
From: Godwin, Ryen L. [REDACTED]
Sent: Wednesday, August 13, 2025 1:11 PM
To: DEQ Lake K Petition
Cc: Thane, Lindsay M.
Subject: [EXTERNAL] Lincoln County Petition for Rulemaking [SWBE-PDX.FID4650192]
Attachments: 2025-08-13_EVR Comment Letter to DEQ in Support of Rulemaking Petition_Signed.pdf

Please find attached a written comment from EVR Operations Limited in support of Lincoln County's Petition for Rulemaking.

Ryen Godwin [[schwabe.com](mailto:ryen.godwin@schwabe.com)]

Shareholder
[REDACTED]

Schwabe [schwabe.com]

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August 13, 2025
Montana Department of Environmental Quality
P.O. Box 200901
Helena, Montana 59620-0901

Via Electronic Mail: DEQLAKEKPETITION@MT.GOV

Reference: Letter Supporting Lincoln County's Petition for Rulemaking

Dear Montana Department of Environmental Quality,

EVR Operations Limited ("EVR") submits this letter in support of Lincoln County's Petition for Rulemaking to adopt a selenium water column water quality criterion for Lake Koocanusa and update the definition to "steady state" in ARM 17.30.632.

EVR owns and operates four active metallurgic coal mines in the Elk Valley of British Columbia, near the town of Sparwood. As an advocate for sound selenium science, EVR supports both public and private efforts to study and manage selenium in the environment. Accordingly, EVR respectfully requests that the Montana Department of Environmental Quality ("DEQ") accept Lincoln County's Petition for Rulemaking and proceed to a comprehensive, transparent, and science-driven rulemaking process to evaluate an appropriate water column criterion for selenium in Lake Koocanusa.

A new rulemaking process is both timely and appropriate because the U.S. Environmental Protection Agency ("EPA") recently issued new technical guidance that clarifies prior draft guidance on how and when to use the Clean Water Act 304(a) National Criterion for selenium in lentic waters of 1.5 µg/L. The new EPA guidance will ensure DEQ adopts a water column water quality criterion that is scientifically defensible and protective of aquatic resources consistent with Montana's obligations under Sections 303 and 304 of the federal Clean Water Act.

Further, EVR's dedication to selenium science and implementation of the Elk Valley Water Quality Plan has resulted in the investment of hundreds of millions of dollars (CAD) to study, maintain, and protect water quality. EVR's four, state-of-the-art, treatment plants operating in the Elk Valley today treat more than twenty million gallons of water per day and are an integral part of the Elk Valley Water Quality Plan. EVR sincerely hopes that DEQ and the public will benefit from the peer-reviewed scientific literature and the most up-to-date data for Lake Koocanusa provided by EVR to Lincoln County in support of its Petition for Rulemaking.

Given the availability of significant new information, updated federal guidance on selenium and water quality standard development, and experience in selenium management, EVR respectfully requests DEQ accept Lincoln County's Petition for Rulemaking so the merits of the petition may proceed to the rulemaking process. Doing so will allow the public and DEQ to engage in a thorough and informed rulemaking process that enhances environmental protection for Lake Koocanusa and the broader Kootenai watershed.

Sincerely,

Christian Baxter
Director, Environmental Strategy

From: Guy Gilron [REDACTED]
Sent: Tuesday, August 5, 2025 1:57 PM
To: DEQ Lake K Petition
Cc: William Adams; Prouty, Alan
Subject: [EXTERNAL] Letter of Support: "Petition for Rulemaking to Modify ARM 17.30.632(7)(a) and ARM 17.30.602(32)"
Attachments: NASWG_Letter of Support_to MTDEQ_re Petition_August 5 2025_FINAL.pdf
Importance: High

Montana Department of Environmental Quality:

Re:
Petition for Rulemaking to Modify ARM 17.30.632(7)(a) and ARM 17.30.602(32) - Lake Koocanusa Selenium

Good day to you.

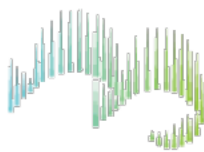
Attached please find a Letter of Support from the North American Selenium Working Group, pertaining to the above-mentioned document.

Please confirm receipt.

Thanks in advance.

Cheers,

Guy Gilron, MSc, RPBio
Executive Secretariat, NASWG.



BOREALIS
ENVIRONMENTAL
CONSULTING INC

GUY GILRON, MSc, RPBio, ICD.D
Senior Environmental Scientist/Principal
[REDACTED]
[REDACTED]

NORTH AMERICAN SELENIUM WORKING GROUP

August 5, 2025.

Department of Environmental Quality
1520 E. Sixth Avenue
P.O. Box 200901
Helena, Montana
59620-0901 USA

Via E-Mail: DEQLakeKPetition@mt.gov

Montana Department of Environmental Quality:

Re: **Letter of Support: “Petition for Rulemaking to Modify ARM 17.30.632(7)(a) and ARM 17.30.602(32)”**

The North American Selenium Working Group (NASWG) is pleased to submit comments to the Montana Department of Environmental Quality (MT DEQ) regarding the above-mentioned Petition. The NASWG is engaged in technical research on issues pertaining to selenium (Se). Activities include the sponsoring studies examining the toxicity of selenium in the aquatic environment, the development of effects thresholds, the use of such data in setting science based water quality standards, how such standards are implemented, and the development of analytical methods pertinent to measuring selenium in fish, water and other aquatic organisms. As part of its ongoing efforts, the NASWG develops papers on these topics and shares them publicly on its website (<http://www.namc.org/selenium.html>) or through the peer-reviewed scientific literature. In its history, the NASWG has actively advocated for the developing the technical information for determining appropriate science-based water quality standards for selenium. This has included working with both the U.S. EPA and Environment and Climate Change Canada.

Our understanding is that the MT DEQ received a formal request (petition) from the Lincoln County Board of Commissioners. The petition requests that the MT DEQ to change the selenium water quality standard for Lake Koocanusa and to revise the definition of “steady state” in the existing regulations. According to the law, the MT DEQ must either: (1) begin the rulemaking process; or, (2) reject the petition in writing within 60 days.

Per an announcement on their website on July 14, 2025, the MT DEQ is accepting public comment on this petition. The NASWG is pleased to submit this letter of support of the petition in the name of sound science, upon which the selenium water quality standard should be based.

We would like to reiterate three crucial aspects raised during the previous feedback that we provided to the MT DEQ during this standard-setting process. They are as follows:

1. In NASWG’s comments on the original MT DEQ document: *Derivation of a Site-Specific Water Column Selenium Standard for Lake Koocanusa* submitted on November 23, 2020, we presented an evaluation of relevant data reviewed, and concluded that the national lentic criterion of 1.5 µg/L (U.S. EPA, 2016, 2021) was sufficiently protective for Lake Koocanusa. This is an excerpt from that document:

NORTH AMERICAN SELENIUM WORKING GROUP

August 5, 2025

Page 2

“The following outlines the evidence supporting this:

- *Additional support that EPA’s lentic criterion of 1.5 µg/L is conservatively protective is provided by the evaluation of alternative model inputs and the model validation relative to empirical fish tissue Se data. Even the least conservative model scenario evaluated (i.e., use of the 50th percentile k_d and site-specific invertebrate TTFs) consistently over-predicted measured fish selenium concentrations. This conservative model translated the whole-body fish selenium criterion of 8.5 mg/kg dw to surface water selenium concentrations of:*
 - *1.4 µg/L for piscivorous fish (i.e., 100% fish diet);*
 - *1.5 µg/L for fish with a 100% insect diet;*
 - *2.1 µg/L for fish with a 50% insect and 50% zooplankton diet; and,*
 - *3.3 µg/L for fish with a 100% zooplankton diet.*
 - *Based on the above results, the EPA’s lentic criterion of 1.5 µg/L would be protective of all of the fish species in Lake Koocanusa, as well as white sturgeon in the Kootenai River downstream of the Libby Dam. Current surface water monitoring data for the forebay and in the river downstream of the dam, indicate that the Se concentrations are similar. Egg Se concentrations in white sturgeon collected from the Kootenai River from 2015 to 2019 have ranged from between 3.0 to 5.7 mg/kg dw (mean=4.1 mg/kg dw; n = 38) (i.e., a factor of 2.1 below the threshold for effects for the most sensitive species). Even the maximum egg Se concentration is just 38% of the USEPA’s egg Se criterion of 15.1 mg/kg dw.”*
2. During the May 2, 2022 oral arguments and submission at the *Public Hearing Comments on the State of Montana Department of Environmental Quality (MT DEQ) Review of the Stringency Determination Related to the Lake Koocanusa Selenium (Se) Standard* there was an issue raised related to nine (9) fish representing three (3) species, for which it was reported that egg/ovary concentrations were greater than 15.1 mg/kg dw (i.e., the USEPA (2016, 2021) egg/ovary criterion). This is an excerpt from that document:

“The Determination document states that: “With water column concentrations currently near 1 µg/L, data available at the time of rule-making showed there have been 9 individual fish found with egg/ovary concentrations greater than 15.1 mg/kg dw spanning three species.” Nine out of hundreds of fish examined is a very small incidence of occurrence. We point out that species names were not provided. This is highly relevant, since the 15.1 mg/kg dw value was derived by USEPA (2016) for the most sensitive species in their data set (specifically, bluegill sunfish). Other fish species can tolerate higher levels of Se. More transparency and less bias in the presentation of facts is needed.”

It was subsequently determined that these samples were taken from non-gravid fish. In 2024, the USEPA released technical support guidance on fish tissue monitoring for the implementation of the 2016 national selenium criterion that confirms, ovary tissue sampled from a female fish that is not gravid will not be representative of selenium concentrations and should not be compared to against the criterion.

NORTH AMERICAN SELENIUM WORKING GROUP

August 5, 2025

Page 3

3. Comments on *Selenium Assessment Method for Lake Koocanusa and the Kootenai River in Montana* in which emphasis and the importance of eggs or ripe ovaries was noted. This is an excerpt from that document:

“The importance of sampling actual eggs or, at a minimum, ovaries from spawning females for comparison to the egg/ovary selenium criterion should be explicitly described throughout the document. The recommendation to simply sample within a pre-defined spawning window is not adequate, as this could still result in the collection of unripe ovaries from pre-spawning females. The egg/ovary selenium criterion is based on toxicity thresholds from tests in which effects were linked to selenium concentrations in the eggs or ripe ovaries of exposed fish (USEPA 2016, 2021). As such, sampling anything other than eggs or ripe ovaries for comparison to the egg/ovary selenium criterion would be inappropriate. Palace et al. (2024) recently published guidance on assessing the potential impacts of selenium in aquatic systems, and further highlight that mature eggs are the best sample for evaluating potential reproductive effects of selenium.”

The fish egg/ovary data available to MT DEQ during rulemaking were not from gravid females. The Montana Department of Fish, Wildlife and Parks has confirmed that they never sampled a gravid fish from Lake Koocanusa, and the United States Geological Survey has also confirmed that fish reproductive tissue was a data gap during model development in the initial rulemaking. As noted by the Schmidt *et al* (2025) (USGS), the historical fish collection period where the Montana Department of Fish, Wildlife and Parks collected the most fish for tissue analysis occurs during the annual fish population assessment, which monitors trends and status of the fish community in Lake Koocanusa. Sexually mature fish are not targeted for collection during this period. Since the initial rulemaking, 50 individual fish egg samples have been collected from gravid females from Lake Koocanusa and are publicly available on the Water Quality Portal. The selenium concentrations from these new individual fish tissue samples were well below the EPA egg/ovary tissue criterion of 15.1 mg/kg dw. Additionally, we point out that the USGS model calculations used by the MT DEQ to derive a standard of 0.8 µg/L was not one that used data specific to Lake Koocanusa.

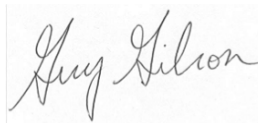
NORTH AMERICAN SELENIUM WORKING GROUP

August 5, 2025
Page 4

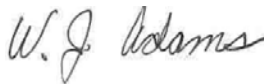
Based on the above, the NASWG is supportive of Lincoln County's petition and encourages the MT DEQ to initiate a rulemaking proceeding. This rulemaking would provide the opportunity to further examine relevant selenium data from fish tissues and related toxicity threshold information that has been developed, specifically the 2016/2021 (revised) EPA freshwater selenium criterion document and implementation guidance.

Thank you for the opportunity to provide these comments.

Sincerely,



Guy Gilron, MSc, RPBio
Technical Lead/Executive Secretariat, NASWG



William J. Adams, Ph.D., Fellow SETAC
Co-Chair, NASWG

Reference

Schmidt, T.S., Bussell, A.M., Moloney, M.A., Dunnigan, J.L., Selch, T.M., Brandt, J.E., Stricker, C.A., Stewart, A.R., Kocen, V.A., Cleveland, D., Blazer, V.S., Janssen, S.E., Ogorek, J.M., Dunn, M., McBride, T.L., Adams, K.B., Colman, B.P., Young, M., and Christensen, J. 2025. Preparation and analysis methods for fish tissue collected from Lake Koocanusa, Montana: U.S. Geological Survey Open-File Report 2025-1034, 16 pp.

From: Noel Duram [REDACTED]
Sent: Monday, August 4, 2025 11:36 AM
To: Krywaruchka, Lindsey
Subject: [EXTERNAL] RE: Selenium

Lindsey,

Thank you for your response and I look forward to the next phase of this vitally important hearing for the future of Lincoln County.

Respectfully,

Noel Duram

Noel R Duram
Lincoln County Commissioner
District 3, Eureka
66121 MT Hwy 37
Eureka, MT 59917
(406)297-3139 – Office
[REDACTED]

From: Krywaruchka, Lindsey <lkrywaruchka@mt.gov>
Sent: Monday, August 4, 2025 11:12 AM
To: Noel Duram <nduram@libby.org>
Cc: Bowers, Kirsten <kbowers@mt.gov>; Johnson, Loryn <Loryn.Johnson2@mt.gov>
Subject: RE: Selenium

Commissioner Duram,

Thank you very much for your comment regarding the petition for rulemaking for the site-specific selenium standard for Lake Koocanusa.

I am including our legal team on this email, and we will get your comments added to the public record as part of this public comment period.

Please let me know if there is anything else I can do to assist you,

Lindsey Krywaruchka | *Administrator*
Water Quality Division
Montana Department of Environmental Quality
DESK: 406-444-4632 **MOBILE:** 406-437-1876
How did we do? Let us know here: [Feedback Survey \[arcg.is\]](#)

From: Noel Duram <nduram@libby.org>
Sent: Monday, August 4, 2025 8:54 AM
To: Krywaruchka, Lindsey <lkrywaruchka@mt.gov>
Subject: [EXTERNAL] Selenium

Lindsey,

I am a curious person and I have been going through many things in the reports you sent on the Selenium. I am also fielding so many comments regarding the Kootenai and believe that the information getting to the public is not accurate and I want to find out what is the accurate information and what is the real concern and goal of the DEQ for the Selenium levels. In the DEQ fact sheet it states that the 2020 standards were developed in accordance with the 2016 EPA national criteria, which is not exactly true. If the DEQ utilized the EPA standards, the dissolved selenium in Lake Koocanusa would be at 1.5 instead of the .8 standard that was adopted. Nothing in the 2016 EPA criteria would recommend cutting the standard to nearly half of the EPA guidelines.

One of the things I am trying to address is the “slime” on the rocks that are in the Kootenai River system and how that is making the “bugs die in massive number.” Is there any data that is supporting this claim or is it all just BS and more shadow than substance. The environmental movement is persistent and uses any possible tactic to attain their goal of shutting down human activities.

The fraud that has been done on this issue all seems to be on one side, the side of alarmist environmental groups. The pictures of fish that have nothing to do with the Kootenai River are a prime example. I want the water quality to be protected as well as the human interests in all areas.

The Selenium in the Kootenai River system did not show up there in the past couple years, however it has become a major issue the past couple of years. In other events surrounding the environmental movements, things like this have become major issues although they were never an issue until they were seen to push an agenda. Then when the agenda is pushed and things have been done the truth comes out and the real issue was shutting down the human activity and not the environmental issue at all. Once the regulations are in place, they are so hard to reverse. This 0.8 Selenium level appears to be exactly that type of issue.

Montan DEQ is making sure that nothing further can be done on the Montana side of the border to limit our human activity growth all while the Canadian side of the border is still doing their business. I am not willing to submit to the 0.8 Selenium levels in Lake Koocanusa without pushing back. There is nothing I am seeing that would be beneficial in this standard.

As always, I really appreciate your time and consideration with this matter.

Noel

Noel R Duram
Lincoln County Commissioner
District 3, Eureka
66121 MT Hwy 37
Eureka, MT 59917
(406)297-3139 – Office

(406)229-0154 - Cell

From: Lynda Hagarty [REDACTED]
Sent: Thursday, August 14, 2025 10:13 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium standards

This is a request to remain with science-based standards for selenium. As a Lincoln County resident living in Libby, I am not against mining, but I am not in favor of changing this standard when the existing standard is supported by science. State of the art technology is available and is used by mining companies to comply with water quality standards, and should and can be used in this case. Thank you. Lynda Hagarty

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, August 11, 2025 3:28 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Linda Semones
[REDACTED]
Bozeman, MT 59715

From: mailagent@thesoftedge.com on behalf of Rene Dubay <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:24 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Rene Dubay

[REDACTED]

Polson, MT 59860-7327

From: mailagent@thesoftedge.com on behalf of Mark Carpenter
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:28 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Mark Carpenter

[REDACTED]

MISSOULA, MT 59802

From: mailagent@thesoftedge.com on behalf of Elaine Snyder
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:40 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Elaine Snyder

[REDACTED]
Kalispell, MT 59901-2182

From: mailagent@thesoftedge.com on behalf of Linda Metzger
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:46 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Please reject the Lincoln County Commission's petition to increase selenium levels in our precious bodies of water. Montanans should not accept more pollution, especially by entities who don't care a fig about us, let alone our fish.

Sincerely,

Linda Metzger

[REDACTED]
Great Falls, MT 59404

From: mailagent@thesoftedge.com on behalf of Judy Staigmiller
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:34 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations. More pollution in the water not only hurts the fish and surrounding nature but ultimately human beings - ourselves, our children, our grandchildren.

Sincerely,

Judy Staigmiller

[REDACTED]

BOZEMAN, MT 59718

From: mailagent@thesoftedge.com on behalf of Mark Schulein
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:44 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Mark Schulein



Livingston , MT 59047

From: mailagent@thesoftedge.com on behalf of William Clarke
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:40 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

William Clarke

[REDACTED]

Missoula, MT 59802-3340


From: mailagent@thesoftedge.com on behalf of Evan Kulesa <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:46 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Evan Kulesa

Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Neil Harrington
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:48 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thanks to DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Neil Harrington
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Lynn Tennefoss
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:48 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Lynn Tennefoss

[REDACTED]

Missoula, MT 59804

From: mailagent@thesoftedge.com on behalf of Oliver Weltzien
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:46 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Oliver Weltzien
[REDACTED]
Dillon, MT 59725

From: mailagent@thesoftedge.com on behalf of Timothy Stevens
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:50 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Timothy Stevens

[REDACTED]

Livingston, MT 59047

From: mailagent@thesoftedge.com on behalf of Sarah Roubik <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 3:48 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Sarah Roubik



Corvallis, MT 59828-9384

From: mailagent@thesoftedge.com on behalf of Steve Guettermann
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 4:10 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Steve Guettermann

BOZEMAN, MT 59715

From: mailagent@thesoftedge.com on behalf of Bev Beck Glueckert
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 4:36 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Bev Beck Glueckert
[REDACTED]
Missoula, MT 59802

From: mailagent@thesoftedge.com on behalf of Marilyn Cochran
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 4:14 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Polluting Lake Koocanusa and the Kootenai River with higher levels of selenium is unacceptable. We need to keep Montana's waterways safe for the fish populations and humans.

Thank you.

Sincerely,

Marilynn Cochran

[REDACTED]

Missoula , MT 59802

From: mailagent@thesoftedge.com on behalf of Guy Bateman
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 4:18 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

I cannot believe that Lincoln County would even contemplate such a draconian and irresponsible course of action. I suspect that they are being paid off by Glencore or other international mining interests. In addition to denying their petition, I strongly urge you to initiate a criminal investigation into the Lincoln Co. Commissioners' motivations for trying to degrade our environment. The only possible reason is their own monetary gain.

Sincerely,

Guy Bateman

[REDACTED]
Polson, MT 59860

From: mailagent@thesoftedge.com on behalf of Evan Riegler <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 4:28 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Evan Riegler

[REDACTED]
Big Sky, MT 59716-7947

From: mailagent@thesoftedge.com on behalf of Kelly Baraby <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 4:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Kelly Baraby


Jefferson City, MT 59638

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, August 11, 2025 4:30 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Canadian Water Sesium Pollution and Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Fritz and Amy Royer

[REDACTED]
Kalispell, MT 59901

From: mailagent@thesoftedge.com on behalf of Susan Cahill <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 5:22 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Susan Cahill

[REDACTED]
Kalispell, MT 59901

From: mailagent@thesoftedge.com on behalf of Tarn Ream <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 4:42 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Tarn Ream

[REDACTED]

Missoula, MT 59802

From: mailagent@thesoftedge.com on behalf of Jackie Foster <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 5:04 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Jackie Foster

[REDACTED]

Dillon, MT 59725-8000

From: mailagent@thesoftedge.com on behalf of James Schmid
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 5:06 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

James Schmid

[REDACTED]

Missoula, MT 59803

From: mailagent@thesoftedge.com on behalf of Char Jones <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 5:00 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Char Jones

[REDACTED]

Hamilton, MT 59840

From: mailagent@thesoftedge.com on behalf of Michael King <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 4:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Michael King

[REDACTED]

Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Gardner Dee <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 5:08 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Almost doubling the allowable concentration of selenium allowed in the Kootenai watershed is not supported by the rigorous and robust science that developed the original standard. Weakening the standard will inevitably compromise and negatively impact the clean water and aquatic life of the watershed. Montana's clean water is an essential component of our economy and outdoor heritage. Montana shouldn't weaken our water quality standards in order to accommodate a foreign corporation that's polluting our water, a corporation which has pleaded guilty in federal court to foreign bribery and market manipulation schemes. Risking our water quality - and the local jobs and revenue from recreation - is a reckless move, especially considering that the jobs and revenue derived from coal mining in the Elk Valley does not benefit Montana or Montanans. I urge the DEQ to reject the petition filed by the Lincoln County Commission.

Sincerely,

Gardner Dee

[REDACTED]

Missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of Catherine Nolan
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 5:04 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Catherine Nolan

[REDACTED]

Missoula, MT 59803

From: mailagent@thesoftedge.com on behalf of Steven Martinez
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 5:14 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Steven Martinez

[REDACTED]
Kalispell, MT 59901

From: mailagent@thesoftedge.com on behalf of Joana Kirchhoff
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 5:26 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Do not capitulate to the pressure to appease corporations that is current at this time. Montana's youth have shown a saner way. 'A key intersection of Montana youth and environmental justice is highlighted by the Held v. Montana lawsuit. Sixteen youth plaintiffs successfully challenged the state of Montana's energy policies promoting fossil fuels and failing to consider climate change impacts, arguing it violated their constitutional right to a "clean and healthful environment". '

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Joana Kirchhoff

[REDACTED]
Bozeman, MT 59715

From: mailagent@thesoftedge.com on behalf of Marylis Filipovich
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 5:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ established a protective standard for Montana waters especially prone to pollution. I appreciate the work and the care to meet scientific and legal standards that went into establishing the standard.

Please reject the petition submitted by the Lincoln County Commission. There is no reason to abandon this legal, protective standard. I support the current high water quality standard as it protects the water and aquatic life from selenium.

Sincerely,

Marylís Filipovich
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Kathy Spritzer
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 6:06 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Kathy Spritzer

[REDACTED]

Missoula, MT 59808-1042

From: mailagent@thesoftedge.com on behalf of David Patenaude
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 6:08 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

David Patenaude

[REDACTED]

Belgrade, MT 59714

From: mailagent@thesoftedge.com on behalf of Ruth Swenson
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 6:34 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Ruth Swenson
[REDACTED]
Helena, MT 59602

From: mailagent@thesoftedge.com on behalf of richard torkildson
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 6:46 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

richard torkildson

[REDACTED]

Clancy, MT 59634-9756

From: mailagent@thesoftedge.com on behalf of Grant Barnard
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 6:36 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Grant Barnard

[REDACTED]

Red Lodge, MT 59068

From: mailagent@thesoftedge.com on behalf of Zack Winestine
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 6:40 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Zack Winestine

[REDACTED]

Augusta, MT 59410

From: mailagent@thesoftedge.com on behalf of Terri Hogan <mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 7:16 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

First, I want to say thanks for establishing a more protective standard in Montana waters. It protects our wild trout and aquatic life. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard and will degrade our waters. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Terri Hogan
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Dean Littlepage
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 7:12 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Hello, I'm commenting on Lincoln County's request to allow more Montana water pollution from Canadian coal mining. The existing standard came about through an exhaustive process, and it should not be jettisoned lightly.

Clean water is rare in the world, and Montana's should be protected, not allowed to deteriorate as this request asks. I urge DEQ to reject the Lincoln County petition.

Sincerely,

Dean Littlepage

[REDACTED]

Bozeman, MT 59715

From: mailagent@thesoftedge.com on behalf of Stephen Motsco
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 8:32 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Stephen Motsco

[REDACTED]
Eureka, MT 59917

From: mailagent@thesoftedge.com on behalf of Shelley Eisenrich
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 6:42 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Shelley Eisenrich

[REDACTED]
Hot Springs, MT 59845

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, August 11, 2025 8:54 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Julie Baerlocher

[REDACTED]
Missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of richard landini
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 8:54 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

richard landini
[REDACTED]
missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, August 11, 2025 8:52 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Our clean water is very important to Montanans.

I urge DEQ to REJECT the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Charlene Woodcock

[REDACTED]
Bozeman, MT 59715

From: mailagent@thesoftedge.com on behalf of Heather Hadley
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 6:18 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Heather Hadley

[REDACTED]
Cascade, MT 59421

From: mailagent@thesoftedge.com on behalf of Janet Childress
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 9:10 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Janet Childress

[REDACTED]

Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Donald Burgard
<mailagent@thesoftedge.com>
Sent: Monday, August 11, 2025 9:42 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

I strongly urge DEQ to reject the petition filed by the Lincoln County Commission. Absolute zero pollution in our water would be better.

Sincerely,

Donald Burgard
[REDACTED]
Kalispell, MT 59901

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 5:22 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Julie Kirkland

[REDACTED]
Bozeman, MT 59715

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, August 11, 2025 3:26 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

I appreciate the DEQ's past decision to establish a site-specific standard for Lake Koocanusa, and I urge you to reject the Lincoln County Commission's petition to change it. This standard was developed over many years, with input from diverse stakeholders and scientific experts. Reducing pollution in our waters benefits everyone, while increasing it serves only foreign corporations.

Sincerely,

Ben Catton

[REDACTED]
Missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of Kristen Walser
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 7:32 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

I urge DEQ to reject the petition filed by the Lincoln County Commission to almost double the allowed amount of selenium in Lake Koocanusa, and further endanger the world-class fishery there, and the people and ecosystem which relies on it.

Thank you for upholding the Board of Environmental Review's (BER) 2020 rule for the last 5 years. With the input from scientists and many stakeholders, that rule created the 0.8 mg/l standard for selenium in Lake Koocanusa, and is helping to prevent further selenium pollution from the Glencore coal mine in Canada. Please continue to uphold this commonsense 2020 ruling.

Sincerely,

Kristen Walser

[REDACTED]
Bozeman, MT 59715

From: mailagent@thesoftedge.com on behalf of Bruce Bender
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 8:36 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Bruce Bender

[REDACTED]

Missoula, MT 59801-5725

From: mailagent@thesoftedge.com on behalf of Susann Beug <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 8:48 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations. Allowing this weakening of our water standards in one case will open the door for future requests and make it harder to defend our water quality standards in the future. We must protect our water. It is our MOST important resource.

Sincerely,

Susann Beug



Red Lodge, MT 59068

From: mailagent@thesoftedge.com on behalf of Tim and Sam Holmes
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 8:12 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

I urge DEQ to reject the petition filed by the Lincoln County Commission to weaken Montana's selenium standard, thereby weakening the definition of "steady state." We Montanans are proud of our constitutional right to a "clean and healthful environment". upheld by Montana's Supreme Court.

Our clean waters are critical to human health and that of our livestock. fish and wildlife and the environment as a whole. The current standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations. They profit from degrading our quality of life. We say not on our watch!

Sincerely,

Tim and Sam Holmes
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of catriona Simms
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 8:02 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

catriona Simms
[REDACTED]
missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of Keith Blaylock
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:20 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Please do not allow a small group of county commissioners who believe they have power to pollute our pristine waters the opportunity to further destroy some of the best, least polluted waterways in Montana. Please do not let polluting corporations such as Glencore (who are clearly behind this request to pollute), take control of our clean water and destroy it. Coal burning and extraction is one of the most polluting forms of energy development and it should not be allowed to continue considering the current life threatening effects of global warming happening all across the planet.

Thank you, DEQ, for protecting our clean waterways here in Montana.

Sincerely,

Keith Blaylock

[REDACTED]
Kalispell, MT 59901-8237

From: mailagent@thesoftedge.com on behalf of Brandon Maynard
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 10:00 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Brandon Maynard
[REDACTED]
Helena, MT 59601-2119

From: mailagent@thesoftedge.com on behalf of Nancy Kessler
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:24 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Nancy Kessler

[REDACTED]

Livingston, MT 59047-2918

From: mailagent@thesoftedge.com on behalf of Kim Matthew <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 8:34 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Kim Matthew

[REDACTED]
Trout Creek, MT 59874

From: mailagent@thesoftedge.com on behalf of Milla Cummins
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 12:36 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

The clean, clear waters that support our fishes and other aquatic life as well as the many businesses that depend on them are Montana's true treasure. Please defend them by rejecting the Lincoln County Commission's petition. Thank you.

Sincerely,

Milla Cummins

[REDACTED]

Livingston, MT 59047-9112

From: mailagent@thesoftedge.com on behalf of Brad Ulgenes <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 12:08 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Brad Ulgenes
[REDACTED]
Helens, MT 59602

From: mailagent@thesoftedge.com on behalf of RICK WHITMAN
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 1:28 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

RICK WHITMAN

[REDACTED]

LIVINGSTON, MT 59047

From: mailagent@thesoftedge.com on behalf of Rozanne Smith
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 1:44 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Rozanne Smith

[REDACTED]

Missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of Sharon Patton-Griffin
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 1:58 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Montana's rivers are essential to all that makes Montana great ... and helps our economy by encouraging visitors to our state. Our rivers are already under threat from climate change. We need to protect every ounce of our precious water.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Sharon Patton-Griffin
[REDACTED]
Great Falls, MT 59404-6435

From: mailagent@thesoftedge.com on behalf of Michael Alvernaz
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 1:46 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Michael Alvernaz

[REDACTED]

Missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of Renee Rose <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 2:30 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

As a human on this planet and a landowner in the Kootenai Watershed I care very much about water quality. It makes no sense at all that the Lincoln County Commissioners would want to allow more selenium pollution into our valley from an out of state, out of country mining company that has no stake in our community. That the commissioners would support the mining company in this way makes me wonder what financial reward they are expecting in return.

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Renee Rose



Libby, MT 59923-8924

From: mailagent@thesoftedge.com on behalf of Raymond Gross, Jr
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 2:36 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Raymond Gross, Jr
[REDACTED]
dillon, MT 59725

From: mailagent@thesoftedge.com on behalf of Janice Lee <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 2:38 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Janice Lee


Corvallis, MT 59828

From: mailagent@thesoftedge.com on behalf of Ray Clevenger
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 4:58 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Ray Clevenger

[REDACTED]
Helena , MT 59602

From: mailagent@thesoftedge.com on behalf of William Boggs
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 6:38 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition


Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

William Boggs


Kalispell, MT 59901

From: mailagent@thesoftedge.com on behalf of ken knudson <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 7:08 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

ken knudson



Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Martie Crone <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 8:34 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Martie Crone

[REDACTED]

Helena, MT 04660

From: mailagent@thesoftedge.com on behalf of Theresa Jones
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:38 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Theresa Jones

[REDACTED]

Troy, MT 59935

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 9:38 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Jim Costello

[REDACTED]
Trout Creek, MT 59847

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 9:40 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Charles Clark
[REDACTED]
Troy, MT 59935

From: mailagent@thesoftedge.com on behalf of Davis Nadolny
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:44 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Davis Nadolny

████████████████████
Libby, MT 59923

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 9:42 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Hannah Hernandez

[REDACTED]
Heron, MT 59844

From: mailagent@thesoftedge.com on behalf of Donna Martin
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:44 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Donna Martin
[REDACTED]
Libby, MT 59923

From: mailagent@thesoftedge.com on behalf of Kris Newgard
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:50 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Kris Newgard

[REDACTED]
Troy, MT 59935

From: mailagent@thesoftedge.com on behalf of Eric Strandvold
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:46 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Eric Strandvold



Missoula, MT 59801-1356

From: mailagent@thesoftedge.com on behalf of Mike Rooney <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:50 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Mike Rooney

[REDACTED]

Libby, MT 59923

From: mailagent@thesoftedge.com on behalf of Cesar Hernandez
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:54 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Cesar Hernandez
[REDACTED]
Heron, MT 59844

From: mailagent@thesoftedge.com on behalf of Norma Linsky
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 10:18 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium. I have canoed and fished those waters and feel that it is of utmost importance to keep the standards high. It is virtually impossible to save aquatic species once they are poisoned.

Sincerely,

Norma Linsky

[REDACTED]

Kalispell, MT 59901

From: mailagent@thesoftedge.com on behalf of Sierra Owen <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:58 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Sierra Owen

[REDACTED]

Troy, MT 59935

From: mailagent@thesoftedge.com on behalf of Teddy Reinhardt
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Teddy Reinhardt

[REDACTED]
Troy, MT 59935

From: mailagent@thesoftedge.com on behalf of Shiloh Hernandez
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 9:58 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Shiloh Hernandez
[REDACTED]
Livingston, MT 59047

From: mailagent@thesoftedge.com on behalf of Vicki Stephens
<mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 10:00 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Vicki Stephens
[REDACTED]
Troy, MT 59935

From: mailagent@thesoftedge.com on behalf of Youpa Stein <mailagent@thesoftedge.com>
Sent: Tuesday, August 12, 2025 11:00 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Please stand up for water. Safe water is essential to all life. Thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

Please reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I went to school in Eureka. I support high water quality standards that are protective of aquatic life from selenium. What do we really have if we don't have clean air, soil and water - the foundation of life?

Sincerely,

Youpa Stein

[REDACTED]

Arlee, MT 59821

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 9:36 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Dan Snell

[REDACTED]
Libby, MT 59923

From: mailagent@thesoftedge.com on behalf of Hugh Zackheim
<mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 9:54 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Selenium Standards Petition

Dear DEQ:

The information provided by DEQ in regard to the selenium standards petition documents a stunning -- and continuing -- increase in selenium concentrations in Montana waters. One only need look in the DEQ materials at the Figure 5 chart documenting a 10-time increase in selenium concentrations in the selenium concentrations in the Elk River that feeds into Motnana over the past 35 years. This dangerous and skyrocketing upward trend is thoroughly documented on both sides of the US-Canada border and continues unabated.

Our Montana waters -- the Kootenai River and Lake Kookanusa -- should be near-pristine, not toxically polluted. Unfortunately coal mining pollution has put them in the polluted category. Montana now needs to stand up uncompromisingly for its clean water.

I personally don't care whether the members of the Lincoln County Commission want to turn their home tap water into a foul-smelling slime -- knock yourselves out. But the law is not in their favor when it comes to the public waters at issue in the case of toxic Canadian trans-boundary selenium pollution. Moreover, the law does not say that we as a State must bow down to corporate interests and thereby sacrifice Montana citizens' constitutional rights to a clean and healthful environment. Rather, the law dictates that the State of Montana conserve and protect the quality of our waters.

We who care about Montana waters, Montana fish, and Montanans lives have the power in this issue. And we depend on Montana DEQ to continue to represent our legal right to have clean water and functioning ecosystems. We absolutely need to maintain Montana's high water quality standards that are protective of aquatic life from selenium degradation in the Kootenai River and Lake Koocanusa.

DEQ must reject the Lincoln County Commissioners' petition that would gut our selenium water quality standards.

Sincerely,

Hugh Zackheim
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Wednesday, August 13, 2025 9:40 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Carol Sugarman
[REDACTED]
Kalispell, MT 59901

From: mailagent@thesoftedge.com on behalf of David Lee Coble
<mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 8:58 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

David Lee Coble
[REDACTED]
Polson , MT 59860

From: mailagent@thesoftedge.com on behalf of Lauren Dickey
<mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 10:00 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Lauren Dickey

[REDACTED]

Polson, MT 59860

From: mailagent@thesoftedge.com on behalf of Jeanette Moyer
<mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 11:58 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

On a personal note. I have first hand experience with the effects of chemicals in our water and food supply chain and the damaging effects to current and future generations. I also worry about how our wildlife is affected.

Article IX of our Montana Constitution states that we have a right and responsibility to a clean and healthy environment for us and future generations. Clean water is the foundation of our ecosystem. Why are you wanting to allow Canadian mining companies to violate our State's Constitution?

Sincerely,

Jeanette Moyer

[REDACTED]

Eureka, MT 59917-7908

From: mailagent@thesoftedge.com on behalf of Terri Hill <mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 3:08 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Terri Hill

[REDACTED]

Columbia Falls, MT 59912

From: mailagent@thesoftedge.com on behalf of David Hemion
<mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 3:08 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

David Hemion

Montana City, MT 59634

From: mailagent@thesoftedge.com on behalf of Hunter Coleman
<mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 5:48 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Hunter Coleman
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Belinda Holloway
<mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 6:22 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Belinda Holloway

[REDACTED]

Billings, MT 59102

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Wednesday, August 13, 2025 8:42 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Patty Laughlin

[REDACTED]
Stevensville , MT 59870

From: mailagent@thesoftedge.com on behalf of Laura Finley <mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 8:34 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Laura Finley
[REDACTED]
Troy, MT 59935

From: mailagent@thesoftedge.com on behalf of Luca Welle <mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 9:36 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Luca Welle

[REDACTED]

Kalispell, MT 59901

From: mailagent@thesoftedge.com on behalf of Jason White <mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 9:12 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Jason White

[REDACTED]

Clinton, MT 59825

From: mailagent@thesoftedge.com on behalf of Ildi White <mailagent@thesoftedge.com>
Sent: Wednesday, August 13, 2025 9:08 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

Furthermore, I STRONGLY urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. My family, community, and I support high water quality standards that are protective of aquatic life from selenium. On July 2, the Lincoln County Board of Commissioners filed a Petition to weaken Montana's selenium standard by increasing permitted pollution from 0.8 to 1.5 microgram/liter and weakening the definition of "steady state." It doesn't take much scrutiny to see this is an attempt by international commodity trader Glencore to put more pollution into Montana waters.

In light of this- stay strong in its defense of this legal, scientifically justified, and protective standard.

Sincerely,

Ildi White
[REDACTED]
Clinton, MT 59825

From: Joanne Morrow [REDACTED]
Sent: Wednesday, August 13, 2025 10:33 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Opposed to Lincoln County's Increased Selenium Petition

To Whom It May Concern:

My name is Joanne Morrow, and I only represent myself as a resident of Montana since 1982.

I am opposed to Lincoln County's petition to relax the science-based water quality standard related to selenium content in Lake Kookanusa which would almost double the amount of selenium allowed. I am opposed to this petition because I strongly feel that we need to do everything we can to protect our waters and our environment for all the species that depend upon clean water now and for the generations to come.

Thank you for your consideration.

Sincerely,

Joanne Morrow
[REDACTED]
Niarada, MT 59845
[REDACTED]

From: Jamie Dolan [REDACTED]
Sent: Wednesday, August 13, 2025 9:42 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] definition of "steady state"

Dear DEQ,

Please stay strong and steady in keeping the selenium standard at its current permitted pollution level. This is the legal, scientifically-justified and protective standard. Montanans and our waterways should not suffer due to pressure from foreign companies wanting to make money off our resources.

Thank you,
Jamie Dolan
[REDACTED]
Helena, MT 59601
[REDACTED]

From: Kris Kindberg [REDACTED]
Sent: Wednesday, August 13, 2025 9:41 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Protect our waters

To Whom it May Concern:

I strongly urge the DEQ to do everything in its power to hold the Swiss-Canadian coal company on the Elk River to the standard 0.8 microgram/liter of Selenium and no more. I can't fathom why our commissioners would agree that 1.5 micrograms/liter would be acceptable.

Please stay strong in your defense of our lake.

Sincerely,

Kristina Kindberg
[REDACTED]
Eureka, MT 59917

From: Scott [REDACTED]
Sent: Wednesday, August 13, 2025 9:26 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium

I respectfully ask that you stand firm against ANY increase in allowable levels of Selenium in the Kootenai water shed. There is no viable argument or reason to degrade any natural water system in the name of profit. And ANY Lincoln County Commissioner or State Official who supports such an egregious action should be suspect for endangering future generation of wildlife and humans. Enough already!!!

Thank you.

Scott Rodich

Sent from my iPhone

From: Jennifer Ekstrom [REDACTED]
Sent: Wednesday, August 13, 2025 7:12 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] comments regarding Lincoln County petition for selenium rulemaking
Attachments: 8.13.2025.ICL Comments RE Lincoln County Petition .pdf

Dear Ms. Krywaruchka, and whom it may concern,

Please find comments from the Idaho conservation League, attached.

Thank you for your consideration,

Jennifer Ekstrom (she/her)
North Idaho Director
[REDACTED]

Idaho Conservation League
P.O. Box 2308
Sandpoint, ID 83864

<https://www.idahoconservation.org/> [[idahoconservation.org](https://www.idahoconservation.org/)]
[Twitter \[twitter.com\]](#) / [Facebook \[facebook.com\]](#) / [Instagram \[instagram.com\]](#)



IDAHOCONSERVATION.ORG/DONATE [\[idahoconservation.org\]](https://www.idahoconservation.org/)

Protecting Idaho's environment since 1973

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208.345.6933 • PO Box 844, Boise, ID 83702 • www.idahoconservation.org

Lindsey Krywaruchka
Water Quality Division Administrator
Department of Environmental Quality
P.O. Box 200901
Helena, Montana 59620-0901

August 13, 2025

RE: Petition for selenium rulemaking from Lincoln County Commissioners

Ms. Krywaruchka -

Thank you for the opportunity to provide comments on the petition for a new selenium rulemaking by Lincoln County Commissioners. We are writing to add to the comments we provided as a signatory to the letter submitted by Montana Environmental Information Center. The intent of this letter is to ask that you reject the petition and retain your current selenium water quality standard for Lake Koocanusa in order to protect beneficial uses downriver in Idaho.

