 320-03, 321-03, 026-04, 045-04, 101-04, 178-04, 208-04, 215-04, 231-04, 265-04, 294-04, 337-04, 338-04, 351-04, 364-04, 368-04, 369-04.
Group Atlantic City	AC 389-04, 393-04, 394-04, 396-04, 397-04, 398-04, 399-04.
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 THRU 718-04, 720-04, 722-04, 726-04, 732-04, 739-04, 741-04, 745-04, 751-04, 779-04, 777-04, 780-04, 789-04, 790-04, 800-04, 801-04, 807-04, 808-04, 810-04, 811-04, 813-04, 814-04.
Group Eastern Shore	ES 155-04, 156-04.
Group Hampton Roads	HR 472-04 THRU 475-04, 480-04 THRU 484-04.
Group Cape Hatteras	CH 184-04.
Group Fort Macon	FM 398-04, 403-04, 406-04, 408-04, 409-04.

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 (36th) 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.

DATES OF LATEST EDITIONS, NAUTICAL CHARTS AND MISCELLANEOUS MAPS

The Dates of Latest Editions, Nautical Charts and Miscellaneous Maps, dated October 1, 2004, published by the National Ocean Service, is available for issue. It may be obtained free by mail from the National Aeronautical Charting Office, AVN-530, Federal Aviation Administration, 6303 Ivy Lane, Suite 400, Greenbelt MD, 20770-1479, by telephone at 1-800-638-8972 or from your local authorized nautical chart sales agent. This is a quarterly publication listing the most recent editions of nautical charts, miscellaneous maps and publications relating to navigation, weather, etc. with brief descriptions and up-to-date prices for most of the publications listed. Much of this information may also be obtained online at: <http://chartmaker.ncd.noaa.gov/mcd/dole.htm>

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 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 – 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-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.**

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

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

VA – COASTAL – RUDEE INLET – SHOALING

Shoaling has been recorded at 5.1 feet M.L.L.W. on the northern side (edge of channel) of Rudee Inlet in the vicinity of the old Lighthouse Restaurant per City survey performed 10/05/04. Mariners are urged to transit the area with caution. **Chart: 12200.**

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 (36th) Edition** 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:

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, 2005 from 6:00 a.m. to 1:00 p.m.

Jan 31- Feb 4, 2005 from 6:00 a.m. to 1:00 p.m.

Feb 07-11, 2005 from 6:00 a.m. to 1:00 p.m.

Mar 14-18, 2005 from 6:00 a.m. to 1:00 p.m.

Mar 21-25, 2005 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: Oct 29, Nov 19, Dec 09 & Dec 16, 2004; Jan 14, Feb 04, Feb 11, Mar 18 & Mar 25, 2005. **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, 2004 – from 8:00 a.m. to 4:00 p.m.

Nov 06-08, 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 40/04.**

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
LMN= 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. 19 October, 2004.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
850	Frying Pan Shoals Lighted Buoy 6FP	LT EXT	11520	0409FM	42/04
1195	Absecon Inlet Breakwater Light 7	DBN DEST	12318	0388AC	42/03
1630	Delaware Bay Main Channel Lighted Buoy 35	LT EXT	12304	0397AC	41/04
2050	Harbor of Refuge North End Light	LT EXT	12214	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
2835	New Castle Range Lighted Gong Buoy 7N	OFF STA	12311	0364PH	42/04
3840	Enterprise Upper Range Front Light	LT DIM	12314	0304PH	34/03
3845	Enterprise Upper Range Rear Light	LT DIM	12314	0305PH	34/03
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
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	TRUB	12210	0139ES	36/04
5777	Virginia Inside Passage Daybeacon 59	TRUB	12210	0142ES	37/04
6155	Virginia Inside Passage Daybeacon 162	TRUB	12210	NONEHR	25/04
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
7440	Chesapeake Channel Lighted Bell Buoy 62	RAC INOP	12225	NONEBA	38/04
7795	Kent Island Northern Range Obstruction Daybeacon	DBN DEST	12263	0790BA	40/04
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
9565	Norfolk International Terminal Daybeacon 6	TRUB	12245	0344HR	30/04
9760	Western Branch Channel Daybeacon 6	TRUB	12206	0439HR	38/04
10070	Elizabeth River Southern Branch Buoy 26	OFF STA	12253	0428HR	36/04
10450	Linkhorn Bay Light 23	LT EXT	12205	0480HR	41/04
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
12635	James River Light 132	DBN DEST	12252	0472HR	41/04
13550	York River West Range Front Light	TRLB	12238	0542HR	40/03
13555	York River West Range Rear Light	LT IMCH	12238	0239HR	21/04
13955	Upper York River Daybeacon 21	TRUB	12243	0448HR	39/04
16985	Bransons Cove Daybeacon 1B	TRLB	12286	0653BA	30/04
17205	Dukeharts Channel Daybeacon 9	TRUB	12285	0551BA	24/04
17210	Dukeharts Channel Daybeacon 10	TRUB	12286	0552BA	24/04
17330	Wicomico River Daybeacon 13W	TRLB	12286	0312BA	09/04
17375	Horsehead Cliffs Warning Daybeacon	TRLB	12285	0659BA	31/04
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
19675	Fishing Creek Light 3	DBN IMCH	12270	0739BA	37/04
21435	Old Plantation Flats Light	DBN DMGD	12221	0350HR	30/04
21450	Cape Charles City Light 1	TRLB	12280	0347HR	30/04
22990	Rhodes Point Gut Channel Daybeacon 1	TRUB	12231	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	0805BA	42/04
23495	Lower Thorofare Channel Light 2	TRLB/FS INOP	12231	0434BA	16/04
23645	Sharkfin Shoal Channel Range Front Light	TRLB	12230	0493BA	21/04
23650	Sharkfin Shoal Channel Range Rear Light	MISSING	12261	0312BA	09/04
23795	Webster Cove Channel Buoy 1	OFF STA	12230	0654BA	30/04

24400	Goose Creek Light 1	TRLB	12261	0312BA	09/04
24410	Fishing Bay Light 3	TRLB	12230	0312BA	11/04
24470	Hearns Cove Channel Light 5	TRLB	12261	0312BA	09/04
24525	Honga River Light 12	TRLB	12230	0312BA	09/04
24580	Tar Bay Channel Light 1	TRLB	12280	0400BA	14/04
24585	Tar Bay Channel Light 2	LT IMCH	12230	0745BA	38/04
24620	Tyler Cove Channel Daybeacon 1	TRUB	12264	0639BA	30/04
24625	Tyler Cove Channel Daybeacon 2	TRUB	12261	0640BA	30/04
25525	Irish Creek Daybeacon 6	TRUB	12266	0220BA	14/01
27325	Bush River Light 5	TRLB	12273	0318BA	10/04
28141	Oregon Inlet Channel Light 41	TRLB	12205	0180CH	40/04
28190	Oregon Inlet Channel Daybeacon 53	TRUB	12204	0177CH	40/04
28340	Walter Slough Light 9	TRLB	12205	0171CH	38/04
29140	Barden Inlet Lighted Buoy 1	TRUB	11543	0367FM	41/04
29235	Barden Inlet Light 21	TRLB	11545	0323FM	33/04
29559	Bogue Inlet Buoy 14	OFF STA	11541	0309FM	33/04
29845	Stones Bay Warning Daybeacon	DBN IMCH	11541	0379FM	40/04
29900	Wallace Creek Light 2	LT EXT	11542	0397FM	41/04
29975	New Topsail Inlet Buoy 1	OFF STA	11541	0341FM	36/04
30665	Cape Fear Channel Lighted Buoy 30	TRLB	11534	NONEFM	04/04
31665	Kendrick Creek Channel Daybeacon 2	TRUB	12205	0143CH	30/04
32425	Bluff Point Shoal Light	LT EXT	11548	0182CH	41/04
32470	Lower Middle Ground Light LM	TRLB	11548	NONEFM	06/04
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
33715	Neuse River Light 7	DBN DEST	11552	0410FM	42/04
34320	Harbor Island Warning Daybeacon	DBN DMGD	11544	0102FM	10/03
34545	Core Sound Light 28	TRLB	11545	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
35580	New Jersey Intracoastal Waterway Daybeacon 143	OFF STA	12316	0368AC	40/04
35875	New Jersey Intracoastal Waterway Daybeacon 223	MISSING	12316	0416AC	45/03
36015	New Jersey Intracoastal Waterway Daybeacon 265	TRUB	12316	NONEAC	29/04
36745	Cape May Harbor Light 8	DBN DMGD	12316	0398AC	42/04
36920	Elizabeth River Southern Branch Buoy 26	OFF STA	12253	0428HR	36/04
37075	Elizabeth River- Southern Branch Daybeacon 31	DBN DEST	12206	0459HR	40/04
37175	Great Bridge Albemarle Sound Daybeacon 5	TRUB	12206	0451HR	39/04
38220	Goose Creek Light 22	DBN DMGD	11548	0378FM	39/04
38285	Neuse River Light 7	DBN DEST	11552	0410FM	42/04
38385	Core Creek Light 19	TRLB	11541	0403FM	41/04
38400	Core Creek Range Front Light	TRLB	11541	0116FM	12/03
38407	Core Creek Light 24	TRLB	11545	NONEFM	33/04
39910	Cape Fear Channel Lighted Buoy 30	TRLB	11534	NONEFM	04/04
40145	Lockwoods Folly River Daybeacon 4	DBN DMGD	11536	0398FM	41/04

