

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

**DRAFT MEETING MINUTES**

**ATTENDEES**

*Council Members:*

Amanda Knuteson (chair)  
Ron Pifer  
Chad Bauer  
Shannon Holmes  
Mike Koopal  
Teri Polumsky  
Dennis Teske

*Montana DEQ:*

Jake Atkinson  
Tatiana Davila  
Heather Henry  
Lindsey Krywaruchka  
Ella Lunny  
Tiffany Lyden  
Kyle Milke  
Hannah New  
Mark Ockey  
Hannah Riedl  
Eric Sivers  
Andy Ulven

*Members of the Public:*

Ed Coleman  
Heidi Fleury  
Brian Heaston  
Kelly Hendrix  
John Iverson  
Casey Lewis  
Jason Mohr  
Matt Vincent  
Kevin

**CALL TO ORDER**

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

**APPROVAL OF AGENDA**

Ron Pifer moved to approve the agenda as written. Teri Polumsky seconded, all approved.

**APPROVAL OF MINUTES**

Ron Pifer moved to approve the March 15, 2024 meeting minutes. The motion was seconded by Teri Polumsky, all approved.

**BRIEFING ITEMS**

- Rulemaking Updates
- Nonpoint Source and Wetlands Program: Newly Funded Projects Update
- Septic Issues and Strategies
- WPCAC Member Updates

## **RULEMAKING UPDATES**

### **Lindsey Krywaruchka – Water Quality Division Administrator**

Lindsey shared timeline slides and provided updates on DEQ's nondegradation and narrative nutrient rulemaking.

### **Comments and Questions from WPCAC members**

Ron Pifer asked for clarification about the 500 foot reference. Lindsey explained it was not relevant to the rule package, but was discussed during bill drafting or the hearing. Eric Sivers clarified that part of subdivision review for drainfields includes an adjacent to surface water review, and legislation was intended to reduce that distance. There were proposals and changes, and the intent was to identify distances where additional review would not be necessary.

Ron Pifer asked if DEQ was getting a lot of feedback from the public, and if the comments have been useful. Lindsey explained they worked on the nondegradation rules with the Subdivision Advisory task force and gotten feedback and input from other engineers, modelers, and experts. Right now DEQ is reviewing the received comments.

Dennis Teske asked for clarification if the rule package was changing the setback distance between a septic system and a well. Eric Sivers clarified that the rule package is not changing setback distances or isolation areas for wells or drinking water sources.

Shannon Holmes said he had talked with the facilitator DEQ hired to meet with each of the nutrient work group members and appreciated the work and Lindsey's involvement. Shannon said he was still concerned about ecoregion values, advanced treatment, and cost.

Ron Pifer, Teri Polumsky, and Amanda Knuteson discussed costs, economic analyses and a small business impact analysis. Lindsey shared that DEQ has an economist on staff, a small business impact analysis wasn't needed for this rulemaking scope, and the intent to provide more flexibility and options to address nonpoint sources of pollution. There was additional discussion about costs, small dischargers, adaptive management, DEQ's nonpoint source program, and the Water Policy Interim Committee (WPIC) meeting on May 20-21.

### **Public Comments**

Matt Vincent - Montana Mining Association: Spoke on behalf of the point source discharger group, including Montana League of Cities and Towns, Montana Petroleum Association, Montana Mining Association and Treasure State Resources. The group is sending a letter to DEQ, WPCAC, WPIC, and the Nutrient Work Group objecting to the rules.

## **NONPOINT SOURCE AND WETLANDS PROGRAM: NEWLY FUNDED PROJECTS UPDATE**

### **Hannah Riedl – Nonpoint Source and Wetlands Section Supervisor**

Hannah gave a slide presentation about nonpoint source pollution reduction projects and education outreach projects that were recently reviewed by an agency review panel and selected for funding. Restoration projects included stream restoration, beaver dam analog installation, relocation of animal feeding operations, road decommissioning, bank restoration, grazing management, and riparian enclosure fencing and plantings.

**Comments and Questions from WPCAC members**

Amanda Knuteson and Ron Pifer commented about the positive work happening and would like to view photos and get a follow-up when some of the work is underway. Hannah commented that projects often take time to look good, but she can return to WPCAC in the future to share results, including older projects that have been in the ground for longer.

**Public Comments**

None

**SEPTIC ISSUES AND STRATEGIES SUBCOMMITTEE UPDATE**

**Ron Pifer**

Ron reported that they have not held a subcommittee meeting yet, but he has contacted three states (Florida, Massachusetts, and Washington) with vetting processes for septic technologies, including biologicals. Ron has started the application process for his biological product in Florida, Florida has been very responsive. He has to provide manufacturer information, material data and safety sheets on all the ingredients and all the bacteria, and toxicity tests. He plans to produce a matrix white paper report of what the three states require. The states don't endorse any of the products or technologies, they review them for credibility and toxicity with the objective to protect groundwater and public safety, and then people can use them in that state if they choose. Ron said we're not at that point yet in Montana, but he would like to let agencies and legislators know what other states are doing.

**Comments and Questions from WPCAC members**

Mike Koopal commented that this could potentially provide a valuable tool to help mitigate the septic issue. He shared that the Western Montana Conservation Commission (WMCC) is also looking into developing a committee to deal with the onsite wastewater issue. WMCC has a meeting in Kalispell on June 4-5 and will discuss the potential for that committee. One option is to build off this work and address other topics related to the septic issue through the development of white papers. Another option is an update on the Flathead County biosolids and septage treatment plant. WMCC received a 7 million dollar EPA toxics reduction grant, part of that will be used to assist with the planning process for the biosolids facility, part will go towards the current septic pumping program which incentivizes private landowners to periodically maintain their tanks, and part will go to the planning and design for small areas to connect to centralized sewer.

Amanda Knuteson asked about WMCC's process for vetting projects for funding. Casey Lewis, WMCC executive director, explained that the staff is currently developing the program guidelines for competitive grants, and applications for those are expected to be open in early 2025, but there are some that are directly written into projects.

**WPCAC MEMBER UPDATES**

Amanda Knuteson reminded committee members to check Lindsey's timeline slides for hearing dates and comment periods and to provide comments if you have them.

**PUBLIC COMMENT**

None.

**AGENDA ITEMS FOR NEXT MEETING**

Amanda Knuteson suggested a rulemaking update and for Mike Koopal to provide a WMCC update.

**ADJOURN**

Amanda Knuteson adjourned the meeting.

Respectfully submitted by Tiffany Lyden.

DRAFT