Founded in 1973, the mission of the Idaho Conservation League (ICL) is to create a conservation community and pragmatic, enduring solutions that restore and protect the air you breathe, the water you drink, and the land and wildlife you love. Our seven strategic initiatives include safeguarding North Idaho waterways, and reducing pollution. ICL achieves these goals through public outreach and professional advocacy. We are a consistent, statewide voice for conservation in Idaho, and represent more than 30,000 members and supporters who care deeply about restoring and protecting the environment.

ICL has consistently participated in Montana's efforts to safeguard beneficial uses of Lake Koocanusa, including with Montana Department of Environmental Quality's selenium rulemaking beginning in the year 2020. Thank you for your diligent efforts to analyze a robust body of science and consider extensive public input as you developed the selenium water column standard of .8 ug/l for Lake Koocanusa, and thank you for defending that standard. The site-specific selenium limit for Lake Koocanusa that Montana has adopted is necessary not only to protect water quality and aquatic life in Montana, but also in the Kootenai River in Idaho.

Selenium concentrations in the Kootenai River in Idaho, and in its aquatic life, are of increasing concern at this time, especially considering the proposed expansion of the Fording River coal mine, one of four coal mines operating and discharging high levels of selenium and other pollution upriver in British Columbia.

The International Joint Commission has been activated to address the international pollution dispute caused by the coal mines, and is working to devise recommendations. It is inappropriate to modify or weaken Montana's selenium water column standard for Lake Koocanusa while this work is underway.

So much selenium is contaminating Lake Koocanusa that after it is released through Libby Dam and flows downriver into Idaho, it has caused the Kootenai River in Idaho to be designated as impaired with selenium under the Clean Water Act. There is no additional assimilative capacity for selenium in the Kootenai River in Idaho.



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A United States Geological Survey report on selenium levels in mountain whitefish eggs in Idaho showed concentrations ranging from 11.6 to 24.8 mg/kg, with 75% of the samples exceeding the federal standard of 15.1 mg/kg.¹ Bull trout, burbot, and white sturgeon all have similarities to mountain whitefish which indicate they are also at risk of similar selenium exceedances.

Despite this, the Kootenai River in Idaho has thus far maintained diverse and important fisheries, including mountain whitefish, westslope cutthroat trout, burbot, bull trout – which are listed as “threatened” under the endangered species act, as well as Kootenai River white sturgeon - which are listed as “endangered.” The survival of Kootenai River white sturgeon and burbot is due in large part to the efforts of the Kootenai Tribe of Idaho. Water quality needs to be restored in Idaho in order to support their efforts and sustain all of these fisheries.

Relaxing the selenium standards for Lake Koocanusa, ahead of the proposed expansion of coal mining in British Columbia, and ahead of recommendations from the International Joint Commission, is unacceptable.

We are writing to urge you to once again stand up for Montana, and for Idaho, by rejecting this ill-founded petition. Rather, we ask that you take the necessary steps to consider listing Lake Koocanusa as impaired under the Clean Water Act, as it is already listed as such downriver in Idaho.

Thank you very much for your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Ekstrom". The signature is fluid and cursive, with the first name and last name clearly legible.

Jennifer Ekstrom
North Idaho Director
Idaho Conservation League

¹ **Mebane, C. A., & Schmidt, C. G. (2019, September 20).** *Selenium and mercury in fish tissues from the Kootenai River, Montana and Idaho, September 2018* [Data release]. U.S. Geological Survey. <https://doi.org/10.5066/P9YYVV7R>

From: kbordeaux [REDACTED]
Sent: Wednesday, August 13, 2025 6:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comments on Lincoln County's Petition for Rulemaking
Attachments: Signed Letter_KTOI_MT DEQ_Comments on Lincoln County Petition_8.13.25.pdf

Hello,

I write to transmit comments on behalf of the Kootenai Tribe of Idaho. Please see attached.

Thank you,
Keegan Bordeaux



Kootenai Tribe of Idaho

100 Circle Drive
P.O. Box 1269
Bonners Ferry, ID 83805
Ph# (208) 267-3519
Fax (208) 267-2960

August 13, 2025

Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901
DEQLakeKPetition@mt.gov

RE: Lincoln County Commissioners' Petition to Weaken the Site-Specific Koocanusa Reservoir Selenium Standard of 0.8 ug/L

Dear Department of Environmental Quality,

I write on behalf of the Kootenai Tribe of Idaho ("KTOI" or "Tribe") to urge you to reject the petition for rulemaking submitted to you by the Board of County Commissioners of Lincoln County to modify the selenium water column standard for Koocanusa Reservoir found at ARM 17.30.632(7)(a) and the definition of "steady state" at ARM 17.30.602(32).

Selenium pollution, along with other mining contaminants, is currently negatively impacting the Kootenai River ecosystem, and the Tribe has conducted rigorous sampling and sound science to reach this conclusion.

Mining impacts to the transboundary Kootenai(y) watershed from EVR's Elk Valley coal mines are an issue that affects the Tribe's natural and cultural resources and practices. We share these interests in water quality with our sister-communities represented by the Ktunaxa Nation Council and the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation ("CSKT"), and with the peoples of Montana and Idaho, as well as those upriver and downriver from us in British Columbia. Bull trout, burbot, mountain whitefish, westslope cutthroat trout, and endangered Kootenai River white sturgeon are very important to the Tribe and all the watershed's peoples and communities that rely on water quality in Koocanusa Reservoir and the Kootenai River. In response to these problems, for many years the Ktunaxa Nation governments, states of Montana and Idaho, Province of British Columbia, and the United States and Canadian federal governments have been actively working to ensure contamination from coal mines in

British Columbia is addressed, especially with regard to contamination that flows across the international boundary into Koocanusa Reservoir and the Kootenai River downstream.

CSKT and KTOI participated in both the Lake Koocanusa Monitoring and Research Working Group, as well as the Selenium Technical Subcommittee, collectively undertaking six years of scientific deliberations that resulted in the adoption of 0.8 ug/L for selenium. The Montana Department of Environmental Quality ("DEQ") co-lead a thorough, transparent, and scientifically robust process that was inclusive of federal, state, tribal, provincial, and industrial interests. The current challenge by the Lincoln County Commissioners to the selenium standard is an affront to the scientific integrity and years of dedication to procure a scientifically defensible standard that is protective of our waters, fish, wildlife, and communities. In fact, over the last ten years, data from Koocanusa Reservoir demonstrate that several species of fish exceed the egg-ovary toxicity threshold for selenium, providing scientific basis for adopting the site-specific criteria 0.8 ug/L for the water column.

EPA guidance recommends that states and tribes develop site-specific recommendations to account for local conditions. This is precisely the process that was undertaken, over six years, by Indigenous, state, provincial, local, and federal governments to jointly develop the selenium standard of 0.8 µg/L for Koocanusa Reservoir. In fact, over the last ten years, data from Koocanusa Reservoir demonstrate that several species of fish exceed the egg-ovary toxicity threshold for selenium, providing scientific basis for adopting the standard of 15.1 mg/kg for egg-ovary, and 0.8 µg/L for the water column.

Below Libby Dam in the Kootenai River, the Tribe has measured elevated selenium concentrations in both burbot and sturgeon egg tissue, along with other native fish species that are culturally important to the Ktunaxa Nation. Egg criteria exceedances of native Mountain Whitefish have been documented. Selenium water concentrations throughout the canyon reach and lower river range between 0.8 and 1.2 µg/L total selenium. Selenium is both persistent and pervasive throughout the lower Kootenay/Kootenai River. Currently, the Kootenai River in Idaho is listed as 'impaired' for selenium.

DEQ has a responsibility to protect downstream beneficial use. Provisions of the Clean Water Act are being violated in the Kootenai River below Libby Dam in both Montana and Idaho. Egg/ovary criteria have been exceeded in mountain whitefish, burbot, red-side shiners, and northern pikeminnow (KTOI; USGS data).

KTOI Data Summary

- *Although there are no selenium criteria exceedances in the water chemistry below Libby Dam, the increasing downstream spatial trend of selenite (the more toxic form of selenium) from Libby Dam to Kootenay Lake is concerning;*
- *There are Idaho DEQ fish tissue criteria exceedances in the egg tissue in both Mountain Whitefish and Burbot;*
- *The Kootenai River from the ID/MT border to Moyie River (IDEQ Assessment Unit #ID 17010104PN031_08) is listed as 'impaired for selenium;'*

- *The Kootenai River from the Moyie River to Deep Creek (IDEQ Assessment Unit #ID 17010104PN029_08) has data supporting an ‘impaired for selenium’ listing in the 2022 Integrated Report;*
- *Koocanusa Reservoir is receiving ever-increasing amounts of selenium from the Elk River, and this is negatively impacting native fish species, including ESA-listed Kootenai River White Sturgeon and the Burbot, in the Kootenai River below Libby Dam;*
- *The enforcement of the protective and scientifically validated site-specific criteria of 0.8 µg/L selenium in Koocanusa Reservoir helps protect the downstream Kootenai River.*
- <https://www.usgs.gov/data/selenium-water-sediment-periphyton-benthic-invertebrate-and-fish-tissues-kootenai-river-idaho>
- <https://www.sciencebase.gov/catalog/item/62881e4dd34e4fef2ec3c334>
- <https://pubs.usgs.gov/publication/fs20223033>
- [https://www.waterqualitydata.us/provider/STORET/KOOTENAI TRIBE OF IDAHO WQX/](https://www.waterqualitydata.us/provider/STORET/KOOTENAI%20TRIBE%20OF%20IDAHO/WQX/)
- <https://www.usgs.gov/centers/idaho-water-science-center/science/monitoring-mining-effects-kootenai-river-watershed>
- <https://catalog.data.gov/dataset/selenium-and-mercury-in-fish-tissues-from-the-kootenai-river-montana-and-idaho-september-2>

Water Chemistry Data

The Kootenai Tribe of Idaho has been collecting selenium-specific monthly water chemistry data in the Kootenay River in Canada upstream of the Elk River, the Kootenai River below Libby Dam in Montana, Idaho, and Canada prior to the river’s entry into Kootenay Lake since 2021. These water samples are analyzed for total selenium, dissolved selenium, and selenium speciation (selenate, selenite, and ‘other’ species) at Brooks Applied Labs in Bothell, WA. The Kootenai Tribe’s water chemistry data highlights that the total selenium concentrations leaving the Koocanusa Reservoir are persistent and pervasive throughout the Kootenai River ecosystem, and are negatively impacting the native fish species (figures 1 and 2). The Elk River and three other major tributaries to the Kootenay River (Skookumchuck, Wild Horse, and Bull rivers) in Canada have also sampled (Figure 3).

Data can be retrieved and viewed on the US EPA’s WQX webpage

[https://www.waterqualitydata.us/provider/STORET/KOOTENAI TRIBE OF IDAHO WQX/](https://www.waterqualitydata.us/provider/STORET/KOOTENAI%20TRIBE%20OF%20IDAHO/WQX/)

The total selenium exported out of the Koocanusa Reservoir ranges from 0.8 to 1.24 µg/L. There is also evidence of selenium speciating into the more toxic form selenite as it moves downstream from Libby Dam (Figure 4). Water chemistry data suggests that selenium speciation into selenite increases as the water moves further downstream.

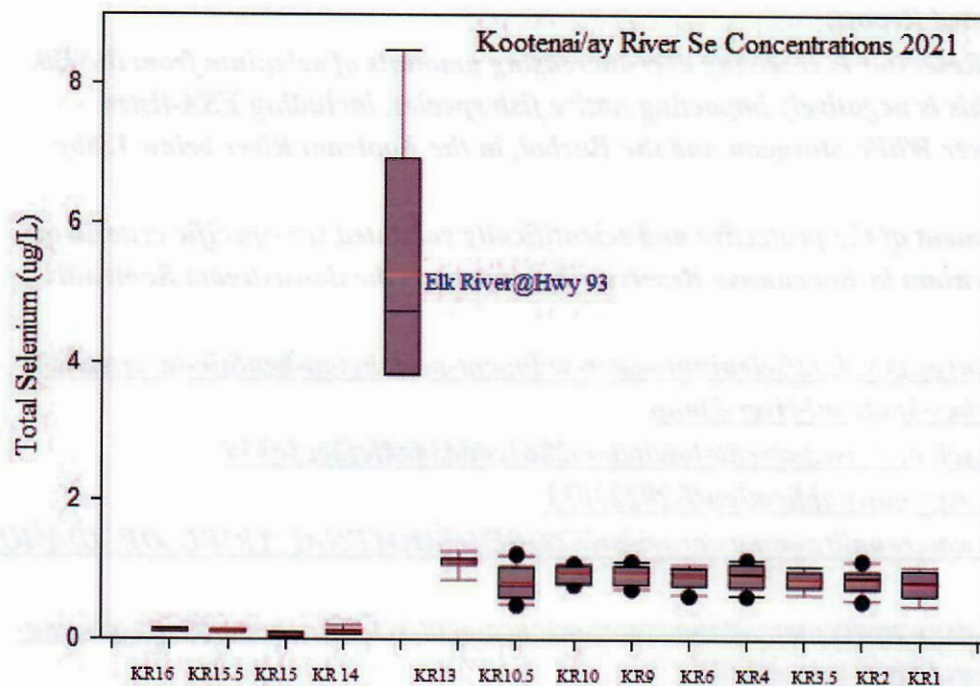


Figure 1. Total selenium concentrations from Canal Flats, BC to Wardner, BC, the Elk River, and the mainstem Kootenai River below Libby Dam to the mouth of Kootenay Lake, BC.

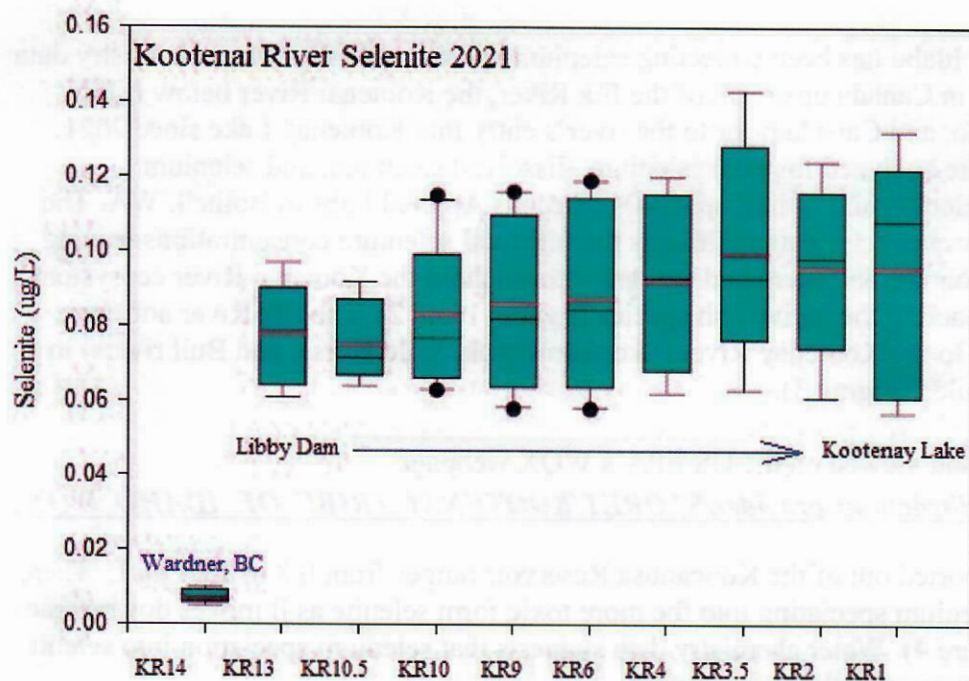


Figure 4. Selenite concentrations from Wardner, BC upstream of the Elk River confluence, and selenite concentrations below Libby Dam to the mouth of Kootenay Lake, BC.

<p>Trend:</p> <p>Increasing trend</p> <p>(+ 0.199 ug/L per year)</p>	<p>B.C. Aquatic Life Guideline</p> <p>Long-term Chronic: 2 ug/L (upper limit, with alert at 1 ug/L)</p>
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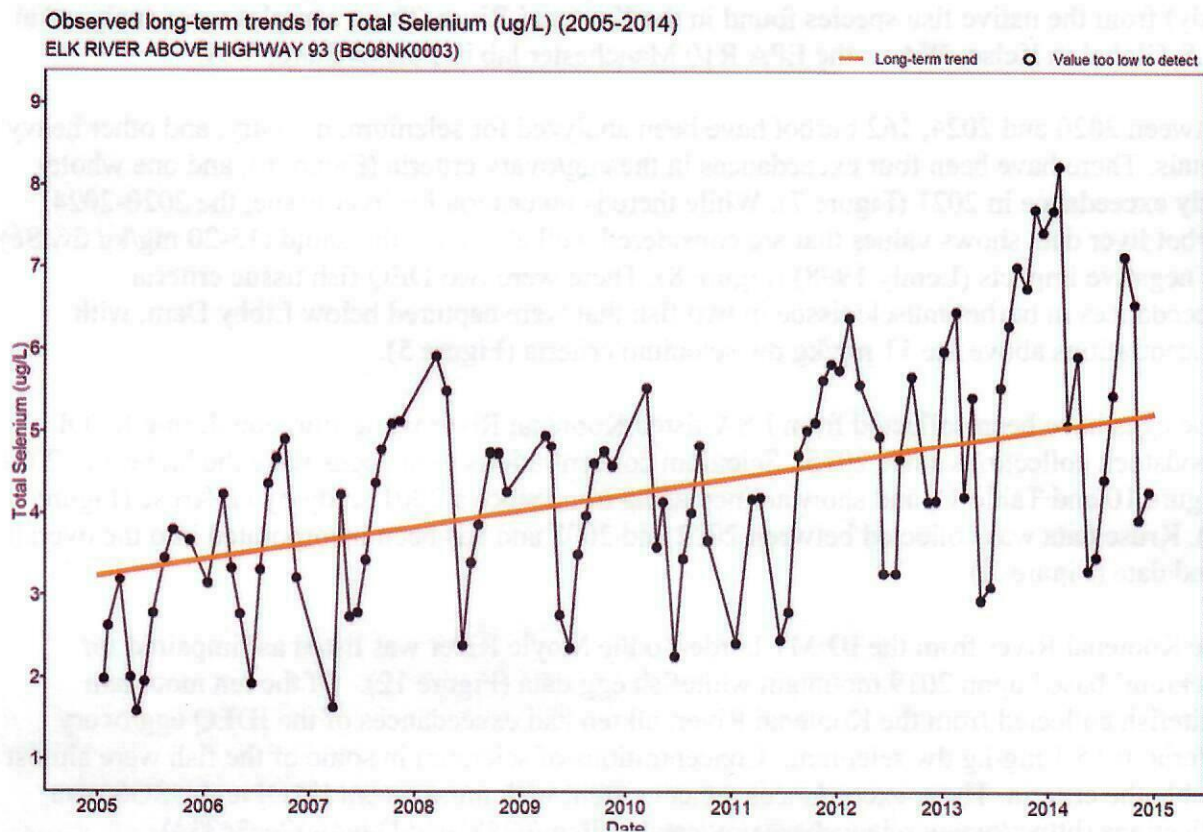


Figure 1. Total selenium concentration ($\mu\text{g/L}$) trend from 2005 to 2015 at the Elk River, BC as reported by https://www.nrs.gov.bc.ca/ecms/CanadaBCWQReports/TrendReports/BC08NK0003_SiteReport.html.

Fish Tissue Data

Since 2020, the Tribe has collected fish tissue samples (muscle/egg/ovary, liver, and whole-body) from the native fish species found in the Kootenai River. These samples were analyzed at ALS-Global in Kelso, WA or the EPA R10 Manchester lab in Port Orchard, WA.

Between 2020 and 2024, 162 burbot have been analyzed for selenium, mercury, and other heavy metals. There have been four exceedances in the egg/ovary criteria (Figure 6), and one whole-body exceedance in 2021 (Figure 7). While there is no criteria for liver tissue, the 2020-2024 burbot liver data shows values that are considered well above the threshold (15-20 mg/kg dw Se) for negative impacts (Lemly 1998) (Figure 8). There were two DEQ fish tissue criteria exceedances in burbot muscle tissue in two fish that were captured below Libby Dam, with concentrations above the 11 mg/kg dw selenium criteria (Figure 5).

Ripe eggs have been collected from ESA-listed Kootenai River white sturgeon during KTOI broodstock collections since 2015. Selenium concentrations in the eggs were the highest in 2021 (Figure 10 and Table 1), and show an increasing trend since a 2001 study by G. Kruse (Figure 11). Kruse data was collected between 2022 and 2007 and has been incorporated into the overall trend data (Figure X).

The Kootenai River from the ID/MT border to the Moyie River was listed as 'impaired for selenium' based upon 2019 mountain whitefish egg data (Figure 12). Of the ten mountain whitefish collected from the Kootenai River, all ten had exceedances of the IDEQ egg/ovary criteria of 15.1 mg/kg dw selenium. Concentrations of selenium in some of the fish were almost double the criteria. These exceedances are consistent with more recent KTOI and USGS data collections (<https://www.sciencebase.gov/catalog/item/62881e4dd34e4fef2ec3c334>).

Northern (<https://pubs.usgs.gov/publication/fs20223033>)

Water Chemistry Data/Province of British Columbia:

These two graphs illustrate the advantages of performing trend analysis on specific datasets.

Trend:
Increasing trend
 (+ 0.06631 mg/L as N per year)

B.C. Aquatic Life Guideline

Long-term Chronic: 3 mg/L (upper limit)
Short-term Acute: 32.8 mg/L (upper limit)

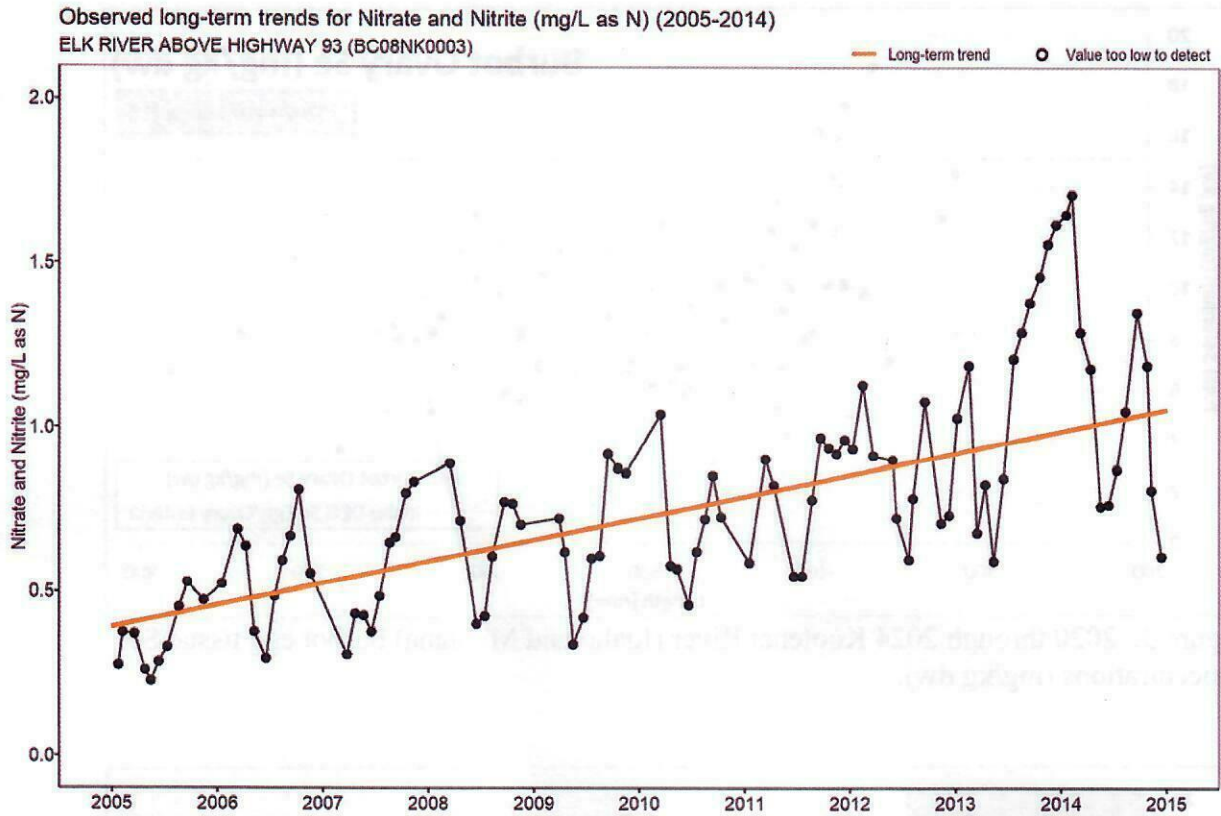


Figure 2. Nitrate and nitrite concentration ($\mu\text{g/L}$) trend from 2005 to 2015 at the Elk River, BC as reported by

https://www.nrs.gov.bc.ca/ecms/CanadaBCWQReports/TrendReports/BC08NK0003_SiteReport.html

Kootenai Tribe of Idaho Data:

The following graphs have been presented to agency partners at various venues, workshops, and conferences.

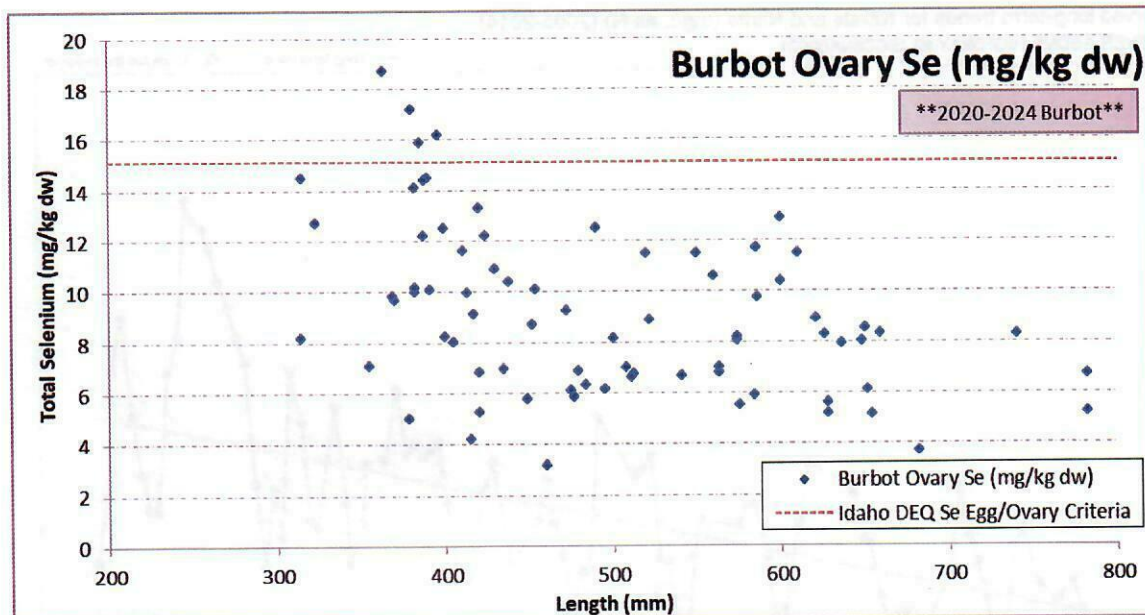


Figure 3. 2020 through 2024 Kootenai River (Idaho and Montana) burbot egg tissue Se concentrations (mg/kg dw).

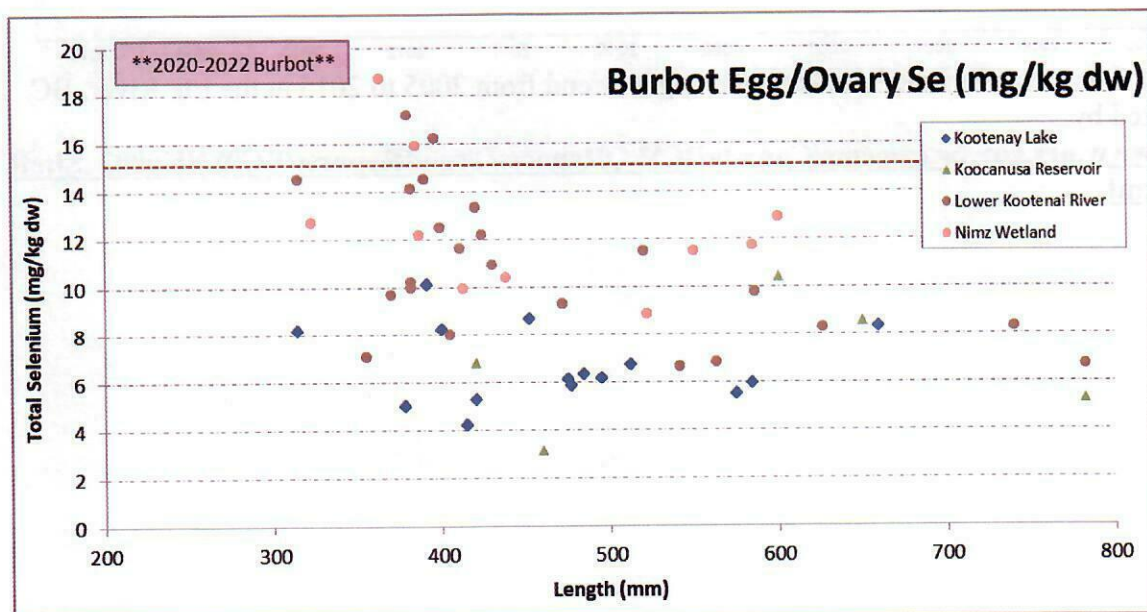


Figure 4. 2020 through 2022 Kootenai River and Koocanusa Reservoir burbot egg tissue Se concentrations (mg/kg dw) categorized by where they were released as juveniles (river/lake/reservoir/wetland). No female burbot were captured in the Montana reach of the Kootenai River.

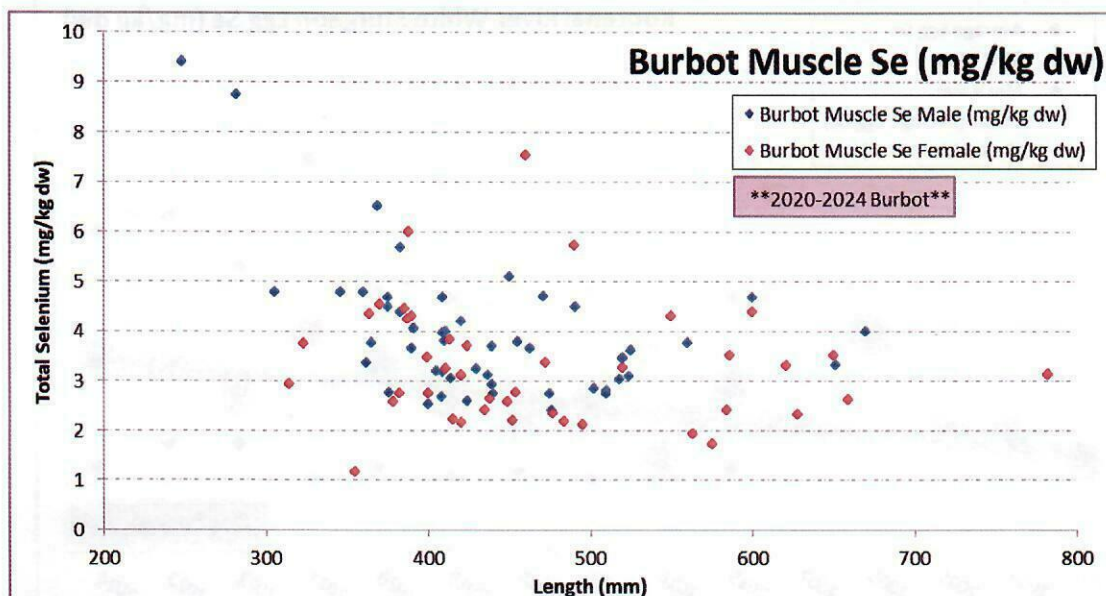


Figure 5. 2020 through 2024 Kootenai River and Koocanusa Reservoir burbot muscle tissue Se concentrations (mg/kg dw) categorized by where they were released as juveniles (river/lake/reservoir/wetland).

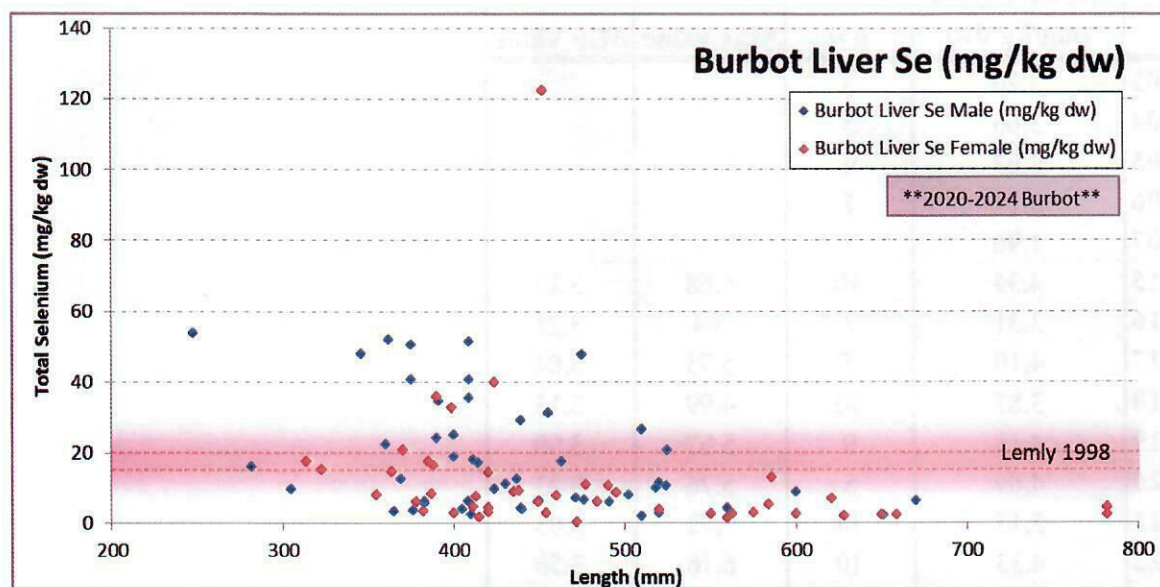


Figure 6. 2020 through 2024 Kootenai River and Koocanusa Reservoir burbot liver tissue Se concentrations (mg/kg dw) categorized by male or female. Lemly (1998) indicates that liver Se concentrations ranging from 15 to 20 mg/kg dw can cause physiological impairments to a fish.

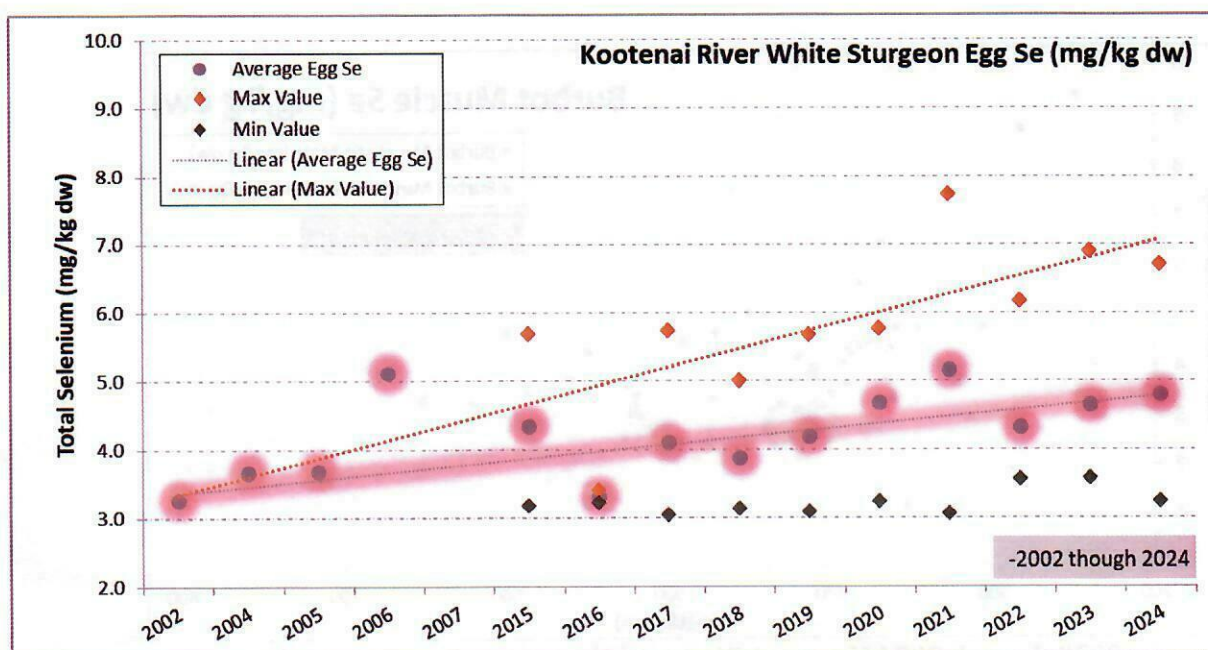


Figure 7. 2002 through 2024 Kootenai River white sturgeon average egg tissue Se concentrations (mg/kg dw). Note that the averages of both minimum and maximum concentrations are increasing.

	Average KRWS Egg Se (mg/kg dw)	n =	Max value	Min Value
2002	3.26	3		
2004	3.66	5		
2005	3.68	6		
2006	5.11	7		
2007	1.96	5		
2015	4.34	10	5.68	3.17
2016	3.31	2	3.4	3.22
2017	4.10	7	5.73	3.04
2018	3.87	10	4.99	3.13
2019	4.18	9	5.67	3.09
2020	4.69	5	5.76	3.23
2021	5.15	14	7.72	3.05
2022	4.33	10	6.16	3.56
2023	4.66	14	6.89	3.57
2024	4.79	15	6.69	3.23

Table 1. 2002 through 2024 Kootenai River white sturgeon average egg tissue Se concentrations (mg/kg dw).

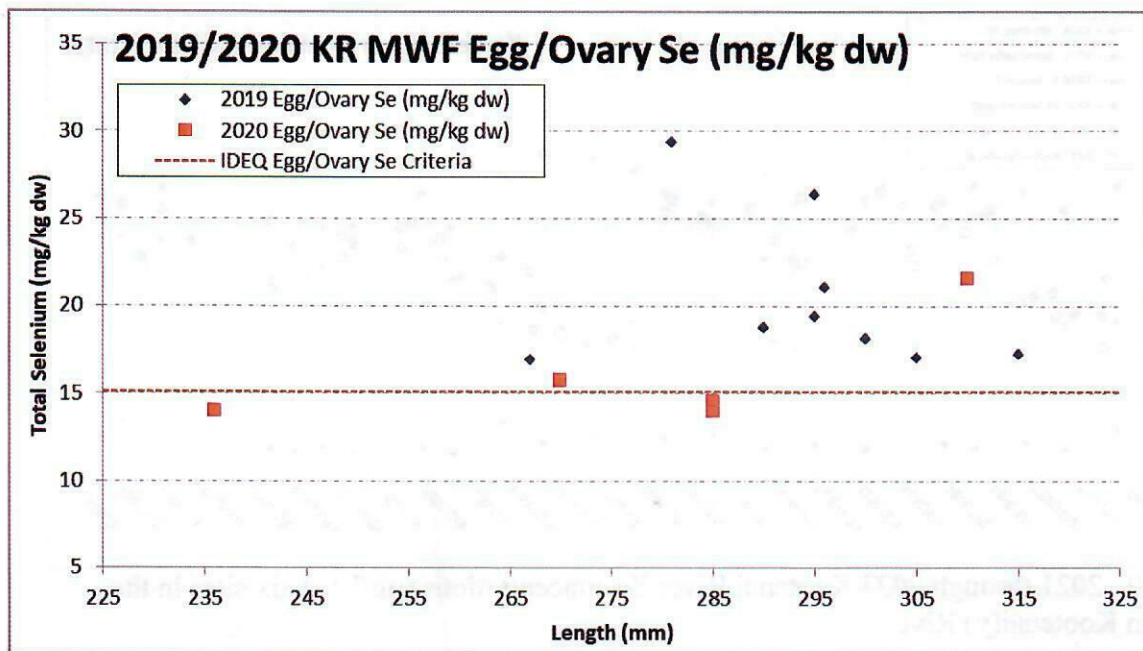


Figure 8. 2019/2020 Kootenai River mountain whitefish egg tissue Se concentrations (mg/kg dw). Note that all 2019 Mountain Whitefish egg/ovary tissue exceeded IDEQ's egg/ovary criteria of 15.1 mg/kg dw.

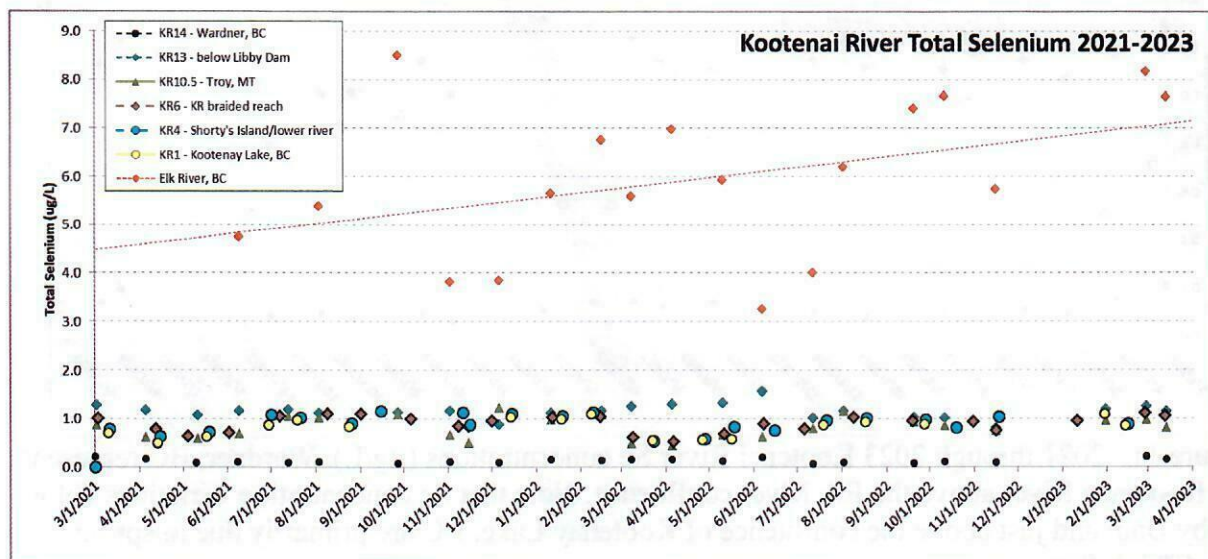


Figure 9. 2021 through 2023 Kootenai River Se concentrations (µg/L) at six sites in the mainstem Kootenai(y) River and the Elk River, BC.

