

**RIVERS AND HARBORS ACT SECTION 10 DETERMINATION OF
JURISDICTION**

Project Name: Murray, Marjorie

Action ID: SAJ-2008-1643

Applicant: Marjorie Murray

There are "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

Waterbody: Biscayne Bay

Waters have been determined to be navigable because:

- Navigation Study
- Judicial interpretation in a Federal court of law
- Waters subject to the ebb and flow of the tide
- Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. **Explain:** Work is in/over Biscayne Bay, which is presently and historically used for private and commercial vessel traffic.

Project Manager: Audrey Siu

Date: November 20, 2008