

INSTRUCTIONS and APPLICATION for BUOYS  
on SMITH MOUNTAIN or LEESVILLE LAKE

**IMPORTANT: This application packet is compiled of several individual parts.  
ALL PARTS MUST BE SUBMITTED TO TLAC FOR PROCESSING.**

To promote safe and efficient boating on public waters, Virginia has adopted a system of uniform regulatory markers or buoys. (The terms, "navigational aids," "buoys," and "markers" will be used interchangeably in this document.) This system, administered by the Virginia Department of Wildlife Resources (DWR), has been developed to convey to the operator of watercraft, without the need for reference charts or published regulations, the presence of natural or artificial hazards and zoned areas where watercraft operation is restricted in some manner.

**The purpose of navigational aids, regulatory and non-regulatory, is to enhance public safety.**

**Section I – Types of Navigational Aids:**

- "Anchor" or "Mooring" buoys are round with a minimum diameter of 18" and are white with a blue horizontal band. These buoys are generally used for anchoring sailboats only where depth of water is needed to clear the keel.
- "Danger" buoys cover many hazards that might occur, such as "Rock", "Shoal", "Power Line Crossing", etc. These buoys alert the boater to some type of hazard but do not restrict traffic. They are warning buoys only and therefore are not considered an "enforceable" regulatory marker.
- "No Wake" buoys indicate a no-wake zone between buoys or buoys and the shore. When placed across the mouth of a cove, the buoy indicates that the entire cove is a no-wake zone. "No Wake" buoys are regulatory markers and will be enforced by law enforcement agencies.
- "No Wake Surfing" buoys indicate a no wake-surfing zone between buoys or buoys and the shore. When placed across the mouth of a cove, the buoy indicates that the entire cove is a no wake-surfing zone. "No Wake Surfing" buoys are regulatory markers and will be enforced by law enforcement agencies.
- "Restricted" designations such as an area protecting a water system intake, are reserved for areas that are closed to all recreational activity and are "enforceable" markers.
- "Shoal" markers are intended to alert boaters that the water in that area is less than five (5) feet when SML is at 795' and LVL is at 600' above mean sea level. Shoal markers are a warning to boaters and are not considered regulatory markers.
- "Swim Area" buoys are for the purpose of protecting those in the water at a public beach area. These buoys indicate that an area prescribed by the outline of the buoys, or the buoys and shore is PROHIBITED to all watercrafts including those of the owner of the property. They also indicate a public area, open to all citizens. DWR and the USCG will approve Swim Area buoys for beaches open to the public only, with appropriate accessibility, etc. The placement and number of swim buoys will be determined by the size of the beach and other issues that need to be considered. "Swim Area" buoys are regulatory markers and will be enforced by law enforcement agencies.

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**Section II – General Information:**

**A.** The Tri-County Lakes Administrative Commission (TLAC) is the agency designated by ordinance of Franklin, Bedford, Campbell, and Pittsylvania Counties to process applications to the Virginia Department of Wildlife Resources (DWR) and the United States Coast Guard (USCG) and include a TLAC recommendation regarding any regulatory and non-regulatory marker installation or removal. Any person who desires to place or remove any type of marker relating to safe and efficient operation of watercraft on Leesville Lake or Smith Mountain Lake shall apply to the TLAC. All application packets will be forwarded by TLAC to the DWR and the USCG for final approval.

Regulatory markers include, but are not limited to, "no-wake", "no wake surfing", "swim", "restricted area" and "no boats" buoys and are enforceable by law enforcement agencies. Non-regulatory markers include, but are not limited to, "shoal", "mooring", "danger", and "rock" buoys, channel markers and registered signs and serve only as navigational aids to boaters. With the exception of mooring buoys, no buoy, regulatory or non-regulatory, shall exceed 9 inches in diameter without special recommendation.

**B.** In accordance with the Code of Virginia - Rules for Establishment of Uniform Regulatory Markers on the Public Waters of Virginia, § 29.1-744 Local regulation; application for placement or removal of "no wake" buoys, etc. The applicant will complete the appropriate VDWR and USCG forms, which TLAC will forward, with a recommendation from the Navigation Committee to the Board of Directors which includes of County Supervisors from the three (3) counties surrounding Smith Mountain Lake and the three (3) counties surrounding Leesville Lake.

**C. ALL PARTS OF THIS PACKET MUST BE SUBMITTED TO TLAC.**

Complete all attached documents, fulfilling all applicable requirements to include forms, maps, email addresses, receipts, letters, etc., and return the entire application packet with a check for \$150 (application fee) made payable to Bedford County (TLAC's fiscal agent). Incomplete applications will be returned. Please deliver the completed package to the TLAC office by hand, or mail to **TLAC, 400 Scruggs Road, Suite 200, Moneta, VA 24121**. It is strongly suggested that if you decide to mail the documents to TLAC, a tracking option be used to confirm delivery.

**Section III – Regulatory Marker Criteria:**

**A. "No Wake" markers:** The purpose of No Wake markers is to protect the general public in places where the general public launches or docks boats, and as additional protection to some public swim areas. The No Wake buoys can only be placed when the Commonwealth's law pertaining to a no-wake zone (currently 50') from boats, docks and swimmers is deemed insufficient, or in the case of swim areas, when additional protection is needed beyond swim area markers. No Wake buoys will be placed no further from the area needing protection than is necessary to achieve public safety.

**It should be noted that No Wake buoys are not to be viewed as a solution for traffic control, or protection to personal property.** Enforcement of existing boating regulations, a continuing emphasis on boating education, and evolving statewide regulations are viewed as the logical solution to these issues. Docks, boat launch sites, and swim areas are defined as being available for the general public to use on a first come basis, where the length of stay or use is typically short, and turnover is high. Factors that will be considered for the placement of No Wake buoys are congested areas with high traffic such as the location of marinas and/or public boat ramps, and the location of commercial establishments that are open to the general boating public. Other factors that

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may be considered for the placement of No Wake Buoys are channels, coves, or areas of water 400 feet or less in width from shoreline to opposite shoreline; channels, coves, or areas of water 400 feet or less from the farthest extending point of a structure on one shoreline to the closest extending point of a structure on an opposite shoreline; channels, coves, or areas of water in question encompasses high density community docking.

**B. “No Wake Surfing” markers:** The purpose of No Wake Surfing markers is to protect the general public where public safety issues exists that can be verified as resulting from wake surfing by means of a video recording and by submission of a written description of the safety hazard from the applicant to include a statement that the issue occurs on a regular basis and has been reported to law enforcement, and/or structural, shoreline, or vessel damage has occurred that can be verified as resulting from wake surfing by submitting repair bills, pictures, and a written statement from a business professional who can provide an expert opinion relative to the type of damage that has occurred and the probable cause of that damage.