FEDERAL AIDS DISCREPANCIES CORRECTED Since LNM 41/04.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
35	Little Egg Inlet Outer Lighted Whistle Buoy LE	RELIGHTED	12316	0377AC	41/04
690	Cape Lookout Shoals Lighted Buoy 4	RELIGHTED	11544	NONED5	42/04
840	Frying Pan Shoals Lighted Buoy 2FP	RELIGHTED	11009	0358FM	38/04
1550	Delaware Bay Main Channel Lighted Bell Buoy 12	WATCHING PROPERLY	12214	0396AC	41/04
1575	Fourteen Foot Bank Light	WATCHING PROPERLY	12304	0394AC	42/04
1100	Little Egg Inlet Outer Lighted Whistle Buoy LE	RELIGHTED	12323	0377AC	41/04
9195	Back Creek Channel Lighted Buoy 31	WATCHING PROPERLY	12273	0803BA	41/04
12240	Dancing Point Shoal Channel Range Rear Light	RELIGHTED	12251	0479HR	41/04
22330	Muddy Creek Daybeacon 1	REBUILT/RECOVERED	12225	0598BA	27/04
22335	Muddy Creek Daybeacon 3	REBUILT/RECOVERED	12228	0598BA	27/04
23280	Big Annemessex River Light 1	RELIGHTED	12231	0806BA	42/04
28015	Oregon Inlet Lighted Buoy 9	RELIGHTED	12204	0183CH	41/04
31055	Shalotte Inlet Buoy 1	RESET ON STSTION	11534	0327FM	33/04
31085	Shalotte Inlet Buoy 8	RELOCATED	11536	0401FM	41/04
39625	New River/Cape Fear River Light 128	WATCHING PROPERLY	11541	0405FM	42/04
40305	Cape Fear Little River Daybeacon 71	REBUILT	11534	0319FM	36/04

PRIVATE AIDS DISCREPANCIES As of 0800 a.m. 19 October,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
25316.13	Upper Choptank River Buoy 19	LT EXT	12268	0801BA	41/04
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	TRLB	11537	0016FM	02/03
33200	Jacobs Creek Canal Daybeacon 1	DBN DMGD	11554	0339FM	34/02
33205	Jacobs Creek Canal Daybeacon 2	DBN DMGD	11554	0340FM	34/02
33427	Swan Point Warning Daybeacon A	MISSING	11548	0088FM	09/03
38570	TRIPLE S. MARINA DAYBEACON 8	DBN DEST	11547	0505FM	51/01
39125	COW CRK CH DBN 1	DBN IMCH	11541	0310FM	33/04

PRIVATE AIDS DISCREPANCIES-CORRECTED Since LNM 401/04.

