

Coast Guard Jurisdiction on Rivers and Lakes

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The Coast Guard makes navigability determinations regarding specific waterways or portions of waterways in order to determine its jurisdiction on those waterways. These navigability determinations are made for Coast Guard use at the request of Coast Guard officials and are subject to change or modification. In accordance with [Title 33, Code of Federal Regulations, Section 2.40](#), the Coast Guard District Commander maintains copies of Coast Guard navigability determinations for waters located within the [District's boundaries](#). This website is intended to assist the public determine whether a navigability determination has been made by the Coast Guard for waters located in the First Coast Guard District. If a body of water is not listed here, it may still be navigable. Navigability may also be determined by Congress, the federal courts, and the U.S. Army Corps of Engineers. Likewise, absence of a determination does not mean a specific body of water is not navigable. Absence of a determination means only that the Coast Guard has not made a navigability determination.

Federal regulations permit public inspection of navigability determination held by the First Coast Guard District. To inspect the navigability determinations files, please contact the First Coast Guard District Legal Office at (617) 603-8485 to schedule an appointment. In addition, the public may request copies of specific navigability determinations.

CFR 329.14 Determination of [navigability](#).

(a) *Effect on determinations.* Although conclusive determinations of [navigability](#) can be made only by federal Courts, those made by federal agencies are nevertheless accorded substantial weight by the courts. It is therefore necessary that when jurisdictional questions arise, district personnel carefully investigate those waters which may be subject to Federal regulatory [jurisdiction](#) under guidelines set out above, as the resulting determination may have substantial impact upon a judicial body. Official determinations by an agency made in the past can be revised or reversed as necessary to reflect changed rules or interpretations of the law.

(b) *Procedures of determination.* A determination whether a waterbody is a navigable water of the United States will be made by the division engineer, and will be based on a report of findings prepared at the district level in accordance with the criteria set out in this regulation. Each report of findings will be prepared by the district engineer, accompanied by an opinion of the district counsel, and forwarded to the division engineer for final determination. Each report of findings will be based substantially on applicable portions of the format in [paragraph \(c\)](#) of this section.

Navigable rivers in New England are shown here:

https://www.nae.usace.army.mil/Portals/74/docs/regulatory/JurisdictionalLimits/US_Navigable_Waters.pdf

Coast Guard jurisdiction in lakes is determined by being bordered by more than one state. For instance, Lake Champlain is bordered by two states and is monitored by the Coast Guard. Lake Winnepesaukee is entirely in New Hampshire and is monitored by the State.