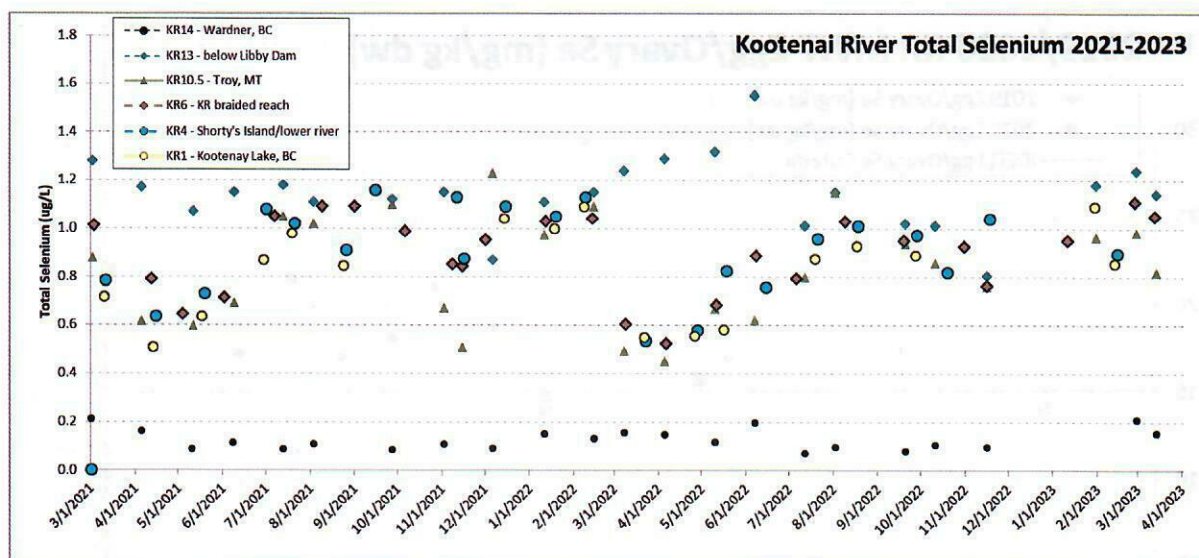


Figure 10. 2021 through 2023 Kootenai River Se concentrations ($\mu\text{g/L}$) at six sites in the mainstem Kootenai(y) River.

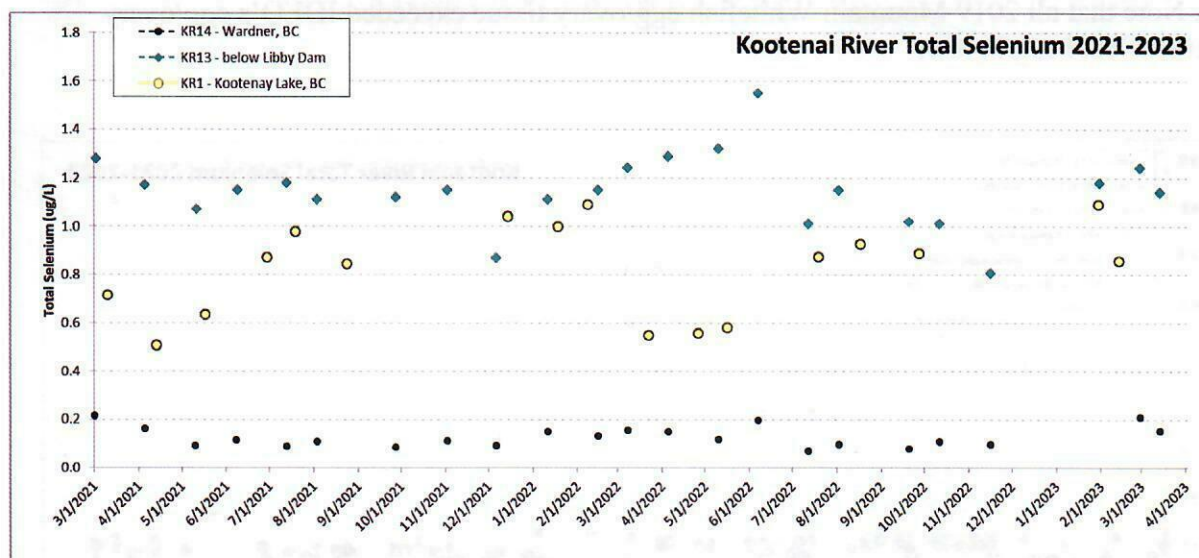
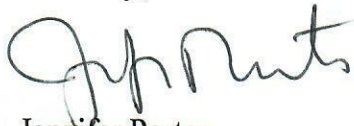


Figure 11. 2021 through 2023 Kootenai River Se concentrations ($\mu\text{g/L}$). Wardner, BC represents the Kootenay River above the Elk River confluence. Note that Se concentration variations below Libby Dam and just above the confluence of Kootenay Lake, BC are primarily due to spring runoff/high flows.

Overall, the Board of County Commissioners of Lincoln County's summary of the current available data is misleading. They also misleadingly interpret the US EPA's selenium criteria.

We urge you to reject the petition for rulemaking submitted by the Board of County Commissioners of Lincoln County

Sincerely,

A handwritten signature in black ink, appearing to read "J. Porter", written in a cursive style.

Jennifer Porter
Chairwoman
Kootenai Tribe of Idaho

From: Ben Catton [REDACTED]
Sent: Wednesday, August 13, 2025 3:12 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Business/Organization Sign-on Letter Re Lincoln County Petition for Rulemaking Selenium Pollution Hearing
Attachments: Sign-on Letter Opposing Selenium Standard Changes (2).pdf

Good afternoon,

The undersigned 34 businesses and organizations submit the attached letter urging the rejection of the Lincoln County Commission's petition for rulemaking regarding selenium pollution in Lake Koocanusa.

Respectfully,
Ben Catton

--



August 13, 2025

Montana Department of Environmental Quality
1520 E. Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901

Dear Montana DEQ,

The undersigned organizations, representing tens of thousands of members from across Montana and the greater Kootenay/ai transboundary watershed, write in strong opposition to the Petition filed by the Lincoln County Board of Commissioners (“Lincoln County”) that proposes to weaken Montana’s selenium water quality standards. We commend DEQ for establishing the original, protective standard for selenium and for defending this standard against previous attacks. We implore DEQ to continue the defense of Montana’s legal, scientifically justified, and protective site-specific water quality standards and to deny the Lincoln County Petition. DEQ should instead focus its resources on enforcing our site-specific selenium standard to protect fish and water quality in Koocanusa and the Kootenai River downstream from Elk Valley mining impacts.

If the changes proposed by Lincoln County were to be adopted, it would almost double the allowable selenium concentrations in Lake Koocanusa by raising the standard from 0.8 to 1.5 µg/L (micrograms per liter), as well as weaken the definition of “steady state,” a determining factor in assuring that water quality is protected and restored. Doubling the allowable concentration of toxic selenium allowed to be released into the Kootenai watershed in Montana is not supported by the rigorous and robust science that went into developing the original standard. Weakening the standard will undoubtedly compromise and negatively impact the clean water and aquatic life of the watershed, and would not benefit Montana economically.

Montana’s clean water is the lifeblood of Montana. It’s also a significant economic driver for our state, with recreation-related activities responsible for more than \$3.4 billion in economic output and providing 30,915 jobs across the state, according to a 2024 report by the U.S. Bureau of Economic Analysis. Boating and fishing was found to be Montana’s second largest recreational activity, accounting for \$149 million in economic activity. Compromising Montana’s water-based recreation by allowing more pollution into our waters, all for the benefit of mines located in Canada and owned by a Switzerland-based commodities trader, is not just foolhardy but reckless. This action puts a multinational corporation’s profits over the health and economic interests of Montanans.

A recent study conducted by the U.S. Geological Survey found that, over the past 38 years, selenium concentrations have more than quadrupled in the Kootenai/y watershed, with levels regularly exceeding those considered safe for aquatic life and human health. The study noted that the increase in selenium concentrations is likely the largest ever recorded in a peer-reviewed study anywhere in the world. By the end of 2022, selenium concentrations

jumped 551%. The trajectory of selenium pollution in Montana and the transboundary Kootenai/ay watershed is unsustainable. Recognizing this, Montana developed thoughtful and protective measures that are meant to protect the environmental and economic well-being of our state.

These standards were submitted to the U.S. Environmental Protection Agency for review and approval. The EPA subsequently determined that the selenium standards were “based on sound scientific rationale and ... contain sufficient parameters or constituents to protect the designated use” as required by 40 C.F.R. § 131.11. Notably, the Petition by Lincoln County is devoid of any credible scientific information that rebuts or invalidates the overwhelming scientific evidence underpinning the site-specific selenium standards.

Further, in DEQ’s final written findings from June 2022 following the Board of Environmental Review Stringency Review process, DEQ found that water treatment technology in order to meet Montana’s standard is widely available, stating that “This standard is achievable under current technology. There are no current or planned point source dischargers to Lake Koocanusa with selenium as a pollutant of concern [in Montana].... However, if there were a need for treatment in the future, this would be achieved through one of the current technologies listed by EPA” Glencore can and should choose to invest in technology that fully treats the water in order to meet Montana’s site-specific standard, rather than supporting and encouraging a weakening of our standard.

As the agency primarily responsible for assuring that Montana’s clean water is protected, that our fundamental right to a clean and healthful environment is upheld, and that Montana’s water protection program complies with the Federal Clean Water Act, it is incumbent on DEQ to deny the Lincoln County Petition on its face. Accepting Lincoln County’s proposed changes would not protect Montana’s water quality and aquatic life, would compromise our recreation economy and outdoor heritage, and likely runs afoul of the Federal Clean Water Act.

Respectfully submitted,

Cosigners:

American Packrafting Association

American Rivers

Clark Fork Coalition

Earthjustice

Earthworks

Fishing Outfitters Association of Montana

Glacier Anglers and Outfitters

Glacier Raft Company

Healing Waters Lodge

Idaho Chapter of Backcountry Hunters and Anglers

Idaho Conservation League

Idaho Outfitters and Guides Association

Idaho Rivers United
Kootenai Environmental Alliance
Lary's Fly and Supply
Linehan Outfitting
Long Drift Outfitters
Montana Angler Fly Fishing
Montana Audubon
Montana Chapter of Backcountry Hunters and Anglers
Montana Conservation Voters
Montana Environmental Information Center
Montana Flyfishing Connection, LLC
Montana Freshwater Partners
Montana Trout Unlimited
National Parks Conservation Association
Rock Creek Alliance
Save Our Cabinets
Selkirk Conservation Alliance
Trail Head and Trail Head River Sports
Upper Missouri Waterkeeper
Wildsight
Yaak Valley Forest Council
Yellow Dog Flyfishing Adventures

From: Chelsea Colwyn [REDACTED]
Sent: Wednesday, August 13, 2025 2:03 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lake Koocanusa selenium standard petition--comments from CSKT
Attachments: CSKT Written Comments on Lincoln County Commissioners Petition.pdf

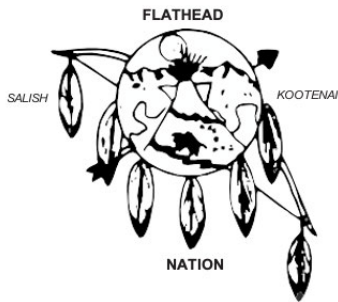
Dear Administrator Krywaruchka,

These written comments are submitted on behalf of the Confederated Salish and Kootenai Tribes in response to the water quality standards petition to modify the selenium water column standard for Lake Koocanusa.

Thank you for providing the opportunity to comment.

Regards,
Chelsea

Chelsea Colwyn
Staff Attorney, Legal Department
Confederated Salish and Kootenai Tribes



THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD NATION

P.O BOX 278
Pablo, Montana 59855
(406) 275-2700
Fax: council.fax@cskt.org
Website: www.cskt.org



A People of Vision

A Confederation of the Salish,
Pend d' Oreille
and Kootenai Tribes

August 13, 2025

Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901
DEQLakeKPetition@mt.gov

TRIBAL COUNCIL MEMBERS:

Michael Dolson – Chairman
Tom McDonald– Vice Chair
Martin Charlo – Secretary
James Steele Jr – Treasurer
Carole Lankford
James “Bing” Matt
Len Twoteeth
Jim Malatare
Jennifer Finley
Danielle Matt

Re: Urging DEQ To Reject the Lincoln County Commissioners’ Petition to Weaken the Site-Specific Lake Koocanusa Selenium Standard of 0.8 ug/L

Dear Department of Environmental Quality:

We write to you on behalf of the Confederated Salish and Kootenai Tribes to communicate our continued interest in, and support for, the site-specific selenium standard in Koocanusa Reservoir (ARM 17.30.632), and to urge you to reject the petition submitted by the Board of County Commissioners of Lincoln County to the Department of Environmental Quality, pursuant to MCA 2-4-315, to modify the selenium water column standard for Lake Koocanusa at ARM 17.30.632(7)(a) and the definition of steady state at ARM 17.30.602(32).

CSKT, alongside our five sister governments of the transboundary Ktunaxa Nation, participated in the five-year process to develop the site-specific selenium standard for Koocanusa Reservoir, supported adoption of 0.8 ug/L as the site-specific selenium water column standard, and have testified in multiple public processes in support of upholding and enforcing the standard. *The current standard is critical to ensuring that Montana, Tribal, and U.S. territory is protected from mine-contaminated waters that originate in the Elk Valley of British Columbia and flow across the BC-Montana boundary into Koocanusa Reservoir and the Kootenai River downstream.* Selenium pollution from these mines is a legacy contamination issue that will require remediation, restoration, and mitigation for centuries to come. To-date, the mines have deposited nearly 9 billion cubic meters of waste rock in the Elk Valley, and they are currently permitted to deposit another 3 billion cubic meters over the next two decades ([Teck Resources Ltd., 2022](#)). Proposed mine expansions and new mines in the valley could increase permitted waste rock substantially (e.g., [Michel Coal Project by North Coal LTD](#)). Upholding the Koocanusa Reservoir site-specific selenium criteria is critical to ensuring State, Tribal and U.S. territory is protected for decades and centuries to come. It also ensures that *all* species of fish in the Reservoir are protected, including culturally important fish, not just certain species of fish.

In addition to rejecting the petition, we urge you to immediately undertake an assessment of impairment due to selenium for Koocanusa Reservoir, utilizing the updated methodology for evaluating attainment of the current selenium standard of 0.8 ug/L. Over the period of time since the selenium standard was promulgated by Montana and approved by the U.S. EPA under the Clean Water Act, continued data collection has shown that concentrations of the major mine contaminants increased from 1984-2022, and are “among the largest documented in the primary literature” ([Storb et al., 2023](#)). Specifically, selenium concentrations in the Elk River, just upriver from Koocanusa, have increased by 581%, sulphates have increased by 120%, and nitrates have increased by 784%. Water quality concentrations for selenium at the international boundary have continuously exceeded the Koocanusa site-specific selenium standard since it was implemented. In addition, farther downriver, water quality degradation has been noted in Idaho where the Kootenai River re-enters Canada. Farther still, over 350 miles downriver from the Elk Valley, mine-sourced selenium levels have been steadily increasing in the Columbia River, where Kootenay Lake flows into the Columbia ([Foster et al., 2024](#)). All of the above provides significant justification for assessing Koocanusa Reservoir as impaired due to selenium.

For decades, CSKT has been working to prevent and remediate the harms from industrial activities to protect our ancestral territory and our Treaty fishing, hunting, and gathering rights. The transboundary Kootenai watershed sits entirely within transboundary Ktunaxa territory and provides critical habitat for rare and threatened fish species including bull trout, burbot, westslope cutthroat trout, and endangered Kootenai River white sturgeon. Unabated selenium inputs from the Elk Valley mines into Koocanusa Reservoir demonstrate a clear, increasing trend dating back to 1985. Selenium leaching from the mines in the Elk Valley of British Columbia is resulting in degradation of water quality and presenting unacceptable impairment and risks to CSKT and Ktunaxa resources. As noted in our previous letters, we are specifically concerned about mining pollution’s impacts on water quality, fish and fish habitat, and species at risk, as well as impacts to other species and resources that depend on those waters and fish, and traditional cultural values, including human health impacts from consumption of contaminated fish, in the entire transboundary Kootenai watershed.

Mining impacts to the transboundary Kootenai watershed from the BC coal mines is an issue that affects the Tribes’ natural and cultural resources and practices. We share these interests in water quality with our sister communities—Kootenai Tribe of Idaho (KTOI), ʔakisq̓nuk, ʔaq̓am, Yaq̓an Nuʔkiy, and Yaq̓it ʔa·knuq̓li’it—and with the people of Montana and Idaho, as well as those upriver and downriver from us in British Columbia. Bull trout, burbot, westslope cutthroat trout, and endangered Kootenai River white sturgeon are very important to the Tribes and all the watershed’s peoples and communities that rely on water quality in Koocanusa Reservoir and the Kootenai River. In response to these problems, for many years CSKT, KTOI, ʔakisq̓nuk, ʔaq̓am, Yaq̓an Nuʔkiy, Yaq̓it ʔa·knuq̓li’it, the States of Montana and Idaho, the Province of British Columbia, and the United States and Canadian Federal governments have been actively working to ensure contamination from coal mines in British Columbia is addressed, especially with regard to contamination that flows across the international boundary into Koocanusa Reservoir and the Kootenai River downstream. The site-specific selenium criteria in Koocanusa is critical to protecting U.S., Tribal, and State waters, and was developed through a rigorous and in-depth scientific study amongst all of the jurisdictions in the watershed.

We offer the following important points in addition to this letter of support:

- Water quality concentrations for selenium at the international boundary currently exceed Montana's federally approved standard of 0.8 ug/L, ranging as high as 1.75 ug/L (April 2021) and averaging monthly around 1.1 ug/L (ongoing).
- Selenium in fish tissue for several species of fish in Koocanusa Reservoir currently exceeds the Montana adopted, and EPA approved, standard for selenium in egg/ovaries of 15.1 ug/L (MT FWP data, 2020).
- Downstream of Libby Dam, in the Kootenai River, Mountain Whitefish, Northern pikeminnow, and burbot egg/ovary concentrations are exceeding Idaho DEQ's criterion of 15.1 mg/kg dw selenium; Mountain Whitefish and Northern pikeminnow egg/ovary concentrations are often double the recommended 15.1 mg/kg dw selenium. (KTOI Data; [Murray et al., 2025](#))
- In response to the current water quality and fish tissue data for the Kootenai River, Idaho has designated a section of the Kootenai River as "impaired due to selenium," under Section 303(d) of the U.S. Clean Water Act.
- The 15.1 mg/kg dw egg/ovary selenium criterion was applied to protect the Kootenai River white sturgeon, which inhabits the Kootenai waterway. This species was listed as endangered in 1994 by the U.S. Fish and Wildlife Service and in 2003 by Canada under the Species at Risk Act. A U.S. Recovery Plan for the species was approved in 2019. The Kootenai Tribe of Idaho plays a significant role in the efforts to recover the Kootenai River white sturgeon, including in coordination with the Province of British Columbia. Selenium concentrations in Kootenai River white sturgeon eggs show an increasing trend since 2001 (KTOI, personal communication).

We would also draw your attention to the fact that in November 2021, the Ktunaxa Nation and the Province of British Columbia shared that their recommended criterion for Koocanusa Reservoir was also 0.85 ug/L, further enforcing that this site-specific criterion is required to ensure protection of water quality, fish, communities and beneficial uses downstream.

We urge you to reject the petition from the Lincoln County Commissioners.

Lemlm̓tš / Hu sukit̓q̓ukni (thank you).

Sincerely,



Michael Dolson
Chairman, Tribal Council
Confederated Salish and Kootenai Tribes

From: Will Swearingen [REDACTED]
Sent: Wednesday, August 13, 2025 2:01 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lincoln County petition to raise selenium limit in Lake Koocanusa

DEQ Staff,

I strongly urge the DEQ to ***reject the petition*** to greatly weaken the selenium standard for Lake Koocanusa. Please maintain the current standard. This standard is based on solid science and resulted from an extensive, multi-year effort involving the State, federal agencies, Montana tribes, and other key stakeholders. All that work should not be just thrown away.

The impact of excessive selenium on the reproductive health of fish populations is well-documented. The current site-specific selenium standard of 0.8 micrograms per liter will protect the world-class trout fishery in Lake Koocanusa and the Kootenai River. It should not be weakened to benefit Canadian coal mining. The piles of mining waste around the British Columbia coal mines are the only known source of selenium contamination in the watershed that feeds Lake Koocanusa and the Kootenai River.

Lincoln County is petitioning to raise the selenium limit to supposedly accommodate local industrial development. Specifically, it is concerned that the current selenium standard could limit future mining and timber operations in Lincoln County. However, there is no evidence of naturally occurring selenium in the region other than beneath the Canadian coal mines north of the border. As a case in point, extensive soil sampling at the Montanore Mine has never revealed any traces of selenium.

Maintaining the current selenium standard should not have any impact on new logging or mining operations in Lincoln County. However, raising this standard from 0.8 to 1.5 micrograms per liter will essentially give the giant Swiss company that owns the Canadian mines a permit to further pollute Montana fisheries. Please reject this petition.

Sincerely,

Will Swearingen, Bozeman, MT

From: Chris [REDACTED]
Sent: Wednesday, August 13, 2025 1:40 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Canadian coal pollution

Dear people:

We should NOT be allowing Canada to harm our waterways with their coal pollution. It's been proven that too much selenium is a bad thing; just because the current presidential administration is sucking up to fossil fuels in general does NOT mean we should let Montana's waters (and our nations waters in general) become more polluted.

Please say NO to allowing BCs mines to negatively affect Montana rivers and streams.

Sincerely,

Chris Daum
[REDACTED]
Stevensville, MT 59870

From: dan111 [REDACTED]
Sent: Wednesday, August 13, 2025 12:57 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lincoln County Commissioners petition regarding selenium level in Lake Koocanusa.

Greeting, I have been a resident of Lincoln County, MT since 1977. I am writing to express my opposition to the Lincoln County Commissioners taking it upon themselves to petition the DEQ to alter (diminish) the water quality standards for selenium in Lake Koocanusa. Their actions do not benefit the fisheries, the people, or the wildlife that uses Lake Koocanusa. The petition's sole purpose is to benefit the mining industry in Canada and promote a political agenda. It is definitely not to protect the environment or health of Lincoln County residents.

The petition states that the commissioners are trying to balance business and the environment – nothing seems farther from the truth. Our county commissioners have always placed business needs and wants above the environment. I would like to remind the DEQ that Libby and Lincoln County are already home to 2 EPA Super Fund sites resulting from the timber and mining industries the commissioners are promoting. The commissioners & DEQ didn't protect the community in the past and since they haven't changed their agenda it is unlikely they will do so in the future.

We have one of the deadliest super funds sites in America located up Rainy Creek (W.R. Grace vermiculite mine) which flows into the Kootenai River. We also have a superfund site at the old Libby mill site that contaminated the ground water under town with creosote and other wood preservatives from the old pole plant. This aquifer also connects with the Kootenai River. People in Libby can't even use a well to water their yards yet the commissioners seek to lower the water quality standards on a 90-mile-long reservoir! They should be trying to strengthened environmental quality in such a community - not change the rules and lower the standards.

The water quality of Lake Koocanusa should not be controlled or determined by the Lincoln County Commissioners. The water doesn't stay in the Lake – it flows into Libby, Troy, and thru all the communities down stream to the Columbia. To allow a small group of individuals acting in their own self interest to determine water quality for so many is irresponsible and absolutely unnecessary. It is a power grab.

Please reject the Lincoln County Commissioner's petition and defend Montana's constitution which guarantees it's citizens a right to a clean and healthy environment. Thank you for your time and attention.

Robert Snell
[REDACTED]
Libby, MT 59923

From: Kathy [REDACTED]
Sent: Wednesday, August 13, 2025 10:06 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium Pollution

I absolutely don't want to see elevated selenium levels in the Kootenai River from CANADIAN COAL! Please do not allow this. Kathryn Mohar, Farmer, [REDACTED], Troy, Mt. 59935

From: Rita Adams [REDACTED]
Sent: Wednesday, August 13, 2025 11:18 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment Selenium Standards

August 13, 2025 11:18AM

Good day - We are Lincoln County residents and fishing Outfitters on the Kootenai River writing to voice our support of the MT DEQ upholding the current selenium standards in Lake Koocanusa and Kootenai River. Furthermore we question why the Lincoln County Commissioners would submit a petition to allow for decreased water quality for our community. The current standards harm no-one but the well-documented pollution sources upstream in British Columbia. The current standards help protect our health, our fishery and our community's ability to recreate safely on our public lands. Thank you to the DEQ for continuing to care about clean water.

John Pares, Rita Adams
Kootenai Canyon Anglers
Troy, Montana, 59935

From: Mary and Pam [REDACTED]
Sent: Wednesday, August 13, 2025 10:15 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lincoln County proposal re: selenium concentration

Dear DEQ,

We are writing to urge you to deny the petition by Lincoln County to increase the concentration of selenium allowed to be discharged into Lake Koocanusa by a Canadian coal mine. There is no good reason to do this, and a lot of good reasons not to. DEQ made the right decision in the first place as to the concentration of selenium that would be allowed, and should not back down from that decision. Please hold the line and reject the petition from Lincoln County.

Sincerely,

Mary Campbell
Pam Fuqua
[REDACTED]

Troy, MT 59935

From: Strainer, Adam
Sent: Wednesday, August 13, 2025 9:19 AM
To: DEQ Lake K Petition
Subject: FWP Lake Koocanusa Se Standard Petition Comment Letter
Attachments: 2025 Se Petition Letter_FWP_081325.pdf

Good morning,

Attached are Montana FWP's Comments on the Lake Koocanusa Selenium Standards Petition.

Please let us know if you have any questions and thank you for the opportunity to comment.

Sincerely,

Adam Strainer | *Division Administrator*
Fisheries Division
Montana Fish, Wildlife & Parks
(406) 444-2448



THE **OUTSIDE** IS IN US ALL.

[Montana FWP](#) | [Montana Outdoors Magazine](#)





08/13/2025

Adam Strainer, Fisheries Division Administrator
Montana Fish, Wildlife and Parks
1420 E. Sixth Avenue
P.O. Box 200701
Helena, Montana 59620-0701

Sonja Nowakowski, Director
Montana Department of Environmental Quality

RE: Petition to modify selenium water column standard for Lake Koocanusa

Ms. Nowakowski,

The Montana Department of Fish, Wildlife & Parks (FWP) appreciates the opportunity to submit comments and provide data regarding the petition to amend the selenium (Se) water column standard for Lake Koocanusa, as received by the Montana Department of Environmental Quality (DEQ).

FWP has been actively engaged in selenium assessment efforts in Lake Koocanusa and the Kootenai River since 2008, with a specific focus on selenium concentrations in fish tissues. This work has been conducted in collaboration with DEQ, the United States Geological Survey (USGS), and the Environmental Protection Agency (EPA). These efforts have included the annual development of Sampling and Analysis Plans (SAPs) and Quality Assurance Project Plans (QAPPs) to ensure the collection of high-quality data, along with regular coordination meetings among participating agencies. The joint objective has consistently been to adopt science-based, protective selenium criteria for Lake Koocanusa and the Kootenai River.

One recurring point of contention in the discussion of egg/ovary selenium data is the definition and identification of "gravid" fish. Elk Valley Resources (EVR, formerly Teck Coal) has consistently challenged the classification of gravid fish, asserting that only females expressing free-flowing eggs qualify. In contrast, FWP and others (e.g., Brown-Peterson et al. 2011) define a gravid fish as one carrying fully developed eggs, even if the eggs are not expelled under pressure. During testimony to the Water Policy Interim Committee in 2022, FWP clarified that while sampled fish did not exhibit free-flowing eggs, all were biologically gravid and collected immediately prior to spawning. Assertions that the fish were not gravid are therefore inaccurate and misrepresent the biological data.

The petition also claims that recent fish egg selenium concentrations do not exceed tissue standards. This statement is not supported by available data. Since the adoption of the selenium standard in 2020, FWP has worked with USGS to monitor selenium levels in fish tissues in both Lake Koocanusa and the Kootenai River below Libby Dam. This work has included weekly sampling to evaluate gonadosomatic index (GSI) and document

peak spawning periods. Data from 2021 and 2022, with 2023–2024 results currently under review, show selenium concentrations in egg/ovary tissues exceeding the standard (15.1 mg/kg dw) in species such as redbreasted shiners, longnose suckers, and peamouth chubs. These exceedances occurred in approximately 21% of samples.

Further downstream, in the Kootenai River, the USGS study—recently published (Mebane, 2025)—found even more alarming selenium levels. Mountain whitefish had mean egg/ovary concentrations of 20.6 mg/kg dw, with individual values reaching as high as 69 mg/kg. Redbreasted shiners showed similar results, with mean concentrations of 21.2 mg/kg and a maximum of 64 mg/kg. The USGS study encompassed more than 300 fish and generated over 3,000 associated data points, reinforcing the validity of these findings.

Additionally, research conducted for Environment Canada and the Department of Fisheries and Oceans examined larval deformities in westslope cutthroat trout (WCT) exposed to elevated selenium concentrations in runoff from EVR operations in British Columbia’s Elk Valley. The study (Soloway, 2014) demonstrated a dose-dependent relationship between selenium concentrations in eggs and larval deformities, with effects observed at concentrations as low as 9 mg/kg dw—well below the current tissue standard. These findings suggest that wild WCT in Lake Koocanusa and the Kootenai River may already be experiencing reproductive impacts from selenium exposure.

Lake Koocanusa and the Kootenai River are the most heavily fished bodies of water in Lincoln County and important contributors to the local economy. Using data on the contributions of non-resident Kootenai River anglers to the local economy, coupled with non-angler pressure estimates, the estimated total annual spending by non-residents in Lincoln County likely approximates \$3.09 million per year. This figure does not include economic benefits from residents or reservoir angling. Lake Koocanusa and the Kootenai River have long-term averages (2011-2023) of 21,737 and 23,110 angler days. These data, available from FWP (FWP, multiple years), underscore the importance of the fishery and its economic impact.

In conclusion, the existing selenium standard for Lake Koocanusa, adopted in 2020, is grounded in robust scientific research and remains valid in light of ongoing data collection. FWP strongly recommends that DEQ reject the petition submitted by the Lincoln County Board of Commissioners, as weakening the standard would pose even greater risks to aquatic life and ecosystem health in Lake Koocanusa and the Kootenai River.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Strainer', with a long horizontal flourish extending to the right.

Adam Strainer
Fisheries Division Administrator

References

- Brown-Peterson, N. J., Wyanski, D. M., Saborido-Rey, F., Macewicz, B. J., & Lowerre-Barbieri, S. K. (2011). A standardized terminology for describing reproductive development in fishes. *Marine and Coastal Fisheries: Dynamics, Management, and Ecosystem Science*, 3(1), 52–70. <https://doi.org/10.1080/19425120.2011.555724>
- Bussell, A.M., Moloney, M.A., Schmidt, T.S., Brandt, J.E., Flamenco, R.D., Strickler, C.A., Stewart, A.R., Kocen, V.A., Dunnigan, J.L., and Selch, T.M., 2023, Fish Tissue Analysis Results, Koocanusa Reservoir, Montana, 2021: U.S. Geological Survey data release, <https://doi.org/10.5066/P9PDTNNS>.
- Mebane, C.A, Stewart, A.R., Murray, E.M., Short, T.M., Kocen, V.A., & Zinsser L.M. (2025). Bioaccumulation and trophic transfer of selenium in a large oligotrophic river, *Environmental Toxicology and Chemistry*. Advance online publication. <https://doi.org/10.1093/etoinl/vgaf149>
- Moloney, M.A., Schmidt, T.S., Blazer, V.S., Cleveland, D.M., Selch, T.M., Dunnigan, J.L., Stewart, A.R., Stricker, C.A., Molbert, N., Brandt, J.E., Balmer, B.C., Bussell, A.M., and Kocen, V.A. (2024). *Laboratory analyses for fish tissue samples from Lake Koocanusa and Kootenai River Basin, Montana, 2022* (Ver. 2.0, May 2025) [data release]. U.S. Geological Survey. <https://doi.org/10.5066/P13UEWYD>
- Montana Fish, Wildlife & Parks (FWP). Multiple years (2011, 2013, 2015, 2017, 2019, 2021, 2023). *Statewide Angling Pressure Surveys*. <https://fwp.mt.gov/fish/pressure-surveys>
- Soloway, Ashley. 2014. *Assessment of Larval Deformities in Cutthroat Trout (Oncorhynchus clarkia lewisi) Exposed to Elevated Concentrations of Selenium at the Teck Fording River Operations Greenhills Coal Mine in British Columbia's Elk Valley Region* [Technical Report]. Environment Canada and Department of Fisheries and Oceans Freshwater Institute.

From: Jaime Gilden [REDACTED]
Sent: Wednesday, August 13, 2025 9:05 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Please say "no!" to elevated Selenium in the Kootenai!

Good morning,

I am a resident of Libby, MT, and I am writing to urge you to reject the Lincoln County Commissioners' request to increase permitted selenium pollution in the Kootenai River.

Please protect Montana waters and my community. The current selenium standard is scientifically justified and already allows a certain level of pollution in our waters. We must not acquiesce to foreign corporations (coal mining companies) who don't seem to care how much poison they send downstream. It is my community and environment that would suffer the consequences of their actions. Please protect us.

Thank you for considering my thoughts on this matter.

Best,
Jaime Gilden
Libby, MT resident

From: Kris Newgard [REDACTED]
Sent: Wednesday, August 13, 2025 9:01 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium in the Kootenai River

To DEQ,

As a long time Lincoln County resident and retired USFS hydrologist I am asking you to reject the request by Lincoln County commissioners to raise the selenium standard. I have worked with DEQ and EPA on water quality standards and have nothing but respect for the rigorous and thoughtful analysis that is done to establish these standards. There is absolutely no reason or benefit to allow selenium levels that may harm fisheries and other biota in the Kootenai River in order to benefit a Canadian coal mine. The commissioners' expressed concern about potential economic impacts to Lincoln County is totally unfounded. I strongly support water quality standards that are protective of aquatic life from selenium.

Sincerely,

Kris Newgard
[REDACTED]
Troy, MT 59935

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 9:54 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Mike Kroschel

[REDACTED]
Libby, MT 59923

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 9:52 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Jim Nash
[REDACTED]
Noxon, MT 59853

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 9:48 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Kathryn Slora
[REDACTED]
Noxon, MT 59853

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 9:42 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Colleen Hinds

[REDACTED]
Heron, MT 59844

From: Cesar Hernandez [REDACTED]
Sent: Tuesday, August 12, 2025 8:51 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Dear People,

Greetings! Not to be condescending but what do the Lincoln County Commissioners know about Science that compels them to petition lowering the standards for Selenium? Perhaps they have been severely exposed to the stuff and much like deformed frogs, water fowl and fish it has affected their brains? Their bid to lower the hard worked upon scientific consensus is not only idiotic but goes against all rational meaning. They are hardly protecting the health and welfare of their constituents, but merely giving in to the lone flailings of their former local representative Gunderson. It is the job of DEQ to protect human health standards and that must come first and foremost in any of your decisions. Do not bow to the currently prevailing unscientific paradigm that seem to be infecting decision making in both Washington D.C. and locally; Lincoln County. You might do well to check and see if any of the Commissioners have been infected with the Kennedy brain worm? Please do your job and do it well for the people of our State. Thank you. Sincerely, Cesar Hernandez, [REDACTED], Heron, MT 59844 [REDACTED]

From: Maryalice Chester [REDACTED]
Sent: Tuesday, August 12, 2025 7:40 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium standard

From .8 to 1.5 permitted pollution??? You do realize that it is nearly DOUBLE the selenium content, don't you??

There is no need for coal to be used for power in Canada or the US. Clean Coal has been debunked over & over again. Newer turbines on our dams, wind and solar power as well as power conservation should be prioritized.

I implore you to NOT allow this proposed increase in allowable pollutants.

I've been a Montanan for 81 years now -- and watched the Clark Fork and other waterways be degraded. Don't be bullied by big corp. Stand up for clean water NOW.

Maryalice Chester
Helena MT

From: Adela Awner [REDACTED]
Sent: Tuesday, August 12, 2025 7:37 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] selenium pollution from Canada

Hello Friends at DEQ,

I have been at a loss to understand why Montana would accept any selenium contamination of our rivers and lakes from a Canadian coal mine, but the possibility of allowing even more selenium to foul Montana waters is just mind boggling. Raising the allowable amounts of selenium into the Kootenai River and Lake Koocanusa and causing fish populations to be damaged or even wiped out, is unacceptable. Montana doesn't owe Canada or a coal mine operator free reign to damage our precious outdoor heritage in the pursuit of their financial interests.

Do not permit any increase whatsoever of allowable amounts of selenium flowing into Montana.

Please include my comments in the official hearing record.

Thank you.

Adela Awner
Billings

From: Melinda d'Ouille [REDACTED]
Sent: Tuesday, August 12, 2025 6:30 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium

Take a firm stand to protect the water quality in Montana from corporate management. Any change is a surrender to the company that wants to increase pollution in the Montana waterways.

Melinda d'Ouille
Welcome to Paradise!
Sent from my iPhone

From: Karen Knudsen [REDACTED]
Sent: Tuesday, August 12, 2025 6:28 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Defend the Selenium Standard

I urge DEQ to reject the Lincoln County Commission's petition and stand firm in protecting the 0.8 µg/L selenium standard for Lake Koocanusa. Pollution from Glencore's Elk Valley coal mines in British Columbia is driving selenium levels higher in Montana's waters, harming fish reproduction and threatening species like bull trout and westslope cutthroat trout. This standard – developed over many years with agencies, Tribes, and stakeholders and approved by EPA – is essential to safeguarding a world-class fishery and the communities that depend on it. Weakening it would undermine Montana's science-based water protections and allow further, irreversible damage.

Sincerely,

Karen Knudsen
[REDACTED]
Missoula, MT 59802

From: Julie Hagen [REDACTED]
Sent: Tuesday, August 12, 2025 6:24 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium in the Kootenai River and Lake Koocanusa

DEQ - Stay Strong in defending the current water quality standards in the Kootenai River and Lake Koocanusa from Canadian coal mining! I live in Lincoln County Montana and it's very weird and suspicious that elected officials here want to lower the standard. Please don't let them get their way! From, Julie Hagen

From: Annie [REDACTED]
Sent: Tuesday, August 12, 2025 5:09 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Please do not allow this to happen

Dear DEQ:

Please reject this insane and dangerous attempt to pollute our beautiful Montana waters. We have so many people trying to destroy this state now. We need you to stand courageous and fight back.

Wall Street and Mining Companies do not own our land.

PLEASE do the right thing and protect our waterways, our state, our people.

Thank you.

Annie Thomas
McLeod, MT

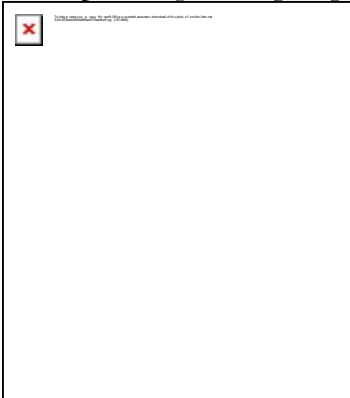
From: Rebecca Canright [REDACTED]
Sent: Tuesday, August 12, 2025 3:46 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Please Support water protection

Greetings! I am a young person and who cares a lot about protecting our environment, especially clean air and water. I respect that I ask you to please deny any permits for Canadian coal in our beautiful state. Please Support strong standards for pollution and oppose attempts to weaken air/ water pollution control. I think it's important to instead invest in clean, renewable energy such as solar and wind. This creates dozens of jobs in the energy center I can use energy independence and keeps our air and water clean. Renewable energy is the smart economy of the future, and it's good for our state. So please choose renewable energy investment over continued fossil fuels reliance. And oppose coal expansion.

Thank you very much, and have a great day! Take care, Rebecca

--

Frigate birds fly for months over the ocean and can engage in both regular sleep and use half their brain at a time to sleep during soaring or gliding flight.



Compassion for all creatures great and small.

From: Riley Carney [REDACTED]
Sent: Tuesday, August 12, 2025 3:14 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Water Quality Standards Petition

Good afternoon,

I am writing today to voice my opinion against the proposed relaxation of the water quality standards at Lake Koocanusa. Given Montana's long history of environmental disasters from unregulated mining (i.e. the Berkeley Pit in Butte), we should know better than to allow practices to negatively affect our human and wildlife populations again. Environmental quality standards such as these exist for a reason, and corporations who want to use our natural resources or others' natural resources in a way which would affect us need to adhere to the existing guidelines.

Thank you,
Riley Carney
Missoula, MT

From: D. Blank [REDACTED]
Sent: Tuesday, August 12, 2025 2:45 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Keep the 2020 selenium standards Lake Koocanusa

Thank you for establishing the 2020 carefully crafted selenium standards for Lake Koocanusa and the Kootenai River. Their rising selenium levels are very concerning, especially considering the valuable fishery and endangered species.

Please reject efforts to weaken the standards and increase pollution.

--D. L. Blank

[REDACTED]
Whitefish, MT 59937

From: Jenna Caplette [REDACTED]
Sent: Tuesday, August 12, 2025 2:38 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Water quality standards

Come on. As a 50 year resident of Montana, I strenuously object to weaking any clean water standard. If you can't justify protecting our waters for any other reason, think tourism.

Virginia Caplette
[REDACTED]
Bozeman, MT 59716

From: JRenee Rose [REDACTED]
Sent: Tuesday, August 12, 2025 2:28 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium in the Kootenai River

As a human on this planet and a landowner in the Kootenai Watershed I care very much about water quality. It makes no sense at all that the Lincoln County Commissioners would want to allow more selenium pollution into our valley from an out of state, out of country mining company that has no stake in our community. That the commissioners would support the mining company in this way makes me wonder what financial reward they are expecting in return.

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Please stick to the science and demand the highest standard for water quality.

Sincerely Yours,

Renee Rose

From: Kevin Farron <kevin@mtwf.org>
Sent: Tuesday, August 12, 2025 1:45 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Re: Lake Koocanusa Water Quality Standards Petition

On behalf of the Montana Wildlife Federation (MWF), Montana's oldest and largest hunter and angler-based conservation group, please accept these comments re: [the Lake Koocanusa Water Quality Standards Petition](#).

We ask that the Montana Department of Environmental Quality reject the petition by the Board of Lincoln County Commissioners to modify the selenium water column standard for Lake Koocanusa at ARM 17.30.632(7)(a) and the definition of steady state at ARM 17.30.602(32).

Many of our members fish Lake Koocanusa as well as the Kootenai River, and some of our supporters guide on these waterways so their entire livelihood depends on this fishery. Without any identified selenium source to point to along Lake Koocanusa in Montana, the discharge from Canadian coal mines upstream is the indisputable culprit. We see no reason why Montanans should sacrifice our natural resources - our healthy fisheries and clean waters, and the businesses that rely on them - for the benefit of foreign mining interests.

The current selenium standards for Lake Koocanusa are the result of six years of multi-agency work including data sampling and thorough analysis of the potential impacts of selenium on Montana's aquatic resources and this important fishery. After multiple opportunities for public review throughout, the result we see today represents the best site-specific standards in order to maintain the quality of Lake Koocanusa and connected waterways. There appears to be nothing in the petition that would challenge the process and existing science used to establish the current standards.

Another important consideration is that the International Joint Commission (IJC) has convened an Elk-Kootenai/y Watershed Reference to look specifically at this very issue: the transboundary impacts of selenium. The IJC includes representatives from the United States, Canada, and the Ktunaxa Nation, and they're halfway through a two-year study that will compile and analyze the impacts downstream from these Canadian coal mines. We ask that, at the very least, the Montana DEQ deny this petition and allow the IJC to complete the current study and share their findings before we consider any changes to selenium standards.

In closing, we ask that you please reject the petition by the Board of Lincoln County Commissioners, and we appreciate the opportunity to comment.

--

Kevin Farron
Conservation Director
[Montana Wildlife Federation \[montanawildlife.org\]](http://montanawildlife.org)
(406)-540-3956

From: Frank & Linda de Kort [REDACTED]
Sent: Tuesday, August 12, 2025 1:45 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Stay strong on protecting Montanas water quality

Coal strip mines in British Columbia's Elk Valley are causing pollution runoff into adjacent waterways, including dangerous levels of selenium.

Selenium levels in the Kootenai River and Lake Koocanusa have continued to rise, impacting Montana's world-class fishery and it is not clear what effects these heightened levels have on human health.

The established site-specific standard attempts to keep selenium pollution at a level safe for aquatic life and was developed over several years by a group of stakeholders and received formal approval from the U.S. Environmental Protection Agency. Thank you for continuing to hold fast to these standards.

Sincerely, Linda deKort, Kalispell, MT

Sent from my iPhone

From: Stephanie McDaniel-Gilman [REDACTED]
Sent: Tuesday, August 12, 2025 1:36 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium standards

Please do not allow more pollution from Canadian mining into our already compromised waters.

Lincoln County alone should not be doing this, nor should a single county be able to unilaterally ok a plan for greater pollution.

Our selenium counts in waters flowing from Canada have been environmentally damaging for years.

Montana must protect its waters and forbid pollution from all sources. That includes a Canadian mining operation!

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 1:16 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Wayne Tomicich

[REDACTED]
Red Lodge, MT 59068-0644

From: Sarah Merrill [REDACTED]
Sent: Tuesday, August 12, 2025 1:22 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Protect MT Selenium Standard

Dear DEQ:

Why the Lincoln County Commission would seek to weaken Montana water quality standards to benefit Canadian and Swiss corporations is difficult for me to comprehend. It would set a terrible precedent. We are not a dumping ground.

Montana's relatively clean environment is the state's economic engine. I strongly urge the DEQ to protect our aquatic life and Montana pollution standards, not weaken them to accommodate foreign mining interests.

Thank you for your time and consideration.

Sincerely,
Sarah Merrill

From: Jennifer Ekstrom <jekstrom@idahoconservation.org>
Sent: Tuesday, August 12, 2025 12:33 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] question re: oral testimony

Greetings. Will there be a time limit set for each person's oral testimony? If so, how long will commenters be allowed to speak?

Thank you,

Jennifer Ekstrom (she/her)
North Idaho Director
208.318.5812

Idaho Conservation League
P.O. Box 2308
Sandpoint, ID 83864

<https://www.idahoconservation.org/> [[idahoconservation.org](https://www.idahoconservation.org/)]
[Twitter \[twitter.com\]](#) / [Facebook \[facebook.com\]](#) / [Instagram \[instagram.com\]](#)



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Protecting Idaho's environment since 1973

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From: Chip Corsi [REDACTED]
Sent: Tuesday, August 12, 2025 11:51 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Panhandle Chapter Trout Unlimited comments in opposition to changing Selenium standards for the Kootenai River
Attachments: Panhandle Chapter of Trout Unlimited comments on Kootenai River selenium.docx

Greetings,

Attached please find the comments of the Panhandle Chapter of Trout Unlimited regarding the petition to relax the selenium standards for water quality in the Kootenai River. In short, we urge DEQ to reject the petition from Lincoln County to relax the selenium standard.

We appreciate your consideration of these comments.

Sincerely
Chip Corsi, PCTU President
(208) 449-6880

Panhandle Chapter of Trout Unlimited

P.O. Box 247

Sandpoint, ID 83864

<http://panhandletu.org/>

Chip Corsi, President

August 11, 2025

Montana Department of Environmental Quality
P. O. Box 200901
Helena, MT 59620-0901

RE: Selenium Water Column Standard for the Kootenai River; Lincoln County Commission
Request for Modification to Current Standard

To whom it may concern:

The Panhandle Chapter of Trout Unlimited (PCTU) is comprised of 300 plus Trout Unlimited members residing in the five northern counties of Idaho. Our “home waters” include the Kootenai River downstream from the Idaho/Montana border to the Idaho border with British Columbia; Montana DEQ is currently considering a petition to relax the selenium standards for the Kootenai River. Trout Unlimited’s mission statement speaks to conserving, protecting, and restoring North America’s cold water fisheries, and ensuring fishing opportunities for future generations.

As in Montana, the Kootenai River in Idaho supports robust and popular fisheries for native westslope cutthroat trout, rainbow trout, and bull trout (federally listed as “threatened”), as well as for mountain whitefish and burbot. In addition, endangered Kootenai River white sturgeon inhabit the Kootenai River, and kokanee salmon from Kootenay Lake use the river for spawning and migration. All of these species not only provide direct benefits (eg., economic, subsistence, recreational, aesthetic) to the human communities that live, work, and recreate in the Kootenai Valley, but have wide reaching ecological benefits for associated wildlife communities. Longstanding programs have been established through collaborative efforts by the local community, the Kootenai Tribe of Idaho, and state and federal agencies to restore, rebuild, and recover Kootenai River fish populations. The State of Montana and Province of British Columbia have been involved in these collaborative efforts because these same fish use portions of the river up and downstream of the Idaho borders.

These efforts have been paying off with a reinvigorated trout fishery, a restored burbot fishery (also keeping burbot off of the federal Endangered Species list), and provided for substantial movement toward recovery of sturgeon. PCTU members are a small fraction of the overall human population that has benefitted from these efforts.

The presence of selenium in the Kootenai River has become an increasing concern with ongoing and proposed expansion of coal mining in the Canadian portion of the watershed, upstream from Idaho and Montana. With the known negative impacts of high selenium levels on fish reproduction and recruitment, and because selenium is known to bioaccumulate over time in longer lived fish, selenium levels were assessed in mountain whitefish captured during population surveys in the Idaho reach. The U.S. Geological Survey conducted the contamination assessment. Selenium concentrations in mountain whitefish eggs ranged from 11.6 to 24.8 mg/kg, with 75% of the samples exceeding the 15.1 mg/kg criteria considered unsafe. Bull trout, burbot, and white sturgeon all have life expectancies similar to, or in excess of, mountain whitefish, and generally feed further up the food chain, suggesting they are at high risk for bioaccumulation of selenium. Rainbow and cutthroat trout also tend to feed higher up on the food chain than whitefish, also suggesting they are at risk for high selenium accumulations.

To our knowledge, the only meaningful source of selenium into the lower Kootenai River is the coal mining activity in the upper watershed, in Canada. In reviewing the data presented in the Lincoln County petition, they graph selenium levels in the Kootenai River over a 40 year time period, but apparently use data from 4 of the past 5 years to suggest selenium levels are stable or declining. A similar “leveling off” occurred in between 2008 and 2012, but then showed a continued increase. We believe running a regression line through the long term data set will demonstrate with a high degree of certainty that the overall trend is for relatively steep continued increases in selenium levels. Relaxing standards, and or increases in coal mining activity can only be expected to result in increased risk to downstream fisheries.

Relaxing the selenium standards for the Kootenai River, ahead of the proposed expansion of coal mining in British Columbia, is difficult to comprehend given that downstream fish are already exceeding recognized safe levels of accumulated selenium, and that increasing those levels puts tens of millions of dollars worth of successful efforts to restore fisheries at risk that are economically important not only in Idaho but in Lincoln County. While we will defer to Lincoln County Commissioners to assess how coal mining across the border economically benefits their county, it is difficult to see how changing the standards will benefit the natural resource industries they refer to in Lincoln County, as those industries are not known to contribute selenium at any meaningful level to the Kootenai River. What is at risk are the economic (including in Lincoln County), subsistence, ecological, recreational and aesthetic values associated with the fish populations of the Kootenai River in Idaho and Montana.

We strongly urge Montana DEQ to maintain the existing selenium standards and reject the petition to relax those standards.

Thank you for the opportunity to be heard on this important concern.

Sincerely,

Charles E. Corsi, President, PCTU Board

From: Matt Uland [REDACTED]
Sent: Tuesday, August 12, 2025 11:55 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium levels

Hello,

I wish to have my view recorded when the Montana DEQ considers changing the acceptable selenium levels from 0.8 to 1.5 micrograms/ liter.

I vote that the acceptable level Not be changed.

Arbitrarily changing acceptable levels of any substance should not be done.

Thank you,

Matt Uland

From: Michael Bias [REDACTED]
Sent: Tuesday, August 12, 2025 11:45 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] FOAM Comments on Lincoln County Commissioners Rulemaking Petition
Attachments: FOAM Se cmmts to DEQ.pdf

Dear DEQ:

Thank you for the opportunity to provide comments on the rule-making petition to revise the site-specific selenium standards for Lake Koocanusa and the Kootenai River submitted to the Montana Department of Environmental Quality (DEQ) by the County Commissioners of Lincoln County. On behalf of the board of directors and over 1,000 professionally-licensed guide and outfitter members of the Fishing Outfitters Association of Montana (FOAM), I am writing to strongly support that the Montana Department of Environmental Quality (DEQ) maintain the existing and current site-specific standards for selenium in both the lake and river. These existing standards were based on years of public engagement, rigorous science and best practices, including following the United States Environmental Protection Agency's (EPA) guidelines. The Lincoln County Commissioner's petition provides no legitimate new data to warrant weakening the DEQ site specific standard for selenium in these waterbodies.

Our entire comment letter is attached. Thank you for the opportunity to comment on this petition.

Respectfully,

mike

--

Michael A. Bias, Ph.D.
Executive Director

[REDACTED]





12 August 2025

Montana Department of Environmental Quality
PO Box 200901
Helena, MT 59620-0901

RE: FOAM Comments on Lincoln County Commissioners Petition for Rulemaking to DEQ

Dear Montana DEQ:

Thank you for the opportunity to provide comments on the rule-making petition to revise the site-specific selenium standards for Lake Koocanusa and the Kootenai River submitted to the Montana Department of Environmental Quality (DEQ) by the County Commissioners of Lincoln County. On behalf of the board of directors and over 1,000 professionally-licensed guide and outfitter members of the Fishing Outfitters Association of Montana (FOAM), I am writing to strongly support that the Montana Department of Environmental Quality (DEQ) maintain the existing and current site-specific standards for selenium in both the lake and river. These existing standards were based on years of public engagement, rigorous science and best practices, including following the United States Environmental Protection Agency's (EPA) guidelines. The Lincoln County Commissioner's petition provides no legitimate new data to warrant weakening the DEQ site specific standard for selenium in these waterbodies.

For nearly a decade the collaborative work of DEQ, Montana Fish, Wildlife, and Parks (FWP), EPA, United States Geologic Survey (USGS), United States Fish and Wildlife Service (USFWS), multiple Tribal nations in the United States and Canada, the Province of British Columbia, and university scientists has been aimed at addressing the ongoing, long-term selenium pollution in the transboundary waters of Lake Koocanusa and the Kootenai River. FOAM has reviewed and supported this process with an emphasis on the goal of having DEQ set a site-specific standard for selenium in the lake and river that is based on sound science in the interest of protecting one of northwest Montana's most valuable and intact wild and native trout fisheries. The current water quality standards do just that.

The source of selenium in these waterbodies originates from upstream coal mining in British Columbia. The rigorous water quality research effort conducted by DEQ has documented that tributary drainages and surrounding land within the Kootenai system are not sources of selenium, nor would future development or use of these drainages (land or water use, including future timber or mining projects) contribute measurable selenium to the system. Therefore, the claim by the Lincoln County Commissioners -- that the current selenium standards will impede local development -- is unwarranted. This petition's real purpose appears to benefit only the multinational coal company's mining operation in British Columbia, Canada, not the people of Lincoln County, Montana, or Montana's water quality.

Thank you for considering FOAM's comments on this important issue. FOAM has always supported the conservation and protection of our wild cold-water fisheries while promoting and supporting the outfitting and

guiding communities that are strong economic drivers throughout our state. In this light, we support and appreciate DEQ's long, rigorous efforts to set a legitimate selenium standard for Lake Koocanusa and the Kootenai River as a vital step in protecting the unique water quality and fishery of this system, including ESA-listed bull trout and native westslope cutthroat trout. We look forward to DEQ upholding the current standard in the face of yet another baseless effort to weaken it through the elected officials of Lincoln County looking out for global mining interests in Canada rather than Montanans or Montana's precious natural resources.

Respectfully,

A handwritten signature in blue ink, appearing to read "Michael A. Bias".

Michael A. Bias, Ph.D.
Executive Director

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 10:52 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition- keep Montana waters clean

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

It has recently come to my attention that the Montana Lincoln County Commissioner filed a petition to weaken Montana's selenium standard. I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Denise Loran

[REDACTED]

Missoula, MT 59802

From: nikki eisinger [REDACTED]
Sent: Tuesday, August 12, 2025 10:28 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lake Koocanusa

To Montana DEQ:

I am actually speechless that our elected representatives of Lincoln County are trying, once again, to over turn the selenium standards so that a Canadian mine can not only continue to pollute our waters, but so that that mine can expand and do more.

Three years ago, our County Commissioner at the time, Josh Lechter, was caught red-handed writing "Op Eds" in favor of reducing the standards - his letters used old english/Canadian English and were written by the mine's lawyers. Some documents he submitted even had the watermark from the law firm. (I'm happy to provide more proof/background if you were unaware.) But I bring it up because I asked then, and I ask now — what are our Montana officials getting paid to work on behalf of a Canadian mine? Are we entering another Copper King and Robber Barron era in Montana where our politicians work on behalf of corporations and rich men (in other countries? !)

I attended the info session on the Selenium put on by the Flathead Biological Station + Kootenai Tribe. The science clearly shows that these levels of selenium are BAD. I don't think that folks in Lincoln County have forgotten a time when politicians and the Libby asbestos mine told folks that the asbestos was fine.

Shameful.

Please don't bend to politics and corporations who will do anything - including polluting our beautiful waters - for their profit.

Thank you,
Nikki Eisinger

[REDACTED]
Eureka MT 59917
[REDACTED]

From: kiki rydell [REDACTED]
Sent: Tuesday, August 12, 2025 9:52 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Maintain selenium standard of 0.8 micrograms per liter for Lake Koocanusa

Please maintain the site-specific selenium standard of 0.8 micrograms per liter for Lake Koocanusa. It is important that Montana hold firm against the threat of increased pollution by the coal mines in British Columbia's Elk Valley, which are owned and operated by Glencore. Montana's fish are already struggling with low water flows and higher water temperatures. High selenium levels would cause even more hardships for them. Montanans love to fish and value our public waters and lands to a very high degree. We want our government to maintain our high standards of environmental safety for our fish and wildlife. Increases in water pollution will also affect humans. Please protect Montanans and our way of life by maintaining the selenium standard rule of 0.8 micrograms per liter.

Thank you!

Respectfully yours,

Carol and Robert Rydell

[REDACTED] Bozeman

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Thursday, August 7, 2025 11:20 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Hannah Hernandez

[REDACTED]
Heron, MT 59844

From: mailagent@thesoftedge.com on behalf of Heidi Harting-Rex
<mailagent@thesoftedge.com>
Sent: Thursday, August 7, 2025 5:16 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Thank you for establishing a more protective standard in Montana waters especially prone to pollution.

Please reject the petition submitted by the Lincoln County Commission. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Heidi Harting-Rex

[REDACTED]
Choteau, MT 59422

From: Dawn Peterson [REDACTED]
Sent: Tuesday, August 12, 2025 9:46 AM
To: DEQ Lake K Petition
Cc: Robert Gustafson
Subject: [EXTERNAL] Selenium issue --Lake Koocanusa

I find it very curious that the residents in Lincoln County have protested the lessening of the selenium rates 3 times. And one has to question the true intent of the Lincoln County Commissioner's sticking their noses into changing the rates to benefit TECK Metals and their polluting of our waterways. It raises serious questions about who is paying them and why.

Here's what I would like to see—drop the commissioners hearing and leave this issue up to the professionals (DEQ, EPA, and all the fish biologists who have supported stronger water rates ---not less.

What we know is this:

The EPA states that maximum safe selenium rates in water are 0.05 mg/l

The DEQ states that maximum safe selenium levels in drinking water are 0.05 mg/l

This should be the gold standard on this issue—especially when selenium spikes in the lake and the river after draw down through spring run off.

Send the commissioners packing. BE RESOLUTE in telling Teck or any other mining company that we hold them responsible and accountable for polluting our waterways!

Sincerely

Dawn Peterson

[REDACTED]

Rexford, Mt 59930

[REDACTED]



Virus-free. www.avg.com [avg.com]
[avg.com]

From: Pat Clancey [REDACTED]
Sent: Tuesday, August 12, 2025 8:50 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium standards

There is no reason to increase selenium standards in the Kootenai Drainage, and many reasons not to. This issue needs to die, as it did in the 2023 Legislative session when a bill by Rep Steve Gunderson to increase these standards failed to get out of the Senate Natural Resources Committee. The documented impacts of selenium from the Elk River Valley coal mines in British Columbia on the aquatic resources of the Kootenai Drainage already exceed U.S. standards. The proposed action will only make that worse.

Pat Clancey
Helena

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Tuesday, August 12, 2025 8:32 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Allowing this coal based pollution is unacceptable and difficult to believe that a county commission in Montana would approve such a thing. What do we gain?

Sincerely,

Michael Ford
[REDACTED]
ANACONDA, MT 59711

From: Bruce Bristol [REDACTED]
Sent: Tuesday, August 12, 2025 6:43 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] No more!

No more pollution in Montana waters, no reason whatsoever to allow any industry to elevate water pollution.
Thanks Bruce

From: Kathryn Bouchard [REDACTED]
Sent: Tuesday, August 12, 2025 6:25 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Canadian coal mining

Dear DEQ,

Please enforce the current standards of water quality in the Kootenai River to protect Montana fisheries. Mineral extraction may not proceed to the detriment of nearby wildlife. Selenium released in the mining of Canadian coal affects fish, humans, and environmental quality.

Coal is the filthiest of fossil fuels whose effects are never worth the harm done to the quality of our air, water, and wildlife.

Kathryn Bouchard

[REDACTED]
406. [REDACTED]

From: shaun phoenix [REDACTED]
Sent: Tuesday, August 12, 2025 5:55 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] protect Montana's clean water!

Greetings,

I'm afraid I can't attend the upcoming hearing, but I have very strong opinions regarding protecting Montana's natural resources. **I am begging the Montana DEQ to stay strong in its defense of our legal, scientifically justified, and protective standard for clean water and limits on pollution.**

I know there are those who live here (and elsewhere) who seem to believe that our clean water, clean air, and abundant wildlands are infinite -- but they are dangerously wrong. Montana's clean water standards are not some flight of fancy. Instead, they are in place to protect ALL Montanans, and to benefit every life form that exists here in our state.

So many parts of the world are being horribly polluted, devastated, raped and pillaged every day. Please don't let our clean waters -- the substance that all life needs -- fall prey to the greed and short-sightedness of those who would sacrifice it to make a buck. There are other ways to make a living; there are other ways to work with our natural resources without shrugging and destroying them in service of the almighty dollar.

Thank you for doing the right thing, not for Big Industry, but for our children, our landscapes, our wild creatures, and their future.

Sincerely,
Shaun Phoenix
Belgrade, MT

--

[she/hers \[theconversation.com\]](https://theconversation.com/she/hers)

Courage doesn't always roar. Sometimes courage is the quiet voice at the end of the day, saying, "I will try again tomorrow." - Mary Anne Radmacher

Shaun Phoenix, MS, LCPC, is a licensed soul-based psychotherapist serving Gallatin Valley area residents for more than thirty years. She is also a writer, ceremonialist, shamanic healing practitioner, and member of Yamama!, an all-woman World Music drum and dance ensemble. For more information, visit www.safepassagecounseling.com [safepassagecounseling.com] for the healing work, [Yamama! \[yamama-bozeman.jimdofree.com\]](http://yamama-bozeman.jimdofree.com) for performances and special events, and [Many Hands Light Work \[manyhandslightwork.com\]](http://manyhandslightwork.com) to create your own magical music-making experiences.

From: Ronald Glovan [REDACTED]
Sent: Monday, August 11, 2025 11:07 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium in Montana Waters

Do not allow an increase of selenium pollution in Montana waters!

Ronald Glovan
[REDACTED]
Butte, MT 59701

From: Debo Powers [REDACTED]
Sent: Monday, August 11, 2025 10:06 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium Standard for Lake Koocanusa

Hello DEQ leaders,

Please continue to stand strong to keep the selenium standard of 0.8 micrograms per liter for Lake Koocanusa. Good work was done over multiple years to develop this standard by state and federal agencies, Tribes, and local organizations in an attempt to control and minimize selenium pollution from Canada into Montana. This standard should not be weakened to appease Glencore at the expense of Montana's waters.

Sincerely,
Representative Debo Powers
Montana House of Representatives
House District 3--Whitefish, Polebridge, West Glacier

From: Billie Warford [REDACTED]
Sent: Monday, August 11, 2025 9:47 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Why do you want to pollute Montana waters?

To the DEQ:

Please do your job and protect Montana waters from pollution. Stand strong and resist big business. Montana will not be a dumping ground.

Sincerely,

Billie Warford

Bozeman

But when other federal scientists and some environmentalists learned of the two-headed brown trout, they raised a ruckus, which resulted in further scientific review that found the company's research wanting.

Now, several federal agencies, an array of environmental groups and one of the nation's largest private companies are at odds over selenium contamination from the Idaho phosphate mine, the integrity of the company's research, and what its effect will be on future regulatory policy.

The implications extend beyond Idaho. Selenium is a pollutant at 200 of the 1,294 locations designated by the federal government as toxic Superfund sites. And even though its effects on wildlife have been known for decades, federal agencies have not been able to agree on what level should be prohibited. The E.P.A. is currently reviewing federal selenium rules.

After hearing about the mutant trout, Senator Barbara Boxer of California, the Democrat who heads the chamber's Environment and Public Works Committee, asked the federal Fish and Wildlife Service to step in and vet the mining company's scientific research and conclusions.

The service's review, released last month, was scathing, describing the study as "biased" and "highly questionable." Joseph Skorupa, the service's selenium expert, cited a "lack of valid field controls" and the absence of any analysis of the selenium's impact on reptiles, birds or the 12 other types of fish in the creeks' waters. Most troubling, he wrote, was that the researchers systematically undermeasured the rate of serious deformities in baby fish, which were pictured only in an appendix.

Dr. Skorupa wrote that the Simplot report did not provide raw data that would enable him to independently calculate deformity rates. He estimated, however, that the level of selenium that Simplot says causes a 20 percent rate of deformity

actually causes a deformity rate of a minimum of 70 percent of all fry. Asked about the wildlife service's findings, Alan L. Prouty, Simplot's vice president for environmental and regulatory affairs, declined to comment beyond saying that the agency's review was "totally outside the regulatory process."

He added that his company's research was conducted with the guidance of the E.P.A. and other government agencies.

Senator Boxer said that she was not seeking to take sides on Simplot's variance request, but that she wanted the government to get the science right because it could effect national standards on selenium.

According to an E.P.A. document provided to The New York Times by the Greater Yellowstone Coalition, a local conservation group that has been battling Simplot over contamination for years, the trout data from the Smoky Canyon study has already been included in a "national criterion document" — a larger database used to help establish those standards.

Selenium is a naturally occurring element that, when disturbed, can be released as a toxic byproduct of human activities like farming, mining and burning coal. The regulation of selenium pollution is, for example, a highly contested issue in mountaintop coal mining in West Virginia and in agriculture in the San Joaquin Valley in California.

The metal can also affect human health, with symptoms including hair and fingernail loss and numbness in fingers and toes. It has been regulated in drinking water since the 1970s.

Photos 1 and 2: Examples of brown trout with unusual deformities (both having two heads).



Photos 3 and 4: Examples of unusual deformities.



Document No. 12699-001-500

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March 2009

Images from the appendix of a report by the J. R. Simplot Company show the mutated offspring of trout from Idaho creeks. The report concluded that selenium should be allowed in higher levels in creeks than is now permitted under regulations. Simplot

But the metal is far more dangerous to aquatic egg-bearing animals like fish, birds and reptiles — a fact revealed in the early 1980s when excessive selenium in agricultural runoff resulted in fatal deformities in waterfowl at the Kesterson Reservoir in California, including missing eyes and feet, deformed beaks, legs and wings, and protruding brains.

In 1987, the E.P.A. recommended that states set limits for selenium at five parts per billion as measured in the water. (States may adopt tougher limits, but if they prefer less restrictive standards they must submit studies and seek

approval from the agency.)

Since then, scientists have recommended that stricter limits are needed, but the rule has not been reset. While federal agencies agree that measuring levels of selenium in fish tissue is more telling than the amount in water, after that the consensus breaks down on what level constitutes a safe standard.

The E.P.A., since 2004, has said that a standard of 7.9 parts per million in fish tissue would be enough to protect all but 20 percent of aquatic populations from chronic deformities. But scientists at three federal agencies — the Forest Service, the Geological Survey and the Fish and Wildlife Service — contend that standard is based on flawed science. Scientists at the Fish and Wildlife Service have estimated that roughly half that amount — 4 or 5 parts per million — would be a safer standard.

The Smoky Canyon phosphate mine opened in 1984. In 2003, Simplot's management agreed to clean up the site under the Superfund law, which gave it temporary shelter from litigation and federal fines.

According to the Forest Service, which oversees the Simplot cleanup, the company has spent about \$3.5 million to restore the area. But there is still more to do. Simplot acknowledges, for example, that the nearby waterway of Hoopes Springs still measures 70 parts per billion of selenium, 14 times the federal limit.

So Simplot decided to also make a case for a different standard. Mr. Prouty, the company vice president, said the trout population in the nearby creeks has remained stable over 30 years. Perhaps, he suggested, local cold water trout are more resistant to selenium than other fish. "The five-parts-per-billion standards are based on warm water fishes that are typically more sensitive than our trout," he said.

So Simplot officials hired scientific consultants, and in August 2010 they submitted a draft report to the government, which suggested that the brown trout could support selenium tissue levels of 13 to 14 parts per million in their tissue.

The company submitted a final report with the pictures of the deformed trout to the Idaho Department of Environmental Quality, which must make an initial determination on the exemption. The E.P.A. will have final approval.

Jeff Holmstead, head of the environmental strategies group at Bracewell & Giuliani, a law firm that represents industry groups on these issues and headed air quality for the E.P.A. during President George W. Bush's administration, said it was "not at all unusual" for federal agencies to differ on this kind of issue.

"It is surprising that the E.P.A. is supporting a less stringent standard than another agency," he said. That may be, he added, "because selenium is primarily an issue for wildlife and not for human health," which is the agency's top priority.

Christine Psyk, associate director for the E.P.A.'s Region 10, which oversees Idaho, said the agency's early praise of the Simplot draft study does "not represent a final position from the E.P.A. on the company's proposal."

The Fish and Wildlife Service had been reluctant to get involved and asked three independent scientists to peer-review its own findings on the Simplot study, a standard practice for assuring scientific integrity.

"In my research, I have seen lots of malformed baby fish, but never one with two heads," said David Janz, an aquatic toxicology professor at the University of Saskatchewan who took part in the peer review. While Dr. Janz said that such

malformations do occur naturally in the wild, he said he thought selenium pollution most likely played a role in this case. “Selenium is emerging as a pollutant of global concern,” he said. “We need to be careful here.”

A version of this article appears in print on , Section A, Page 12 of the New York edition with the headline: Mutated Trout Raise New Concerns Near Mine Sites

From: BoLars Matson [REDACTED]
Sent: Monday, August 11, 2025 3:31 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Uphold Water Quality

MT DEQ,
Please maintain and defend water quality standards in Lake Koocanusa. Our water is everything! There is already elevated levels of selenium, we do not need to allow more.

Thank you,

BoLars Matson

From: Mary LaPorte [REDACTED]
Sent: Monday, August 11, 2025 3:29 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] do not weaken selenium standards

Dear DEQ,

I implore you to stick with the science and please do not approve a weakening of selenium standards as proposed by Lincoln County Commissioners. This will cause even more pollution in Montana's precious waters.

Thank you.

Mary LaPorte

--

Mary LaPorte (she/her/hers)

[REDACTED]
Missoula, Montana 59801

[REDACTED]

[REDACTED]

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, August 11, 2025 3:24 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Karen McLean

[REDACTED]
Helena, MT 59601-1550

From: Joe [REDACTED]
Sent: Monday, August 11, 2025 1:24 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] selenium pollution

TWIMC,
Please deny the request from the Lincoln County Commissioners to lower the allowed Selenium levels entering Lake Koocanusa. The effects of the coal mining should not be absorbed by downstream water users. Short term economic benefits are quickly negated by the long-term problems of the pollution. Our streams and waters should be a place of health for all the aquatic species, not compromised by a known detrimental chemical. Keep the level as it is.

Sincerely,
Joe Toth

[REDACTED]
Missoula, MT 59802

From: McGregor Rhodes [REDACTED]
Sent: Monday, August 11, 2025 11:59 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Kootenai River--

I lived in Lincoln county for 18 years. The Kootenai River was always a blue ribbon trout fishery and the water quality was always high. The coal mines in Canada have caused high levels of pollution and the pollution needs to be stopped now. The owners of the mines have the \$\$ and knowledge to halt the pollution but will not do it voluntarily. Please hold the miners accountable and make them stop harming the aquatic ecosystem . The Lincoln county commissioners are not qualified to make statements about pollution levels . in the River and they have no credibility in this issue. Please help-- thank you for listening to me sincerely,, McGregor Rhodes-- Kalispell MT.

From: Donna Martin [REDACTED]
Sent: Monday, August 11, 2025 11:33 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Oppose Selenium standard Increase on the Kootenai

This may be a duplicate and late submission, but just in case, this is IMPORTANT for the future of the Kootenai River drainage system, including Lake Koocanusa. Please stand fast with the lower special standard for the Selenium levels in Lake Koocanusa and the Kootenai River.

Sincerely,
Donna Martin
[REDACTED]
Libby, MT 59923
[REDACTED]

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, August 11, 2025 10:58 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Brian McGeehan
Montana Angler Fly Fishing Inc., [REDACTED] BOZEMAN, MT 59718

From: Todd M. Samson [REDACTED]
Sent: Sunday, August 10, 2025 8:59 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium

Please do not weaken our Montana pollution laws.
This Trump thing is not for Montana, stop weakening pollution
laws!
Sincerely,
Todd M Samson
Helena, Mt

From: Pat Simmons [REDACTED]
Sent: Sunday, August 10, 2025 3:58 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment from long time Montanan

We need to continue stopping selenium pollution from Canadian coal mines from contaminating Lake Koocanusa and Kootenai River in Montana, proposed by Lincoln County Board of Commissioners, who filed a petition to weaken Montana's selenium standard [rhazmveab.cc.rs6.net] by increasing permitted pollution from 0.8 to 1.5 microgram/liter. This is an attempt by international commodity trader, Glencore, to put more pollution into Montana waters.

Please stay strong in defending our legal, scientifically justified, and protective selenium standard in Montana. We don't need foreigners and money makers ruining our environment in Montana. Our Montana waters are precious and already at risk from Climate Change and industry pollution all over our State. Keep our standing as Last Best Place in America!

Thank you

Patricia Simmons
[REDACTED]
Bozeman, MT 59718
47 year resident of Montana

From: Scott merrell [REDACTED]
Sent: Saturday, August 9, 2025 9:31 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] NO SELENIUM POLLUTION INCREASE IN LAKE KOOCANUSA!!!!!!

This is never a good idea and I do not support it! Please keep the existing standard, and I do not understand why the Lincoln County Commissioners would want such a thing; unless they are being paid off! SELENIUM is a toxic metalloid that effects aquatic life, as you know. It can have a very negative effect on our trout population so please do not allow this!! Thank-you, Scott Merrell, Thompson Falls, Mt.

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From: Linehan Outfitting [REDACTED]
Sent: Friday, August 8, 2025 8:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lake Koocanusa/Kootenai River selenium standard

Hi Folks:

For thirty-three years my wife Joanne and I have owned and operated Linehan Outfitting. We provide fly fishing adventures and lodging here on the Kootenai River. We're writing to ask you to completely and affirmatively uphold the selenium standards for Lake Koocanusa and the Kootenai River. Additionally, it's just as important for you to absolutely shut down the latest attempt by the Lincoln County commissioners and state delegates in their efforts to delete said selenium standards.

Our entire life and business, and the entire life and economic well being of many families and small businesses here in Lincoln County are directly married to the health of Lake Koocanusa and the Kootenai River.

I had a long letter in mind and intended to outline all the same old, same old, important facts surrounding this issue. But, I'm tired after a long day guiding on the Kootenai and I'm pretty sure you all are tired of beating this dead horse as well. That said, I simply want to say thanks for upholding the selenium standards. Thanks for upholding the truth about the years of research and science. And thanks for not caving to pressure and misdirected political strategies designed to frighten people into ignoring science and facts. And thanks for not caving to pressure that comes from an international corporation whose sole purpose in their efforts to obfuscate the truth, science and facts is to skin out of accepting full responsibility for the potentially devastating impacts selenium toxicity might have on an incredible natural resource.

I could mention that there is absolutely no science leading anyone, anywhere, to believe that logging projects, real estate developments, manufacturing jobs, or any other potential economic development here in Lincoln County is threatened in any way, shape or form by the new selenium standards. But I'll skip stating the obvious though I'm aware I just did. It's bunk. The county commissioners are simply employing an ancient political strategy centered on creating a bogey man at the least, and using just another cheap version of Chicken Little and the sky is falling at worst.

Franky, it galls me that my tax dollars are being spent by my county commissioners to go down a road that helps an international corporation's bottom line while ignoring local businesses and families. So far not a single commissioner has taken a stand for the millions of dollars Lake Koocanusa and the Kootenai River has generated for the county. Strange they don't even acknowledge the economic engine of the natural resource. This point is hard for me to even consider! Are you kidding me? And what's most disturbing is they say they're efforts to delete the new standards are in the best interest of the community and to prevent environmental groups from using the new standard to stop timber sales, development etc. Have they forgotten what a new superfund site would do!? Have they forgotten that Idaho and downstream interests could sue Montana for not taking steps to mitigate the increase in selenium into Lake Koocanusa and the Kootenai River? Have they even considered the economics of the impacts of those potential situations?

Please, uphold the selenium standards for Lake Koocanusa and the Kootenai River. You've done an exceptional job so far in doing your job. Keep up the good work. Protect Montana. Protect Lake Koocanusa and the Kootenai River.

Thanks for your consideration. Please call anytime if we can help in any way. We appreciate you.

Tim and Joanne
Linehan Outfitting

Linehan Outfitting



www.fishmontana.com [fishmontana.com]

From: Scott Lammers [REDACTED]
Sent: Friday, August 8, 2025 12:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] selenium standard

To the **Montana DEQ**

Please DO NOT allow increased selenium pollution from Canadian coal mines into Lake Koocanusa and the Kootenai River in Montana.

I come from the Chicago area with other fishers bring my dollars to your community. Do not sacrifice that revenue.

Do Nor allow increased permitted pollution from 0.8 to 1.5 microgram/liter of Selenium. I am a metallurgical engineer I know this element from the foundry and steel industries. You do not want it in your waiter and fish.

Montana DEQ PLEASE continue to adhere to the current scientifically justified, and protective selenium standard.

thank you for your time and consideration

scott lammers

From: Ethel Fogelsong [REDACTED]
Sent: Friday, August 8, 2025 11:50 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Protect MT waters from selenium pollution

i am writing to ask your department to deny the Lincoln County Commissioners petition to increase the amount of selenium polluting Montana water from coal mining in Canada. This is a ploy by an international commodity trader to double the amount of selenium allowed in Lake Kookanuska and nearby water. Please continue to stand strong on the current legal, and scientifically justified standards already in place in Montana.

My husband and I are Montana natives greatly concerned about current threats to pollute Montana water. Once it is polluted there is no turning back. Please deny this petition.

Respectfully,
Ethel Fogelsong

From: Susan Bechtel [REDACTED]
Sent: Friday, August 8, 2025 10:40 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Protect Montana's Water

Do not weaken any environmental restrictions on coal mining!!

Sent from my iPhone

From: Tom & Alvira Jones [REDACTED]
Sent: Friday, August 8, 2025 9:42 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL]

Do not raise the selenium level.

From: Tom & Alvira Jones [REDACTED]
Sent: Friday, August 8, 2025 9:31 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL]

Do not raise the

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Friday, August 8, 2025 9:24 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Jill Davies
[REDACTED]
Victor, MT 59875

From: Jim Vashro [REDACTED]
Sent: Thursday, August 7, 2025 10:14 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lake Koocanusa Selenium Standard

Flathead Wildlife, Inc. has been representing sportsmen and women in northwest Montana for 56 years. One of our goals is to preserve our fishing heritage, towards that end we strive to maintain water quality and quantity in area waters. Flathead Wildlife asks DEQ to reject the petition by the Board of Lincoln County Commissioners to modify the selenium water column standard for Lake Koocanusa at ARM 17.30.632(7)(a) and the definition of steady state at ARM 17.30.602(32).

Many of our members fish Lake Koocanusa and the Kootenai River. The discharge of elevated selenium, nitrates/nitrites and sulfates from Canadian coal mines is a real threat to the integrity of the Kootenai aquatic system. The current selenium standards for Lake Koocanusa are the result of 6 years of work by a multi-agency group including sampling and analysis of data pertinent to the potential impacts of selenium on aquatic resources. There were multiple opportunities for public review of the process. The result is the best site-specific standards to maintain the quality of Lake Koocanusa and associated biota. Flathead Wildlife sees nothing in the petition to challenge the results of the process and science.

In addition, the International Joint Commission (IJC) has convened an Elk-Kootenai/y Watershed Reference to look at the transboundary impacts of selenium and associated impurities. The IJC includes representatives from the United States, Canada, and the Ktunaxa Nation and is one year into a two year study to compile and analyze information related to the discharges from Canadian coal mines. The IJC should provide a detailed analysis of existing science and impacts on fish and other aquatic life. It would be premature to change standards before the IJC issues its findings. Please reject the petition.

Jim Vashro, President

Flathead Wildlife, Inc.

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Thursday, August 7, 2025 3:58 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Karen McLean

[REDACTED]
Helena, MT 59601-1550

From: Montana Fly Casting [REDACTED]
Sent: Thursday, August 7, 2025 12:04 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium Level Standard - deny Glencore's petition

As a Montanan, I ask that you DENY the petition by Glencore (or any other entity) to lower any water quality standards. Glencore is seeking to make more profit. Its interest is only that. It is not concerned with Montana, the people of Montana, or anywhere downstream. Think of the money downstream water users will need to spend to remove excess selenium from the water. Glencore is the only entity that would benefit from the proposition, not the people, fish, or animals of Montana.

Thank you for your consideration of this Montanan's opinion.

Carol Northcut
[REDACTED]
Kalispell, MT 59901
[REDACTED]

From: Kevin F [REDACTED]
Sent: Thursday, August 7, 2025 10:32 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Please defend Montana's clean waters

Simply put, as a resident who lives and recreates in Western Montana, I ask that you put Montana's natural resources and our people first, and keep the scientifically backed selenium standards in place rather than weaken them.

Thank you,

-Kevin Farron
[REDACTED] Missoula, MT 59808

From: mailagent@thesoftedge.com on behalf of Ruth Swenson
<mailagent@thesoftedge.com>
Sent: Wednesday, August 6, 2025 7:32 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Ruth Swenson
[REDACTED]
Helena, MT 59602

From: mailagent@thesoftedge.com on behalf of Denise Barber
[REDACTED]
Sent: Wednesday, August 6, 2025 2:48 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Please reject the petition submitted by the Lincoln County Commission that goes against the legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Denise Barber
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Wednesday, August 6, 2025 1:02 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Susan Kronenberger
[REDACTED]
Helena, MT 59601-5707

From: mailagent@thesoftedge.com on behalf of Oliver Weltzien
<mailagent@thesoftedge.com>
Sent: Wednesday, August 6, 2025 9:12 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Oliver Weltzien
[REDACTED]
Dillon, MT 59725

From: mailagent@thesoftedge.com on behalf of Ashley Fischer
<mailagent@thesoftedge.com>
Sent: Wednesday, August 6, 2025 9:10 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Ashley Fischer
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Mallory Lampe
<mailagent@thesoftedge.com>
Sent: Tuesday, August 5, 2025 4:08 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Please help our wonderful state keep up its standards for healthy, clean waterways. Once we start lowering our standards, I fear for the trajectory it sets us on for other policies in the future, which aim to keep the place we live healthy and wild. Our land and water's health influences our community's health and wellbeing.

Thank you for your service to our Montana communities and for your time to read this request.