**“No Wake Surfing” buoys should generally be positioned to define the entrance and exit of the No Wake Surfing Zone.** The recommended distance from shore and the distance between the markers will be determined in collaboration with DWR on each individual application. The actual placement of the buoys will be confirmed by DWR at the time of installation. No Wake Surfing buoys are enforceable markers.

**Section IV – Regulatory Buoy Application Process:**

(No-wake, No Wake Surfing, Swim Buoys, and Buoys indicating a Restricted Area)

**A.** Prior to filing a Regulatory Buoy application, applicants will prepare a list of 100% of affected property owners along with their email addresses and a letter clearly stating their intent to place buoys. The applicant will provide signatures from 75% of the affected property owners contacted stating that they are in favor of such an application for the proposed placement of buoys. To facilitate a convenient notification process, DocuSign will be used as the electronic signature option and certified mail with return receipt will still be accepted as a valid signed acknowledgement.

The affected area is defined as those properties that are behind the proposed buoy placement or removal, as well as those property owners within 300’ in front of the markers to be installed or removed.

- If the area is at a midpoint of a cove and does not extend to the back of the cove, all property owners between the proposed zone and the back of the cove must be notified.
- If the affected area involves multiple dwelling units, individually owned properties and community owned properties, the applicant must notify all owners of multiple dwelling units.

The property owner packet should include the reasons for the request and a map identifying the proposed marker location(s) of the placement or removal. Notification to affected property owners shall be by DocuSign or certified ‘return receipt requested’ mail. A copy of that packet and the original mail receipt(s) or email documents are to be made part of the application packet that is returned to TLAC.

**B.** The application packet to TLAC must include:

1. A photocopied portion of the subject area on an enlarged portion of any approved map, clearly identifying the location of the markers to be placed or removed.
2. A copy of the appropriate section of the local tax map, clearly identifying adjacent property owners, as shown in the example on Appendix E of this application must be included in the application packet to TLAC.

**C.** After a review of all application documents, the TLAC staff will place a public hearing notice in one issue of a local lake area publication that includes circulation in the county in which property owners will be impacted

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should the application be approved. Said notice will appear a minimum of two weeks prior, but not to exceed four weeks prior to the meeting at which the application will be discussed. A sample of the ad that will be published is shown on page 6. A copy of the ad will be made part of the application to DWR and the USCG.

D. As noted in the public hearing notice, (example on page 6), representatives of the TLAC Board and Navigation Committee will review the request at a public hearing to be held on a designated date and time at the TLAC office, or another designated location if it is determined that additional space will be needed. Though it is not mandatory, it is recommended that the applicant be available to answer questions the committee members or members of the community may have. Since it is an official public hearing, anyone wishing to speak may do so when recognized. Speakers may be limited to three minutes. The Navigation Committee will consider all opinions and will then address the application at their next scheduled meeting. The Navigation Committee may determine the application warrants further evaluation and may defer a decision until the following meeting. After arriving at a consensus, the Navigation Committee will forward its recommendation to TLAC Board of Directors.

E. TLAC Directors meet bi-monthly and will review the application at the next scheduled Board meeting. Attendance by the applicant is optional. The Board will consider the Navigation Committee's recommendation, and will then recommend, recommend with modifications, not recommend the application, or table the application for further study. After final TLAC Board action, all applications will be forwarded to DWR and the USCG.

F. TLAC reserves the right to review markers approved from this date forward, no sooner than two years after the initial installation, and take appropriate action including, but not limited to, recommending removal to the DWR and the USCG.

**Section V – Non-Regulatory Buoy Application Process:**

(Shoal, rock, danger and mooring buoys)

A. The Tri-County Lakes Administrative Commission (TLAC) will process all applications to DWR for the placement or removal of non-regulatory markers or any type of navigational aid. Any request from a person or party for the placement or removal of a non-regulatory informational marker will be referred to the SML or Leesville Lake Navigation Committee, depending upon the location of the marker(s), and carefully evaluated to determine if the placement or removal is in the public interest. The attached DWR application, the applicant's \$150 fee as well as maps identifying the location, and the USCG application (see Appendix A) are to be part of the application that must be returned to TLAC. TLAC will **not** notify nearby property owners regarding an application for the placement of a rock or shoal marker but may do so for other types of navigational aids. After evaluating the application, the appropriate Navigation Committee will submit its recommendation to the TLAC Board of Directors. Following TLAC Board of Directors review and consideration, the application will be forwarded to the DWR with TLAC's Board of Directors recommendation. If approved by DWR, and following installation of non-regulatory informational markers, a public notice will be published in one issue of a local lake-wide publication, as well as one issue of a local newspaper appropriate to the county in which the markers are placed.

B. **Mooring Buoys:** These markers are generally reserved to indicate an anchorage area for sailboats where depth of water is needed to clear the keel. Mooring buoys will **not** be considered in areas of the main channels that are defined by permanent channel markers.

These applications will be processed in the same manner as applications in (A) above with the following exceptions. When the Navigation Committee plans to review a mooring buoy application, the TLAC office will place an advertisement in the local newspaper two weeks prior to the next scheduled meeting at which the

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Committee will consider the application. The Navigation Committee recommendation will then be submitted to the TLAC Board of Directors for their review. Following TLAC Board of Directors review and consideration, the application will be forwarded to the DWR and the USCG with TLAC's recommendation.

The application must include, among other requirements, written approval from the Property Owner's Association (POA) adjacent to where the mooring buoy is to be located. The POA document confirming their recommendation should be submitted to the Navigation Committee stating the basis for their decision and include confirmation of notice to all stakeholders by registered mail, "Return Receipt Requested" or email.

If there is no active POA, the applicant shall submit a drawing to all affected property owners by registered mail, "Return Receipt Requested" or by email, clearly identifying where the mooring buoy would be placed in relationship to property owners affected. The drawing must include the length and draft of the vessel and the radius of the swing if a stern anchor is not to be used. The applicant shall submit a \$150 application fee in addition to the necessary forms in the application packet.

**C. Modifications to the navigation system:** Prior to any modifications to a marker(s) (ex. Non-lighted shoal marker to lighted shoal marker, replace shoal piling with floating marker, etc.) DWR and the USCG will require a letter stating the intent and extent of the modification. Applicant will then await direction from DWR or USCG prior to any modifications.

