

NUTRIENT WORK GROUP MEETING SUMMARY

February 26, 2024

2:30 p.m. – 4:30 p.m.
Hybrid Meeting: Zoom and DEQ Room 45

ATTENDANCE: NUTRIENT WORK GROUP MEMBERS

Representative & Affiliation	Representing
Louis Engels (Kelly Lynch Substituting) City of Billings	Point Source Discharger: Large Municipal Systems (>1 MGD)
Shannon Holmes City of Livingston	Point Source Discharger: Middle-Sized Mechanical System (<1 MGD)
Rika Lashley Morrison-Maierle	Point Source Discharger: Small Municipal Systems with Lagoons
Alan Olson Montana Petroleum Association	Point Source Discharger: Non-POTW
Kelly Lynch Montana League of Cities and Towns	Municipalities
Matt Vincent Montana Mining Association	Mining
Ellie Brighton Montana Stockgrowers Association	Livestock-Oriented Agriculture
Guy Alsentzer Upper Missouri Waterkeeper	Environmental Advocacy Organization
Kristin Gardner Gallatin River Task Force	Conservation Organization: Local
Andy Efta U.S. Forest Service, Northern Region	Federal Land Management Agencies
Tina Laidlaw U.S. Environmental Protection Agency	Federal Regulatory Agencies
Jeff Schmalenberg Department of Natural Resources & Conservation	State Land Management Agency
Nick Banish Gallatin Local Water Quality District	County Water Quality Districts or Planning Departments
Dan Rostad Yellowstone River Conservation District Council	Soil and Water Conservation Districts – East of the Continental Divide
Scott Buecker AE2S	Wastewater Engineering Firms

NOT IN ATTENDANCE: NUTRIENT WORK GROUP MEMBERS

Representative & Affiliation	Representing
Karli Johnson Montana Farm Bureau Federation	Farming-Oriented Agriculture

Representative & Affiliation	Representing
Sarah Zuzulock Zuzulock Environmental Services	Conservation Organization: Local
David Brooks Montana Trout Unlimited	Conservation Organization: Statewide
Pete Cardinal Pete Cardinal Outfitters	Water or Fishing-Based Recreation
Samantha Tappenbeck Flathead Conservation District	Soil and Water Conservation Districts – West of the Continental Divide
Julia Altemus Montana Wood Products Association	Timber Industry

ATTENDANCE: OTHER PARTICIPANTS

Abby Indreland, WGM Group
 Alanna Shaw, DEQ, MPDES Section Supervisor
 Amelia Flanery, DEQ, Surface Water Discharge Permitting
 Amy Deitchler, Great West Engineering
 Andrew Gorder, Clark Fork Coalition
 Andy Ulven, DEQ, Water Quality Planning Bureau Chief
 Brian Heaston, City of Bozeman
 Casey Lewis, Flathead Basin Commission Executive Director
 Christina Staten, DEQ, TMDL Section Supervisor
 Christopher Dorrington, DEQ, Director
 Darrin Kron, DEQ, Monitoring and Assessment Section Supervisor
 Drew Shafer, Gallatin Local Water Quality District
 Ed Coleman, City of Helena
 Eric Sivers, DEQ, Policy Analyst
 Erik Makus, EPA, Federal Regulatory Agency
 Gabe Johnson, Spring Creek Mine
 Hannah New, DEQ, Surface Water Discharge Permitting
 Hannah Riedl, DEQ, Nonpoint Source and Wetlands Section Supervisor
 Heather Henry, DEQ, TMDL Water Quality Scientist
 Jason Fladland, City of Great Falls
 Jason Mohr, Legislative Services Executive Director
 Jeff May, DEQ, Surface Water Discharge Permitting
 Jeremy Perlinski, Robert Peccia & Associates
 Joe Lierow, ExxonMobil Billing Refinery
 John Iverson, Treasure State Resources Association
 Josh
 Katherine Berry
 Katie Makarowski, DEQ, Standards and Modeling Section Supervisor
 Kevin Grabinski
 Kristi Kline, Montana Rural Water Systems
 Kurt Moser, DEQ, Legal Counsel
 Kyle Milke, DEQ, Adaptive Management Program Scientist
 Leea Anderson, City of Helena
 Lindsey Krywaruchka, DEQ, Water Quality Division Administrator

Mark Ockey, DEQ, Water Quality Specialist
Matt Wolfe, Sibanye Stillwater
Michael Suplee, DEQ, Water Quality Standards and Modeling
Moirra Davin, DEQ, Public Information Officer
Myla Kelly
Russ Miner, Montana State Legislator
Ryan Urbanec, USDA
Sam Carlson, Clark Fork Coalition
Shawn Kohtz, City of Bozeman
Tatiana Davila, DEQ, Water Protection Bureau Chief
Toria Haraldson, DEQ, Water Quality Specialist
Trevor Selch, Montana Fish, Wildlife and Parks
Vicki Marquis, Holland and Hart
Vicki Watson, University of Montana Watershed Clinic
Xiang Fan, Gallatin Local Water Quality District

MEETING PURPOSE / OBJECTIVES

Meeting Purpose: Discuss the new rulemaking timeline, reasonable potential analysis, and have a Q&A session to answer questions on the rulemaking documents.

