

PERMIT  
APPLICATION  
WALKTHROUGH



# Agenda



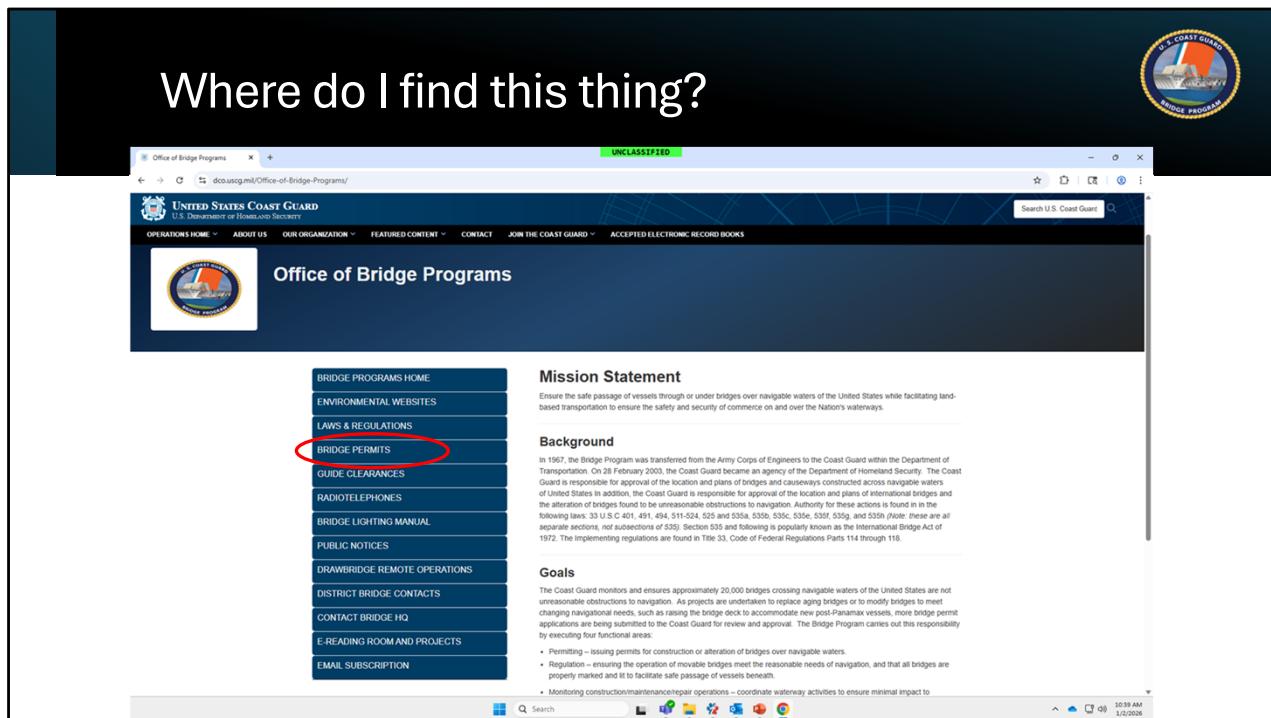
Where to find the application

Application basics

Admin and Navigation

Environmental

Wrap up



Where do I find this thing?

Office of Bridge Programs

**Mission Statement**

Ensure the safe passage of vessels through or under bridges over navigable waters of the United States while facilitating land-based transportation to ensure the safety and security of commerce on and over the Nation's waterways.

**Background**

In 1967, the Bridge Program was transferred from the Army Corps of Engineers to the Coast Guard within the Department of Transportation. On 28 February 2003, the Coast Guard became an agency of the Department of Homeland Security. The Coast Guard is responsible for approving the location and plans of bridges and causeways constructed across navigable waters of the United States. The Coast Guard monitors the location and height of navigable bridges and the location and height of obstructions and the alteration of bridges found to be unreasonable obstructions to navigation. Authority for these actions is found in the following laws: 33 U.S.C. 401, 491, 494, 511-524, 523 and 535a, 535b, 535c, 535e, 535f, 535g, and 535h (Note: these are all separate sections, not subsections of 535). Section 535 and following is popularly known as the International Bridge Act of 1972. The implementing regulations are found in Title 33, Code of Federal Regulations Parts 114 through 116.

**Goals**

The Coast Guard monitors and ensures approximately 20,000 bridges crossing navigable waters of the United States are not unreasonable obstructions to navigation. As projects are undertaken to replace aging bridges or to modify bridges to meet changing navigational needs, such as raising the bridge deck to accommodate new post-Panamax vessels, more bridge permit applications are being submitted to the Coast Guard for review and approval. The Bridge Program carries out this responsibility by executing four functional areas:

- Permitting – issuing permits for construction or alteration of bridges over navigable waters.
- Regulation – ensuring the operation of movable bridges meet the reasonable needs of navigation, and that all bridges are properly marked and lit to facilitate safe passage of vessels beneath.
- Monitoring construction/maintenance/repair operations – coordinate waterway activities to ensure minimal impact

Where do I find this thing?

BRIDGE PROGRAMS HOME

ENVIRONMENTAL WEBSITES

LAWS & REGULATIONS

**BRIDGE PERMITS**

GUIDE CLEARANCES

RADIOTELEPHONES

BRIDGE LIGHTING MANUAL

PUBLIC NOTICES

DRAWBRIDGE REMOTE OPERATIONS

DISTRICT BRIDGE CONTACTS

CONTACT BRIDGE HQ

E-READING ROOM AND PROJECTS

EMAIL SUBSCRIPTION

**Bridge Permits**

The following has been prepared to assist Federal, State and local agencies, as well as members of the general public, when applying for a Coast Guard permit to construct a new bridge or causeway, or reconstruct or modify an existing bridge or causeway, across the navigable waters of the United States.

[Coast Guard Bridge Permitting Overview](#)

[Bridge Permit Application Guide \(BPAQ\)](#)

**[BPAQ Application Template](#)** (downloadable word document)

[FPAI Submittal Form](#) (downloadable word document)

[Permit Exemption Decision Tool \(23 USC § 144\(c\)\(2\)\)](#) (downloadable word document)

[2015 Red Book: Synchronizing Environmental Reviews for Transportation and Other Infrastructure Projects](#)

[MOU between USCG, FHWA, FTA, FRA to Coordinate and Improve Bridge Planning and Permitting](#)

[MOU between USCG and FHWA to Coordinate and Improve Bridge Planning and Permitting](#)

[MOU between USCG and USACE regarding Bridges and Causeways Over, In, or Affecting Navigable Waters](#)

[Bridge Completion Report Form \(CG-4599\)](#)

[Glossary of Bridge Terms](#)

Visit the [E-Reading Room](#) for Coast Guard Lead Projects and other posted documents

[Click here to subscribe for USCG Bridge Program updates](#)

UNCLASSIFIED

Search U.S. Coast Guard

10:48 AM 1/2/2020

# Applicant info



## APPENDIX B: BRIDGE PERMIT APPLICATION

### A. THE APPLICATION PACKAGE

The application package consists of the following information. Submit information in the format outlined below. If any section is not applicable to the project, state why it is not applicable. This BPAG Applicant Template is also provided on the Bridge Program public website: <https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Marine-Transportation-Systems-CG-5PW/Office-of-Bridge-Programs/Bridge-Permit-Application-Process/>.

1. Per 33 CFR § 115.50(j), submit application materials to the Coast Guard District Bridge Office that has jurisdiction over the area of the proposed bridge site.

Application Date:

3/26/2025

a. Applicant information:

- 1) Name (company/agency and POC name):

Greatest State Dept of Transportation, Project lead: Imma Coolleader

- 2) Address:

12345 Somecool Street, Bigtown, Greatest State, 11111

- 3) Telephone number; and

202-555-1234

- 4) Email address:

Imma.Coolleader@adot.gov

## Consultant info



b. Consultant/Agent information (if employed):

Check here if not applicable and leave this section blank:

1) Name (company/agency and POC name):

Best Bridge Builders, POC: Reilly D. Best

2) Address:

9876 Awesome Ave, Smallertown, Greatest State, 11111

3) Telephone number:

202-555-9876

4) Email address; and

RDBest@BBB.eng

5) Document authorizing the consultant/agent to obtain permits on behalf of the applicant:

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

BBB Authorization Letter, 31 June 2024. Encl-1\_BBB\_authorization\_31Jun2024.

## What's being built and where is it going to be located?



c. Name of Proposed Bridge(s) (must be consistent with the plan sheet title block):

Honorary Modern Person (State Route 111) Bridge, No. 333

1) Name of the waterway that the bridge(s) is located in or over:

Special River or Ye Olde Bay or Mighty Creek Canal

2) Number of miles above the mouth of the waterway where the bridge(s) would be located and provide latitude and longitude coordinates (to five decimal places) at centerline of navigation channel (Lat/Long must be determined using WGS-84 datum. Contact the local Coast Guard Bridge Office for guidance if needed):

Milepoint:

mile 3.33

[Note: measured in statute or road miles]

Lat/Long:

38.868481, -77.005631

3) City or town, county/parish, and state where the bridge(s) would be located at, near, or between:

Between ThisCity, County A, ST and ThatTown, County B, ST

[Note: use "at" when it is in one city/town; use "near" to name the nearest city/town; use "between" when it goes between two municipalities.]

Please provide the latitude and longitude for the center of the structure in decimal degrees out to five decimal places. Note that WGS84 horizontal datum is the preferred reference coordinate system for latitude.

# What's going on?



4) Brief description of project to include action being taken, type of bridge(s) proposed [fixed or movable (drawbridge, bascule, vertical lift, swing span, pontoon, etc.), highway, railway, pedestrian, pipeline] and existing bridge(s) at project site, if applicable:

The purpose of this project is to replace the existing double bascule highway bridge with a fixed three span high-level suspension bridge. The existing bridge is in poor condition and requires ever increasing routine maintenance to remain operational. The replacement will more safely support increasing numbers of vehicle, pedestrian and maritime traffic. The proposed bridge will include four travel lanes, two shoulders, and a bike/pedestrian path.

5) Is this project a design-build or alternate design project:

Yes  No

If yes, provide a brief description:

This is a design-build project with the initial contract issued on 29 Feb 2023. Contract will be let in May 2025. Design will be completed in phase one, construction in phases two and three, and demolition in phase four.

