Welcome!

- Please keep your microphone muted until called on
- Only NWG Members may participate during discussions
- Please reserve public comment until the end
- *6 unmutes your phone
- State your name and affiliation before providing your comment
- Enter questions in the chat box or raise hand
- Turning off your video feed provides better bandwidth
- Please sign-in to the chat box with name and affiliation
Agenda

Meeting Goal: Discuss themes of Nutrient Work Group member comments on the draft comprehensive rule package

Preliminaries
- Nutrient Work Group Roll Call (Ted Barber, Meeting Facilitator)

Meeting Focus Discussion
- Themes of Nutrient Work Group Comments on Comprehensive Rulemaking Package
- Formation of Technical Subgroups

Public Comment & Close of Meeting
- Schedule for Future Nutrient Work Group Meetings
- Public Comment
Introductions

DEQ Staff

- Christopher Dorrington, Director
- George Mathieus, Deputy Director
- Kurt Moser, Legal Counsel
- Moira Davin, Public Relations
- Amy Steinmetz, Water Quality Division Administrator
- Jon Kenning, Water Protection Bureau Chief
- Rainie DeVaney, Discharge Permitting Section Supervisor
- Galen Steffens, Water Quality Planning Bureau Chief
- Myla Kelly, WQ Standards & Modeling Section Supervisor
- Kristy Fortman, Watershed Protection Section Supervisor
- Darrin Kron, WQ Monitoring & Assessment Section Supervisor
- Michael Suplee, Water Quality Science Specialist
<table>
<thead>
<tr>
<th>Interest Group</th>
<th>Representative</th>
<th>Substitute</th>
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<tbody>
<tr>
<td>Point Source Discharger: Large Municipal Systems (&gt;1 MGD)</td>
<td>Susie Turner</td>
<td>Louis Engels</td>
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<tr>
<td>Point Source Discharger: Middle-Sized Mechanical Systems (&lt;1 MGD)</td>
<td>Shannon Holmes</td>
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<tr>
<td>Point Source Discharger: Small Municipal Systems with Lagoons</td>
<td>Rika Lashley</td>
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<tr>
<td>Point Source Discharger: Non-POTW</td>
<td>Alan Olson</td>
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<td>Municipalities</td>
<td>Kelly Lynch</td>
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<tr>
<td>Mining</td>
<td>Tammy Johnson</td>
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<td>Farming-Oriented Agriculture</td>
<td>John Youngberg</td>
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<tr>
<td>Livestock-Oriented Agriculture</td>
<td>Jay Bodner</td>
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<td>Conservation Organization - Local</td>
<td>Kristin Gardner</td>
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<td>Conservation Organization – Regional</td>
<td>Sarah Zuzulock</td>
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<td>Conservation Organization – Statewide</td>
<td>David Brooks</td>
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<td>Environmental Advocacy Organization</td>
<td>Guy Alsentzer</td>
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<td>Water or Fishing-Based Recreation</td>
<td>Wade Fellin</td>
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<td>Federal Land Management Agencies</td>
<td>Andy Efta</td>
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<td>Federal Regulatory Agencies</td>
<td>Tina Laidlaw</td>
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<td>State Land Management Agencies</td>
<td>Jeff Schmalenberg</td>
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<td>Water Quality Districts / County Planning Departments</td>
<td>Pete Schade</td>
<td>None</td>
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<td>Soil &amp; Water Conservation Districts – West of the Continental Divide</td>
<td>Samantha Tappenbeck</td>
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<tr>
<td>Soil &amp; Water Conservation Districts – East of the Continental Divide</td>
<td>Dan Rostad</td>
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<td>Wastewater Engineering Firms</td>
<td>Scott Buecker</td>
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<td>Timber Industry</td>
<td>Julia Altemus</td>
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Ground Rules

• Speak one at a time – refrain from interrupting others.
• Wait to be recognized by facilitator before speaking.
• Facilitator will call on people who have not yet spoken before calling on someone a second time for a given subject.
• Share the oxygen – ensure that all members who wish to have an opportunity to speak are afforded a chance to do so.
• Be respectful towards all participants.
• Listen to other points of view and try to understand other interests.
• Share information openly, promptly, and respectfully.
• If requested to do so, hold questions to the end of each presentation.
• Remain flexible and open-minded, and actively participate in meetings.
Roles and Responsibilities

The Nutrient Work Group is an advisory group to DEQ. Members agree to:

• Provide specific local expertise, including identifying emerging local issues;
• Review project reports and comment promptly;
• Attend as many meetings as possible and prepare appropriately;
• Complete all necessary assignments prior to each meeting;
• Relay information to and from their broader interest group counterparts after each meeting and gather information/feedback from their counterparts as practicable before each meeting;
• Articulate and reflect the interests that NWG members bring to the table;
• Maintain a focus on solutions that benefit the entire state;
• Present recommendations for the rulemaking throughout the planning process.
Themes of Nutrient Work Group Comments on Comprehensive Rule Package
SB-358 created a new narrative standard; interpreting or translating response variables and associated thresholds into numbers is a violation of SB-358 because the standard is narrative.
Theme 2

The role of the adaptive management program
Examples:

• Use classification review & confirmation as part of AMP process

• Update impairment assessments
Use of response variables and interpretation of upstream/downstream changes is inefficient and expensive, reactive instead of proactive; various other concerns pertaining to response variables and thresholds
Theme 4

Too much responsibility for watershed monitoring and cleanup would be transferred to the point source dischargers; this transfer of responsibility is beyond the MPDES authority.

Where an adaptive management plan (AMP) fits into the MPDES process.
Narrative Nutrient Standards
Must meet...

Senate Bill 358:
• Rule provides for AMP
• Balances all factors impacting a water body
• Prioritizes the minimization of phosphorus, taking into account site-specific conditions
• Identifies response variables and associated thresholds
• Considers whether point source is new or existing, and impaired or unimpaired
• Rules adopted by March 1, 2022
Working Subgroups
Working Subgroups Purpose

To provide solutions to the common themes discussed today

- Approvable solutions to protect water quality
- Starting point: address major comment themes
- Timeline: December 2021 – May 2022
Working Subgroups Construct

DEQ Recommends Each Group Contain:
• One DEQ representative
• One EPA representative
• Three NWG representatives that balance interests

DEQ will make final member selections from today’s nominations

Expectations:
• Attend every meeting to ensure cohesiveness
• Commitment to meet as needed
• Provide concrete solutions
• Report back to full NWG
Circular DEQ-12A Repeal
Next NWG Meetings
Next Meetings

Next Meeting Potential Dates:

- Fourth Wednesday of each month 9 – 11 a.m.
- January 26
- February 23
- March 23
- April 27
- May 25
Questions/Comments

• Raise hand or type questions into the chat

• Please keep your microphone muted until called on

• If calling by phone, press *6 to unmute

• State your name and affiliation before providing your comment
Thanks for Joining Us

Contact: Christina Staten
CStaten@mt.gov

To submit comments or questions

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