Sincerely,

Mallory Lampe
[REDACTED]
Missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Wednesday, August 6, 2025 5:10 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Sas Weber

[REDACTED]
Belgrade , MT 59714

From: mailagent@thesoftedge.com on behalf of Gail Souther <mailagent@thesoftedge.com>
Sent: Tuesday, August 5, 2025 9:30 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Gail Souther

[REDACTED]
Hamilton, MT 59840-2341

From: mailagent@thesoftedge.com on behalf of Lynn Tennefoss
<mailagent@thesoftedge.com>
Sent: Tuesday, August 5, 2025 8:44 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Lynn Tennefoss

[REDACTED]

Missoula, MT 59804

From: mailagent@thesoftedge.com on behalf of Laura Strong <mailagent@thesoftedge.com>
Sent: Tuesday, August 5, 2025 6:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Laura Strong

[REDACTED]

Whitefish, MT 59937-2627

From: mailagent@thesoftedge.com on behalf of Douglas Rohn
<mailagent@thesoftedge.com>
Sent: Tuesday, August 5, 2025 12:28 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Douglas Rohn

[REDACTED]

Bozeman, MT 59718

From: mailagent@thesoftedge.com on behalf of David Patenaude
<mailagent@thesoftedge.com>
Sent: Monday, August 4, 2025 9:14 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

David Patenaude

[REDACTED]
Belgrade, MT 59714

From: mailagent@thesoftedge.com on behalf of Mark Schulein
<mailagent@thesoftedge.com>
Sent: Monday, August 4, 2025 7:38 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Mark Schulein



Livingston , MT 59047

From: mailagent@thesoftedge.com on behalf of Nancy Ostlie <mailagent@thesoftedge.com>
Sent: Monday, August 4, 2025 6:14 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Nancy Ostlie

[REDACTED]

Bozeman, MT 59715

From: mailagent@thesoftedge.com on behalf of Heidi Anderson
<mailagent@thesoftedge.com>
Sent: Monday, August 4, 2025 5:54 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Heidi Anderson



Gardiner , MT 59030

From: mailagent@thesoftedge.com on behalf of Jackie Foster <mailagent@thesoftedge.com>
Sent: Monday, August 4, 2025 4:14 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Jackie Foster

[REDACTED]

Dillon, MT 59725

From: mailagent@thesoftedge.com on behalf of Christine Deveny
<mailagent@thesoftedge.com>
Sent: Monday, August 4, 2025 4:22 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ is correct in its defense of the site-specific water quality standard for selenium for Lake Koocanusa. I strongly urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists and approved after much deliberation by the MT BER in 2020. Allowing more selenium pollution is a poor choice for all Montanans.

Sincerely,

Christine Deveny
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Jerry Meier <mailagent@thesoftedge.com>
Sent: Monday, August 4, 2025 9:48 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Jerry Meier



Eureka, MT 59917

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, August 4, 2025 4:04 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

JL Angell

[REDACTED]
Rescue, CA 95672

From: Tom Buckley [REDACTED]
Sent: Thursday, August 7, 2025 8:54 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Proposed selenium concentration change

To whom it may concern:

I am writing to ask you to make a firm stand against allowing the Lincoln County Board of Commissioners to allow an increase in the selenium concentration in Lake Koocanusa and the Kootenai River. These waters are important recreational locations for Montana residents as well as families and individuals that visit Montana. Furthermore, these are also important fisheries and water sources for wildlife in the surrounding areas. Both humans and animals should be allowed to utilize those resources without the additional pollution that the proposal suggests. This proposal to weaken the restriction is also a harbinger of future regulation weakening. We should not allow a precedent to be set. Please stand fast against this proposal!

Respectfully,
Tom Buckley

--

Tom & Cyndi Buckley
Buckley Properties, LLC
[REDACTED]

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From: Thomas Sabol [REDACTED]
Sent: Thursday, August 7, 2025 8:39 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Stop Selenium concentration increase

Please vote to stop any increase in selenium concentration.

Thomas Sabol
[REDACTED]

From: Jared Larsen [REDACTED]
Sent: Thursday, August 7, 2025 7:26 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Clean Water for Montana

Good morning,

I'm writing this after hearing MT is considering allowing an increase in our state's selenium pollution standard for Lake Koocanusa and the Kootenai River—from 0.8 to 1.5 micrograms per liter.

I'm writing to voice my opposition to this consideration. As one of the few strongholds of bull trout in our state, this increase in pollution could have detrimental consequences and for what? What benefit do we as Montanan's see from this?

I urge you to not stand for more pollution in Montana watersheds.

Jared

--

Jared Larsen
Whitetail/Turkey Marketing Manager



46°51'11.0272"N

114°00'43.6398"W

[onXmaps.com](https://onxmaps.com) [onxmaps.com]

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From: Howe Crockett [REDACTED]
Sent: Thursday, August 7, 2025 6:37 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Attack on our environmental standards

I strongly urge the DEQ to continue to support and defend our justified and protective selenium standard. In a time where our essential environmental standards are being attacked and weakened from all sides, it is imperative that you do your part to resist these attacks.

Thank you.

Howe Crockett
[REDACTED]
Helena, MT 59601

From: SHERRI JOHNSON [REDACTED]
Sent: Wednesday, August 6, 2025 7:55 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] water quality concerns from mining

Dear DEQ

Please reject the petition from Lincoln County Board of Commissioners to increase Montana's selenium standard.

There is no scientific reason to relax this standard and allow almost a doubling of selenium micrograms per liter. The current standards were set based on best science and do not need to be modified.

I am an aquatic ecologist and have worked on water quality standards for decades. This petition will not provide any benefits for Montana residents and would result in degradation of high quality waters.

Thank you for your work protecting Montana's water quality.

Sherri Johnson, PhD
Hamilton, MT

From Sherri Johnson
[REDACTED]

From: Konrad Binder [REDACTED]
Sent: Wednesday, August 6, 2025 6:08 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Stop Selenium pollution

Montana DEQ,

Please stay strong in your defense of the current legal, scientifically justified, and protective selenium standard worked to stop selenium pollution from Canadian coal mines from contaminating Lake Koocanusa and Kootenai River in Montana.

Please do not allow any changes to current protection.

Be on the right side of history.

Thanks
Konrad Binder
[REDACTED]
Whitefish Montana 59937

From: Bonnie Pascucci [REDACTED]
Sent: Wednesday, August 6, 2025 5:15 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Keep the selenium standards.

Dirty water is just too expensive to clean up.

Bonnie Pascucci
Michael Pascucci

[REDACTED]
Stevensville, MT 59870

Excuse any typos, sent by a human.

From: Charlie Maetzold [REDACTED]
Sent: Wednesday, August 6, 2025 5:03 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium standard

Please continue to work to protect selenium standards. Save a river!

Thank you, Charlie

Whitefish, Montana Sent from my iPad

From: vj [REDACTED]
Sent: Wednesday, August 6, 2025 3:54 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium standards for Lake Koocanusa and the Kootenai River

I am concerned that selenium levels in the Kootenai River and Lake Koocanusa have been rising due to contamination from the coal strip mines in British Columbia. Selenium can be a severe threat to fish populations.

I am grateful that DEQ conducted an extensive analysis of the best available science and set a site-specific selenium standard of 0.8 micrograms per liter for Lake Koocanusa to protect its valuable fishery. . That standard and associated rules were the product of a multi-year effort of state and federal agencies, Tribes, and local organizations.

Current efforts to weaken the standard are not based on the best available science, and I urge DEQ to stand firm in keeping the current standard.

Dr. Vicki Watson, aquatic ecologist
Missoula MT

From: Jeff Bader [REDACTED]
Sent: Wednesday, August 6, 2025 3:26 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lincoln County selenium

To who it may concern,

My name is Dr Jeff Bader. I am a retired faculty member and administrator from Montana State University.

I am strongly opposed to raising allowed levels of any heavy metal in any of Montana's waters. It goes against all we know.

Sincerely,

Jeff Bader

Get [Outlook for Android \[aka.ms\]](#)

From: Mark Berggren [REDACTED]
Sent: Wednesday, August 6, 2025 1:30 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium Standard

Please do not change, and please continue to defend, your legal, scientifically justified, and protective selenium standard.

Thank you for your consideration.

Mark Berggren

Sent from my iPhone

From: Carol Blake [REDACTED]
Sent: Wednesday, August 6, 2025 12:40 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium in Lake Koocanusa

Attention please:

For over 20 years we have watched significant rises in selenium levels in Lake Koocanusa.....the 'Crown Jewel of Lincoln County' A few years ago the amount in the lake was reduced to a .08 ppm....a rate that was not achieved. Now that issue is in front of the Commissioners again....why? Why would our elected officials want to allow another country to pollute our/their own precious resource? Lowering the level will only exacerbate the already rising rate.

Please don't do that.

Carol Blake
Eureka, MT

From: Alex Thompson [REDACTED]
Sent: Wednesday, August 6, 2025 12:37 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Changes to State Selenium Standard

Hello,

My Name is Alex Thompson and I reside at [REDACTED] in Butte, MT. I am writing to voice my opposition to the proposed changes to our state's selenium pollution standards. I hope that the standard will stay at 0.8 micrograms per liter since this amount is currently scientifically sound and legally defensible in court. I strongly oppose any changes to this regulation as even slight differences in water composition can harm trout and bugs in the ecosystem. Living in Butte I have seen first hand the damage caused by limited or no regulations on mining and mine waste/discharge. In my opinion we should strive to keep all water basins, especially the Kootenai river basin as clean as possible for future generations.

Best,

--

Alex Thompson
Software Development Engineer Intern



Basecamp Free Solo (*El Capitan*)

37° 44' 2.2272" N

119° 38' 15.9216" W

[onXmaps.com](https://onxmaps.com) [onxmaps.com]

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From: Eric chapelle [REDACTED]
Sent: Wednesday, August 6, 2025 12:02 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Stay strong on defense of Selenium pollution standard!

Dear Montana DEQ,

I'm writing to strongly urge you to maintain Montana's current selenium water quality standard of 0.8 micrograms per liter for Lake Koocanusa and the Kootenai River.

For years, concerned citizens, Tribal nations, scientists, and organizations like Montana Trout Unlimited have worked diligently to address the growing threat of selenium pollution from Canadian coal mines operated by Teck Resources. This pollution continues to harm aquatic ecosystems and puts downstream communities at risk—particularly in Montana, where Lake Koocanusa and the Kootenai River are vulnerable and vital natural resources.

The petition recently filed by the Lincoln County Board of Commissioners to raise the selenium standard to 1.5 micrograms per liter is a clear step backward. It appears driven not by new science, but by pressure from Glencore—an international mining corporation seeking to increase its pollution allowance at the expense of Montanans and our shared waters.

Montana's current selenium standard was developed through rigorous scientific analysis and peer-reviewed research. It is legally sound, environmentally protective, and necessary to prevent long-term harm to fish populations, aquatic life, and water quality.

I urge DEQ to stay the course and defend this standard against politically and economically motivated attempts to weaken it. Protecting clean water is not only your mandate—it's what Montanans expect and deserve.

Thank you for your continued leadership and commitment to safeguarding our state's natural resources.

Sincerely,
Eric Chapelle

Missoula, Montana

From: Tim Field [REDACTED]
Sent: Wednesday, August 6, 2025 11:40 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] selenium mining

Dear DEQ:

Please do not pass and allow increasing (almost doubling!) the permitted selenium pollution levels to increase from 0.8 to 1.5 microgram/liter in Lake Koocanusa and Kootenai river. Montanans must do all possible to protect our natural resources by limiting pollution entering into Montana waters. The DEQ is in a public position of trust that must be respected.

Please do what all "government" groups seem to do- that is sell out.

Do the right thing and not allow changing the permissible levels of selenium or any other pollutant into Montana waters.

Thank you. Tim Field

Stevensville MT

[REDACTED] cell

From: Keith Reed [REDACTED]
Sent: Wednesday, August 6, 2025 11:01 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Weakening of selenium standards

I will not be able to attend the hearing on August 13th, so I am writing to urge you to deny the Lincoln County Board of Commissioners' petition to raise the standard of selenium from 0.8 micrograms/liter to 1.5 mg/L, nearly doubling it. With some of the most spectacular rivers in the world in Lincoln County, I can't imagine why this is even a consideration. The EPA limit for drinking water is 0.05 mg/L, and the World Health Organization standard is even more strict at 0.04 mg/L.

Why do we continue to knock our heads against the wall when it comes to pollution? Please deny this petition and keep the limit at 0.8 mg/L.

Thank you,
Keith Reed
Three Forks, MT

From: Jay West [REDACTED]
Sent: Wednesday, August 6, 2025 9:51 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Proposed Increase In allowable selenium levels in Montana waters

Montana DEQ should stay strong in and continue its current legal, scientifically justified selenium standards limiting selenium discharges and levels in Montana Waters. The petition by the Lincoln County Commissioners for increasing permissible levels is just plain wrong headed and should be rejected. Gutting our state's clean water standards little by little is incremental nihilism and unacceptable.

From: David Chambers [REDACTED]
Sent: Wednesday, August 6, 2025 9:42 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lincoln County Board of Commissioners Selenium Petition

Protection of aquatic life should be based on science, not on politics. The selenium pollution affecting Lincoln County comes from Canada, where it is having much more severe impacts on fish and other aquatic life than is now occurring in the US. Canada should not have let this selenium contamination become a problem, and they should have been much more aggressive in cleaning it up. Why any Montanan would want to sacrifice our water quality to help a foreign mine polluter is mind boggling. Accepting higher pollution levels based on political considerations will negatively affect most Montanans, and benefit a very few.

I ask that DEQ reject the selenium petition, and keep DEQ's scientifically established value for selenium contamination.

David Chambers, Ph.D., P. Geop.

From: John Herzer [REDACTED]
Sent: Wednesday, August 6, 2025 9:42 AM
To: DEQ Lake K Petition
Cc: Terri Raugland; Matthew Churchman
Subject: [EXTERNAL] Petition to weaken selenium standards

MT DEQ-

As a Montana resident, business owner, and father I was shocked to learn that Lincoln County Commissioners are petitioning to weaken MT long held standards for selenium discharge into our waters.

While I'm no chemist, just a small amount of research reveals the detrimental environmental effects that elevated levels of selenium are associated with. As a fly fishing outfitter, I am doubly concerned about the likelihood of reduced fish populations stemming from the bioaccumulate nature of selenium. As described on the National Forest Service's website:

Once in the aquatic environment, selenium can rapidly bioaccumulate in food chains and reach levels that are toxic to aquatic life. Because of bioaccumulation, a small amount of selenium in water can translate to a significant environmental hazard. Case examples show that selenium from coal mining can result in a variety of impacts to fish, ranging from subtle effects on growth to severe deformities and complete reproduction failure.

I am hopeful the DEQ will not be swayed by the lobbying efforts of the Glencore Corp nor those of the Lincoln county commissioners. I implore you to do the right thing in maintaining Montana's maximum selenium standards.

Thanks for your consideration,

John

John Herzer

Owner/Outfitter/Changer of Light Bulbs



Blackfoot River Outfitters, Inc.

[REDACTED] Missoula MT 59801

Phone: [REDACTED]

www.blackfootriver.com [blackfootriver.com]

From: Mac swan [REDACTED]
Sent: Wednesday, August 6, 2025 9:36 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium levels

Please add my voice to the other folks in our state who think it is ill advised to weaken the rules on selenium in our water. Stay the course. Minimize pollution of our water.

Mac Swan
[REDACTED]
Polson, MT 59860
[REDACTED]

From: rochelle gravance [REDACTED]
Sent: Wednesday, August 6, 2025 9:30 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium Standard

Please stop selenium pollution from Canadian coal mines from contaminating Lake Koocanusa and Kootenai River in Montana.

On July 2nd, the Lincoln County Board of Commissioners filed a petition to weaken Montana's selenium standard [rhazmveab.cc.rs6.net] by increasing permitted pollution from 0.8 to 1.5 microgram/liter. This is an attempt by international commodity trader, Glencore, to put more pollution into Montana waters. We cannot allow this to happen.

I'm asking Montana DEQ to stay strong in its defense of this legal, scientifically justified, and protective selenium standard.

Thank you for your consideration,
Rochelle Gravance

From: Dillon Martini [REDACTED]
Sent: Wednesday, August 6, 2025 9:29 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] MT Selenium Standard Public Comment

Hi,

I heard that the Lincoln County Board of Commissioners has filed a petition to increase our selenium standard from 0.8 to 1.5 micrograms/liter. I would like to speak out against making our standard more lenient. 0.8 micrograms/liter is a science driven standard that is well-suppported. I do not want our streams and lakes being more polluted than they are currently allowed to be.

Thanks for your time,

Dillon Martini
[REDACTED]
Plains, MT 59859

[Yahoo Mail: Search, Organize, Conquer \[mail.onelink.me\]](mailto:mail.onelink.me)

From: Steve Conway [REDACTED]
Sent: Wednesday, August 6, 2025 9:28 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium increase is not a good idea!

Please do not accept Lincoln County Commissioners' proposal to increase the selenium allowable levels into Montana waters. Studies show there is not any selenium in areas for future mining so there is not a need for an allowable increase. Also, our waters have been polluted for way too long by the Canadians!

Thanks for listening!

Steve Conway
Bigfork, MT
[REDACTED]

Sent from my iPad

From: John Howard [REDACTED]
Sent: Wednesday, August 6, 2025 9:21 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] DO NOT WEAKEN OUR ANTI-POLLUTION STANDARDS!

Selenium pollution in our watersheds damages resources owned and used by Montana citizens; allowing more only benefits the narrow interests of international mining companies!

DO NOT WEAKEN OUR ANTI-POLLUTION STANDARDS!

Cordially,

John W. Howard, Ph.D.
Bozeman, Montana resident and voter

President, Performance Resources, Inc.
[REDACTED]

www.prol.ws [prol.ws]



From: Tanner Smith [REDACTED]
Sent: Wednesday, August 6, 2025 9:13 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Opposition of Raising of Selenium Limits

I would prefer, as an American, that no special concessions be taken to accommodate foreign companies at the expense of American resources and the quality of life and land. Canadian companies have no right to influence how we tolerate their pollution. Please do not let foreign companies take advantage of our nation's great Natural Resources. Shame on you if you do. Mr. Roosevelt will be rolling so hard we would be able to solve all the world energy problems.

Thank you,
Tanner Smith

From: Michael DiStefano [REDACTED]
Sent: Wednesday, August 6, 2025 9:10 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] No more chemicals

Have we learned nothing yet? We need cleaner water, not looser standards on chemicals entering it! In Montana the water is so much of our life force. You have an obligation to the people to not let this happen.

Michael DiStefano

From: Rebecca Canright [REDACTED]
Sent: Wednesday, August 6, 2025 7:51 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] in support of clean air and water

Greetings, as a young person, I thank you for your work. I care about investing in clean air and water. I ask you to please stay strong in its defense of a strong, scientifically justified, and protective pollution standard in our state.

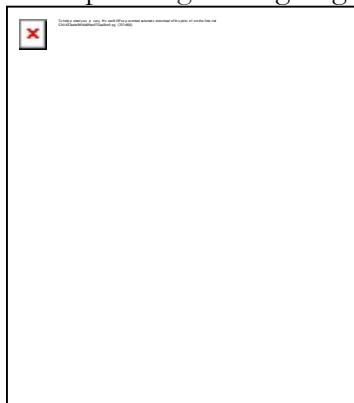
I am concerned that on July 2, the Lincoln County Board of Commissioners filed a petition to [weaken Montana's selenium standard \[meic.us20.list-manage.com\]](#) by increasing permitted pollution from 0.8 to 1.5 microgram/liter and weakening the definition of “steady state.” It doesn’t take much scrutiny to see this is an attempt by international commodity trader Glencore to put more pollution into Montana waters.

Let's please work together to prevent this, and instead maintain the current strong full pollution protection standards.

Thank you for your time and consideration!

--

Frigate birds fly for months over the ocean and can engage in both regular sleep and use half their brain at a time to sleep during soaring or gliding flight.



Compassion for all creatures great and small.

From: Donna Martin [REDACTED]
Sent: Tuesday, August 5, 2025 1:45 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Oppose LC Commissioners' Petition

I live in Libby and I want to emphasize that the Lincoln County Commissioners DO NOT speak for me or many of the people I know in Lincoln County. The current standards for Selenium in Lake Koocanusa and the Kootenai river in NO WAY impede any kind of current or future development in Lincoln County. Besides, why should we be basing such decisions on an improbable future? The damage is being done NOW. Not only are people catching deformed fish, the numbers of fish have diminished greatly since I was a child fishing in the river near Kootenai Falls in the 1950s - a favorite family outing.

What is actually at stake is the degradation of the quality of the fishery and thus the reduced appeal of the area for tourists, especially fishing enthusiasts. Also at stake is the resident's quality of life and enjoyment of the recreation and river we all cherish.

This whole thing is just a waste of time and taxpayer money. Nor do I believe the Commissioners' protestation that the Canadian coal company(ies) who are responsible for the Selenium levels were NOT involved in their decision to submit this petition. Since when did US writers of English spell "liter" "litre"? Or in past statements, "Kootenai" Kootenay"?

Please do not approve this outrageous petition!

Sincerely,

Donna Martin
[REDACTED]
Libby, MT 59923
[REDACTED]

From: michele dieterich [REDACTED]
Sent: Tuesday, August 5, 2025 11:30 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Please defend water quality in Lincoln County

Dear Department of Environmental Quality

Please do not allow Lincoln County to change water quality standards for selenium from .8 to 1.5 micrograms/liter. The commissioners who are changing this standard are not scientists. This is a proven standard to promote public health and safety. It should not be changed by the vote of a few. They must not weaken the definition of the "steady state" either. This will allow more pollution in Montana's rivers, streams and lakes.

Please do not approve this petition. Defend the scientifically justified standard that will protect Montanans. We have the right to a clean and healthful environment. This petition does not uphold that right.

Thank you for your time and service

Michele Dieterich

Hamilton, MT

From: Wade Fredenberg [REDACTED]
Sent: Tuesday, August 5, 2025 10:41 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Kootenai River Selenium Concentrations

My name is Wade Fredenberg and I am the President of Flathead Valley Trout Unlimited. Many of our 400+ members enjoy fishing the Kootenai River. We are seriously concerned about the petition from the Lincoln County Commissioners to relax the selenium standards that DEQ has recently adopted. It took a long time and a lot of good science and hard thought went in to developing that standard.

While economics are important, there is no evidence that the present selenium standard will limit economic development in Lincoln County. To the contrary, selenium pollution of Lake Koocanusa and the downstream Kootenai River, originating from British Columbia, has the potential to cause massive disruption in the Outdoor Recreation Economy that Lincoln County has also depended on for decades.

The IJC process has convened a panel to further evaluate this matter. Cutting that process off at the knees will serve neither the citizens of Lincoln County nor the fishery and aquatic resource. We urge DEQ to stand with the science and maintain their current standard.

Wade Fredenberg
President, Flathead Valley Trout Unlimited

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, August 4, 2025 6:26 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

John Dunkum

[REDACTED]
Missoula, MT 59801

From: Rob Freistadt [REDACTED]
Sent: Monday, August 4, 2025 5:19 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Defend the quality of Montana waters

On July 2, the Lincoln County Board of Commissioners filed a petition to [weaken Montana's selenium standard \[meic.us20.list-manage.com\]](#) by increasing permitted pollution from 0.8 to 1.5 microgram/liter and weakening the definition of “steady state.” It doesn’t take much scrutiny to see this is an attempt by international commodity trader Glencore to put more pollution into Montana waters.

Last year, our Montana Supreme Court sided with the youth of our great state to demand that we do all we could to preserve the quality of our environment. Our Montana Constitution guarantees future generations a clean environment.

Please work to preserve and improve the quality of our environment in Montana.

Thank you!

Rob Freistadt; [REDACTED] Helena, Mt 59601; [REDACTED]

From: mailagent@thesoftedge.com on behalf of Andrea Caires
<mailagent@thesoftedge.com>
Sent: Wednesday, July 30, 2025 3:14 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Please Read: Important Water Quality Standards Comment

Dear DEQ:

Do you care about the environment we are leaving for our children? If so, please do the right thing and do not allow selenium standards to increase in the beautiful Kootenai River watershed. We know that this will harm the precious wildlife and ecological resources in the area that are integral to human and ecological health. Once lost, we cannot get these things back. Thank you for your work.

Sincerely,

Andrea Caires

[REDACTED]

Missoula, MT 59804

From: mailagent@thesoftedge.com on behalf of [REDACTED]
<mailagent@thesoftedge.com>
Sent: Saturday, August 2, 2025 12:32 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Shawna Meier

[REDACTED]
Rexford, MT 59930

From: mailagent@thesoftedge.com on behalf of Marie Toldness
<mailagent@thesoftedge.com>
Sent: Saturday, August 2, 2025 10:02 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Please, please, please put Montana's water quality and our safety before the short-sightedness of those who see only their own immediate profits.

Sincerely,

Marie Toldness

[REDACTED]

Havre, MT 59501-3908

From: mailagent@thesoftedge.com on behalf of Trinia Holder <mailagent@thesoftedge.com>
Sent: Friday, August 1, 2025 2:28 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

Please reject the petition from Lincoln County Commissioners to relax the standards. As a resident of Lincoln County I have no idea why they are advocating on behalf of a foreign company's interest and will be contacting them as well to question what they are thinking.

Sincerely,

Trinia Holder

[REDACTED]

Eureka, MT 59917

From: mailagent@thesoftedge.com on behalf of Carol Blake <mailagent@thesoftedge.com>
Sent: Friday, August 1, 2025 12:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I have followed this issue closely for 20 years and finally we have gained 'a little' ground.....please don't let our Commissioners lower the standard.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Carol Blake

[REDACTED]

Eureka, MT 59917

From: mailagent@thesoftedge.com on behalf of Derf Johnson <mailagent@thesoftedge.com>
Sent: Thursday, July 31, 2025 8:58 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Derf Johnson
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Thursday, July 31, 2025 5:38 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Carol Sugarman

[REDACTED]
Kalispell, MT 59901

From: mailagent@thesoftedge.com on behalf of Eric Strandvold
<mailagent@thesoftedge.com>
Sent: Thursday, July 31, 2025 7:44 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Eric Strandvold

[REDACTED]

Missoula, MT 59801-1356

From: mailagent@thesoftedge.com on behalf of Will Swearingen
<mailagent@thesoftedge.com>
Sent: Tuesday, July 29, 2025 10:56 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

I am writing to express my concern about the impact of rising selenium levels on fish populations in the Kootenai River and Lake Koocanusa from coal mining in British Columbia's Elk Valley. I encourage the DEQ to maintain the current site-specific selenium standard of 0.8 micrograms per liter to protect the world-class trout fishery in Lake Koocanusa.

The impact of excessive selenium pollution on fish populations is well-documented. The current site-specific selenium standard of 0.8 micrograms per liter for Lake Koocanusa resulted from an extensive multi-year effort among state and federal agencies, Montana tribes, and local organizations (finalized in December 2020). This standard should be maintained to keep selenium pollution at a level safe for fish and other aquatic life in the lake. It should not be weakened to benefit Canadian coal mining.

I urge you to reject the petition submitted by the Lincoln County Commission!

Sincerely,

Will Swearingen

[REDACTED]
Bozeman, MT 59715-9241

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Saturday, July 26, 2025 8:50 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

I am concerned that selenium levels in the Kootenai River and Lake Koocanusa have been rising due to contamination from the coal strip mines in British Columbia. Selenium can be a severe threat to fish populations. I am grateful that DEQ conducted an extensive analysis of the best available science and set a site-specific selenium standard of 0.8 micrograms per liter for Lake Koocanusa to protect its valuable fishery. . That standard and associated rules were the product of a multi-year effort of state and federal agencies, Tribes, and local organizations. Current efforts to weaken the standard are not based on the best available science, and I urge DEQ to stand firm in keeping the current standard.

Sincerely,

vicki watson

[REDACTED]
Missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of Maria von der Pahlen
<mailagent@thesoftedge.com>
Sent: Sunday, July 27, 2025 11:28 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Maria von der Pahlen

[REDACTED]

Ronan, MT 59864

From: mailagent@thesoftedge.com on behalf of Andy Puckett <mailagent@thesoftedge.com>
Sent: Sunday, July 27, 2025 8:14 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Almost doubling the allowable concentration of selenium allowed in the Kootenai watershed is not supported by the rigorous and robust science that developed the original standard. Weakening the standard will undoubtedly compromise and negatively impact the clean water and aquatic life of the watershed.

Montana's clean water is an essential component of our economy and outdoor heritage. Risking our water quality - and the local jobs and revenue from recreation - is a reckless move, especially considering that the jobs and revenue derived from mining coal in the Elk Valley does not benefit Montana.

Glencore's mines should be required to implement and install state-of-the-art pollution control technology and to post additional bonding in order to address the water pollution crisis that they have created. Montana shouldn't weaken our water quality standards in order to accommodate a foreign corporation that's polluting our water.

Sincerely,

Andy Puckett

[REDACTED]

Missoula, MT 59802

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Saturday, July 26, 2025 11:54 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Please Reject Water Quality Petition

Dear Montana:

I am writing to urge DEQ to reject the petition filed by the Lincoln County Commission. Our water is too valuable to allow more pollution in it.

Sincerely,

Candice Hartman

[REDACTED]
Missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of Misty Nelson <mailagent@thesoftedge.com>
Sent: Friday, July 25, 2025 8:22 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Misty Nelson



Missoula, MT 59803-3381

From: mailagent@thesoftedge.com on behalf of Ruth Swenson
<mailagent@thesoftedge.com>
Sent: Friday, July 25, 2025 6:00 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Ruth Swenson
[REDACTED]
Helena, MT 59602

From: mailagent@thesoftedge.com on behalf of Sara Toubman
<mailagent@thesoftedge.com>
Sent: Friday, July 25, 2025 6:50 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Sara Toubman
[REDACTED]
Helena, MT 59601

From: David Harman [REDACTED]
Sent: Monday, August 4, 2025 8:35 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Kootenai River Selenium Level

Dear Sir or Madam: i am writing this in support of retaining and implementing the Montana DEQ Selenium levels in the Kootenai River.

In saying this i want it known that i also support a nutrient feeding program for the river such as that enacted by idaho for abut the last

15 years. Given the sedimentation of nutrients caused by Libby Dam the restoration of nutrients is healthy for the river, restores vegetation, and promotes a healthy fish population. The fish population in turn contributes significantly to the local economy through sport fishing, guide services, etc. However, toxic levels of minerals such as Selenium pollute the river and harm the acquadic ecosystem. To err on the side of proven Selenium levels is the best course of action at this time. Thank you for your consideration to my comments. Sincerely, David W. Harman

From: Mike Rooney [REDACTED]
Sent: Monday, August 4, 2025 8:24 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Please Maintain the Current Selenium Concentration Levels for Lake Koocanusa and the Kootenai River

My name is Mike Rooney and I have fished and floated the Kootenai River for over 65 years. I also have lived on the banks of the Kootenai about 1-mile upstream of Libby for the past 25-years. You need to ensure the current Selenium concentration standards are upheld and do not allow the Lincoln County Commissioners' (LCC) petition to undermine the incredible amount of research and work that had been performed to learn why fish and insects were being harmed in Lake Koocanusa and the Kootenai River. DEQ knows the extent of the work and the credentials of all the collaborators who were instrumental in arriving at the latest Selenium standards.

The LCCs have repeatedly told Lincoln County residents that Kootenai selenium standards would be used as a club by outside interests to stop potential logging projects and mining on the Kootenai National Forest. Which they say will result in the loss of many potentially high paying jobs for Lincoln County residents. This is simply not true and is a scare tactic that has been used by a Montana State senator and a State Representative, both from the Eureka area. The petition you received was written by a lawyer hired by the LCC and contains wording and spelling found in the many documents that were sent to the LCCs by the mining company now known as Elk Valley Resources (EVR). I was personally involved in collecting water samples from all of the streams that flow into Lake Koocanusa from the Montana shoreline and nothing but scant traces, if any, background selenium was found when the samples were analyzed by a Montana State laboratory. The only source of selenium is from EVR mines and is slowly increasing in the waters of the Kootenai, as you well know. A recent paper that was sent to me by a MT FWP employee, Jim Dunnigan, who is one of the contributors, states that an unusual finding is that insects and fish in the Kootenai River uptake selenium at different rates, some of which are alarming. Allowing the LCCs to attempt to undermine the current selenium standards is foolish and ignorant work by any resident of Lincoln County and Montana. Please do not acknowledge the LCCs petition as nothing more than misguided fear mongering.

The only question that needs answering is what do the LCCs stand to gain, since there is no proof that harm to potential jobs has been proven? They are using the Endangered Species act, specifically with reference to Grizzly bears, as their proof that lumber mill jobs were lost years ago, stating it will happen if selenium standards are not relaxed. This is nothing but a scare tactic conjecture on their part. Why should we taxpayers in Lincoln County be forced to pay for the LCCs' potential lawsuit on one of the most beneficial pollution control standards in Montana?

Please do not allow the Lincoln County Commissioners to increase selenium concentrations in the greatest treasures in Lincoln County, Lake Koocanusa and the Kootenai River. Their job is to protect our waters, not denigrate them.
Sent from my iPad

From: Peter Lesica [REDACTED]
Sent: Monday, August 4, 2025 7:29 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium in Koocanusa

Dear DEQ,

Water is a precious resource. DEQ adopted a protective standard for selenium in Lake Koocanusa and the Kootenai River that was approved by the U.S. Environmental Protection Agency. Please don't change this standard.

Regards,
Peter Lesica
Missoula, MT 59802

From: Don Rose [REDACTED]
Sent: Sunday, August 3, 2025 5:29 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment Opposing the Petition to Increase Selenium Concentrations in Lake Koocanusa/Kootenai River

Subject: Public Comment Opposing Petition to Increase Selenium Concentrations in Lake Koocanusa/Kootenai River

Dear Montana Department of Environmental Quality,

As a resident living along the Kootenai River, I strongly oppose the Lincoln County Commissioners' petition to increase the allowable selenium concentrations in Lake Koocanusa and the Kootenai River. The current selenium standards (ARM 17.30.632) were established through a thorough, science-based process involving biologists, researchers, and Montana Fish, Wildlife and Parks, and they are critical to protecting our aquatic ecosystems. Increasing selenium levels would threaten the health of key species such as West Slope Cutthroat Trout and White Sturgeon by causing deformities and reproductive harm. Moreover, higher selenium concentrations could leach into our aquifer, endangering the quality of drinking water for many local residents. Please uphold the existing standards to ensure the long-term health of our river, our community, and our environment.

From: George F Jamison [REDACTED]
Sent: Sunday, August 3, 2025 3:52 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Petition comments

Please consider the following comments in opposition to the petition to relax the protectiveness of water quality standards in Lake Koocanusa.

I do support the Lincoln County Commissioners' concerns relative to overly zealous regulations that discourage industrial and other development as we have experienced with the Bull Trout and Grizzly Bear overreach. However, I believe the current standard is protective and not overly so.

I also caution taking any action now given ongoing evaluations of water quality in the lake and river. Specifically, the International Joint Commission is commencing a study of the water body including the lake based on pollution from mining and other sources in the upper areas of the watershed in Canada. This study is intended to consider all of the data and input, and objectively present findings. To then be followed by analyses of potential solutions. It makes no sense to change the standard now with such a study underway. It should also be noted that the economic impacts of concern to the Commissioners will be input to the IJC study where governmental units are represented. Thus, the Commissioners have a mechanism through the IJC process to present their concerns. Approving their petition to DEQ would pre-empt and complicate the process, which may be the purpose. DEQ's time is better spent working collaboratively in the IJC study instead of going down a rabbit hole.

My opinion is that the IJC study will validate the current standard in Lake K, but that remains to be seen. However, if not, then relaxing the standard might appear warranted. Now is not the time. Don't make matters worse in the midst of trying to get a firm grip on the conditions and potential solutions.

Thank you for considering my comments,
George F Jamison, PE

From: Emma Trotter [REDACTED]
Sent: Thursday, July 31, 2025 5:25 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lake Koocanusa Selenium Limits

Hello,

Please reject doubling the limits of selenium allowed into the Kootenai River and Lake Koocanusa. Keep Montana waters clean from Canadian coal mining.

Thank you for your time and attention to this issue.

Best,
Emma Trotter
Missoula, MT (59803)

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Thursday, July 31, 2025 3:34 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear DEQ:

I strongly urge DEQ to reject the petition filed by the Lincoln County Commission to weaken Montana's site-specific water quality standard for selenium for Lake Koocanusa. This standard was created over several years with input from scientists associated with federal, state, and tribal governments along with local conservation organizations. It was established to protect the reproductive health of the many species of fish that inhabit Lake Koocanusa from pollution being discharged from Canadian mines just north of the border.

The Lincoln County Commission is proposing to double the selenium limit--a level that would lead to severe reproductive declines in the native fish species, for which the lake is renowned. The Commission has openly acknowledged that they want to raise the selenium limit in order to accommodate local industrial development. DEQ must remain strong and continue to protect Montana's precious water quality and its natural aquatic resources. Please say NO to Lincoln County Commission's petition to gut Lake Koocanusa's selenium standard, which would severely harm all aquatic life in the lake. Thank you for considering my comments.

Sincerely,

Jennifer Swearingen
[REDACTED]
Bozeman , MT 59715

From: Jacob Mortensen [REDACTED]
Sent: Wednesday, July 30, 2025 9:28 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lake Koocanusa Selenium Limits

Hello,

I'm writing to urge you to reject doubling the limits of selenium allowed into the Kootenai River and Lake Koocanusa. Keep Montana waters clean from Canadian coal mining.

Thank you

--

Jacob Mortensen
Missoula, MT

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Friday, July 25, 2025 9:26 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Morgan McNeill

[REDACTED]
Lolo, MT 59847

From: mailagent@thesoftedge.com on behalf of Patricia Simmons
<mailagent@thesoftedge.com>
Sent: Friday, July 25, 2025 2:36 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Please reject the petition submitted by the Lincoln County Commission because it does not meet selenium standards in Montana. We must protect our aquatic life in our Montana rivers and streams, regardless of commercial profits in Canada.

Sincerely,

Patricia Simmons

[REDACTED]
Bozeman, MT 59718-8628


From: mailagent@thesoftedge.com on behalf of Kylie Paul <mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 11:50 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Kylie Paul


Missoula, MT 59802

From: mailagent@thesoftedge.com on behalf of Colleen Tuxbury Tripp
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 12:24 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Colleen Tuxbury Tripp
[REDACTED]
Missoula, MT 59802-8611

From: mailagent@thesoftedge.com on behalf of Edward Callaghan
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 11:56 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Glencore's mines should be required to implement and install state-of-the-art pollution control technology and to post additional bonding in order to address the water pollution crisis that they have created. Montana shouldn't weaken our water quality standards in order to accommodate a FOREIGN corporation that's polluting OUR water.

Sincerely,

Edward Callaghan


Jackson, WY 83001

From: mailagent@thesoftedge.com on behalf of Colleen Tuxbury Tripp
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 12:22 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Colleen Tuxbury Tripp

[REDACTED]

Missoula, MT 59802

From: mailagent@thesoftedge.com on behalf of Kyle Scofield <mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 11:54 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Kyle Scofield



Anaconda, MT 59711

From: mailagent@thesoftedge.com on behalf of Kylie Paul <mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 11:52 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Kylie Paul



Missoula, MT 59802

From: mailagent@thesoftedge.com on behalf of Kyle Scofield <mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 11:52 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Kyle Scofield



Anaconda, MT 59711

From: mailagent@thesoftedge.com on behalf of John Oetinger
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 11:48 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition


Dear Montana:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

John Oetinger


Missoula, MT 59802

From: mailagent@thesoftedge.com on behalf of ashley Fischer
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 8:18 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

We deserve the right to defend and protect our water, not only for me but for future generations to come. I am asking you to please help us to protect our right to clean and safe water.

Sincerely,

ashley Fischer
[REDACTED]
Helena, MT 59601

From: mailagent@thesoftedge.com on behalf of Sarah McNerney
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 8:06 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Montana's site-specific selenium standards were developed after years of rigorous research and stakeholder involvement in order to determine the best water quality standard that will protect clean water and aquatic health.

Almost doubling the allowable concentration of selenium allowed in the Kootenai watershed is not supported by the rigorous and robust science that developed the original standard. Weakening the standard will undoubtedly compromise and negatively impact the clean water and aquatic life of the watershed.

Montana's clean water is an essential component of our economy and outdoor heritage. Risking our water quality - and the local jobs and revenue from recreation - is a reckless move, especially considering that the jobs and revenue derived from mining coal in the Elk Valley does not benefit Montana.

Glencore's mines should be required to implement and install state-of-the-art pollution control technology and to post additional bonding in order to address the water pollution crisis that they have created. Montana shouldn't weaken our water quality standards in order to accommodate a foreign corporation that's polluting our water.

Sincerely,

Sarah McNerney



Missoula, MT 59802-2604

From: mailagent@thesoftedge.com on behalf of Emma Trotter
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 8:48 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Emma Trotter

[REDACTED]
Missoula, MT 59803


From: mailagent@thesoftedge.com on behalf of Anellise Deters
<mailagent@thesoftedge.com>
Sent: Friday, July 25, 2025 7:22 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Anellise Deters


Shepherd, MT 59079

From: mailagent@thesoftedge.com on behalf of Anellise Deters
<mailagent@thesoftedge.com>
Sent: Friday, July 25, 2025 7:22 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Anellise Deters

[REDACTED]
Shepherd, MT 59079

From: mailagent@thesoftedge.com on behalf of Steven Kloetzel
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 5:30 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Please reject the effort to allow more pollution in the Kootenai River system, south of the Canadian border. DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Steven Kloetzel



Ovando, MT 59854

From: mailagent@thesoftedge.com on behalf of Trevor Anderson
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 4:12 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Trevor Anderson

[REDACTED]
Missoula, MT 59801

From: mailagent@thesoftedge.com on behalf of Kathryn Lemoine
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 5:58 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Montana's site-specific selenium standards were developed after years of rigorous research and stakeholder involvement in order to determine the best water quality standard that will protect clean water and aquatic health.

Almost doubling the allowable concentration of selenium allowed in the Kootenai watershed is not supported by the rigorous and robust science that developed the original standard. Weakening the standard will undoubtedly compromise and negatively impact the clean water and aquatic life of the watershed.

Montana's clean water is an essential component of our economy and outdoor heritage. Risking our water quality - and the local jobs and revenue from recreation - is a reckless move, especially considering that the jobs and revenue derived from mining coal in the Elk Valley does not benefit Montana.

Glencore's mines should be required to implement and install state-of-the-art pollution control technology and to post additional bonding in order to address the water pollution crisis that they have created. Montana shouldn't weaken our water quality standards in order to accommodate a foreign corporation that's polluting our water.

Sincerely,

Kathryn Lemoine

[REDACTED]

West Monroe, LA 71291

From: mailagent@thesoftedge.com on behalf of Kathryn Lemoine
<mailagent@thesoftedge.com>
Sent: Thursday, July 24, 2025 6:00 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Kathryn Lemoine

[REDACTED]

West Monroe, LA 71291-5373

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Monday, July 28, 2025 10:33 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Peyton Olson

[REDACTED]
Helena, MT 59601-4469

From: Rebecca Canright [REDACTED]
Sent: Sunday, July 27, 2025 7:31 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Please protect us from pollution.

Greetings, as a young person, I thank you for your work. I care about investing in environmental protection. Please uphold the highest pollution standards so as to prevent any land or water pollution in our beautiful state.

I'm concerned that on July 2, the Lincoln County, MT, Board of County Commissioners filed a Petition to weaken Montana's selenium standard by nearly doubling the amount of permitted pollution from 0.8 to 1.5 microgram/liter and weakening the definition of "steady state." It doesn't take much scrutiny to see this is an attempt by international commodity trader Glencore to put more pollution into Montana waters.