6) Date of plans and number of plan sheets (i.e., 1 of 4, indicate if revised, include multiple dates when necessary, etc.):

4 sheets dated 29 Feb 2024, Encl-2\_CG\_Plans\_29Feb2024.

# Estimated Cost and Funding Sources



7) Provide the estimated cost of the bridge(s) and approaches with proposed vertical and horizontal navigational clearances:

\$123.45M

8) Identify the type(s) and source(s) of project funding (federal, state, private, etc.):

60% Federal Highway Administration; 40% Great State

9) Describe the proposed project timeline (from permit to construction completion, e.g., NEPA scoping, NEPA document completion, request for bids, designs complete, build starts, construction complete, etc.):

Construction is anticipated to take 3 years including demolition.

Phase one (Design) – Jun 2025 – Jun 2026

Phase two (Construction of new piers) – Jul 2026 – Dec 2027

Phase three (Construction of deck) – Dec 2027 – Feb 2028

Phase four (Demolition) – Feb 2028 – May 2028

## Other Federal and non-Federal Agencies & Actions



10) Identify any other Federal actions (e.g., permits, permissions, approvals, or consultations, etc.) and the agency associated with the proposal:

CWA Section 404 permit and 408 permission, U.S. Corps of Engineers; Endangered Species Act, USFWS, NMFS; Migratory Bird and Essential Fish Habitat Consultation; National Historic Preservation Act Programmatic Agreement

11) Identify any other non-Federal agency actions and the agency (e.g., permits, permissions, approvals, or consultations) associated with the proposal:

Water Quality Certification, State Dept of Environment; Coastal Zone Management Consistency Determination

## Legal Authority



d. Legal authority for proposed action:

- 1) Is the applicant a state or municipal agency with eminent domain authority over private, state, and/or local property? (If yes, the primary authority will be presumed without proof)

Yes     No     N/A

If yes, please identify what agency has eminent domain authority:

Greatest State Department of Transportation

- 2) If there is an existing bridge(s) being replaced or modified, and the applicant does not own it, include a signed statement from the bridge owner authorizing the removal or modification work.

N/A, applicant owns the existing bridge

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

Existing bridge to be replaced is owned by Civic Cooperative Corps. Letter of authorization issued on 23 Nov 2023, Encl-3\_CCC\_Authorization\_23Nov2023.

If there is an existing bridge being replaced or modified and the applicant **does not** own it, we ask for an authorization statement from the bridge owner.

## Privately Owned Bridges or Project Property



3) For privately owned bridges, state whether the applicant has the right to build in accordance with 33 CFR § 115.05. If the applicant does not own the property needed to build the bridge(s) as proposed, include a signed statement (e.g., deed or easement) from the property owner or owners authorizing the proposed construction or modification work.

N/A, publicly owned, not a privately owned bridge

Privately owned, applicant has right to build

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

[Click here to enter text.](#)

If the property or the bridge is not municipal or agency-owned, we ask for confirmation of ownership via a copy of a deed, easement or signed statement from the owner authorizing the construction, removal or modification. If this item does not apply mark N/A.

# International Bridges



e. For international bridges (if applicable) check which authority the bridge(s) is being built or modified under:

N/A

The International Bridge Act of 1972

The Coast Guard requires Presidential approval, via the State Department, before issuing a bridge permit under the International Bridge Act of 1972. Include a copy with the bridge permit application as appropriate. Cite provided enclosure title and date of document:

International Joint Commission Decision – received 6 December 2022,  
Encl-4\_International\_Joint\_Commission\_Decision\_6Dec2022  
Department of State confirmation no Presidential Permit required, dated 31  
November 2023, Encl-5\_DOS\_Confirmation\_31Nov2023.

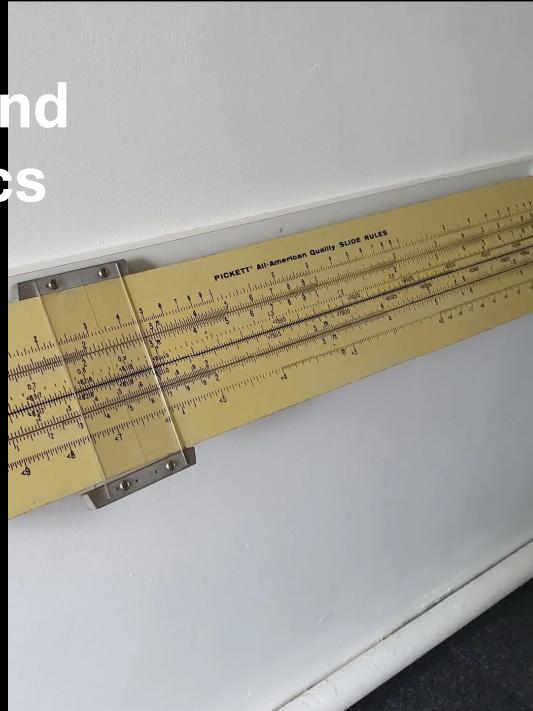
Special Act of Congress

Cite the appropriate legislative authority:

[Click here to enter text.](#)

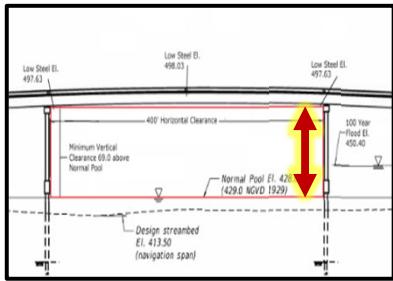
**NOTE:** Please include a copy of State Department approval for international bridges in the application package for a Coast Guard bridge permit.

# Dimensions and Characteristics



VC and HC.

# Vertical Clearance (VC)



f. Dimensions of the navigation opening (All navigational clearances should be stated in U.S. linear feet in decimal form (not feet and inches). For international bridges, provide clearances in both linear feet and meters):

1) Vertical clearance(s) as indicated on plan sheets (*Note, this is the minimum vertical distance between the lowest part (e.g., member, chord, or steel) of the superstructure spanning the navigation channel and the recognized high water elevation (e.g., MHW, OHW, 2% flow line, etc.) at the bridge site. Cite clearances above the appropriate high water elevation. In the case of movable bridges, cite clearances in the open and closed positions. In some situations, vertical clearances should be cited at the margins of the navigation channel, and for a bascule bridge clearances at the tip of the open leaves. Include multiple clearances when appropriate.*.)

33.3 feet to mean high water

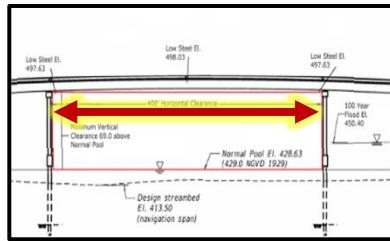
-or for a movable structure-

33.3 feet to mean high water in closed position  
133.3 feet to mean high water in open position

Decimal feet, measured between low steel or low member elevation and mean or ordinary high water. If there is no high water such as between locks, then it may be measured to normal pool elevation or 2% flowline. For movable bridges, be sure to list the vertical clearance in both the open and closed positions as some vessels may need an opening, and some may not. If you have any questions, check with your Coast Guard PM.

## Horizontal Clearance (HC)

2) Horizontal clearance(s) as indicated on plan sheets (*Note, this is the horizontal distance, measured normal to the axis (centerline) of the channel, through which the stated vertical clearance is available. Clearance(s) may be between piers (full width of the span), between the bridge protective system, within the margins of the navigational channel, or bank-to-bank in the case of a bridge having no piers or bridge pier protective system within the waterway. Also, list both clearances if there is a difference in the distance between piers and the distance measured normal to the axis of the channel*):



222.2 feet normal to the axis of the navigational channel



This dimension is typically measured from pier face to pier face or fender to fender, so long as there is reasonable water depth and vertical clearance. For arched bridges, the horizontal clearance may be narrower than the pier-to-pier distance. Also note that the horizontal clearance should be measured normal to the axis of the channel. That is perpendicular or at a right angle to the channel the vessels will transit. Some bridges, such as the one depicted on the lower right, cross a channel at an angle that is not 90 degrees. In that case, the horizontal clearance is perpendicular to the navigational channel or waterway as represented by the shorter red line.



## Overall length and out-to-out width



3) Length of bridge(s) project (*Note this is the length of the bridge(s) project as indicated on the plan sheets from abutment-to-abutment or approach-to-approach.:*)

444.4 feet abutment to abutment

If this is a modification or replacement project, is the length the same as the existing bridge?

N/A, not a modification or replacement

Yes  No

If no, note the difference in length between the existing and proposed bridges.

N/A

The proposed bridge is 44 feet longer than the existing bridge.

4) Width of bridge(s) project (*Note this is the width of the bridge(s) at its widest point (out-to-out) as indicated on the plan sheets.:*)

66.7 feet

If this is a modification or replacement project, is the width the same as the existing bridge?

N/A, not a modification or replacement project

Yes  No

If no, note the difference in width between the existing and proposed bridges.

N/A

The proposed bridge is 11 feet wider than the existing bridge.

## Abutment to abutment.

## Temporary structures and bridges



g. Temporary structure(s) or bridge(s). *(Note a temporary work trestle/platform does not span the waterway and is solely used for construction purposes. A temporary bridge will span the waterway, including the navigational channel, and is used for transportation or construction purposes).* If a temporary structure or bridge will be required, provide the following as applicable:

N/A, no temporary structure or bridge, this section left blank

1) Description of the temporary structure(s):

N/A, no temporary structure

Falsework will be used alongside the shore to construct the new abutments. It will not impact the navigational channel.

-or-

Temporary work trestles extending from the shore alongside both sides of the proposed bridge will be used to support barges and the construction of spans 1, 2, 4, and 5.

**Temporary structures, work trestles, platforms, falsework or temporary bridges.**

## Temporary structures and bridges (continued)



2) Description of the temporary bridge(s):

N/A, no temporary bridge

A temporary bridge will be constructed to the north of the existing bridge and south of the proposed bridge. The temporary bridge will support construction and demolition equipment.

