PART 1 CHAPTER 16
UNITED STATES COAST GUARD PROJECTS AND NAVIGATION

TABLE OF CONTENTS

LIST OF FIGURES

PART 1, CHAPTER 16
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16.1 OVERVIEW

Pursuant to ***23 United States Code (U.S.C.) § 327*** and the implementing Memorandum of Understanding (MOU) executed on May 26, 2022, the Florida Department of Transportation (FDOT) has assumed and Federal Highway Administration (FHWA) has assigned its responsibilities under the ***National Environmental Policy Act (NEPA)*** for highway projects on the State Highway System (SHS) and Local Agency Program (LAP) projects off the SHS (***NEPA*** Assignment). In general, FDOT's assumption includes all highway projects in Florida which source of federal funding comes from FHWA or which constitute a federal action through FHWA. ***NEPA*** Assignment includes responsibility for environmental review, interagency consultation and other activities pertaining to the review or approval of ***NEPA*** actions. Consistent with law and the MOU, FDOT will be the Lead Federal Agency for highway projects with approval authority resting in the Office of Environmental Management (OEM).

This chapter outlines the environmental review process for projects in which a United States Coast Guard (USCG) permit is required. The process varies depending on whether the USCG or the FDOT is the lead agency.

16.1.1 Legislative Authority

Laws relating to the protection, preservation and safety of navigable waterways are found in ***Section 9 of the Rivers and Harbors Appropriation Act of 1899***, as amended, ***33 U.S.C. § 401 and § 403***; the Act of March 23, 1906, as amended, ***33 U.S.C. § 491***; the Act of June 21, 1940, as amended, ***(Truman-Hobbs Act) 33 U.S.C. §§ 511-523***; the ***General Bridge Act of 1946***, as amended, ***33 U.S.C. § 525***; the ***International Bridge Act of 1972***, ***33 U.S.C. § 535***; and the ***Ports and Waterways Safety Act of 1972***, as amended by the ***Port and Tanker Safety Act of 1978***, ***33 U.S.C. §§ 1221-1225 (USCG, 2004)***.

Under the authorities delegated to the Commandant of the USCG by the Secretary of the U.S. Department of Homeland Security (USDHS), it is the USCG's duty and responsibility to ensure that navigable waters of the United States are preserved, while balancing competing needs of land and waterborne modes of transportation. The USCG has an obligation to ensure a bridge's final permitted design does not impinge upon the "reasonable needs of navigation" for that specific waterway, while serving the needs of land transportation.

When the USCG was transferred from the U.S. Department of the Treasury to the US Department of Transportation (USDOT) in 1967, it assumed from the U.S. Army Corps of Engineers (USACE) the assigned duty to issue bridge permits. The USCG was transferred from the USDOT to the USDHS in 2003, preserving its previously assigned

duties. The Secretary of USDHS delegated this authority to the Commandant, USCG, on 28 February 2003, by ***Department of Homeland Security Delegation Number: 0170.1 (USCG, 2004)***.

Bridge permits and permit amendments are the USCG documents approving the location and design plans of bridges. A USCG bridge permit is commonly referred to as a ***Section 9*** permit because permitting authority historically relied on ***Section 9 of the Rivers and Harbors Appropriation Act of 1899***. Currently, the authority primarily relies upon the ***General Bridge Act of 1946***. Consistent with the ***Rivers and Harbors Appropriation Act***, the ***General Bridge Act*** requires USCG approval to construct a new bridge or reconstruct/modify an existing bridge over navigable waters.

The USCG has jurisdiction over "navigable waters" of the United States, as defined in ***33 Code of Federal Regulations (CFR) § 2.36*** as well as by specific congressional and judicial designations. There are two USCG Districts with jurisdiction in Florida. The USCG Seventh District, located in Miami, issues bridge permits for projects in FDOT Districts 1, 2, 4, 5, 6 and 7. The USCG Eighth District, located in New Orleans, issues bridge permits for projects in FDOT District 3. For Turnpike projects, the applicable USCG District is based upon the location of the project within the USCG District boundaries.

All bridges across waterways that support nighttime navigation are required to display navigational lights in accordance with ***33 CFR Part 118***. The approval of navigational lights and other required signals must be obtained prior to any construction from the USCG District Commander (Bridge Office). The USCG may exempt bridges over waterways with no significant nighttime navigation from the lighting or other signal requirements. Design plans for navigational lighting should be separate from the design plans for the bridge when submitting a USCG bridge permit application. The bridge navigational lighting plan requires a separate application from the bridge permit application.

16.1.2 Permit Eligibility

USCG bridge permits are required for construction of a new bridge or modification of an existing bridge over navigable waters. A USCG bridge permit is necessary if a bridge project includes any of the following:

1. The construction of a new bridge over navigable waters;

2. The modification of an existing bridge that increases the travel capacity of the bridge (i.e., adding a travel lane); or,

3. The modification of an existing bridge that would result in changes to navigation (i.e., changes to the horizontal or vertical clearances, fender systems)

Unless specifically declared otherwise by Congress, navigable waters are defined in ***33 CFR § 2.36*** to include the following:

a. Territorial seas of the United States;

b. Internal waters of the United States subject to tidal influence; and;

c. Internal waters of the United States not subject to tidal influence:

1) which are or have been used, or are or have been susceptible for use, by themselves or in connection with others, as highways for substantial interstate or foreign commerce, notwithstanding obstructions that require portages; or

2) which a governmental or non-governmental body with expertise in waterway improvement determines, or has determined to be, capable of improvement at a reasonable cost (a favorable balance between cost and need) to provide, by themselves or in connection with others, highways for substantial interstate or foreign commerce.

16.1.3 Bridge Permit Exceptions and Exemptions

Several types of projects involving bridges do not require a USCG permit but may still require USCG authorization or notification. This may include 1) bridge removal (USCG notification required), 2) retaining all or part of a bridge over navigable water for purposes other than transportation (USACE notification required), and 3) repairing or replacing worn or obsolete parts on an existing bridge where the modification would not result in changes to navigation (e.g., projects involving bridge maintenance, painting, pile jackets, spall repairs).

The ***Coast Guard Bridge Permitting*** document states that most infrastructure repairs do not require a USCG permit as long as they do not affect navigation clearances or bridge configuration. In addition, emergency repairs or replacement of severely deteriorated or damaged bridges or construction of new temporary bridges to meet emergency land transportation requirements may be authorized by the USCG without formal permit action. Authorization under these circumstances is limited to the minimum period required to return the bridge to normal operation.

There are three types of exemptions from a USCG bridge permit, these include ***1982 Coast Guard Authorization Act (CGAA) (PL 97-322, Title 1, Oct. 15, 1982, 96 Stat. 1581)***, Advance Approval Waterways, and ***Title 23 U.S.C. 144(c)***.

16.1.3.1 1982 Coast Guard Authorization Act

Section 107 of the CGAA of 1982, 33 U.S.C. § 525(b), exempts bridge projects from bridge permits when the bridge project crosses non-tidal waters which are not used, and susceptible to use in their natural condition, or susceptible to use by reasonable improvement as a means to transport interstate or foreign commerce.

16.1.3.2 Advance Approval Waterways

There may be instances where bridges are proposed to be built across waterways which are deemed navigable in law but not traversed by any vessel larger than small motorboats (e.g., logs, log rafts, kayaks, canoes, rowboats, and outboard johnboats). The term “small motorboats” does not include sailing or cabin cruiser crafts. In these cases, the clearances provided for high water stages will be considered adequate to meet the reasonable needs of navigation.

In these circumstances, the USCG can issue an Advance Approval Authorization in accordance with ***33 CFR § 115.70***. Each potential candidate bridge/waterway crossing is evaluated by the USCG on a case by case basis to determine if an Advance Approval may be appropriate.

16.1.3.3 Title 23 U.S.C. § 144(c)

The ***Surface Transportation Assistance (STA) Act of 1978*** amended ***Section 144 of Title 23, U.S.C.*** and was enacted to reduce paperwork and related costs in the execution of the USCGs bridge permit programs. For FHWA funded or eligible projects, FHWA has the responsibility under ***23 U.S.C § 144*** and ***23 CFR § 650.805*** to determine whether a bridge project receiving federal assistance under ***Title 23, U.S.C.***, meets the exemption criteria for USCG Administration purposes. Though FHWA maintains authority for ***23 U.S.C § 144(c)***, such waterways fall under USCG jurisdiction and are covered in the ***2014 Memorandum of Agreement (MOA) between USCG and FHWA***. FHWA agreed that USCG will have an informative and effectual role in the determination process. The FHWA determination is preliminary and USCG input on navigability and commerce is influential to FHWA’s determination. Therefore, before such FHWA determinations are made, FHWA consults with the USCG to obtain concurrence with the determination. Upon consultation by the FHWA, the USCG will timely concur or not concur so as to not delay project advancement.

A USCG permit is not required if FHWA determines that the proposed construction, reconstruction, rehabilitation, or replacement of the federally aided or assisted bridge is over waters:

1) Which are not used or are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce and

2) Which are

   (i) not tidal, or

   (ii) if tidal, used only by recreational boating, fishing, and other small vessels less than 21 feet in length.

FDOT assesses the need for a USCG permit, or navigation lights or signals for proposed bridges. If uncertain whether the waterway is susceptible to improvement for navigation, is tidal, or is considered navigable, or if the types of vessels using the waterway are unknown, FDOT consults with the appropriate USCG or FHWA depending on project location.

