

Determination of navigability, Agua Hedionda Lagoon, San Diego County, CA

Legal Officer

Chief Aids to Navigation Branch

Ref: (a) COMDTINST 16210.1A
(b) DLLSTFINST 16210.1

1. Agua Hedionda Lagoon is a 230 acre body of water, located in the southern portion of the city of Carlsbad, in San Deigo County. The Lagoon has open and free connection to the Pacific Ocean by means of permanent manmade improvements. The Lagoon is subject to the ebb and the flow of the tide. It has previously been determined by the U.S. Army Corp of Engineers to be navigable waters to the higher high water line.

2. In my opinion Agua Hedionda Lagoon is a lateral extension of the Pacific Ocean, subject to the ebb and flow of the tide, and thus a navigable water of the United States, to a limit 2.5 feet above mean sea level. Therefore the site of the proposed bridge replacement at Carlsbad Boulevard crosses the navigable waters of the United States, and the Coast Guard may properly exercise jurisdiction.

J. F. MEADE

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