**Section VI- DWR Approval/Denial and Maintenance:  
(All Buoys)**

**A.** DWR and USCG will review each application and notify the applicant of the Department's decision. If approved, the applicant will install the requested buoy(s) in accordance with DWR's and USCG recommendations. A DWR officer will inspect the installation to ensure proper location, type, etc.

**B.** Applications that have been denied by DWR or the USCG may not be re-submitted for at least one year. Past approvals and denials will not be considered as a basis for future approvals or denials.

**C.** DWR inspects all buoys/marker(s) annually to ensure the correct number and type of authorized waterway marker(s) are properly placed, legible, and in good condition. Any marker(s) found in non-compliance with mandatory requirements will be subject to removal at the expense of the responsible party and may be subject to penalties for "failure to maintain waterway markers as prescribed by law."

**D.** **IMPORTANT: Should real estate title change, ownership of the markers will also change.** It is the applicant's responsibility to inform the new property owners to contact TLAC directly by submitting a letter of request to change ownership at 400 Scruggs Rd., Suite 200, Moneta, VA 24121. Questions should be directed to the TLAC office: tel. (540)721-4400.

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**EXAMPLE OF PUBLIC NOTICE**

**PUBLIC NOTICE**

The Tri-County Lakes Administrative Commission (TLAC) and its Navigation Committee will review a request from ABC Marina for four (4) no wake buoys to be placed in front of the marina located in Craddock Creek, across from XYZ subdivision, on Smith Mountain Lake. The public hearing will be held at the TLAC office in Moneta on Thursday, June 27, 2025, at 5:00 PM. All interested parties are welcome to attend. For more information, please call the TLAC office at 540-721-4400.

**Appendix Listing**

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	U.S. Department of Homeland Security U.S. Coast Guard Form CG:2554 <i>Private Aids to Navigation Application</i>	A-7 thru A-11
Appendix B	Samples of Approved Waterway Symbols and Marker Design	B-1
Appendix C	Sample of Approved No Wake Marker	C-1
Appendix D	Sample of Approved No Wake Surfing Marker	D-1
Appendix E	Tax Map	E-1



**COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF WILDLIFE RESOURCES**

*Application for Establishment of Regulatory Markers on Public Waters of Virginia*

**Directions:**

This application is a guide provided by the Commonwealth of Virginia Department of Wildlife Resources Waterways Program to aid applicants in completing application for Establishment of Regulatory Markers on Public Waters of Virginia, pursuant to Chapter 7 of Title 29.1-734 and 744, of the Code of Virginia and Administrative Code 4 VAC 15-370-50. This application is a fillable PDF and can either be completed electronically or handwritten (black or blue ink only). Either Digital or Handwritten signatures are acceptable.

Please complete this form and attach the necessary documents as specified in each section. The application should be emailed to [Waterway.Management@dwr.virginia.gov](mailto:Waterway.Management@dwr.virginia.gov). If email is unavailable, please mail one copy to the address below.

Virginia Department of Wildlife Resources  
Attn: Waterways Program Manager  
7870 Villa Park Drive  
P.O. Box 90778  
Henrico, VA 23228-0778

If you have any questions, or need any clarification, please do not hesitate to contact Virginia Department of Wildlife Resources Waterways Program Manger via phone, (804)356-1307, or email [Waterway.Management@dwr.virginia.gov](mailto:Waterway.Management@dwr.virginia.gov).

For questions about Private Aids to Navigation (PATON) or to submit an CG-2554 form, contact the PATON Manager at: [SMB-D5Waterways-PATON@uscg.mil](mailto:SMB-D5Waterways-PATON@uscg.mil).

For information on US Army Corps of Engineers (USACE) permits and Section 10 please visit: <https://www.nao.usace.army.mil/Missions/Regulatory-Branch/>

**Action Requested:**

Please check the box for the type of request:

<input type="checkbox"/>	Request to place & maintain Regulatory Marker(s)	<input type="checkbox"/>	Change/Amend Current Approved Regulatory Marker(s)
<input type="checkbox"/>	Discontinue or Repeal Existing Regulatory Marker(s)		

**Table of Contents:** This application contains the following sections:

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**\*Denotes required information in application**



**COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF WILDLIFE RESOURCES**

*Application for Establishment of Regulatory Markers on Public Waters of Virginia*

**I. Applicant General Information:**

*Date:		*Proposed Date of Installation:	
Name of Political Subdivision or Agency:			
Address:			
Telephone Number:			
*Name individual to be responsible for installation and maintenance:			
*Address:			
*Email:			
*Telephone Number:			

**II. \*Statement of Purpose for Requested Regulatory Waterways Marker(s):**

Please include: (Text box below may be used for any additional comments and/or additional responsible parties' information.)

- 1) Attach a statement letter indicating the purpose for a regulatory waterway marker(s).
- 2) Political subdivision – Must attach copies of public notice and proposed regulation or ordinance, which has been issued prior to this application.



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DEPARTMENT OF WILDLIFE RESOURCES**

*Application for Establishment of Regulatory Markers on Public Waters of Virginia*

**III. \*Location of Regulator Marker(s):**

Body of Water:	
Name of Waterway(s) (If Applicable):	
Location:	
Type of Water: (river, lake, ICW, etc.):	
City:	
County:	

**IV. \*Scale Drawings:**

Attach a copy of a map, chart section, or drawing to a scale which will readily depict the proposed zoned area (represented with a polygon) to its surroundings showing the location of each marker listed in Section V to be placed in the water and its relation to nearby channels and water patterns.

Scale Map Drawings using Google Earth (**Optional**)

- Open Google Earth
- Find the marker location using the “Search” bar in the top left corner (using the physical address or latitude and longitude).
- Use the “Add Placemark” button (yellow push-pin icon) to identify where each buoy or sign will be located.
- Using the placemark’s properties (right-click the placemark under “Places” on the left side of the screen and click “Properties”), change the “Name” section for each marker to correspond with the Marker # in Section V on the application.
  - Also in properties, marker style & color can be adjusted to illustrate buoys and signs.
- Once all the markers are accurately located, go to, File, Save, **Save as Image**. This will save a JPEG file which you will send in the application package.

**V. \*Description of Regulatory Marker(s):**

- Please download and fill out the “Virginia Marker Data Form”.
- The “Virginia Marker Data Form” can be found here: [Virginia Data Marker Form](#)
- Each sign/buoy equals (1) reference number. This must match number(s) on scale drawing from Section IV.
- Attach and submit with application.