Early coordination takes place between FDOT and the USCG (without FHWA) for federal projects under jurisdiction of the USCG Seventh District, with USCG making the decision through the Efficient Transportation Decision Making (ETDM) Environmental Screening Tool (EST) for projects that qualify for screening. For federal projects in the USCG Eighth District, FHWA makes this preliminary determination in coordination with USCG.

For bridge crossings of waterways with navigational traffic where FDOT believes that a USCG permit may not be required, the FDOT provides supporting information early to enable the USCG/FHWA to make a determination that a permit is not required and that proposed navigational clearances are reasonable.

Since construction in waters exempt from a USCG permit may be subject to other USCG authorizations, such as approval of navigation lights and signals and timely notice to local mariners of waterway changes, the USCG should be notified whenever the proposed action may substantially affect local navigation.

The ***Title 23 U.S.C. § 144(c)*** exemption is only applicable to FHWA funded or eligible projects in which FDOT is the lead agency (***NEPA*** Assignment).

16.1.4 Synchronizing Federal Agency Reviews

The USCG, through their bridge permitting process, is required to ensure that all environmental considerations are given careful attention. As such, these considerations, including ***NEPA*** documents [Categorical Exclusion (CE), Environmental Assessment (EA), or Environmental Impact Statement (EIS)] and any related ***Clean Water Act-Section 401 Water Quality Certification*** and ***Section 404*** permits must be submitted to USCG.

Actions taken by federal agencies require an evaluation under ***NEPA***, as detailed in the Council on Environmental Quality (CEQ) Regulations ***[40 CFR §§ 1500-1508]***, ***DOT Order 5610.1C***, applicable parts of the operating agencies' directives (e.g., ***Federal-Aid Highway Program Manual (FHPM) 7-7-2*** and ***Commandant Instruction 5090.1***), and other federal environmental statutes and orders. The CEQ regulations strongly encourage that a single agency (lead agency) be designated to handle the ***NEPA*** responsibility where related actions by several federal agencies are to be taken. The lead agency, in such instances, assumes the responsibility for consultation with other agencies, coordinating necessary environmental study evaluations, and preparation of any ***NEPA***-related determination or document for review by the cooperating federal agencies prior to making it available for public review.

In accordance with the ***1986 MOU between the USCG and FHWA***, when a highway section requires an action by both FHWA and USCG, the FHWA will normally serve as

the Lead Federal Agency for the preparation and processing of environmental documents ***(FHWA, 1986)***. In this instance, FDOT will serve as the Lead Federal Agency pursuant to the ***NEPA Assignment MOU*** as discussed in ***Section 16.2.1***.

Early and ongoing coordination with the USCG is vital to an integrated permitting and ***NEPA*** process. The bridge permit application and approval process are very much connected to other environmental reviews. Section 1 of the ***Coast Guard Bridge Permit Application Guide (BPAG)*** details how the USCG permitting process and ***NEPA*** compliance can be coordinated, including project initiation, navigational clearance determination, ***NEPA*** decision-making, and permitting decision. Enclosure 2 of the ***Bridge Administration Manual*** includes a table that details procedures for projects which require a bridge permit. The table in Enclosure 2 shows the timing of FHWA/State activities along with USCG activities and is helpful in identifying where coordination with the USCG falls within the ***NEPA*** process.

In addition to the ***Bridge Administration Manual*** and ***BPAG***, the ***2015 Red Book (Synchronizing Environmental Reviews for Transportation and Other Infrastructure Projects)*** was developed by FHWA in cooperation with USACE, USCG, Federal Railroad Administration (FRA), Federal Transit Administration (FTA), Environmental Protection Agency (EPA), United States Fish and Wildlife Service (USFWS), and National Oceanic and Atmospheric Administration (NOAA). This guidance was crafted to function as a how-to for synchronizing federal regulatory reviews.

In 2014, USCG and FHWA entered an MOA to coordinate and improve bridge planning and permitting. The purpose of the ***2014 MOA between USCG and FHWA*** is to “expedite and coordinate the planning, environmental review, and decision-making” for bridge permits primarily by:

1. Determining which bridge design concepts unreasonably obstruct navigation as soon as practicable and prior to or concurrent with the ***NEPA*** scoping process (in the Planning phase) in order to inform project alternatives to be evaluated;

2. Preparing a coordinated Environmental Document that satisfies both USCG and FHWA (FDOT) ***NEPA*** requirements and results in a shared, or joint environmental impact decision documents where practicable and concurrent environmental impact decision documents at all other times; and

3. Concurrently conducting the environmental evaluation and processing of the bridge permit application materials, wherever possible.

The MOA also details actions that can be taken by each agency at each stage in the planning process and guidance for issue resolution. In addition, the USCG, FHWA, FTA, and FRA entered a MOU in 2014 with the same goal of improving the bridge permitting process.

16.1.5 Lead Agency Options

In this chapter, the term Lead Agency is the title used for the agency that is responsible for approval of the Environmental Document. The lead agency is determined early in the project development process and may include any of the following scenarios. These scenarios apply only if the project requires a USCG permit.

1. **FDOT as Lead Agency for FHWA Funded or Eligible Projects**- If the project is a FHWA federal action, FDOT is the lead agency and prepares a ***NEPA*** document for the project (***NEPA*** Assignment). This document is later adopted by USCG as their ***NEPA*** documentation. See ***Section 16.2.1***. The USCG serves as a Cooperating Agency for these projects.

2. **United States Coast Guard as Lead Agency -** If the project is funded by FDOT and for purposes of this chapter, does not require FHWA or OEM ***NEPA*** action pursuant to ***23 U.S.C. § 327*** (state funded), the USCG may be the lead agency. This is determined after early coordination with USCG. In this case FDOT prepares a ***NEPA*** document for USCG signature. See ***Section 16.2.2***.

3. **FDOT as Lead Agency for State Funded Projects -** If the project is state funded, the FDOT may be the lead agency. This is determined after coordination with USCG. In this case FDOT prepares a State Environmental Impact Report (SEIR) or Non-Major State Action (NMSA) including adequate information for the USCG to use in preparation of their ***NEPA*** document. See ***Section 16.2.3***.

According to ***40 CFR § 1506***, an agency may adopt a draft or final EIS or a portion of the document if it meets the standards for an EIS. A Cooperating Agency may adopt an EIS without recirculating it. The ***2014 MOA between USCG and FHWA*** states that the USCG will adopt an FHWA ***NEPA*** document if the bridge's environmental impacts are adequately addressed. Therefore, through ***NEPA*** Assignment, USCG may adopt an FDOT Environmental Document for a federal action.

16.1.6 Process Overview

The USCG bridge permit application and approval process (detailed in the ***BPAG)*** is very much connected to other environmental reviews. The process is initiated when FDOT contacts the USCG to discuss the proposed bridge project.

The first step, regardless of the lead agency, is determining whether the project may require a USCG permit. First, the project is reviewed to determine if it is going to cross a waterbody. Then, the determination that the water body is navigable is made. This process is different depending on the lead agency and which USCG District jurisdiction the project falls under. During project initiation, the USCG also reviews the proposed project purpose and need statement.

The USCG may request a ***Navigation Impact Report*** to further define the bridge clearance height. ***Navigation Impact Reports*** are typically required for the construction

of new bridges on waterways without any existing bridges downstream, and for replacement of a movable bridge with a fixed bridge structure. The information needed to complete the report includes navigation data on the subject waterway, as well as information on the types of vessels using the waterway, clearances, information on obstructions, and information on properties adjacent to the bridge and waterway in the project location. When required, a ***Navigation Impact Report*** should be prepared during alternatives development.

Throughout the Project Development and Environment (PD&E) phase, coordination with the USCG is continued. The USCG is invited to scoping meetings and provides guidance on USCG requirements for the Environmental Document, as applicable. After the Environmental Document is drafted, the USCG cross-checks the document against the requirements identified in the project plan***/BPAG***; evaluates design alternatives for consistency with the preliminary navigation determination; and provides comments. When the Environmental Document is finalized, the USCG prepares a ***NEPA*** decision document for approval in conjunction with FDOT's ***NEPA*** document. The USCG completes ***NEPA*** to support issuance of their federal permit.

The permit is typically applied for during the Design phase, with FDOT as the applicant. At the time of permit application, the USCG determines if additional information is required to complete the review. If so, the USCG will notify the FDOT in writing of application deficiencies. After the FDOT submits the required information, the USCG will notify the FDOT that the application is complete. An application is considered complete when all required documents are received and are found sufficient to make a decision on the application.

The USCG issues a ***Public Notice (PN)*** for the proposed project when sufficient information has been received. The application does not need to be complete for the USCG to issue a ***PN***. The USCG responds to navigation-related public comments and sends non-navigation related comments to FDOT to be addressed. The USCG consults with and obtains comments from state and federal agencies with jurisdiction or special expertise concerning environmental or navigational impacts. Such agencies include but are not limited to the National Marine Fisheries Service (NMFS), USFWS, State Historic Preservation Officer (SHPO), and EPA. FDOT conducts this consultation with the USFWS for projects in which FDOT is the lead federal agency per agreement with ***ESA Lead Agency Consultation Correspondence***. Comments are generally obtained through direct coordination with affected agencies, responses to the ***PN***, and the ***Local Notice to Mariners***. For more information on the public notices required for USCG projects see the ***Bridge Administration Manual***.

After it has been determined that consultations under all applicable environmental laws have been completed, the USCG makes a permit recommendation and if appropriate, issues the bridge permit. If the project is considered a 'headquarters action' (typically an EA or EIS requiring a bridge permit), the application is sent to USCG headquarters for decision where the District Commander's recommendation may be accepted or rejected,

and a bridge permit may be issued or denied. USCG headquarters review typically adds at least two weeks to the USCG bridge permit review process.

