

§ 114.10

33 CFR Ch. I (7-1-01 Edition)

(b) *Approved*. The term “approved” means approved by the Commandant unless otherwise stated.

(c) *Bridges*. The term “bridge” means a structure erected across navigable waters of the United States, and includes causeways, approaches, fenders, and other appurtenances thereto.

(d) *Coast Guard District Commander or District Commander*. The term “Coast Guard District Commander” or “District Commander” means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within his or her district. (See Part 3 of this chapter for descriptions of Coast Guard Districts.)

(e) *Commandant*. The term “Commandant” means Commandant, U.S. Coast Guard, Department of Transportation, Washington, D.C. 20593.

(f) *District Office or Coast Guard District Office*. The term “District Office” or “Coast Guard District Office” means the Office of the Commander of a Coast Guard District.

(g) *Headquarters or Coast Guard Headquarters*. The term “Headquarters” or “Coast Guard Headquarters” means the Office of the Commandant, U.S. Coast Guard, Department of Transportation, Washington, D.C. 20593.

(h) *Permit*. The term “permit” means the license permitting construction of bridges and approaches thereto in or over navigable waters of the United States, issued under the rules and regulations in this subchapter.

(i) *Secretary*. The term “Secretary” means the Secretary of Transportation or any person to whom he or she has delegated his or her authority in the matter concerned.

(j) *United States Coast Guard or Coast Guard*. The term “United States Coast Guard” or “Coast Guard” means the organization or agency established by the Act of January 28, 1915, as amended (14 U.S.C. 1).

(k) [Reserved]

(l) *Assistant Commandant for Operations*. The term “Assistant Commandant for Operations” means the officer of the Coast Guard designated by the Commandant as the staff officer in charge of the Office of Navigation Safe-

ty and Waterway Services, U.S. Coast Guard Headquarters.

(33 U.S.C. 401, 491, 525, 535; 49 CFR 1.46(c) (8), (9), (10), (q))

[CGFR 67-46, 32 FR 17769, Dec. 12, 1967, as amended by CGD 76-144, 42 FR 28882, June 6, 1977; CGD 80-099, 46 FR 38353, July 27, 1981; CGD 82-006, 47 FR 36640, Aug. 23, 1982; CGD 88-052, 53 FR 25120, July 1, 1988; CGD 96-026, 61 FR 33663, June 28, 1996; CGD 97-023, 62 FR 33363, June 19, 1997; USCG-2001-9286, 66 FR 33640, June 25, 2001]

§ 114.10 General policies on issuance of permits and drawbridge operation regulations.

The several bridge laws referenced in § 114.01 Purpose, 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. The decision as to whether a bridge permit or a drawbridge operation regulation will be issued or promulgated must rest primarily upon the effect of the proposed action on navigation to assure that the action provides for the reasonable needs of navigation after full consideration of the effect of the proposed action on the human environment. The Coast Guard is not responsible for any other permits that the applicant may need from other federal, state, or local agencies and issuance of a bridge permit does not affect flood control projects or other governmental programs.

[CGD 82-006, 47 FR 36640, Aug. 23, 1982, as amended by USCG-2000-7223, 65 FR 40056, June 29, 2000]

§ 114.20 Departure from permit plans.

(a) If the final inspection shows a minor departure from the authorized plans which does not materially affect navigation, the permittee will be required to furnish a tracing showing the work as actually constructed but no further action will be taken by the Coast Guard.

(b) It is not the practice of the Coast Guard to issue letters certifying that completed work conforms to that which was authorized. That question is a matter of fact to be determined in case of controversy by the usual rules of court procedure.