**VI. Regulation Marker Source:**

All markers must conform to specifications as listed in the *Rules for Uniform Regulatory Markers on the Public Waters of Virginia*. State below names of manufacturer of commercial markers that will be used, or, if obtained, otherwise, indicate source.



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*Application for Establishment of Regulatory Markers on Public Waters of Virginia*

**VII. Certification**

- 1) The applicant hereby agrees and certifies that all markers authorized by the Department will be installed in accordance with Virginia Administrative Code 4 VAC 15-370-50 and maintained in accordance with Virginia Administrative Code 4 VAC 15-370-51 at no expense to the Department; That all such regulatory markers will conform to the specifications, standards and conditions set forth in "Rules for Establishment of State Uniform Regulatory Markers on Public Waters of Virginia" and may be inspected at any time, without prior notice, by authorized personnel. Should regulatory markers not be maintained in satisfactory condition, the Department may order them removed at no expense to the Department.
  
- 2) The applicant, to the extent authorized by law, agrees and promises to hold harmless the Commonwealth of Virginia, its employees, agents or successors, from fault with respect to any claim or claims arising from alleged negligence in the placement, maintenance, operation, and removal any and all regulatory markers placed by the applicant pursuant to this application. Applicant further agrees to indemnify the Commonwealth of Virginia for any and all legal fees and costs incurred in defense of any suit brought against the State as a result of alleged negligence by the applicant in the placement, maintenance, operation, or removal of regulatory markers and the marking of any waters does not convey any exclusive privileges.

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

**To be Completed by DWR Staff:**

Date Received:			
DWR Reviewer:			
Reviewer Telephone:			
Reviewer Email:			
Approved <input type="checkbox"/>	Approved with Modification <input type="checkbox"/>	Disapproved <input type="checkbox"/>	
File Number issued:			
Comments:			





**PRIVATE AIDS TO NAVIGATION APPLICATION**

(See attached instructions and copy of Code of Federal Regulations, Title 33, Chap. 1, Part 66)

**NO PRIVATE AID TO NAVIGATION MAY BE AUTHORIZED UNLESS A COMPLETED APPLICATION FORM HAS BEEN RECEIVED (14 U.S.C. 83; 33 CFR. 66. 01-5).**

1. ACTION REQUESTED FOR PRIVATE AIDS TO NAVIGATION:	<input type="checkbox"/> A. ESTABLISH AND MAINTAIN <input type="checkbox"/> B. DISCONTINUE <input type="checkbox"/> C. CHANGE <input type="checkbox"/> D. TRANSFER OWNERSHIP	2. DATE ACTION TO START:
3. AIDS WILL BE OPERATED:	<input type="checkbox"/> A. YEAR-ROUND <input type="checkbox"/> B. TEMPORARILY UNTIL _____ <input type="checkbox"/> C. SEASONAL FROM _____ TO _____	
4. NECESSITY FOR AID (Continue in Block 8)	5. GENERAL LOCALITY	6. AUTHORIZING PERMIT FOR THIS STRUCTURE OR BUOY USACE <input type="checkbox"/> PERMIT AND/OR STATE <input type="checkbox"/> PERMIT (Valid Permit Number) _____

FOR DISTRICT COMMANDERS ONLY		7. APPLICANT WILL FILL IN APPLICABLE REMAINING COLUMNS										
LIGHT LIST NUMBER	NAME OF AID	NO. OR LTR (7a)	LIGHT			POSITION (7e)	DEPTH OF WATER (7f)	CANDELA (7g)	FOCAL PLANE HEIGHT (7h)	STRUCTURE		REMARKS (See instructions) (7j)
			FLASH PERIOD (7b)	FLASH LENGTH (7c)	COLOR (7d)					TYPE, COLOR, AND HEIGHT ABOVE GROUND (7i)		

8. ADDITIONAL COMMENTS

9a. NAME AND ADDRESS OF PERSON IN DIRECT CHARGE OF THE AID(S)	10a. NAME AND ADDRESS OF PERSON OR CORPORATION AT WHOSE EXPENSE THE AID(S) WILL BE MAINTAINED	10b. THE APPLICANT AGREES TO SAVE THE COAST GUARD HARMLESS WITH RESPECT TO ANY CLAIM OR CLAIMS THAT MAY RESULT ARISING FROM THE ALLEGED NEGLIGENCE OF THE MAINTENANCE OR OPERATION OF THE APPROVED AID(S).	
9b. TELEPHONE NO.		10c. DATE	10d. SIGNATURE AND TITLE OF OFFICIAL SIGNING
9c. E-MAIL ADDRESS			

FOR USE BY DISTRICT COMMANDER		RECD	DATE APPROVED	SIGNATURE (By direction)
SERIAL NO.	CLASSIFICATION OF AIDS(S)	CHART		
		LNM		



**U.S. COAST GUARD  
PRIVATE AIDS TO NAVIGATION APPLICATION  
INSTRUCTIONS**

- The rules, regulations, and procedures pertaining to private aids to navigation are set forth in the excerpt of the Code of Federal Regulations; Title 33, Chapter 1, Part 66 on the following pages.
- One copy of the application for private aids to navigation shall be forwarded via postal mail, electronic mail, or facsimile to the Commander of the Coast Guard District in which the aids will be located. Sections of charts or sketches showing the work proposed should accompany each application.
- When making application for private aids to navigation to mark structures and mooring buoys in navigable waters or to mark the excavating or depositing of material therein, evidence is required of the authorization obtained from the U.S. Army Corps of Engineers (USACE), Department of the Army, for such work, (Code of Federal Regulations; Title 33, Part 322.) and/or State Regulatory Agency.
- The applicant shall complete all of Blocks 1, 2, 3, 4, 5, 9 and 10 for all new applications. When a private aid to navigation is being discontinued, Block 3 need not be completed. Block 6 shall be completed whenever authorization is required to be obtained from Corps of Engineers (See Instruction No. 3). Columns in Block 7 will be completed as follows:
  - Unlighted buoy(s) - 7a, 7e, 7f, and 7j.
  - Lighted buoy(s) - 7a, 7b, 7c, 7d, 7e, 7f, 7g, 7h, and 7j.
  - Daybeacon(s) - 7a, 7e, 7f (if applicable), 7h, 7i, and 7j.
  - Light(s) on a structure - 7a, 7b, 7c, 7d, 7e, 7f (if applicable), 7g, 7h, 7i, and 7j.

