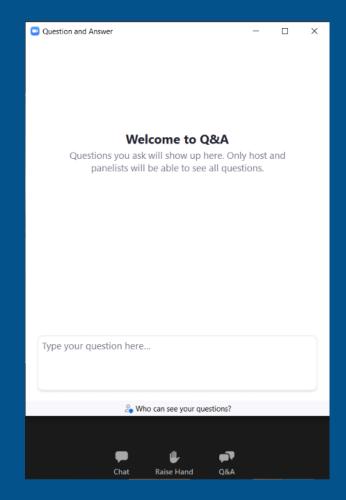




Welcome!

- 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















Agenda

Meeting Goal: Provide a summary of the proposal and address requested topics.

Preliminaries

Nutrient Work Group Roll Call

DEQ Updates

- Upcoming Meetings
- Staff Updates

Remaining Key Topics

- Economics
- Narrative Standard

Funding, Resources, and Costs

CARDD Funding

Rule Package Review

Questions? Concerns?

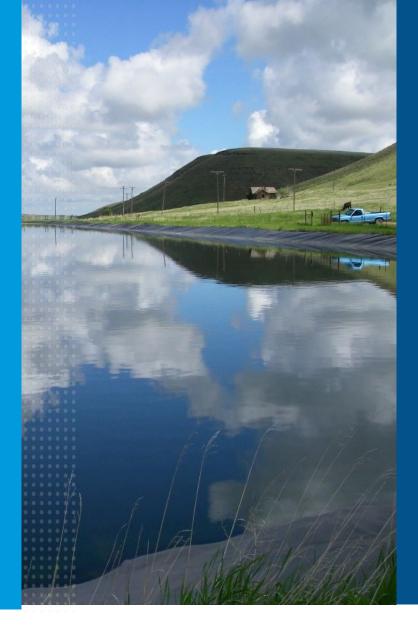
Public Comment & Close of Meeting

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	Rachel Cone	
Livestock-Oriented Agriculture	Raylee Honeycutt	
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	None



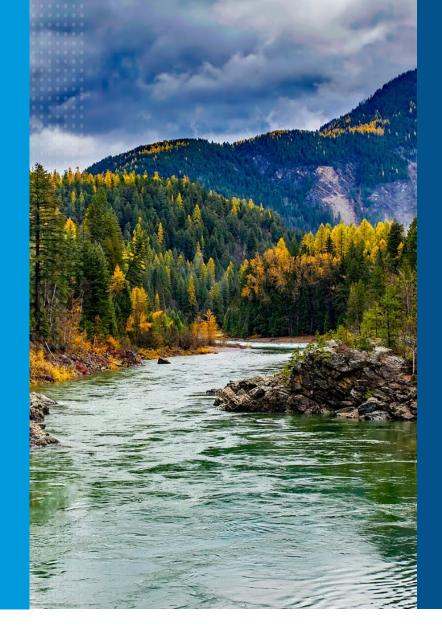
DEQ Updates



DEQ Updates

- Upcoming Meetings
- Staff Updates





Key Topics



Economics

Have we captured these accurately?



DEQ's Proposal

- Economics have always been considered
- Variety of options
 - Adaptive Management Program
 - Partnerships
 - Nutrient trading
 - Variances
- Phosphorous prioritization
 - · More economically feasible
- Watershed-scale AMP strategy
 - Higher planning costs
 - Potential for lower nutrient reduction costs
 - Opportunities for long-term savings



Narrative Standard

Have we captured these accurately?

