

(b) Limits on applicability; regulatory requirements**(1) In general**

The designation under subsection (a)(1) shall apply to those parts of the areas described in subsection (a) that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina facilities.

(2) Applicable law

All activities described in paragraph (1) shall be subject to all applicable Federal law, including—

(A) the Act of March 3, 1899 (30 Stat. 1121, chapter 425);

(B) section 1344 of this title; and

(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) Termination of designation

If, on the date that is 20 years after November 12, 2001, any area or portion of an area described in subsection (a)(3)⁴ is not bulkheaded, filled, or otherwise occupied by permanent structures (including marina facilities) in accordance with subsection (b), or if work in connection with any activity authorized under subsection (b) is not commenced by the date that is 5 years after the date on which permits for the work are issued, the designation of nonnavigability under subsection (a)(1) for that area or portion of an area shall terminate.

(Pub. L. 107-66, title I, §107, Nov. 12, 2001, 115 Stat. 494.)

Editorial Notes

REFERENCES IN TEXT

Act of March 3, 1899, referred to in subsec. (b)(2)(A), is act Mar. 3, 1899, ch. 425, 30 Stat. 1121, as amended, which enacted sections 401, 403, 404, 406, 407, 408, 409, 411 to 416, 418, 502, 549, and 687 of this title and amended section 686 of this title. For complete classification of this Act to the Code, see Tables.

The National Environmental Policy Act of 1969, referred to in subsec. (b)(2)(C), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

§ 59kk. Wateree River

For purposes of bridge administration, the portion of the Wateree River in the State of South Carolina, from a point 100 feet upstream of the railroad bridge located at approximately mile marker 10.0 to a point 100 feet downstream of such bridge, is declared to not be navigable waters of the United States for purposes of the General Bridge Act of 1946 (33 U.S.C. 525 et seq.).

(Pub. L. 108-293, title VI, §610, Aug. 9, 2004, 118 Stat. 1058.)

Editorial Notes

REFERENCES IN TEXT

The General Bridge Act of 1946, referred to in text, is title V of act Aug. 2, 1946, ch. 753, 60 Stat. 847, as

⁴ So in original. Probably should be “subsection (a)(2)”.

amended, which is classified generally to subchapter III (§525 et seq.) of chapter 11 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 525 of this title and Tables.

§ 59ll. Central Delaware River, Philadelphia, Pennsylvania**(a) Area to be declared nonnavigable**

Subject to subsection (c), unless the Secretary finds, after consultation with local and regional public officials (including local and regional public planning organizations), that there are substantive objections, those portions of the Delaware River, bounded by the former bulkhead and pierhead lines that were established by the Secretary of War and successors and described as follows, are declared to be nonnavigable waters of the United States:

(1) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61-63, 60, 57, 55, 53, 48, 46, 40, and 38.

(2) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: Piers 24, 25, 27-35, 35.5, 36, 37, 38, 39, 49, 51-52, 53-57, 58-65, 66, 67, 69, 70-72, and Rivercenter.

(b) Public interest determination

The Secretary shall make the public interest determination under subsection (a) separately for each proposed project to be undertaken within the boundaries described in subsection (a), using reasonable discretion, not later than 150 days after the date of submission of appropriate plans for the proposed project.

(c) Limits on applicability

The declaration under subsection (a) shall apply only to those parts of the areas described in subsection (a) that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(Pub. L. 114-322, title I, §1308, Dec. 16, 2016, 130 Stat. 1693.)

Statutory Notes and Related Subsidiaries

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 1002 of Pub. L. 114-322, set out as a note under section 2201 of this title.

§ 59mm. Coalbank Slough deemed not navigable waters of the United States for certain purposes

The Coalbank Slough in Coos Bay, Oregon, is deemed to not be navigable waters of the United States for all purposes of subchapter J of Chapter I of title 33, Code of Federal Regulations.

(Pub. L. 116-283, div. G, title LVXXXIV [LXXXIV], §8436, Jan. 1, 2021, 134 Stat. 4736.)

