

WATER POLLUTION CONTROL ADVISORY COUNCIL
10:00 am, July 12, 2024
Room 111 DEQ Metcalf & Zoom Meeting

FINAL MEETING MINUTES

ATTENDEES

Council Members:

Amanda Knuteson (chair)
Ron Pifer (vice chair)
Eric Campbell
Shannon Holmes
Teri Polumsky
Adam Pummill
Dennis Teske

Montana DEQ:

Lisa Anderson
Kylie Bodle
Meagan Gilmore
Lindsey Krywaruchka
Tiffany Lyden
Katie Makarowski
Kyle Milke
Hannah Riedl
Christina Staten
Andy Ulven

Members of the Public:

Ed Coleman
Abby Indreland
Casey Kennedy
Krista Lammers
Casey Lewis
Lynn Maas
Vicki Marquis
Jason Mohr
Lauren Myli
Karen Sanchez
Sarah Zuzulock

CALL TO ORDER

Chair Knuteson called the meeting to order and a round-table attendance was taken.

APPROVAL OF AGENDA

Adam Pummill moved to approve the agenda as written. Teri Polumsky seconded, all approved.

APPROVAL OF MINUTES

Teri Polumsky moved to approve the May 10, 2024 meeting minutes. The motion was seconded by Ron Pifer, all approved.

BRIEFING ITEMS

- DEQ Rulemaking Update
- Septic Issues and Strategies Subcommittee Update
- Western Montana Conservation Commission (WMCC) Update
- WPCAC Discussion of Council Functions
- WPCAC Member Updates

DEQ RULEMAKING UPDATES

Lindsey Krywaruchka – Water Quality Division Administrator

Lindsey shared that DEQ has had a big rulemaking lift since the legislative session, and can now focus on training, support and providing guidance on application of the rules. She explained the narrative nutrient standards were paused, DEQ is still looking through the public comments and has been talking through next steps with the Nutrient Work Group members.

In other updates, Lindsey discussed proposed rule changes to ARM 17.36 103 (1) subparts (n) and (o), referred to it as the DNRC reference rule package. The proposed changes would no longer require a predetermination letter from DNRC for subdivision approval.

Other updates included a stormwater update with improvements to DEQ Circular 8, and adoption of the nondegradation rule updates. Lindsey explained that DEQ only ended up adopting part of the nondegradation rules, and the other part is being sent back to the subdivision advisory task force for more work.

Comments and Questions from WPCAC members

Ron Pifer asked about timeline for the predetermination letter and subdivision approvals. Lindsey explained the plan is to release certificate of subdivision approvals on September 26th, or as soon as amended rules are passed.

Amanda Knuteson shared there is a land use continuing legal education opportunity coming up that council members or the public may be interested in. Amanda clarified that the nondegradation analysis would verify the physical availability of water for a municipality. Lindsey explained municipal water rights are not for DEQ to dispute.

Public Comments

Ed Coleman from the City of Helena thanked Lindsey and DEQ for pulling the nutrient rule package back to give it more time. He also asked for clarification of role of WPCAC in future rulemaking.

Amanda Knuteson commented that WPCAC and the Nutrient Work Group are both advisory groups, but the Nutrient Work Group was specifically convened for the purpose of working with DEQ to develop narrative nutrient rules. Lindsey, Amanda and Ron Pifer discussed the level of effort with DEQ's involvement with the Nutrient Work Group, and DEQ providing summary updates to WPCAC.

WESTERN MONTANA CONSERVATION COMMISSION UPDATE

Lindsey Krywaruchka started by clarifying DEQ's regulatory involvement in the Flathead County regional septage treatment facility project. Casey Lewis, WMCC director, provided additional background about WMCC and the EPA grant that WMCC received to address different septic and wastewater issues in the Columbia River basin, including a regional septage treatment facility. Casey explained the intention is to address increased septage, less land available for septage land application from haulers, and the need for treatment. WMCC has been working with Flathead County, Lakeside Water and Sewer District and other partners on planning.

Casey also provided background on other components the EPA grant will fund, including a Community Based Social Marketing workshop and competitive subawards focused on stormwater, septic leachate, and green stormwater infrastructure projects. She also explained the WMCC structure and committees, including an

onsite wastewater committee and stormwater advisory council that are in development. Ron Pifer commented that the grants will be bringing in \$7 million to Montana. There was discussion about WMCC's June 13th information meeting about the grants, some links were shared in the meeting chat:

<https://westernmtwaters.com/about-us/>

<https://westernmtwaters.com/our-work-and-projects/grants-resources/>

<https://youtu.be/43CjIOsh1Mg>

SEPTIC ISSUES AND STRATEGIES SUBCOMMITTEE UPDATE

Ron Pifer - WPCAC vice chair

Ron explained he will be providing a white paper to both this committee and the WMCC onsite wastewater committee. He shared that he is in the process of applying to the state of Florida for approval of his biological product and will be providing a summary report to Montana DEQ through WPCAC and to Montana DNRC through WMCC.

Comments and Questions from WPCAC members

Ron and Amanda Knuteson discussed Florida's approval process, and interaction between state authority and county/local review and jurisdiction.

WPCAC DISCUSSION OF COUNCIL FUNCTIONS

Amanda requested this be bumped to the next meeting. Amanda and Lindsey discussed there is DEQ participation in WMCC subgroups. Amanda mentioned WPCAC members can provide DEQ with information, concerns or specific instances of how things are working on the ground.

Public Comments

Ed Coleman commented that with DEQ now having rulemaking authority, WPCAC should maintain and embrace the role of advising DEQ. Amanda said the statutes don't provide a lot of detail on how to carry out that advisory role. WPCAC members have been communicating their perspectives, but how that gets done may need clarifying. Ron Pifer, Teri Polumsky and Adam Pummill agreed, particularly with regard to voting.

WPCAC MEMBER UPDATES

None

PUBLIC COMMENT

None

AGENDA ITEMS FOR NEXT MEETING

Amanda Knuteson suggested a regular update from WMCC, and a follow up discussion about WPCAC council functions at the September or November meeting. There was additional discussion about a DEQ presentation on volunteer monitoring and DEQ updates from Lindsey Krywaruchka.

ADJOURN

Amanda Knuteson adjourned the meeting.