- When a private aid to navigation is being changed, Block 8 shall be used to describe the nature of the change.
- The required information for each column includes the following:
  - Proposed number or letter to be assigned to the private aid to navigation.
  - Period of light (time in seconds for one complete cycle).
  - Flash length in seconds. For complex or multiple flashes, explain in column (7j).
  - Color of light.
  - Position as determined by Global Positioning System (GPS), differential GPS, professional surveyor, by two or more horizontal angles, or bearing and distance from a prominent charted landmark. If a prominent charted landmark is not available, show latitude and longitude as precisely as the chart permits.
  - Depth of water at buoy or structure (if marine site). All depths are measured from mean lower low water except on Great Lakes where depths are measured from low water datum.
  - Candela, if known; otherwise, include the following information in column (7j); lens size, lamp voltage and amperage if electric, or details of other illuminant to be used.
  - If lighted, the height of the light's optic above the water.
  - Include details of structure (type, color).
  - Used for the following specific information, plus any other useful details: a. buoys - size, shape, color, and reflective material used; b. structures - dayboard shape and color; c. sound signal on a buoy or structure - type and model, audible range, and characteristic (number of strokes or blasts, period and blast length).

- This form may be used to cover more than one private aid to navigation in the same geographic area. Draw a line between each aid as indicated in example below. Attach separate sheet if additional space is required.
- Attach a section of chart showing the proposed location of the private aid(s) to navigation.
- After receipt of the approved form, the applicant will advise the District Commander by telephone, postal mail, electronic mail, or facsimile when the authorized work is actually accomplished.
  - If the private aid(s) to navigation have not been installed within one year of the approval date, the approved application is automatically cancelled.
  - Any discrepancy in the operation of the private aid(s) to navigation at any time shall be reported to the District Commander by telephone, postal mail, electronic mail, or facsimile in order that Notices to Mariners may be issued. A discrepancy exists whenever the private aid to navigation is not operating as described in the approved application, i.e., lack of signal, incorrect light characteristic, or improper color, shape, or position of shore structure or buoy. The correction of the discrepancy will also be reported by the same method.
- All classes of private aids to navigation shall be maintained in proper condition. They are subject to inspection by the Coast Guard at any time and without prior notice to the maintainer.

**EXAMPLE OF USE OF APPLICATION**

FOR DISTRICT COMMANDERS ONLY		7. APPLICANT WILL FILL IN APPLICABLE REMAINING COLUMNS									
LIGHT LIST NUMBER	NAME OF AID	NO. OR LTR (7a)	LIGHT			POSITION (7e)	DEPTH OF WATER (7f)	CANDELA (7g)	FOCAL PLANE HEIGHT (7h)	BUOY/STRUCTURE TYPE, COLOR, AND HEIGHT ABOVE GROUND (7i)	REMARKS (See instructions) (7j)
			FLASH PERIOD (7b)	FLASH LENGTH (7c)	COLOR (7d)						
		1	4s	0.4s	Green	dd°mm' ss. sss"N ddd°mm' ss. sss"W	9 Ft			5' lighted buoy, Green	
		2				dd°mm' ss. sss"N ddd°mm' ss. sss"W	8 Ft			Nun buoy, Red	
		3				dd°mm' ss. sss"N ddd°mm' ss. sss"W	7 Ft			Single Pile	2' square dayboard, Green
		4	2.5s	0.5s	Red	dd°mm' ss. sss"N ddd°mm' ss. sss"W	9 Ft		14 Ft	Multi-Pile	3' triangular dayboard, Red

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Coast Guard estimates the average burden for this report is 1 hour. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: COMMANDANT (CG-NAV-1), U.S. COAST GUARD STOP 7418, 2703 MARTIN LUTHER KING JR AVE SE, WASHINGTON DC 20593-7418 or OFFICE OF MANAGEMENT AND BUDGET, PAPERWORK REDUCTION PROJECT (1625-0011), WASHINGTON, DC 20590-0001.

FEDERAL REGULATIONS CONCERNING PRIVATE AIDS TO NAVIGATION, 33 CFR 66

§ 66.01-1 Basic provisions.

(a) No person, public body, or instrumentality not under the control of the Commandant, exclusive of the Armed Forces, will establish and maintain, discontinue, change or transfer ownership of any aid to maritime navigation, without first obtaining permission to do so from the Commandant.

(b) For the purposes of this subpart, the term private aids to navigation includes all marine aids to navigation operated in the navigable waters of the United States other than those operated by the Federal Government (part 62 of this subchapter) or those operated in State waters for private aids to navigation (subpart 66.05).

(c) Coast Guard authorization of a private aid to navigation does not authorize any invasion of private rights, nor grant any exclusive privileges, nor does it obviate the necessity of complying with any other Federal, State or local laws or regulations.

(d) With the exception of radar beacons (racons) and shore based radar stations, operation of electronic aids to navigation as private aids will not be authorized.

§ 66.01-3 Delegation of authority to District Commanders.

(a) Under Section 888 of Pub. L. 107-296, 116 Stat. 2135, the Commandant delegates to the District Commanders within the confines of their respective districts (see Part 3 of this chapter for descriptions) the authority to grant permission to establish and maintain, discontinue, change or transfer ownership of private aids to maritime navigation, and otherwise administer the requirements of this subpart.

(b) The decisions of the District Commander may be appealed within 30 days from the date of decision. The decision of the Commandant in any case is final.

§ 66.01-5 Application procedure.

To establish and maintain, discontinue, change, or transfer ownership of a private aid to navigation, you must apply to the

Commander of the Coast Guard District in which the aid is or will be located. You can find application form CG-2554 at [http://www.uscg.mil/forms/cg/CG\\_2554.pdf](http://www.uscg.mil/forms/cg/CG_2554.pdf). You must complete all parts of the form applicable to the aid concerned, and must forward the application to the District Commander. You must include the following information:

(a) The proposed position of the aid to navigation by two or more horizontal angles, bearings and distance from charted landmarks, or the latitude and longitude as determined by GPS or differential GPS. Attach a section of chart or sketch showing the proposed position.

(b) The name and address of the person at whose expense the aid will be maintained.

(c) The name and address of the person who will maintain the aid to navigation.

(d) The time and dates during which it is proposed to operate the aid.

(e) The necessity for the aid.

(f) For lights: The color, characteristic, range, effective intensity, height above water, and description of illuminating apparatus. Attach a copy of the manufacturer's data sheet to the application.

(g) For sound signals: Type (whistle, horn, bell, etc.) and characteristic.

(h) For buoys or daybeacons: Shape, color, number, or letter, depth of water in which located or height above water.

(i) For racons: Manufacturer and model number of racon, height above water of desired installation, and requested coding characteristic. Equipment must have FCC authorization.

