

Reference (a) COMDTINST M16500.7 AIDS TO NAVIGATION MANUAL - ADMINISTRATION

Private Aids to Navigation.

1. Classification of Private Aids.

a. Private aids include both those, which are legally required, and those, which are merely desired, for One reason or another, by the owner. There are three classifications of private aids:

(1) Class I private aids are those aids to navigation on marine structures or other works which the owners are legally obligated to establish, maintain, and operate as prescribed by the Coast Guard. This obligation is contained in 33 CFR 64, 66 and 67.

(a) The owner of a structure is required by law (14 USC 85, 33 CFR 64.21) to establish the aids to navigation required by the district commander.

(b) If the owner of a sunken vessel wreck or other obstruction fails to mark it as prescribed by the district commander, the Coast Guard may mark it and charge the costs of such marking to the owner in exclusive of Class I aids, that are located in accordance with 33 CFR 64.33.

(2) Class II private aids to navigation are those, waters used by general navigation.

(3) Class III private aids to navigation are those, exclusive of Class I aids, that are located in waters not ordinarily used by general navigation. b. Authorization for the establishment of a Class II or III private aid by the Coast Guard imposes no legal obligation that the aid actually be established and operated. It only specifies the location and operational characteristics of the aid for which the authorization was requested. Once the aid is established, however, the owner is legally obligated to maintain it. The owner must also give the Coast Guard 30 days notice before discontinuing the aid in accordance with 33 CFR 66.01-25.

2. District Administration of the Private Aids Program.

a. Requests for authority to establish, discontinue or (3) In unusual situations, cases involving 5-2 CH-12 change private aids to navigation are made on Forms CG-2554 and 4143. These forms, executed by the person, company, corporation, or municipality at whose expense the aid is to be maintained, are submitted to the appropriate district commander who shall: (1) Review the form for compliance with regulations, accuracy of plotting and correctness. (2) Ensure that all positions are given in range and bearing from a known and well charted object, or by latitude and longitude. Electronic aids, or examples not covered by directives, the application will be sent to Commandant (G-OPN) for approval.

After determining the class of the aid/obstruction marking, the district commander shall recommend to The National Oceanographic Service, through publication in the Local Notice to mariners, for charting all permanent:

(1) Class I private aids.

(2) Class II fixed private aids. (1) The fishing reefs are not hazards or (3) Class II floating private aids equivalent in size to, or larger than a 6NR/6CR.

(4) Class III private aids shall not be recommended for charting except in special circumstances.

c. All private aids included in sub-paragraphs b (1), b (2), and b (3) above shall be reported in Notices to Mariners upon establishment, change or discontinuance. d. When a private aid is established that needs to be charted, it shall be listed in the Local Notice to Mariners in the same manner as a Federal aid, with the notation (Priv. Maint). See Chapter 13 for more detail.

e. Markers which are obstructions to navigation, especially those in or adjacent to fairways or track lines, must be of appropriate size, shape, and color to warn traffic of their existence and purpose and shall be listed in the Light List. f. Small private aids which mark fishing reefs and race courses may be excluded from the Light List when: obstructions to navigation.

(2) The markers are not located in or adjacent to fairways, track lines, or traffic separation schemes customarily used by craft in approaching or leaving harbors.

g. Previously charted private aids no longer meeting the requirements above will be removed from charts

and the Light List.

h. Aids submitted to Commandant (G-OPN) for removal from charts will be removed from the Light List. Removal of these private aids from the Light List requires notification in Local Notices to Mariners.

i. In conjunction with the district review of Federal aids to navigation specified in Chapter 3, charted private aids will also be reviewed to identify those with changed classification.

j. Queries regarding private aids should be directed to the district commander. All correspondence between the Coast Guard and the maintainer of private aids should normally be through the district commander.

k. Coast Guard units discovering unauthorized private aids shall make every effort to identify the persons responsible for their establishment. A report shall be made to the district commander describing the unauthorized aid and the action taken to ascertain the owner. The report shall include the name and address of the owner, if known. Auxiliary units discovering such aids shall report them to the district commander who will ascertain ownership. The district commander's action will then depend on the circumstances of the individual case. If the owner makes reasonable effort to comply with regulations, the application should be processed without prejudice. Proceedings under 14 USC 83 should be instituted only in cases of persistent neglect or refusal to comply with the regulations.