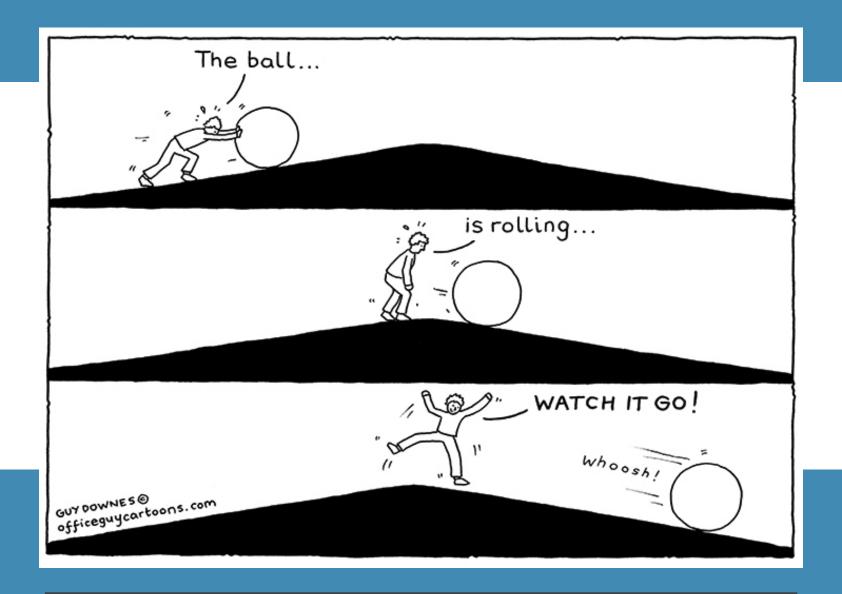


DEQ's Proposal

- New Rule I
 - If the narrative nutrient standards are achieved, beneficial uses are protected
- Narrative Nutrient Standards Translator
 - Numeric expression of a site's response variable data
 - Response variables used, with waterbody nutrient concs., to evaluate beneficial use support
 - Results can inform numeric MPDES permits, and adjustments to
 - Translator would apply to other DEQ programs—with programspecific adjustments
- EPA's Combined Criterion Approach
 - Narrative Nutrient Standards Translator analogous to Combined Criterion
 - Causal (nutrients) and response variables considered together
 - Response variable results given greater weight than nutrient concs.
 - Framework defined in EPA 2013 memo







2023 = MOMENTUM

The Montana Legislature established the Renewable Resource Grant and Loan Program (RRGL) to fund the conservation, management, development and preservation of Montana's renewable resources. The RRGL program provides both grant and loan funding for public facility and other renewable resource projects.

Conserve

 To promote the efficient or sustainable use of a resource.

Manage

 To Improve the ability to control or administer a resource.

Develop

 To develop a new beneficial and sustainable use of a resource.

Preserve

 To protect a resource from pollution, destruction, or neglect.

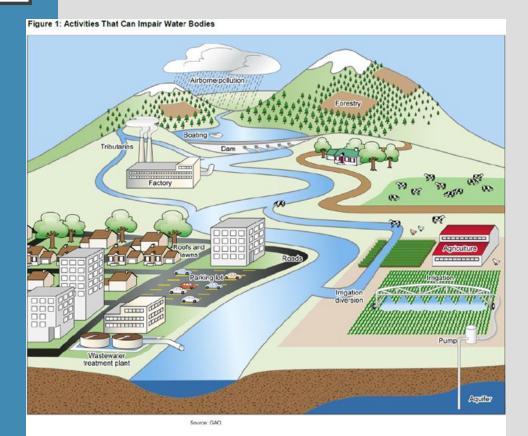


AVAILABLE FUNDING TYPES

Renewable Resource Project Grants (Two-year cycle – HB 6)

Line-Item Grants (within biennium)

- Project Planning Grants
- Emergency Grants
- Private Grants
- Irrigation Development
- Watershed Management Grants
- Rando Line Items
- *(new)* Non-Point Source Grants



Note: The figure shows that impairment of water bodies may stem from pollution by point sources which include industrial facilities, such as factories and wastewater treatment plants, and other sources that discharge wastewater from pipes or other discrete points—or nonpoint sources such as airborne pollution, agricultural fields, forestry, and runoff from roofs, fawns, parking lots, and roads.

2021 Montana Legislature

HOUSE BILL NO. 6

INTRODUCED BY M. HOPKINS
BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND
CONSERVATION. OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; PRIORITIZING PROJECT GRANTS AND AMOUNTS; ESTABLISHING CONDITIONS FOR GRANTS; PROVIDING FOR COORDINATION OF FUNDING; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

- **Section 1.** Appropriations for renewable resource grants. (1) For the biennium beginning July 1, 2021, there is appropriated to the department of natural resources and conservation from the natural resources projects state special revenue account established in 15-38-302 up to:
- (a) \$100,000 for emergency projects grants to be awarded by the department over the course of the biennium;
- (b) \$1,000,000 for planning grants to be awarded by the department over the course of the biennium;
- (c) \$300,000 for irrigation development grants to be awarded by the department over the course of the biennium:
- (d) \$300,000 for watershed grants to be awarded by the department over the course of the biennium; and
- (e) \$100,000 for private grants to be awarded by the department over the course of the biennium; and
- (f) \$250,000 for an emergency grant for water system repairs at the Savage elementary school.