USCG bridge permits specify that the permit becomes null and void unless construction of the bridge is commenced and completed by certain dates. This time period is usually three to five years, respectively, from the date of the permit issuance. Longer construction times can be requested and substantiated with good reasons.

References listed in ***Section 16.3*** include hyperlinks to information sources that identify details regarding the USCG permit review process, required components of permit applications, and the locations and contact information of regional USCG offices.

16.2 PROCEDURE

16.2.1 FDOT as Lead Agency for FHWA Funded or Eligible Projects

Detailed evaluations are generally not warranted for transportation projects not qualifying for screening in the EST. These projects advance straight to the Design phase. See ***Part 1, Chapter 2, Class of Action Determination for Federal Projects*** for clarification on projects that qualify for screening. Projects that do not require screening, based on analysis, have no significant effects.

For these types of projects, if it is uncertain whether the waterway is susceptible to improvement for navigation, is tidal, or is considered navigable, or if the types of vessels using the waterway are unknown, FDOT coordinates with the USCG or FHWA depending on project location. For projects located in USCG District 7, this coordination may take place by directly contacting the USCG. For projects located in USCG District 8, the District follows the coordination process with FHWA outlined in ***Section 16.2.1.1***.

For projects that do not require EST screening, decisions and conditions should be documented in the project file, summarized in the ***NEPA*** Document, and addressed through incorporation into the final design plans. Documentation in the ***NEPA*** Document is as follows:

Type 1 Categorical Exclusion (Type 1 CE) - Minimal documentation on navigational effects is required for a Type 1 CE. In the ***Type 1 Categorical Exclusion Checklist***, **Number 3. Bridge permits required from the USCG** check either “no waterway crossing”, “No USCG bridge permit required”, or “USCG bridge permit”. If a USCG bridge permit is not needed, document the rationale on how this determination was made in the comment box. If it is identified that a USCG bridge permit is needed, the District must contact OEM. If the project is listed in ***23 CFR § 771.117(c)(26, 27, or 28)*** or listed in ***23 CFR § 771.117(d)*** it will not meet the criteria of ***23 CFR § 771.117(e)*** and cannot proceed as a Type 1 CE. Further guidance on preparing a ***Type 1 Categorical Exclusion Checklist*** is found in ***Part 1, Chapter 2, Class of Action Determination for Federal Projects***.

Type 2 Categorical Exclusions - Some Type 2 CEs may not require screening through the EST. See ***Section 16.2.1.2.2*** for guidance on documenting Type 2 CEs.

As discussed in ***Section 16.1.4***, the USCG has entered into an MOU with FHWA, FTA, and FRA, as well as an MOA with FHWA to coordinate and improve bridge planning and permitting. For FHWA funded or eligible projects that qualify for screening in the EST, the conditions in the ***2014 MOA between USCG and FHWA*** are met in the following process.

This process is also outlined in ***Figure 16-1***.

16.2.1.1 Efficient Transportation Decision Making Screening

During the Planning screenings, a preliminary permitting exemption determination may be made. The USCG may also request a ***Navigation Impact Report*** for the project.

USCG Seventh District

For FDOT projects under the jurisdiction of the USCG Seventh District, this preliminary determination is conducted through ETDM screening events for qualifying projects. The USCG has designated Environmental Technical Advisory Team (ETAT) members that participate in the ETDM screening events. The ETAT are involved in early coordination meetings and may attend site visits if necessary.

During the planning or programming screen, a separate Notice of Waterway Crossing email is sent through the EST to USCG Seventh District ETAT members that includes project information and an interactive list of places where the project intersects with bridges (which is linked to map and street views of each intersection). Through these links the ETAT access the EST and can select whether the intersection with a bridge is within their jurisdiction or not. The USCG may request a ***Bridge Project Questionnaire*** (***Figure 16-2***) to help them determine whether a bridge permit is required.

If the USCG selects no in the EST, it is documented as “not in USCG Jurisdiction” and further coordination with USCG is not needed, unless new unassigned crossings are later included in the project.

If the USCG selects yes, they are then given the opportunity to identify if a permit and/or lighting plan is required or add additional comments. If no permit is required, the USCG is able to choose the type of exemption that is applicable ***(Section 16.1.3)***. This exemption is documented in the EST and no further coordination with USCG is needed unless new unassigned crossings are later included in the project. If a permit is not needed, but a lighting plan is, it is documented in the EST.

If it is in the USCG’s jurisdiction and a permit is required, it is documented that a permit is required and the USCG is automatically added as a Cooperating Agency. If a lighting plan is required, this will also be documented in the EST.

The results of this input are included with the general project information in the planning or programming screen summary report. USCG comments may be included in the

Navigation section of the report as well as a summary by the District. The designation of USCG as a Cooperating Agency is also documented in the summary report. For more information on how this takes place in the EST see the ***ETDM USCG Resources Enhancements in the EST***.

USCG Eighth District

District 3 documents any coordination with FHWA and the USCG by uploading coordination letters to the EST and may add a summary in the Navigation section of the planning or programming screen summary report. If available, the letter from the USCG should include the USCG's determination of jurisdiction, determination that a permit is or is not needed, and/or if a lighting plan is required. If a USCG permit is required, the USCG is added as a Cooperating Agency.

The designation of USCG as a Cooperating Agency is also documented in the summary report.

16.2.1.2 Project Development and Environment

During the PD&E phase, coordination with the USCG is continued, regardless of the Class of Action (COA), as applicable. FDOT should coordinate with USCG as necessary to resolve issues and avoid unnecessary project delays.

If it has been determined that a USCG permit may be needed for a project in the USCG Eighth District, District 3 prepares a navigation package that includes a completed ***Bridge Project Questionnaire*** (***Figure 16-2***) and submits it to the OEM Project Delivery Coordinator (PDC). The PDC submits it to FHWA. FHWA makes a navigability determination and then submits it and the ***Bridge Project Questionnaire*** and coordinates with USCG. The questionnaire is prepared for bridge replacements or new bridges, but is not required for bridge repairs. If the project is for bridge repairs, the District follows the guidance in the ***USCG October 17, 2017 letter (Figure 16-3***).

If the USCG requested a ***Navigation Impact Report***, coordination with USCG is necessary to obtain preliminary minimum navigation clearances prior to the development/selection of viable alternatives in order to prevent advancement and study of alternatives which USCG would not be able to permit.

FDOT prepares a coordinated ***NEPA*** Document that satisfies both USCG and FHWA ***NEPA*** requirements and issues a shared or joint environmental impact determination. The ***NEPA*** document must include information that is acceptable for adoption by the USCG.

FDOT coordinates with USCG during preparation of the ***NEPA*** document and prepares necessary environmental documentation based on project analysis (***Section 16.2.1.2.1***). The ***NEPA*** document includes discussion of potential bridge impacts to the environment and the results of ongoing coordination with USCG. In the ***NEPA*** document USCG is provided with the documentation of navigational impacts and compliance with ***NEPA*** and

other applicable federal environmental statutes, regulations, and executive orders, including coordination/consultation letters from federal and state resource and regulatory agencies.

During the preparation of the ***NEPA*** document for coastal bridge replacement projects, consideration may be given to using clean material for use as an artificial reef. This should be included in the coordination process with the regulatory and resource agencies as well as other stakeholders once it has been determined that demolition is the preferred alternative. Consideration will include, but will not be limited to, management, testing, storage, cost and/or transport of the material as well as permitting and agreements that may be necessary.

Preliminary environmental documentation is submitted to USCG for review, and as appropriate, FDOT responds to comments received on environmental aspects of highway bridges. To ensure the USCG can adopt the ***NEPA*** document for its bridge permit action, the ***NEPA*** document should adequately address all comments received from the USCG as a Cooperating Agency.

The ***NEPA*** document should include appropriate commitments per ***Part 2, Chapter 22, Commitments***.

Part 2, Chapter 8, Archaeological and Historical Resources, provides guidance on which bridge projects require ***Section 106 of the National Historic Preservation Act (NHPA)*** compliance. For historic bridges requiring ***Section 106 NHPA*** compliance, FDOT copies USCG on SHPO concurrence letters or MOAs with SHPO and consulting parties.

FDOT also coordinates with USCG to determine if joint efforts for public notices, meetings and hearings would be appropriate. Where a combined Final Environmental Impact/Record of Decision (FEIS/ROD) is anticipated, FDOT notifies USCG and adjusts the review process of the FEIS/ROD accordingly.

The USCG will provide comment on the sufficiency of an Environmental Document (i.e., stating that the document satisfies USCG requirements to process a permit) and will provide preliminary navigation clearance determinations (e.g., stating that minimum navigation clearance for a particular location is XX vertical and XX horizontal) based on information on-hand from a navigation impact study or user input. See ***Figure 16-4*** for a sample letter from USCG. If a letter is received it should be referenced in the Environmental Document and uploaded into the StateWide Environmental Project Tracker (SWEPT).

Also, during the PD&E phase, FDOT may compile applicable environmental information for the bridge permit application. Permitting may be conducted during the PD&E phase, or later during the Design phase.

16.2.1.2.1 Navigation Analysis

The navigation analysis should consider any potential impacts to navigation for proposed construction, reconstruction, rehabilitation, or replacement of federally-aided or assisted projects located over waters.

At the beginning of the PD&E phase, the District looks at the results of coordination with USCG documented in the ***Final Programming Screen Summary Report*** and reviews the project to make sure there are no additional crossings not identified in the screening. Information from the ETDM screening should be used to focus the analysis/impact assessment. The ***Programming Screen Summary Report*** should identify if the project is within USCG jurisdiction, if a permit and/or lighting plan is needed, or if an exemption and the exemption type ***(Section 16.1.3)*** has been identified. During PD&E, the District should also utilize USCG comments from the ***Programming Screen Summary Report*** to anticipate permitting needs.