Rulemaking Timeline Update

Reasonable Potential Analysis

Rulemaking Documents Q&A

Public Comment & Close of Meeting

- Public Comment

MEETING HIGHLIGHTS / DECISIONS MADE

- Rule package timeline
 - DEQ has provided more time for NWG members to review the rule package
 - The rule package is based on sound science and does include the use of numbers
 - The Adaptive Management Program is the solution
 - This rulemaking effort is for nutrient standards and the Adaptive Management Program, not how this will look in permits
- Reasonable potential analysis
 - DEQ will use a qualitative reasonable potential approach that leverages the “weight of evidence” narrative standard proposed in Circular DEQ-15
 - The point of permit compliance is at the point of discharge (“end of pipe”), the point of standard evaluation is at the near-field downstream site

MEETING INITIATION

Moirra Davin, DEQ, Public Information Officer and meeting facilitator, welcomed everyone to the meeting at 2:34 p.m. Moirra Davin went over meeting logistics (slide 2, **Attachment A**), the meeting

agenda (slide 3, **Attachment A**), and took a roll call of NWG members present either via Zoom or in Room 45 of the DEQ Metcalf Building in Helena (slide 4, **Attachment A**).

Moira Davin handed it over to Christopher Dorrington, DEQ, Director, to give a brief update. After the Water Policy Interim Committee (WPIC) and Environmental Quality Council (EQC) meetings, DEQ heard loud and clear that Nutrient Work Group (NWG) members wanted more time to review the rule package documents and more meetings, and we have provided that. DEQ has been working on the rule package for several years and it is based on sound science. This rule package is implementable under both state and federal law. DEQ continues to work with the Environmental Protection Agency (EPA) to iron out a set of implementable rules that work and are ultimately approvable. DEQ still believes the Adaptive Management Program is the solution and continues to work with the NWG on it. Looking back at the law prior to 2021, we always knew that we would need to rely on the science of Circular DEQ-12A, we cannot get away from there being numbers somewhere in the process. DEQ still believes that the Adaptive Management Program is a great and final solution.

RULEMAKING TIMELINE UPDATE

Lindsey Krywaruchka, DEQ, Water Quality Division Administrator, discussed the rulemaking timeline updates (slide 6, **Attachment A**). It is important that since the last NWG meeting was in November 2023, to provide an update and fill in a few of the blanks. Lindsey Krywaruchka then walked through the various dates of the timeline (slide 6, **Attachment A**). She noted that DEQ was asked for more time, and in the spirit of teamwork, DEQ said yes. Since November 2023 DEQ has made small changes to wording to add clarity. Lindsey Krywaruchka made the distinction that the NWG has spent a lot of time talking about how this will be applied in permits, but this rulemaking effort is separate from that. This rule package is a standard and the Adaptive Management Program. There have been many great conversations on the side about what this will look like in a permit. When this rule package passes, then we can work on what this will look like in a permit. DEQ has allowed as much time as possible; there is a blackout period starting in October of even years.

Lindsey Krywaruchka highlighted that between April 29th and June 10th there is still time to make changes. October 4th is the last day to publish in the Montana Administrative Record (MAR).

REASONABLE POTENTIAL ANALYSIS

Moira Davin turned it over to Alanna Shaw, DEQ, Montana Pollutant Discharge Elimination System (MPDES) Section Supervisor, to discuss reasonable potential analysis (RPA) (slides 8–23, **Attachment A**).

Part of the permitting process is determining whether or not a facility has “reasonable potential to cause or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality,” for all identified pollutants of concern, including nutrients, also called RPA (slides 8–10, **Attachment A**).

Quantitative RPA uses a mass balance approach with pre-established critical conditions to assess whether a facility has reasonable potential for a pollutant (slide 11, **Attachment A**). This approach is appropriate for concentration-based metrics (like the causal nutrient variables total nitrogen and total phosphorus) but is not appropriate for biological response variables (which are weighted more heavily in the proposed narrative nutrient standard in MT) (slide 12, **Attachment A**).

Because standards evaluation takes place at a near field site for nutrient variables, but the point of permit compliance is at the point of discharge (“end of pipe”), DEQ MPDES intends to use a qualitative reasonable potential approach that leverages the “weight of evidence” narrative standard proposed in Circular DEQ-15. Using this approach, a facility that fails to meet any of the narrative nutrient standard criteria would have reasonable potential for nutrients.

When a facility has reasonable potential for nutrients, a permit limit may be warranted. The aim of this permit limit is to meet the narrative water quality standard as soon as possible. Depending on site specific conditions, this may mean that a facility is capped at its current permit limit, current performance, or that end of pipe limits are assessed with the goal of attaining the standard in the near field site through the conditions of an Adaptive Management Plan (AMP). Alanna Shaw then walked through a few case study examples of what this might look like in a permit (slides 14–23, **Attachment A**).

