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(f) *Plans.* One reproducible set of plans must be submitted with the application, on which the location of the work and the essential features covered by the application will be identified. Each drawing must have a title block located in the lower right-hand corner identifying the applicant/agent and bridge owner; the waterway; the milepoint on the waterway of the bridge location; the city, county, and state of the bridge location; the name of the bridge; the date of the plans; the sheet number; and the total number of sheets in the set.

(g) *Size of sheets.* The drawings will be on letter size sheets. As few sheets will be used as necessary to show clearly what is proposed.

(h) *Special instructions.* (1) Vertical and horizontal distances will be shown using bar scales. The north and south line will be indicated by a meridian arrow. Soundings and elevations will be shown in feet and referred to the established Government datum plane at the locality.

(2) The direction of currents will be indicated by an arrow, and the strength of currents, both ebb and flow, or low water and high water, will be shown close to the proposed location of the bridge, and at both ends of the waterway shown on the map of location.

(3) The plans will show in figures the least clear height of the lowest part of the superstructure over navigation openings, with reference to the planes of mean high water and mean low water if the bridge is to cross tidal water. If the waters are nontidal, the least clear height will be shown with reference to the planes of extreme high water and mean low water. If records of river heights are available, the plane above which flood waters have not remained more than 2 percent of the time will be indicated. Reference will also be made to other datum planes if appropriate for the waterway in question.

(4) If harbor lines have been established at the site of the bridge, their position will be shown on the plans.

(i) *Structural details.* Only those should be shown which are needed to illustrate the effect of the proposed structure on navigation. If the bridge is to be equipped with a draw, the latter will be shown in two positions: Closed and open. In those cases, the vertical and horizontal clearances shall be indicated in both the closed and open positions.

(j) *To whom application should be presented.* The application and the papers and plans accompanying it should be submitted to the District Commander having jurisdiction over the area in which the bridge site is located.

[CGFR 67–46, 32 FR 17771, Dec. 12, 1967, as amended by CGD 75–046, 40 FR 24898, June 11, 1975; CGD 80–099, 46 FR 38354, July 27, 1981; CGD 82–102, 48 FR 54299, Dec. 2, 1982; USCG–2011–0257, 76 FR 31836, June 2, 2011]

§ 115.60 Procedures for handling applications for bridge construction permits.

The following procedures will be observed in the handling of applications for permits to construct, modify, or replace bridges over navigable waters.

(a) *District Commander's review of application and plans.* When an application is received, the District Commander verifies the authority for construction of the bridge, reviews, the application and plans for sufficiency, ascertains the views of local authorities and other interested parties, and ensures that the application complies with relevant environmental laws, regulations, and orders. If the application contains any defects that would prevent issuance of a permit (as for example, if the proposed bridge provided insufficient clearance), the applicant is notified that the permit cannot be granted and given reasons for this determination. The applicant may then request that the application be considered by the Commandant. If the applicant makes such a request, or if the application is not found defective, the District Commander notifies the public that it has been received and continues its processing. A copy of this notification will be sent to the state, interstate agency or the Environmental Protection Agency (EPA) responsible for acting on requests for water quality certification for the project. If the state, interstate agency, or the EPA fails to issue or deny the water quality certification within 30 days after receiving the copy of this notification, the requirements for a water quality

certification are waived. If the appropriate agency notifies the District Commander that the applicant has not filed a request for water quality certification, or requests additional time to review an application, additional time will be granted.

(b) *Public meeting.* (1) Public meetings will be held when there are substantial issues concerning the effect that the proposed bridge will have on the reasonable needs of navigation.

(2) Notice of the public meeting will be published in the FEDERAL REGISTER. Notice of the meeting is also mailed to State, county, and municipal authorities and all other known interested parties. It is also posted at the post office nearest the site and public places in the vicinity.

(3) Meetings are public and conducted in an informal manner. A designated Coast Guard official presides. The submission of written statements is invited and encouraged. Anyone desiring to do so may speak. Statements, written or oral, are not under oath, and cross-examination is not permitted. No fixed order has been established for the presentation of evidence or argument although proponents are generally heard first, followed by opponents with full opportunity afforded for rebuttals.

(c) *Report and recommendations.* After the close of the comment period and any public meeting, a detailed statement of findings, conclusions, and recommendations based on all available information (including Coast Guard records and experience) is prepared. The following factors may be discussed in this report:

(1) Comparison of proposed bridge with existing bridges over the waterway; attitude of local authorities; summary of objections raised by the public, and District Commander's comments or responses; probable effect on navigation, present and prospective.

(2) Description of the navigation on the waterway past the site of the proposed bridge, the number and type of vessels, the number of vessel trips, and the principal method of handling traffic, whether in single vessels or in tows.

(3) Whether the District Commander approves, or recommends approval of the plans. If they are found objectionable, the reasons for this finding will be stated. If there are objectionable features in the plans which may be corrected, the applicant is given an opportunity to revise them. If approval is given or recommended, all conditions to which the permit should be subject will be stated.

(d) *Action on permit application.* (1) The District Commander may issue the permit if authorized under §1.01–60(b) of this chapter; otherwise, a report with the application shall be submitted to the Commandant for final action.

(2) When an application is approved, the issuing official signs the permit and transmits it to the applicant.

(3) When an application is not approved, the applicant is notified and provided with reasons for the disapproval, and suggestions for modifications that would justify reconsideration, if appropriate.

(4) If an application is disapproved by the District Commander, the applicant may appeal this decision to the Commandant under §114.50 of this chapter. The Commandant's determination shall constitute final agency action.

(e) *Permit amendments.* Applications for amendments to permits will be processed in the same manner as permit applications. The District Commander may approve amendments to any permits which that official is authorized to issue under §1.01–60(b) of this chapter. All other amendments must be approved by the Commandant.

(5 U.S.C. 559; 14 U.S.C. 633; 33 U.S.C. 401, 491, 499, and 525; 49 U.S.C. 1655(g), and 49 CFR 1.46(c) and (q))

[CGD 80–099, 46 FR 38354, July 27, 1981; 46 FR 42268, Aug. 20, 1981, as amended by CGD 82–006, 47 FR 36641, Aug. 23, 1982; CGD 82–074, 47 FR 51865, Nov. 18, 1982; USCG–2008–0179, 73 FR 35012, June 19, 2008; USCG–2010–0351, 75 FR 49410, Aug. 13, 2010]

§ 115.70 Advance approval of bridges.

(a) The General Bridge Act of 1946 requires the approval of the location and plans of bridges prior to start of construction (33 U.S.C. 525). The Commandant has given his advance approval to the location and plans of bridges to be constructed across reaches of waterways navigable in law, but not actually navigated other than by logs, log rafts, rowboats, canoes and