If additional crossings have been identified since the ETDM screening, coordination with USCG is necessary to determine if a USCG permit is needed. Coordination with FHWA may be necessary for projects under the jurisdiction of the USCG Eighth District.

Pursuant to ***23 CFR § 650.807(d)***, FDOT should accomplish sufficient preliminary design and consultation during PD&E to investigate bridge concepts, including the feasibility of any proposed movable bridges, the horizontal and vertical clearances that may be required, and other location considerations which may affect navigation. At least one fixed bridge alternative shall be included with any proposal for a movable bridge to provide a comparative analysis of engineering, social, economic and environmental benefit and impacts. Engineering decisions resulting from consultation with the USCG during PD&E are incorporated into the Environmental Document.

According to the ***Bridge Administration Manual***, each alternative described in the Environmental Document should summarize the navigational impacts. This should include a description of the bridge alignment in relation to the current flow, the vertical and horizontal clearances, the design vessel length, the beam and draft, the navigation traffic patterns (one-way or two-way vessel traffic), the wind and wave effect, the current speed and the direction, visibility, quality and spacing of aids to navigation near the bridge. The navigational information should be sufficiently complete so that the USCG can take final action without supplementing the Environmental Document.

16.2.1.2.2 Documentation

The results of FDOT's navigation analysis and USCG coordination is documented in the Environmental Document. The documentation for each type of Environmental Document is outlined below:

Type 2 CE – If the project is not in USCG jurisdiction, select "not applicable" for the USCG Bridge Permit in the Permits section of the ***Type 2 Categorical Exclusion Determination Form*** in SWEPT.

If the project is in USCG jurisdiction, select the appropriate status (to be acquired, application submitted, or permit received) for the USCG Bridge Permit in the Permits section of the ***Type 2 Categorical Exclusion Determination Form*** in SWEPT. Any analysis or coordination to determine USCG jurisdiction should be briefly summarized in the project description. The correspondence, letter for preliminary determination of navigational clearance (if applicable), and other documents developed should be added to the project file (***Part 1, Chapter 5, Type 2 Categorical Exclusion***) in SWEPT. It is recommended that these documents be placed in the Navigation folder within SWEPT.

Environmental Assessments (EAs) and Environmental Impact Statements (EISs) – If there is no involvement with navigation, include any relevant coordination documents in the project file and state why there is no involvement. Discuss how this determination was made.

For projects within jurisdiction, and no USCG permit is needed, the Navigation section of the EA or EIS should discuss the navigation analysis and coordination with USCG and/or FHWA (USCG Eighth District).

For projects where a USCG permit is needed, coordination with the USCG and/or FHWA (USCG Eighth District) should be discussed in the Navigation section of the EA or EIS and the permit listed in the Anticipated Permits section.

Coordination emails, letters, letter for preliminary determination of navigational clearance, or other supporting information should be included in the Appendix.

16.2.1.3 Design and Permitting

During permitting, the District's role is as an applicant. This is the same, regardless of the lead agency for preparation of the ***NEPA*** document. Coordination with USCG during permitting takes place to determine the requirements for a complete bridge permit application. FDOT submits the application for the USCG bridge permit as early as practicable and ensures that the documentation submitted to USCG with the permit application is complete, addresses navigational impacts, and is in compliance with ***NEPA*** and other required federal environmental statutes, regulations, and executive orders. This is to assist USCG in processing the permit application as quickly as possible. This should include coordination/concurrence letters from federal and state resource agencies, as appropriate. See ***Part 1, Chapter 12, Environmental Permitting***, and the ***Permit Handbook*** for guidance on preparing a USCG bridge permit application.

16.2.2 United States Coast Guard as Lead Agency

The USCG may serve as the lead agency for state funded projects when, through early coordination, it has been determined that FDOT will prepare a ***NEPA*** document for USCG

signature in accordance with USCG guidance and procedures. See ***Figure 16-5*** for a flowchart of this process.

The USCG manual for the preparation of environmental documents ***(Commandant Instruction 5090.1: U. S. Coast Guard Environmental Planning Policy)*** (referred to as ***COMDTINST 5090.1)*** addresses the policy and responsibilities for USCG implementation of ***NEPA*** as well as other related laws and legislation. All USCG actions are required to be consistent with the procedures and intent of the ***COMDTINST 5090.1***.

It is the USCG's responsibility to determine whether a project can be processed as a CE and to prepare a ***Categorical Exclusion Determination (CED) Form*** (provided in ***Implementation of the National Environmental Policy Act, Department of Homeland Security Instruction Manual 023-01-001-01***). The USCG can adopt Environmental Documents of other federal agencies; however, ***CEDs*** prepared by other federal agencies cannot be adopted.

16.2.2.1 Efficient Transportation Decision Making Screening

When FDOT prepares the ***NEPA*** document for USCG, early coordination is necessary. When it has been determined that the USCG will be the lead agency, it is screened through the EST. This process is the same as discussed in ***Section 16.2.1.1*** for FDOT led projects located in the USCG Seventh District, the only difference being the USCG is identified as the lead agency, and the FDOT as the project sponsor.

For projects located in the USCG Eighth District, District 3 prepares a navigation package that includes a completed ***Bridge Project Questionnaire*** (***Figure 16-2***) and submits it to the USCG. The questionnaire is prepared for bridge replacements but is not required for bridge repairs. If the project is for bridge repairs, District 3 follows the guidance in the ***USCG October 17, 2017 Letter*** (***Figure 16-3***). If the USCG Eighth District determines the project is in their jurisdiction and a permit is required, District 3 documents it in the EST. The USCG is identified as the lead agency, and the FDOT as the project sponsor. If a lighting plan is required, this will also be documented in the EST by District 3.

The results of this input are included in the Navigation section of the planning or programming screen summary report. The designation of USCG as the lead agency is also documented in the summary report.

16.2.2.2 Project Development and Environment

During the PD&E phase, FDOT prepares a ***NEPA*** document to be accepted by USCG. The ***COMDTINST 5090.1*** and ***Implementation of the National Environmental Policy Act, Department of Homeland Security Instruction Manual 023-01-001-01*** provide guidance on preparing the ***NEPA*** document. The USCG is responsible for determining the COA and signing the final ***NEPA*** document. Additionally, the ***BPAG*** contains an environmental section which outlines applicable environmental constituents which are required to be covered in the ***NEPA*** document.

In some instances, an ***Environmental Checklist*** will need to be prepared. The ***Environmental Checklist*** is a tool to assist with project scoping, and is used by USCG to document the use of a CE. Its use ensures that any extraordinary circumstances that could affect the appropriateness of a CE are identified and considered when determining appropriate ***NEPA*** documentation. It can also be used by FDOT to help develop an EA or EIS for the USCG. Instructions on how to complete an ***Environmental Checklist*** are included in ***COMDTPUB P16591*** (the ***BPAG***).

The ***Environmental Checklist*** facilitates the evaluation of the significance of potential environmental consequences by evaluating impacts in their context (i.e., local, state, regional, tribal, national, or international) and in their intensity by assessing whether the action is likely to involve public health or safety; and/or a site that includes or is near a unique characteristic of the geographic area. ***COMDTINST 5090.1*** provides instruction for agency coordination and identifies who in the USCG will assume responsibility for maintaining USCG lead agency status.

Coordination with the USCG during the PD&E phase is needed to ensure the Environmental Document and associated public outreach is prepared and conducted in accordance with USCG standards. The documentation and public involvement requirements may be different than for projects prepared for federal actions in which FDOT is the lead agency under ***NEPA*** assignment.

16.2.2.3 Design and Permitting

During permitting, the District's role is as an applicant, regardless of the lead agency for preparation of the ***NEPA*** document. Coordination with USCG during permitting takes place to determine the requirements for a complete bridge permit application. FDOT submits the application for the USCG bridge permit as early as practicable and ensures that the documentation submitted to USCG with the permit application is complete with respect to documenting navigational impacts as well as compliance with ***NEPA*** and other required federal environmental statutes, regulations, and executive orders. This is to assist USCG in processing the permit application as quickly as possible. This should include coordination/concurrence letters from federal and state resource agencies, as appropriate. See ***Part 1, Chapter 12, Environmental Permitting***, and the ***Permit Handbook*** for guidance on preparing a USCG bridge permit application.

16.2.3 Florida Department of Transportation as Lead Agency for State Funded Projects

If FDOT is identified as the lead agency when the project is state funded, FDOT prepares a SEIR or Non-Major State Action (NMSA) according to ***Part 1, Chapter 10, State, Local, or Privately Funded Project Delivery***. FDOT ensures that adequate information is included in the Environmental Document for the USCG to use in preparation of their ***NEPA*** document. See ***Figure 16-6*** for a process flowchart.

If the project does not qualify for screening through the EST, navigation issues and/or coordination with USCG is documented in an NMSA. Minimal documentation on

navigational effects is required for NMSAs. The navigation results are recorded on the ***Non-Major State Action Checklist***. Answer the question that asks "Will the project cause adverse impacts to navigation requiring a federal permit?". The answer should be no. If a USCG bridge permit is not needed, document the rationale on how this determination was made in the comment box. If the answer is yes, a SEIR is typically necessary as often these projects have other impacts that will not meet the NMSA criteria. Guidance on preparing the ***Non-Major State Action Checklist*** is found in ***Part 1, Chapter 10, State, Local, or Privately Funded Project Delivery***.