I respectfully ask DEQ to stay strong in its defense of the current legal, scientifically justified, and protective standard. Please don't backtrack on pollution.

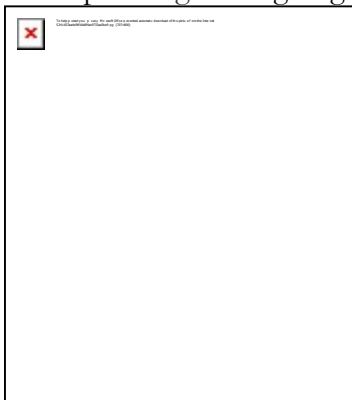
Thank you for your time and consideration!

Have a great day,

Rebecca

--

Frigate birds fly for months over the ocean and can engage in both regular sleep and use half their brain at a time to sleep during soaring or gliding flight.



Compassion for all creatures great and small.

From: Gwen Hoffnagle [REDACTED]
Sent: Sunday, July 27, 2025 5:31 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lake Koocanusa selenium standard

Please do not change the current selenium standard for the Lake Koocanusa area. It needs to be more stringent than the national standard to address the regioanl situation.

Gwen Hoffnagle

[REDACTED]

Lincoln County

Troy, MT 59935

[REDACTED]

From: Donna Gaukler [REDACTED]
Sent: Saturday, July 26, 2025 10:15 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Maintain Water Quality - reject attempts to reduce standards

Montanans have worked hard over the past decades to clean up and protect our greatest assets: clean water and air

Few places in the world can celebrate what Montanans have accomplished in caring for our natural environment.

Please reject attempts to reduce standards that maintain Montanans quality of life.

Donna Gaukler
Missoula MT

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Saturday, July 26, 2025 9:02 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Sincerely,

Jill Davies

[REDACTED]
Victor, MT 59875

From: cheryl Bramsen [REDACTED]
Sent: Friday, July 25, 2025 11:38 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Canadian Coal Mining

Aren't you tired of watching little children die because of the poison created by coal mining? I am STRONGLY opposed to making it easier for coal mining to continue to poison the water and air. Recently, Lincoln County petitioned DEQ to lower the standards for selenium so rich owners of the coal mines could rape more of our lands. I am opposed to continuing practices of mining and burning dirty coal. Wind and solar is far out pacing the need for this type of pollution from coal. You know better! You are supposed to protect Montana land and water from pollution! Please, do your jobs and deny lowering the selenium standards. Thank you.

Cheryl Bramsen
Florence MT

From: David Spildie [REDACTED]
Sent: Friday, July 25, 2025 7:50 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium Standards in Lake Koocanusa

Selenium standards for Lake Koocanoosa must not be weakened Montana to grovel to a foreign corporation that is polluting critical United States waters. DEQ must stay strong in its defense of this legal, scientifically justified, and protective standard. Thank you,
Dave Spildie - Missoula Montana resident

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Friday, July 25, 2025 4:56 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

DEQ has done an admirable job of defending the site-specific standard at Lake Koocanusa, and I urge DEQ to reject the petition filed by the Lincoln County Commission. This standard was created over the course of years, with input from many stakeholders and scientists. Less pollution in our water is better, and allowing more pollution only helps out-of-country corporations.

Please don't back down in your defense of our waterways. The Lincoln County Commission is making an outrageous ask that should not be considered.

Sincerely,

Sas Weber

[REDACTED]
Belgrade, MT 59714

From: Whitney Lonsdale [REDACTED]
Sent: Thursday, July 24, 2025 12:11 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium pollution standard

Dear DEQ,

I am writing to state my deep opposition to the Lincoln County Commissioners petition to increase the allowable selenium pollution limit from 0.8 to 1.5 micrograms/liter and to weaken the definition of steady state. DEQ, and the state's county commissioners, should be doing everything they can to protect our state's water quality, which is under threat from many different sources. One of these is mining on the Kooncanusa River in Canada, the pollution from which ends up in our river systems. Weakening these standards is an abdication of your duty to protect our water quality. The request is a transparent move by the mining company to enable the release of more pollutants. What possible benefit could there be for Montana residents to allow this to happen - for this or any mine? Once these pollutants are in our surface water, groundwater and sediment, they are incredibly difficult to remove. Montana's water quality is one of our cornerstone resources and is foundational to our tourism, recreation, and agricultural economies. I ask you to deny this petition and protect our water quality, and Montanans' constitutional right to a clean and healthful environment.

Thank you,
Whitney Lonsdale
--
Whitney Lonsdale

[REDACTED]

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Wednesday, July 23, 2025 8:20 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

Catherine Barker
[REDACTED]
Helena, MT 59601

From: [REDACTED]
Sent: Wednesday, July 23, 2025 4:13 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Protect MT waters

To the DEQ of Montana:

On July 2, the Lincoln County, MT, Board of County Commissioners filed a Petition to weaken Montana's selenium standard by nearly doubling the amount of permitted pollution from 0.8 to 1.5 microgram/liter and weakening the definition of “steady state.” It doesn’t take much scrutiny to see this is an attempt by international commodity trader Glencore to put more pollution into Montana waters. **I am urging you - the Montana DEQ to stay strong in its defense of the current legal, scientifically justified, and protective standard.**

Sincerely,
Sue Kronenberger

[REDACTED]
Helena

From: Rebekah Zimmer [REDACTED]
Sent: Wednesday, July 23, 2025 10:48 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Pollution standards

As a lifelong MT resident, I implore those involved in this matter to protect our already struggling MT standard of beauty from corporations in whatever way possible. If you give an inch they will take a foot, it's the nature of their goals, which are purely profit. The MT I thought I was growing up in was about healthy balance for industry related to healthy life (farming, ranching, hunting, fishing, recreating, etc.) which requires healthy water, soil, plants, animals, insects and air. Please don't let polluters dictate what's an acceptable level; our cancers are not their concern.

Sincerely,
Rebekah Zimmer
Stanford, MT, Havre, MT, Missoula, MT

From: [REDACTED]
Sent: Wednesday, July 23, 2025 10:25 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] selenium standard

I urge the DEQ to reject the Lincoln County Commission petition to weaken Montana's scientifically established selenium standard at Lake Koocanusa. It is the absolute responsibility of commercial enterprises to invest in measures that protect the clean waters treasured by Montanans and required by healthy aquatic systems. We must not allow these enterprises to externalize the costs of their environmental degradation. They must invest in cleaner technologies and DEQ can maintain the incentive.

Gary Matson
[REDACTED]
Milltown MT 59851
[REDACTED]

From: mailagent@thesoftedge.com on behalf of [REDACTED]
Sent: Wednesday, July 23, 2025 8:02 AM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Comment on Water Quality Standards Petition

Dear Montana:

Firstly, thank you, DEQ for establishing a more protective standard in Montana waters especially prone to pollution. I understand this was done over several years with much input and legal compliance.

I urge you to reject the petition submitted by the Lincoln County Commission because it flies in the face of this legal, protective standard. I support high water quality standards that are protective of aquatic life from selenium.

Sincerely,

John Dunkum

[REDACTED]
Missoula, MT 59801

From: Mark Payne [REDACTED]
Sent: Tuesday, July 22, 2025 2:23 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Selenium Standards

Dear Department of Environmental Quality,

The recent request by the Lincoln County, MT Board of County Commissioners to weaken Montana's selenium standard makes very little economic nor environmental sense.

I urge you to maintain your defense of the current legal and scientifically justified and protective selenium standard.

Respectfully,

Mark Payne
Bozeman, MT

From: Erickson, Dana <Erickson.Dana@epa.gov>
Sent: Wednesday, August 13, 2025 2:51 PM
To: DEQ Lake K Petition
Cc: Bahrman, Sarah; DeJong, Stephanie; Krywaruchka, Lindsey; Ulven, Andy; Makarowski, Katie
Subject: [EXTERNAL] Comments on Petition for Rulemaking to Modify ARM 17.30.632(7)(a) and ARM 17.30.602(32)
Attachments: Montana DEQ Selenium Petition Comments EPA Aug 13 2025.pdf

Dear Montana Department of Environmental Quality,

On behalf of Sarah Bahrman, Acting Director, Water Division, U.S. Environmental Protection Agency – Region 8, please see the attached comments regarding the petition for rulemaking, pursuant to 2-4-315, MCA, to modify the selenium water column standard for Lake Koocanusa at ARM 17.30.632(7)(a) and the definition of steady state at ARM 17.30.602(32) from the Board of County Commissioners of Lincoln County, dated July 2, 2025.

Sincerely,

Dana Erickson
Water Quality Section Supervisor
U.S. EPA Region 8
303-312-6017



REGION 8

DENVER, CO 80202

Montana Department of Environmental Quality

DEQLakeKPetition@mt.gov

To Whom It May Concern,

The U.S. Environmental Protection Agency (EPA) is providing comments regarding the petition for rulemaking, pursuant to 2-4-315, MCA, to modify the selenium water column standard for Lake Koocanusa at ARM 17.30.632(7)(a) and the definition of steady state at ARM 17.30.602(32) from the Board of County Commissioners of Lincoln County, dated July 2, 2025.

The EPA has reviewed the petition and associated materials provided online at https://deq.mt.gov/News/publiccomment-folder/Water-Quality_Standards-Petition (dated July 14, 2025) and offers the following comments.

Technical Support Materials

The Technical Support Materials (<https://www.epa.gov/wqc/aquatic-life-criterion-selenium>) that the EPA published in April 2024 do not impose legally binding requirements on states. States retain the discretion to use approaches that differ from those provided in the Technical Support Materials, as appropriate and consistent with statutory and regulatory requirements. On February 25, 2021, the EPA approved Montana's water quality standards at issue in the petition because they were consistent with the requirements of the Clean Water Act (CWA) and its implementing regulations that are unchanged by the 2024 Technical Support Materials. Those water quality standards remain in effect for CWA purposes.

Bilateral Efforts to Address Selenium in the Kootenai Watershed

As DEQ is aware, there are bilateral efforts currently underway to address selenium and other transboundary pollution issues in the Elk-Kootenai/y watershed. For example, Canada and the United States recently referred the Elk-Kootenai/y transboundary water pollution issues to the International Joint Commission (IJC), which was established by the Boundary Waters Treaty of 1909. At the request of both federal governments, in March 2024, the IJC formed a Governance Body and Study Board for the watershed, whose work is ongoing. The Study Board's report is expected in September 2026 and the Governance Body's action plan is expected in 2027.

In addition, the British Columbia Ministry of Environment and Parks (ENV) issued Ministerial Order 232 on July 9, 2024, which made several amendments to the Elk Valley Water Quality Plan (Plan). Phase 2 of the Plan Amendments provides that, *“The purpose of Phase 2 of the Plan Amendments is to review the Plan’s existing selenium water quality target for the Canadian portion of Koocanusa Reservoir based on consideration of the best available information, and to recommend any amendments to the Plan’s existing target if indicated through the review.”* The Ministerial Order notes that the Montana State Government and the U.S. Federal Government will be invited to participate in an advisory committee for the Phase 2 amendments. The Terms of Reference for Phase 2 of the Plan Amendment are due on March 31, 2026.

Both the IJC and ENV efforts could help inform DEQ on selenium data, information, and science for Lake Koocanusa. The EPA therefore recommends that DEQ consider whether it is appropriate to make any potential revisions to the Lake Koocanusa selenium criterion at this time given these efforts are still underway and may result in newly developed information.

Thank you for allowing the EPA to comment on this important matter.

Sincerely,

Sarah Bahrman
Acting Director, Water Division

From: Mebane, Christopher A [REDACTED]
Sent: Wednesday, August 13, 2025 4:14 PM
To: DEQ Lake K Petition
Cc: Schmidt, Travis S; Storb, Meryl B; Kilpatrick, John M; Schaar, Melissa A
Subject: [EXTERNAL] Written data relevant to a Petition for Rulemaking to Modify ARM 17.30.632(7)(a) and ARM 17.30.602(32)

Dear DEQ,

This is in response to your request for written data, views, or arguments relevant to a petition to change water quality standards for selenium in the Montana portions of the Kootenai River and Lake Koocanusa reservoir. The U.S. Geological Survey (USGS) has collected a large amount of pertinent data on both water bodies. In recent years, this data collection has been primarily completed by two USGS groups: the Wyoming-Montana Water Science Center based in Helena, MT and the Idaho Water Science Center, based in Boise, ID. This response only pertains to data collected by the latter group (Idaho USGS) from the Kootenai River, downstream of Libby Dam.

The bulk of our relevant published data are available from Murray and others ([2025 \[doi.org\]](#)) online data release at the link below. Additionally, an interpretive paper that summarizes this same dataset is available (Mebane and others, [2025 \[doi.org\]](#)). Data of potential regulatory interest include selenium in fish ovary tissue, fish muscle tissue, and selenium in water, among many other data types. The data are from two areas in the Montana portion of the Kootenai River, the “Tailwater” reach downstream of the dam, and a “Canyon” reach downstream of the Yaak River confluence.

In short, these data showed that during the time of sampling (2020 and 2021), fish ovary selenium concentrations often exceeded the Montana Kootenai/Koocanusa fish egg/ovary selenium criterion component of 15.1 mg/kg Se dry weight in two species, mountain whitefish and redbside shiner. Four other species that were monitored had ovary Se concentrations that were generally less than the 15.1 mg/kg criterion value (rainbow trout, kokanee, northern pikeminnow, and slimy sculpin). At the Tailwater site downstream of Libby Dam, ovary selenium concentrations in about 11 of 17 mountain whitefish and the 12 of 15 redbside shiner exceeded the 15.1 mg/kg criterion value. At the Canyon site, 24 of 30 mountain whitefish and 5 of 9 redbside shiner exceeded the 15.1 mg/kg criterion value (Figure 8 in Mebane and others, 2025). Selenium concentrations in water during these times ranged from about 0.8 to 1.3 µg/L during the September samplings when for example, the fall-spawning mountain whitefish were collected, and about 0.6 to 1.2 µg/L during April when the spring-spawning rainbow trout and sculpin were collected. These data suggest that the fish egg/ovary criterion element may be exceeded in some species in the Kootenai River downstream from Lake Koocanusa, even though the selenium concentrations in river water were consistently less than the proposed criterion of 1.5 µg/L.

This is only intended as a quick summary of some available data that may be pertinent to your inquiries. The authoritative version of the data described in the paragraph above are available online at Murray and others ([2025 \[doi.org\]](#)).

Sincerely,

Christopher Mebane

Acting Director, [Idaho Water Science Center \[usgs.gov\]](https://www.usgs.gov/), U.S. Geological Survey, 230 Collins Rd., Boise, ID 83702 USA, 208 387 1308; ([Staff profile \[usgs.gov\]](#); [Scholar profile \[scholar.google.com\]](#))

References:

Mebane, C.A., A.R. Stewart, E.M. Murray, T.M. Short, V.A. Kocen, and L.M. Zinsser. 2025. Bioaccumulation and trophic transfer of selenium in a large oligotrophic river. *Environmental Toxicology and Chemistry*. <https://doi.org/10.1093/etjnl/vgaf149> [doi.org]

Murray, E.M., V.A. Kocen, C.A. Mebane, A.R. Stewart, T.M. Short, E. Kakouros, N. Parrish, G.M. Hoyle, and L.M. Zinsser. 2025. Selenium in water, sediment, periphyton, benthic macroinvertebrate, and fish tissues from the Kootenai River, Idaho and Montana. U.S. Geological Survey Data Release. <https://doi.org/10.5066/p9xup6gt> [doi.org]

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From: Montana DEQ montanadeq@announcements.mt.gov

Sent: Wednesday, August 6, 2025 14:02

To: Mebane, Christopher A cmebane@usgs.gov

Subject: UPDATED Venue and Remote Meeting Links: Petition for Rulemaking to Modify ARM 17.30.632(7)(a) and ARM 17.30.602(32)

Dear Kootenai Interested Party,

On July 2, 2025, the Montana Department of Environmental Quality (department) received a petition for rulemaking, pursuant to 2-4-315, MCA, to modify the selenium water column standard for Lake Koocanusa at ARM 17.30.632(7)(a) and the definition of steady state at ARM 17.30.602(32), from the Board of County Commissioners of Lincoln County.

Within 60 days after submission of the petition, the department must either deny the petition in writing or initiate rulemaking proceedings in accordance with 2-4-302, MCA through 2-4-305, MCA.

The petition, associated Appendices A through P, and submitted EVR references cited can be found on the department's website: https://deq.mt.gov/News/publiccomment-folder/Water-Quality_Standards-Petition [[links-1.govdelivery.com](https://1.govdelivery.com)].

On August 13, 2025, at 1:00 pm, the department will hold a public hearing **in Room 102 of the Montana State Capitol at 1301 E 6th Ave, Helena, MT 59601** to allow interested persons to present their views on the petition. You are invited to submit data, views, or arguments concerning this petition orally, in writing, or both at the hearing. You may also join the hearing virtually via Zoom. The public hearing information can be found on the department's website: https://deq.mt.gov/News/publiccomment-folder/Water-Quality_Standards-Petition [[links-1.govdelivery.com](https://1.govdelivery.com)]. The department will make reasonable accommodation for persons with disabilities who wish to participate.

Written data, views, or arguments may also be submitted to the Department of Environmental Quality, P.O. Box 200901, Helena, Montana 59620-0901; faxed to (406) 444-4386; or e-mailed to DEQLakeKPetition@mt.gov. To be guaranteed consideration, mailed comments must be postmarked no later than 11:59 p.m. on August 13, 2025.

From: Kilpatrick, John M [REDACTED]
Sent: Wednesday, August 13, 2025 7:51 AM
To: DEQ Lake K Petition
Cc: Schaar, Melissa A; Schmidt, Travis S; Storb, Meryl B; Mebane, Christopher A
Subject: [EXTERNAL] USGS WY-MT Water Science Center response to Lincoln Co. petition for rulemaking
Attachments: USGS WY-MT WSC response to LincolnCo_Petition for Rulemaking.pdf

Attached please find the subject USGS WY-MT Water Science Center response to the Lincoln Co. petition for rulemaking.

Thanks for the opportunity to comment.

John

John Kilpatrick (jmkilpat@usgs.gov)
Director, Wyoming-Montana Water Science Center
Acting Director, Dakota Water Science Center
U.S. Geological Survey
Helena, Montana
Mobile: [REDACTED]



United States Department of the Interior

U.S. Geological Survey
Wyoming-Montana Water Science Center

Helena Office
3162 Bozeman Avenue
Helena, Montana 59601

Cheyenne Office
521 Progress Circle, Suite 6
Cheyenne, WY 82007

August 13, 2025

Montana Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901

RE: Comments on Lincoln Co. Board of Co. Commissioners July 2, 2025 Petition for Rulemaking

Dear Sir or Madam:

We appreciate the opportunity to comment on the referenced petition and clarify a few references or inferences to USGS science related to selenium in Lake Koocanusa.

The following are USGS responses to specific parts of the petition:

1. Section III, A. Line 3 and 4: *“and new fish egg data from Lake Koocanusa confirm that tissue standards are not exceeded”*

There is not a citation of scientific literature associated with this statement.

The USGS has collected fish ovary data since 2021 and has compared these recent data with publicly available data ([Water Quality Portal](#)) collected by other agencies since 2008. The new data (2021,2022) are available here:

- <https://www.sciencebase.gov/catalog/item/640f47f5d34e254fd352e15e>
- <https://www.sciencebase.gov/catalog/item/68125b3ad4be02416e14863c>

Preliminary interpretations of these data in scientific fora include:

- Moloney, M.A.*, Molbert, N., Foster, M.J., Dunnigan, J.L., Selch, T.M., Brandt, J., Zampetti, C., Schmidt, T.S., Mebane, C.A., Stewart, A.R., Jansson, S.E., Ogorek, J.M., Cleveland, D.M., Stricker, C.A., Blazer, V.S., Kocen, V.A. 2024a. Exploring selenium and mercury accumulation in fish tissue from Lake Koocanusa 2022. Montana Aquatic Research Conference. Flathead Biological Science Station, Polson, Montana. April 11th -13th.
- Moloney, M.A.*, Molbert, N., Foster, M.J., Dunnigan, J.L., Selch, T.M., Welsh, H., Blazer, V.S., Brandt, J., Zampetti, C., Schmidt, T.S., Mebane, C.A., Stewart, A.R., Jansson, S.E., Ogorek, J.M., Cleveland, D.M., Stricker, C.A., Blazer, V.S., Kocen, V.A. 2024b. Consequences of long-term metal exposure to productive health in fish from Lake Koocanusa. Society for Freshwater Science Annual Meeting. Philadelphia, PA. June 2-6th.
- Molbert, N.*, Dunnigan, J.L., Feyrer, F.V., Johnson, R.C., Schmidt, T.S., Webb, S.M., Brandt, J.E., 2024. Integrated multi-scale approaches to elucidating long-term selenium exposure in freshwater fish from Lake Koocanusa. Society for Freshwater Science Annual Meeting. Philadelphia, PA. June 2-6th.

The historical review (2008-2022) by Molbert et al. (2024) highlights significant findings regarding selenium (Se) concentrations in fish ovaries in Lake Koocanusa. The study found that ovary Se

concentrations exceeded the EPA regulatory criteria of 15.1 µg/g dry weight (dw) in egg-ovary tissue in three of the ten species collected. Specifically, 32% of Redside Shiners and 16% of Peamouth Chubs caught, had ovary Se levels above the EPA threshold, with maximum values reaching 38.8 µg/g dw.

Redside Shiners exhibited the highest average concentrations in ovaries, followed by Peamouth Chubs and then Northern Pikeminnows (Molbert et al 2024, Moloney et al 2024a,b). Exceedances of the selenium ovary standard have been consistently observed in Redside Shiners and Peamouth Chubs every year since 2018 (Moloney et al. 2024a, b). Additionally, histological anomalies indicating reproductive dysfunction have been tracked since 2021, showing a parallel trend with the rate of selenium ovary standard exceedances, with Redside Shiners being the most affected, followed by Peamouth Chubs and Northern Pikeminnows (Moloney et al. 2024a).

In summary, recent fish tissue data collected by USGS and comparisons of these new data to historical data available in the [Water Quality Portal](#), as described in preliminary interpretations presented by USGS at scientific conferences in the references above, do not support the statement “and new fish egg data from Lake Koocanusa confirm that tissue standards are not exceeded”.

2. Section III, A. Page 4, Lines 1-2: “the United States Geological Survey has also confirmed that fish reproductive tissue was a data gap¹¹ during model development in the initial rulemaking”

This statement cites oral testimony from John Kilpatrick, Director of the USGS’ WY-MT Water Science Center, but does not include the full context of the testimony. In response to questioning, Mr. Kilpatrick rejected the characterization of the need to use fish tissue data from the scientific literature, instead of site-specific data for the model developed by the USGS to translate fish tissue concentrations to water concentrations, as a “data gap.” The USGS model represented the best available science at the time it was developed. The lack of sufficient site-specific data on selenium concentration in fish tissue was identified as an area for further study and data collection. Following the model development, as noted previously in this letter, USGS began regularly collecting fish tissue data in 2021, in collaboration with Montana Fish, Wildlife and Parks, and those data are made publicly available as they are received from the lab and approved for release. The lack of site-specific data on selenium concentration in fish tissue identified by USGS during model development was not primarily related to maturity of fish ovaries but instead overall fish health. Use of maturity of ovaries as a determinant of the validity of fish tissue data is not included in the USEPA criterion guidance for selenium.

3. Section 3 B. Page 7 Line 1 of the final paragraph: “Further, selenium concentrations at the mouth of Elk River are neither new nor increasing.”^{23,24},
²³ [Storb, Meryl B., Bussell, Ashley M., Caldwell Eldridge, Sara L., Hirsch, Robert M., and Schmidt, Travis S. 2023. Growth of Coal Mining Operations in the Elk River Valley \(Canada\) Linked to Increasing Solute Transport of Se, NO₃⁻, and SO₄²⁻ into the Transboundary Koocanusa Reservoir \(USA–Canada\)](#)

The phrase above cites a USGS paper by Storb et al., 2023. The paper found the opposite of what was stated and cited in the petition, so listing the citation for Storb et al., 2023 in this context is misleading and incorrect. The conclusions are clear in the title of the paper. In addition, selected, direct quotations are addressed below. In general, Storb et al., 2023 provided evidence that selenium concentrations in the Elk River entering Koocanusa between 1979-2022 were increasing in time and the result of mine operations in the Elk River watershed.

“Increases in concentration (SO_4^{2-} 120%, Se 581%, NO_3^- 784%) and load (SO_4^{2-} 129%, Se 443%, NO_3^- 697%) in the Elk River (1979–2022 for NO_3^- , 1984–2022 for Se and SO_4^{2-}) are among the largest documented increases in the primary literature”

“Like Se, NO_3^- and SO_4^{2-} concentrations in the Elk River have followed a trajectory where average, maximum, and minimum concentrations are all increasing, in addition to increases in amplitude in annual patterns among high and low concentrations...”

4. Figure. Flow-normalized selenium concentration trends at the Elk River through 2024. And text on page 8: “Recent water quality data and trend analyses using publicly available models (Storb et al., 2023) confirm that selenium concentrations from sources into Lake Koocanusa are decreasing and, consistent with EPA 2024 guidance, fish tissue criterion elements should take precedence for CWA implementation”:

To be clear, the figure shown at the top of page 8 and the first sentence in the top paragraph are not USGS science, but instead are apparently based on an application of the USGS model documented in Lang and Storb, 2023. With no publication citation or other documentation, we’re not able to review the details of this model application and are unable to evaluate its veracity. The original USGS model was peer-reviewed and published with all model datasets. Without these details for this new application of the USGS’ original WRTDS model, it’s not possible to evaluate the assertions based on this new model application. Furthermore, the model published in Storb et al. 2023 included 95% confidence intervals and the model shown in the petition document does not illustrate any uncertainty with the model. It is possible that uncertainty associated with this new model application could show trends in the last few years modeled that could be flat, increasing, or decreasing, but it’s not possible to conclusively determine the trend without some evaluation of uncertainty associated with the model. Uncertainty, in addition to an understanding of the data quality and set up of the model, are necessary to determine the validity of any conclusions.

Thanks again for the opportunity to comment on the referenced petition. We’d be happy to clarify any of these USGS responses to the petition if needed.

Sincerely,

John M. Kilpatrick
Director

From: Richard Janssen [REDACTED]
Sent: Thursday, August 7, 2025 3:39 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] I plan on attending the hearing in person on August 13, 2025 at 1 p.m.

On August 13, 2025, at 1:00 pm, the department will hold a public hearing in **Room 102 of the Montana State Capitol at 1301 East 6th Ave, Helena, MT 59601** to allow interested persons to present their views on the petition. You are invited to submit data, views, or arguments concerning this petition orally, in writing, or both at the hearing. You may also join the hearing virtually via Zoom. The department will make reasonable accommodation for persons with disabilities who wish to participate.

Written data, views, or arguments may also be submitted to the Department of Environmental Quality, P.O. Box 200901, Helena, Montana 59620-0901; faxed to (406) 444-4386; or e-mailed to DEQLakeKPetition@mt.gov. To be guaranteed consideration, mailed comments must be postmarked no later than 11:59 p.m. on August 13, 2025.

Public hearing information:

August 13, 2025, at 1:00 pm

Montana State Capitol, Room 102

1301 East 6th Ave Helena, MT 59601

Rich

Rich Janssen Jr., MBA  
Department Head
Natural Resources Department
Confederated Salish & Kootenai Tribes
PO Box 278
Pablo, MT 59855
Rich.janssen@cskt.org
(406) 261-3356 cell
www.cskt.org [cskt.org]



A People of Vision

From: Jeff Bader [REDACTED]
Sent: Wednesday, August 6, 2025 3:20 PM
To: DEQ Lake K Petition
Subject: [EXTERNAL] Lincoln County selenium

To whom it May concern,

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In The Matter Of:
Before the Department of Environmental Quality
Transcript of Proceedings

Public Hearing on Petition for Rulemaking
August 13, 2025

Lesofski Court Reporting, Inc.
7 West Sixth Avenue, Suite 2C
Helena, MT 59601
406-443-2010

Min-U-Script® with Word Index

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
OF THE STATE OF MONTANA

In the matter of ARM)
17.30.602(32) and)
17.30.632(7)(a) pertaining)
to the definition of)
"steady state" and)
site-specific water column)
water quality criteria)

TRANSCRIPT OF PROCEEDINGS - PUBLIC HEARING
PETITION FOR RULEMAKING

BE IT REMEMBERED, that the proceedings in the
above-captioned matter was heard before Presiding
Officer Lindsey Krywaruchka at the Montana State
Capitol, 1301 East Sixth Avenue, Room 102,
Helena, Montana, on the 13th day of August, 2025,
beginning at the hour of 1:00 p.m., before Laurie
Crutcher, Registered Professional Reporter, Notary
Public.

* * * * *

1 WHEREUPON, the following proceedings were
2 had and testimony taken, to-wit:

3 * * * * *

4 PRESIDING OFFICER KRYWARUCHKA: Good
5 afternoon everyone. This hearing is called to
6 order. Let the record show that it is August
7 13th, 2025 at 1:00 p.m. This is a hybrid hearing
8 taking place in Room 102 of Montana State Capitol
9 located at 1301 East Sixth Avenue in Helena,
10 Montana, as well as online via Zoom.

11 This is the time and place set for the
12 public hearing in the matter of the Lincoln County
13 Board of County Commissioners' petition for
14 rulemaking to modify the definitions of
15 "steady-state," quote, at ARM 17.30.602 sub (32),
16 and the Lake Koocanusa water column water quality
17 standard at 17.30.632 Sub(7)(a).

18 My name is Lindsey Krywaruchka. I am
19 the Montana Department of Environmental Quality
20 Water Quality Division Administrator, and I will
21 preside over this hearing. This hearing is
22 conducted pursuant to Title 2-4-315 of the Montana
23 Code Annotated to develop the record, record
24 evidence, and allow the Petitioner, the Lincoln
25 County Board of County Commissioners, and

1 interested persons to present their views on the
2 petition.

3 I'm also advising everyone present today
4 of the requirement in Montana law that agencies of
5 State government create and maintain a list of
6 persons who are interested in the agency's
7 rulemaking proceedings. An agency's interested
8 persons list must indicate the subject or subjects
9 in which each person on the list is interested.

10 Persons who wish to have their names
11 placed on the list will receive notice of all
12 agency rulemaking notice in the subjects
13 indicated. Anyone here today who would like to
14 have their name placed on one or more of the
15 Department of Environmental Quality's interested
16 persons lists may do so by filling out the forms
17 available here today, and leaving them with me at
18 the close of this hearing.

19 You may use that form to indicate which
20 areas of rulemaking interest you, so that the
21 Department of Environmental Quality can notify you
22 of future rulemaking hearings in that area.
23 Alternatively you can email Loryn Johnson at
24 loryn.johnson2@mt.gov to be placed on the
25 interested persons list.

1 The Department of Environmental Quality
2 provided notice of this hearing on the Department
3 of Environmental Quality's website and through
4 letters to interested persons. I'm requesting
5 that any person wishing to present testimony put
6 their name on the signup sheets that are available
7 here today, and anyone appearing via Zoom that
8 would like to testify, please indicate when asked
9 by raising your hand for testimony from parties
10 testifying in support, in opposition, or neutral
11 on the petition.

12 Anyone joining this hearing via
13 telephone wishing to provide oral testimony must
14 use the Zoom link provided. So if you did join us
15 today on Zoom, you called in to a number, we are
16 asking that you sign up via the Zoom link that was
17 sent or provide us written testimony.

18 A Court Reporter is preparing a
19 transcript of this hearing. All witnesses
20 presenting oral testimony should move close to the
21 microphone, and speak clearly when it's time.
22 Prior to making your statement please identify
23 yourself by your name and affiliation, if any, and
24 state whether you support, oppose, or are neutral
25 on the petition. You may also submit written

1 testimony or comments to me today or by email.

2 The purpose of this hearing is to
3 complete the record before the Department of
4 Environmental Quality by receiving all relevant
5 comments and information regarding the petition.
6 Formal rules of evidence will not be observed, but
7 testimony must be relevant to the petition for
8 rulemaking before the Department.

9 We have a reasonable number of those
10 here today wishing to testify, so I would ask that
11 instead of adding a time limit to folks'
12 testimony, we would just respect everyone's time,
13 and we will indicate if you've gone over ten
14 minutes.

15 We'll begin this hearing by hearing any
16 comments from a representative of the Petitioner,
17 the Lincoln County Board of County Commissioners.

18 COMMISSIONER DURAM: Thank you very
19 much. I appreciate the opportunity to bring this
20 very important piece to the DEQ. One of the
21 questions we have in Lincoln County is -- Noel
22 Duram. I'm the Lincoln County Commissioner from
23 Eureka, and I represent the Lincoln County
24 Commission.

25 One of the things that we in Lincoln

1 County have looked at over the last, well, many
2 years is our economic development, as well as
3 being for the county. We've watched 60 years of
4 policy affect our county on the economic level
5 that has, whether we like the regulations or not,
6 some of the regulations were beyond us.

7 This particular regulation is another
8 one of those things that we see from Lincoln
9 County Commissioners' point of view as another one
10 of those items that bring out a standard that
11 doesn't match where we are at with regulatory
12 stuff, and so we're asking for this petition to be
13 brought up, and to have the standard taken from a
14 site-specific to the EPA standard that we have
15 discussed on many of our correspondence back and
16 forth.

17 That ensures both the safety of the
18 water, as well as the safety of the people, and it
19 does have an economic development. We see that
20 the standard that this particular standard does
21 affect, only from my understanding -- correct me
22 if I'm wrong -- from our understanding, it only
23 affects new applications for discharge into the
24 Lake Kooncanusa. It doesn't actually affect
25 anybody that's currently discharging into it from

1 another entity or another region. It does affect
2 Lincoln County specific.

3 With that in mind, we want to make sure
4 we have all the tools in our tool box available to
5 us to be able to bring out any economic
6 development that should come in the future without
7 having undue regulation. That's why we brought
8 this one.

9 I'm not a scientist. I've read both the
10 EPA standard for selenium, as well as the DEQ
11 stuff. Maybe I'm not smart enough to catch
12 everything, but in my understanding of it, my
13 working knowledge of it, the standard that should
14 be set is excessively higher, about two times the
15 limit of what the DEQ set in their site-specific
16 one.

17 We would like that to be reviewed. I
18 understand there's time constraints, and limits,
19 and manpower, work force, but for Lincoln County,
20 for our growth, our development, it's vitally
21 important. That's why we brought this issue
22 before you guys.

23 With that being said, we do understand
24 that there's a water quality issue. We do know
25 that. We recognize that. We recognize that the

1 headwaters of the Koocanusa do have some pollution
2 coming into them from an entity that we have no
3 control over.

4 It's been 100 years coming. This
5 problem, no matter what happens on the other side
6 of the border, will be in existence for Lincoln
7 County and Koocanusa for a thousand years to come
8 probably, because the spoils of that activity will
9 allow selenium to continue to come into the
10 reservoir.

11 We're not asking you reduction of the
12 individuals who are making the pollution. We're
13 asking just for the standard to be set at a level
14 that is consistent with the EPA standards, as well
15 as something that we, Lincoln County, can see as
16 reasonable for us to follow for our future
17 development; again, trying to take ownership for
18 ourselves, as well as the knowledge that
19 regulation sometimes happens above us, but if we
20 don't try and stop some of the regulation that is
21 what we see as overbearing, then we're wrong if we
22 miss out on that.

23 So to protect our environment, our
24 constituents, our economic development, we believe
25 that this is the best route for us is to get the

1 petition to review the standards, and actually
2 bring the standards up to what the EPA is.

3 So with that, I enjoy working with the
4 DEQ as we move forward in this process. And I
5 understand there's triennial reviews on this as
6 well. We look forward to that in the future as a
7 partnership with the DEQ and Lincoln County going
8 forward. And we'll do our part.

9 So with that, that's what I have.

10 PRESIDING OFFICER KRYWARUCHKA: Thank
11 you, Mr. Duram. We will continue with comments in
12 the room, hearing from proponents of the petition
13 in the room.

14 (No response)

15 PRESIDING OFFICER KRYWARUCHKA: Are
16 there any proponents in the room?

17 (No response)

18 PRESIDING OFFICER KRYWARUCHKA: Katya,
19 are there any proponents online?

20 KATYA: Mr. Chairman, there are no
21 proponents online. Nobody raised their hand.

22 PRESIDING OFFICER KRYWARUCHKA: Thank
23 you. We will then move to testimony from people
24 in person who are opponents of the petition in the
25 room, in the room opponents of the petition.

1 First we have Mike, last name begins with a "B."
2 I can't read it. Please state and spell your name
3 and affiliation, and whether you are in support or
4 opposed.

5 MR. BIAS: Good afternoon. My name is
6 Mike Bias, B-I-A-S. Sorry for my illegible name.
7 I'm Executive Director of the Fishing Outfitters
8 Association of Montana, which our unique mission
9 is to protect and conserve Montana's aquatic and
10 riparian resources, maintaining and sustaining the
11 viability of Montana's fishing outfitting
12 industry. We are an opponent of the petition.

13 Selenium is a scary element. Early in
14 my career, I'd finished my Ph.D., and I was a
15 wetlands and waterfowl ecologist for Ducks
16 Unlimited, where I worked in the central valley of
17 California. And we did extensive remediation work
18 at Kesterton National Wildlife Refuge, where if
19 you go back in your history books, it was quite a
20 problem there.

21 On behalf of the Board of Directors and
22 over a thousand professionally licensed guides and
23 outfitters, I'm here to urge the Montana
24 Department of Environmental Quality that they
25 maintain the existing and current site-specific

1 standards for selenium in both the lake and river.

2 The existing standards were based on
3 years of public engagement, rigorous science, and
4 best practices, including following the US EPA's
5 guidelines.

6 Lincoln County Commissioners' petition
7 provides no legitimate new data to warrant
8 weakening the DEQ's specific standard for selenium
9 in these water bodies.

10 We look forward to DEQ upholding the
11 current standard in the face of yet another
12 baseless effort to weaken it through the elected
13 officials of Lincoln County looking out for the
14 global mining interests in Canada rather than
15 Montanans or Montana's precious natural resources.
16 Thank you for the opportunity to comment.

17 PRESIDING OFFICER KRYWARUCHKA: Thank
18 you. Next we have Derf Johnson registered in
19 person.

20 MR. JOHNSON: Thank you. Nice to see
21 all of you. My name is Derf Johnson, D-E-R-F
22 J-O-H-N-S-O-N, and I'm here representing the
23 Montana Environmental Information Center.

24 And indeed selenium is a scary element,
25 and we're not talking about a little bit of

1 pollution here. What we're talking about is
2 possibly the worst case of selenium contamination
3 in the world. In the past 38 years we've seen a
4 551 percent increase in selenium, and that has
5 major ramifications for the fishery. We've
6 already seen the serious population collapse up
7 near the mines, and Montana's certainly not immune
8 from that particular situation.

9 There was a USGS study that evaluated
10 the selenium pollution, and it's running
11 everywhere from the Elk Valley all the way down
12 into the Columbia into this point. This is a huge
13 problem.

14 What's the purpose of the selenium
15 standard? It's to protect beneficial uses of the
16 waterway. It's to look at the science, figure out
17 what's happening in terms of the fishery, and come
18 to a conclusion about what would be the most
19 beneficial use of that waterway, what would the
20 standard require.

21 And after years of evaluation and
22 science, the Department correctly arrived at the
23 standard, or the BER -- excuse me -- that was
24 appropriate. And I appreciate the Department of
25 Environmental Quality's recognition and defense to

1 date of that particular standard, and protecting
2 that beneficial use using the best available
3 science.

4 And it's not just about the science. It
5 also is about beneficial uses. What are those
6 beneficial uses? Fishable, swimmable, drinkable.
7 We just heard from the Fishing Outfitters
8 Association of Montana. There's a real economy
9 that depends upon that fishery, making sure it's
10 robust, making sure that it's vibrant, that pays
11 people's bills; and compromising the standard has
12 the potential to compromise that very vibrant and
13 growing industry.

14 We have a \$3.4 billion recreation
15 industry here in Montana. About \$150 million of
16 that is associated with fishing sports recreation.
17 That's a real economic driver here in Montana.

18 Now, in terms of the benefits of
19 weakening the standard, I'm sort of scratching my
20 head trying to understand what there might be.
21 Certainly a Canadian coal corporation -- Well,
22 actually a Swiss corporation, international
23 commodities trader, worth billions headquartered
24 in Switzerland, may benefit, but I can't see a lot
25 of benefits for Montanans in terms of weakening

1 that standard. I only see a detriment.

2 To the extent there are economic
3 concerns -- and I do appreciate the comments of
4 Mr. Duram -- this is a cost of doing business.
5 You need to appropriately bond for this, and you
6 need to treat the water, so that it is up to
7 meeting those beneficial use standards. That's
8 the cost of doing business here in Montana.

9 If you want to do business in Montana,
10 you need to protect the environment, and we
11 shouldn't be in the business of weakening of water
12 quality standards, weakening our environment in
13 order to encourage economic development. We can
14 have both.

15 Finally, I want to touch on -- EPA
16 obviously has a role in this, so if you choose to
17 endeavor down this path of revising the standard,
18 you're going to have to submit this information to
19 the Environmental Protection Agency. And of
20 course they've already reviewed the previous
21 standard very carefully, and said, "Yeah, this is
22 the protective standard that's appropriate for
23 this water body. We approve."

24 Now, if you submit a new standard with
25 very suspect science, and you don't somehow

1 harmonize that with whatever EPA approves, you're
2 both going to have a standard that's not approved,
3 but you're also going to compromise certainly the
4 primacy of the agency, in terms of making sure
5 that the EPA has approved that standard, and that
6 has an obvious effect that you know about.

7 So finally, I just want to finish. I'm
8 going to deliver a letter electronically from a
9 number of different organizations and businesses.
10 I just wanted to -- in opposition to this
11 standard. I just want to read them into the
12 record for you.

13 That's the American Pack Rafting
14 Association; American Rivers; the Clark Fork
15 Coalition; EarthJustice; Earthworks; Fishing
16 Outfitters Association of Montana; Glacier Anglers
17 and Outfitters; Glacier Raft Company; Healing
18 Waters Lodge; Idaho Chapter of the Back Country
19 Hunters and Anglers; Idaho Conservation League;
20 Idaho Rivers United; Larry's Fly and Supply;
21 Linehan Outfitting; Long Drift Outfitters; Montana
22 Angler Flyfishing; Montana Audubon; Montana
23 Chapter of Back County Hunters and Anglers;
24 Montana Conservation Voters; MEIC; Montana Fly
25 Fishing Connection; Montana Fresh Water Partners;

1 Montana Trout Unlimited; National Parks
2 Conservation Association; Rock Creek Alliance;
3 Save Our Cabinets; Selkirk Conservation Alliance;
4 Trailhead and Trailhead River Sports; Upper
5 Missouri Waterkeeper; Wildsight; Yaak Valley
6 Forest Council; and Yellow Dog Fly Fishing
7 Adventures. Over thirty organizations and
8 businesses that are opposed to weakening the
9 standard.

