

***United States Coast Guard Auxiliary
District 1SR***

**Private Aids to Navigation
Training Guide**

APRIL, 2013

PRIVATE AIDS TO NAVIGATION

Introduction

Two of the primary responsibilities of the Auxiliary Private Aid to Navigation Program are the reporting of discrepancies observed on Private Aids to Navigation (PATONs), and the verification of PATONs. The Auxiliary works with the Coast Guard to accomplish this important mission in a partnership that is focused on assisting the Coast Guard in backwater and areas where the most of the private aids are normally deployed.

This Guide explains the Federal Regulations for private aids and for reporting observations of any discrepancies to the local C.G. Units.

Verification vs Checking an Aid

Observing or checking is the process of reviewing an aid to navigation for potential discrepancies. Every Auxiliarist, while underway on an OPFAC, is encouraged to observe every aid to navigation (both Federal and Private) that they pass, but report only observed discrepancies to the Coast Guard.

Verification of a private aid is reserved for certified and qualified AV — Aid Verifiers who perform verifications at the request of the Coast Guard. A verification is a complete review of the aid, comparing it against the Light List, NOAA chart and Coast Pilot, along with verifying its position via GPS. A verification report is always submitted to the Coast Guard, even when the aid is found “watching properly.”

33 CFR, PART 66--PRIVATE AIDS TO NAVIGATION

This is great background material to help you understand the rules and regulations associated with the Private Aid to Navigation program. Read it carefully. 33cfr66 is the section of the Code of Federal Regulations that covers the Coast Guard’s PATON program.

66.01-1 Basic Provisions for PATONs

Unless otherwise noted, no person, public body or instrumentality not under the control of the Commandant, exclusive of the Armed Forces, shall establish and maintain, discontinue, change or transfer ownership of any aid to maritime navigation, without first obtaining permission to do so from the Commandant of the Coast Guard.

For purposes of clarification, 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 or those operated in State waters as private aids to navigation.

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

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

66.01-3 PATON authority is delegated to the District Commander.

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The Commandant of the Coast Guard delegates to the District Commanders within the confines of their respective districts the authority to grant permission to establish and maintain, discontinue, change or transfer ownership of private aids to maritime navigation and to administer the requirements of this program.

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

66.01-5 PATON Application Procedure

Application to establish and maintain, discontinue, change or transfer ownership to a private aid to navigation shall be made to the Commander of the Coast Guard District in which the private aid is or will be located. Application form (CG-2554) will be provided upon request. The applicant shall complete all parts of the form applicable to the aid to navigation concerned, and shall forward the application in triplicate to the District Commander.

The following information is required:

- (a) The proposed position of the aid to navigation by two or more horizontal angle, or bearings and distance from charted landmarks. A section of chart or sketch showing the proposed location of the aid to navigation shall be included.
- (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 which it is proposed to operate the aid.
- (e) The necessity for the aid.
- (f) For lights: The color, characteristic, height above water, and description of illuminating apparatus.
- (g) For fog 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.

66.01-15 Processing of Applications by the Coast Guard

The District Commander receiving the PATON application shall review it for completeness and will assign the aid one of the following classifications:

Class 1 – Aid to navigation on marine structures or other works which the owner(s) are legally obligated to establish, maintain and operate 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.

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 affective for an initial two year period, then subject to annual review without submission required of the owner,

66.01-20 Inspection of Private Aids

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 of Private Aids.

No person, public body or instrumentality shall change, move or discontinue any authorized private aid to navigation required by statute or

regulation without first obtaining permission to do so from the District Commander.

Any authorized private aid to navigation not required by statute or regulation (Classes II and III) 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.

Private aids to navigation which have been authorized by the District Commander 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 required for fixed aids.

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.

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

66.01-40 Exemptions.

Nothing in the preceding sections 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, the marking of artificial islands and structures which are erected on or over the seabed and subsoil of the Outer Continental Shelf, or the lighting of bridges over navigable waters of the United States.

66.01-45 Penalties for establishment without a CG Permit.

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, 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 afforded to owners 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. 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 PATON ownership.

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 to the Commander of the Coast Guard District in which the aid is located requesting authority to transfer responsibility for maintenance of the aid.

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.

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.

In the event the new owner of the essential real estate or facility with which the aid is associated

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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) which shall be maintained by the new owner until the conditions which made the aid necessary have been eliminated.