§ 66.01-10 Characteristics.

The characteristics of a private aid to navigation must conform to those prescribed by the United States Aids to Navigation System set forth in subpart B of part 62 of this subchapter.

§ 66.01-11 Lights.

(a) Except for range and sector lights, each light approved as a private aid to navigation must:

(1) Have at least the effective intensity required by this subpart omnidirectionally in the horizontal plane, except at the seams of its lens-mold.

(2) Have at least 50% of the effective intensity required by this subpart within ±2° of the horizontal plane.

(3) Have a minimum effective intensity of at least 1 candela for a range of 1 nautical mile, 3 candelas for one of 2 nautical miles, 10 candelas for one of 3 nautical miles, and 54

candelas for one of 5 nautical miles. The District Commander may change the requirements for minimum intensity to account for local environmental conditions. For a flashing light this intensity is determined by the following formula:

$$I_e = G / (0.2 + t_2 - t_1)$$

Where:

$I_e$  = Effective intensity

$G$  = The integral of the instantaneous intensity of the flashed light with respect to time

$t_1$  = Time in seconds at the beginning of the flash

$t_2 - t_1$  = Time in seconds at the end of the flash  $t_2 - t_1$  is greater than or equal to 0.2 seconds.

(4) Unless the light is a prefocused lantern, have a means of verifying that the source of the light is at the focal point of the lens.

(5) Emit a color within the angle of 50% effective intensity with color coordinates lying within the boundaries defined by the corner coordinates in Table 66.01-11(5) of this part when plotted on the Standard Observer Diagram of the International Commission on Illumination (CIE).

Table 66.01-11(5)—Coordinates of Chromaticity

Color	Coordinates of chromaticity	
	x axis	y axis
White .....	0.500	0.382
	0.440	0.382
	0.285	0.264
	0.285	0.332
	0.453	0.440
Green .....	0.500	0.440
	0.305	0.689
	0.321	0.494
Red .....	0.228	0.351
	0.028	0.385
	0.735	0.265
	0.721	0.259
Yellow .....	0.645	0.335
	0.665	0.335
	0.618	0.382
	0.612	0.382
	0.555	0.435
	0.560	0.440

(6) Have a recommended interval for replacement of the source of light that ensures that the lantern meets the minimal required intensity stated in paragraph (a)(3) of this section in case of degradation of either the source of light or the lens.

(7) Have autonomy of at least 10 days if the light has a self-contained power system. Power production for the prospective position should exceed the load during the worst average month of insolation. The literature concerning the light must clearly state the operating limits and service intervals. Low-voltage disconnects used to protect the battery must operate so as to prevent sporadic operation at night.

(b) The manufacturer of each light approved as a private aid to navigation must certify compliance by means of an indelible plate or label affixed to the aid that meets the requirements of § 66.01-14.

§ 66.01-12 May I continue to use the private aid to navigation I am currently using?

If, after March 8, 2004, you modify, replace, or install any light that requires a new application as described in § 66.01-5, you must comply with the rules in this part.

§ 66.01-13 When must my newly manufactured equipment comply with these rules?

After March 8, 2004, equipment manufactured for use as a private aid to navigation must comply with the rules in this part.

§ 66.01-14 Label affixed by manufacturer.

(a) Each light, intended or used as a private aid to navigation authorized by this part, must bear a legible, indelible label (or labels) affixed by the manufacturer and containing the following information:

- (1) Name of the manufacturer.
  - (2) Model number.
  - (3) Serial number.
  - (4) Words to this effect: "This equipment complies with requirements of the U.S. Coast Guard in 33 CFR part 66."
- (b) This label must last the service life of the equipment.

(c) The manufacturer must provide the purchaser a data sheet containing the following information:

- (1) Recommended service life based on the degradation of either the source of light or the lamp.
- (2) Range in nautical miles.
- (3) Effective intensity in candela.
- (4) Size of lamp (incandescent only).
- (5) Interval, in days or years, for replacement of dry-cell or rechargeable battery.

#### § 66.01-15 Action by Coast Guard.

(a) The District Commander receiving the application will review it for completeness and will assign the aid one of the following classifications:

Class I: 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.

Class II: Aids to navigation exclusive of Class I located in waters used by general navigation.

Class III: Aids to navigation exclusive of Class I located in waters not ordinarily used by general navigation.

(b) Upon approval by the District Commander, a signed copy of the application will be returned to the applicant. Approval for the operation of radar beacons (racons) will be effective for an initial two year period, then subject to annual review without further submission required of the owner.

#### § 66.01-20 Inspection.

All classes of private aids to navigation shall be maintained in proper operating condition.

They are subject to inspection by the Coast Guard at any time and without prior notice.

#### § 66.01-25 Discontinuance and removal.

(a) No person, public body or instrumentality shall change, move or discontinue any authorized private aid to navigation required by statute or regulation (Class I, § 66.01-15) without first obtaining permission to do so from the District Commander.

(b) Any authorized private aid to navigation not required by statute or regulation (Classes II and III, § 66.01-15) may be discontinued and removed by the owner after 30 days' notice to the District Commander to whom the original request for authorization for establishment of the aid was submitted.

(c) Private aids to navigation which have been authorized pursuant to this part shall be discontinued and removed without expense to the United States by the person, public body or instrumentality establishing or maintaining such aids when so directed by the District Commander.

#### § 66.01-30 Corps of Engineers' approval.

(a) Before any private aid to navigation consisting of a fixed structure is placed in the navigable waters of the United States, authorization to erect such structure shall first be obtained from the District Engineer, U.S. Army Corps of Engineers in whose district the aid will be located.

(b) The application to establish any private aid to navigation consisting of a fixed structure shall show evidence of the required permit having been issued by the Corps of Engineers.

#### § 66.01-40 Exemptions.

(a) Nothing in the preceding sections of this subpart shall be construed to interfere with or nullify the requirements of existing laws and regulations pertaining to the marking of structures, vessels and other obstructions sunken in waters subject to the jurisdiction of the United States (Part 64 of this subchapter), the marking of artificial islands and structures which are erected on or over the seabed and subsoil of the Outer Continental Shelf (Part 67 of this subchapter), or the lighting of bridges over navigable waters of the United States (Subchapter J of this subchapter).

(b) Persons marking bridges pursuant to Subchapter J of this title are exempted from the provisions of § 66.01-5.