10 So with that, I would ask for you to
11 please reject this particular petition. I think
12 the agency is on firm footing. You've arrived at
13 the correct standard, and that's where it should
14 remain. Thank you.

15 PRESIDING OFFICER KRYWARUCHKA: Thank
16 you. I don't have anyone else signed up in the
17 room to provide opposition in person, but if there
18 are any others in the room who wish to oppose the
19 petition, make your way to the microphone at this
20 time.

21 (No response)

22 PRESIDING OFFICER KRYWARUCHKA: Katya,
23 we will move online. So if you are an online
24 attendee, and wish to provide opposition,
25 opponents to this petition, please raise your

1 hand, and then Katya will call on you in the order
2 in which your hand is raised.

3 KATYA: Madam Chair, do you want me to
4 announce the names as I allow them to speak?

5 PRESIDING OFFICER KRYWARUCHKA: Yes,
6 please, Katya. And as a reminder to those about
7 to speak, we do ask for you to respect the time of
8 those others that want to speak, and we will give
9 a ten minute courtesy notification to you.

10 KATYA: The first person is Rich
11 Janssen.

12 MR. JANSSEN: Yes, ma'am. Can you hear
13 me or see me?

14 PRESIDING OFFICER KRYWARUCHKA: We can
15 hear you. We won't be able to see any of those
16 joining us online, just the protocol for using the
17 Capitol rooms. But we can hear you.

18 MR. JANSSEN: Thank you, Madam Chair.
19 (Native greeting) Good afternoon. My name is
20 Rich Janssen, J-A-N-S-S-E-N, Jr. I am the
21 Department Head of the Natural Resources
22 Department for the Confederated Salish and
23 Kootenai Tribes. I'm here testifying on behalf of
24 the Salish and Kootenai Tribes, and I have worked
25 over 30 years with my tribe and well over a decade

1 on this big important issue.

2 CSKT urges DEQ to reject the petition
3 from the Lincoln County Commissioners to weaken
4 the site-specific Koocanusa selenium standard of
5 .8 ug/l. CSKT participated in the five year
6 process to develop the site-specific selenium
7 standard for Koocanusa Reservoir, along with our
8 five sister governments in the transvalley Ktunaxa
9 nation.

10 We supported the adoption of the .8, I
11 believe it's milligrams per liter as the
12 site-specific selenium water column standard, as
13 we have testified in multiple public processes in
14 support of upholding and enforcing the standard.

15 The current standard was developed
16 through a rigorous and in-depth scientific study
17 amongst all the jurisdictions in the watershed,
18 and is supported by multiple state, tribal, and
19 federal entities, including our tribes and our
20 sister Ktunaxa tribal governments in Canada.

21 Selenium concentrations above the .8
22 micrograms per liter in Koocanusa threaten to
23 exceed toxicity thresholds for native fish in both
24 the reservoir and in the Kootenai River
25 downstream.

1 The current standards also ensures that
2 all species of the fish in the reservoir are
3 protected, including culturally important fish,
4 not just certain species of fish. The current
5 standard is critical to ensuring that Montana
6 tribal and US territory is protected from mine
7 contamination from Canadian coal mines and a
8 foreign owned mining company.

9 This pollution originates in British
10 Columbia, and flows across the BC/Montana border
11 into Kootenai and into the Kootenai River
12 downstream. The Canadian mines are polluting the
13 Salish and Kootenai ancestral character, and
14 impacting our treaty fishing rights. These waters
15 also provide critical habitat for culturally
16 important species, and rare and threatened fish
17 species, including Bull Trout, Burbot, Westslope
18 Cutthroat Trout, and the endangered Kootenai River
19 White Sturgeon.

20 Selenium pollution from these mines is a
21 legacy contamination issue that will require
22 remediation, restoration, and mitigation for
23 centuries to come. To date the mines have
24 deposited nearly nine million cubic meters of
25 waste rock in the Elk Valley, and they are

1 currently permitted to deposit another three
2 billion cubic meters over the next two decades.

3 New mines and mine expansions are
4 composed in Canada. These new mines and mine
5 expansions can significantly increase the amount
6 of waste rock, and therefore the amount of
7 pollution that pollutes Montana waters.

8 In addition to rejecting this petition,
9 we urge DEQ to immediately undertake an assessment
10 of impairment due to selenium for Koocanusa
11 Reservoir. Selenium levels increased over 580
12 percent in the Elk River just above Koocanusa
13 Reservoir from 1984 to 2022. Nitrate and sulphate
14 have also increased over 780 percent and over 120
15 percent respectively.

16 Water quality concentrations for
17 selenium at the international border have
18 continuously exceeded Montana's site-specific
19 selenium standard since it was implemented.
20 Selenium in fish tissue for several fish species
21 in the fish in Koocanusa Reservoir currently
22 exceeds the Montana standard for selenium and
23 egg/ovaries of 15.1 micrograms per liter. This is
24 from Montana Fish, Wildlife and Parks data of
25 2020.

1 And in response to the current water
2 quality and fish tissue data for the Kootenai
3 River, Idaho has designated a section of the
4 Kootenai River as impaired due to selenium, making
5 it even more urgent for DEQ to assess whether
6 Koocanusa is impaired due to selenium.

7 We will also be submitting written
8 comments. These comments will go into further
9 detail of the severity and impacts of selenium
10 pollution, as well as the importance of upholding
11 the current standard for Koocanusa Reservoir.

12 Instead of weakening the standard that
13 protects our waters from foreign pollution, DEQ
14 should be taking every action to enforce it.
15 Upholding the Koocanusa Reservoir site specific
16 selenium criteria is critical to ensuring our
17 shared waters and resources are protected for
18 decades and centuries to come. We urge DEQ to
19 reject this petition. Thank you, Madam Chair.

20 PRESIDING OFFICER KRYWARUCHKA: Thank
21 you. Next, Katya.

22 KATYA: The next one is Clayton Elliott.

23 MR. ELLIOTT: Good afternoon. Can you
24 hear me okay?

25 PRESIDING OFFICER KRYWARUCHKA: We can.

1 MR. ELLIOTT: Thank you, and for the
2 record, Clayton Elliott, E-L-L-I-O-T-T. I'm here
3 today representing Montana Trout Unlimited and our
4 local grassroots members, of which the Kootenai
5 Valley Trout Unlimited chapter is one in Lincoln
6 County.

7 I will be brief today, and first of all,
8 apologize for not being there in person. I had
9 other business out of town. But we rise in
10 opposition to the petition. I think you've heard
11 well that the current petition in front of the DEQ
12 brings no legitimate new data or science to the
13 table.

14 We participated in the robust process
15 that led us to the site-specific standard over the
16 course of nearly a decade, almost five years of
17 critical data that went into that work. We
18 support the current standard, and would ask you to
19 reject the petition. Thank you so much for the
20 opportunity to speak today.

21 PRESIDING OFFICER KRYWARUCHKA: Thank
22 you. The next one, Katya.

23 KATYA: Heidi Harting-Rex.

24 MS. HARTING-REX: Hello.

25 PRESIDING OFFICER KRYWARUCHKA: We can

1 hear you.

2 MS. HARTING-REX: Thank you. I
3 appreciate that. My is Heidi Harting-Rex. It's
4 H-A-R-T-I-N-G hyphen R-E-X. I am a Montana
5 citizen, having grown up in the area, and spending
6 most of my childhood in the beautiful waters, so
7 wanting very much to urge DEQ to reject the
8 increase in the selenium standards, especially due
9 to the scientific rigor that went into the initial
10 studies. They remain valid, and hoping that they
11 are urging adherence to them.

12 Secondly, I think it's important to
13 bring up the importance of Montana's Constitution
14 and our commitment to a clean and healthful
15 environment. We will not allow future generations
16 to enjoy those beautiful waters without protecting
17 them, and the protection of the waters and the
18 ecosystems are more important than mining industry
19 profits. Thank you for letting me speak.

20 PRESIDING OFFICER KRYWARUCHKA: Ms.
21 Harting-Rex, did you have an affiliation?

22 MS. HARTING-REX: I don't have an
23 affiliation other than being a citizen of Montana.

24 PRESIDING OFFICER KRYWARUCHKA: Okay.
25 Thank you. Next, Katya.

1 KATYA: Andrew Gorder.

2 MR. GORDER: Good afternoon. Can you
3 hear me okay?

4 PRESIDING OFFICER KRYWARUCHKA: We can.
5 Thank you.

6 MR. GORDER: Thank you. For the record,
7 my name is Andrew Gorder. It's G-O-R-D-E-R, and
8 I'm here representing the Clark Fork Coalition and
9 our nearly 3,000 members in opposition. We
10 respectfully ask that you deny Lincoln County's
11 petition that's before DEQ this afternoon.

12 The Coalition is dedicated to protecting
13 the integrity of the Clark Fork watershed, but we
14 will engage in water quality or quantity issues
15 outside or adjacent to our watershed, where here,
16 the issues presented are one of statewide
17 importance.

18 With respect to Lake Koocanusa, we've
19 been engaged in supporting DEQ's efforts to
20 protect our waters from harmful selenium pollution
21 since at least 2018. The standards, site-specific
22 standards adopted in 2020 are both legally sound
23 and supported by the best available science, and
24 we would ask that DEQ not stray from those
25 standards.

1 In addition, we believe DEQ has both the
2 authority and the legal duty to protect waterways
3 by implementing these site-specific standards
4 whenever necessary or required to protect aquatic
5 life and beneficial uses, so the DEQ has done
6 exactly that for Lake K., and any effort to
7 reverse or weaken that standard is simply not in
8 the best interests of our water resources or the
9 people of Montana.

10 With respect to the petition itself, I
11 think it's important to point out that it seeks to
12 do a couple things. It seeks to double the water
13 quality standard for selenium in Lake K., but
14 secondly, it also seeks to change the codified
15 definition of steady-state in order to evade more
16 stringent regulation of the source of selenium
17 pollution.

18 So in other words, not only would this
19 petition weaken water quality standards ostensibly
20 for the benefit of a Canadian mining operation,
21 but it would change the process by which DEQ can
22 even establish those site-specific standards in
23 the first instance, which would obviously have
24 impacts beyond just the water bodies at issue in
25 this case.

1 At its core, Lincoln County's petition
2 argues that the current site-specific and
3 protective water quality standards for Lake
4 Koocanusa, quote, "frustrates Lincoln County's
5 ability to meet its policy objectives," end quote,
6 and those objectives are related to economic
7 growth.

8 This statement is simply unsupported by
9 any evidence, but I think it's telling with
10 respect to the motivations behind this petition.
11 We don't believe this petition is about the law,
12 and we don't believe it's about science. Instead
13 it appears to be about politics.

14 The belief that a site-specific water
15 quality standard that protects Montana's water
16 from Canadian mines will somehow harm Montana's or
17 Lincoln County's economy is simply not true. The
18 overwhelming consensus of both DEQ and federal
19 regulators at EPA is that the 2020 standard is
20 supported by the best available science, and is
21 needed to protect existing beneficial uses of the
22 regulated water body.

23 So in sum, we urge the DEQ to reject
24 Lincoln County's petition, and maintain the
25 current state and federally approved selenium

1 standard for Lake Koocanusa. Thank you for your
2 time and for the opportunity to comment.

3 PRESIDING OFFICER KRYWARUCHKA: Thank
4 you. Next, Katya.

5 KATYA: Will Swearingen.

6 PRESIDING OFFICER KRYWARUCHKA: Go
7 ahead.

8 MR. SWEARINGEN: Yes. This is Will
9 Swearingen. Are you able to hear me?

10 PRESIDING OFFICER KRYWARUCHKA: We are.
11 Thank you.

12 MR. SWEARINGEN: Yes. My name is Will
13 Swearingen, S-W-E-A-R-I-N-G-E-N. I am
14 representing myself as a recreational fisherman
15 and lover of Montana's lakes and waters. Thank
16 you for holding this hearing.

17 I strongly urge you to reject this
18 petition to greatly weaken the selenium standard
19 for Lake Koocanusa. Please maintain the current
20 standard. The standard, as we've heard, is based
21 on solid science, and it resulted from an
22 extensive multi-year effort involving the state,
23 federal agencies, Montana tribes, and other key
24 stakeholders. All that work should not be just
25 thrown away.

1 The impact of excessive selenium on the
2 reproductive health of fish populations is well
3 documented. The current site-specific selenium
4 standard of 0.8 micrograms per liter will protect
5 the world class fishery in Lake Koocanusa and the
6 Kootenai River. It should not be weakened to
7 benefit Canadian coal mining.

8 The piles of mining waste around the
9 British Columbia coal mines are the only known
10 source of selenium contamination in the watershed
11 that feeds Lake Koocanusa and the Kootenai River.

12 Lincoln County is petitioning to raise
13 the selenium limit to supposedly accommodate local
14 industrial development. Specifically it's
15 concerned that the current selenium standard could
16 limit future mining and timber operations in
17 Lincoln County. However, there is no evidence of
18 naturally occurring selenium in the region other
19 than beneath the Canadian coal mines north of the
20 border. As a case in point, extensive soil
21 sampling at the Montinor Mine in Lincoln County
22 has never revealed any traces of selenium.

23 Maintaining the current selenium
24 standard should not have any impact on new logging
25 or mining operations in Lincoln County. However,

1 doubling the standard from 0.8 to 1.5 micrograms
2 per liter will essentially give the giant Swiss
3 company that owns the Canadian mines a permit to
4 further pollute Montana fisheries. Please reject
5 this petition. Thank you.

6 PRESIDING OFFICER KRYWARUCHKA: Thank
7 you. Next, Katya.

8 KATYA: Jennifer Ekstrom.

9 MS. EKSTROM: Hello. Can you hear me?

10 PRESIDING OFFICER KRYWARUCHKA: We can.
11 Thank you.

12 MS. EKSTROM: Thank you, Madam Chair.
13 My name is Jennifer Ekstrom, E-K-S-T-R-O-M. I'm
14 the North Idaho Director with the Idaho
15 Conservation League representing approximately
16 26,000 members and supporters in Idaho and based
17 in the Sand Point office.

18 I'm joining you to ask that you reject
19 the petition from the Lincoln County Commissioners
20 and retain your current selenium water quality
21 standards for Lake Koocanusa in order to protect
22 downstream water quality and fisheries in the
23 Kootenai River in Idaho.

24 Selenium concentrations in the Kootenai
25 River and in its aquatic life are of increasing

1 concern, especially considering the proposed
2 massive expansion of coal mining up river in
3 Canada which is, as we all know, the source of the
4 pollution.

5 And the International Joint Commission
6 and their study board are working currently,
7 working very diligently to devise recommendations
8 to address the pollution, and it's inappropriate
9 of the Lincoln County Commissioners to push
10 Montana to weaken your standard before this work
11 is completed by the International Joint
12 Commission.

13 Selenium from the coal mines that is
14 contaminating Lake Koocanusa gets released through
15 Libby Dam, and then flows down river to pollute
16 the Kootenai River in Idaho, causing the Kootenai
17 River in Idaho to be designated as impaired with
18 too much selenium under the Clean Water Act.
19 There is additional assimilative capacity for
20 selenium in Idaho's portion of the Kootenai River.

21 However, the Kootenai River in Idaho
22 does still support diverse and important
23 fisheries, including Mountain Whitefish; Westslope
24 Cutthroat Trout; Burbot; Bull Trout, which is
25 listed as threatened under the Endangered Species

1 Act; as well as Kootenai River White Sturgeon,
2 which is listed as endangered under the Endangered
3 Species Act. So all of these fisheries are
4 increasingly at risk due to increasing selenium
5 levels.

6 The United State Geological Survey
7 recently studied selenium levels in Mountain
8 Whitefish eggs in Idaho. These concentrations
9 ranged from 11.6 to 24.8 milligrams per kilogram,
10 with 75 percent of the samples exceeding the
11 federal standard of 15.1 milligrams per kilogram.

12 So Bull Trout, Burbot, and White
13 Sturgeon all have similarities in life span and
14 food sources to the Mountain Whitefish, which
15 indicates they are also at risk for similar
16 selenium exceedences which would threaten their
17 continued existence.

18 The data shows that the prior water
19 column standard was not stringent enough to
20 protect beneficial uses of waters down river, and
21 needed to be reduced, and that Montana Department
22 of Environmental Quality rightfully took this
23 action to develop the .8 standard after
24 considering extensive available science and
25 extensive public involvement.

1 It appears that the Lincoln County
2 Commissioners are more concerned with the
3 interests of a multinational coal mining company
4 than the interests of Montana citizens and your
5 neighbors in Idaho.

6 Relaxing the selenium standards for the
7 Kootenai River ahead of the proposed expansion of
8 coal mining in British Columbia, and ahead of the
9 recommendations from the International Joint
10 Commission, is unfathomable, especially
11 considering that fish are already exceeding safe
12 levels.

13 We're here to urge you to once again
14 stand up for Montana and for Idaho by retaining
15 your current selenium water quality standards, and
16 rejecting this ill-founded petition.

17 And the parting thought I will leave you
18 with is that taking the necessary steps to list
19 Lake Koocanusa in Montana as impaired under the
20 Clean Water Act is the appropriate next step,
21 considering that it is already listed as such down
22 river in Idaho. We urge you to take this next
23 step as soon as possible. Thank you.

24 PRESIDING OFFICER KRYWARUCHKA: Thank
25 you, Ms. Ekstrom.

1 KATYA: The next one is Chris Bachman.

2 MR. BACHMAN: Good morning. Can you
3 hear me okay?

4 PRESIDING OFFICER KRYWARUCHKA: We sure
5 can. Thank you.

6 MR. BACHMAN: Thank you. My name is
7 Chris Bachman. For the record that's with a "B,"
8 B-A-C-H-M-A-N. I'll be brief.

9 We submitted written documents. I'm the
10 Conservation Director at the Yaak Valley Forest
11 Council. We are based in Troy, Montana in Lincoln
12 County. We work to protect the habitat and
13 wildlife in the impacted watershed.

14 We strongly oppose the petition filed by
15 the Lincoln County Board of Commissioners raising
16 the selenium standard. We support the current
17 standard. Please reject this petition. Thank you
18 for your time and the opportunity to comment.

19 PRESIDING OFFICER KRYWARUCHKA: Thank
20 you, Mr. Bachman.

21 KATYA: The next public member is
22 Stephen Pfeiffer.

23 MR. PFEIFFER: Hello. Can you hear me
24 okay?

25 PRESIDING OFFICER KRYWARUCHKA: We can.

1 Go ahead.

2 MR. PFEIFFER: My name is Stephen
3 Pfeiffer, that's P-F-E-I-F-F-E-R. I'm speaking
4 today on behalf of Idaho Rivers United. Our
5 mission is to protect and restore the rivers and
6 fisheries of Idaho. Thanks to the Department for
7 the opportunity to provide public comment today.

8 The petition brought to Montana DEQ by
9 Lincoln County would dramatically weaken the
10 selenium water quality standard for Lake Koocanusa
11 that was devised via rigorous scientific
12 processes. This collaborative effort had the goal
13 of creating a standard of 0.8 micrograms per liter
14 that is adequately protective for aquatic life and
15 beneficial uses, not just in Koocanusa, but in the
16 Kootenai River downstream.

17 The EPA determined the selenium standard
18 was based on sound scientific rationale, and
19 protective of designated uses. Contrast this with
20 the petition brought forward by Lincoln County,
21 which includes no scientific information that
22 would call into question what, once again, was a
23 scientific rigorous years-long process to devise
24 the protective selenium standard in Lake
25 Koocanusa.

1 The State of Idaho has listed the
2 stretch of the Kootenai and borders as selenium
3 impaired based on excessive amounts of the
4 chemical found in fish tissue. This reflects the
5 far reach of selenium pollution in the river
6 system, which is directly attributable to open pit
7 coal mining operations hundreds of miles upstream
8 in the Elk Valley, British Columbia.

9 Ever rising selenium concentrations in
10 the river jeopardize the fish populations and
11 clean water, which support jobs and economies in
12 the communities across the basin. Further, this
13 pollution is severely constraining benefits from
14 years of native fish recovery work done by
15 sovereigns in the region, such as the Kootenai
16 Tribe of Idaho.

17 Per a recent USGS report, the selenium
18 concentrations have more than quadrupled in the
19 Kootenai basin over the last 38 years. This
20 trajectory is unacceptable, and presents a direct
21 and mounting threat to Montana's water quality and
22 aquatic life.

23 This picture makes clear that Montana
24 must not weaken its water quality standards in
25 order to accommodate a foreign corporation

1 polluting the state's water. Doing so would not
2 only jeopardize Montana's waters, but also leave
3 Idaho waters more vulnerable to upstream
4 pollution, and further burden Idaho regulators in
5 seeking to attain the selenium standards
6 downstream.

7 The Clean Water Act requires states to
8 consider the attainment of downstream water
9 quality standards. Lincoln County's petition
10 nearly doubles the allowable selenium
11 concentration in Lake Koocanusa in Montana, runs
12 counter to this legal consideration in a system
13 where the downstream in Idaho is already
14 frequently exceeded.

15 For these reasons, Montana DEQ must deny
16 this petition to modify selenium water quality
17 standards in Lake Koocanusa. Thank you.

18 PRESIDING OFFICER KRYWARUCHKA: Thank
19 you. Next.

20 KATYA: Mark Fuller.

21 MR. FULLER: Hello. Can you hear me?

22 PRESIDING OFFICER KRYWARUCHKA: We sure
23 can. Go ahead.

24 MR. FULLER: Good afternoon. Thank you
25 for the opportunity to speak. My name is Mark

1 Fuller, and I'm a fishing outfitter in the
2 Flathead Valley, and I'm here on behalf of Montana
3 fishing guides throughout northwest Montana. I
4 also sit on the board of the Fishing Outfitter
5 Association of Montana, representing over 1,000
6 licensed guides and outfitters across the state.
7 I strongly urge Montana DEQ to maintain the
8 existing site-specific selenium standards for Lake
9 Koocanusa and Kootenai River. These protections
10 are the result of nearly a decade of rigorous
11 science-based collaboration among several state
12 and federal agencies, tribal nations, and
13 Canadian/US citizens. They were designed to
14 safeguard a globally significant cold water
15 fishery up there in the Kootenai.

16 The petition from the Lincoln County
17 Commissioners to weaken these standards lacks
18 legitimate new science. It appears to serve the
19 interests of a foreign mining company rather than
20 the health and future of Montana's people, water,
21 and wildlife.

22 Allowing weaker standards doesn't just
23 threaten the fish populations, it jeopardizes the
24 future of Montana's guiding community. Our
25 livelihoods, the experience we provide to

1 residents and visitors alike, depend on clean
2 functioning ecosystems. If these protections are
3 eroded, the next generation, Montana's youth, and
4 the booming tourism that we have around here, may
5 never know what a clean river, wild trout, or a
6 wild dam of water really looks like.

7 Please stay in the science, and the
8 public process, and the future of Montana by
9 rejecting this short sighted petition and
10 upholding the current selenium standards. Thank
11 you for your time.

12 PRESIDING OFFICER KRYWARUCHKA: Thank
13 you. Katya, are there any other opponents to the
14 petition online who wish to give their testimony?

15 KATYA: Madam Chair, there is nobody
16 else online who has their hand raised.

17 PRESIDING OFFICER KRYWARUCHKA: All
18 right. We will move then finally to any parties
19 in the room which are neutral and wish to provide
20 comments on the petition. Are there any neutral
21 parties in the room who wish to provide comment?

22 (No response)

23 PRESIDING OFFICER KRYWARUCHKA: Are
24 there any parties online who are neutral to the
25 petition, but wish to provide public comment? If

1 so, indicate by raising your hand.

2 (No response)

3 MS. KATYA: Madam Chair, nobody has
4 raised their hand so far.

5 PRESIDING OFFICER KRYWARUCHKA: Okay.
6 Does any person who's not yet testified wish to
7 make comments on the petition in the room or
8 online?

9 (No response)

10 PRESIDING OFFICER KRYWARUCHKA: A
11 reminder that you can also still submit written
12 testimony to us today.

13 (No response)

14 PRESIDING OFFICER KRYWARUCHKA: Thank
15 you all for your attendance, comments, and
16 testimony. Please make sure that copies of any
17 exhibits or written testimony are given to me or
18 provided at the back there.

19 Additionally you may still submit
20 written comments and information to the Department
21 of Environmental Quality at P.O. Box 200901 in
22 Helena, Montana, 59620-0901; you can fax to area
23 code 406-444-4386; or email to
24 deqlakepetition@mt.gov by no later than 11:59
25 p.m. today, August 13th, 2025. This guarantees

1 consideration.

2 To guarantee consideration, mailed
3 comment must be postmarked no later than 11:59
4 p.m. today, August 13th, 2025. Do we have one
5 more comment in the room?

6 COMMISSIONER DURAM: Can I make a
7 closing statement?

8 PRESIDING OFFICER KRYWARUCHKA: Proceed.

9 COMMISSIONER DURAM: Thank you, Madam
10 Chair. Again, Noel Duram, D-U-R-A-M, for the
11 record, Lincoln County Commissioner.

12 I have listened to all the testimony.
13 I've listened to it. We have submitted a packet
14 that does have a considerable amount of
15 information with it.

16 Not once have I said anything about not
17 holding the responsible parties for this. I
18 believe the DEQ, the EPA, the United States
19 government, and the Canadian government, should
20 hold the polluters 100 percent liable, whether the
21 mine is in operation or not. If it closes
22 tomorrow, that pile will still be there. That is
23 something we're going to deal with.

24 The standard of .8 is significantly
25 lower than the current water level in the

1 Koocanusa Reservoir. The Kootenai Reservoir is
2 about five million acre feet, which if you don't
3 understand what that means, and it relates to
4 liters, that's about six trillion liters of water.
5 In that six trillion liters of water there's a
6 significant amount of selenium.

7 With that being said, the current rate,
8 the current solution is about 1.1 to 1.0. Setting
9 a standard of .8, significantly lower than the
10 existing water level that we have in the
11 Koocanusa, does not make sense.

12 I'm not suggesting we should not do
13 treatment. I want them to do treatment. I want
14 treatment to continue. But by setting a standard
15 that is significantly lower than the existing
16 water level that we have there allows us to never
17 be able to add anything to it.

18 And I might add in that when Fish,
19 Wildlife and Parks -- who are concerned about the
20 water and about the fish, and they want to make
21 sure we have better fish quality -- they present a
22 package to the DEQ that they have a nutrient
23 packet that they want to utilize, and that
24 nutrient packet has selenium in it.

25 The FWP biologist chose that particular

1 item to help the fish. That item will not
2 probably be utilized because of the selenium level
3 in it.

4 When Fish, Wildlife and Parks do have on
5 two occasions fish that they could examine to
6 identify what the problem was, whether it's
7 selenium or anything else, the fish and wildlife
8 biologist chose not to take those fish and examine
9 what they are.

10 I personally want to know what caused
11 that. If there's a deformation that we're seeing
12 in fish, we should analyze that 100 percent to
13 find out what the problem is. Never once in our
14 discussion do I want to allow anybody to get off
15 the hook for it, whether it's a foreign company or
16 an American mining company.

17 Libby is the site of two Superfunds,
18 Lincoln County. We know Superfund understanding.
19 We do. We know what it brings, we know the
20 problems that exist with people.

21 This standard at .8 does not meet up
22 with what we currently have in the water, does not
23 meet with the EPA standard, and I do not think
24 that that rises, or makes rise for good policy to
25 set a standard below what the current level is.

1 If we set a site-specific standard that
2 said our water level of selenium right now is 1.0,
3 and we will not under any circumstance allow it to
4 go higher, I'm okay with that. What we're asking
5 for is to be six trillion liters of water to be
6 treated to a level about 20 percent lower than
7 what it is. Currently I don't know of any way --
8 again, I'm not a scientist. I've not talked to
9 any person out here who says there's any way to
10 treat this water, at this level, at this volume,
11 to reduce it to .8.

12 My concern is that we continue to have
13 discussions with Canadian sources, and again, hold
14 the polluters 100 percent liable for it. Whether
15 they go out of business or not, I really don't
16 care. What I do care about is that we set a
17 standard that we in Montana, that we have to stand
18 by. The Canadians don't have to stand by this
19 standard, we do. It puts a handcuff on us. It
20 doesn't put a handcuff on anybody else.

21 I want the DEQ, I want the EPA, and I
22 want us collaboratively to be able to put the
23 handcuffs on the right people, not on Lincoln
24 County. Thank you very much.

25 PRESIDING OFFICER KRYWARUCHKA: Thank

1 you again to everyone for your attendance. I will
2 remind you we are continuing to accept comments in
3 the variety of ways I listed previously until
4 11:59 p.m. today, August 13th, 2025. With that,
5 this hearing is now adjourned.

6 (The proceedings were concluded

7 at 1:53 p.m.)

8 * * * * *

C E R T I F I C A T E

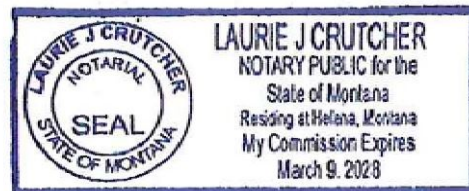
STATE OF MONTANA)
: SS.
COUNTY OF LEWIS & CLARK)

I, LAURIE CRUTCHER, RPR, Court Reporter,
Notary Public in and for the County of Lewis &
Clark, State of Montana, do hereby certify:

That the proceedings were taken before me at
the time and place herein named; that the
proceedings were reported by me in shorthand and
transcribed using computer-aided transcription,
and that the foregoing - 44 - pages contain a true
record of the proceedings to the best of my
ability.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my notarial seal this 16th day of
August, 2025.

Laurie J. Crutcher



	3:3	Annotated (1)	Audubon (1)	better (1)
\$	affect (4)	2:23	15:22	41:21
	6:4,21,24;7:1	announce (1)	August (4)	beyond (2)
\$150 (1)	affects (1)	17:4	2:6;39:25;40:4;	6:6;25:24
13:15	6:23	apologize (1)	44:4	BIAS (2)
\$3.4 (1)	affiliation (4)	22:8	authority (1)	10:5,6
13:14	4:23;10:3;23:21,	appearing (1)	25:2	B-I-A-S (1)
	23	4:7	available (7)	10:6
A	afternoon (7)	appears (3)	3:17;4:6;7:4;13:2;	big (1)
	2:5;10:5;17:19;	26:13;32:1;37:18	24:23;26:20;31:24	18:1
	21:23;24:2,11;36:24	applications (1)	Avenue (1)	billion (2)
ability (1)	again (7)	6:23	2:9	13:14;20:2
26:5	8:17;32:13;34:22;	appreciate (4)	away (1)	billions (1)
able (5)	40:10;43:8,13;44:1	5:19;12:24;14:3;	27:25	13:23
7:5;17:15;27:9;	agencies (3)	23:3		bills (1)
41:17;43:22	3:4;27:23;37:12	appropriate (3)	B	13:11
above (3)	agency (4)	12:24;14:22;32:20		biologist (2)
8:19;18:21;20:12	3:12;14:19;15:4;	appropriately (1)	Bachman (5)	41:25;42:8
accept (1)	16:12	14:5	33:1,2,6,7,20	bit (1)
44:2	agency's (2)	approve (1)	B-A-C-H-M-A-N (1)	11:25
accommodate (2)	3:6,7	14:23	33:8	Board (7)
28:13;35:25	ahead (5)	approved (3)	back (5)	2:13,25;5:17;
acre (1)	27:7;32:7,8;34:1;	15:2,5;26:25	6:15;10:19;15:18,	10:21;30:6;33:15;
41:2	36:23	approves (1)	23:39;18	37:4
across (3)	alike (1)	15:1	based (6)	bodies (2)
19:10;35:12;37:6	38:1	approximately (1)	11:2;27:20;29:16;	11:9;25:24
Act (5)	Alliance (2)	29:15	33:11;34:18;35:3	body (2)
30:18;31:1,3;	16:2,3	aquatic (5)	baseless (1)	14:23;26:22
32:20;36:7	allow (6)	10:9;25:4;29:25;	11:12	bond (1)
action (2)	2:24;8:9;17:4;	34:14;35:22	basin (2)	14:5
21:14;31:23	23:15;42:14;43:3	area (3)	35:12,19	books (1)
activity (1)	allowable (1)	3:22;23:5;39:22	BC/Montana (1)	10:19
8:8	36:10	areas (1)	19:10	booming (1)
actually (3)	Allowing (1)	3:20	beautiful (2)	38:4
6:24;9:1;13:22	37:22	argues (1)	23:6,16	border (4)
add (2)	allows (1)	26:2	begin (1)	8:6;19:10;20:17;
41:17,18	41:16	ARM (1)	5:15	28:20
adding (1)	almost (1)	2:15	begins (1)	borders (1)
5:11	22:16	around (2)	10:1	35:2
addition (2)	along (1)	28:8;38:4	behalf (4)	both (9)
20:8;25:1	18:7	arrived (2)	10:21;17:23;34:4;	6:17;7:9;11:1;
additional (1)	Alternatively (1)	12:22;16:12	37:2	14:14;15:2;18:23;
30:19	3:23	assess (1)	behind (1)	24:22;25:1;26:18
Additionally (1)	American (3)	21:5	26:10	box (2)
39:19	15:13,14;42:16	assessment (1)	belief (1)	7:4;39:21
address (1)	among (1)	20:9	26:14	brief (2)
30:8	37:11	assimilative (1)	below (1)	22:7;33:8
adequately (1)	amongst (1)	30:19	42:25	bring (5)
34:14	18:17	associated (1)	beneath (1)	5:19;6:10;7:5;9:2;
adherence (1)	amount (4)	13:16	28:19	23:13
23:11	20:5,6;40:14;41:6	Association (6)	beneficial (10)	brings (2)
adjacent (1)	amounts (1)	10:8;13:8;15:14,	12:15,19;13:2,5,6;	22:12;42:19
24:15	35:3	16:16;2;37:5	14:7;25:5;26:21;	British (4)
adjourned (1)	analyze (1)	attain (1)	31:20;34:15	19:9;28:9;32:8;
44:5	42:12	36:5	benefit (3)	35:8
Administrator (1)	ancestral (1)	attainment (1)	13:24;25:20;28:7	brought (5)
2:20	19:13	36:8	benefits (3)	6:13;7:7,21;34:8,
adopted (1)	Andrew (2)	attendance (2)	13:18,25;35:13	20
24:22	24:1,7	39:15;44:1	BER (1)	Bull (3)
adoption (1)	Angler (1)	attendee (1)	12:23	19:17;30:24;31:12
18:10	15:22	16:24	best (6)	Burbot (3)
Adventures (1)	Anglers (3)	attributable (1)	8:25;11:4;13:2;	19:17;30:24;31:12
16:7	15:16,19,23	35:6	24:23;25:8;26:20	burden (1)
advising (1)				

36:4 business (6) 14:4,8,9,11;22:9; 43:15 businesses (2) 15:9;16:8	12:7;13:21;15:3 Chair (7) 17:3,18;21:19; 29:12;38:15;39:3; 40:10 Chairman (1) 9:20 change (2) 25:14,21 Chapter (3) 15:18,23;22:5 character (1) 19:13 chemical (1) 35:4 childhood (1) 23:6 choose (1) 14:16 chose (2) 41:25;42:8 Chris (2) 33:1,7 circumstance (1) 43:3 citizen (2) 23:5,23 citizens (2) 32:4;37:13 Clark (3) 15:14;24:8,13 class (1) 28:5 Clayton (2) 21:22;22:2 clean (7) 23:14;30:18; 32:20;35:11;36:7; 38:1,5 clear (1) 35:23 clearly (1) 4:21 close (2) 3:18;4:20 closes (1) 40:21 closing (1) 40:7 coal (10) 13:21;19:7;28:7,9, 19:30;2,13;32:3,8; 35:7 Coalition (3) 15:15;24:8,12 Code (2) 2:23;39:23 codified (1) 25:14 cold (1) 37:14 collaboration (1) 37:11	collaborative (1) 34:12 collaboratively (1) 43:22 collapse (1) 12:6 Columbia (5) 12:12;19:10;28:9; 32:8;35:8 column (3) 2:16;18:12;31:19 coming (2) 8:2,4 comment (8) 11:16;27:2;33:18; 34:7;38:21,25;40:3,5 comments (12) 5:1,5,16;9:11; 14:3;21:8,8;38:20; 39:7,15,20;44:2 Commission (4) 5:24;30:5,12; 32:10 COMMISSIONER (5) 5:18,22;40:6,9,11 Commissioners (8) 2:25;5:17;18:3; 29:19;30:9;32:2; 33:15;37:17 Commissioners' (3) 2:13;6:9;11:6 commitment (1) 23:14 commodities (1) 13:23 communities (1) 35:12 community (1) 37:24 Company (7) 15:17;19:8;29:3; 32:3;37:19;42:15,16 complete (1) 5:3 completed (1) 30:11 composed (1) 20:4 compromise (2) 13:12;15:3 compromising (1) 13:11 concentration (1) 36:11 concentrations (6) 18:21;20:16; 29:24;31:8;35:9,18 concern (2) 30:1;43:12 concerned (3) 28:15;32:2;41:19 concerns (1) 14:3	concluded (1) 44:6 conclusion (1) 12:18 conducted (1) 2:22 Confederated (1) 17:22 Connection (1) 15:25 consensus (1) 26:18 Conservation (6) 15:19,24;16:2,3; 29:15;33:10 conserve (1) 10:9 consider (1) 36:8 considerable (1) 40:14 consideration (3) 36:12;40:1,2 considering (4) 30:1;31:24;32:11, 21 consistent (1) 8:14 constituents (1) 8:24 Constitution (1) 23:13 constraining (1) 35:13 constraints (1) 7:18 contaminating (1) 30:14 contamination (4) 12:2;19:7,21; 28:10 continue (4) 8:9;9:11;41:14; 43:12 continued (1) 31:17 continuing (1) 44:2 continuously (1) 20:18 Contrast (1) 34:19 control (1) 8:3 copies (1) 39:16 core (1) 26:1 corporation (3) 13:21,22;35:25 correctly (1) 12:22 correspondence (1)	6:15 cost (2) 14:4,8 Council (2) 16:6;33:11 counter (1) 36:12 Country (1) 15:18 County (38) 2:12,13,25,25; 5:17,17,21,22,23; 6:1,3,4,9;7:2,19;8:7, 15:9;7:11;6:13; 15:23;18:3;22:6; 28:12,17,21,25; 29:19;30:9;32:1; 33:12,15;34:9,20; 37:16;40:11;42:18; 43:24 County's (6) 24:10;26:1,4,17, 24;36:9 couple (1) 25:12 course (2) 14:20;22:16 Court (1) 4:18 courtesy (1) 17:9 create (1) 3:5 creating (1) 34:13 Creek (1) 16:2 criteria (1) 21:16 critical (4) 19:5,15;21:16; 22:17 CSKT (2) 18:2,5 cubic (2) 19:24;20:2 culturally (2) 19:3,15 current (23) 10:25;11:11; 18:15;19:1,4;21:1, 11;22:11,18;26:2,25; 27:19;28:3,15,23; 29:20;32:15;33:16; 38:10;40:25;41:7,8; 42:25 currently (6) 6:25;20:1,21;30:6; 42:22;43:7 Cutthroat (2) 19:18;30:24
-------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	detail (1) 21:9	13	10:13;11:24	essentially (1) 29:2
D	determined (1) 34:17	dramatically (1) 34:9	Elk (4) 12:11;19:25; 20:12;35:8	establish (1) 25:22
Dam (2) 30:15;38:6	detriment (1) 14:1	Drift (1) 15:21	Elliott (4) 21:22,23;22:1,2	Eureka (1) 5:23
data (6) 11:7;20:24;21:2; 22:12,17;31:18	develop (3) 2:23;18:6;31:23	drinkable (1) 13:6	E-L-L-I-O-T-T (1) 22:2	evade (1) 25:15
date (2) 13:1;19:23	developed (1) 18:15	driver (1) 13:17	else (4) 16:16;38:16;42:7; 43:20	evaluated (1) 12:9
deal (1) 40:23	development (8) 6:2,19;7:6,20; 8:17,24;14:13;28:14	Ducks (1) 10:15	email (3) 3:23;5:1;39:23	evaluation (1) 12:21
decade (3) 17:25;22:16;37:10	devise (2) 30:7;34:23	due (5) 20:10;21:4,6;23:8; 31:4	encourage (1) 14:13	even (2) 21:5;25:22
decades (2) 20:2;21:18	devised (1) 34:11	DURAM (7) 5:18,22;9:11;14:4; 40:6,9,10	end (1) 26:5	everyone (3) 2:5;3:3;44:1
dedicated (1) 24:12	different (1) 15:9	D-U-R-A-M (1) 40:10	endangered (4) 19:18;30:25;31:2, 2	everyone's (1) 5:12
defense (1) 12:25	diligently (1) 30:7	duty (1) 25:2	endeavor (1) 14:17	everywhere (1) 12:11
definition (1) 25:15	direct (1) 35:20	E	enforce (1) 21:14	evidence (4) 2:24;5:6;26:9; 28:17
definitions (1) 2:14	directly (1) 35:6	Early (1) 10:13	enforcing (1) 18:14	exactly (1) 25:6
deformation (1) 42:11	Director (3) 10:7;29:14;33:10	EarthJustice (1) 15:15	engage (1) 24:14	examine (2) 42:5,8
deliver (1) 15:8	Directors (1) 10:21	Earthworks (1) 15:15	engaged (1) 24:19	exceed (1) 18:23
deny (2) 24:10;36:15	discharge (1) 6:23	East (1) 2:9	engagement (1) 11:3	exceeded (2) 20:18;36:14
Department (15) 2:19;3:15,21;4:1, 2:5;3,8;10:24;12:22, 24:17;21,22;31:21; 34:6;39:20	discharging (1) 6:25	ecologist (1) 10:15	enjoy (2) 9:3;23:16	exceedences (1) 31:16
depend (1) 38:1	discussed (1) 6:15	economic (9) 6:2,4,19;7:5;8:24; 13:17;14:2,13;26:6	enough (2) 7:11;31:19	exceeding (2) 31:10;32:11
depends (1) 13:9	discussion (1) 42:14	economies (1) 35:11	ensures (2) 6:17;19:1	exceeds (1) 20:22
deposit (1) 20:1	discussions (1) 43:13	economy (2) 13:8;26:17	ensuring (2) 19:5;21:16	excessive (2) 28:1;35:3
deposited (1) 19:24	diverse (1) 30:22	ecosystems (2) 23:18;38:2	entities (1) 18:19	excessively (1) 7:14
DEQ (26) 5:20;7:10,15;9:4, 7:11;10:18;20:9; 21:5,13,18;22:11; 23:7;24:11,24;25:1, 5,21;26:18,23;34:8; 36:15;37:7;40:18; 41:22;43:21	Division (1) 2:20	effect (1) 15:6	entity (2) 7:1;8:2	excuse (1) 12:23
deqlakepetition@mtgov (1) 39:24	documented (1) 28:3	effort (4) 11:12;25:6;27:22; 34:12	environment (4) 8:23;14:10,12; 23:15	Executive (1) 10:7
DEQ's (2) 11:8;24:19	documents (1) 33:9	efforts (1) 24:19	Environmental (12) 2:19;3:15,21;4:1, 3:5;4:10;24:11;23; 12:25;14:19;31:22; 39:21	exhibits (1) 39:17
Derf (2) 11:18,21	Dog (1) 16:6	egg/ovaries (1) 20:23	EPA (12) 6:14;7:10;8:14; 9:2;14:15;15:1,5; 26:19;34:17;40:18; 42:23;43:21	exist (1) 42:20
D-E-R-F (1) 11:21	done (2) 25:5;35:14	eggs (1) 31:8	EPA's (1) 11:4	existence (2) 8:6;31:17
designated (3) 21:3;30:17;34:19	double (1) 25:12	Ekstrom (5) 29:8,9,12,13;32:25	eroded (1) 38:3	existing (6) 10:25;11:2;26:21; 37:8;41:10,15
designed (1) 37:13	doubling (1) 29:1	E-K-S-T-R-O-M (1) 29:13	especially (3) 23:8;30:1;32:10	expansion (2) 30:2;32:7
	down (5) 12:11;14:17; 30:15;31:20;32:21	elected (1) 11:12		expansions (2) 20:3,5
	downstream (7) 18:25;19:12; 29:22;34:16;36:6,8,	electronically (1) 15:8		experience (1) 37:25
		element (2)		extensive (5) 10:17;27:22; 28:20;31:24,25