Rika Lashley, Morrison-Maierle, asked if Alanna Shaw could define what is meant by “cap at current”, which should be cap at current permit limits and not current performance. Rika Lashley also asked what do you cap someone at if they don’t have a current permit limit? Alanna Shaw replied that there are certain situations where cap at current performance is more appropriate than the alternative, it is case-by-case. If there is no current permit limit, cap at current performance would be the starting point.

Rika Lashley stated that they do not like cap at current performance. Alanna Shaw agreed that it is not appropriate in every situation.

Sam Carlson, Clark Fork Coalition, asked if there are multiple point sources contributing in a watershed, how does RPA consider multiple contributions? Alanna Shaw replied that since facilities are permitted individually, that is how it would be assessed. Alanna Shaw also acknowledged that there may also be collaborative AMPs. Tatian Davila, DEQ, Water Protection Bureau Chief, asked if Alanna Shaw could speak to the near-field downstream point of compliance versus end of pipe? Alanna Shaw stated that the AMP will have near-field sites, upstream and downstream. The downstream near-field sites will be where the standard is assessed, while the end of pipe is where permit limits will be applied. The upstream versus downstream site comparison will help DEQ to parse out the contributions from an individual facility.

Matt Wolfe, Sibanye Stillwater, said this was helpful. What would RPA look like for a new discharger? Alanna Shaw stated that DEQ encounters this frequently. DEQ would use whatever data is available for the facility and the receiving water. However, DEQ would lean on the conservative side because we have less data to go on. This is similar to the situation if there is a facility with less data available that isn’t new.

RULEMAKING DOCUMENTS Q&A

Moira Davin facilitated the rulemaking documents Q&A (slide 24, **Attachment A**). Lindsey Krywaruchka started off the Q&A session by saying that DEQ is building this rule in consultation with the NWG. She asked if everyone has read the rule? There was no response.

Erik Makus, EPA, asked is RPA going to be in the rule package or internal policy? Lindsey Krywaruchka replied that it won’t be a part of this package, it will be separate. DEQ is working through the other pieces, but we do not want to put the cart before the horse.

Nick Banish, Gallatin Local Water Quality District, asked if the Δ dissolved oxygen (DO) criteria have changed? Alanna Shaw stated that it is the same as what's in Circular DEQ-15.

Dan Rostad, Yellowstone River Conservation District Council, asked what would existing information be in a new permit? What if there is a 20 year old total maximum daily load (TMDL)? Alanna Shaw replied that there is usually ongoing monitoring going on, so it is more likely to have data for causal variables than response variables. Where DEQ receives an application for a permit, we have requirements for in-stream monitoring. Darrin Kron, DEQ, Monitoring and Assessment Section Supervisor, added that if DEQ gets an application for a new permit, the MPDES section immediately starts coordinating with the TMDL section. If it is a new facility with no TMDL, but it is on the impaired waters list, DEQ has 180 days to develop a TMDL unless a different timeline can be negotiated with the permittee.

Rika Lashley asked what about a Clark Fork TMDL? Andy Ulven, DEQ, Water Quality Planning Bureau Chief, added that the Clark Fork River has its own site specific standards that would be used for a TMDL update. There may be revisions to the voluntary nutrient reduction program (VNRP) in the future. Rika Lashley stated that she thought is on the list of TMDLs to be revisited since it is over 20 years old. Andy Ulven replied that revising those water quality standards would have to be a separate initiative through the triennial review if there is compelling data to have us revise the standards. DEQ has talked about revising the VNRP due to a new facility applying for a permit at the Frenchtown site.

Rika Lashley asked if the Adaptive Management Program is an option for dischargers on the Clark Fork? Lindsey Krywaruchka replied yes, and that is why we separated it into two separate rules.

Tina Laidlaw, EPA, asked if DEQ could explain how that would work since you functionally have different criteria? Alanna Shaw replied that the Adaptive Management Program would be a compliance option for places like Missoula, but instead of being evaluated against Circular DEQ-15, it would allow for nonpoint source projects in the watershed, they would just be evaluated against the standard and TMDL that is applicable to them.

Sam Carlson asked if there is anything statewide that the Adaptive Management Program does not apply to? Alanna Shaw said that it is a voluntary program and a compliance schedule as a part of a permit. If the permittee does not meet the requirements, the department maintains the authority to remove the option.

Erik Makus asked if it would be applicable to other pollutants, or if it is just focused on nutrients? Alanna Shaw said that it would only be applicable for nutrients. Katie Makarowski, DEQ, Standards and Modeling Section Supervisor stated that it is specifically stated in the new rule that it is only applicable for nutrients.

FUTURE NWG MEETINGS

Moira Davin covered future NWG meetings (slide 26, **Attachment A**). She highlighted that DEQ is open to other venues for feedback as needed. DEQ values NWG member input and will continue to listen as the rules are implemented. DEQ anticipates that future NWG meetings will be held on an as-needed basis.

PUBLIC COMMENT

Moira Davin opened it up for public comment.

