

Federal Navigability Test for Riverbed Title

A waterbody is navigable if, at the time of statehood, in its natural and ordinary condition, the waterbody was used, or was susceptible of being used as a highway for commerce, over which trade and travel were or could have been conducted in the customary modes of trade and travel on water.

Determined on a segment-by-segment basis.

Note: this test differs from Georgia's definition of navigable stream under OCGA 44-8-5.