**DEPARTMENT OF THE ARMY**
**U.S. ARMY CORPS OF ENGINEERS**
**SOUTH PACIFIC DIVISION**
**450 GOLDEN GATE AVENUE**
**SAN FRANCISCO CALIFORNIA 94102-3661**

CESPD-ZA

04 January 2024

MEMORANDUM FOR RECORD

SUBJECT: Stand-Alone Traditional Navigable Water Determination—Humboldt Lake in Nevada, SPK-2023-00332.

1. References:

   a. Sacramento District Memorandum of 28 November 2023, Subject: Humboldt Lake in Nevada, Recommendation for Stand-Alone Traditional Navigable Water Determination, SPK-2023-00332.

   b. CFR §328.3(a)(1)(i).

   c. Clean Water Act (Public Law 92-500).

2. As per reference 1.a, on 28 November 2023, the Sacramento District (SPK) submitted enclosures 1 and 2, pursuant to applicable guidance. SPK found that Humboldt Lake was both used and susceptible to use in interstate or foreign commerce, within the meaning of reference 1.b. Based on these findings, SPK recommended that the South Pacific Division determine Humboldt Lake to be a Traditional Navigable Water (TNW), pursuant to reference 1.b..

3. TNWs, as used here, are those waters described in reference 1.b: "*all waters which are currently used, or 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.*"

4. Hunters used and still use watercraft to hunt waterfowl on Humboldt Lake. Market hunters used Humboldt Lake in the second half of the Nineteenth Century to harvest waterfowl for market. Market hunters transported waterfowl to market using an interstate railroad network. At least one market hunting enterprise, during the Winter of 1897-98, shipped waterfowl to market in San Francisco, California. Taken together, the evidence demonstrates that Humboldt Lake was both used in the past and is susceptible to use in interstate or foreign commerce.

5. Based on the documentation of past commercial use and susceptibility to that use, the South Pacific Division determines that Humboldt Lake is a Traditional Navigable Water pursuant to the above references.

6. Points of contact for this Memorandum are:

    a. Mr. ██████, ██████, ██████@usace.army.mil.

    b. Ms. ██████, ██████, ██████@usace.army.mil.

HANDURA.JAME S.J.██████
Digitally signed by HANDURA.JAMES.J██████
Date: 2024.01.04 12:44:46 -08'00'

2 Encls
  1. SPK Report of Findings
  2. SPK OC Opinion

JAMES J. HANDURA
COL, EN
Commanding