3. Inspection and Verification of Private Aids to Navigation.

a. Private aids to navigation are authorized by the Commandant in accordance with law, and are to be maintained by, and at the expense of, the private aid application and that the aid is responsible parties.

Inspections and verifications are to ensure that private aids are in compliance with the conditions of the private aid application.

| (1) An inspection is defined as Coast Guard personnel doing a hands-on check of an aid to ensure the hardware is as requested in the operating properly.

(2) A verification can be a self-verification where the owner reports to the Coast Guard that the aid is operating properly. It can also be Coast Guard or Coast Guard Auxiliary personnel private aid has been discontinued, the site servicing of private aids is authorized by Coast viewing the aid from a distance and seeing the aid operating as advertised. b. District commanders shall ensure that all private aids to navigation in their areas of responsibility are inspected or verified on a periodic basis as outlined below.

(1) New Class I private aids should be verified by Coast Guard or Coast Guard Auxiliary personnel as soon after their establishment as possible.

(2) Class I private aids will be verified annually. Districts should conduct spot check inspections | to ensure self-verifications are being properly conducted. Inspections should focus on those | aids which are frequently discrepant or generate complaints.

(3) Class II private aids will be verified every three years.

(4) Class III aids will be verified by the owner every five years.

(5) When notification has been received that a should be inspected to ensure that the aid has been removed.

(6) Report of inspections and verifications should be made on the forms designated by the district commander. Enclosures 5-1 and 5-2 are examples that could be used for inspections and verifications respectively. When discrepancies to private aids are observed, an immediate report shall be made to the district commander in the same manner as for Coast Guard aids. c. Inspections of private aids to navigation should, whenever possible, be made in the presence of the owner or the owner's agent. If present, the owner or agent shall be advised of any discrepancies noted. No repair, change, repositioning, or Guard personnel; however, friendly advice is encouraged.

MARKING OF WRECKS

A. Marking Policy.

1. General.

a. 33 USC 409 requires that wrecks of vessels, constituting a hazard in the navigable waters of the United States, must be marked for the protection of for the protection of navigation any sunken vessel or that required of the owner. b. Wreck markings established and maintained by the Coast Guard shall be lighted aids in all cases unless specifically exempted by the Commandant (G-NSR). It is recognized, however, that circumstances may not permit the establishment of a lighted buoy immediate marine traffic. The law requires that the owner of such a wreck mark it with a "buoy or beacon during the day and a lighted lantern at night." 14 USC 86 authorizes the Secretary of Transportation to mark other obstruction existing on the navigable waters or waters above the continental shelf of the United States for so long as the needs of maritime navigation require. As a matter of policy therefore, wreck markings established by the Coast Guard, whether for an agency of the Federal government or in response to the request of the owner, shall provide no lesser degree of service and protection to the mariner than, In such cases, unlighted aids may serve tempo- rarely until such time as a lighted aid can be established.

c. Radar beacons (racons) may also be used to mark wrecks.

2. Marking Characteristics.

a. The color, numbering, shape and light characteristics of aids marking wrecks and other obstructions must conform to the lateral system of aids to navigation and the IALA System in use in the geographical area. The use of the isolated danger mark is not authorized at the present time.

b. If a wreck may be safely passed on one side only, it shall be marked by a solid red or green buoy or corresponding dayboard on a fixed structure. If a wreck may be safely passed on either side it may be marked by a red and green horizontally banded buoy or corresponding dayboard, the color of the uppermost band denoting the preferred side.