2023 Montana Legislature

HOUSE BILL NO. 6

INTRODUCED BY M. HOPKINS
BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND
CONSERVATION. OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; PRIORITIZING PROJECT GRANTS AND AMOUNTS; ESTABLISHING CONDITIONS FOR GRANTS; PROVIDING FOR COORDINATION OF FUNDING; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

VS

- NEW SECTION. Section 1. Appropriations for renewable resource grants. (1) For the biennium beginning July 1, 2023, there is appropriated to the department of natural resources and conservation from the natural resources projects state special revenue account established in 15-38-302 up to:
- (a) \$300,000 for emergency projects grants to be awarded by the department over the biennium;
- (b) \$3,500,000 for planning grants to be awarded by the department over the biennium;
- (c) \$500,000 for irrigation development grants to be awarded by the department over the biennium:
- (d) \$500,000 for watershed grants to be awarded by the department over the biennium:
- (e) \$100,000 for private grants to be awarded by the department over the biennium; and
- (f) \$2,500,000 for nonpoint source pollution reduction grants to be awarded by the department over the biennium.

BUT MARK! HOW IS THIS POSSIBLE? - CHRIS DORRINGTON, DEQ

AMERICAN RESCUE PLAN ACT

Water & Sewer Grants



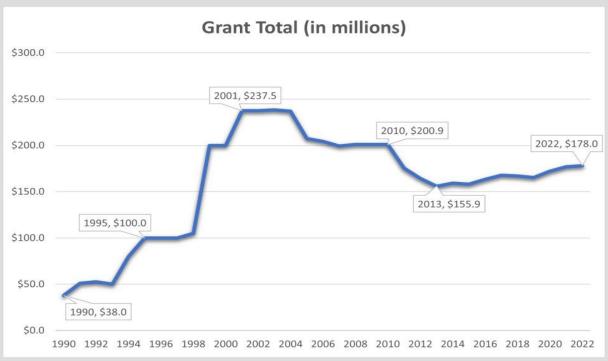
- HB 632 (67th Legislature) appropriated \$462,000,000 in ARPA Sec. 602 Water & Sewer funds to OBPP.
 - DNRC assigned Competitive and Minimum Allocation Grants.
- Over \$10 million HB 6, 7, 14 Project Grants were covered by ARPA fund in HB 632
- Cascade effect benefits HB 6 in 2023 Biennium:
 - 100% funding of 2023 HB 6 Project Grants
 - +\$5.4 million for 2023 HB 6 Line-Item Grants

OPPORTUNITY - HB 6

- I. Reload Plans PERS, Capital Improvement Plans, Irrigation, Drought and Watershed Projects Plans
- 2. Address underserved needs. New Non-Point Source Pollution Grants
- 3. These are State Funds (Think, match!)
- EPA 319
- EPA Columbia River Basin Toxics Lead
 - SB 83 Western Montana Conservation Commission
- NRCS Conservation Grants
- USBOR WaterSmart

WHY A NEW NON-POINT SOURCE GRANT PROGRAM?

319 Grant Funds History:



WHAT WILL NPS GRANTS LOOK LIKE?

- TBD Need to pass HB 6 First!
- Stakeholder outreach, like we did with ARPA
- State Funds won't carry the same constraints as EPA Funds (WRP)



RRGL PROGRAM CONTACTS

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RRGL Program Manager RRGL & RPG	Lindsay Volpe	444-9766	lmvolpe@ mt.gov
Private Grants Manager RRGL Grants	David Larsen	444-2951	dclarson@ mt.gov
Irrigation Development Manager RRGL Grants	Ann Kulczyk- Glasgow	228-4129	akulczyk@ mt.gov
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WMG Manager RDG Grants	Jorri Dyer	444-6839	Jorri.dyer2 @ mt.gov
1000000	Jorri Dyer Autumn Coleman	444-6839	

www.dnrc.mt.gov



Revised Draft Rule Package



DEQ's Proposal at a Glance

- Science: Based on decades of relevant science in Montana's watersheds, and around the United States and world.
- Meets Water Acts: Meets the requirements of Montana's Water Quality Act and the Federal Clean Water Act.
- Toolkit: A diverse toolkit of options for all dischargers, including those who have invested money into their facilities.



NARRATIVE NUTRIENT STANDARDS PROPOSAL

DEQ released an updated proposed rule package in December. The proposal for narrative nutrient standards using an adaptive management approach meets the requirements of Senate Bill 358 and allows for a watershed approach to managing nutrients.