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

11539	18 th ed.	07/14/2001	LAST LNM: 41/04 NEW RIVER INLET TO CAPE FEAR RELOCATE	NAD 83	CGD05	42/04
			Carolina Beach Inlet Entrance Lighted Whistle Buoy CB	from to	34-04-18.079N 34-04-43.992N	077-51-32.952W 077-51-12.728W
11541	34 th ed.	10/01/2003	LAST LNM: 41/04 NC-AIWW – NEUSE RIVER TO MYRTLE GROVE SOUND RELOCATE	NAD 83	CGD05	42/04
			Old Topsail Creek Buoy 7	from to	34-21-06.652N 34-21-04.507N	077-39-44.821W 077-39-41.175W
			Old Topsail Creek Buoy 9	from to	34-21-09.042N 34-21-12.224N	077-39-45.960W 077-39-44.241W
			Banks Channel Daybeacon 19	from to	34-24-13.680N 34-24-12.840N	077-35-24.762W 077-35-23.700W
			DELETE/RELOCATE New River/ Cape Fear River Daybeacon 37 delete PA, relocate	from to	34-28-55.300N 34-28-56.279N	077-28-33.900W 077-28-33.154W
			ADD Old Topsail Creek Buoy 8, red nun Old Topsail Creek Buoy 11, green can	in in	34-21-08.975N 34-21-13.139N	077-39-41.197W 077-39-50.795W
11542	16 th ed.	05/01/2004	LAST LNM: 41/04 NC- NEW RIVER DELETE/RELOCATE	NAD 83	CGD05	42/04
			New River/ Cape Fear River Daybeacon 37 delete PA, relocate	from to	34-28-55.300N 34-28-56.279N	077-28-33.900W 077-28-33.154W
12205	28 th ed.	08/01/2003	LAST LNM: 41/04 VA-NC-CAPE HENRY TO PAMLICO SOUND INCLUDING ALBEMARLE SOUND CHANGE (PAGE D)	NAD 83	NOS: NW-8282	42/04
			Depth legend to: 3 FT FOR WIDTH OF 100 FT AUG 2004	at	35-55-42.000N	075-39-12.000W
12206	30 th ed.	10/01/2003	LAST LNM: 39/04 VA-NC- NORFOLK TO ALBEMARLE SOUND RELOCATE	NAD 83	CGD05	42/04
			Elizabeth River- Southern Branch Daybeacon 48	from to	36-43-48.900N 36-43-49.245N	076-16-01.100W 076-16-00.920W
12210	36 th ed.	11/01/2002	LAST LNM: 37/04 MD-VA-CHINCOTEAGUE INLET TO GREAT MACHIPONGO INLET CHANGE	NAD 83	NOS: NW-7725	42/04
			Depth legend to: 8 FT MID 60 FT 2003	at	37-32-24.000N	075-43-36.000W
			Depth legend to: 1/2 FT 2003	at	37-32-57.000N	075-43-55.000W
			Depth legend to: 6 FT BY 60 FT OCT 2003	at	37-43-48.000N	075-35-08.000W
			Depth legend to: 4 FT JUL 2003	at	37-30-28.000N	075-48-12.000W
12214	45 th ed.	05/01/2005	LAST LNM: 39/04 NJ-DE-CAPE MAY TO FENWICK ISLAND DELETE	NAD 83	NOS: NW-8325	42/04
			label: OVHD PWR CABS	at	38-57-49.100N	074-54-33.100W
			Black dash line	from to	38-57-39.000N 38-57-37.400N	074-55-13.000W 074-55-09.200W
12248	40 th ed.	09/01/2003	LAST LNM: 37/04 VA- JAMES RIVER: NEWPORT NEWS TO JAMESTOWN ISLAND (BACK RIVER /COLLEGE CREEK) RELOCATE	NAD 83	CGD05	42/04
			James River Channel Lighted Bell Buoy 50	from to	37-10-57.332N 37-10-59.914N	076-44-23.850W 076-44-24.314W
			CHANGE Depth legend to: 23 1/2 FT FOR WIDTH OF 300 FT MAR 2004	at	37-11-23.000N	076-43-45.400W
12252	24 th ed.	04/01/2004	LAST LNM: 33/04	NAD 83	CGD05	42/04

