

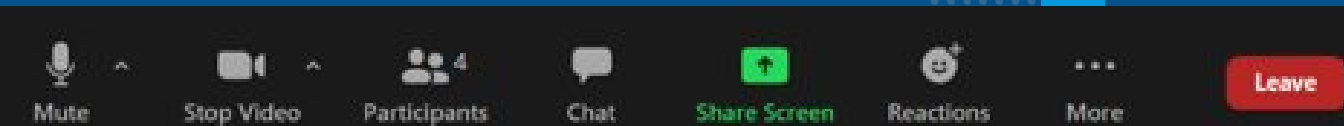
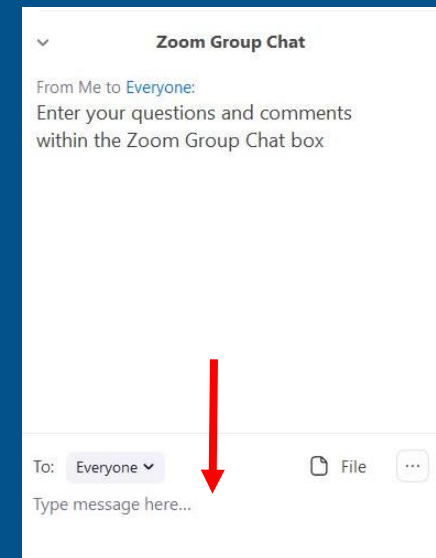
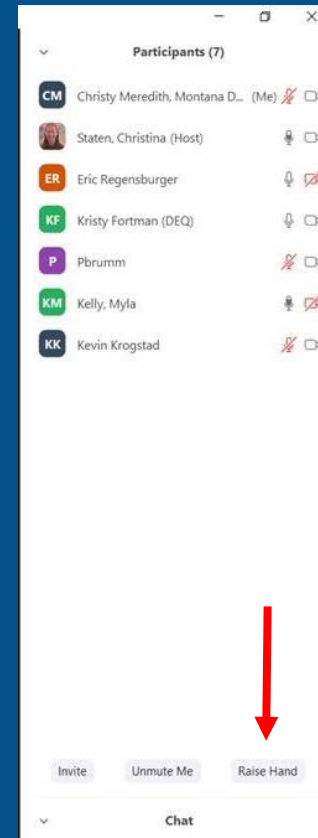
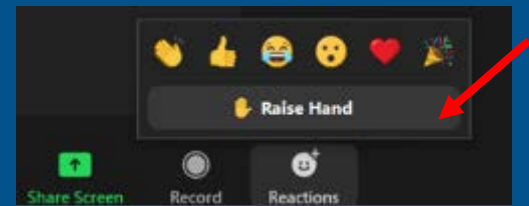


Nutrient Work Group Session Nine

November 03, 2021

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 the draft rule framework and follow-up on outstanding topics from October 27

Preliminaries

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

Meeting Focus Discussion

- Draft Rule Framework
- Circular DEQ-12A Repeal
- Update on Nutrient Work Group Comments on Comprehensive Rulemaking Package
- Nonpoint Source Pollution

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

Introductions

Nutrient Work Group Members

Interest Group	Representative	Substitute
Point Source Discharger: Large Municipal Systems (>1 MGD)	Susie Turner	Louis Engels
Point Source Discharger: Middle-Sized Mechanical Systems (<1 MGD)	Shannon Holmes	
Point Source Discharger: Small Municipal Systems with Lagoons	Rika Lashley	
Point Source Discharger: Non-POTW	Alan Olson	
Municipalities	Kelly Lynch	
Mining	Tammy Johnson	
Farming-Oriented Agriculture	John Youngberg	
Livestock-Oriented Agriculture	Jay Bodner	
Conservation Organization - Local	Kristin Gardner	
Conservation Organization – Regional	Sarah Zuzulock	
Conservation Organization – Statewide	David Brooks	None
Environmental Advocacy Organization	Guy Alsentzer	
Water or Fishing-Based Recreation	Wade Fellin	
Federal Land Management Agencies	Andy Efta	
Federal Regulatory Agencies	Tina Laidlaw	
State Land Management Agencies	Jeff Schmalenberg	
Water Quality Districts / County Planning Departments	Pete Schade	
Soil & Water Conservation Districts – West of the Continental Divide	Samantha Tappenbeck	
Soil & Water Conservation Districts – East of the Continental Divide	Dan Rostad	
Wastewater Engineering Firms	Scott Buecker	
Timber Industry	Julia Altemus	

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.