extent (1) 14:2	flows (2) 19:10;30:15	38:3	handcuff (2) 43:19;20	42:15
F	Fly (3) 15:20;24;16:6	generations (1) 23:15	handcuffs (1) 43:23	hoping (1) 23:10
	Flyfishing (1) 15:22	Geological (1) 31:6	happening (1) 12:17	huge (1) 12:12
face (1) 11:11	folks' (1) 5:11	gets (1) 30:14	happens (2) 8:5;19	hundreds (1) 35:7
far (2) 35:5;39:4	follow (1) 8:16	giant (1) 29:2	harm (1) 26:16	Hunters (2) 15:19;23
fax (1) 39:22	following (2) 2:1;11:4	given (1) 39:17	harmful (1) 24:20	hybrid (1) 2:7
federal (5) 18:19;26:18; 27:23;31:11;37:12	food (1) 31:14	Glacier (2) 15:16;17	harmonize (1) 15:1	hyphen (1) 23:4
federally (1) 26:25	footing (1) 16:12	global (1) 11:14	H-A-R-T-I-N-G (1) 23:4	I
feeds (1) 28:11	force (1) 7:19	globally (1) 37:14	Harting-Rex (6) 22:23;24;23:2,3, 21,22	
feet (1) 41:2	foreign (5) 19:8;21:13;35:25; 37:19;42:15	goal (1) 34:12	head (2) 13:20;17:21	Idaho (22) 15:18,19,20;21:3; 29:14,14,16,23; 30:16,17,21;31:8; 32:5,14,22;34:4,6; 35:1,16;36:3,4,13
figure (1) 12:16	Forest (2) 16:6;33:10	Good (8) 2:4;10:5;17:19; 21:23;24:2;33:2; 36:24;42:24	headquartered (1) 13:23	Idaho's (1) 30:20
filed (1) 33:14	Fork (3) 15:14;24:8,13	Gorder (4) 24:1,2,6,7	headwaters (1) 8:1	identify (2) 4:22;42:6
filling (1) 3:16	form (1) 3:19	G-O-R-D-E-R (1) 24:7	Healing (1) 15:17	illegible (1) 10:6
Finally (3) 14:15;15:7;38:18	Formal (1) 5:6	government (3) 3:5;40:19,19	health (2) 28:2;37:20	ill-founded (1) 32:16
find (1) 42:13	forms (1) 3:16	governments (2) 18:8,20	healthful (1) 23:14	immediately (1) 20:9
finish (1) 15:7	forth (1) 6:16	grassroots (1) 22:4	hear (11) 17:12,15,17; 21:24;23:1;24:3; 27:9;29:9;33:3,23; 36:21	immune (1) 12:7
finished (1) 10:14	forward (5) 9:4,6,8;11:10; 34:20	greatly (1) 27:18	heard (3) 13:7;22:10;27:20	impact (2) 28:1,24
firm (1) 16:12	found (1) 35:4	greeting (1) 17:19	hearing (15) 2:5,7,12,21,21; 3:18;4:2,12,19;5:2, 15,15;9:12;27:16; 44:5	impacted (1) 33:13
First (4) 10:1;17:10;22:7; 25:23	frequently (1) 36:14	growing (1) 13:13	hearings (1) 3:22	impacting (1) 19:14
fish (25) 18:23;19:2,3,4,16; 20:20,20,21,24;21:2; 28:2;32:11;35:4,10, 14;37:23;41:18,20, 21;42:1,4,5,7,8,12	Fresh (1) 15:25	grown (1) 23:5	Heidi (2) 22:23;23:3	impacts (2) 21:9;25:24
Fishable (1) 13:6	front (1) 22:11	growth (2) 7:20;26:7	Helena (2) 2:9;39:22	impaired (5) 21:4,6;30:17; 32:19;35:3
fisheries (5) 29:4,22;30:23; 31:3;34:6	frustrates (1) 26:4	guarantee (1) 40:2	Hello (4) 22:24;29:9;33:23; 36:21	impairment (1) 20:10
fisherman (1) 27:14	Fuller (4) 36:20,21,24;37:1	guarantees (1) 39:25	help (1) 42:1	implemented (1) 20:19
fishery (5) 12:5,17;13:9;28:5; 37:15	functioning (1) 38:2	guidelines (1) 11:5	higher (2) 7:14;43:4	implementing (1) 25:3
Fishing (11) 10:7,11;13:7,16; 15:15,25;16:6; 19:14;37:1,3,4	further (4) 21:8;29:4;35:12; 36:4	guides (3) 10:22;37:3,6	history (1) 10:19	importance (3) 21:10;23:13;24:17
five (4) 18:5,8;22:16;41:2	future (9) 3:22;7:6;8:16;9:6; 23:15;28:16;37:20, 24;38:8	guiding (1) 37:24	hold (2) 40:20;43:13	important (9) 5:20;7:21;18:1; 19:3,16;23:12,18; 25:11;30:22
Flathead (1) 37:2	FWP (1) 41:25	guys (1) 7:22	holding (2) 27:16;40:17	inappropriate (1) 30:8
	G	H	hook (1)	includes (1) 34:21
		habitat (2) 19:15;33:12		including (5) 11:4;18:19;19:3,
	generation (1)	hand (7) 4:9;9:21;17:1,2; 38:16;39:1,4		

17:30:23 increase (3) 12:4;20:5;23:8 increased (2) 20:11,14 increasing (2) 29:25;31:4 increasingly (1) 31:4 indeed (1) 11:24 in-depth (1) 18:16 indicate (5) 3:8,19;4:8;5:13; 39:1 indicated (1) 3:13 indicates (1) 31:15 individuals (1) 8:12 industrial (1) 28:14 industry (4) 10:12;13:13,15; 23:18 information (6) 5:5;11:23;14:18; 34:21;39:20;40:15 initial (1) 23:9 instance (1) 25:23 instead (3) 5:11;21:12;26:12 integrity (1) 24:13 interest (1) 3:20 interested (7) 3:1,6,7,9,15,25;4:4 interests (5) 11:14;25:8;32:3,4; 37:19 international (5) 13:22;20:17;30:5, 11;32:9 into (13) 6:23,25;8:2,9; 12:12,12;15:11; 19:11,11;21:8; 22:17;23:9;34:22 involvement (1) 31:25 involving (1) 27:22 issue (5) 7:21,24;18:1; 19:21;25:24 issues (2) 24:14,16 item (2)	42:1,1 items (1) 6:10 J Janssen (4) 17:11,12,18,20 J-A-N-S-S-E-N (1) 17:20 Jennifer (2) 29:8,13 jeopardize (2) 35:10;36:2 jeopardizes (1) 37:23 jobs (1) 35:11 Johnson (4) 3:23;11:18,20,21 J-O-H-N-S-O-N (1) 11:22 join (1) 4:14 joining (3) 4:12;17:16;29:18 Joint (3) 30:5,11;32:9 Jr (1) 17:20 jurisdictions (1) 18:17 K Katya (23) 9:18,20;16:22; 17:1,3,6,10;21:21, 22;22:22,23;23:25; 24:1;27:4,5;29:7,8; 33:1,21;36:20;38:13, 15;39:3 Kesterton (1) 10:18 key (1) 27:23 kilogram (2) 31:9,11 knowledge (2) 7:13;8:18 known (1) 28:9 Koocanusa (31) 2:16;6:24;8:1,7; 18:4,7,22;19:11; 20:10,12,21;21:6,11, 15;24:18;26:4;27:1, 19;28:5,11;29:21; 30:14;32:19;34:10, 15,25;36:11,17;37:9; 41:1,11 Kootenai (26) 17:23,24;18:24;	19:11,13,18;21:2,4; 22:4;28:6,11;29:23, 24;30:16,16,20,21; 31:1;32:7;34:16; 35:2,15,19;37:9,15; 41:1 KRYWARUCHKA (37) 2:4,18;9:10,15,18, 22;11:17;16:15,22; 17:5,14;21:20,25; 22:21,25;23:20,24; 24:4;27:3,6,10;29:6, 10;32:24;33:4,19,25; 36:18,22;38:12,17, 23;39:5,10,14;40:8; 43:25 Ktunaxa (2) 18:8,20 L lacks (1) 37:17 Lake (19) 2:16;6:24;11:1; 24:18;25:6,13;26:3; 27:1,19;28:5,11; 29:21;30:14;32:19; 34:10,24;36:11,17; 37:8 lakes (1) 27:15 Larry's (1) 15:20 last (3) 6:1;10:1;35:19 later (2) 39:24;40:3 law (2) 3:4;26:11 League (2) 15:19;29:15 least (1) 24:21 leave (2) 32:17;36:2 leaving (1) 3:17 led (1) 22:15 legacy (1) 19:21 legal (2) 25:2;36:12 legally (1) 24:22 legitimate (3) 11:7;22:12;37:18 letter (1) 15:8 letters (1) 4:4 letting (1)	23:19 level (10) 6:4;8:13;40:25; 41:10,16;42:2,25; 43:2,6,10 levels (4) 20:11;31:5,7; 32:12 liable (2) 40:20;43:14 Libby (2) 30:15;42:17 licensed (2) 10:22;37:6 life (5) 25:5;29:25;31:13; 34:14;35:22 limit (4) 5:11;7:15;28:13, 16 limits (1) 7:18 Lincoln (38) 2:12,24;5:17,21, 22,23,25;6:8;7:2,19; 8:6,15;9:7;11:6,13; 18:3;22:5;24:10; 26:1,4,17,24;28:12, 17,21,25;29:19;30:9; 32:1;33:11,15;34:9, 20;36:9;37:16; 40:11;42:18;43:23 Lindsey (1) 2:18 Linehan (1) 15:21 link (2) 4:14,16 list (6) 3:5,8,9,11,25; 32:18 listed (5) 30:25;31:2;32:21; 35:1;44:3 listened (2) 40:12,13 lists (1) 3:16 liter (6) 18:11,22;20:23; 28:4;29:2;34:13 liters (4) 41:4,4,5;43:5 little (1) 11:25 livelihoods (1) 37:25 local (2) 22:4;28:13 located (1) 2:9 Lodge (1) 15:18	logging (1) 28:24 Long (1) 15:21 look (3) 9:6;11:10;12:16 looked (1) 6:1 looking (1) 11:13 looks (1) 38:6 Loryn (1) 3:23 lorynjohnson2@mtgov (1) 3:24 lot (1) 13:24 lover (1) 27:15 lower (4) 40:25;41:9,15; 43:6 M ma'am (1) 17:12 Madam (7) 17:3,18;21:19; 29:12;38:15;39:3; 40:9 mailed (1) 40:2 maintain (5) 3:5;10:25;26:24; 27:19;37:7 maintaining (2) 10:10;28:23 major (1) 12:5 makes (2) 35:23;42:24 making (6) 4:22;8:12;13:9,10; 15:4;21:4 manpower (1) 7:19 many (2) 6:1,15 Mark (2) 36:20,25 massive (1) 30:2 match (1) 6:11 matter (2) 2:12;8:5 may (6) 3:16,19;4:25; 13:24;38:4;39:19 Maybe (1) 7:11
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<p>means (1) 41:3</p> <p>meet (3) 26:5;42:21,23</p> <p>meeting (1) 14:7</p> <p>MEIC (1) 15:24</p> <p>member (1) 33:21</p> <p>members (3) 22:4;24:9;29:16</p> <p>meters (2) 19:24;20:2</p> <p>micrograms (5) 18:22;20:23;28:4; 29:1;34:13</p> <p>microphone (2) 4:21;16:19</p> <p>might (2) 13:20;41:18</p> <p>Mike (2) 10:1,6</p> <p>miles (1) 35:7</p> <p>milligrams (3) 18:11;31:9,11</p> <p>million (3) 13:15;19:24;41:2</p> <p>mind (1) 7:3</p> <p>mine (5) 19:6;20:3,4;28:21; 40:21</p> <p>mines (12) 12:7;19:7,12,20, 23;20:3,4;26:16; 28:9,19;29:3;30:13</p> <p>mining (14) 11:14;19:8;23:18; 25:20;28:7,8,16,25; 30:2;32:3,8;35:7; 37:19;42:16</p> <p>minute (1) 17:9</p> <p>minutes (1) 5:14</p> <p>miss (1) 8:22</p> <p>mission (2) 10:8;34:5</p> <p>Missouri (1) 16:5</p> <p>mitigation (1) 19:22</p> <p>modify (2) 2:14;36:16</p> <p>Montana (48) 2:8,10,19,22;3:4; 10:8,23;11:23;13:8, 15,17;14:8,9;15:16, 21,22,22,24,24,25; 16:1;19:5;20:7,22,</p>	<p>24;22:3;23:4,23; 25:9;27:23;29:4; 30:10;31:21;32:4,14, 19;33:11;34:8; 35:23;36:11,15;37:2, 3,5,7;38:8;39:22; 43:17</p> <p>Montanans (2) 11:15;13:25</p> <p>Montana's (14) 10:9,11;11:15; 12:7;20:18;23:13; 26:15,16;27:15; 35:21;36:2;37:20, 24;38:3</p> <p>Montinor (1) 28:21</p> <p>more (8) 3:14;21:5;23:18; 25:15;32:2;35:18; 36:3;40:5</p> <p>morning (1) 33:2</p> <p>most (2) 12:18;23:6</p> <p>motivations (1) 26:10</p> <p>Mountain (3) 30:23;31:7,14</p> <p>mounting (1) 35:21</p> <p>move (5) 4:20;9:4,23;16:23; 38:18</p> <p>much (5) 5:19;22:19;23:7; 30:18;43:24</p> <p>multinational (1) 32:3</p> <p>multiple (2) 18:13,18</p> <p>multi-year (1) 27:22</p> <p>must (6) 3:8;4:13;5:7; 35:24;36:15;40:3</p> <p>myself (1) 27:14</p>	<p>nations (1) 37:12</p> <p>Native (3) 17:19;18:23;35:14</p> <p>natural (2) 11:15;17:21</p> <p>naturally (1) 28:18</p> <p>near (1) 12:7</p> <p>nearly (5) 19:24;22:16;24:9; 36:10;37:10</p> <p>necessary (2) 25:4;32:18</p> <p>need (3) 14:5,6,10</p> <p>needed (2) 26:21;31:21</p> <p>neighbors (1) 32:5</p> <p>neutral (5) 4:10,24;38:19,20, 24</p> <p>new (8) 6:23;11:7;14:24; 20:3,4;22:12;28:24; 37:18</p> <p>Next (14) 11:18;20:2;21:21, 22;22:22;23:25; 27:4;29:7;32:20,22; 33:1,21;36:19;38:3</p> <p>Nice (1) 11:20</p> <p>nine (1) 19:24</p> <p>Nitrate (1) 20:13</p> <p>Nobody (3) 9:21;38:15;39:3</p> <p>Noel (2) 5:21;40:10</p> <p>north (2) 28:19;29:14</p> <p>northwest (1) 37:3</p> <p>notice (3) 3:11,12;4:2</p> <p>notification (1) 17:9</p> <p>notify (1) 3:21</p> <p>number (3) 4:15;5:9;15:9</p> <p>nutrient (2) 41:22,24</p>	<p>5:6</p> <p>obvious (1) 15:6</p> <p>obviously (2) 14:16;25:23</p> <p>occasions (1) 42:5</p> <p>occurring (1) 28:18</p> <p>off (1) 42:14</p> <p>office (1) 29:17</p> <p>OFFICER (36) 2:4;9:10,15,18,22; 11:17;16:15,22;17:5, 14:21;20:25;22:21, 25;23:20,24;24:4; 27:3,6,10;29:6,10; 32:24;33:4,19,25; 36:18,22;38:12,17, 23;39:5,10,14;40:8; 43:25</p> <p>officials (1) 11:13</p> <p>once (4) 32:13;34:22; 40:16;42:13</p> <p>one (13) 3:14;5:20,25;6:8, 9;7:8,16;21:22;22:5, 22;24:16;33:1;40:4</p> <p>online (10) 2:10;9:19,21; 16:23,23;17:16; 38:14,16,24;39:8</p> <p>only (6) 6:21,22;14:1; 25:18;28:9;36:2</p> <p>open (1) 35:6</p> <p>operation (2) 25:20;40:21</p> <p>operations (3) 28:16,25;35:7</p> <p>opponent (1) 10:12</p> <p>opponents (4) 9:24,25;16:25; 38:13</p> <p>opportunity (7) 5:19;11:16;22:20; 27:2;33:18;34:7; 36:25</p> <p>oppose (3) 4:24;16:18;33:14</p> <p>opposed (2) 10:4;16:8</p> <p>opposition (6) 4:10;15:10;16:17, 24;22:10;24:9</p> <p>oral (2) 4:13,20</p>	<p>order (6) 2:6;14:13;17:1; 25:15;29:21;35:25</p> <p>organizations (2) 15:9;16:7</p> <p>originates (1) 19:9</p> <p>ostensibly (1) 25:19</p> <p>others (2) 16:18;17:8</p> <p>ourselves (1) 8:18</p> <p>out (11) 3:16;6:10;7:5; 8:22;11:13;12:16; 22:9;25:11;42:13; 43:9,15</p> <p>outfitter (2) 37:1,4</p> <p>Outfitters (7) 10:7,23;13:7; 15:16,17,21;37:6</p> <p>outfitting (2) 10:11;15:21</p> <p>outside (1) 24:15</p> <p>over (15) 2:21;5:13;6:1,8;3; 10:22;16:7;17:25, 25;20:2,11,14,14; 22:15;35:19;37:5</p> <p>overbearing (1) 8:21</p> <p>overwhelming (1) 26:18</p> <p>owned (1) 19:8</p> <p>ownership (1) 8:17</p> <p>owns (1) 29:3</p>
				P
				<p>Pack (1) 15:13</p> <p>package (1) 41:22</p> <p>packet (3) 40:13;41:23,24</p> <p>Parks (4) 16:1;20:24;41:19; 42:4</p> <p>part (1) 9:8</p> <p>participated (2) 18:5;22:14</p> <p>particular (6) 6:7,20;12:8;13:1; 16:11;41:25</p> <p>parties (5) 4:9;38:18,21,24;</p>

40:17 parting (1) 32:17 Partners (1) 15:25 partnership (1) 9:7 past (1) 12:3 path (1) 14:17 pays (1) 13:10 people (6) 6:18;9:23;25:9; 37:20;42:20;43:23 people's (1) 13:11 per (9) 18:11;22:20;23; 28:4;29:2;31:9,11; 34:13;35:17 percent (9) 12:4;20:12,14,15; 31:10;40:20;42:12; 43:6,14 permit (1) 29:3 permitted (1) 20:1 person (9) 3:9;4:5;9:24; 11:19;16:17;17:10; 22:8;39:6;43:9 personally (1) 42:10 persons (7) 3:1,6,8,10,16,25; 4:4 petition (45) 2:13;3:2;4:11,25; 5:5,7,6:12;9:1,12,24, 25:10;12:11;6; 16:11,19,25;18:2; 20:8;21:19;22:10,11, 19;24:11;25:10,19; 26:1,10,11,24;27:18; 29:5,19;32:16;33:14, 17;34:8,20;36:9,16; 37:16;38:9,14,20,25; 39:7 Petitioner (2) 2:24;5:16 petitioning (1) 28:12 Pfeiffer (4) 33:22,23;34:2,3 P-F-E-I-F-F-E-R (1) 34:3 PhD (1) 10:14 picture (1) 35:23	piece (1) 5:20 pile (1) 40:22 piles (1) 28:8 pit (1) 35:6 place (2) 2:8,11 placed (3) 3:11,14,24 please (11) 4:8,22;10:2;16:11, 25;17:6;27:19;29:4; 33:17;38:7;39:16 pm (5) 2:7;39:25;40:4; 44:4,7 PO (1) 39:21 point (5) 6:9;12:12;25:11; 28:20;29:17 policy (3) 6:4;26:5;42:24 politics (1) 26:13 pollute (2) 29:4;30:15 polluters (2) 40:20;43:14 pollutes (1) 20:7 polluting (2) 19:12;36:1 pollution (16) 8:1,12;12:1,10; 19:9,20;20:7;21:10, 13;24:20;25:17; 30:4,8;35:5,13;36:4 population (1) 12:6 populations (3) 28:2;35:10;37:23 portion (1) 30:20 possible (1) 32:23 possibly (1) 12:2 postmarked (1) 40:3 potential (1) 13:12 practices (1) 11:4 precious (1) 11:15 preparing (1) 4:18 present (4) 3:1,3;4:5;41:21	presented (1) 24:16 presenting (1) 4:20 presents (1) 35:20 preside (1) 2:21 PRESIDING (36) 2:4;9:10,15,18,22; 11:17;16:15,22;17:5, 14;21:20,25;22:21, 25;23:20,24;24:4; 27:3,6,10;29:6,10; 32:24;33:4,19,25; 36:18,22;38:12,17, 23;39:5,10,14;40:8; 43:25 previous (1) 14:20 previously (1) 44:3 primacy (1) 15:4 Prior (2) 4:22;31:18 probably (2) 8:8;42:2 problem (5) 8:5;10:20;12:13; 42:6,13 problems (1) 42:20 Proceed (1) 40:8 proceedings (3) 2:1,3;7:44;6 process (6) 9:4;18:6;22:14; 25:21;34:23;38:8 processes (2) 18:13;34:12 professionally (1) 10:22 profits (1) 23:19 proponents (4) 9:12,16,19,21 proposed (2) 30:1;32:7 protect (13) 8:23;10:9;12:15; 14:10;24:20;25:2,4; 26:21;28:4;29:21; 31:20;33:12;34:5 protected (3) 19:3,6;21:17 protecting (3) 13:1;23:16;24:12 Protection (2) 14:19;23:17 protections (2) 37:9;38:2	protective (5) 14:22;26:3;34:14, 19,24 protects (2) 21:13;26:15 protocol (1) 17:16 provide (10) 4:13,17;16:17,24; 19:15;34:7;37:25; 38:19,21,25 provided (3) 4:2,14;39:18 provides (1) 11:7 public (8) 2:12;11:3;18:13; 31:25;33:21;34:7; 38:8,25 purpose (2) 5:2;12:14 pursuant (1) 2:22 push (1) 30:9 put (3) 4:5;43:20,22 puts (1) 43:19 Q quadrupled (1) 35:18 quality (27) 2:16,19,20;3:21; 4:1;5:4;7:24;10:24; 14:12;20:16;21:2; 24:14;25:13,19;26:3, 15;29:20,22;31:22; 32:15;34:10;35:21, 24;36:9,16;39:21; 41:21 Quality's (3) 3:15;4:3;12:25 quantity (1) 24:14 quite (1) 10:19 quote (3) 2:15;26:4,5 R Raft (1) 15:17 Rafting (1) 15:13 raise (2) 16:25;28:12 raised (4) 9:21;17:2;38:16; 39:4	raising (3) 4:9;33:15;39:1 ramifications (1) 12:5 ranged (1) 31:9 rare (1) 19:16 rate (1) 41:7 rather (2) 11:14;37:19 rationale (1) 34:18 reach (1) 35:5 read (3) 7:9;10:2;15:11 real (2) 13:8,17 really (2) 38:6;43:15 reasonable (2) 5:9;8:16 reasons (1) 36:15 receive (1) 3:11 receiving (1) 5:4 recent (1) 35:17 recently (1) 31:7 recognition (1) 12:25 recognize (2) 7:25,25 recommendations (2) 30:7;32:9 record (9) 2:6,23,23;5:3; 15:12;22:2;24:6; 33:7;40:11 recovery (1) 35:14 recreation (2) 13:14,16 recreational (1) 27:14 reduce (1) 43:11 reduced (1) 31:21 reduction (1) 8:11 reflects (1) 35:4 Refuge (1) 10:18 regarding (1) 5:5 region (3)
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7:1;28:18;35:15 registered (1) 11:18 regulated (1) 26:22 regulation (5) 6:7;7:7;8:19;20; 25:16 regulations (2) 6:5,6 regulators (2) 26:19;36:4 regulatory (1) 6:11 reject (10) 16:11;18:2;21:19; 22:19;23:7;26:23; 27:17;29:4,18;33:17 rejecting (3) 20:8;32:16;38:9 related (1) 26:6 relates (1) 41:3 Relaxing (1) 32:6 released (1) 30:14 relevant (2) 5:4,7 remain (2) 16:14;23:10 remediation (2) 10:17;19:22 remind (1) 44:2 reminder (2) 17:6;39:11 report (1) 35:17 Reporter (1) 4:18 represent (1) 5:23 representative (1) 5:16 representing (6) 11:22;22:3;24:8; 27:14;29:15;37:5 reproductive (1) 28:2 requesting (1) 4:4 require (2) 12:20;19:21 required (1) 25:4 requirement (1) 3:4 requires (1) 36:7 reservoir (11) 8:10;18:7,24;19:2;	20:11,13,21;21:11, 15:41:1,1 residents (1) 38:1 resources (5) 10:10;11:15; 17:21;21:17;25:8 respect (5) 5:12;17:7;24:18; 25:10;26:10 respectfully (1) 24:10 respectively (1) 20:15 response (8) 9:14,17;16:21; 21:1;38:22;39:2,9,13 responsible (1) 40:17 restoration (1) 19:22 restore (1) 34:5 result (1) 37:10 resulted (1) 27:21 retain (1) 29:20 retaining (1) 32:14 revealed (1) 28:22 reverse (1) 25:7 review (1) 9:1 reviewed (2) 7:17;14:20 reviews (1) 9:5 revising (1) 14:17 R-E-X (1) 23:4 Rich (2) 17:10,20 right (3) 38:18;43:2,23 rightfully (1) 31:22 rights (1) 19:14 rigor (1) 23:9 rigorous (5) 11:3;18:16;34:11, 23:37:10 riparian (1) 10:10 rise (2) 22:9;42:24 rises (1)	42:24 rising (1) 35:9 risk (2) 31:4,15 river (27) 11:1;16:4;18:24; 19:11,18;20:12;21:3, 4;28:6,11;29:23,25; 30:2,15,16,17,20,21; 31:1,20;32:7,22; 34:16;35:5,10;37:9; 38:5 Rivers (4) 15:14,20;34:4,5 robust (2) 13:10;22:14 Rock (3) 16:2;19:25;20:6 role (1) 14:16 Room (12) 2:8;9:12,13,16,25, 25:16;17,18;38:19, 21;39:7;40:5 rooms (1) 17:17 route (1) 8:25 rulemaking (6) 2:14;3:7,12,20,22; 5:8 rules (1) 5:6 running (1) 12:10 runs (1) 36:11	27:21;31:24;37:18; 38:7 science-based (1) 37:11 scientific (6) 18:16;23:9;34:11, 18,21,23 scientist (2) 7:9;43:8 scratching (1) 13:19 Secondly (2) 23:12;25:14 section (1) 21:3 seeing (1) 42:11 seeking (1) 36:5 seeks (3) 25:11,12,14 selenium (67) 7:10;8:9;10:13; 11:1,8,24;12:2,4,10, 14;18:4,6,12,21; 19:20;20:10,11,17, 19,20,22;21:4,6,9, 16;23:8;24:20; 25:13,16;26:25; 27:18;28:1,3,10,13, 15,18,22,23;29:20, 24;30:13,18,20;31:4, 7,16;32:6,15;33:16; 34:10,17,24;35:2,5, 9,17;36:5,10,16; 37:8;38:10;41:6,24; 42:2,7;43:2 Selkirk (1) 16:3 sense (1) 41:11 sent (1) 4:17 serious (1) 12:6 serve (1) 37:18 set (7) 2:11;7:14,15;8:13; 42:25;43:1,16 Setting (2) 41:8,14 several (2) 20:20;37:11 severely (1) 35:13 severity (1) 21:9 shared (1) 21:17 sheets (1) 4:6 short (1)	38:9 show (1) 2:6 shows (1) 31:18 side (1) 8:5 sighted (1) 38:9 sign (1) 4:16 signed (1) 16:16 significant (2) 37:14;41:6 significantly (4) 20:5;40:24;41:9, 15 signup (1) 4:6 similar (1) 31:15 similarities (1) 31:13 simply (3) 25:7;26:8,17 sister (2) 18:8,20 sit (1) 37:4 site (2) 21:15;42:17 site-specific (16) 6:14;7:15;10:25; 18:4,6,12;20:18; 22:15;24:21;25:3, 22;26:2,14;28:3; 37:8;43:1 situation (1) 12:8 six (3) 41:4,5;43:5 Sixth (1) 2:9 smart (1) 7:11 soil (1) 28:20 solid (1) 27:21 solution (1) 41:8 somehow (2) 14:25;26:16 sometimes (1) 8:19 soon (1) 32:23 Sorry (1) 10:6 sort (1) 13:19 sound (2)
		S		
		safe (1) 32:11 safeguard (1) 37:14 safety (2) 6:17,18 Salish (3) 17:22,24;19:13 samples (1) 31:10 sampling (1) 28:21 Sand (1) 29:17 Save (1) 16:3 scary (2) 10:13;11:24 science (14) 11:3;12:16,22; 13:3,4;14:25;22:12; 24:23;26:12,20;		

24:22;34:18 source (3) 25:16;28:10;30:3 sources (2) 31:14;43:13 sovereigns (1) 35:15 span (1) 31:13 speak (7) 4:21;17:4,7,8; 22:20;23:19;36:25 speaking (1) 34:3 species (7) 19:2,4,16,17; 20:20;30:25;31:3 specific (3) 7:2;11:8;21:15 Specifically (1) 28:14 spell (1) 10:2 spending (1) 23:5 spoils (1) 8:8 sports (2) 13:16;16:4 stakeholders (1) 27:24 stand (3) 32:14;43:17,18 standard (70) 2:17;6:10,13,14, 20:20;7:10,13;8:13; 11:8,11;12:15,20,23; 13:1,11,19;14:1,17, 21,22,24;15:2,5,11; 16:9,13;18:4,7,12, 14,15;19:5;20:19,22; 21:11,12;22:15,18; 25:7,13;26:15,19; 27:1,18,20,20;28:4, 15,24;29:1;30:10; 31:11,19,23;33:16, 17;34:10,13,17,24; 40:24;41:9,14;42:21, 23,25;43:1,17,19 standards (27) 8:14;9:1,2;11:1,2; 14:7,12;19:1;23:8; 24:21,22,25;25:3,19, 22;26:3;29:21;32:6, 15;35:24;36:5,9,17; 37:8,17,22;38:10 State (11) 2:8;3:5;4:24;10:2; 18:18;26:25;27:22; 31:6;35:1;37:6,11 statement (3) 4:22;26:8;40:7 states (2)	36:7;40:18 state's (1) 36:1 statewide (1) 24:16 stay (1) 38:7 steady-state (2) 2:15;25:15 step (2) 32:20,23 Stephen (2) 33:22;34:2 steps (1) 32:18 still (4) 30:22;39:11,19; 40:22 stop (1) 8:20 stray (1) 24:24 stretch (1) 35:2 stringent (2) 25:16;31:19 strongly (3) 27:17;33:14;37:7 studied (1) 31:7 studies (1) 23:10 study (3) 12:9;18:16;30:6 stuff (2) 6:12;7:11 Sturgeon (3) 19:19;31:1,13 sub (1) 2:15 Sub7a (1) 2:17 subject (1) 3:8 subjects (2) 3:8,12 submit (5) 4:25;14:18,24; 39:11,19 submitted (2) 33:9;40:13 submitting (1) 21:7 suggesting (1) 41:12 sulphate (1) 20:13 sum (1) 26:23 Superfund (1) 42:18 Superfunds (1) 42:17	Supply (1) 15:20 support (8) 4:10,24;10:3; 18:14;22:18;30:22; 33:16;35:11 supported (4) 18:10,18;24:23; 26:20 supporters (1) 29:16 supporting (1) 24:19 supposedly (1) 28:13 sure (8) 7:3;13:9,10;15:4; 33:4;36:22;39:16; 41:21 Survey (1) 31:6 suspect (1) 14:25 sustaining (1) 10:10 Swearingen (5) 27:5,8,9,12,13 S-W-E-A-R-I-N-G-E-N (1) 27:13 swimmable (1) 13:6 Swiss (2) 13:22;29:2 Switzerland (1) 13:24 system (2) 35:6;36:12	testimony (15) 2:2;4:5,9,13,17,20; 5:1,7,12;9:23;38:14; 39:12,16,17;40:12 Thanks (1) 34:6 therefore (1) 20:6 thirty (1) 16:7 thought (1) 32:17 thousand (2) 8:7;10:22 threat (1) 35:21 threaten (3) 18:22;31:16;37:23 threatened (2) 19:16;30:25 three (1) 20:1 thresholds (1) 18:23 throughout (1) 37:3 thrown (1) 27:25 timber (1) 28:16 times (1) 7:14 tissue (3) 20:20;21:2;35:4 Title (1) 2:22 today (16) 3:3,13,17;4:7,15; 5:1,10;22:3,7,20; 34:4,7;39:12,25; 40:4;44:4 tomorrow (1) 40:22 took (1) 31:22 tool (1) 7:4 tools (1) 7:4 touch (1) 14:15 tourism (1) 38:4 to-wit (1) 2:2 town (1) 22:9 toxicity (1) 18:23 traces (1) 28:22 trader (1) 13:23	Trailhead (2) 16:4,4 trajectory (1) 35:20 transcript (1) 4:19 transvalley (1) 18:8 treat (2) 14:6;43:10 treated (1) 43:6 treatment (3) 41:13,13,14 treaty (1) 19:14 tribal (4) 18:18,20;19:6; 37:12 tribe (2) 17:25;35:16 Tribes (4) 17:23,24;18:19; 27:23 triennial (1) 9:5 trillion (3) 41:4,5;43:5 Trout (9) 16:1;19:17,18; 22:3,5;30:24,24; 31:12;38:5 Troy (1) 33:11 true (1) 26:17 try (1) 8:20 trying (2) 8:17;13:20 two (4) 7:14;20:2;42:5,17
U				
ug/l (1) 18:5 unacceptable (1) 35:20 under (5) 30:18,25;31:2; 32:19;43:3 undertake (1) 20:9 undue (1) 7:7 unfathomable (1) 32:10 unique (1) 10:8 United (4) 15:20;31:6;34:4; 40:18				

Unlimited (4) 10:16;16:1;22:3,5 unsupported (1) 26:8 up (12) 4:16;6:13;9:2; 12:6;14:6;16:16; 23:5,13;30:2;32:14; 37:15;42:21 upholding (5) 11:10;18:14; 21:10,15;38:10 upon (1) 13:9 Upper (1) 16:4 upstream (2) 35:7;36:3 urge (9) 10:23;20:9;21:18; 23:7;26:23;27:17; 32:13,22;37:7 urgent (1) 21:5 urges (1) 18:2 urging (1) 23:11 use (5) 3:19;4:14;12:19; 13:2;14:7 uses (8) 12:15;13:5,6;25:5; 26:21;31:20;34:15, 19 USGS (2) 12:9;35:17 using (2) 13:2;17:16 utilize (1) 41:23 utilized (1) 42:2	views (1) 3:1 visitors (1) 38:1 vitality (1) 7:20 volume (1) 43:10 Voters (1) 15:24 vulnerable (1) 36:3	14:11,12;16:8;21:12 weaker (1) 37:22 website (1) 4:3 Westslope (2) 19:17;30:23 wetlands (1) 10:15 What's (2) 12:14,17 whenever (1) 25:4 WHEREUPON (1) 2:1 White (3) 19:19;31:1,12 Whitefish (3) 30:23;31:8,14 who's (1) 39:6 wild (2) 38:5,6 Wildlife (7) 10:18;20:24; 33:13;37:21;41:19; 42:4,7 Wildsight (1) 16:5 wish (8) 3:10;16:18,24; 38:14,19,21,25;39:6 wishing (3) 4:5,13;5:10 without (2) 7:6;23:16 witnesses (1) 4:19 words (1) 25:18 work (7) 7:19;10:17;22:17; 27:24;30:10;33:12; 35:14 worked (2) 10:16;17:24 working (4) 7:13;9:3;30:6,7 world (2) 12:3;28:5 worst (1) 12:2 worth (1) 13:23 written (7) 4:17,25;21:7;33:9; 39:11,17,20 wrong (2) 6:22;8:21	16:5;33:10 year (1) 18:5 years (11) 6:2,3;8:4,7;11:3; 12:3,21;17:25; 22:16;35:14,19 years-long (1) 34:23 Yellow (1) 16:6 youth (1) 38:3	2 20 (1) 43:6 200901 (1) 39:21 2018 (1) 24:21 2020 (3) 20:25;24:22;26:19 2022 (1) 20:13 2025 (4) 2:7;39:25;40:4; 44:4 24.8 (1) 31:9 2-4-315 (1) 2:22 26,000 (1) 29:16
	W		Z	3
	warrant (1) 11:7 waste (3) 19:25;20:6;28:8 watched (1) 6:3 water (49) 2:16,16,20;6:18; 7:24;11:9;14:6,11, 23;15:25;18:12; 20:16;21:1;24:14; 25:8,12,19,24;26:3, 14,15,22;29:20,22; 30:18;31:18;32:15, 20;34:10;35:11,21, 24;36:1,7,8,16; 37:14,20;38:6; 40:25;41:4,5,10,16, 20;42:22;43:2,5,10 waterfowl (1) 10:15 Waterkeeper (1) 16:5 Waters (13) 15:18;19:14;20:7; 21:13,17;23:6,16,17; 24:20;27:15;31:20; 36:2,3 watershed (5) 18:17;24:13,15; 28:10;33:13 waterway (2) 12:16,19 waterways (1) 25:2 way (4) 12:11;16:19;43:7, 9 ways (1) 44:3 weaken (9) 11:12;18:3;25:7, 19;27:18;30:10; 34:9;35:24;37:17 weakened (1) 28:6 weakening (7) 11:8;13:19,25;	WHEREUPON (1) 2:1 White (3) 19:19;31:1,12 Whitefish (3) 30:23;31:8,14 who's (1) 39:6 wild (2) 38:5,6 Wildlife (7) 10:18;20:24; 33:13;37:21;41:19; 42:4,7 Wildsight (1) 16:5 wish (8) 3:10;16:18,24; 38:14,19,21,25;39:6 wishing (3) 4:5,13;5:10 without (2) 7:6;23:16 witnesses (1) 4:19 words (1) 25:18 work (7) 7:19;10:17;22:17; 27:24;30:10;33:12; 35:14 worked (2) 10:16;17:24 working (4) 7:13;9:3;30:6,7 world (2) 12:3;28:5 worst (1) 12:2 worth (1) 13:23 written (7) 4:17,25;21:7;33:9; 39:11,17,20 wrong (2) 6:22;8:21	Zoom (5) 2:10;4:7,14,15,16 0 0.8 (3) 28:4;29:1;34:13 1 1,000 (1) 37:5 1.0 (2) 41:8;43:2 1.1 (1) 41:8 1.5 (1) 29:1 1:00 (1) 2:7 1:53 (1) 44:7 100 (4) 8:4;40:20;42:12; 43:14 102 (1) 2:8 11.6 (1) 31:9 11:59 (3) 39:24;40:3;44:4 120 (1) 20:14 1301 (1) 2:9 13th (4) 2:7;39:25;40:4; 44:4 15.1 (2) 20:23;31:11 17.30.602 (1) 2:15 17.30.632 (1) 2:17 1984 (1) 20:13	24.8 (1) 31:9 2-4-315 (1) 2:22 26,000 (1) 29:16
			1	4
			1,000 (1) 37:5 1.0 (2) 41:8;43:2 1.1 (1) 41:8 1.5 (1) 29:1 1:00 (1) 2:7 1:53 (1) 44:7 100 (4) 8:4;40:20;42:12; 43:14 102 (1) 2:8 11.6 (1) 31:9 11:59 (3) 39:24;40:3;44:4 120 (1) 20:14 1301 (1) 2:9 13th (4) 2:7;39:25;40:4; 44:4 15.1 (2) 20:23;31:11 17.30.602 (1) 2:15 17.30.632 (1) 2:17 1984 (1) 20:13	3,000 (1) 24:9 30 (1) 17:25 32 (1) 2:15 38 (2) 12:3;35:19
				5
				406-444-4386 (1) 39:23
				5
				551 (1) 12:4 580 (1) 20:11 59620-0901 (1) 39:22
				6
				60 (1) 6:3
				7
				75 (1) 31:10 780 (1) 20:14
				8
				8 (8)
V				
valid (1) 23:10 valley (8) 10:16;12:11;16:5; 19:25;22:5;33:10; 35:8;37:2 variety (1) 44:3 via (5) 2:10;4:7,12,16; 34:11 viability (1) 10:11 vibrant (2) 13:10,12 view (1) 6:9	valid (1) 23:10 valley (8) 10:16;12:11;16:5; 19:25;22:5;33:10; 35:8;37:2 variety (1) 44:3 via (5) 2:10;4:7,12,16; 34:11 viability (1) 10:11 vibrant (2) 13:10,12 view (1) 6:9			
			Y	
		Yaak (2)		

18:5,10,21;31:23; 40:24;41:9;42:21; 43:11				
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