STATEWIDE TMDL ADVISORY GROUP (STAG) MEETING SUMMARY
MARCH 31, 2025

Hybrid Meeting: DNRC Montana Room and via Zoom
1:30 pm

To supplement this meeting summary, see **Attachment A** for a copy of the presentation given by DEQ. Both this summary and the meeting agenda can be found on the Department of Environmental Quality's (DEQ) Water Advisory Councils & Work Groups webpage at: https://deq.mt.gov/water/Councils

ATTENDANCE: STAG MEMBERS

STAG Member & Affiliation	Representing
Karli Johnson Montana Farm Bureau	Livestock-Oriented Agriculture
Fank Szollosi Montana Wildlife Federation	Conservation or Environmental Interest
Brian Sugden Sugden Forest Environment, LLC	Forestry Industry
Ryan Leland City of Helena Engineering Department	Municipalities
Greg Bryce Hydrometrics, Inc.	Mining
Andy Efta U.S. Forest Service	Federal Land Management Agencies
Jeff Schmalenberg MT. Department of Natural Resources and Conservation	State Trust Land Management
Chris Edgington (sub for David Brooks) Montana Trout Unlimited	Water-Based Recreation
Jordan Tollefson Northwestern Energy	Hydroelectric Industry

ATTENDANCE: OTHER PARTICIPANTS

Aaron Losing, City of Kalispell
Amelia Flanery, DEQ, Water Protection Bureau Permit Writer
Amy Seaman, Montana Watershed Coordination Council Executive Director
Anna Nollan
Andy Ulven, DEQ, Water Quality Planning Bureau Chief
Christina Staten, DEQ, TMDL Section Supervisor
Darrin Kron, DEQ, Monitoring and Assessment Section Supervisor
Gabe Johnson, Navajo Transitional Energy Company
Guy Alsentzer, Upper Missouri Waterkeeper
Hannah Adkins, DEQ, TMDL Section
Hannah New, DEQ, Water Protection Bureau Permit Writer
Hannah Riedl, DEQ, Nonpoint Source and Wetlands Section Supervisor

Joe Vanderwall, DEQ, TMDL Section
J. Shrader, City of Kalispell
J. Clum, Hydrometrics
Katie Makarowski, DEQ, Water Quality Standards and Modeling Section Supervisor
Keith Haskins, City of Kalispell
Kyle Milke, DEQ, Adaptive Management Program Scientist
Lisa Anderson, DEQ, TMDL Section
M. Mudd, Great West Engineering
Mark Oakey, DEQ, Nonpoint Sources and Wetlands Section
Patrick Kelly, Western Watersheds
Peter Brumm, EPA Region 8, Montana TMDL Contact
Quincey Johnson, Upper Missouri Waterkeeper
Rickey Schultz, HDR Engineering
Susie Turner, City of Kalispell
Troy Clift, DEQ, TMDL Section
Tyler Halligan, DEQ, Water Protection Bureau Permit Writer
Vicki Marquis, Holland and Hart

MEETING INITIATION

Christina Staten, DEQ's TMDL Section Supervisor, called the meeting to order just after 1:30 pm and went over meeting logistics and Zoom controls. There was a round of introductions of participants in the room and Christina conducted a roll call of STAG members in attendance via Zoom. The meeting agenda was then reviewed.

TMDL PRIORITIZATION PROCESS AND TMDL PROJECTS

Christinia Staten gave an overview of the current TMDL commitments to EPA and what prioritization factors went into choosing these projects. Commitments can either be "in development" or "complete." Per EPA guidance, those that are in development for one two-year cycle should be completed in the next two-year cycle. TMDL commitments are reflected in the TMDL priority rankings in the Integrated Report (IR), and can be high, medium, or low priority. High priority means that completion will be anticipated within 2 years, medium within 2 to 6 years, and low beyond 6 years.

Current TMDL commitments to EPA:

- Beaverhead watershed nutrient TMDLs – to be complete by September 30, 2026
- Red Rock watershed nutrient TMDLs - to be complete by September 30, 2026
- Ashley Creek nutrient and sediment revisions – to remain in development by September 30, 2026

Christina noted that these commitments were "in development" for the prior two-year cycle, so DEQ intends to have these "complete" for this two-year cycle due next September. An exception is that the Ashley Creek revisions were only committed to as "in development" due to uncertainty surrounding completion of a use attainability analysis (UAA) for Ashley Creek (see Water Quality Standards Update section of this summary below for additional information). However, the department hopes to have these revisions completed and submitted to EPA for approval by September 30, 2026 as well.

Slide 10 of **Attachment A** presents a table of the department's prioritization factors under 75-5-702, Montana Code Annotated that apply to the current TMDL commitments. The Water Quality Planning Bureau, which houses the TMDL program, undergoes a strategic planning process to decide what water quality monitoring projects will be undertaken each year which subsequently determine what TMDLs will follow. TMDL implementation potential is a key factor for choosing a project, and the Beaverhead and Red Rock projects have large amounts of stakeholder interest and potential to implement on the ground water quality improvement practices. Additionally, both watersheds have completed TMDLs for metals, sediment, and temperature, so the department aims to finalize the nutrient TMDLs for a comprehensive approach to implementation. Ashley Creek TMDLs were also completed in 2014 as part of the Flathead-Stillwater TMDL document, but the department conducted additional data collection on Ashley Creek to refine a LSPC model for this portion of the Flathead Lake watershed. The updated model produced changes to the TMDL source assessments for Ashley Creek and the TMDL revisions will reflect these changes.

Potential Projects for Next TMDL Commitments:

- Gallatin River TMDLs resulting from excess algae study
- Clarks Fork Yellowstone nutrients, *E. coli*, metals, and sediment
- Smith River metals
- Upper Missouri River metals

Slide 12 of **Attachment A** shows a table of the TMDL prioritization factors that apply to these projects. Christina stated that the department does not want to wait until next September to begin work on new TMDL projects and asked for the STAG's input on where to begin working. She also pointed out that the Smith River and Upper Missouri River were not assessed for nutrients for this cycle of the Integrated Report, and metals would be the focus for now.

DISCUSSION

Greg Bryce, mining representative, pointed out that all the current commitments to the EPA have nutrient components and asked how the recent legislation repealing the numeric standards in DEQ-12A would affect these. Specifically, he asked if the DEQ would be revisiting those TMDLs that were established based on the numeric standards within that document. Christina responded that, depending on the outcome of the final bill (if it passes, any addendums, etc.), the department will be revisiting these TMDLs. Greg then asked if this would hinder the deadline of the current projects. Christina answered that we should have more clarity on how we need to proceed once the legislative session concludes, and as a department, we should be able to meet our commitments to EPA on time.

Greg also asked if Christina could speak more about why the DEQ would want to move further with the Clarks Fork of the Yellowstone. Christina responded that one reason why we would implement these is that there are large amounts of stakeholder interest, and the department also received requests to monitor in this watershed. She explained that it is helpful for stakeholders to be interested, as they can move into local implementation practices and watershed restoration plans. She further explained that it is much easier to receive 319 funding when there is a watershed restoration plan (WRP) in place, and much easier to complete a WRP when TMDLs are completed. Darrin Kron, DEQ Monitoring & Assessment Section Supervisor, stated that the Gallatin was similar in stakeholder interest and that in the Clarks Fork of the Yellowstone, there was also an increase in drinking water treatment costs for the City of Billings due to high turbidity levels, which was a priority factor as well.

Christina reiterated that the next set of commitments are due to the EPA by September 30th, 2026, but the department will likely submit a draft list to EPA around September 1, 2026 to give EPA time to review and comment on the list of commitments. She then pointed out that the current schedule for STAG meetings has been March and September, and asked if this schedule would still work, if it would need to be adjusted, or to have an ad-hoc meeting. Jordan Tollefson, hydroelectric industry representative, asked if the STAG should meet before the final list gets sent to the EPA next year, and Christina answered that the department should have a good idea of what we are going to submit by next March's meeting, and that the meeting can always be adjusted if that is not the case.

Christina then brought up the consultation role of the STAG, and pointed out certain factors that would push a TMDL project into a high priority and may kick another project down the list to a lower priority. For example, she stated that if an application for a new discharge permit were to be submitted to the department, then the department only has 180 days to either complete the TMDL if the discharge is to an impaired waterbody for which a TMDL has not been completed. In these cases, the department may also negotiate a longer timeline for TMDL completion with the permittee. Christina then asked members of the STAG how they would like to be consulted when the department is faced with one of these factors. Jeff Schmalenberg, state trust land management representative, said that just being informed about it would be fine, and Greg Bryce also said that it was not reasonable for the STAG to slow down the process for the department or permittee. Ryan Leland, municipalities representative, also agreed, and asked if it would help if the STAG provided any feedback if there were any forms of disagreement. Christina stated that sometimes the department does not have a choice on moving forward with TMDL development, but it depends on the scenario, and if input is needed.

