

Summary of Variance

The proposed amendments will affect the entire Central Valley of California. The amendments consist of the following four elements:

1. Authority for the Central Valley Water Board to grant variances to individual NPDES dischargers from meeting water quality based effluent limitations.
2. A salinity variance program in which the Central Valley Water Board will grant a variance to municipal and domestic NPDES dischargers from meeting water quality based effluent limitations for salinity constituents.
3. A salinity exception program for non-NPDES dischargers subject to waste discharge requirements and conditional waivers.
4. Exemptions from meeting specific EC and chloride effluent limits in the Tulare Lake Basin Plan.

Amendments are proposed for both Central Valley Basin Plans but not the Bay Delta Plan which implies that waste discharges are regulated by regional board basin plans.

I anticipate the following dischargers (programs) will be affected:

1. All NPDES dischargers with effluent limits (so, stormwater is not affected) – the general variance will allow an exception from meeting the WQBELS. Under this policy, individual variances must have a CEQA analysis and USEPA approval of individual variances is required before the variance provisions go into effect. This policy is applicable to non-priority pollutants.
2. All NPDES POTWs with salinity effluent limits that the discharger cannot meet – POTWs that meet certain conditions can apply for a salinity variance. The Basin Plan amendment includes the anti-degradation analysis and CEQA so the individual variances do not need separate anti-degradation analysis or CEQA. These individual variances will go into effect with Regional Water Board approval. This policy is applicable to salinity constituents: EC, TDS, chlorides, sulfate and sodium.
3. All non-NPDES dischargers that have salinity effluent limits that the discharger cannot meet – these dischargers can apply but we must have a CEQA analysis to adopt the exception. This policy is applicable to salinity constituents: EC, TDS, chlorides, sulfate and sodium.
4. In order to carry out the salinity variance and exception program in the Tulare Lake, specific amendments were needed for
 - Irrigated Agriculture
 - NPDES – Municipal and Domestic wastewater
 - WDR – Municipal and Domestic wastewater
 - Poso Creek Subarea
 - White Wolf Subarea
 - Industrial Wastewater
 - Oil Field Wastewater

If you only have time to read the highlights, you can get the gist from the following sections of the staff report:

- 1.3 Need for Amendments to the Basin Plan
- 4.5 Analysis of Issues and Alternatives
- 5 Proposed Basin Plan Amendments (p. 35 – 53)

6.1 Anti-degradation analysis
6.2.4 Consistency with water quality variances
8 Economic considerations (p. 76)
Appendix A – CEQA Checklist (GHG on p. A-8)
Appendix C – Water Conservation, Drought and Water Recycling

In case you don't have time for all the highlights, here's a breakdown by program:

Everyone should read:

1.3 Need for Amendments to the Basin Plan

General NPDES:

4.5 Analysis of Issues and Alternatives (Introduction section)

4.5.1 Issue 1: Variance Authority

5 Proposed Basin Plan Amendments (p. 35 – 42, Sections I and II of the Implementation Program)

6.1 Anti-degradation analysis

Appendix C – Water Conservation, Drought and Water Recycling

NPDES - POTWs

4.5 Analysis of Issues and Alternatives (Introduction section)

4.5.1 Issue 1: Variance Authority

4.5.2 Issue 2: Salinity Variance Program

5 Proposed Basin Plan Amendments (p. 35 – 46, Sections I, II and III of the Implementation Program)

6.1 Anti-degradation analysis

WDR and Waivers

4.5 Analysis of Issues and Alternatives (Introduction section)

4.5.3 Issue 3: Salinity Exception Program

5 Proposed Basin Plan Amendments (p. 47 – 50)

6.1 Anti-degradation analysis

Appendix C – Water Conservation, Drought and Water Recycling

Tulare Lake:

In addition to the above, review Proposed Basin Plan Amendments (p. 51-53).

Additional amendments to the Tulare Lake Basin Plan:

To address the effluent requirements, we will propose allowing an exception from the EC and chloride requirements found in the Basin Plan for specific waste discharge types and geographic areas:

- Irrigated Agriculture
- NPDES – Municipal and Domestic wastewater
- WDR – Municipal and Domestic wastewater
- Poso Creek Subarea
- White Wolf Subarea
- Industrial Wastewater
- Oil Field Wastewater