**CHAPTER 2—INTERNATIONAL RULES FOR
NAVIGATION AT SEA**

**§§ 61 to 63. Repealed. Oct. 11, 1951, ch. 495, § 5, 65
Stat. 407**

Section 61, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 320; Feb. 19, 1895, ch. 102, §1, 28 Stat. 672; June 7, 1897, ch. 4, §1, 30 Stat. 96, related to adoption of rules for navigation on high seas. See section 1602 of this title.

Section 62, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 320, 321, defined "sailing vessel", "steam vessel", and "under way". See section 1601 of this title.

Section 63, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 321, defined "visible".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Section 5 of act Oct. 11, 1951, provided that the repeal of these sections is effective upon the taking effect of regulations proclaimed under section 1 of act Oct. 11, 1951. Such regulations were proclaimed by Proc. No. 3030 of Aug. 1, 1953, 18 F.R. 4983, and were to be effective Jan. 1, 1954.

**§§ 71 to 84. Repealed. Oct. 11, 1951, ch. 495, § 5, 65
Stat. 407**

Section 71, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 321, provided that rules concerning lights be complied with from sunset to sunrise.

Section 72, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 321, related to lights of steam vessel under way.

Section 73, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 321, related to lights of vessel towing another vessel or vessels.

Section 74, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 322, related to lights and day signals of vessel not under control and of telegraph cable vessel.

Section 75, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 322, related to lights of sailing vessel under way and of vessel in tow.

Section 76, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 322, related to lights of small vessel under way in bad weather.

Section 77, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 322; May 28, 1894, ch. 83, 28 Stat. 82, related to substitute lights for small vessel and rowing boats.

Section 78, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 323; Feb. 19, 1900, ch. 22, §1, 31 Stat. 30, related to lights of pilot vessel on and off duty, and steam pilot vessel.

Section 79, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 323; May 28, 1894, ch. 83, 28 Stat. 82; Jan. 19, 1907, ch. 300, §1, 34 Stat. 850, related to lights and day signals of fishing vessels and boats.

Section 80, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 324, related to lights on overtaken vessel.

Section 81, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 324, related to lights on vessel at anchor or aground.

Section 82, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 325, authorized additional lights and signals when necessary.

Section 83, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 325, related to special lights for ships of war and recognition signals.

Section 84, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 325, related to day signal of steam vessel under sail.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

**§§ 91, 92. Repealed. Oct. 11, 1951, ch. 495, § 5, 65
Stat. 407**

Section 91, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 325; June 10, 1896, ch. 401, §1, 29 Stat. 381, related to sound signals for fog.

Section 92, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 325, related to speed in fog.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

**§§ 101 to 113. Repealed. Oct. 11, 1951, ch. 495, § 5,
65 Stat. 407**

Section 101, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 326, provided suggestion for ascertainment of risk of collision.

Section 102, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 326, related to sailing vessels approaching one another.

Section 103, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 326, related to steam vessels meeting end on.

Section 104, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to steam vessels crossing.

Section 105, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to steam and sailing vessels meeting.

Section 106, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 327; May 28, 1894, ch. 83, 28 Stat. 83, provided that vessel having the right-of-way keep course.

Section 107, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to crossing ahead of vessel having right-of-way.

Section 108, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to duty of steam vessel to slacken speed.

Section 109, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, provided that overtaking vessel keep out of the way of the overtaken vessel, defined "overtaken vessel".

Section 110, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to steam vessel in narrow channel.

Section 111, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to right of way of fishing vessels or boats, and obstruction of fairways.

Section 112, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to special circumstances requiring departure from rules.

Section 113, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 328, related to sound signals of steam vessel indicating course.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

**§ 121. Repealed. Oct. 11, 1951, ch. 495, § 5, 65 Stat.
407**

Section, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 328, related to additional precautions.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

**§ 131. Repealed. Oct. 11, 1951, ch. 495, § 5, 65 Stat.
407**

Section, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 328, related to local rules for harbors and inland waters.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

**§ 141. Repealed. Oct. 11, 1951, ch. 495, § 5, 65 Stat.
407**

Section, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 328; May 28, 1894, ch. 83, 28 Stat. 83, related to distress signals.