3) Vertical clearance(s), as indicated on plan sheets (*For a temporary structure, only required if it crosses a navigation channel*):

N/A, temporary structure does not cross the navigation channel

30.0 feet at the centerline of the navigational channel

4) Horizontal clearance(s) as indicated on plan sheets (*List both clearances if there is a difference in the distance between piers and the distance measured normal to the axis of the channel. For a temporary structure, only required if it encroaches upon a navigation channel*):

N/A, temporary structure does not encroach on the navigation channel

333 feet

5) Length of the proposed temporary structure(s)/bridge(s):

444.4 feet

6) Width of the proposed temporary structure(s)/bridge(s):

55.5 feet

7) Identify the schedule and extent of removal(s) for the temporary structure(s)/bridge(s):

The temporary bridge is estimated to be in place for six months starting in Jul 2025. It will be removed when the proposed bridge is complete.



## Existing bridges



h. Existing bridge(s) at the project site, if applicable:

N/A, no existing bridge, this section left blank.

1) Name of existing bridge(s) (e.g., US 40 Highway Bridge; or Coleman Memorial Bridge; or State Route 7 Bridge also known as Preston Falls Bridge):

Honorary Historic Person (State Route 111) Bridge, No. 332

2) Waterway milepoint (in statute miles):

mile 3.31

3) Type of bridge(s) and description (number of lanes, spans, fixed or moveable (drawbridge, bascule, vertical lift, swing span, pontoon, etc.); highway, railway, pedestrian, pipeline, etc.);

Fixed highway bridge with two travel lanes and narrow shoulders.

-or-

Double leave bascule bridge with two travel lanes and one sidewalk.

## Existing movable bridges



4) For movable spans identify the existing drawbridge operating regulation governing the structure (if applicable):

N/A, fixed bridge

a) If the existing bridge(s) has a movable span, identify whether its operating schedule is regulated by 33 CFR § 117.5 or if it operates under a special operating regulation found in 33 CFR Part 117 Subpart B (if so, cite the regulation):

**33 CFR 117.5**

b) Modification of an existing drawbridge may require revision or removal of the existing regulation (e.g., if the bridge project involves replacing the existing drawbridge with a fixed bridge). Contact the local Coast Guard District Bridge Office to determine if the existing regulation will transfer to the new bridge, if a new regulation will be proposed, if it will be removed, or if there will be no change required. Identify the anticipated status of the drawbridge regulation (e.g., regulation transferred, new regulation, regulation removed, no regulation change):

No regulation change.

-or-

Remove regulation because new bridge is fixed.

-or-

Transfer regulation to proposed bridge.

## Existing bridges: Characteristics



5) Latitude and longitude coordinates (degree/minute/second) at centerline of the existing bridge(s) based on WGS-84 horizontal datum:

38.868847, -77.005298

6) Dimensions of the existing bridge(s): *(The proposed and existing vertical clearances must be compared using the same datums. This may require surveying the existing bridge. All navigational clearances should be stated in U.S. linear decimal feet. In addition, provide clearances in meters if an international bridge(s)):*

a) Vertical clearance(s) as built (include both the open and closed-to-navigation clearances for movable spans). *(For modification and replacement projects, the applicant must cite the vertical clearance of the existing bridge and the proposed bridge from the same datum. If the vertical datum for the existing bridge differs from the proposed vertical datum (tidal referenced to geodetic), show all necessary converted vertical clearance values and note the original values in the notes section on the plan sheets to demonstrate any change in approved clearances. If conversions (i.e., Mean Low Tide to Mean Low Water) cannot be made, it is necessary for the applicant to survey the existing bridge to provide as-built clearances using the same verifiable vertical datum (tidal and geodetic) as the proposed project.):*

33.2 feet to mean high water

-or for a movable structure-

33.2 feet to mean high water in closed position  
unlimited in open position

For the existing structures, note the centerline latitude and longitude position in decimal degrees out to five spaces. Keep in mind that the dimensions for the existing and proposed structures should be determined using the same datums. Depending on the age of the existing bridge, a survey might be necessary to compare like with like and not apples to oranges. Follow the position with the vertical clearance. If appropriate, include vertical clearance for both open and closed positions.

## Existing bridges: Characteristics (continued)



- b) Horizontal clearance as built:  
220.2 feet normal to the axis of the channel.
- c) Length of existing bridge(s):  
440.4 feet
- d) Width of existing bridge(s): (This is the width of the bridge(s) at its widest point (out-to-out)):  
55.5 feet
- 7) Owner of the existing bridge(s):  
Greatest State Dept of Transportation
- 8) Previous permit authority (or authorities), date(s) of permit and/or amendments, including issuing agency (cite enclosure(s) when available):  
Permit issued 4 May 1937 under authority of an Act of Congress approved 3 march 1899.
- 9) If available include copies of previous permit(s) and plans with application (cite enclosure when available):  
Encl-6\_Permit\_4May1937; Encl-7\_Permit\_Amendment\_31Jun1957

Follow the vertical clearance with the horizontal clearance, the overall length, and the out-to-out width. Those should all be in decimal feet. We also ask for the owner of the existing bridge. While it's rare, occasionally the owner of the existing bridge will be different than the owner of the proposed bridge. Next provide the authority under which the existing bridge was permitted as well as a copy of previous permits and plans, if available.

## Construction, Traffic, Removal



i. Construction methodology, if known, and removal plans for existing bridge(s), as applicable:

1) Discuss proposed construction methodology and restrictions if known:

N/A, construction methodology not known

Construction is anticipated to commence on 31 Nov 2023 and last for three years. Construction of the new proposed bridge will take place in two phases prior to demolition of the existing bridge and parts are not being used in the new build. Phase 1 includes [foundation & pier work description]. Bubble curtains will be used and cofferdams will be placed prior to 1 Apr. Time of year traffic/fish patterns limit the reconstruction to between October through March. Time of year restrictions for fisheries restrict in-water work between March 1 and June 30. Phase 2 includes installing I-beams, pouring the concrete deck, installing railings and street lights.

-or-

The foundations will consist of driven HP16x101 capped with a reinforced concrete cap, poured concrete footings/foundations inside cofferdams. Piles will be driven with a crane positioned on the north side of the channel. No causeway or temporary work structure will be needed. Prefabricated bridge elements are being utilized such as superstructure modules (pre-assembled steel beam units with a precast concrete deck with traffic barrier). A barge mounted crane will be utilized to erect the new superstructure modules. A separate material barge will be utilized for loading/unloading bridge materials and elements.

Now we ask for the how. Describe the proposed construction methodology and if there are any restrictions. When is construction anticipated to begin? What actions will take place first? When/where will falsework or temporary platforms be placed? Are there any anticipated or required in-water work restrictions such as those to avoid harming fish resources? Will cofferdams be used? Poured concrete? How about barges? The more detail here the better, particularly the how and when of what's anticipated. We're not looking for War and Peace here, but rather a clear and concise description that notes the key points, steps, phases and any restrictions. This information also provides us with an idea of the future coordination necessary to ensure safe navigation. Don't be afraid to put more detail than you see in these examples.

## Land traffic and extent of removal



2) Discuss maintenance of land traffic during construction activities:

N/A, land traffic maintenance not required

Land traffic will be maintained on the existing bridge until the new bridge is complete. Once bridge construction is complete, traffic will be shifted to the new structure.

-or-

Land traffic will remain on the existing bridge/road, then briefly on a temporary bridge during construction until shifted to the new bridge.

3) Discuss extent of removal of existing bridge(s) (e.g., in its entirety, down to or below the natural bottom of the waterway, to a specific elevation, etc.), including parts in the water and on land (if applicable) and time needed for removal. Cite all correspondence that influenced removal depths:

N/A, no existing bridge

The existing to-be-replaced bridge will be removed in its entirety.

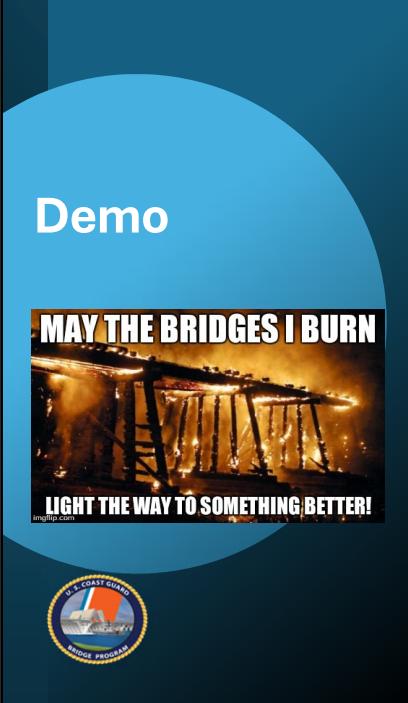
-or-

Piers 3 and 4 located in the navigational channel will be removed to four feet below the mudline. All other portions of the existing to be replaced bridge will be removed to the mud line or natural ground line. Encl-8\_USACE\_404\_permitletter\_31Oct2023.

After talking about construction and possible restrictions, please discuss how land traffic will be maintained during the construction activities. Will traffic move to a temporary work bridge? Will one direction of traffic be switched over when half of the proposed bridge has been constructed? Will traffic be detoured to a completely different waterway crossing? We ask this because we often use the bridge's "opening to traffic" as a point of reference for other completion activities. For example, a permit condition may state "the applicant has 90 days after the newly constructed bridge opens for traffic, to remove the old bridge and clear the waterway of construction activities."

And related to permit language, particularly for the removal condition, we need input that discusses the extent of removal of any existing bridge, bridges or parts thereof. We prefer to see bridges removed in their entirety so that there is no chance the foundations become hazards to navigation for transiting vessels. But we also understand that that is not always feasible. What is important is that the removal elevations are in line with any other permits, certifications, or permissions such as those issued by the Corps.

## Demo



4) Discuss demolition methodology:

N/A, no existing bridge

Temporary protective shielding will be installed. A barge mounted crane will be utilized to lift and remove segments of the existing concrete deck and to remove the existing steel beams. A separate material barge will be utilized for unloading the existing bridge materials.

-or-

The causeway of the existing roadway will be removed once the new roadway and bridge are open to the public. As much of the existing roadway and underlying causeway will be removed as possible without resulting in excessive damage to the surrounding wetlands. The causeway will then be backfilled where required such that there are not depression areas lower than the adjacent wetlands. This effort is anticipated to take 6-months and will commence once traffic is diverted onto the new roadways/bridge.

**NOTE:** In the interest of navigational safety, the Coast Guard must make the final decision concerning the extent of bridge(s) removal.

With the extent of removal established, we then ask for a description of how the demolition will take place. Specifically, how will the removal impact the navigational channel? Will there need to be temporary closures? The specific details and necessary notifications will be worked out in the future, but it's good to have an idea of the general extent earlier in the process.

Everybody  
awake? Here's  
Gene Gene, the  
Dancing  
Machine



# Environmental Section



# National Environmental Policy Act (NEPA)



1. **National Environmental Policy Act** - The National Environmental Policy Act (NEPA) (42 USC 4321, et seq.) requires federal agencies to analyze the impacts of their proposed major federal actions on the human environment before the action is taken by considering the natural and physical environment and the relationship of the people with that environment. Coast Guard bridge permits are major federal actions that require the preparation of an environmental evaluation document describing the potential environmental effects under NEPA.

- a. Lead Federal Agency:

Federal Highway Administration

-or-

Greatest State with NEPA Assignment Authority

- b. List any Cooperating Agencies for the project:

None

FTA, USCG, USACE, NOAA NMFS, USFWS, DOI, EPA, etc.

-or-

No cooperating agencies because of categorical exclusion.

## NEPA level



c. Type of environmental document prepared by the Lead Federal Agency (check applicable document):

Environmental Impact Statement/Record of Decision (EIS/ROD)

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

EIS dated Feb 2017, Encl-9\_EIS\_Jan2017  
ROD dated 30 Feb 2017, Encl-10\_FHWA\_ROD\_30Feb2017.

Environmental Assessment/Finding of No Significant Impact (EA/FONSI)

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

[Click here to enter text.](#)

Categorical Exclusion (CE)

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

[Click here to enter text.](#)

d. Has the environmental document been modified, reevaluated, supplemented or rescinded for the proposed action?

Yes       No

If yes, summarize and cite enclosure title(s) in the application package and cite date(s) for all documents as appropriate:

N/A, document has not been modified, reevaluated, supplemented or rescinded

[EIS Reevaluation completed 31 September 2024, Encl-11\\_EIS\\_Reeval\\_31Sep2024.](#)



## Environmental Effects Abroad



2. **Environmental Effects Abroad** - Executive Order 12114 on the Environmental Effects Abroad of Major Federal Actions requires all federal agencies taking actions that may or will significantly harm the physical or natural environment of other nations or the global commons to take environmental considerations into account for that action.

a. Does the proposed project involve a bridge connection to Canada or Mexico?

Yes       No

1) If yes, cite location(s) (including page number(s) or section as appropriate) in the environmental documentation where environmental effects abroad are described (*If a proposed project has environmental impacts outside of the geographical borders of the United States and its territories it shall be discussed in the environmental document. Summarize the impacts, proposed mitigation, and the Department of State and Council on Environmental Quality consultation findings here.:*)

N/A, no international connection

Environmental affects abroad detailed in EIS Reevaluation, section 3.J, Summary of Transboundary Impacts, pages 123 and 124, Encl-12\_EIS\_Reeval\_31Sep2024.

International Joint Commission Decision – received 6 December 2022, Encl-13\_International\_Joint\_Commission\_Decision\_6Dec2022

Department of State confirmation no Presidential Permit required, dated 31 November 2023, Encl-14\_DOS\_Confirmation\_31Nov2023.

# Clean Water Act Section 401: Water Quality Certification



3. **Clean Water Act, Section 401: Water Quality Certification** - Section 401 of the Clean Water Act of 1977(CWA) (33 U.S.C. 1251), as amended, prohibits Federal permitting or licensing agencies from issuing authorizations for construction activities having discharges into navigable waters, until the appropriate water quality certifying agency has issued a water quality certification or waiver procedures have been satisfied.

a. Has the certifying authority or authorities issued a Water Quality Certification (WQC), waiver or statement that the WQC is not required for the Coast Guard bridge permit?

- Issued for a Coast Guard bridge permit
- Issued for a U.S. Army Corps of Engineers (USACE) permit and the certifying authority confirmed WQC applies to the Coast Guard bridge permit
- Waived
- Denied
- Other/not required/still valid

**NOTE:** The USCG will not accept an application package as complete if a WQC, waiver, or statement from the appropriate regulatory body has not been obtained.

In accordance with the 2023 update, water quality certifications are required for each permit not simply the overarching project. Besides covering all Federal permits and approvals, also make sure that the Water Quality Certification covers the entire scope of the bridge project. Be sure to include the Coast Guard in the WQC application and in any coordination activities such as the pre-filing meeting and determining the reasonable period of time. In the Coast Guard application, confirm if a WQC was issued, issued as part of a USACE permit, waived, dismissed, or something else. And be aware that if a proposed bridge connects two states, then two WQCs are required.

# Clean Water Act Section 401: Water Quality Certification (continued)



b. Name of Federal, State or Tribal certifying authority/authorities, date(s) of certification(s), and corresponding enclosure(s) title:

N/A, WQC not issued

Greatest State Department of Natural Resources, WQC dated 1 Jan 2024, Encl-15\_GSDNR\_WQC\_1Jan2024.  
Adjacent State Department of Environmental Quality issued a new WQC on 14 Mar 2025, Encl-16\_ASDEQ\_WQC\_14Mar2025.

[Note: If a bridge connects two states, we need WQCs from both certifying authorities.]

c. WQC expiration date (If not applicable, explain why):

N/A

WQC expires 1 Jan 2029.

d. When a WQC is included in a USACE Nationwide Permit (NWP) or other state resource, general or regional permit, that WQC only applies to the USACE permit. The certifying authority/authorities must confirm that the WQC already issued through the NWP/resource/general/regional permit is valid for the CG permit. Include any confirmation correspondence and the date of the confirmation:

N/A, WQC issued separately for the CG permit.

-or-

Greatest State Department of Environmental Conservation confirmed WQC applies to CG permit on 15 Mar 2025, Encl-17\_GSDNR\_email\_15Mar2025.

Let's talk a little about WQC's issued as part of an Army Corps of Engineers Nationwide, Regional or General Permit. Be advised that such embedded WQCs only cover the Army Corps permit. If you find yourself in this case, though, we advise asking the certifying authority if the WQC could also apply to the CG permit or if a separate WQC must be requested. It's possible that, because the project is the same, they'll allow the USACE WQC to cover the CG permit. Honestly, that would mean less work. However, only the state certifying authority can make that determination. And, if they do, then we need the date and clear confirmation from the certifying authority.

# Clean Water Act Section 401: Water Quality Certification (continued)



e. If waived, denied or not required, summarize why and cite enclosure(s) in the application package of supporting material:

N/A, WQC issued separately for the CG permit (not waived, denied or not required).

WQC waived by Greatest State Environmental Protection Department (certifying authority) because bridge clear spans the waterway with no piers in the water, Encl-18\_GSEPD\_waiver\_4May2024.

f. For permit modifications, include a new WQC for a Coast Guard bridge permit or a written confirmation from the certifying authority/authorities that the existing WQC has been reissued/renewed or is still valid for the proposed action.

N/A, not a permit modification (WQC date(s) and file name above).

New WQC attached (WQC date(s) and file name above):

Written confirmation of WQC validity attached (cite enclosure):

Greatest State Department of Environment confirmed via email that the WQC issued on 4 Jul 2020 is still valid, Encl-19\_GSDOE\_WQC\_email\_21Jan2025.  
Adjacent State Department of Environmental Protection confirmed via email that the WQC issued on 19 Jun 2021 is still valid, Encl-20\_ASDEP\_WQC\_email\_19Jun2025.

Let's talk a little about WQC's issued as part of an Army Corps of Engineers Nationwide, Regional or General Permit. Be advised that such embedded WQCs only cover the Army Corps permit. If you find yourself in this case, though, we advise asking the certifying authority if the WQC could also apply to the CG permit or if a separate WQC must be requested. It's possible that, because the project is the same, they'll allow the USACE WQC to cover the CG permit. Honestly, that would mean less work. However, only the state certifying authority can make that determination. And, if they do, then we need the date and clear confirmation from the certifying authority.

# Clean Water Act Section 404



4. **Clean Water Act, Section 404 and Protection of Wetlands** - Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Section 404 requires a permit from the US Army Corps before dredged or fill material may be discharged into waters of the United States. Also, per the Executive Order 11990 on the Protection of Wetlands, no federally approved project will occur in wetlands unless there is no practical alternative to constructing in the wetlands. As a result, the Coast Guard must analyze alternative locations which avoid taking wetlands. If no alternative locations or designs are practicable, then the Coast Guard must ensure that the project design includes all practicable measures to minimize wetland impacts.

a. Is the proposed project located in or adjacent to a wetland?

Yes       No

If no, provide explanation:

The bridge clear spans the waterway. It extends from bank to bank with no piers or other structures located in the river.

[Note: More often than not, bridges are located in or adjacent to a wetland. So this is one of the rare No examples.]

b. If yes, what is the area (acreage) of wetlands that will be permanently and temporarily impacted by the proposed project?

N/A, minimal or no permanent or temporary impacts

Permanent impacts to 0.333 acres. Temporary impacts to 0.444 acres.

We need to know the acreage of wetlands that are going to be temporarily or permanently impacted.

## Clean Water Act Section 404 (continued)



c. Describe any wetland mitigation and cite enclosure(s) (including page number(s) or section, as appropriate).

N/A, minimal or no permanent or temporary impacts

Wetland impact mitigation includes purchases from the Some Creek Mitigation Bank, as well as a portion of In-Lieu Fee mitigation. EIS dated Feb 2017, section 5.5

Wetlands, Encl-9\_EIS\_Jan2017. ROD, section 3 Mitigations, dated 30 Feb 2017, Encl-10\_FHWA\_ROD\_30Feb2017. EIS Re-eval section 5.5, Encl-11\_EIS\_Reeval\_31Sep2024, USACE 404 permit letter, Encl-8\_USACE\_404\_permitletter\_31Oct2023.

d. Does the proposed project include the discharge of dredged or fill material into waters of the United States, including wetlands (e.g., in-water work to construct or remove piers) that requires a USACE permit (nationwide authorization or individual)?