Draft Rule Framework

Nutrient Work Group Discussion and Feedback



Circular DEQ-12A Repeal

DEQ-12A Repeal

- Remove most rule language added in 2014 12A/12B adoption.
 - Exception:
 - Re-insert non-significance criteria for total inorganic nitrogen and total inorganic phosphorus into ARM 17.30.715(1)(c)
 - References to DEQ-12A (and 12B) removed from;
 - ARM 17.30.507, 17.30.516, 17.30.602, 17.30.619, 17.30.622 thru 17.30.629, 17.30.635, 17.30.660, 17.30.702, 17.30.715;
 - Add new criteria for nonsignificant changes in water quality for TN and TP in ARM 17.30.715 as adopted in 75-5-317(2)(u) per SB 358.



Update on Nutrient Work Group Comments on Comprehensive Rule Package



Nonpoint Sources

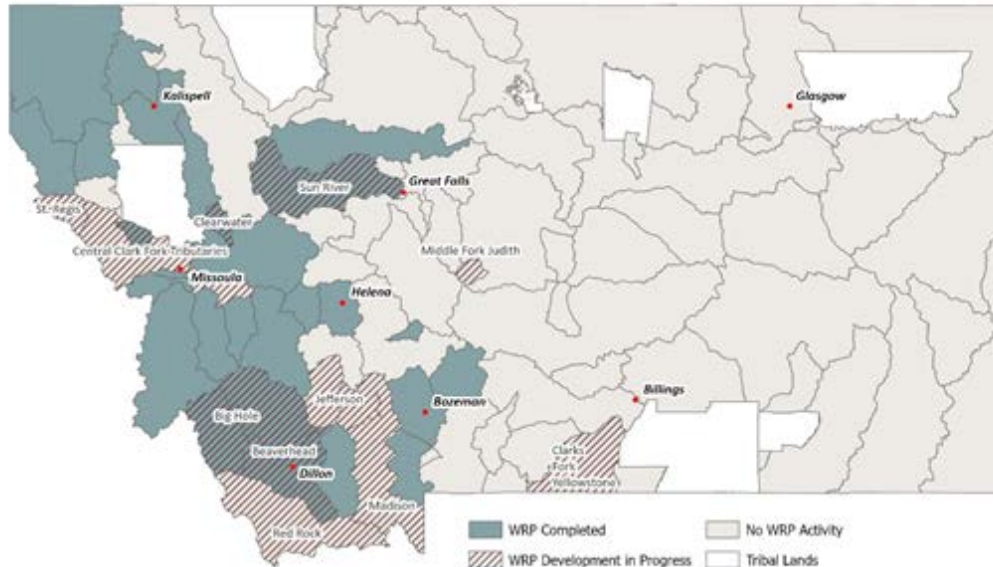
Nonpoint Source Management Program

- DEQ implements a nonpoint source program that works to reduce nonpoint source pollution through **voluntary** measures.
- Nonpoint source is the largest contributor of pollution in Montana's lakes and streams. Some examples include unmaintained septic systems, runoff from abandoned mine sites, sediment from roads and agriculture.
- DEQ awards \$1 million annually for nonpoint source reduction projects through a grant from EPA.
- Funded projects must implement a locally developed Watershed Restoration Plan

Watershed Restoration Plans

Essential Elements

Watershed Restoration Plan (WRP) Development Status



0 25 50 100 Miles

08/25/2021 - DEQ Watershed Protection Section



1. Identification of pollutant causes and sources
2. Load reduction estimate
3. Identification of NPS management measures
4. Technical and financial assistance needed
5. Education and outreach
6. Implementation schedule
7. Milestones
8. Short term criteria
9. Monitoring

Nonpoint Source: Septic Systems

- VOLUNTARY: DEQ's nonpoint source program provides financial support to local organizations for septic maintenance cost share.
- REGULATED: DEQ is also embarking on a subdivision rulemaking process. DEQ's subdivision program reviews and approves septic systems.
 - DEQ is forming a task force for the rulemaking
 - DEQ has started a subdivision newsletter to share updates on the rulemaking process
- All Nutrient Work Group members will be forwarded the subdivision newsletter with an opportunity to sign up to receive future newsletters. Information on the task force is also in the newsletter.

