

5. Waters of the U.S.: - 40 CFR 122.2 defines “Waters of the United States” as:

- a. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- b. All interstate waters, including interstate “wetlands;”
- c. All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, “wetlands,” sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
 1. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
 2. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
 3. Which are used or could be used for industrial purposes by industries in interstate commerce;
- d. All impoundments of waters otherwise defined as waters of the United States under this definition;
- e. Tributaries of waters identified in paragraphs (a) through (d) of this definition;
- f. The territorial sea; and
- g. “Wetlands” adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waters of the U.S. in Nevada: The following “Waters of the U.S.” are located in Nevada:

- a. Lake Tahoe
- b. Lake Mead
- c. Carson River
- d. Truckee River
- e. Walker River
- f. Humboldt River
- g. Las Vegas Wash
- h. Any tributary to these water systems – For example, the irrigation channels located in the Fallon area are part of the Carson & Truckee River system thus are “Waters of the U.S.”
- i. Other water bodies which may be jurisdictionally regulated under the Clean Water Act.

Waters of the State: NRS 445A.415 - “Waters of the State” means all waters situated wholly or partly within or bordering upon this State, including but not limited to:

- a. All streams, lakes, ponds, impounding reservoirs, marshes, water courses, waterways, wells, springs, irrigation systems and drainage systems; and
- b. All bodies or accumulations of water, surface and underground, natural or artificial.

Nevada's 303(d) List of Impaired Waters / TMDL Lists

Current 303(d) List of Impaired Waters:

http://ndep.nv.gov/bwqp/file/303d_list09-att1.pdf

Nevada's Total Maximum Daily Load (TMDL) Program:

<http://ndep.nv.gov/bwqp/tmdl.htm>

Nevada's Total Maximum Daily Load (TMDL) Fact Sheet:

<http://ndep.nv.gov/bwqp/factsheet.pdf>

Nevada's 303(d) Delisted Waters:

Please see the following web link to current 303(d) Delisted Waters:

http://ndep.nv.gov/bwqp/file/303d_list09-att2%20.pdf