DEPARTMENT OF THE NAVY
NAVAL SURFACE WARFARE CENTER
CARDEROCK DIVISION
9500 MACARTHUR BOULAVARD
West Bethesda MD 20817-5700

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IN REPLY REFER TO

9094
Ser 7100/129/2014
May 20, 2014

From: Commander, Carderock Division, Naval Surface Warfare Center
To: Commander, U.S. Army Corps of Engineers, P.O Box 6898, JBER, Alaska 99506-0898
(ATTN: Col Christopher D. Lestochi; Mike Salyer)

Subj: Request for amendment of 33 CFR 334.1275 West Arm Behm Canal, Ketchikan, Alaska, Restricted Area

Ref: (a) 33 CFR 334.1275
(b) 33 CFR 334.4
(c) NOAA chart 17422

1. This letter is submitted as an application for an amendment to Reference (a). The current version of the subject CFR is inaccurate in that the flashing beacon light description does not match the light configuration in place. This request is submitted to revise the wording of the existing restricted area description to accurately describe the installed light configuration. The following information is submitted as required by Reference (b).

(1) Name, address and telephone number of requestor including the identity of the command and DoD facility and the identity of a point of contact with phone number.

<u>Requestor and Point of Contact</u>
Mr. William J. Harney, Jr.
Carderock Division, Naval Surface Warfare Center
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(2) Name of waterway and if a small tributary, the name of a larger connecting waterbody.

- West Arm Behm Canal

(3) Name of closest city or town, county/parish and state.

- Ketchikan, AK

(4) Location of proposed or existing danger zone or restricted area with a map showing the location, if possible.

- The current description of the subject restricted area from the FAR is:

"Area No. 5. The waters of Behm Canal bounded to the north by a line starting from Point Francis on the Cleveland Peninsula to Escape Point on Revillagegedo Island then south along the shoreline to Indian Point, then south to the Grant Island Light at 55°33.3′ N latitude, 131°43.62′ W longitude then bearing 218° T. to the south end of Back Island and continuing to the intersection of the shoreline on Betton Island at about 55°31.55′ N latitude, 131°45.98′ W longitude, then north along the shoreline of Betton Island to the western side below Betton Head at about 55°30.83′ N latitude, 131°50′ W longitude, then bearing 283° T. across Behm Canal to the intersection of shoreline near the point which forms the southeast entrance of Bond Bay at about 55°31.60′ N latitude, 131°56.58′ W longitude, then northeast to Helm Point on the Cleveland Peninsula, then northeast along the shoreline to the point of beginning at Point Francis."

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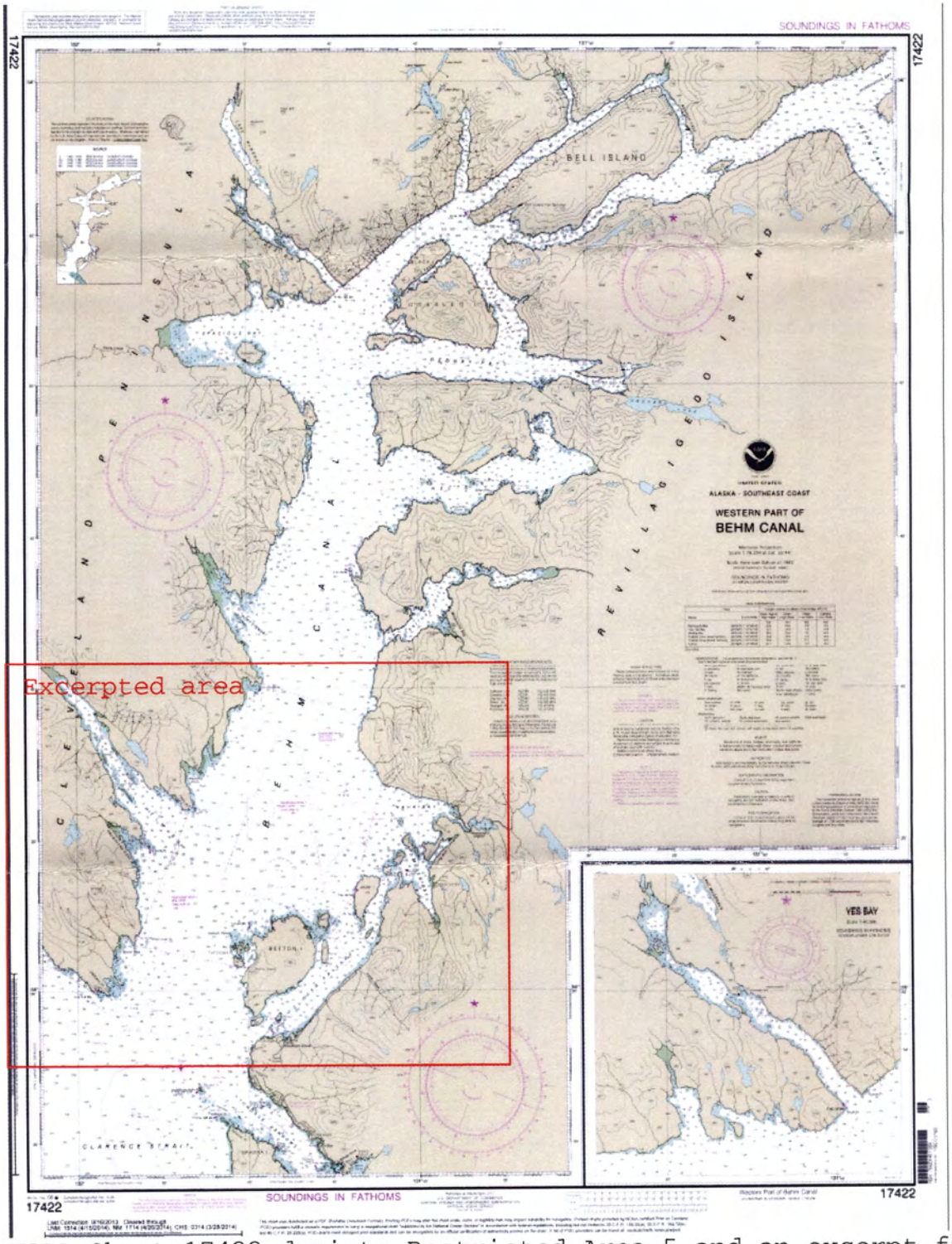