For these types of projects, if it is uncertain whether the waterway is susceptible to improvement for navigation, is tidal, or is considered navigable, or if the types of vessels using the waterway are unknown, FDOT coordinates directly with the USCG.

16.2.3.1 Efficient Transportation Decision Making Screening

If the project qualifies for screening through the EST, the process discussed in ***Section 16.2.1.1*** is followed for projects located in the USCG Seventh District.

If it has been determined that a USCG permit may be needed for a project in the USCG Eighth District, District 3 prepares a navigation package that includes a completed ***Bridge Project Questionnaire*** (***Figure 16-2***) and submits it to the USCG. The questionnaire is prepared for bridge replacements but is not required for bridge repairs. If the project is for bridge repairs, District 3 follows the guidance in the ***USCG October 17, 2017 Letter*** (***Figure 16-3***). If the USCG Eighth District determines the project is in their jurisdiction and a permit is required, District 3 documents it in the EST and the USCG is automatically added as a Cooperating Agency. If a lighting plan is required, this will also be documented in the EST by District 3.

The results of this input are included in the Navigation section of the planning or programming screen summary report. The designation of USCG as a Cooperating Agency is also documented in the summary report.

16.2.3.2 Project Development and Environment, Design, and Permitting

During the PD&E phase, coordination with the USCG is continued. FDOT should coordinate with USCG as necessary to resolve issues and avoid unnecessary project delays.

If the USCG requested a ***Navigation Impact Report***, coordination with USCG is necessary to obtain preliminary minimum navigation clearances, prior to the development/selection of viable alternatives in order to prevent advancement and study of alternatives which USCG would not be able to permit.

FDOT prepares a SEIR and includes information that is acceptable for adoption by the USCG. FDOT consults with USCG during preparation of the SEIR and prepares necessary environmental documentation based on project analysis. See ***Section***

16.2.1.2.1 for guidance on conducting navigation analysis. The SEIR includes discussion of potential bridge impacts to the environment and a discussion of results of ongoing coordination with USCG. In the SEIR, USCG is provided with the documentation of navigational impacts and information they can use to comply with ***NEPA*** and other applicable federal environmental statutes, regulations, and executive orders, including coordination/consultation letters from federal and state resource and regulatory agencies.

During the preparation of SEIR coastal bridge replacement projects, consideration may be given to using clean material for use as an artificial reef. This should be included in the coordination process with the regulatory and resource agencies as well as other stakeholders once it has been determined that demolition is the preferred alternative. Consideration will include, but will not be limited to, management, testing, storage, cost and/or transport of the material as well as permitting and agreements that may be necessary.

Preliminary environmental documentation is submitted to USCG for review, and as appropriate, FDOT responds to comments received on environmental aspects of highway bridges. To ensure the USCG can use the SEIR for its bridge permit action, the SEIR should adequately address all comments received from the USCG.

The SEIR should include appropriate commitments per ***Part 2, Chapter 22, Commitments***. For historic bridges requiring ***Section 106 of the NHPA*** compliance, FDOT copies USCG on SHPO concurrence letters or MOAs with SHPO and consulting parties.

FDOT also coordinates with USCG to determine if joint efforts for public notices, meetings and hearings would be appropriate. The USCG will provide comment on the sufficiency of the SEIR (i.e., stating that the document satisfies USCG requirements to process a permit) and will provide preliminary navigation clearance determinations (e.g., stating that minimum navigation clearance for a particular location is XX vertical and XX horizontal) based on information on-hand from a navigation impact study or user input. See ***Figure 16-4*** for a sample letter from the USCG. If a letter is received it should be referenced in the SEIR and uploaded into SWEPT.

Also, during the PD&E phase, FDOT may compile applicable environmental information for the bridge permit application. Permitting may be conducted during the PD&E phase or later during the Design phase.

During permitting, the District's role is as an applicant, regardless of whether the project is a federal action, or state funded. Coordination with USCG during permitting takes place to determine the requirements for a complete bridge permit application. FDOT submits the application for the USCG bridge permit as early as practicable and ensures that the documentation submitted to USCG with the permit application is complete, addresses navigational impacts, and is in compliance with other required environmental statutes, regulations, and orders. This is to assist USCG in processing the permit application as quickly as possible. This should include coordination/consultation letters from federal and state resource agencies, as appropriate. See ***Part 1, Chapter 12, Environmental***

Permitting, and the ***Permit Handbook*** for guidance on preparing a USCG bridge permit application.

16.2.3.2.1 Documentation of State Environmental Impact Reports

If the project is not within USCG's jurisdiction, select "Not present" in the Navigation section of the ***State Environmental Impact Report Form***.

If the project is within USCG's jurisdiction (based on the outcome of analysis and coordination) select "Present" and identify if this issue will have a substantial impact. If navigation is enhanced, select the "Enhancement" button.

Any analysis or coordination to determine USCG jurisdiction should be briefly summarized and included in the SEIR. The summary box should also include a reference to attachments containing supporting information. The correspondence, letter for preliminary determination of navigational clearance (if applicable), and other applicable documents should be contained in the project file in SWEPT and referenced in the SEIR. The SEIR should include items needed for permitting, if available, and be prepared so that USCG can use the information to prepare their own ***NEPA*** document.

In the Permits section of the form, select the applicable status next to the USCG bridge permit (not applicable, to be acquired, application submitted, permit received). If needed, this determination can be explained in the Permit Comments box and coordination emails or letters can be included in the project file. See ***Part 1, Chapter 10, State, Local, or Privately Funded Project Delivery*** for more information on preparing a SEIR.

16.3 REFERENCES

Coast Guard Authorization Act, 1982.

FDOT. 2017. Amendment to Agency Operating Agreement for Continuing the Efficient Transportation Decision Making Process in Florida Between U.S. Coast Guard and the Florida Department of Transportation and the Federal Highway Administration dated 6/8/2009.

FDOT. ETDM USCG Resources Enhancements in the EST
http://www.fdot.gov/environment/pubs/USCG-and-FDOT-Coordination-Guidance-2017-0203.pdf

FDOT. 2019. Permit Handbook
https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/environment/pubs/fdot-permit-handbook.pdf?sfvrsn=68d9abb0_2

Federal-Aid Highway Program Manual (FHPM) 7-7-2

FHWA. 2017. Back to the Basics: Bridge Permitting. Successes in Stewardship. https://www.environment.fhwa.dot.gov/Pubs_resources_tools/publications/newsletters/jul17nl.aspx

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FHWA. 2014. Memorandum of Agreement Between The United States Coast Guard and The Federal Highway Administration To Coordination and Improve Bridge Planning and Permitting. 1/14/2014. https://www.environment.fhwa.dot.gov/env_initiatives/EDC/MOA_USCG_bridge_permits.aspx

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FHWA. 2015. Synchronizing Environmental Reviews for Transportation and Other Infrastructure Projects. 9/2015. 2015 Red Book. https://www.environment.fhwa.dot.gov/Pubs_resources_tools/publications/RedBook_2015.aspx

First Renewal of the Memorandum of Understanding Between FHWA and FDOT Concerning the State of Florida's Participation in the Surface Transportation Project Delivery Program Pursuant to 23 U.S.C. § 327, May 26, 2022 (NEPA Assignment MOU). https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/environment/pubs/nepa_assign/fdot-327-first-renewal-mou-for-comment.pdf?sfvrsn=202c70b4_2

General Bridge Act of 1946

Rivers and Harbors Appropriations Act of 1899

Title 40 CFR §§ 1500-1508, Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act. http://www.ecfr.gov/cgi-bin/text-idx?gp=&SID=2844df1cb4a3af5ebaa699f42d98a60f&mc=true&tpl=/ecfrbrowse/Title40/40chapterV.tpl

Title 33 CFR § 115.70. Advance approval of bridges. https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title33/33cfr115_main_02.tpl

Title 23 CFR 650.805. Bridges not requiring a USCG permit. https://ecfr.io/Title-23/pt23.1.650#se23.1.650_1805

Title 23 CFR §771. Environmental Impact and Related Procedures. https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title23/23cfr771_main_02.tpl

Title 33 U.S.C., Navigation and Navigable Waters. https://www.govinfo.gov/app/details/USCODE-2010-title33/

Title 23 U.S.C. § 144. Highway Bridge Program. https://www.gpo.gov/fdsys/granule/USCODE-2011-title23/USCODE-2011-title23-chap1-sec144

Title 14 U.S.C. 85. Aids to Maritime Navigation: Penalty. https://www.gpo.gov/fdsys/pkg/USCODE-2010-title14/pdf/USCODE-2010-title14-partI-chap5-sec85.pdf

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USCG. 2019. U. S. Coast Guard Environmental Planning Policy. US Department of Homeland Security. USCG Commandant Instruction 5090.1 (COMDTINST 5090.1). 4/23/2019. https://media.defense.gov/2019/May/13/2002130728/-1/-1/0/CI_5090_1.PDF

USDOT Order 5610.1C. Procedures for Considering Environmental Impacts. https://www.transportation.gov/office-policy/transportation-policy/procedures-considering-environmental-impacts-dot-order-56101c

