

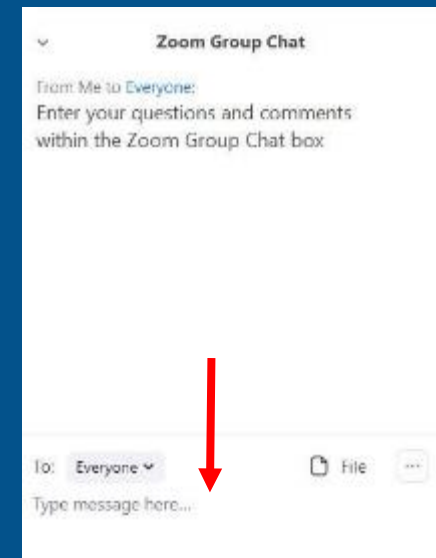
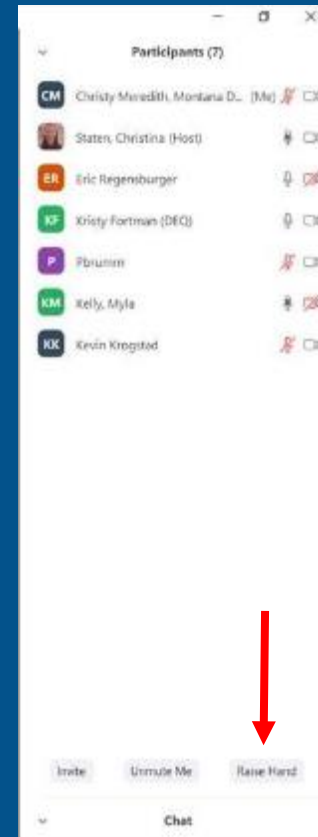
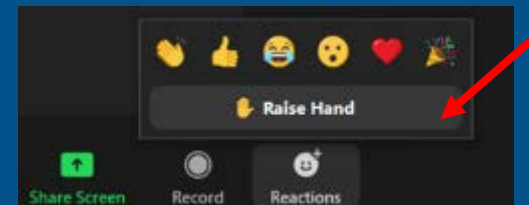


Nutrient Work Group Session 1

May 27, 2021

Welcome!

- Please keep your microphone muted
- Only NWG Members may participate during discussions
- *6 unmutes your phone
- State your name and affiliation before providing your comment
- Enter questions in the chat box at any time
- Turning off your video feed provides better bandwidth
- Please sign-in to the chat box with name and affiliation



Agenda

Nutrient Work Group Meeting

- Introductions and Roll Call
- Nutrient Work Group Charter Overview
- Rulemaking Framework Overview
- Focus of Today's Discussion:
 - Essential Components of Adaptive Management Plans
 - Sections of the Rulemaking Framework
- Close of Meeting
 - Future Listening Sessions
 - Next Meeting Topics
 - Open Public Discussion and Q&A



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 | Affiliation |
|---|-------------------|--|
| Point Source Discharger: Large Municipal Systems (>1 MGD) | Susie Turner | City of Kalispell |
| Point Source Discharger: Middle-Sized Mechanical Systems (<1 MGD) | Shannon Holmes | City of Livingston |
| Point Source Discharger: Small Municipal Systems with Lagoons | Rika Lashley | Morrison-Maeirle |
| Point Source Discharger: Non-POTW | Alan Olson | Montana Petroleum Association |
| Municipalities | Kelly Lynch | Montana League of Cities and Towns |
| Mining | Tammy Johnson | Montana Mining Association |
| Farming-Oriented Agriculture | John Youngberg | Montana Farm Bureau |
| Livestock-Oriented Agriculture | Jay Bodner | Montana Stockgrowers Association |
| Conservation Organization - Local | Kristin Gardner | Gallatin River Task Force |
| Conservation Organization – Regional | Sarah Zuzulock | Zuzulock Environmental Services |
| Conservation Organization – Statewide | David Brooks | Montana Trout Unlimited |
| Environmental Advocacy Organization | Guy Alsentzer | Upper Missouri Waterkeeper |
| Water or Fishing-Based Recreation | Wade Fellin | Big Hole Lodge |
| Federal Land Management Agencies | Andy Efta | U.S. Forest Service |
| Federal Regulatory Agencies | Tina Laidlaw | U.S. Environmental Protection Agency |
| State Land Management Agencies | Mark Bostrom* | *Substitute: DNRC |
| Water Quality Districts / County Planning Departments | Pete Schade | Lewis & Clark County Water Quality Protection District |
| Soil & Water Conservation Districts – West of the CD | Rebecca Boslough* | *Substitute: Montana Association of Conservation Districts |
| Soil & Water Conservation Districts – East of the CD | | |
| Wastewater Engineering Firms | Vacant | |



Nutrient Work Group

Charter Overview

Pillars

The following guiding principles will serve as the foundation for the rulemaking process.

- 1 DEQ will utilize the existing science of nutrient impacts to Montana's beneficial uses—it is not the intent of these meetings to revisit the science.
- 2 DEQ will adhere to permitting requirements of anti-backsliding.
- 3 All water quality standards changes will be submitted to EPA for approval under the Clean Water Act.
- 4 DEQ will actively engage with the Nutrient Work Group as an advisory body.
- 5 DEQ's developed and vetted nutrient assessment method will remain in place, with minor changes.

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.

DEQ Roles & Responsibilities

- Provide NWG members the opportunity to collaborate with other agencies and groups on making recommendations for the project;
- Keep Nutrient Work Group partners informed of progress;
- Provide documentation to support recommendations;
- Provide technical expertise;
- Provide early notification of Nutrient Work Group meetings and make every effort to provide two weeks to review and comment on technical reports and other documents;
- Manage logistics for meetings;



DEQ Roles & Responsibilities

- Explain the reasons when deviations are taken from Nutrient Work Group recommendations.
- After the rules are drafted, work with interest groups to brief local decision makers and produce briefing materials and reports; and
- After the rules are drafted, conduct public meetings as necessary to inform and engage the public, regulated community, all other stakeholders.





Deliverables

Deliverables will be based on issues addressed by the NWG.

Most immediate deliverables:

- Rules to implement narrative nutrient standards
- Develop the Adaptive Management Program and Adaptive Management Plans
 - Requirements
 - Content
 - Review Process
 - Implementation



Technical Subcommittee

NWG meetings and related technical subcommittee meetings (described below) will be open to members of the public:

- Nutrient Work Group Interest Groups may each assign one member to the Technical Subcommittee (TSC).
- The TSC will meet on an as needed basis to discuss specific scientific technical aspects of the rulemaking.
- Examples of issues that the TSC will address are provided in the SB358 Rulemaking Framework.

Additional Items of Note

- Meeting time extension
- Agenda items
- Time limits will be applied at different times
- Questions





Rulemaking Framework

Overview

Framework Overview

- Focus on development of an Adaptive Management Program for watersheds with point sources
- Adaptive Management Plans (AMPs) under the program to be developed at different scales according to waterbody size
- AMPs to consider all sources impacting a waterbody, prioritize phosphorus minimization unless unfitting for the situation
- Identify water quality indicators (response variables) related to nutrient pollution and how (at what threshold) they impact beneficial uses
- AMPs should use information in existing water quality studies/plans (TMDLs) when available, and inform future TMDLs when starting from scratch
- AMPs implemented in Permitting on an incremental schedule, considering operational costs, requiring ongoing monitoring to track progress, etc.; may result in future pollutant reductions if limits not succeeding