Gabe Johnson, Spring Creek Mine, asked how would the DO standards be applied to an intermittent stream? Michael Suplee, DEQ, Water Quality Standards and Modeling, stated that the standard would be applied. Instruments can be deployed in standing water pools. Mostly all of the streams that we developed the 6 mg/L threshold for in eastern Montana are intermittent streams (which are separate from ephemeral streams).

Gabe Johnson said that he is also looking for sampling guidelines. Michael Suplee said that sampling guidelines are included in the Circular Guidance document and that it has links to DEQ's small instrument deployment standard operating procedure (SOP) and the large instrument SOP. The how, where, and what mechanisms are used to deploy them are all included in documents that you can look at.

Gabe Johnson stated that they have never sampled for DO before. Michael Suplee said that the good news is that the documents you will look at are based on 15 years of data collection, there is good guidance and practical experience in those documents.

Andy Ulven stated that DEQ is happy to meet with Gabe Johnson one-on-one to chat about resources and email them to him directly as well.

Katie Makarowski added that many of DEQ's employees have experience with these methods. We pair training opportunities and written SOPs with people as needed. DO instruments are some of the easiest to use and deploy.

Brian Heaston, City of Bozeman, asked if Circular DEQ-15 Table 2-5 define a sufficient and credible dataset for purposes of reasonable potential? If a minimum dataset doesn't exist, is it feasible to calculate a permit limit? Alanna Shaw said that if there is not sufficient data to conduct a full RPA, DEQ conducts the analysis on whatever data is available. This is not an uncommon situation. This would be a situation where DEQ would do qualitative reasonable potential.

Jason Fladland, City of Great Falls, asked if a municipality currently does not have nutrient limits, what will the starting point be? Alanna Shaw responded that in this situation, it depends. It depends on the condition of the receiving water, concentration of nutrients in the receiving water, ratio of dilution, plus other factors that go into the process, taking into consideration facility performance.

No further questions.

The meeting ended at 3:28 p.m.

**ATTACHMENT A: FEBRUARY 26, 2024 NUTRIENT WORK GROUP MEETING
PRESENTATION SLIDES**

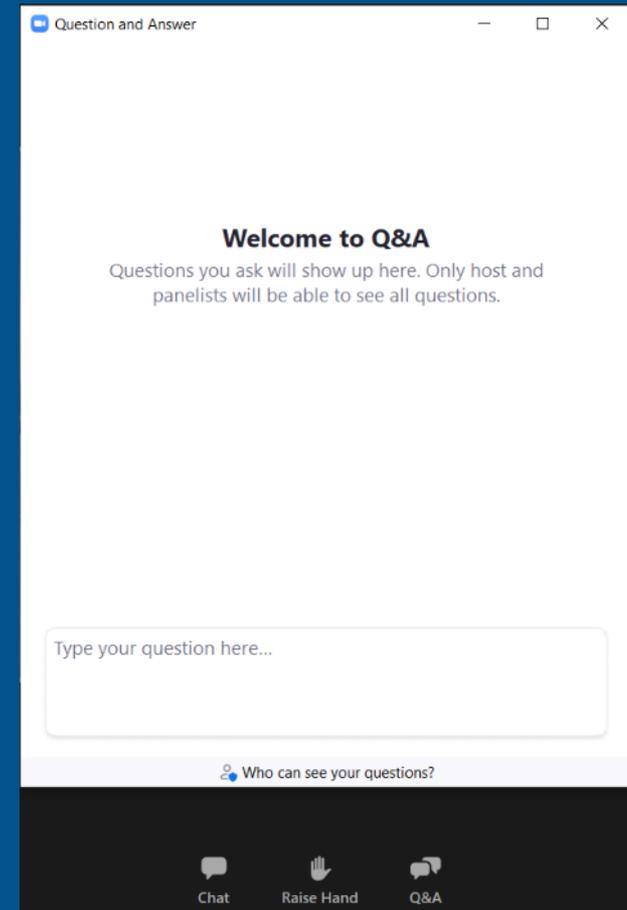


Nutrient Work Group

February 26, 2024

Welcome!

- This meeting is a webinar
- NWG members will be panelists
- Members of the public can raise their hand or use the Q&A feature to ask questions during the public comment portion of the meeting
- *9 raises your hand if you're on the phone
- State your name and affiliation before providing your comment



Unmute

Chat

Raise Hand

Q&A

Leave

Agenda

Meeting Goal: Discuss the new rulemaking timeline, reasonable potential analysis, and have a Q&A session to answer questions on the rulemaking documents.