NOAA Chart 17422 depicts Restricted Area 5 and an excerpt from that chart is provided below:

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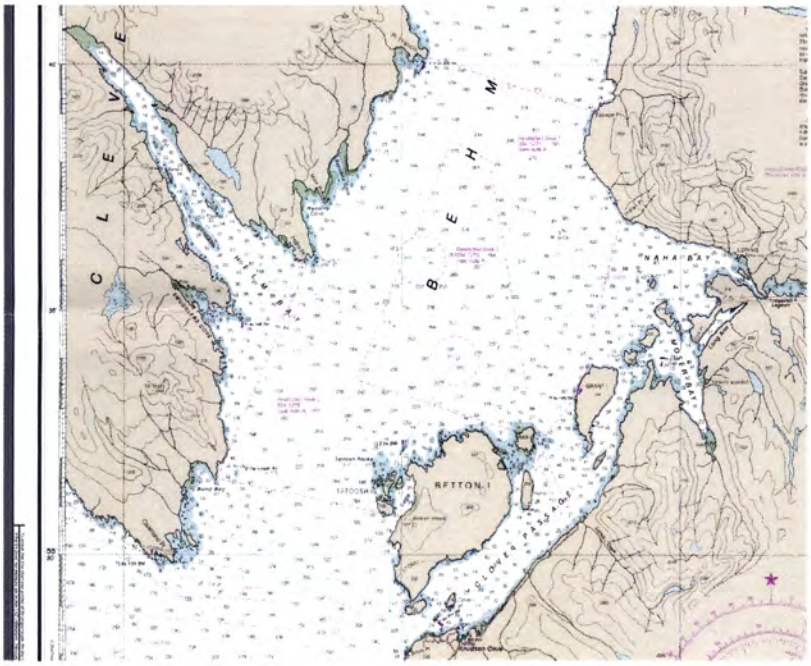

(5) A brief statement of the need for the area, its intended use and detailed description of the times, dates and extent of restriction.

- The current CFR 33 CFR Part 334.1275(b)(5)(i)has the following verbiage:

"Area No. 5. (i) The area will be open unless the Navy is actually conducting operations. To ensure safe and timely passage through the restricted area vessel operators are required to notify the Range Operations Officer of their expected time of arrival, speed and intentions. For vessels not equipped with radio equipment, the Navy shall signal with flashing beacon lights whether passage is prohibited and when it is safe to pass through the area. A flashing green beacon indicates that vessels may proceed through the area. A flashing red beacon means that the area is closed to all vessels and to await a green clear signal. Each closure of the area by the Navy will normally not exceed 20 minutes."

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- The red and green flashing beacons do not exist. A correction to the Range Operations Officer title has changed to Facility Control Officer.
  A change is requested to correct the FAR section to properly identify the name of the POC and describe the light signal that is installed and in use. The recommended wording of the paragraph is as follows:

"Area No. 5. (i) The area will be open unless the Navy is actually conducting operations. To ensure safe and timely passage through the restricted area vessel operators are required to notify the Facility Control Officer of their expected time of arrival, speed and intentions. For vessels not equipped with radio equipment, the Navy shall signal with flashing beacon lights whether passage is prohibited and when it is safe to pass through the area. A flashing amber beacon means that the area is closed to all vessels and to await a clear signal. The flashing amber beacon not lighted is the clear signal and indicates that vessels may proceed through the area. Each closure of the area by the Navy will normally not exceed 20 minutes."

- The current CFR 33 CFR Part 334.1275(b)(5)(ii) has the following verbiage:

(ii) Small craft may operate within 500 yards of the shoreline at speeds no greater than 5 knots in accordance with the restriction in effect in area No. 3.

- The Navy has learned, over the last 20 years of operating, that this is too restrictive to vessels transiting the area. The recommended wording of the paragraph is as follows:

(ii) When area 5 restrictions are in place, vessels may operate within 1000 yards of the shoreline at speeds no greater than 5 knots in accordance with the restriction in effect in area No. 3.

- The current CFR 33 CFR Part 334.1275(c) & (d) has the following verbiage:

(c) Vessels will be allowed to transit Restricted Area #5 within 20 minutes of marine radio or telephone notification to the Navy Range Operations Officer.

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(d) *Enforcement*. The regulations in this section shall be enforced by the Commander, David Taylor Research Center and such agencies he/she may designate.

- A correction to the Range Operations Officer title has changed to Facility Control Officer.
  A correction to the Command name from David Taylor Research Center to Naval Surface Warfare Center, Carderock Division. The recommended wording of the paragraph is as follows:

(c) Vessels will be allowed to transit Restricted Area #5 within 20 minutes of marine radio or telephone notification to the Navy Facility Control Officer.

(d) *Enforcement*. The regulations in this section shall be enforced by the Commander, Naval Surface Warfare Center, Carderock Division, and such agencies he/she may designate.

William J. Harney, Jr.
By direction