

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
First Coast Guard District

One South Street
Battery Park Building
New York, NY 10004-1466
Staff Symbol: dpb
Phone: (212) 514-4338
Email: Dale.K.Lewis2@uscg.mil

June 04, 2021

Town of Wellfleet
Attn: Mr. William Sullivan
Harbormaster
255 Commercial Street
Town Pier
Wellfleet, MA 02667
Via email: William.Sullivan@fleetwell-ma.gov

Re: NV-1097- Chequessett Neck Road Bridge over Herring River

Dear Mr. Sullivan,

This responds to your request regarding Coast Guard jurisdiction for the referenced bridge projects.

The project is located in or above Herring River, which is a navigable waterway under Coast Guard jurisdiction as set forth in 33 CFR 2.36 (a). We have determined that this reach of the waterway is not actually navigated other than by logs, log rafts, rowboats, canoes, and small motorboats or has been listed as an Advance Approval Waterway for the Coast Guard Bridge Program in this area. As a result, we continue to consider this area an Advance Approval waterway as defined in 33 CFR 115.70. This Advance Approval determination is valid for three years from the date of this letter and if construction does not commence within this time period, you should contact this office for reaffirmation of this determination.

Please note that the Coast Guard's Advance Approval determination for this reach of the Herring River applies only to the U.S. Coast Guard Bridge Program, and should not be construed to mean that other federal agencies will not assert jurisdiction over the proposed project, or the waterway itself. I strongly encourage you to contact other federal agencies that may require approvals before proceeding with the project. Additionally, this determination does not relieve the project proponent of the responsibility to comply with applicable state or local requirements for this project.

Although this project will not require a bridge permit, other areas of Coast Guard jurisdiction apply. The following stipulations should be met:

- a. The lowest portion of the superstructure of the bridge across the waterway should clear high water pursuant to 33 CFR 115.70.
- b. We have determined that bridge navigational lighting or signals under 33 CFR Part 118 will not be required at this time, however, the Coast Guard reserves the right to require lighting or signals at any time in the future should nighttime navigation increase in the vicinity of, or through the bridge.

c. To ensure the Coast Guard is aware of the construction activity on the waterway, you must contact this office at least 30 days prior to commencement of any work for review of construction plans and determination of other requirements for work in the area.

d. If this project will require waterborne equipment, waterway closures/restrictions or safety zones established, requests must be made a minimum of 90 days in advance. Please contact Mr. Jeffrey Yunker, USCG Sector New York, via e-mail at Jeffrey.M.Yunker@uscg.mil, or by phone at 718-354-4195.

e. Any spillage of oil or oil-based products during construction must be promptly reported to the Coast Guard by calling 1-800-424-8802.

If you have any further questions, feel free to contact this office at the number above.

Sincerely,

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D. A. Fisher
Bridge Program Manager
U.S. Coast Guard
By direction

E-Copy: 1) USCG Sector Boston, Waterways
2) USACE-New England Division, Navigation Section