Yes       No

e. If yes, note the date the 404 permit was issued, the date it expires, and cite the enclosure title or provide a statement of no concern from the USACE:

USACE 404 Nationwide Permit (NWP) 14 letter issued on 19 June 2025. Encl-21\_USACE\_404\_NWPletter\_19Jun2025. NWP 14 issued 6 Dec 2022 and expires 6 Dec 2027, Encl-22\_USACE\_NWP14\_6Dec2022.

We need to know the acreage of wetlands that are going to be temporarily or permanently impacted.

# Coastal Zone Management Act (CZMA)



OFFICE FOR COASTAL MANAGEMENT  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



5. **Coastal Zone Management Act** - The Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. § 1451), as amended, and its implementing regulations (15 CFR Part 930), requires all projects located within the designated coastal zone of a state to be consistent with the State's federally approved Coastal Zone Management plan (CZMP).

a. Is the project located within the boundaries of a State's approved CZMP?

Yes  No, not located within the boundaries of an approved CZMP

b. If yes, has the State specifically excluded this activity from its federally approved CZMP?

N/A, not located within the boundaries of an approved CZMP

Yes  No, activity is not excluded

c. List the certification and/or state concurrence or consistency, date(s), and corresponding file names. Cite page number or section in environmental document, if applicable:

N/A, certification/concurrence not required

Coastal Zone Management concurrence issued with the WQC through the Greatest State Dept of Environmental Conservation Permit issued on 15 Mar 2025, Encl-23\_GSDNR\_WQC\_CZM\_15Mar2025.

-or-

CZMP certification dated 4 Aug 2024, Encl-24\_CZMP-Certification\_4Aug2024.

-or-

Coastal Management Consistency issued by State Department of Energy and Environment on 11 Sep 2023, Encl-25\_Coastal\_Consistency\_11Sep2023.

# Floodplain Management



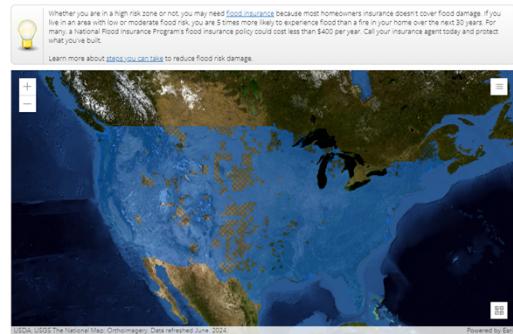
6. **Floodplain Management** - Executive Order 11988 on Floodplain Management requires all federal agencies to avoid authorizing projects in the base (100-year) floodplain unless there is no practical alternative. By their very nature, most bridges are located within the base floodplain. Therefore, the Coast Guard must ensure that the project design includes all measures practicable to minimize floodplain impacts and to protect the natural and beneficial values of the floodplain.

- a. Is the proposed project located in the base (100-year) floodplain?  
 Yes     No, not within the base (100-year) floodplain
- b. If yes, is there an encroachment into the base (100-year) floodplain? (An encroachment does not exist when only the piers, pilings, or pile bents are located in the floodplain.)  
 Yes     No     N/A, not in the base (100-year) floodplain
  - 1) If yes, describe the encroachment, including any change to the floodplain elevation, quantities of fill removed (if any), fill placed, and net new fill (cite enclosure, page number, section, etc.):  
 N/A, no encroachment

[Note: As an example, an encroachment might occur if bridge abutments require significant land buildup for support or if the proposed structure is a causeway.]

## FEMA Flood Map Service Center: Search By Address

Enter an address, place, or coordinates:



Note if the bridge project is located in the base floodplain. The chance that the bridge is in a floodplain is pretty high considering bridges are over waterways that can flood. If that is the case, mark yes, and next confirm if there is or is not an encroachment. Then describe the encroachment plus any change to the floodplain elevation, any fill added or removed. Note an encroachment occurs when there is more than just piers, pilings, or pile bents in the floodplain.

## Floodplain Management (continued)



2) If no, describe how the project avoids encroachment into the base floodplain. Provide evidence through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed project will not increase the base floodplain elevation at the project location, i.e., demonstrate no rise to the base floodplain elevation. Cite all enclosures (including page number(s) or section as appropriate):

N/A, not in the base (100-year) floodplain

No encroachment because only the piers are located in the floodplain. EIS section 6.6 Floodplains, dated Feb 2017, Encl-9\_EIS\_Jan2017 and EIS Re-evaluation section 6.6 dated 31 Sep 2024, Encl-11\_EIS\_Reeval\_31Sep2024.

[Note: It is rare for a bridge and the waterway it is over to NOT be in a floodplain or floodable area.]

If no encroachment, note why. For example, only the piers will be in the water. The example here references the section in the EIS and EIS reevaluation where we can read up on floodplain impacts and mitigation.

## Floodplain Management (continued)



c. Is there a significant encroachment (constituting a considerable probability of loss of human life; likely future damage associated with the encroachment that could be substantial in cost or extent; or a notable adverse impact on natural and beneficial floodplain values) into the floodplain?

Yes       No       N/A, not in the base (100-year) floodplain

1) If yes, provide documentation/coordination and cite enclosure(s) in the application package:

N/A, no significant encroachment

[Note: A causeway might lead to a significant encroachment]

d. Provide the 100-year flood elevation:

88.8 feet above mean sea level.

e. Provide low steel/member elevation for the proposed bridge:

111.1 feet above mean sea level at sides of navigational channel.

Next, mark if there is or is not a significant encroachment. That is one that contributes to a considerable probability of loss of life, substantial future damage, or notable adverse impact.

After that, we ask for the 100-year flood elevation and the low steel or low member elevation for the proposed bridge. These are pieces of data that we include in our public notice.

## Wild & Scenic Rivers



7. **Wild and Scenic Rivers** - Section 7 of the Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271), as amended, prohibits the issuance of any federal permit for construction of projects having adverse impacts on a river, or a proposed river, and adjacent lands with values qualifying it for protection under this Act.

a. Is the river involved in the proposed bridge project a designated or proposed Wild and Scenic River segment or listed on the Nationwide Rivers Inventory?

Yes       No, not a designated or proposed waterway

b. If yes, list impacts and mitigation, summarize correspondence with the river-administering agency and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, not a designated river

[Note: It is rare, but not impossible, that a bridge over a scenic river requires a CG permit. Please check the National Wild and Scenic River System inventory and then check with the CG District Bridge Office.]

Next, mark if there is or is not a significant encroachment. That is one that contributes to a considerable probability of loss of life, substantial future damage, or notable adverse impact.

After that, we ask for the 100-year flood elevation and the low steel or low member elevation for the proposed bridge. These are pieces of data that we include in our public notice.

# Coastal Barrier Resources Act



8. 8. **Coastal Barrier Resources Act** - The Coastal Barrier Resources Act (CBRA) established the Coastal Barrier Resources System and prohibits federal funding for building and development in undeveloped portions of designated coastal barriers, including the Great Lakes unless the project falls under an exception to the CBRA.

a. Does the proposed project connect to a unit of the Coastal Barrier Resources System (CBRS)?

Yes  No, there is no connection to any unit of the CBRS

b. If yes, summarize the CBRA-related impacts, proposed mitigation, and any U.S. Fish and Wildlife Service (USFWS) regional office consultation findings. Cite corresponding enclosure(s). Cite page number or section in environmental document, if applicable:

N/A, no connection to CBRS

The Cape Coolness National Seashore and Awesome Island National Wildlife Refuge are classified as Coastal Barrier Resources. However, Cape Coolness National Seashore is a unit of the National Park System and Awesome Island National Wildlife Refuge is a unit of the National Wildlife Refuge System. Within the Coastal Barrier Resource System both are classified as "otherwise protected areas" (OPA) due to their status as NPS and FWS units. As a result of being classified as OPAs, the only Federal spending prohibition within such areas is the prohibition on Federal flood insurance. Because of this status and the activities involved, no further compliance with the CBRA is required. EIS section 8.8 dated Jan17, Encl-9\_EIS\_Jan2017, and EIS Re-evaluation dated 31 Sep 2024, Section 8.8 Encl-11\_EIS\_Reeval\_31Sep2024.

c. If yes, and the project is federally funded, cite enclosure of Section 6 exception in the application package and any correspondence with the USFWS:

N/A, no connection to CBRS

[Note: It is uncommon for a bridge to be located in a Coastal Barrier Unit; however, be sure to check the Coastal Barrier Resource System Mapper to be sure.]

For the Coastal Barrier Resources System, we ask applicants to check the Fish and Wildlife Coastal Barrier Resources System Mapper for coastal barrier impacts. To find the Fish and Wildlife Services mapping tools, use the search term Coastal Barrier Resources mapper. If your proposed project is going to connect to a unit of a coastal barrier resource system, mark yes. Then summarize the impacts, proposed mitigations and consultation findings. If there are no impacts to any protected areas, mark No or N/A and move on.

# Land and Water Conservation Fund Act, Section 6(f)



9. **Land and Water Conservation Fund Act** - Section 6(f) of the Land and Water Conservation Fund Act (LWCFA) assures that once an area has been funded with LWCFA assistance, it is continually maintained in public recreation use unless the National Park Service (NPS) approves substitution property of reasonably equivalent usefulness and location and of at least equal fair market value. The Secretary must approve all conversions of property acquired or developed with LWCFA assistance under this section to other than public outdoor recreation uses.

a. Does the proposed project involve a conversion of land or facilities funded under Section 6(f) of the LWCFA?

Yes       No, there are no impacts to any LWCFA properties

b. If yes, summarize and include correspondence with the NPS and authorization from the Secretary of the Interior for that conversion and cite enclosure title(s) (including page number(s) or section as appropriate):

N/A, no LWCFA properties impacted

The Really Fun Park located on the south side of the waterway will temporarily lose one quarter acre of campsites during construction. The loss was mitigated through improvements to other parts of the park. Environmental Assessment, section 3.16, Section 4(f) and 6(f) Properties details the consultation, coordination and mitigation agreements. EA section 3.2 dated 25 May 2023, Enc1-26-EA\_25May2023

If a proposed project involves a conversion of land or facilities funded by Section 6(f) of the Land Water Conservation Fund Act (LWCFA), select yes, summarize, and provide the correspondence and authorization from the National Park Service under the Department of Interior. While this is not common, we do sometimes see projects impacting adjacent boat ramps or other recreation areas that were established through the LWCF

# National Marine Sanctuaries and Marine Protected Areas



10. **National Marine Sanctuaries Act and Marine Protected Areas** - Section 304(d) of the National Marine Sanctuaries Act (16 U.S.C. § 1434(d)) requires interagency consultation between NOAA and federal agencies taking actions, including authorization of private activities, "likely to destroy, cause the loss of, or injure a sanctuary resource."

a. Is the proposed project in or adjacent to a National Marine Sanctuary?

