§ 66.05–40 Corps of Engineers’ approval.

(a) In each instance where a regu-

latory marker is to be established in

navigable waters of the United States

which have been designated by the

Commandant as State waters for pri-

vate aids to navigation, the State Ad-

ministrator is responsible for obtaining

prior permission from the District En-

gineer, U.S. Army Corps of Engineers

concerned, authorizing the State to

regulate the water area involved, or a

statement that there is no objection to

the proposed regulation of the water

aids to navigation, he or she must in-

form the District Commander of the

nature and extent of the changes, as

soon as possible, but not less than 30

days in advance of making the changes.


§ 66.05–35 Private aids to navigation

other than State owned.

(a) No person, public body or other

instrumentality not under control of

the Commandant or the State Adminis-

trator, exclusive of the Armed Forces

of the United States, shall establish,
erect or maintain in State waters for

private aids to navigation any aid to

navigation without first obtaining per-

mission to do so from the State Admin-

istrator. Discontinuance of any State

aids to navigation may be effected by

order of the State Administrator.

§ 66.05–40 Corps of Engineers’ ap-

proval.

(1) A description, in sufficient detail

for publication in Notices to Mariners,
of all aids to navigations under State
jurisdiction in navigable waters of the
United States in existence prior to the
effective date of the agreement which
have not been previously approved
under procedures of §66.01–5.

(2) Procedures for use by the State
administrator to notify the District Com-
mander of changes made in State
aids to navigation, as required by
§66.05–25.

(3) If prior to December 21, 2003, spec-
ification of the marking system to be
used, whether the U.S. Aids to Naviga-
tion System or the Uniform State Wa-
terway Marking System.

(4) Specification of standards as to
minimum size and shape of markers,
the use of identifying letters, the use of
reflectors or retroreflective materials,
and any other similar standards so as
to enable Coast Guard inspectors to de-
termines the need for change in State

§ 66.05–40 Corps of Engineers’ ap-

proval.

Wherever a State Administrator de-
termines the need for change in State

§ 66.05–40 Corps of Engineers’ ap-

proval.

§ 66.05–40 Corps of Engineers’ ap-

proval.

Wherever a State Administrator de-
termines the need for change in State

§ 66.05–40 Corps of Engineers’ ap-

proval.

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§ 66.05–40 Corps of Engineers’ ap-

proval.
area. A copy of the Corps of Engineers permit or letter of authority shall be provided by the Administrator to the District Commander upon request.

(b) Similarly, where an aid to navigation is to be placed on a fixed structure or a mooring buoy is to be established in State waters for private aids to navigation, the State Administrator shall assure that prior permission or a statement of no objection to the structures or mooring buoys proposed is obtained from the District Engineer concerned. A copy of the permit or letter is not required by the District Commander.

§ 66.05–100 Designation of navigable waters as State waters for private aids to navigation.

In accordance with the procedures contained in § 66.05–10(d), the following navigable waters listed by the State in which they are located, are designated as State waters for private aids to navigation:

(a) Arizona. The portion of Lake Havasu within the State, except that portion within Havasu Lake National Wildlife Refuge.

(b) Louisiana. The portion of Toledo Bend Reservoir within the State.

(c) Missouri. Teach water within the State except the:
   (1) Mississippi River; and
   (2) Missouri River.

(d) Montana. The portion of Missouri River between the U.S. Highway 287 bridge near Townsend and Great Falls including the following impoundments:
   (1) Black Eagle Dam Reservoir.
   (2) Canyon Ferry Reservoir.
   (3) Hauser Lake.
   (4) Holter Lake.
   (5) Rainbow Dam Reservoir.

(e) North Carolina. Navigable waters within the State not marked with Coast Guard aids to navigation on June 1, 1973.

(f–1) South Carolina. (1) The portion of Lake Wylie within the State; (2) Lake Marion; (3) Lake Moultrie; and (4) Lake Murray.

(g) Texas. The portion of Toledo Bend Reservoir within the State.

(b) Virginia. (1) Claytor Lake, on the New River in Pulaski County.
   (2) Leesville Lake, on the Roanoke River below Smith Mountain Dam.
   (3) The portions of the following reservoirs within the State:
      (i) Gaston.
      (ii) Holston.
      (iii) John H. Kerr.
      (iv) Philpott.

   (i) Wisconsin. Navigable waters within the State not marked with Coast Guard aids to navigation as of May 1, 1996.


Subpart 66.10—Uniform State Waterway Marking System

§ 66.10–1 General.

(a) The Uniform State Waterway Marking System's (USWMS) aids to navigation provisions for marking channels and obstructions (see § 66.10–15) may be used in those navigable waters of the U.S. that have been designated as state waters for private aids to navigation and in those internal waters that are non-navigable waters of the U.S. All other provisions for the use of regulatory markers and other aids to navigation must be in accordance with United States Aid to Navigation System, described in part 62 of this subchapter.

(b) Until December 31, 2003, the Uniform State Waterway Marking System's (USWMS) aids to navigation provisions for marking channels and obstructions may be used in those navigable waters of the U.S. that have been designated as state waters for private aids to navigation and in those internal waters that are non-navigable waters of the U.S. All other provisions for the use of regulatory markers and other aids to navigation shall be in accordance with United States Aid to Navigation System, described in part 62 of this subchapter.