VA- JAMES RIVER: JORDON POINT TO RICHMOND RELOCATE						
	James River Channel Lighted Buoy 126	from		37-20-22.943N		077-16-08.608W
		to		37-20-32.069N		077-15-59.173W
	James River Lighted Buoy 128	from		37-20-39.147N		077-15-58.832W
		to		37-20-41.343N		077-15-58.060W
12253	43 rd ed. 06/01/2003	LAST LNM: 38/04	NAD 83	CGD05		42/04
VA- NORFOLK HARBOR AND ELIZABETH RIVER RELOCATE						
	Elizabeth River- Southern Branch Daybeacon 48	from		36-43-48.900N		076-16-01.100W
		to		36-43-49.245N		076-16-00.920W
12263	53 rd ed. 11/01/2003	LAST LNM: 36/04	NAD 83	NOS: NW-8305, 8324		42/04
MD-CHEESAPEAKE BAY-COVE POINT TO SANDY POINT CHANGE						
	Bridge clearance note from:					
	VERT CL 186 FT to: VERT CL 182 FT	centered at		38-59-35.500N		076-22-56.500W
	DELETE					
	27 ft sounding	at		38-26-03.700N		076-25-21.100W
	ADD					
	38 ft sounding with dotted danger curve, blue tint and label: Obstn	centered at		38-26-29.600N		076-24-54.500W
	21 ft sounding with dotted danger curve, blue tint and label: Obstn	centered at		38-26-03.400N		076-25-19.700W
	43 ft sounding with dotted danger curve, blue tint and label: Wk	centered at		38-24-00.100N		076-22-14.400W
12264	28 th ed. 07/01/2002	LAST LNM: 34/04	NAD 83	NOS: NW-8324		42/04
MD-CHEESAPEAKE BAY-PATUXENT RIVER AND VICINTY DELETE						
	27 ft sounding	at		38-26-03.700N		076-25-21.100W
	ADD					
	38 ft sounding with dotted danger curve, blue tint and label: Obstn	centered at		38-26-29.600N		076-24-54.500W
	21 ft sounding with dotted danger curve, blue tint and label: Obstn	centered at		38-26-03.400N		076-25-19.700W
	43 ft sounding with dotted danger curve, blue tint and label: Wk	centered at		38-24-00.100N		076-22-14.400W
12270	33 rd ed. 12/01/2003	LAST LNM: 39/04	NAD 83	NOS: NW-8305		42/04
MD-CHEESAPEAKE BAY-EASTERN BAY AND SOUTH CHANGE						
	Bridge clearance note from:					
	VERT CL 186 FT to: VERT CL 182 FT	centered at		38-59-35.500N		076-22-56.500W
12280	5 th ed. 10/01/2004	LAST LNM: 39/04	NAD 83	NOS	42/04	
MD-VA-CHEESAPEAKE BAY						
NEW EDITION						
1: 200,000 / LORAN-C						
New edition due to numerous Notice to Mariners changes, new hydrography and various general 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.						
12280	4 th ed. 10/01/2003	LAST LNM: 39/04	NAD 83	NOS: NW-8305, 8324		42/04
MD-VA-CHEESAPEAKE BAY						
(Note: the above correction is for the 4th Edition. The correction has been applied to the new edition (5th) announced above)						
CHANGE						
	Bridge clearance note from:					
	VERT CL 186 FT to: VERT CL 182 FT	centered at		38-59-35.500N		076-22-56.500W
	DELETE					
	27 ft sounding	at		38-26-03.700N		076-25-21.100W
	ADD					
	38 ft sounding with dotted danger curve, blue tint and label: Obstn	centered at		38-26-29.600N		076-24-54.500W
	21 ft sounding with dotted danger curve, blue tint and label: Obstn	centered at		38-26-03.400N		076-25-19.700W

	43 ft sounding with dotted danger curve, blue tint and label: WK	centered at	38-24-00.100N	076-22-14.400W
12282	34 th ed. 09/01/2003 LAST LNM: 39/04 MD-CHESAPEAKE BAY-SEVERN AND MAGOTHY RIVERS CHANGE	NAD 83	NOS: NW-8305	42/04
	Bridge clearance note from: VERT CL 186 FT to: VERT CL 182 FT	centered at	38-59-35.500N	076-22-56.500W
12304	44 th ed. 07/01/2004 LAST LNM: 39/04 NJ-DE-DELAWARE BAY DELETE	NAD 83	NOS: NW-8325	42/04
	label: OVHD PWR CABS	at	38-57-49.000N	074-55-00.000W
	Black dash line	from	38-57-39.000N	074-55-13.000W
		to	38-57-37.400N	074-55-09.200W
12312	52 nd ed. 01/01/2003 LAST LNM: 39/04 DE-PA-NJ-DELAWARE RIVER WILMINGTON TO PHILADELPHIA ADD	NAD 83	NOS: NW-8334	42/04
	Dashed magenta line and label : Pipeline Area	from	39-46-55.500N	075-26-03.200W
		to	39-47-05.500N	075-26-29.600W
		to	39-47-56.300N	075-24-35.800W
		to	39-48-28.800N	075-24-59.800W
		and from	39-47-03.000N	075-25-51.200W
		to	39-47-06.700N	075-26-02.200W
		to	39-47-52.800N	075-24-17.800W
		to	39-48-34.200N	075-24-49.100W
12316	31 st ed. 05/01/2004 LAST LNM: 41/04 NJ-INTRACOASTAL WATERWAY-LITTLE EGG HARBOR TO CAPE MAY (SIDE B) DELETE	NAD 83	NOS: NW-8325	42/04
	label: OVHD PWR CABS AUTH CL 75 FT	at	38-57-48.000N	074-54-57.500W
	Dash magenta line	at	38-57-38.000N	074-55-09.000W
	Black dash line	from	38-57-39.000N	074-55-13.000W
ADD		to	38-57-37.400N	074-55-09.200W
	Dash magenta line	from	38-57-38.600N	074-55-04.500W
		to	38-57-35.300N	074-55-06.400W

