

SECTION 2.0

DISCHARGES TO WATER QUALITY IMPAIRED WATERS

[3.1.1 Applicability: Based upon the year 2002-303(d) list and subsequent updates, the Permittees must evaluate whether stormwater discharge from any part of the MS4 significantly contributes directly or indirectly to the listing of a waterbody on the 303(d) list (i.e., impaired waterbody). If Permittees have discharges meeting this criterion, the Permittees must comply with Part 3.1.2; if the Permittees do not have discharges meeting this criterion, Part 3.1 does not apply]

NDOT has developed a series of maps which identify NDOT's highways and facilities and Nevada's 2002-303(d) listed waters. The maps will be employed in evaluating whether NDOT discharges contribute to individual waterbodies being listed on the 303(d) impaired waters list. The maps are located in Appendix A.

[3.1.2 If the Permittees have "303(d)" discharges described above, the Permittees must also determine whether a TMDL has been developed and approved by NDEP for the listed waterbody. If there is a TMDL, the Permittees must comply with Part 3.1.3; if no TMDL has been approved, the Permittees must comply with Part 3.1.4]

The following table is adapted from NDEP's Nevada's 2002-303(d) Impaired Waters List and lists the established Total Maximum Daily Loads (TMDLs) for the Nevada 2002-303(d) listed waters:

Waterbody	Parameters
Carson River	BOD (biological oxygen demand), nitrate, orthophosphates, TDS (total dissolved solids)
Humboldt River	TDS, TP (total phosphorus), TSS (total suspended solids)
Las Vegas Wash/Bay	TP, total ammonia
Truckee River	TDS, TN (total nitrogen), TP
Walker River	TSS

[3.1.3 When a TMDL has been established as described in paragraph 3.1.2, the Permittees must notify NDEP if the TMDL includes a wasteload allocation applicable to stormwater discharges covered by this permit.]

A wasteload or load allocation for urban storm water runoff has not been developed in Nevada. Therefore, Permit Sections 3.1.3.1-3.1.3.1.7 do not apply to NDOT at this time. The Permit does not include numeric effluent limitations for storm water runoff because storm water runoff from highways and highway facilities is highly variable. To address highway runoff, the NPDES

program has emphasized implementation of BMPs and monitoring. This SWMP describes NDOT's program to employ permanent and temporary BMPs and implement a monitoring plan within the life of the Permit.

[3.1.4 When a TMDL has not been established as described in paragraph 3.1.2, NDOT must include a section in the annual report describing the condition for which the water has been listed, evaluating possible BMPs that might practicably be implemented, examining whether these BMPs would have a substantial effect on achieving compliance, and identifying any BMPs that are selected for implementation]

[3.1.5 The SWMP shall identify additional BMPs, if appropriate, to help achieve the TMDL for waters of the U.S. and shall be submitted in accordance with Section 4.1.2]

[3.1.6 A report of the findings in this section shall be included in the SWMP and shall be submitted to the Division for approval no later than one (1) year after the effective date of this permit]

NDOT will submit within the context of the Annual Report a summary of the 303(d) listed waters and associated TMDLs, when applicable to storm water. NDOT will implement the BMPs described in this SWMP to protect receiving waters to the MEP.