Nonpoint Source in Current Rulemaking

- When data determines there is a problem the discharger will have options to solve the problem.
 - In those options, the discharger can choose to partner with a local organization to implement a nonpoint source pollution project to address the problem.
- DEQ has resources available to the discharger such as established relationships, data, and the ability to help implement a watershed restoration plan.
- DEQ, based on your suggestion and with your participation, would like to develop an incentive plan that will include nonpoint source to encourage dischargers to implement nonpoint source reduction projects.

Nutrient Work Group Discussion and Feedback

Do the documents clearly describe the last slide or do we need further clarity in the documents?



Next Meeting

Next Meeting

Next Meeting Potential Dates:

- Tuesday, November 30: 1:30 – 3:30
- Wednesday, December 1: 9:30 – 11:30

TBD:

Creation of Rulemaking Subgroups

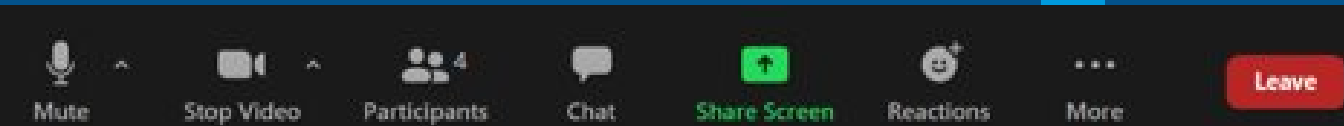
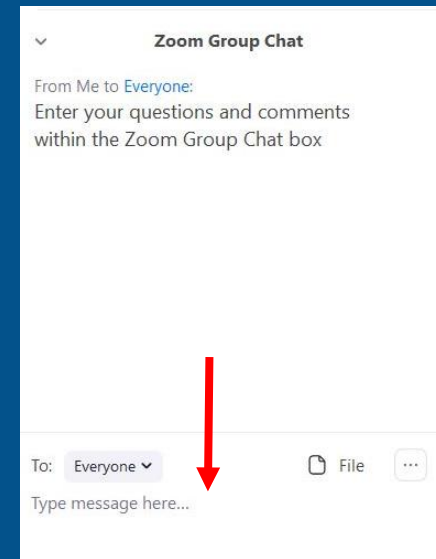
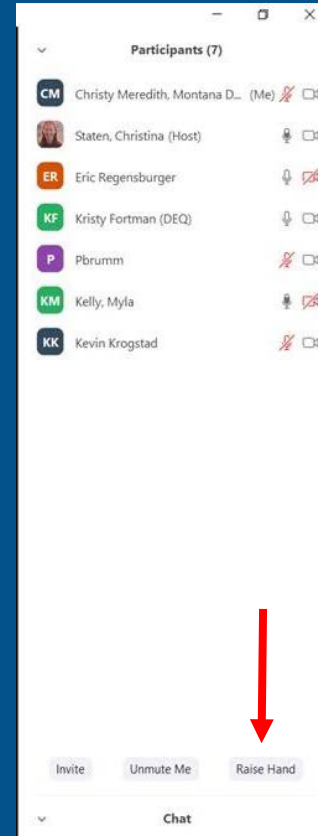
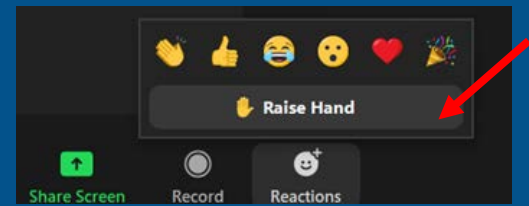




Public Comment

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>