Preliminaries

- Nutrient Work Group Roll Call

Rulemaking Timeline Update

Reasonable Potential Analysis

Rulemaking Documents Q&A

Public Comment & Close of Meeting

- Public comment

Roll Call

Nutrient Work Group Members

Interest Group	Representative	Substitute
Point Source Discharger: Large Municipal Systems (>1 MGD)	Louis Engels	
Point Source Discharger: Middle-Sized Mechanical Systems (<1 MGD)	Shannon Holmes	
Point Source Discharger: Small Municipal Systems with Lagoons	Rika Lashley	
Point Source Discharger: Non-POTW	Alan Olson	
Municipalities	Kelly Lynch	
Mining	Matt Vincent	
Farming-Oriented Agriculture	Karli Johnson	
Livestock-Oriented Agriculture	Ellie Brighton	
Conservation Organization - Local	Kristin Gardner	
Conservation Organization – Regional	Sarah Zuzulock	
Conservation Organization – Statewide	David Brooks	
Environmental Advocacy Organization	Guy Alsentzer	
Water or Fishing-Based Recreation	Pete Cardinal	
Federal Land Management Agencies	Andy Efta	
Federal Regulatory Agencies	Tina Laidlaw	
State Land Management Agencies	Jeff Schmalenberg	
Water Quality Districts / County Planning Departments	Nick Banish	
Soil & Water Conservation Districts – West of the Continental Divide	Samantha Tappenbeck	
Soil & Water Conservation Districts – East of the Continental Divide	Dan Rostad	
Wastewater Engineering Firms	Scott Buecker	
Timber Industry	Julia Altemus	



Rulemaking Timeline Update

RULEMAKING TIMELINE

* Dates subject to change

2021 to 2023 - Conceptual review and initial drafting

November 14, 2023 - Final NWG meeting of 2023

December 5, 2023 - Provide materials to WPCAC

December 13, 2023 - Rulemaking presentation to WPCAC

January 16, 2024 - Rulemaking overview to WPIC

January 26, 2024 - Rulemaking update to WPCAC

March 8, 2024 – Revised rule package to NWG and WPCAC

March 15, 2024 - Rulemaking update to WPCAC

March 18, 2024 - Rulemaking overview to WPIC

April 16, 2024 - File proposal notice with SOS

April 26, 2024 - Proposal notice published in MAR

April 26 – June 10, 2024 - Public comment period

June 10, 2024 - Public hearing

Respond to comments; modify adoption notice

September 24, 2024 - File adoption notice with SOS

October 4, 2024 - Adoption notice published in MAR

NWG = Nutrient Work Group

WPCAC = Water Pollution Control Advisory Council

WPIC = Water Policy Interim Committee

SOS = Secretary of State

MAR = Montana Administrative Record

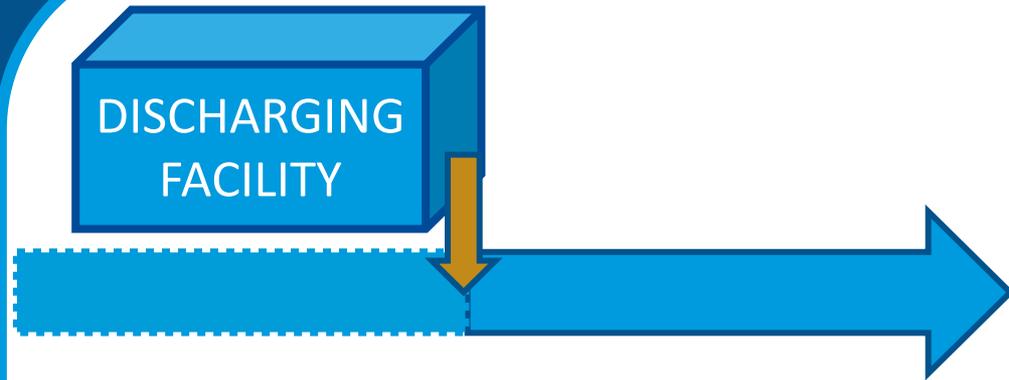




Reasonable Potential Analysis

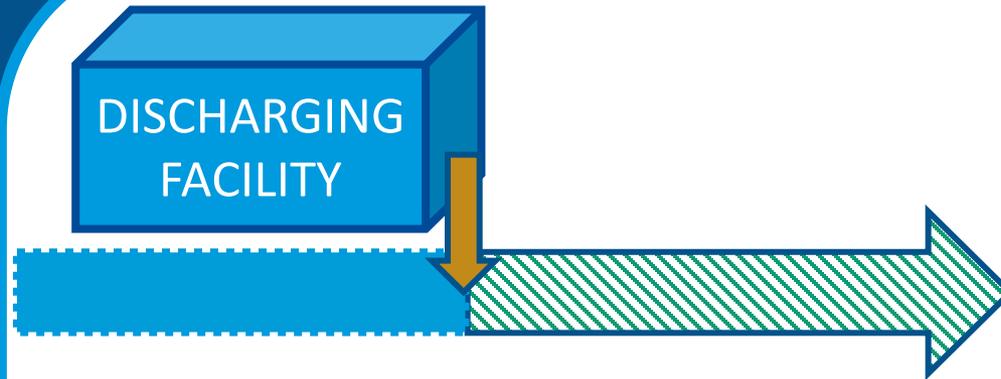
“Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level which will cause, have the **reasonable potential to cause, or contribute** to an excursion above any State water quality standard, including State narrative criteria for water quality.”

- 40 CFR 122.44(d)(1)(i)



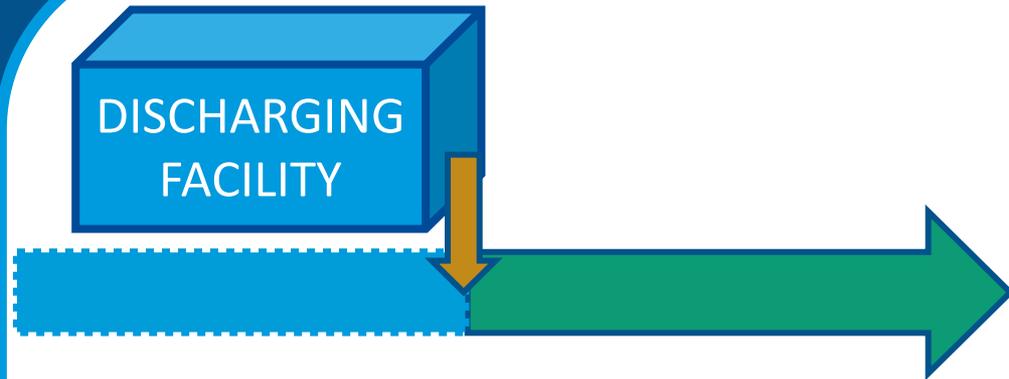
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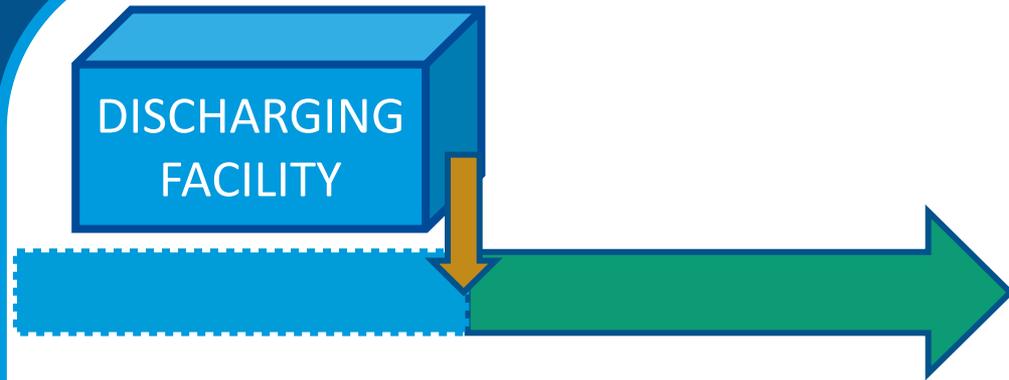
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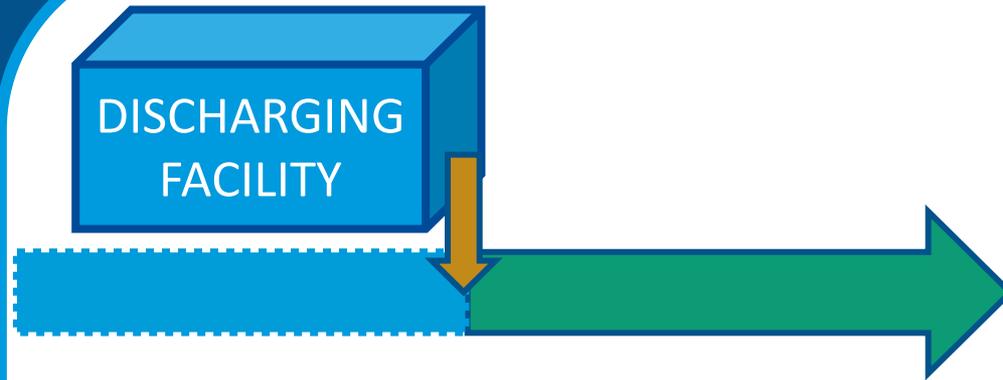


Quantitative RP, calculated using a mass-balance approach, with pre-established critical conditions:

$$C_s Q_s + C_e Q_e = C_d Q_d$$

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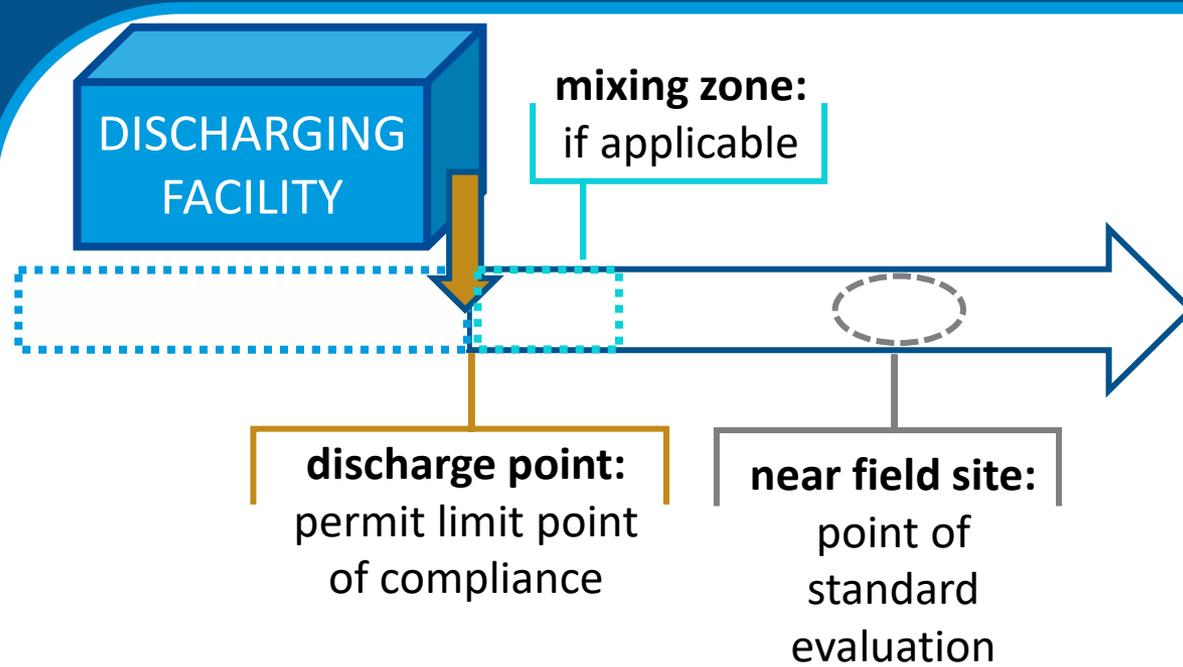
- 40 CFR 122.44(d)(1)(i)



Quantitative RP, calculated using a mass-balance approach, with pre-established critical conditions:

$$C_s Q_s + C_e Q_e = C_d Q_d$$

This approach is workable for **causal variables**, but not for **response variables**.



Ecoregion: 17. Middle Rockies

Stream Slope Zone: low valley & transitional, <1% slope

ER: 17 Middle Rockies, low valley & transitional, <1% slope

Beneficial Use and Applicable Zone			Causal Variable	Response Variable (threshold)			
Beneficial Use	Stream Slope Zone*	Macroinvertebrate Zone*	TP, TN (see ecoregional nutrient concentration ranges in Table 2-3)	DO Delta [†]	Benthic Chl _a ; AFDW	% filamentous algae bottom cover	Macroinvertebrates
Recreation	Western and transitional ecoregions, <u>all</u> stream/medium river water surface slopes	n/a	X		X (150 mg Chl _a /m ² ; 35 g AFDW/m ²)	X (30% cover)	
Aquatic Life	Western and transitional ecoregions, streams/medium rivers with ≤1% water surface slope	Low Valleys and Transitional ^a	X	X (3.0 mg DO/L)			X Beck's Biotic Index v3 (18.7)

ER: 17 Middle Rockies, low valley & transitional, <1% slope

Beneficial Use and Applicable Zone			Causal Variable	Response Variable (threshold)			
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RECREATION CRITERIA

Benthic Chl-*a*:

<150 mg Chl-*a*/m²

AFDW:

35 g/ m²

% fil. algae cover

<30% cover

TN:

<980 µg/L

TP:

<60 µg/L

ER: 17 Middle Rockies, low valley & transitional, <1% slope

Beneficial Use and Applicable Zone			Causal Variable	Response Variable (threshold)			
Beneficial Use	Stream Slope Zone*	Macroinvertebrate Zone*	TP, TN (see ecoregional nutrient concentration ranges in Table 2-3)	DO Delta [†]	Benthic Chl _a ; AFDW	% filamentous algae bottom cover	Macroinvertebrates
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AQUATIC LIFE CRITERIA

TN:
<980 µg/L

TP:
<60 µg/L

Beck's 3:
> 18.7

DO delta:
<3.0 mg DO/L

ER: 17 Middle Rockies, low valley & transitional, <1% slope

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Aquatic Life	Western and transitional ecoregions, streams/medium rivers with ≤1% water surface slope	Low Valleys and Transitional [‡]	X	X (3.0 mg DO/L)			X Beck's Biotic Index v3 (18.7)

RECREATION & AQUATIC LIFE CRITERIA

Benthic Chl-*a*:

<150 mg Chl-*a*/m²

AFDW:

35 g/m²

% fil. algae cover

<30% cover

Beck's 3:

> 18.7

TN:

<980 µg/L

TP:

<60 µg/L

DO delta:

<3.0 mg DO/L

ER: 17 Middle Rockies, low valley & transitional, <1% slope

Beneficial Use and Applicable Zone			Causal Variable	Response Variable (threshold)			
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Aquatic Life	Western and transitional ecoregions, streams/medium rivers with ≤1% water surface slope	Low Valleys and Transitional [§]	X	X (3.0 mg DO/L)			X Beck's Biotic Index v3 (18.7)

RECREATION & AQUATIC LIFE CRITERIA

Benthic Chl-*a*:

<150 mg Chl-*a*/m²



AFDW:

35 g/m²



% fil. algae cover

<30% cover



Beck's 3:

> 18.7



TN:

<980 µg/l



TP:

