

MODIFICATION SECTION RECOMMENDATIONS

VWP Advisory Group Meeting: Aug 25, 2014

Desired Outcome of Revisions



- Improve functionality of “minor modification”
- Reduce uncertainty as to activities that qualify for modifications
- Revise activities to those relevant to VWP
- Greater transparency on the process and informational requirements

Recommended Clarifications

Minor Modification

- Allow changes to compliance deadlines
- Additional Impacts:
 - ▣ Increase permanent impact thresholds
 - ▣ Allow new impacts anywhere within authorized project limits
 - ▣ Specify avoidance and minimization and compensation requirements
 - ▣ Require prior approval of temporary impacts
- Allow change in compensation from permittee-responsible to bank/trust fund

Proposed Clarifications (cont.)

Minor Modification

- Remove conditions not relevant to VWP
 - ▣ -180.F.6 and 7, regarding discharge of pollutants
- Clearly identify extension and change of ownership as minor modification actions
- Change of ownership:
 - ▣ Clarify main interest is transfer of permit responsibility
 - ▣ Clearly allow automatic transfer if condition met
- Add deadline to submit extension request
- Propose actions specific to withdrawals (own section)

Proposed Clarifications (cont.)

Major Modification

- Propose application requirements and procedures for processing “major” modifications
 - ▣ Follow current procedures
 - ▣ Refer to other sections, avoid duplication

Proposed Clarifications (cont.)

Surface Water Withdrawal

- Major Modification
 - ▣ An increase in withdrawal volume or instream flow requirement
 - ▣ Significant change to intake location
 - ▣ New or modified use for withdrawal
- Minor Modification
 - ▣ Small changes in intake location
 - ▣ Temporary changes to instream flow or operational requirements
 - ▣ Changes to operations that do not result in withdrawal increases
 - ▣ Changes in monitoring method or location of monitoring sites

Proposed Clarifications (cont.)

- GP - Notice of Planned Change
 - Increase thresholds to allow more flexibility
 - Move “change of ownership” to NOPC section
 - Allow change in compensation from permittee-responsible to bank/trust fund