

U.S. Department  
of Transportation

United States  
Coast Guard



Commander  
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16591A  
September 12, 2001

Mr. Josh B. Jones  
Waterfront Developers, LLC  
313 Carr Drive  
Slidell, Louisiana 70458

**CERTIFIED MAIL – RETURN RECEIPT**

Dear Mr. Jones:

This refers to your letter of August 16, 2001 in response to the questions from the North Shore Beach Association of August 13, 2001. Those questions are in reference to the operation and maintenance of the proposed bascule bridge across Faciane Canal, mile 0.1, near Slidell, St. Tammany Parish, Louisiana. The responses provided by you to the North Shore Beach Association do not comply with the Drawbridge Operation Regulations published in Title 33 Code of Federal Regulations (CFR) Part 117 Subpart A. Additionally, 33 CFR 118 prescribes the requirements for bridge lighting and other signals. You will be required to adhere to these requirements. Any answers previously supplied to the North Shore Beach Association that are contradictory to those prescribed in these Parts should be modified and resubmitted to the Association for their edification.

33 CFR 117 prescribes the general requirements relating to the use and operation of drawbridges across the navigable waters of the United States. 33 CFR 118 states that all persons owning or operating bridges over the navigable waters of the United States shall maintain at their own expense the lights and other signals required by this part. Copies of 33 CFR 117 and 33 CFR 118 have been included for your use

As stated above, 33 CFR 117 addresses the required operation of a drawbridge. Subpart 117.5 requires that a drawbridge be opened promptly and fully for the passage of vessels when a request to open is given in accordance with this subpart.

Subpart 117.7 prescribes the general duties of drawbridge owners and tenders. This subpart requires the owner to provide the necessary drawtenders for the safe and prompt opening of the draw. This subpart also requires the bridge owner to maintain the operating machinery of the draw in a serviceable condition. It should be noted that this subpart does not provide for the required operation of the draw by boat operators wishing to pass through the bridge site. The duties of the operation of the draw are the responsibility of the bridge owner and the drawtender.

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Subpart 117.15 prescribes the proper signals for requesting an opening of a draw and the proper response by the drawtender to acknowledge an opening request. The signals used to request the opening of the draw and to acknowledge that request shall be sound signals, visual signals, or radiotelephone communications as described. This subpart describes the proper response to be given when the bridge can be opened immediately. It also provides the proper response to be given by the drawtender when the draw cannot open immediately or when the draw is open and shall be closed promptly.

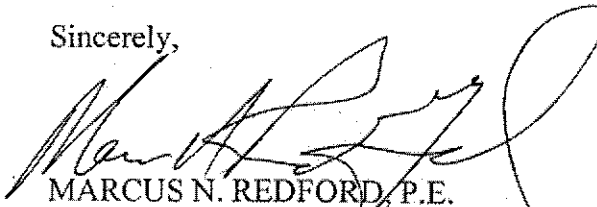
Subpart 117.21 states that when operation of the draw must deviate from the regulations in this part for scheduled repair or maintenance work, the drawbridge owner shall request approval from the District Commander at least 30 days before the date of the intended change. The request shall include a brief description of the nature of the work to be performed and the times and dates of requested changes. The District Commander's decision is forwarded to the applicant within five working days of the receipt of the request. If the request is denied, the reasons for the denial are forwarded with the decision.

This subpart also states that when the draw is rendered inoperative because of damage to the structure or when vital, unscheduled repair or maintenance work shall be performed without delay, the drawbridge owner shall immediately notify the District Commander and give the reasons why the draw is or should be rendered inoperative and the expected date of completion of the repair or maintenance work. You, as the drawbridge owner, are also required to perform all maintenance and repair work with all due speed in order to return the draw to operation as soon as possible.

All subparts of 33 CFR 117 and 33 CFR 118 should be reviewed by you so that you have a full understanding of the requirements for operation of a drawbridge and for the bridge lighting and other signals required by drawbridges. You will be directed as to specific lighting and gauge requirements when and if a permit is issued. Lighting and gauges will be specified as found in 33 CFR 118. Complaints of alleged violations under these parts will be submitted to the District Commander. Penalties for violations under these parts are assessed and collected under 33 CFR 1.07, Enforcement.

If you have any questions, please don't hesitate to call.

Sincerely,



MARCUS N. REDFORD, P.E.  
Chief, Bridge Administration Branch  
By direction of the Commander  
Eighth Coast Guard District

Copy: Mr. John Lopez, North Shore Beach Association