16.4 HISTORY

7/1/2020: New chapter, 7/1/2023

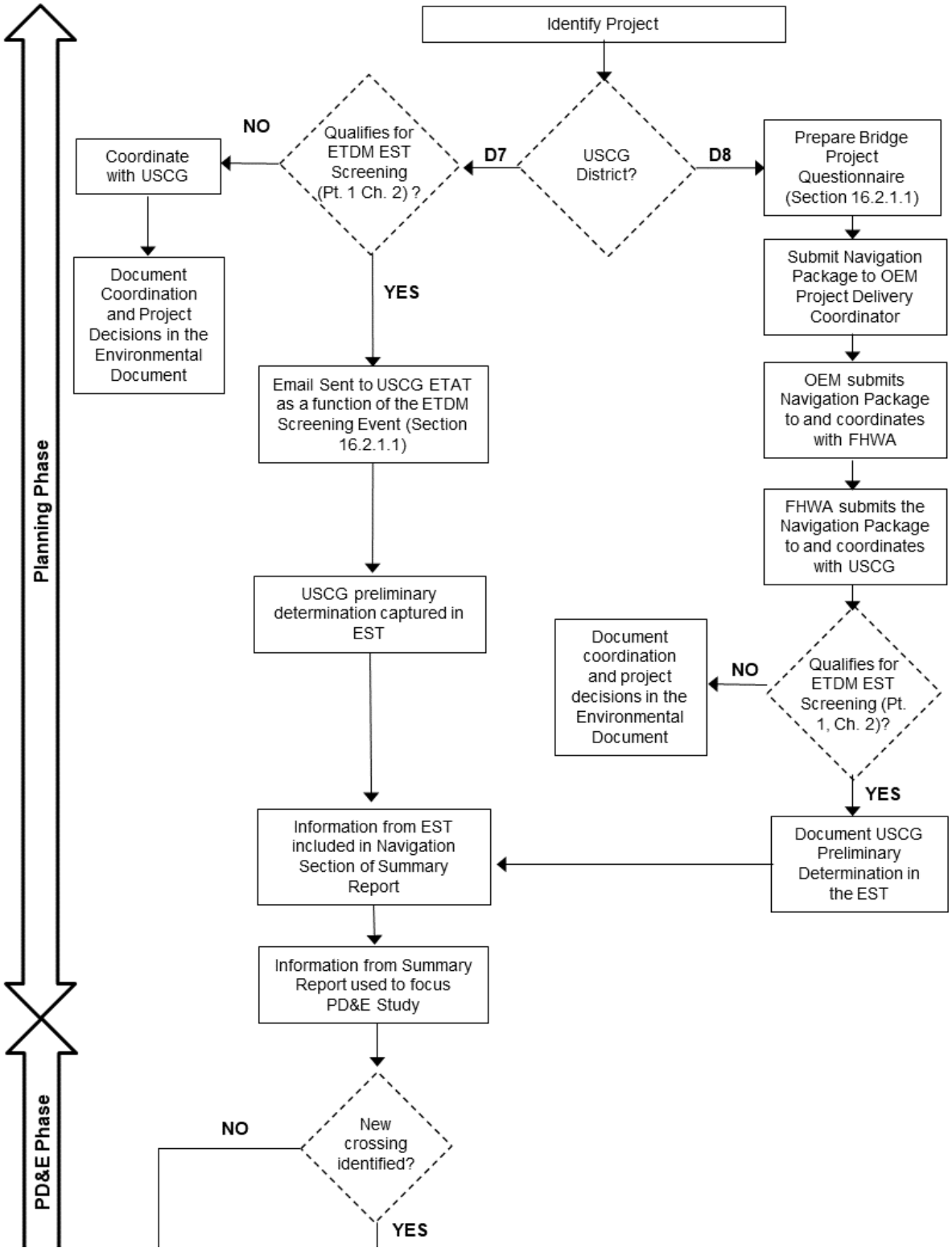

Figure 16-1 FDOT Federal Lead Process

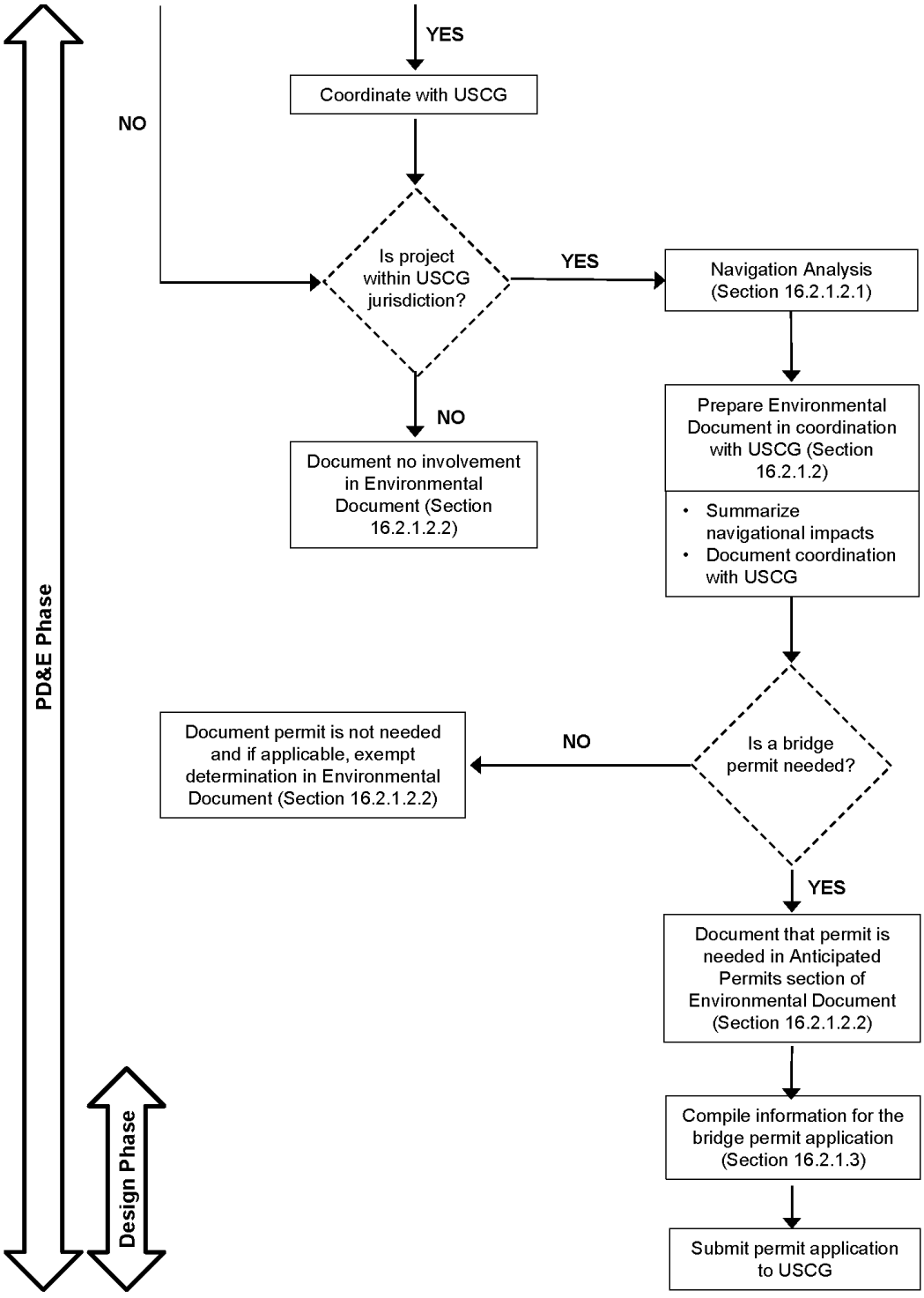

Figure 16-1 FDOT Federal Lead Process (page 2 of 2)

U.S. Department of Homeland Security
United States Coast Guard

Commander
Eighth Coast Guard District
Hale Boggs Federal Building

500 Poydras St., Rm. 1313
New Orleans, LA 70130-3310
Staff Symbol: (dpb)
Phone: (504) 671-2128
D8DBPALL@uscg.mil

BRIDGE PROJECT QUESTIONNAIRE

Waterway Name
Location
County, State

Please provide the following information:

A. NAVIGATION DATA:

1. Name of Waterway: _____

1a. Mileage along waterway measured from mouth or confluence _____

1b. Tributary of: _____

2. Geographic Location: _____

_____
(Road Number, City, County, State) and (**Latitude and Longitude in NAD 83 form**)

3. Township, section and range, if applicable: _____

4. Tidally influenced at proposed bridge site? Yes ____ No _____ .
Range of tide: _____
Tidal data source: _____

5. Depth and width of waterway at proposed bridge site:

	Depths	Widths
At Mean High Tide	_____	_____.
At Mean Low Tide	_____	_____.

6. Character of present vessel traffic on waterway. If none, so state: None _____.
Canoe _____ Rowboat _____ Small Motorboat _____ Cabin Cruiser _____ .
Houseboat _____ Pontoon Boat _____ Sailboat .

Figure 16-2 Bridge Project Questionnaire

6a. Provide vertical clearance requirement for largest vessel using the waterway:

6b. Provide photograph of each type of vessel using the waterway.

7. Are these waters used to transport interstate or foreign commerce?
Yes _____ No _____ .

7a. Are these waters susceptible to use in their natural condition or by reasonable improvement as a means to support interstate or foreign commerce?
Yes _____ No _____ .

7b. Any planned waterway improvements to permit larger vessels to navigate (to your knowledge)? _____ If so, what are they? _____
_____

8. Any natural or manmade obstructions, bridges, dams, weirs, etc. downstream or upstream? Yes _____ No _____ .

8a. If yes, provide upstream/downstream location with relation to the proposed bridge. _____

8b. If bridges are located upstream or downstream, provide vertical clearance at mean high water and mean low water and horizontal clearance normal to the axis of the channel. _____

8c. Provide a photograph of the bridge from the waterway showing channel spans.

