Reclamation Manual
Directives and Standards

D&S ENV 06-01 Applicability Flowchart

This flow chart assists in identifying circumstances under which the requirements of D&S ENV 06-01 are applicable (shaded boxes), but does not substitute for language in the D&S addressing how use authorizations are to be evaluated and issued. This also identifies circumstances under which other means of addressing water quality in Reclamation facilities are appropriate, although this flow chart should not be construed as identifying every possible scenario.

Is a discharge into Reclamation facilities being proposed by an entity other than Reclamation? (or has Reclamation become aware of such an existing discharge?)

Yes

Reclamation will address water quality concerns through Project operations and management, and by ensuring compliance with applicable environmental laws

No

Is the discharge ever anything else than Reclamation Project water?

Yes

The discharge is exempt from NPDES permitting requirements; no demonstration of NPDES compliance is required for Reclamation purposes

No

Does the discharge consist solely of agricultural runoff, and/or agricultural return flows?

Yes

A contract(s) for use of this excess capacity is required, and will suffice as an alternative to this D&S where it establishes appropriate water-quality standards and monitoring requirements, reserves Reclamation’s right to terminate deliveries if those standards are violated, and incorporates appropriate hold-harmless agreements

No

Is the discharge/inflow being made for delivery to a beneficial use, using available capacity in Reclamation’s facilities? (e.g., groundwater wheeling)

Yes

Does the discharge enter a Reclamation facility or cross Reclamation land indirectly, for example by being routed through an intervening water body or existing channel or conduit?

No

Reclamation normally does not have authority to approve, disapprove, or impose conditions on the location or nature of these discharges. If uncertain, consult with Policy and/or Solicitor. Reclamation does retain the right to notify appropriate authorities if there is reason to believe water quality standards are being violated or CWA requirements are not being met.

Yes

Discharge has no relevance to Reclamation operations

No

Is the discharge already allowed under an existing Reclamation use authorization, permit, or other legally-executed agreement currently in effect?

Yes

Upon expiration, amendment, or modification of the existing use authorization, permit, or other agreement, compliance with the requirements of this D&S and 43 CFR part 429 must be demonstrated before renewing permission to access Reclamation lands or facilities

No

Discharger must secure a use authorization permit from Reclamation in compliance with this D&S and the requirements of 43 CFR part 429

*Note: While this is generally the case, the state-specific situation may differ. For example, the State of California does not currently recognize exemptions for agricultural discharges, and an agricultural waiver may not be available for the proposed discharge.