<60 µg/l



DO delta:

<3.0 mg DO/l



DISCHARGING FACILITY

~~RP for nutrients~~

Benthic Chl-*a*:

<150 mg Chl-*a*/m²



AFDW:

<35 g/m²



% fil. algae cover

<30% cover



Beck's 3:

> 18.7



TN:

<980 µg/l



TP:

<60 µg/l



DO delta:

<3.0 mg DO/l



Recreation Criteria



Aquatic Life Criteria





RP for nutrients*



Benthic Chl-<i>a</i>: <150 mg Chl- <i>a</i> /m ²	<input checked="" type="checkbox"/>	AFDW: <35 g/m ²	<input checked="" type="checkbox"/>
% fil. algae cover <30% cover	<input checked="" type="checkbox"/>	Beck's 3: > 18.7	<input checked="" type="checkbox"/>
TN: <input checked="" type="checkbox"/> <980 µg/l	<input checked="" type="checkbox"/>	DO delta: <3.0 mg DO/l	<input checked="" type="checkbox"/>
TP: <input checked="" type="checkbox"/> <60 µg/l	<input checked="" type="checkbox"/>		

Recreation Criteria
Aquatic Life Criteria

*case where "cap at current" limit is appropriate,
site-specific standard may be warranted

DISCHARGING FACILITY

RP for nutrients

Benthic Chl-*a*:
<150 mg Chl-*a*/m²



AFDW:
<35 g/m²



% fil. algae cover
<30% cover



Beck's 3:
> 18.7



TN:
<980 µg/l

TP:
<60 µg/l

DO delta:
<3.0 mg DO/l

Recreation Criteria

Aquatic Life Criteria

DISCHARGING FACILITY

RP for nutrients

Benthic Chl-*a*:
<150 mg Chl-*a*/m²



AFDW:
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Beck's 3:
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TN:
<980 µg/l

TP:
<60 µg/l

DO delta:
<3.0 mg DO/l

Recreation Criteria

Aquatic Life Criteria



**End of pipe TN
and/or TP limit:**
that achieves the
recreation and
aquatic life
standards in the
near field site*

Recreation Criteria	<input checked="" type="checkbox"/>
Aquatic Life Criteria	<input checked="" type="checkbox"/>

*in combination with NPS projects, where applicable



Rulemaking Documents Q & A



Future NWG Meetings

Future NWG Meetings

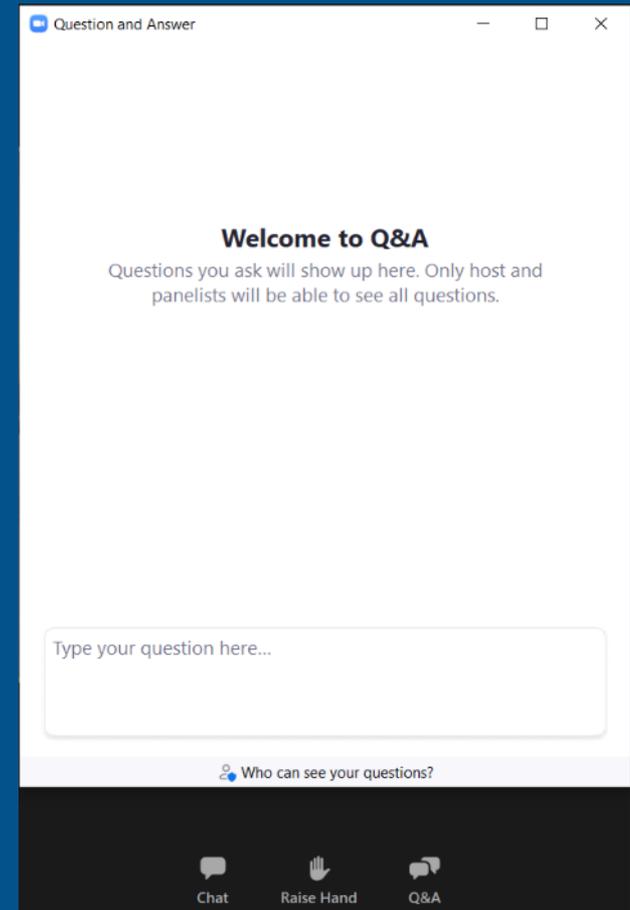
- DEQ is open to other venues for feedback as needed. Some suggestions: a video call between parties, written submitted Q&A, and phone calls to DEQ experts for clarifications
- DEQ values NWG member input and will continue listening as the rules are implemented.
- DEQ anticipates future NWG meetings on an as-needed basis to provide updates and hear concerns.



Public Comment

Questions/ Comments

- Raise hand (*9 if on the phone) or type questions into the Q&A
- DEQ will unmute you if you wish to provide your comment orally
- If calling by phone, press*6 to unmute
- State your name and affiliation before providing your comment



Unmute

Chat

Raise Hand

Q&A

Leave

Thanks for Joining Us

Contact:

Kyle Milke

kyle.milke@mt.gov

To submit comments or questions



<https://deq.mt.gov/water/Councils>