Activities

Summary of principal activities needing completion prior to rulemaking

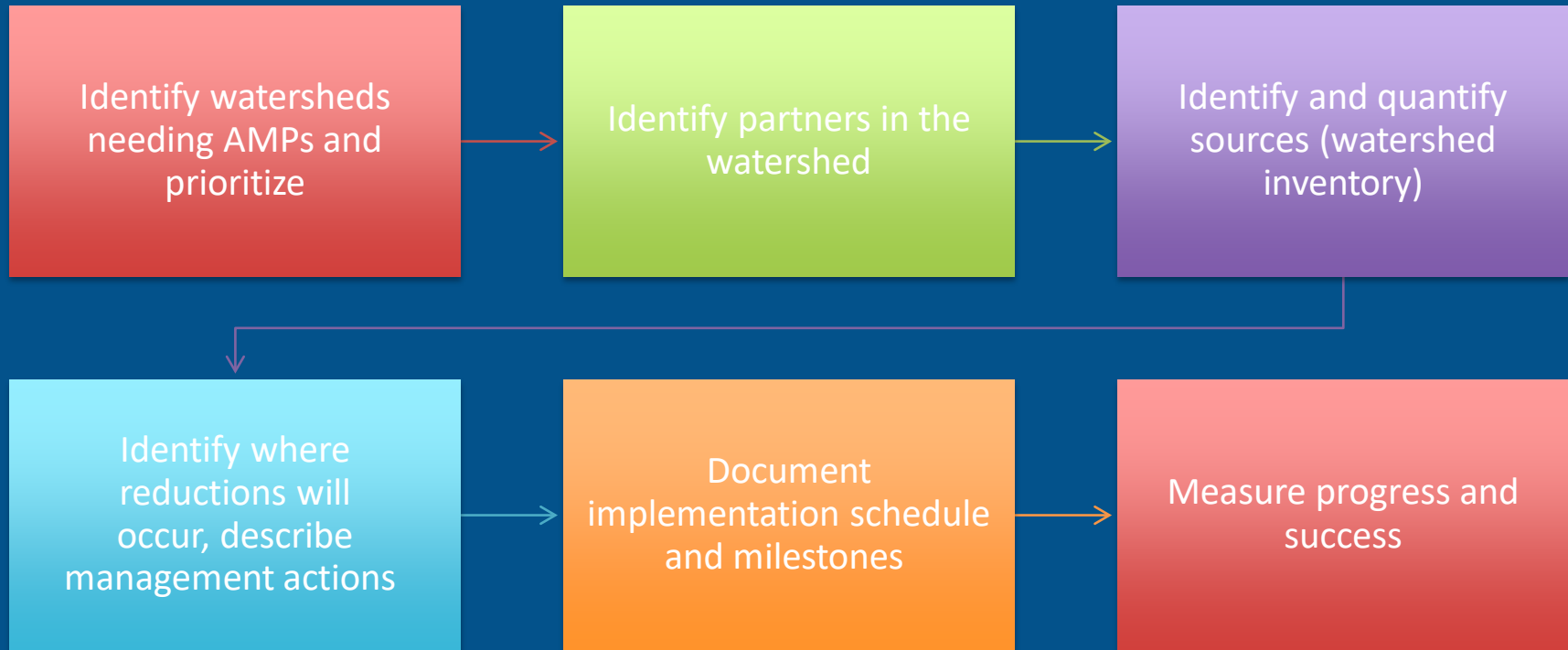
| Activity | Main Nutrient Work Group | Sub-committee | Complete By (6 NWG meetings planned) | Date (2021) |
|---|--------------------------|---------------|---|-------------|
| Discuss Key Components of Adaptive Management Program | X | | Meeting 1 | 5/27 |
| Work on details of Adaptive Management Program and Plans, including procedural aspects, rolling review, adaptation | | X | Prior to Meeting 2 | TBD |
| Define overall Adaptive Management Program. Initial discussion of watershed-scale framework | X | | Meeting 2 | 6/23 |
| Work on details of watershed-scale framework; address approach for complex watersheds containing multiple point sources or which drain to lakes | | X | Prior to Meeting 3 | TBD |
| Adaptive Management Program scale framed. Initial discussion of response variables and harm-to-use thresholds. | X | | Meeting 3 | 7/28 |
| Work of details of response variables, harm-to-beneficial use thresholds, where measured, how often, etc. | | X | Prior to Meeting 4 | TBD |
| Complete response variable discussion. Initial discussion of process for identifying point source long-term nutrient targets, accounting for all factors impacting waterbody. | X | | Meeting 4 | 8/25 |
| Work on details for identifying point source long-term nutrient targets | | X | Prior to Meeting 5 | TBD |
| Complete discussion of point source long-term nutrient targets. Initial discussion of AMP-TMDL relationship. | X | | Meeting 5 | 9/22 |
| Work on details of AMP-TMDL integration | | X | Prior to Meeting 6 | TBD |
| Complete discussion of AMP-TMDL relationship. Complete discussion of outstanding issues prior to rulemaking. | X | | Meeting 6 | 10/27 |



Today's Discussion

Essential Components of Adaptive Management Plans

AMP Essential Components



Question 1

What do you consider to be the top three priorities or considerations for an adaptive management program for you and your represented interest group?

Question 2

Describe your goal for your role in the NWG or what you hope to accomplish through the process.



Next Steps & Technical Subcommittee

Open Discussion

- Listening Session
 - June 9th 1-3PM
 - Please submit questions for that meeting
 - Summary of themes and common questions provided to NWG
- NWG Website question submittal button
- General Questions



Questions for the Listening Session

- Type questions into the chat
- If calling by phone, please unmute yourself and state your question
- Please state your first and last name
- Joining by phone?
 - Press *6 to unmute



Next Meeting

- Wednesday, June 23 from 9-11 AM
- Next meeting topics
 - Any wrap-up from today's meeting?
 - Outstanding questions
 - Operating Scale of Adaptive Management Program
- Technical Subcommittee meeting
 - Details and date forthcoming



Thanks for Joining Us

Contact:

Galen Steffens

Galen.Steffens2@mt.gov

To submit comments or questions

» Submit Comments or Questions

<http://deq.mt.gov/water/resources/nutrientworkgroup>





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May 27, 2021