Yes  No, not located in or adjacent to a National Marine Sanctuary

b. If yes, list National Marine Sanctuaries Act coordination, date(s), and enclosure(s) and NOAA comment, if applicable:

N/A, not in or adjacent to a National Marine Sanctuary

[Note: It is rare, but possible, to have a bridge in a National Marine Sanctuary, however check NOAA's National Marine Sanctuaries website to make sure.]

c. Is the proposed bridge(s) likely to destroy, cause loss of, or injure a resource of a National Marine Sanctuary?

Yes  No

d. If yes, summarize and include evidence of consultation with NOAA's Office of National Marine Sanctuaries and the agency's findings/conditions and cite location(s) (including page number(s) or section as appropriate) in the application package. If no, provide explanation:

N/A, proposed bridge is not likely to destroy, cause loss of, or injure a resource of a National Marine Sanctuary

[Click here to enter text.](#)

# Marine Protected Areas



Executive Order 13158 on Marine Protected Areas requires all federal agencies whose actions affect the natural or cultural resources that are protected by a Marine Protected Area (MPA) to identify such actions and, to the extent permitted by law and to the maximum extent practicable, avoid harm to the natural and cultural resources that are protected by an MPA.

a. Is the proposed project in or adjacent to an MPA?

Yes  No, not located in or adjacent to an MPA

b. If yes, will the proposed project affect the natural or cultural resources that are protected by the MPA?

N/A, project is not in or adjacent to an MPA

Yes  No

If no, provide evidence:

Per EA section 4.4 dated 25 May 2023, the project location is adjacent to a Marine Protected Area. Best management practices, including project area demarcation and worker training, will be incorporated to prevent disturbance of the protected section.  
Encl-26-EA\_25May2023.

c. If yes, include evidence of correspondence with the MPA Center, if applicable, and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, proposed project does not affect natural or cultural resources that are protected by the MPA

EA appendix N, MPA letter from NOAA dated 31 Nov 2023. Encl-26-EA\_25May2023.



## Endangered Species Act



11. **Endangered Species Act and Fish and Wildlife Coordination Act** - Section 7 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. § 1531), as amended, requires each Federal agency to ensure that any action authorized, funded, or carried out by the agency is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat.

a. Are there federally designated threatened or endangered species and/or critical habitat in the area that the proposed project is located?

Yes  No there are no federally designated threatened or endangered species and/or critical habitat in the area of the proposed project

If no, provide explanation:

[Note: It is uncommon to NOT have threatened/endangered species or habitat in the project area.]

b. May the proposed project affect federally designated threatened or endangered species and/or critical habitat?

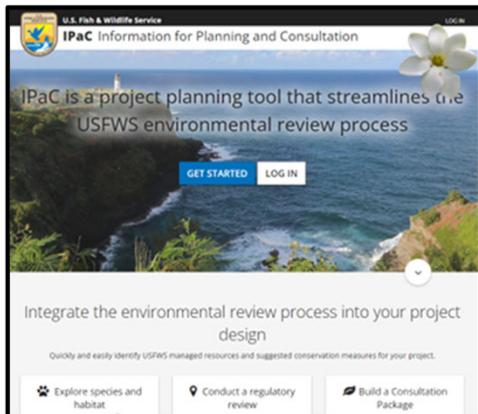
Yes  No, there are no potential impacts to protected species and/or critical habitat, nor is any consultation required

If no, provide explanation:

[Click here to enter text.](#)

Are there federally designated threatened or endangered species or critical habitat in the proposed project's area? Second, may the proposed project affect such designated species or critical habitat? Mark the appropriate boxes and, if no, explain why there are no impacted species or habitats. Be sure to check with both services: National Marine Fisheries Service (NMFS) and the US Fish and Wildlife Service (FWS).

# Endangered Species Act



c. If yes, was there formal or informal consultation with the United States Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS)?

N/A  
 Formal consultation  
 Informal consultation

d. If formal, provide date(s) and attach biological assessment/evaluation, biological opinion, and any other relevant correspondence and cite location(s) (including page number(s) or section as appropriate) in application package:

N/A, formal consultation not required

Formal consultation completed with Biological Opinions from both USFWS and NMFS, dated 20Mar2023 and 21Sep2023, respectively. The associated Biological Assessments were completed on 20Sep2022 and 21Mar2023. Encl. 27\_BioOpinion\_USFWS\_20Mar2023, Encl-28\_BioOpinion\_NMFS\_21Sep2023, Encl\_27a\_BA\_IPaC\_USFWS\_20Sep2022, Encl\_28a\_BA\_NMFS\_21Mar2023.

e. If informal, provide dates and include correspondence or documented phone conversations with and from USFWS/NMFS and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, informal consultation not required

IPaC completed 17Mar2024, Encl-29\_IPaC\_17Mar2024. Informal consultation completed via email with NMFS on 21Jun2023, Encl-29a\_NMFSEmail\_21Jun2023.

USFWS has a handy Information for Planning and Consultation (IPaC) tool and a Consultation Package Builder that streamlines the FWS environmental review process. If answers to the previous questions were yes, please indicate if there was formal, informal or both types of consultation and which service that was with. Describe the consultations and include as enclosures any email confirmations, biological assessments, biological opinions, and/or references in the environmental documents. For this example, there was both formal and informal consultation.

# Fish and Wildlife Coordination Act



The Fish and Wildlife Coordination Act (FWCA) (16 USC § 742, et seq.) provides the basic authority for the USFWS' involvement in evaluating impacts to fish and wildlife from proposed water resource development projects. It requires that fish and wildlife resources receive equal consideration to other project features. It also requires Federal

agencies that construct, license, or permit water resource development projects to first consult with the USFWS (and NMFS in some instances) and the State fish and wildlife agency regarding the impacts on fish and wildlife resources and measures to mitigate these impacts.

- a. Describe any correspondence with and recommendations from USFWS, NMFS, and the relevant state wildlife agency regarding FWCA coordination and cite location(s), date(s) and enclosure(s) (including page number(s) or section as appropriate) in the application package:

None

FWCA coordination addressed during informal consultation with USFWS,  
Encl-27-BioOpinion\_USFWS\_20Mar2023,  
IPAC completed 17Mar2024, Encl-29\_IPAC\_17Mar2024.

The Fish and Wildlife Coordination Act pertains to federal agencies that construct, license, or permit water resource development projects. Usually, the FWCA consultation requirements are managed concurrently with the endangered species. If there was FWCA coordination, please describe and note the file names here.

## Essential Fish Habitat



12. **Magnuson-Stevens Fishery Conservation and Management Act** - The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. § 1855), as amended, requires Federal agencies which fund, permit, or carry out activities that may adversely impact Essential Fish Habitats (EFH) to consult with the National Marine Fisheries Service (NMFS) regarding potential adverse effects of actions on EFH.

a. Will the proposed project likely adversely affect designated EFH as defined in the Magnuson-Stevens Act?

Yes       No, there are no potential adverse impacts to designated EFH

If no, provide explanation:

Per NOAA's EFH Mapper, there are no EFHs in the project area.

b. If yes, identify location of EFH assessment and list relevant correspondence with NMFS in the application package.

N/A, no adverse effects on designated EFH

Per consultation with NMFS, EFH impacts are minimal and will be mitigated as noted in the NMFS Biological Opinion, Encl-28\_BioOpinion\_NMFS\_21 Sep2023.

For the Magnuson Stevens Fishery Conservation and Management Act, check NOAA's Essential Fish Habitat mapper. Then, if your project looks like it will impact essential fish habitat, engage and consult with the National Marine Fisheries Service. Similar to the FWCA above, when this Act applies, it is usually covered concurrently with the Endangered Species Act coordination.

# Marine Mammal Protection Act



13. **Marine Mammal Protection Act** - The Marine Mammal Protection Act (MMPA) (16 USC § 1361, et seq.) prohibits, with certain exceptions, the take of marine mammals in U.S. waters and by U.S. citizens on the high seas, and the importation of marine mammals and marine mammal products into the U.S. If a take may occur, an Incidental Take Authorization may be necessary. The National Marine Fisheries Service (NMFS) covers seals, sea lions, whales, dolphins and porpoises. Meanwhile, the U.S. Fish and Wildlife Service (USFWS) manages polar bears, the Pacific Walrus, Northern Sea Otters and the West Indian Manatee.

a. Describe any possibility of impacts to marine mammals. List MMPA coordination, date(s), enclosure(s), and NMFS or USFWS comment, if applicable. If coordination is not required, explain why:

Per consultation with NMFS, marine mammal impacts are minimal and will be mitigated as noted in the NMFS Biological Opinion, Encl-28\_BioOpinion\_NMFS\_21 Sep2023.

b. Does the proposed project involve a "take" of marine mammals as defined in the MMPA?

Yes    No, there are no "takes" of mammals protected by the MMPA

1) If yes, include the incidental harassment authorization or letter of authorization from NMFS, any relevant correspondence and summarize the impacts, proposed mitigation and NMFS regional office consultation findings:

N/A, no "take" of marine mammals protected by the MMPA

[Click here to enter text.](#)

2) If no, explain why the project does not involve a "take" of marine mammals, including description of any preventative mitigations:

N/A, project involves a take as described above

No take is anticipated due to incorporation of best management practices such as incorporation of slow starts, daily marine mammals surveys, turbidity and bubble curtains. Per consultation with NMFS, marine mammal impacts are minimal and will be mitigated as noted in the NMFS Biological Opinion, Encl-28\_BioOpinion\_NMFS\_21 Sep2023.