9. Will the structure replace an existing bridge? Yes _____ No _____ .

9a. Provide permit number and issuing agencies of permits for bridge(s) to be replaced. _____

9b. Provide vertical clearance at mean high water and mean low water and horizontal clearance normal to the axis of the channel for the proposed bridge.
_____

10. List names and addresses of persons whose property adjoins bridge right-of-way.
_____
_____
_____
_____

Figure 16-2 Bridge Project Questionnaire (page 2 of 3)

11. List names and addresses/location of marinas, marine repair facilities, public boat ramps, private piers/docks along the waterway within ½ mile of the bridge site.

_____
_____
_____
_____

12. Attach location map and plans for the proposed bridge; including vertical clearances above mean high water and mean low water and horizontal clearance normal to axis of the waterway.

13. Attach three (3) photographs taken at the proposed bridge site: one looking upstream, one looking downstream, and one looking along the alignment centerline across the bridge site.

Name of applicant: _____
Name of agent completing questionnaire: _____
Name of agent's firm: _____
Agent's telephone number: _____
Address for correspondence: _____
_____
Applicant's telephone number: _____

Date: _____ Signature: _____

PLEASE NOTE: MISSING INFORMATION AND REQUIRED SIGNATURES WILL DELAY PROCESSING

Attachments: Location Map
Bridge Plans
Photographs

Figure 16-2 Bridge Project Questionnaire (page 3 of 3)

U.S. Department of Homeland Security
United States Coast Guard

Commander
Eighth Coast Guard District
Hale Boggs Federal Building

500 Poydras Street, Room 1313
New Orleans, LA 70130-3310
Staff Symbol: (dpb)
Phone: (504) 671-2128
Fax: (504) 671-2133
D8DPBALL@uscg.mil

165930
October 17, 2017

Florida Department of Transportation
District 3
Highway 90 East
Chipley, FL 32428

Dear Sir or Ma'am,

The Eighth Coast Guard District Bridge Branch is responsible for ensuring that bridge inspections, rehabilitations or maintenance projects do not alter drawbridge operations or impact navigation safety. We understand the need and often regulatory requirements to inspect and maintain bridges and that there are situations that require temporarily restricting drawbridge operations or temporarily changing bridge clearances to safely conduct work.

33 Code of Federal Regulations (CFR) Part 117.35 (c) provides requirements to change drawbridge regulations and 33 CFR 114.10 establishes laws which are intended to prevent any interference with navigable waters of the United States whether by bridges, dams, dikes or other obstructions to navigation except by express permission of the United States.

Bridge maintenance, planned rehabilitations or repairs or inspections that require a temporary change to a drawbridge regulation, alter a bridge's clearances or impact navigation safety must be reported to the Coast Guard Bridge Branch before the beginning of work. Bridge owners should submit the below information by letter to the Eighth Coast Guard District Bridge Branch 60 days prior to the proposed date of work. Sixty days are needed to plan possible waterway restrictions or closures, temporarily change bridge operating schedules or coordinate navigation safety for projects that temporarily reduce the vertical or horizontal clearances of a bridge.

- Bridge owner project manager contact information: name, phone number, email address
- Name and contact information for any contractor or consultant designated to represent the bridge owner during the project (if any).
- Name, location, waterway name, waterway mile and type of bridge.
- Description of the proposed work.
- Dates and times of the proposed work.
- If the bridge is moveable - proposed temporary changes to the bridge operating schedule.
- If the bridge is fixed - proposed changes to temporary bridge clearances.
- The type and sizes of vessels or barges that will be used during the project (if any).
- Proposed locations in the waterway of vessels or barges used during the project.
- Proposed locations of any temporary anchorages needed during the project.
- Proposed location where vessels or barges will be secured after completion of work during the day or night.
- Other impacts to navigation and the navigation channel.
- Steps taken to reduce adverse impacts to navigation and the navigation channel.

Figure 16-3 USCG October 17, 2017 Letter

165930
October 17, 2017

Please contact me if you need additional information or would like to discuss these requirements. My contact information is: office phone number (504) 671-2127, cellular phone number (618) 225-7727, email Douglas.A.Blakemore@uscg.mil.

Sincerely,

Doug Blakemore
Chief Bridge Administration Branch
U.S. Coast Guard
By direction

Figure 16-3 USCG October 17, 2017 Letter (page 2 of 2)

U.S. Department of Homeland Security
UNITED STATES COAST GUARD

Commander
United States Coast Guard
Seventh District

909 S. E. 1st Avenue (Rm 432)
Miami, Fl 33131
Staff Symbol: (dpb)
Phone: (305) 415-6736
Fax: (305) 415-6763
Email: randall.d.overton@uscg.mil

16590/2252
January 13, 2017

Marlon J. Bizerra, P.E.
District Environmental Manager
Florida Department of Transportation
801 N. Broadway Avenue
Bartow, Florida 33830-3809

Dear Mr. Bizerra:

The Coast Guard has completed its review of the navigational needs study for the Gulf Intracoastal Waterway, between Manatee Avenue (SR-64), and Cortez Road W (SR 684). Based on our review we have made a preliminary determination that a minimum vertical clearance of 65 feet for fixed bridge structures on Manatee Avenue (SR-64), and Cortez Road W (SR 684) would be required to meet the reasonable needs of navigation on this stretch of the Gulf Intracoastal Waterway.

In November 2016, the U.S. Coast Guard received a navigational needs study for the Gulf Intracoastal Waterway, between Manatee Avenue (SR-64), and Cortez Road W (SR 684). This report was prepared by Rummel, Klepper & Kahl, LLP (RK&K) on behalf of the Florida Department of Transportation.

Based on our review of the navigational needs studies, the Coast Guard has made a preliminary determination that to provide for the reasonable needs of navigational on the Gulf Intracoastal Waterway, between Manatee Avenue (SR-64), and Cortez Road W (SR 684), a vertical clearance of at least 65 ft. is required for fixed bridge structures. Please note that this preliminary determination does not constitute an approval or final agency action. The Coast Guard can only make a final determination after processing a complete bridge permit application.

Please refer to the Coast Guard's Bridge Permit Application Guide located at http://www.uscg.mil/hq/cg5/cg551/BPAG_Page.asp to make application for a Coast Guard bridge permit. Please contact Mr. Randall Overton, (305)415-6736, with any questions. We look forward to working with FDOT and moving this project forward.

Sincerely,

RANDALL D. OVERTON
Bridge Management Specialist
U.S. Coast Guard

eCopy: Lieutenant Ashley Holm (Ashley.E.Holm@uscg.mil), Captain of the Port Office, St. Petersburg , FL

Figure 16-4 Sample Letter for Preliminary Determination of Navigational Clearance