#### § 66.01-45 Penalties.

Any person, public body or instrumentality, excluding the armed forces, who shall establish, erect or maintain any aid to maritime navigation without first obtaining authority to do so from the Coast Guard, with the exception of those established in accordance with § 64.11 of this chapter, or who shall violate the regulations relative thereto issued in this part, is subject to the provisions of 14 U.S.C. 83.

#### § 66.01-50 Protection of private aids to navigation.

Private aids to navigation lawfully maintained under these regulations are entitled to the same protection against interference or obstruction as is afforded by law to Coast Guard aids to navigation (Part 70 of this subchapter). If interference or obstruction

occurs, a prompt report containing all the evidence available should be made to the Commander of the Coast Guard District in which the aids are located.

#### § 66.01-55 Transfer of ownership.

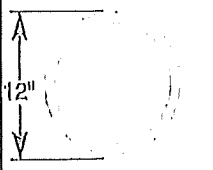
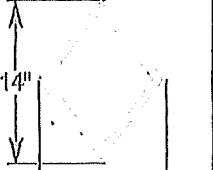

(a) When any private aid to navigation authorized by the District Commander, or the essential real estate or facility with which the aid is associated, is sold or transferred, both parties to the transaction shall submit application (§66.01-5) to the Commander of the Coast Guard District in which the aid is located requesting authority to transfer responsibility for maintenance of the aid.

(b) The party relinquishing responsibility for maintenance of the private aid to navigation shall indicate on the application form (CG-2554) both the discontinuance and the change of ownership of the aid sold or transferred.

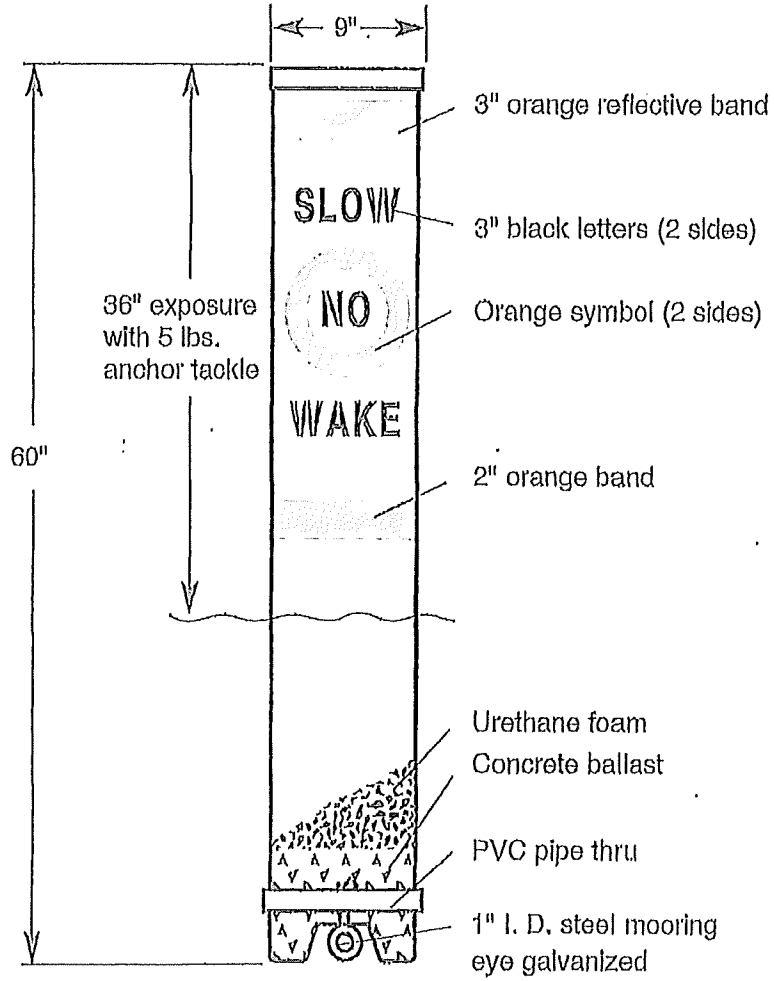
(c) The party accepting responsibility for maintenance of the private aid to navigation shall indicate on the application form (CG-2554) both the establishment and the change of ownership of the aid sold or transferred.

(d) In the event the new owner of the essential real estate or facility with which the aid is associated refuses to accept responsibility for maintenance of the aid, the former owner shall be required to remove the aid without expense to the United States. This requirement shall not apply in the case of any authorized private aid to navigation required by statute or regulation (Class I, § 66.01-15) which shall be maintained by the new owner until the conditions which made the aid necessary have been eliminated.

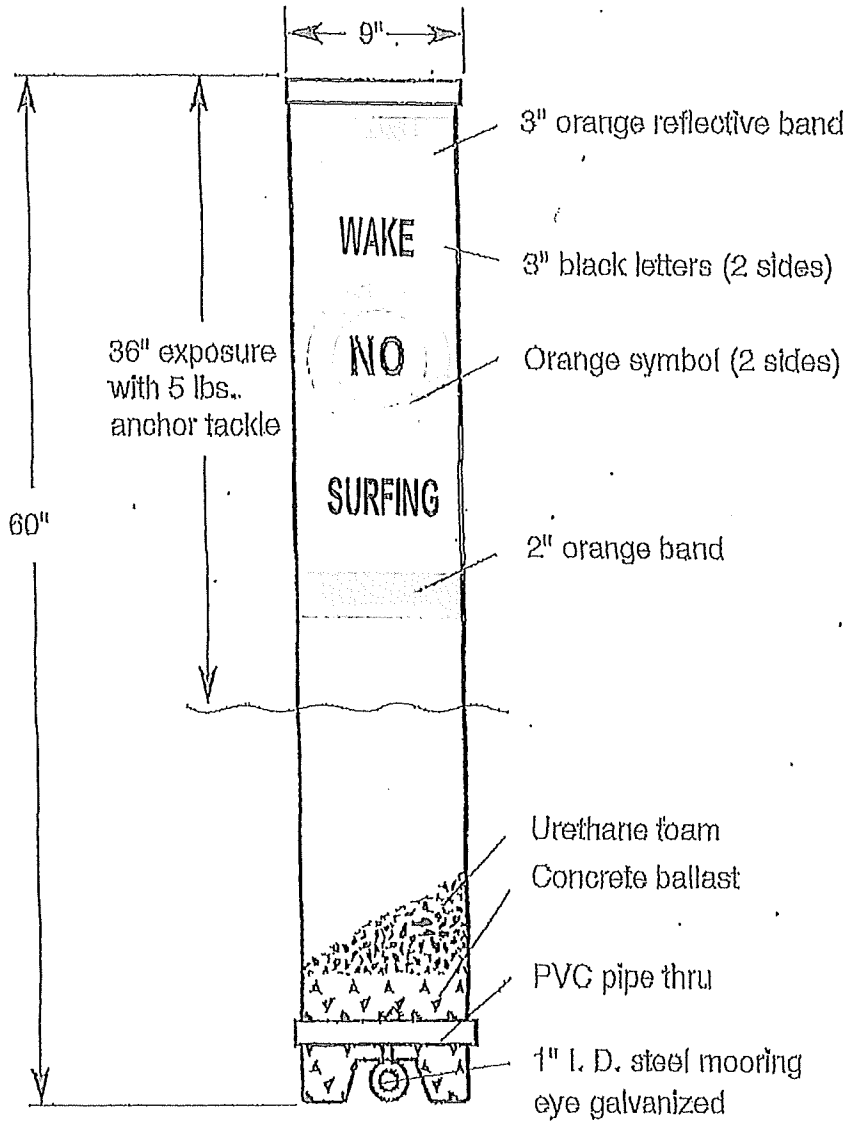
Samples of Approved Waterway Symbols and Marker Design

