

# **Reference: RGL 83-10**

## **Subject: NAVIGABILITY STUDIES**

**Title: RECISSION OF RGL 82-1, NAVIGABILITY STUDIES**

**Issued: 10/26/83      Expires: 12/31/85**

**Originator: DAEN-CWO-N**

**Description: AUTHORIZES DE'S TO RESUME PREPARATION OF NAVIGABILITY DETERMINATIONS.**

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1. Regulatory Guidance Letter 82-1, Navigability Studies, is hereby rescinded.
  2. Division commanders may resume making navigability determinations in accordance with 33 CFR 329.14(b). The availability of funds and time should determine the priority assigned to making these determinations. Where there is an imminent state assumption of the Section 404 program, an appropriate priority should be assigned to completing navigability determinations affecting that state.
  3. District commanders should continue preparing navigability studies, with an appropriate emphasis being assigned to those studies affecting an imminent state transfer. Regional permits should be developed where the current nationwide permit at 33 CFR 330.5(a)(24) may not be sufficient to eliminate duplicative regulatory effort in those areas to be transferred to a state.

FOR THE COMMANDER: