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16210
22 March 1977

Navigable Waters of the United States; Otay River above mean high water

*San
Diego
County*

Legal Officer

Chief, Aids to Navigation Branch
Chief, Operations Division

- (a) Your memo 16594/PF Ser: oan 117-77 of 17 Mar 1977
- (b) COMDTINST 16210.1

1. Based on the information provided in reference (a), it is my opinion that there is clearly ~~insufficient factual basis~~ to support the exercise of Coast Guard jurisdiction over the waters of the Otay River above mean high water.
2. Accordingly, you should decline to exercise jurisdiction for the purposes of the Bridge Administration Program.
3. A record of this finding will be maintained in accordance with reference (b) by the Legal Officer.

K. W. MIRMAK
Acting