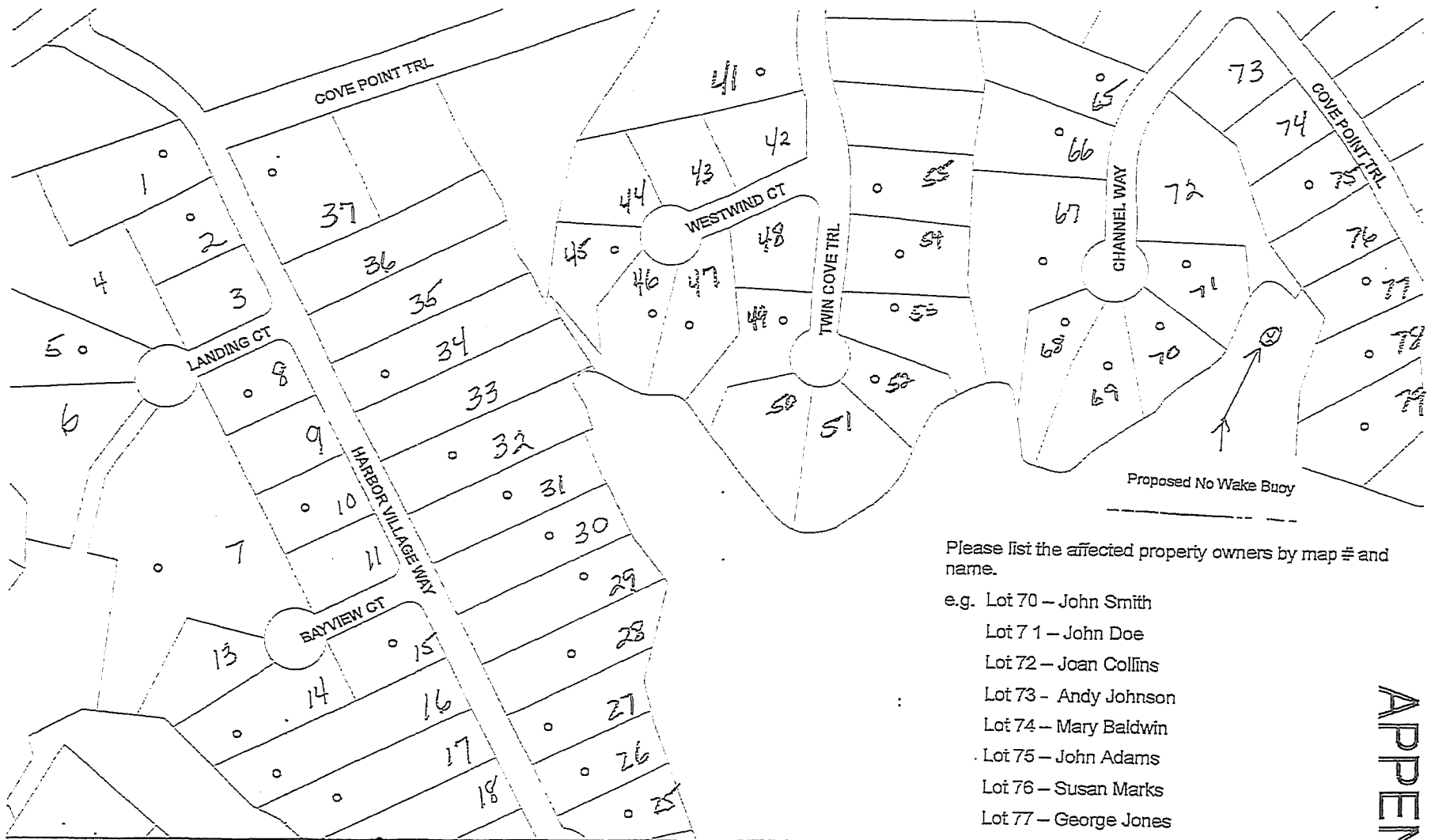
<p><b>STANDARD INLAND WATERWAY SYMBOLS AND MESSAGES</b></p> <p><b>Samples of Waterway Symbols</b></p>	<p><b>CONTROLLED AREA SYMBOL</b></p>  <p>12" 2" band width</p>	<p><b>HAZARD WARNING SYMBOL</b></p>  <p>14" 2" band width</p>	<p><b>RESTRICTED AREA SYMBOL</b></p>  <p>14" 2" band width</p>
	<p><b>STANDARD MESSAGES</b> SLOW 5 MPH SLOW NO WAKE SKI AREA NO SKI SLOW 10 MPH SPEED ZONE NO WAKE IDLE SPEED</p>	<p><b>STANDARD MESSAGES</b> ROCK DANGER RAPIDS SHOAL STUMP SHALLOW AREA HAZARD AREA DANGER DAM</p>	<p><b>STANDARD MESSAGES</b> SWIM AREA KEEP OUT NO BOATS BOATS KEEP OUT CLOSED AREA NO BOATING DANGER DAM</p>

Appendix C



# Appendix D





Sample Map

Please list the affected property owners by map # and name.

- e.g. Lot 70 – John Smith
- Lot 71 – John Doe
- Lot 72 – Joan Collins
- Lot 73 – Andy Johnson
- Lot 74 – Mary Baldwin
- Lot 75 – John Adams
- Lot 76 – Susan Marks
- Lot 77 – George Jones
- Lot 78 – Dick Clark
- Lot 79 – Rick Nixon