Time Allowed for Markings.

a. The period of time allowed the owner to suitably mark a wreck before action is taken by the Coast Guard to mark the obstruction shall be determined by the circumstances in each case. Every effort should be made to encourage the owner of a wreck to establish the required markings.

b. If it becomes necessary for the Coast Guard to mark the wreck on behalf of the owner, every reasonable effort shall be made to minimize expenses.

- (A) The following two pages you will find (enclosures 5-1 and 5-2) which are examples of Inspection and Verification of class I, II, and, III private aids. These are what the Coast Guard and Coast Guard Auxiliary use to verify that the aid is in accordance with the approved permit issued to the owner.
- (B) You will find the Coast Guard permits request forms CG-2554 (Private Aids to Navigation Application) and CG-4143 (Application for Class 1 Private Aids to Navigation on Artificial Islands and Fixed Structures) in the accompanied links. Please direct any questions or concerns to USCG Aids to Navigation Team Long Island Sound at (203) 468-4519.

(example) **PRIVATE AID TO NAVIGATION INSPECTION/VERIFICATION**

(CIRCLE ONE)

REPORT OFFSHORE STRUCTURES & OTHER CLASS I AIDS

AID NAME _____ LLNR/LLPG _____

TYPE ANNUAL _____ ESTABLISHMENT _____ DISCONTINUANCE _____

OWNER PRESENT? YES NO

TYPE AID _____

TYPE POWER SOURCE SHORE _____ BATTERY _____ SOLAR _____ OTHER _____ EQUIPMENT:

CHECK ITEMS AS APPLICABLE. CHECK N/A IF EQUIPMENT NOT INSTALLED. COMMENT ON BLANK ITEMS IN REMARKS.

SHORE AID

- 1. Is structure secure and capable of supporting the equipment installed?
- 2. Is the daymark in proper condition?
- 3. Is daymark proper size & color?

BUOY 1. Is buoy on assigned position?

- 2. Is the buoy the type approved on the CG-4143?
- 3. Is buoy clean & properly painted with proper retro?

LIGHTING 1. Are lights displaying proper characteristics?

- 2. Are lantern assembly/lamps the type authorized on CG-4143?
- 3. Proper voltage to lantern assembly?
- 4. Is lantern assembly properly mounted and level? 5. Does lamp-changer operate properly?

SOUND SIGNALS 1. Is equipment same as that authorized on CG-4143?

- 2. Proper voltage to equipment?

MISC 1. Is there a radar reflector installed?

- 2. Is there a racon installed?

THE CONDITION OF THIS AID IS GENERALLY: GOOD _____ FAIR _____ POOR _____

REMARKS (* Include how buoy position obtained.)

BY _____ UNIT _____ DATE _____

(example) **PRIVATE AID TO NAVIGATION VERIFICATION REPORT
CLASS II & III AIDS**

AID NAME _____ LLNR/LLPG _____

TYPE VERIFICATION

ANNUAL _____ ESTABLISHMENT _____ DISCONTINUANCE _____

OWNER PRESENT? YES NO

TYPE

AID _____

AID EQUIPMENT/CONDITION: CHECK ITEMS APPLICABLE. CHECK N/A IF EQUIPMENT NOT INSTALLED. COMMENT ON BLANK ITEMS IN REMARKS.

1. Is aid secure and capable of supporting the equipment installed? YES | NO | N/A

2. Is the daymark the proper size & color and In proper condition? YES | NO | N/A

3. Is the aid on assigned position? * YES | NO | N/A

4. Are lights, if installed, displaying proper proper characteristics? YES | NO | N/A
Characteristics?

5. Are sound signals, if installed, sounding YES | NO | N/A

6. Is a racon installed and operating properly? YES | NO | N/A

THE CONDITION OF THIS AID IS GENERALLY: | GOOD ____ FAIR ____ POOR ____

REMARKS (*Include how buoy position obtained.)

VERIFIEDBY: _____ UNIT _____ DATE _____