

Reference: RGL 85-02

Subject: BRIDGES & CAUSEWAYS

Title: PERMIT FOR BRIDGES & CAUSEWAYS IN THE NAVIGABLE WATERS OF THE US

Issued: 01/18/85 Expires: 12/31/87

Originator: DAEN-CWO-N

**Description: GUIDANCE ON SECTION 10 PERMITS FOR BRIDGES ON
HISTORICALLY NAVIGABLE WATERS. REINSTATES RGL-82-15.**

-
1. This regulatory guidance letter (RGL) constitutes re-issuance of RGL 82-15 which expired on 31 Dec 84.
 2. The 1973 Memorandum of Agreement (MOA) with the United States Coast Guard clarifies the Corps responsibility under Section 10 of the Rivers and Harbors Act of 1899 and the Coast Guard responsibilities under the Department of Transportation Act of 1966, with respect to bridges and causeways. The MOA does not address the Corps responsibilities under Section 404 for fills associated with bridges.
 3. Public Law 97-322 removed bridges or causeways "over waters which are not subject to the ebb and flow of the tide and which are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce" from Coast Guard jurisdiction. Thus, historical only waters were removed from Coast Guard jurisdiction over bridges and causeways.
 4. In areas where the Corps and the Coast Guard differ on the limits of navigable waters of the United States and a bridge is beyond the limits of the Coast Guard jurisdiction, district commanders will not require a Section 10 permit. However, district commanders will review plans for a proposed bridge, as appropriate, and suggest necessary changes to protect navigation and preclude conflicts with flood control projects.
 5. District commanders must be careful to cite only Section 404 in public notices and documents for discharges of dredged or fill materials associated with bridges and causeways. Conditions should not be added to Section 404 permits which address construction, operations, or maintenance of bridges or other bridge related construction which does not require a Section 404 permit. We expect that most bridge related fills will be covered by one or more of the nationwide permits.

FOR THE CHIEF OF ENGINEERS: