



The Territorial Sea **(a)(3)**
Or the Great Lakes **(a)(1), (a)(2)**

2015 WOTUS Regulations - Regulated

- (a)(1) All waters used or usable for interstate or foreign commerce including those subject to ebb/flow of tide
- (a)(2) Interstate waters/wetlands
- (a)(3) Territorial seas
- (a)(4) All impoundments of WOTUS
- (a)(5) All Tributaries of waters (a)(1) –(a)(3)
- (a)(6) All waters adjacent to waters (a)(1)-(a)(5)
 - (c)(1)** Adjacent definition including abutting or separated by a barrier
 - (c)(2)** Neighboring definition
 - (c)(2)(i)** - Within 100 feet of OHWM of items (a)(1) – (a)(5)
 - (c)(2)(ii)** Within 100-year floodplain and within 1,500 feet of OHWM of items (a)(1) –(a)(5)
 - (c)(2)(iii)** Within 1,500 feet of High Tide Line of items (a)(1)-(a)(3) or 1,500 feet of Great Lakes.

2015 Regulations – Regulated with Significant Nexus

- (a)(8) Waters within 100-year floodplain of items (a)(1) through (a)(3) and all waters within 4,000 feet of HTL or OHWM of waters (a)(1)-(a)(5) **where determined on a case-by-case basis to have a significant nexus to a water identified in paragraphs (a)(1) through (a)(3) of this section.**