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) or (obr), 431 Crawford Street, Portsmouth, VA 23703-5004**

NJ – ABSECON INLET – AIDS TO NAVIGATION CHANGE

On or about 01 December, 2004, the Coast Guard will discontinue Absecon Inlet Breakwater Light 7 (LLNR 1195). **Chart: 12318.**

MD – CHESAPEAKE BAY – TAR BAY – AIDS TO NAVIGATION CHANGE

On or about 30 November, 2004 the aids to navigation in Tar Bay will be relocated and signals changed to mark the realigned and dredged channel. Mariners are advised to navigate with caution until these changes are completed and review the LNM and BNMs for the status of these aids. **Charts: 12230, 12261, & 12264 .**

VA – JAMES RIVER – AIDS TO NAVIGATION CHANGE

On or about 22 November, 2004 the Coast Guard will change the characteristic for James River Channel Lighted Buoy 128 (LLNR 12630) to a Quick Flash Red (Q R) characteristic. **Charts: 12248, 12251 and 12252.**

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 23703-5004**

PA/NJ – UPPER DELAWARE RIVER – AIDS TO NAVIGATION CHANGE

The Coast Guard is soliciting comments on the following proposed changes:

To seasonally discontinue the following buoys in mid-December 2004 and then to seasonally maintain these buoys from **May 15 to Sep 30 annually**:

Upper Delaware River Buoy 98 (LLNR 4310)

Upper Delaware River Buoy 99 (LLNR 4315)

Upper Delaware River Buoy 101 (LLNR 4320)

Upper Delaware River Buoy 102 (LLNR 4325)

Upper Delaware River Buoy 103 (LLNR 4330)

Upper Delaware River Buoy 104 (LLNR 4335)

Chart: 11552.

Comments concerning this proposal may be sent to the above address, attention Mr. Tom Flynn, not later than **01 November, 2004.**

MD – CHOPTANK RIVER AND HERING BAY – IRISH CREEK – AIDS TO NAVIGATION CHANGE

Due to shoaling in Irish Creek, the Coast Guard is proposing discontinuing Irish Creek Buoy 1 (LLNR 25505), Irish Creek Buoy 2 ((LLNR 25510), Irish Creek Daybeacon 3 (LLNR 25515), Irish Creek Daybeacon 4 (LLNR 25520) and Irish Creek Daybeacon 6 (LLNR 25525).

Comments concerning this proposal may be sent to the above address, attention Mr. Al Grimes, not later than **01 December, 2004.** Chart: 12266

VA – LOWER CHESAPEAKE BAY – EASTERN SHORE – CAPE CHARLES – CHERRYSTONE CHANNEL – AIDS TO NAVIGATION CHANGE

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

Rename Cherrystone Channel Light 2 (LLNR 21430) to Cherrystone Channel Light 2C (LLNR 21430)

Rename Kings Creek Light 1 (LLNR 21520) to Cherrystone Channel Light 3C (LLNR 21520)

Rename Kings Creek Junction Light KC (LLNR 215250) to Cherrystone Channel light 4C (LLNR 21525) showing a Flashing Red 6 second (FI R 4s) characteristic .

Comments concerning this proposal may be sent to the above address, attention Mr. Al Grimes, not later than **27 September, 2004.** Chart: 12224.

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: . Written comments on these issues should be forwarded to: **Commander Fifth Coast Guard District (obr), 431 Crawford Street, Portsmouth, VA 23703-5004**

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.

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 dredges, tugs, barges, submerged and or floating 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. 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.

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) 398-6552 /6225.