DEQ has worked closely with the Nutrient Work Group—a group of stakeholders—and the Environmental Protection Agency. The proposal provides a workable solution.

The Proposal At A Glance

- Science: Based on decades of relevant science in Montana's watersheds, and around the United States and world
- Meets Water Acts: Meets the requirements of Montana's Water Quality Act and the Federal Clean Water Act
- Toolkit: A diverse toolkit of options for all dischargers, including those who have invested money into their facilities.
- Watershed Approach: Increased opportunities to offset permit limits for dischargers by voluntarily addressing nonpoint source to lower pollutants in the watershed.
- Phosphorus: Prioritizes phosphorus reduction as required by Senate Bill 358.
- Narrative Standard: Based off of a narrative standard that has been in use since the 1970s, but uses a more comprehensive translator to ensure beneficial uses are protected.
- Permit Limits: Where needed, permit limits from regionally-applicable ranges will be used until site-specific data are collected.
- Montana Approach: A Montana approach to nutrient management—Montana science, Montana law, Montana policy.

If the Proposal is Adopted, DEQ will be Providing:

- · Monitoring training
- · Webinars on how the new process works.
- · Guidance documents.
- A dedicated position to assist dischargers with the Adaptive Management program.
- A team of experts who can answer questions on the science, monitoring, watershed coordination, and successful best management practices for projects within watersheds.

Protective and Implementable

The proposal is as protective as the previous numeric standards. The proposal requires monitoring of not only phosphorus and other nutrient levels, but also response variables (biological measurements) in the watershed

The proposal incorporates feasible options for achieving approvable discharge limits. Flexibility is incorporated, for example, through variances, compliance schedules with interim limits, and the ability to refine final effluent limits based on site-specific information.



DEQ's Proposal at a Glance

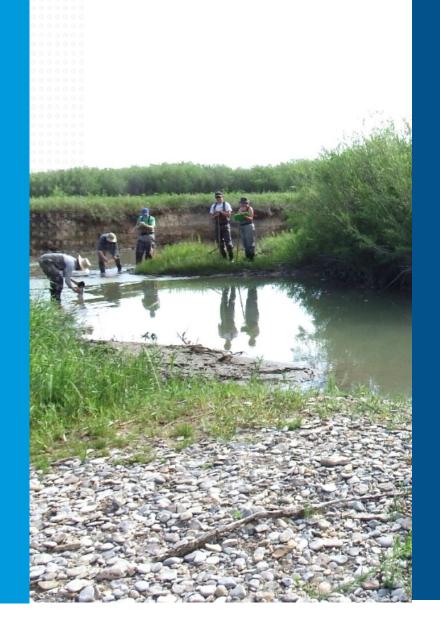
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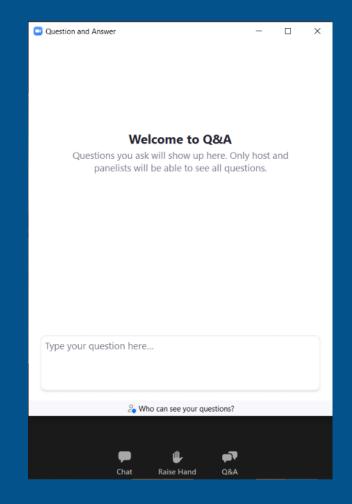


PUBLIC COMMENT



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















Meeting Summary

- Proposal summary handout
- If the proposal is adopted, DEQ will provide:
 - Monitoring training
 - Webinars on the process
 - Guidance documents
 - Dedicated AMP position
 - Team of experts to answer questions
- 3/13 and 4/10 NWG meetings cancelled
 - Keeping lines of communication open in the interim

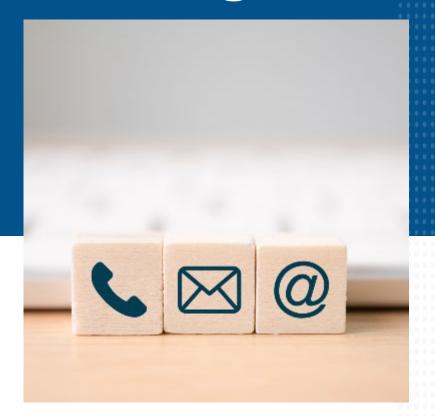


Thanks for Joining Us

Contact:
Kyle Milke
kyle.milke@mt.gov

To submit comments or questions





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