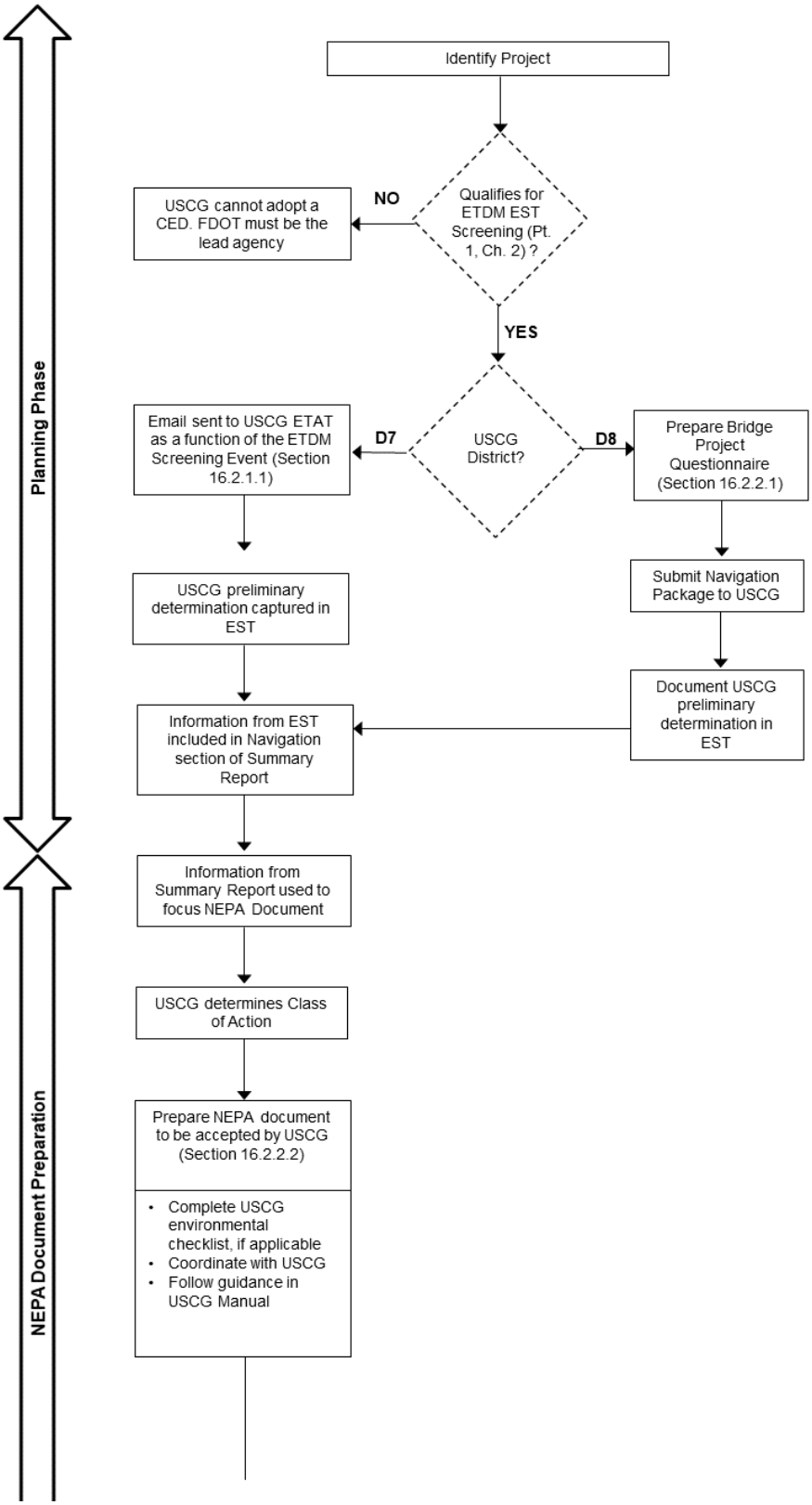

Figure 16-5 USCG Federal Lead Process

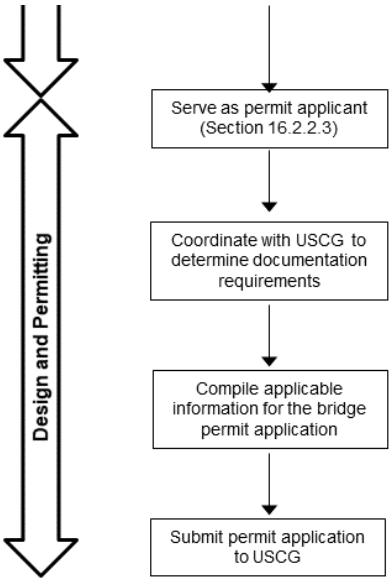

Figure 16-5 USCG Federal Lead Process (page 2 of 2)

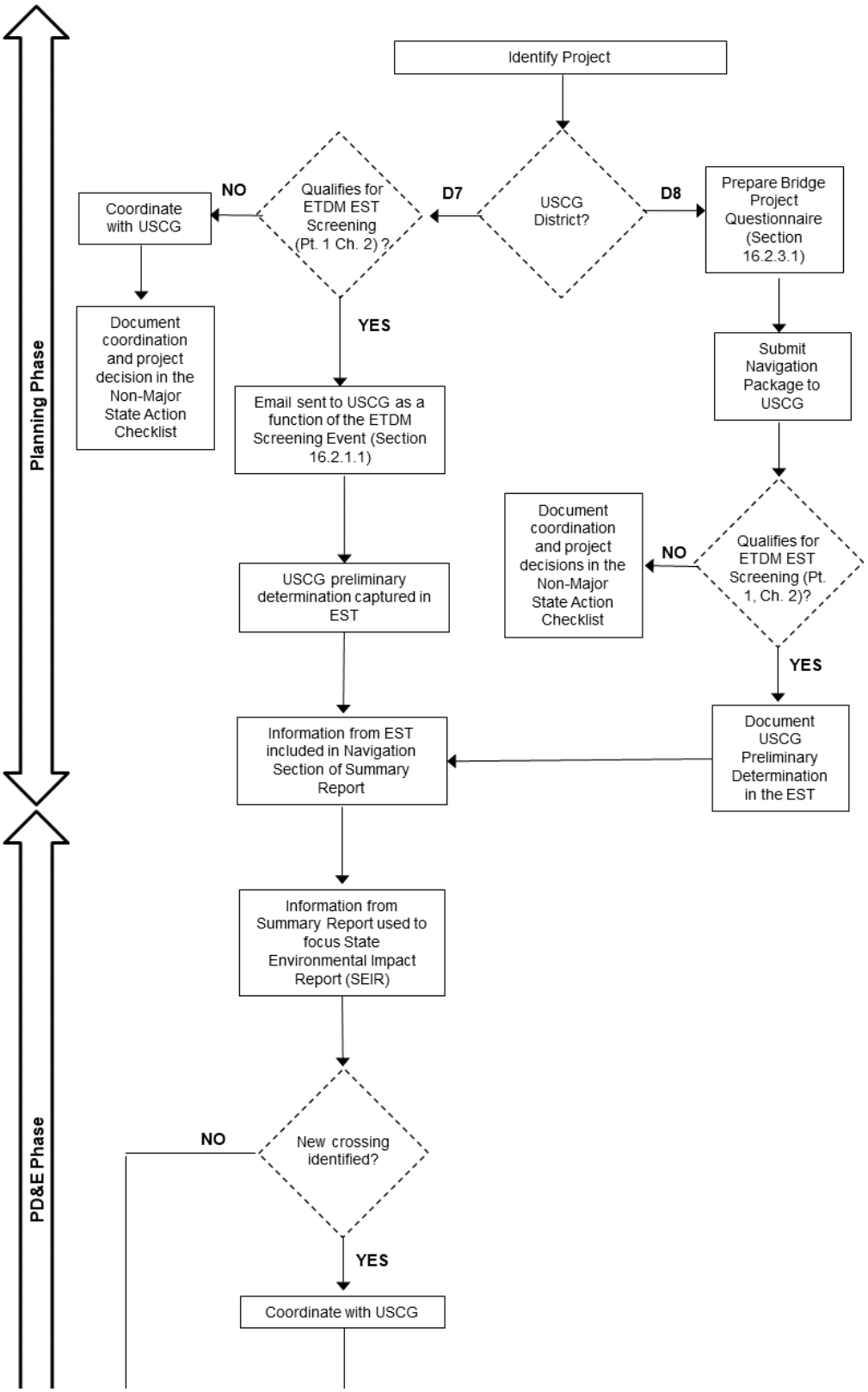

Figure 16-6 FDOT State Lead Process

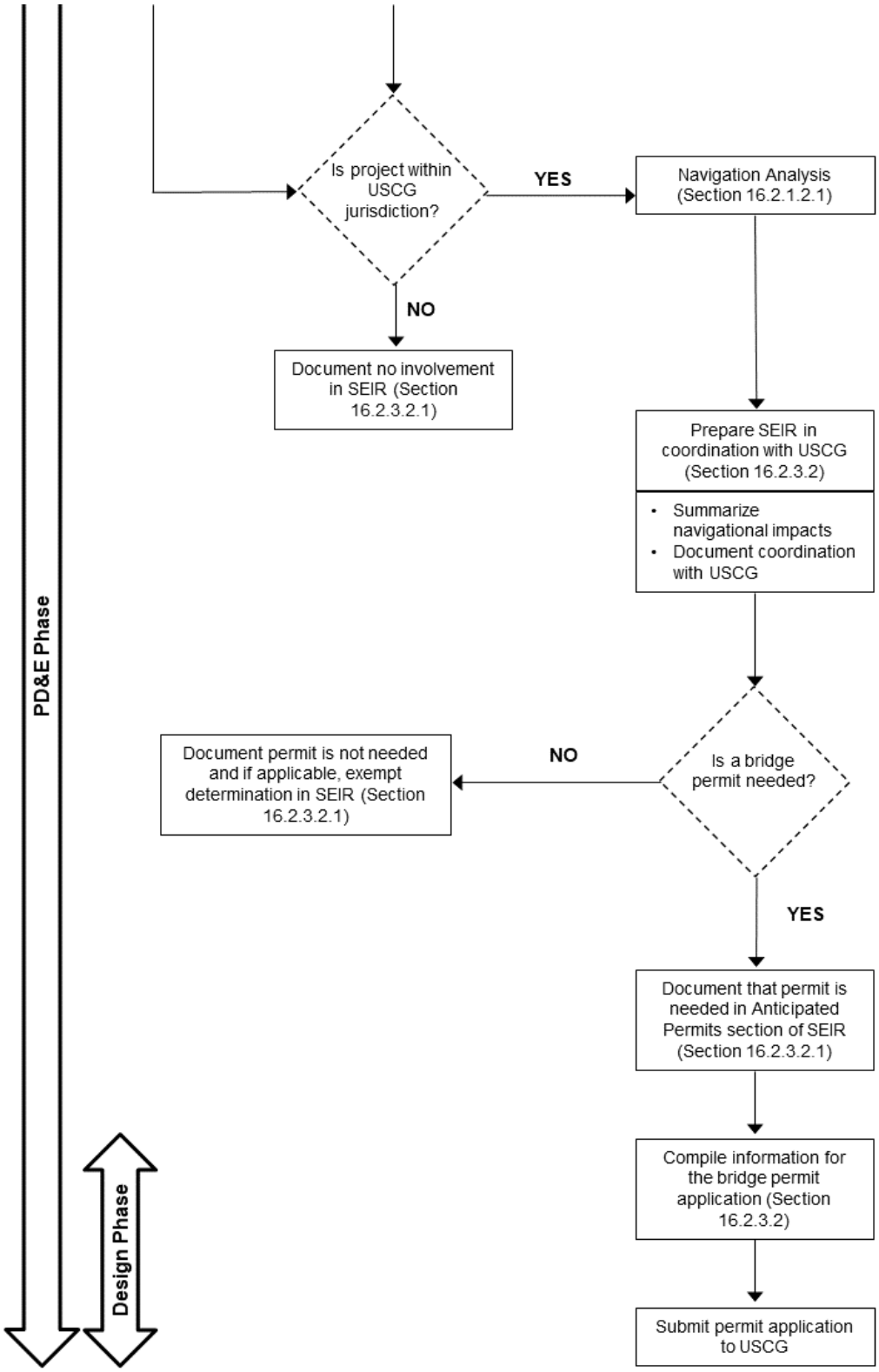

Figure 16-6 FDOT State Lead Process (page 2 of 2)