

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

**Project Name:** Boat Key Marina

**Action ID:** SAJ-1986-3160

**Applicant:** SH3, Inc.

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:** boat basin

**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:**

**Project Manager:** M. Ruzza

DEC 29 2008

**Date:** \_\_\_\_\_