LOCATION	START/COMPLETION DATE	DREDGE/COMPANY	REF LNM
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
MD/VA – C & D Canal – Dredging	18 Oct – 26 Jan 2005	WEEKS DREDGE 550	42/04
VA – Rappahannock RV/Hoskins Creek – Dredging	11 Oct – 01 Nov 2004	MARION	41/04
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 – York River – York River Refinery – Dredging	18 Aug – 30 Oct 2004	DREDGE DB-2400	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 – Elizabeth River – Western Branch – Bridge demolition/Construction	Apr 2002 – Dec 2004	Tidewater Construction	16/02
NC – Lockwoods Folly – Dredging	20 Sep – 25 Oct 2004	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 (obr), 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
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 – INTRACOASTAL WATERWAY (ICW) – LITTLE EGG HARBOR TO CAPE MAY- BEACH THOROFARE – SHIP CHANNEL

Mariners are advised that the Route 52 Bridges, across Beach Thorofare, at ICW mile 80.4, in Ocean City and across Ship Channel, at mile 1.0, in Somers Point, will be maintained in the closed-to-navigation position from 8 a.m. to 9:30 a.m. on Saturday, **November 5, 2004**. The bridges will be closed to vessels to facilitate the Trail of Two Cities Charity Run. To avoid delays, mariners should adjust their schedule accordingly. **Charts: 12316 & 12318.** LNM 42/04

NJ – GREAT EGG HARBOR BAY – RAINBOW AND ELBOW THOROFARES – BRIDGE INFORMATION

Mariners are advised to use caution when transiting the following :Route 52 bridges over Great Egg Harbor Bay: Rainbow Thorofare, at mile 0.5, in Ocean City, New Jersey, and Elbow Thorofare, mile 1.0, in Somers Point, New Jersey. Structural inspection crews will be on site from **October 18 to 22, 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 41/04

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

NJ-DE-DELAWARE RIVER – SHORELINE PROTECTION CONSTRUCTION

The Agate Construction Company will be using two barges to perform shoreline protective construction approximately 100 feet from the shoreline on the Northeast side of Pea Patch Island. Construction will continue until late **February 2005**. Mariners are requested to transit the area with caution and no wake. The construction company can be contacted on Channel 13 or 16 VHF-FM.

LNM 41/04

NJ – DE – DELAWARE BAY – PEA PATCH ISLAND – SHORELINE CONSTRUCTION

The Agate Construction Company will be using 2 barges to perform shoreline protective construction approximately 100 feet from the shoreline on the northeast side of Pea Patch Island. Construction will continue until late February 2005. Mariners are advised to transit this area with extreme caution and at safe speed to maintain safe steerage as to minimize wake. **Chart 12311.**

LNM 41/04

MD/VA – CHESAPEAKE AND DELAWARE CANAL– DREDGING

The Weeks Marine Bucket Dredge 550 will be conducting dredging operations in the Chesapeake and Delaware Canal from **18 October, 2004** through **26 January, 2005**. 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: 12277, 12311 & 12274.**

LNM 42/04

MD – CHESAPEAKE BAY – PATUXENT RIVER –DIVING OPERATIONS

The U. S. Navy will be conducting diving operations in the Patuxent River, approximately 300 yards SW of Point Patience, from **October 23 to November 6, 2004**, between 7:30 a.m. and 4 p.m. daily. The 135-foot Navy dive vessel LCU 1647 will anchor using a two-point anchoring system to a mooring buoys that will remain in place during these dates, which are located in approximate positions 38° 19' 45" N, 076° 29' 18" W, and 38° 19' 38" N, 076° 29' 13" W. The vessel will display CODE ALPHA and DIVER DOWN flags during diving operations. Mariners are advised that anchor lines attached to buoys may extend from the vessel. In addition, as defined by 33 Code of Federal Regulations Part 165 Subpart G, a Naval Vessel Protection Zone is established in the navigable waters surrounding the naval vessel. At all times within the 500-yard regulated area of water, vessels shall operate at the minimum speed necessary to maintain safe course, unless required to maintain speed by the Navigation Rules or if otherwise authorized by the Coast Guard, Senior Naval Officer Present in Command, or Official Patrol. No vessel or person is allowed within 100 yards of the naval vessel unless authorized by the Coast Guard, Senior Naval Officer Present in Command, or Official Patrol. Mariners with concerns are advised to contact the naval vessel on Channel 13 or 16 VHF-FM, or Coast Guard Activities Baltimore at (410) 576-2693. **Chart: 12264.**

LNM 41/04

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

VA – RAPPAHANNOCK RIVER – HOSKINS CREEK – DREDGING

The Dredge MARION will be conducting dredging operations in Hoskins Creek from **11 October, 2004** through **01 November, 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. **Chart:12237.**