The Marine Mammal Protection Act ensures protection for a wide variety of mammals. National Marine Fisheries Service, NMFS, covers seals, sea lions, whales, dolphins and porpoises. Meanwhile, US Fish and Wildlife Service manages polar bears, the Pacific Walrus, Northern Sea Otters and the West Indian Manatee. We ask that you note if there is possibility that the proposed project might impact marine mammals and share the related coordination. Like the previous ones, it's possible that this coordination is also included in the Endangered Species Act consultation. Please note if the project will involve a "take" of marine mammals and, if so, name and provide the related documentation such as an Incidental Harassment Authorization or a Letter of Authorization.

# Migratory Bird Treaty Act



14. **Migratory Bird Treaty Act** - Migratory Bird Treaty Act (MBTA) (16 U.S.C. § 703-712) made it illegal to take any migratory bird, nest, egg, or part or any bird protected under the Act except under the terms of a valid permit issued by the USFWS.

a. Describe any possibility of impacts to migratory birds. List MBTA coordination, date(s), and enclosure(s):

Some possible impacts to migratory birds were identified in the Biological Assessment and Biological Opinion. Consultation completed with USFWS, dated 20Mar2023. The associated Biological Assessment was completed on 20Sep2022. Encl-27-BioOpinion\_USFWS\_20Mar2023, Encl-27a\_BA\_IPAC\_USFWS\_20Sep2022.

b. Does the proposed project involve a potential take of migratory birds as defined in the MBTA?

Yes  No, there are no potential "takes" of birds protected by the MBTA

1) If no, provide explanation and describe any preventative mitigations:

N/A, project involves a take as described above

Mitigation methods as described in the Biological Opinion will be incorporated during construction activities, including conducting surveys and putting up anti-bird barriers during non-nesting seasons.

2) If yes, is a permit required?

Yes  No  N/A, no potential take

3) If a permit is required, include it and any correspondence with USFWS and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, no permit required

[Click here to enter text.](#)

c. Have the project's effects on migratory birds been evaluated in accordance with the executive order for the Responsibility of Federal Agencies to Protect Migratory Birds?

Yes  No  N/A, no effects on migratory birds

d. If yes, describe coordination with USFWS conducted in accordance with the executive order. Provide date(s), enclosure(s), and USFWS comment, if applicable. If no, explain why:

N/A, no coordination required

[Click here to enter text.](#)

When it comes to anticipated impacts to migratory bird species, you'll summarize that in this section. It's a good idea to review the USFWS Migratory Bird Permitting Handbook. You can also use the Rapid Avian Information Locator to identify possible species in your project area. Please describe possible impacts and note yes or no if your project will or will not involve a potential take of a migratory bird species. For questions c and d about evaluating effects in accordance with Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, mark either Yes or N/A. This EO applies to Federal agencies and not individual projects. If you mark yes, then note that Federal agencies are working within their MOUs with the USFWS.

## Bald and Golden Eagle Protection Act



15. **Bald and Golden Eagle Protection Act** - The two species of eagles that are native to the United States have additional protection under the Bald and Golden Eagle Protection Act (BGEPA)(16 USC § 668-668c). USFWS may issue permits for the take, possession, or transport of bald or golden eagles, as well as their parts, nests, and eggs.

a. Describe any impacts to eagles, nests, parts, or eggs. List BGEPA coordination, date(s), and enclosure(s):

N/A, there are no impacts to Bald or Golden Eagles including nests, parts, or eggs protected by the BGEPA

A Bald Eagle survey was conducted on 4Jul2024 and no nests were located in the vicinity of the project. Encl-30\_EagleSurvey\_4Jul2024

b. May the proposed project take or disturb bald or golden eagles (including active and inactive nests) as defined in the BGEPA?

Yes  No

1) If no, provide explanation and describe any preventative mitigations:

A Bald Eagle survey was conducted on 4Jul2024 and no nests were located in the vicinity of the project. Encl-30\_EagleSurvey\_4Jul2024

2) If yes, is a permit required?

N/A, no potential take or disruption

Yes  No

3) If a permit is required, summarize the proposed mitigation and USFWS Regional Office consultation findings and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, no permit required

[Click here to enter text.](#)

The Bald and Golden Eagle Protection Act may or may not apply depending on where your bridge project is located and who may be nesting nearby. The USFWS has a helpful website dedicated to Eagle Management and we recommend checking it out. Describe for us if there are going to be any impacts to either Golden or, more likely, Bald Eagles. Also note if there will or will not be a take or disturbance. If no, summarize the explanation and/or preventive mitigation. If yes, summarize nest survey reports, proposed mitigation, consultation and share any permits.

## Invasive Species



16. **Invasive Species** - Executive Order 13112 on Invasive Species requires all federal agencies whose actions may affect the status of invasive species to prevent the introduction of invasive species and not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species.

a. Does the proposed project have potential to introduce or foster the spread of invasive species?

Yes       No, there is no potential introduction or spread of invasive species

b. If yes, cite the document that describes measures that will be taken to minimize this risk and location(s) (including page number(s) or section as appropriate) in the application package:

N/A, no potential impacts from invasive species

EIS Section 6.6 and Reevaluation section 6.6 describes the best practices that will be incorporated to prevent the spread of invasive species, Encl-9\_EIS\_Jan2017 and Encl-11\_EIS\_Reeval\_31Sep2024.

Invasive species. Does your proposed bridge project have the potential to introduce an invasive species into the local ecosystem or are you implementing best practices to prevent that? If so, this is the spot where you'll mark yes or no and discuss those impacts or prescribed mitigation efforts. Like so many other topics, this may be detailed in the environmental document. For example, the document may site something like "All off-road equipment and vehicles shall be cleaned prior to entering the construction site to remove all soil, seeds, vegetation, or other debris that could contain seeds or reproductive portions."

## Historical and Cultural Resources (Section 106)



17. **Historical and Cultural Resources** - Federal agencies are required to take into account the effects of their undertaking on sites, structures, etc., protected by the historic and cultural resource laws and regulations identified in this section.

a. In accordance with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108 et seq.), as amended, does the proposed project have potential to impact properties (including submerged abandoned shipwrecks) listed in or eligible for inclusion in the National Register of Historic Places (NRHP)?

Yes       No

Identify any State Historic Preservation Officer(s) (SHPO) and/or Tribal Historic Preservation Officer(s) (THPO) with oversight of the project

[Greatest State Historic Preservation Officer, Adjacent State Historic Officer, Important Nation THPO, Another Important Nation THPO](#)

Let's now dig into the historical and cultural resources topic. Since bridges are built to last several decades or more and if you are replacing or modifying an existing bridge, then you'll likely have to deal with Section 106 of the National Historic Preservation Act. So first, does the proposed project have the potential to impact properties listed or eligible for inclusion in the National Register of Historic Places? Mark yes or no. Then identify the State Historic Preservation Officers (SHPOs) and, possibly, Tribal Historic Preservation Officers (THPO) with oversight of the project.

## Section 106



b. If yes, identify the documents that describe the effects and appropriate mitigation and provide evidence of consultation with the SHPO and/or THPO, and the Advisory Council on Historic Preservation, if applicable, and cite location(s) (including enclosure names, and page number(s) or section as appropriate) in the application package. Please check all documents that are included and cite any corresponding enclosures:

N/A, no potential impacts to properties listed in or eligible for inclusion in the NRHP

Historic properties affected but no adverse effect determination, cite enclosure(s)

Adverse effect determinations by Greatest State Historic Preservation Officer and Adjacent State Historic Officer dated 11 Nov 2023 and 6 Dec 2024.  
Encl-31\_SHPO\_Letters\_11Nov\_6Dec2024.

Historic properties adversely effected and Memorandum of Agreement or Programmatic Agreement completed, cite enclosure(s)

The existing 90 year old bridge is an historic property and will be adversely impacted through the replacement project. A Memorandum of Agreement dated 28 Nov 2024 was established between Greatest State Historic Preservation Officer, Adjacent State Historic Officer, Important Nation THPO, Another Important Nation THPO, and Greatest State Department of Transportation.  
Encl\_32\_Sec106MOA\_28Nov2024.

No historic properties effected determination, cite enclosure(s)

[Click here to enter text.](#)

c. For projects involving federal lands also provide:

Archeological clearances, cite enclosure(s)

[Click here to enter text.](#)

Archeological reports, cite enclosure(s)

[Click here to enter text.](#)

d. Provide any other information regarding Section 106 process, such as public meetings or unique information, and corresponding enclosure(s) (including page number(s) or section as appropriate):

None

[Click here to enter text.](#)

e. Does the proposed project have potential to involve Native American cultural items as identified by the Native American Graves Protection and Repatriation Act?

Yes     No

1) If yes, please identify Tribal Nations that might be impacted, summarize impacts, identify any proposed mitigation, and summarize any consultation findings. Cite any corresponding enclosure(s) and National Park Service (NPS) comment, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential involvement of resources as identified by the Native American Graves Protection and Repatriation Act

[Click here to enter text.](#)

If there are potential impacts, please identify and provide the related documents which may take the form of a no adverse effect determination letter, a memorandum of agreement, or a programmatic agreement. For projects including federal lands, we also ask for archeological clearances and reports. In addition to that, please summarize other Section 106 information or activities such as public meetings or other activities. Related but separate, note if the project has the potential to involve Native American cultural items per the Native American Graves Protection and Repatriation Act.

## Other Acts



f. Does the proposed project involve or have the potential to involve any Native American historic resources identified by the American Indian Religious Freedom Act of 1978?

Yes  No

1) If yes, please identify Tribal Nations that might be impacted, summarize impacts, identify any proposed mitigation, and summarize consultation findings. Cite any corresponding enclosure(s) and appropriate tribal consultation findings, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential involvement of resources as identified by the American Indian Religious Freedom Act

[Click here to enter text.](#)

g. Does the proposed project involve or have the potential to involve a historic or prehistoric ruin or monument as identified by the Antiquities Act of 1906?

Yes  No

1) If yes, please summarize impacts, any proposed mitigation, and consultation findings. Cite any corresponding enclosure(s) and appropriate SHPO, NPS or other appropriate agency consultation findings, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential impacts of resources as identified by the Antiquities Act

[Click here to enter text.](#)

h. Does the proposed project involve or have the potential to involve an archaeological resource or site identified by the Archeological Resources Protection Act of 1979?

Yes  No

1) If yes, please summarize impacts, any proposed mitigation, and consultation findings. Cite corresponding enclosure(s) and appropriate SHPO, NPS or other appropriate agency consultation findings, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential involvement of resources as identified by the Archeological Resources Protection Act

[Click here to enter text.](#)

i. Does the proposed project involve or have the potential to involve a shipwreck as identified by the Abandoned Shipwreck Act?

Yes  No

1) If yes, please summarize impacts, any proposed mitigation, and consultation findings. Cite any corresponding enclosure(s) and appropriate SHPO, NPS or other appropriate agency consultation findings, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential involvement of resources as identified by the Abandoned Shipwreck Act

A shipwreck is located within 50 yards of pier 3. Construction will be coordinated to avoid disturbing the shipwreck. Barges will only be moored on the opposite side of the bridge. Encl-33\_SHPO\_email\_28Jan2023.

There are a few more historic and cultural resource acts to consider. Please note if the project involves or has the potential to involve historic resources identified by the American Indian Religious Freedom Act, the Antiquities Act, the Archeological Resources Protection Act, and the Abandoned Shipwreck Act. If there are impacts or potential impacts, list the document names and provide the files.

## Clean Air Act

18. **Clean Air Act** - Section 176(c) of the Clean Air Act (CAA)(42 U.S.C. § 7401, as amended), prevents the Coast Guard from approving any project or from issuing a permit for actions not conforming to the provisions of an approved Federal Implementation Plan (FIP) or to a State Implementation Plan (SIP).

a. Is the project in an area of maintenance or nonattainment for each of the criteria pollutants in the National Ambient Air Quality Standards (NAAQS)?

Yes  No

b. If project occurs in a nonattainment or maintenance area, do the transportation or general conformity regulations, or both, apply?

N/A, project does not occur in a nonattainment or maintenance area

General  Transportation

c. Is the project exempt from a transportation conformity analysis for any of the reasons listed in 40 CFR § 93.126?

Yes  No

1) If yes, identify the reason(s):

N/A, project is not exempt from a transportation conformity analysis

[Click here to enter text.](#)



Clean Air Act stuff. Is the project in an area of nonattainment or maintenance? Note so. If the project is in a nonattainment or maintenance area, do transportation or general conformity regulations apply? Enter that answer. Is the project exempt from a transportation conformity? Note and justify that.

# Clean Air Act



g. If transportation conformity applies, is the project listed in a conforming State Implementation Plan (SIP), Transportation Improvement Program (TIP), Regional Transportation Plan ( RTP), or Federal Implementation Plan (FIP)?

N/A, transportation conformity does not apply

Yes  No

1) If yes, identify the plan and cite location of information regarding listing in the application package (including page number(s) or section as appropriate):

N/A, transportation conformity does not apply so project is not listed in any SIP, TIP, RTP or FIP

[Greatest State Transportation Improvement Project dated 20 Apr 2022, Enc1-34\\_GSTIP\\_20Apr2022.](#)

h. If transportation conformity applies, does the project contribute to any new localized CO, PM10, or PM2.5 violations or increase the frequency or severity of any existing violations of the same?

N/A, transportation conformity does not apply

Yes  No

1) If yes, cite enclosure title and (including page number(s) or section as appropriate):

N/A, transportation conformity does not apply and project does not contribute to any violations

[Click here to enter text.](#)

d. Is the project exempt from a general conformity analysis for any of the reasons listed in 40 CFR § 93.153(c)?

Yes  No

1) If yes, identify the reason(s):

N/A, project is not exempt from a general conformity analysis

[Click here to enter text.](#)

e. If general conformity applies, is the project listed in a conforming State Implementation Plan?

Yes  No  N/A, general conformity does not apply

f. If a general conformity determination was prepared, include the draft and final determinations and any relevant correspondence and cite their title (including page number(s) or section as appropriate) in the application package:

N/A, a general conformity determination was not prepared

[Click here to enter text.](#)

What about the project being exempt from a general conformity analysis? If a general conformity applies, is the project listed in the State Implementation Plan (SIP)? If so, please list and provide the SIP as a support document. If a general conformity was prepared, note so and provide a copy of the determination. If a transportation conformity applies, is the project listed in a State Implementation Plan, Transportation Improvement Program, Regional Transportation Plan or Federal Implementation Plan? Note so and provide the document. When a transportation conformity applies, does the project contribute new or increase carbon monoxide or particulate matter violations? Wrap up the Clean Air section with that answer.

# Hazardous Materials, Substances, and Wastes



## 19. Hazardous Materials, Substances and Wastes

a. Does the proposed project involve or is it located near a Superfund site or impact, or have the potential to impact any site regulated under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA) or State law regulating hazardous materials, substances or wastes?

Yes  No

b. If yes, describe the involvement and cite the location(s) (including page number(s) or section as appropriate) in the NEPA or other document where hazardous materials, substances or wastes are discussed:

The proposed abutment is located adjacent to a property contaminated by an abandoned chemical plant. The location has been remediated; however, monitoring especially of groundwater continues. Section 4.22, EIS dated Feb 2017, Encl-9\_EIS\_Jan2017, and section 4.2 of the EIS Reevaluation dated 31 Sep 2024, Encl-11\_EIS\_Reeval\_31Sep2024.

c. If no, provide any additional pertinent information and cite any analysis conducted:

[Click here to enter text.](#)

With hazardous materials, substances, and wastes, we'll ask you to note if the proposed bridge project is located near a Superfund site or any sites regulated under the Comprehensive Environmental Response, Compensation and Liability Act or the Resource Conservation and Recovery Act. If so, describe the involvement and cite where we can find any impacts, mitigation and coordination discussed within the environmental or other reference documents. If not, reference related analysis.

## Design Build



Once a project is considered for design-build, the Coast Guard should be contacted to be part of the planning/scoping and project development process



Coast Guard bridge permit requirements should be documented in the RFP



Changes to design and NEPA documentation should be shared with your local District Bridge Office as early as practicable



Frequent communication with your local DBO can mitigate permitting issues down the line

And time to discuss the latest craze in the engineering universe, design-build. If you've got a project that's a DB candidate, then definitely start chatting up your assigned Project Manager at the District Bridge Office. We'll want to make sure that our permit and navigational clearance requirements are included in the RFP. They're going to have to be baked in from the start. The important thing to remember is that yes, design-build takes for granted that there may be design changes as the project progresses, but those navigational clearances are sacrosanct. If you want a change then you'll need to talk to us, but far better to solve issues on the front end and take every eventuality into account.

## 144(c) – No permit required



Surface Transportation Assistance Act, 23 USC 144(c)(2) - also referred to as "STAA" or "144(c)"

No permit required for bridges crossing navigable waterways that are:

- Tidal, used only by recreational vessels less than 21 feet in length; and,
- Not used, nor susceptible to use in their natural condition of the waterway or by reasonable improvement as a means to transport interstate or foreign commerce.

**PERMITS?  
WE DON'T NEED NO  
STINKIN' PERMITS!**

...Oh, good afternoon, Officer.

And in the interest of time management and not getting into too much gruesome detail, let's briefly discuss those instances in which you may not require a permit from the Coast Guard to construct a bridge across a navigable waterway. 23 USC 144(c)(2), or more commonly referred to as simply 144(c). Bottom line, no bridge permits will be required for a proposed bridge to be built across a waterway that is tidal, but used only by recreational vessels less than 21 feet in length and/or are not used nor susceptible to use in the natural condition of the waterway or by reasonable improvement as a means to transport interstate or foreign commerce. Now, important difference here - if the waterway you're looking to construct a bridge across is **non-tidal** and meets all the other above criteria noted - that is - used only by recreational vessels less than 21 feet in length and not susceptible to use by the condition of the waterway or by reasonable improvement as a means to transport interstate or foreign commerce, then the Coast Guard may elect to **not exercise jurisdiction**, meaning that we'll have no further involvement in the process. That determination will be at the discretion of the District Bridge Manager and he or she will confirm that final decision with written correspondence.

The trick to 144(c) is that FHWA will make that initial determination, but the Coast Guard, by law, will have a, quote "informative and persuasive role in the determination process," unquote. In other words, it's up to the Coast Guard to either agree with the

FHWA determination or disagree, along with substantive reasons as to why the Coast Guard will require a permit for the project to proceed. We have a checklist and decision tool available for use on our website that almost resembles a mini bridge permit application that walks you through and expedites the process.

FHWA doesn't necessarily have to fill out the 144(c) checklist. It can be filled out at the state level DOT folks, but it must be submitted to the Coast Guard by FHWA. That means they should have a pretty good idea as to what's being asked for. You can find the checklist on our website under "permit exemption decision tool."

Some preliminaries we'll be looking for. Name of the waterway obviously. We'll ask if it's navigable in accordance with 33 CFR Section 2 Part 36. We'll also be looking for the milepoint where you're looking to build this thing, measured in statute miles, not nautical. Also, if there's a bridge there already, was it permitted, either by the Coast Guard or Army Corps? Finally, you'll need to figure out the type and variety of vessel traffic utilizing the waterway, keeping in mind the previous stuff I talked about, like recreational traffic under 21 feet in length, reasonable improvement and all that good stuff.

## 33 CFR 115.70 – Advance Approval



- The General Bridge Act of 1946 required the approval of the location and plans of bridges prior to the start of construction.
- Advance Approval is given when the waterway is navigable in law, but not actually navigated other than by logs, log rafts, rowboats, canoes and small motorboats.



Okay, now that I've thoroughly confused you with 144(c), let's put another nail in the coffin with Advance Approval. 33 CFR 115.70 states succinctly that a navigable waterway may be considered Advance Approval when it's navigated by nothing more than logs, log rafts, rowboats, canoes and small motorboats. Note what I just said – the waterway is Advance Approval. So, if you're looking to construct or replace a bridge that crosses an Advance Approval waterway, then the Coast Guard isn't going to require a permit. We often go this route if FHWA isn't involved, meaning no 144(c) option. Now, that said, while a permit may not be required, we're still maintaining some level of jurisdiction, so we'll want to make sure that the bridge will allow the type and variety of vessels using the waterway to proceed through the opening of the bridge at the high tidal stage and we may at our discretion require navigation lighting. But for the most part Advance Approval is pretty cut and dried. Talk with the District Bridge Office, best way of figuring it all out.