LNM 41/04

NC – CAPE FEAR RIVER – NORTHEAST CAPE FEAR RIVER

Mariners are advised that the Cape Fear River Memorial Bridge, at mile 26.8, and the Isabel S. Holmes Bridge, at mile 1.0, across the Northeast Cape Fear River both in Wilmington, NC, will be maintained in the closed-to-navigation position from 7:30 a.m. to 11 a.m. on Sunday, November 14, 2004. The bridges will be closed to vessels to facilitate the 7th Annual Battleship NC Half Marathon. To avoid delays, mariners should adjust their schedule accordingly. **Chart 11537.**

LNM42/04

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>

(1) LLNR	(2) Name and Location	(3) N/W Position	(4) Characteristic	(5) Ht	(6) Rng	(7) Structure	(8) Remarks	(9) LNM
615 27965 *	- JETTY LIGHT	35 46 26 N 75 31 30 W	Iso W 6s	28	7	NB on pile.		42/04
805 30260	<i>Carolina Beach Inlet Entrance Lighted Whistle Buoy CB</i>	34 04 44 N 77 51 13 W *	Mo (A) W		5	Red and white stripes with red spherical topmark. *		42/04
12620	- Channel Lighted Buoy 126	37 20 32 N 77 15 59 W *	FI R 4s		3	Red.		42/04
12630	- Channel Lighted Buoy 128 50 feet outside channel limit. *	37 20 41 N 77 15 58 W *	FI R 4s		3	Red.		42/04
16265	Buzzards Point Daybeacon 1						Remove from list. *	42/04
16625	- Daybeacon 19 *	* *	* *	* *	* *	SG on pile. *	*	42/04
27965 615 *	- JETTY LIGHT	35 46 26 N 75 31 30 W	Iso W 6s	28	7	NB on pile.		42/04
30140.08 *	- Buoy 8 *	* *	* *	* *	* *	Red nun. *	*	42/04
30140.11 *	- Buoy 11 *	* *	* *	* *	* *	Green can. *	*	42/04

ENCLOSURES/LINKS/MARINE EVENTS/TEMPORARY SPECIAL REGULATIONS

1. Chart 11537 - [Tabulation](#) - Cape Fear River Channel. <http://chartmaker.ncd.noaa.gov> and <http://www.maptech.com>

2. Special Local Regulation for Marine Events: Southern Branch, Elizabeth River, Portsmouth, VA

SUMMARY: The Coast Guard is establishing temporary special local regulations during 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. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in portions of the Southern Branch of the Elizabeth River during the event.

DATES: This rule is effective from 8 a.m. to 6 p.m. on **November 5 and 6, 2004.**

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD05-04-138 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: Dennis Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On August 30, 2004, we published a notice of proposed rulemaking (NPRM) entitled Special Local Regulations for Marine Events; Southern Branch, Elizabeth River, Portsmouth, VA in the Federal Register (69 FR 52840). We received no letters commenting on the proposed rule. No public meeting was requested, and none was held.

Under 5 USC 553(d)(3) the Coast Guard finds good cause exists for making this rule effective less than 30 days after publication in the Federal Register because delaying the rule would be impractical and contrary to public interest as the event will take place on November 5 and 6, 2004.

Background and Purpose

On November 5 and 6, 2004, the Coast Guard and Canadian 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. 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 Comments and Changes

No comments were received in response to the notice of proposed rulemaking (NPRM) published in the Federal Register. Accordingly, the Coast Guard is establishing temporary special local regulations on specified waters of the Southern Branch of the Elizabeth River. Since no comments were received, no changes to this regulation were made.

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 will prevent traffic from transiting a portion of the Southern Branch of the Elizabeth River during the event, the effect of this regulation will not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly. Additionally, the regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic will be able to transit the 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 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 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 rule would not have a significant economic impact on a substantial number of small entities for the following reasons. This rule would be in

effect for only a short period. The regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic will be 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 will issue maritime advisories so mariners can adjust their plans accordingly.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see ADDRESSES) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding 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 parade permit are specifically excluded from further analysis and documentation under that section.

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-T05-138 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.

(3) Participant includes all vessels participating in the International Search and Rescue Competition under the auspices of the Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Group Hampton Roads.

(c) 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.

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

Dated: October 7, 2004

3. 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