Christina then asked again for feedback on what TMDL projects the STAG thinks the department should prioritize next. Jordan Tollefson chimed in and said that the Gallatin seemed like a priority due to the high amounts of work already being done in the watershed. He then asked how far along we were with our other projects. Darrin Kron answered that the Upper Missouri River monitoring is wrapped up, so we would be ready to go data-wise (for metals) if we wanted to. This was the same for the Smith River – which wrapped up monitoring about a year ago. He added that monitoring on the Clarks Fork of the Yellowstone will be wrapping up this year, and the Gallatin still has another year of intensive monitoring.

Greg Bryce then asked if the TMDL Section could complete these projects in the 2-to-6-year period. Christina answered that there are currently 4 TMDL writers and one adaptive management scientist in the section. Troy Clift is the lead on the Gallatin and Beaverhead and is currently conducting temperature studies on the Gallatin. Red Rock and the Clarks Fork have been assigned to Lisa Anderson, and Joe Vanderwall has been taking on the Ashley Creek revisions. No one is currently assigned to the Upper Missouri, but there is capacity to pick up the Gallatin, the Clarks Fork Yellowstone, and probably one more project. She also stated that there is one vacancy, and if that happens to get filled, then another project could be picked up. Christina then asked the STAG if there are any other areas around the state they think we should be focusing on. There was no initial response, but Brian Sugden, forestry industry representative and STAG Chair, pointed out that the IR will be coming out this year, and there will be a 90-day period during which they can comment if there are other waterbodies around the state where they would like to see work being done.

WATER QUALITY MONITORING AND ASSESSMENT UPDATES

Darrin Kron, the Monitoring and Assessment Section Supervisor, provided an overview of water quality monitoring and assessment updates. Slides 17-18 of **Attachment A** cover the assessment methods the

section has been working on, which include Dissolved Oxygen (DO), Ammonia, and Selenium for Lake Koocanusa and the Kootenai River. Regarding the challenges with DO, Darrin noted that, in addition to addressing public comments and collaborating with the Water Quality Standards & Modeling Section, they are also working with EPA to determine the best course of action. DO, selenium for Lake Koocanusa and the Kootenai River, and nutrients assessment methods will not be used for this integrated report (IR).

Darrin also mentioned that the department is making small updates to the western mountainous region sediment assessment method, as well as updating temperature, fish tissue, metals /toxics, and sediment to incorporate prairie streams. Slides 19-21 of **Attachment A** outline the expectations for what will be included in the 2022/2024 IR.

DISCUSSION

Brian Sugden, forestry industry representative and STAG Chair, asked if the dissolved oxygen standards were proposed or if they were the DO standards set in Circular DEQ-7. Darrin responded that they are the standards written in Circular DEQ-7. Brian then followed up asking if the root cause of these standards being too stringent was that they are based on biologically optimal conditions rather than what is physically attainable. Darrin responded that it was a fair assessment and ensured that DEQ is not pausing any work regarding DO, the department is just not doing any assessment work and are focused on looking at different pathways on how to handle this.

Andy Efta, federal land management representative, asked if DEQ is considering ongoing work that the study board is undertaking on the Kootenai River, and if those outcomes have any bearing on approaches with selenium assessments. Darrin responded that DEQ is well aware of this effort. Andy Ulven, DEQ Water Quality Planning Bureau Chief, also chimed in and said that DEQ is participating/keeping tabs on the technical working groups and will be incorporating their efforts/findings into our work.

Darrin explained that the completed draft assessment methods will go out with the 2022/2024 IR, and that many states also implement assessment methods with their IRs. Jeff Schmalenberg, state trust land management representative, then asked about the timeline. Darrin responded that the last IR approved by the EPA was in 2020, and then the department addended it with the addition of the Gallatin excess algae listing in 2021. Because of resource constraints, the department waited on the 2022 report, which is now why the next IR will be a combined 2022/2024 report. He also stated that the department is running behind on this due to a loss of a database analyst, but still anticipate to release the IR for public comment by August. Jeff also asked if there had been any repercussions by EPA, and Andy Ulven responded that the EPA understands our predicament, and knows that we want to make the most complete IR while still wanting to get something submitted.

Greg Bryce, mining representative, then asked if the changing of assessment methods will have any effect on any of these listings / delistings. Darrin responded that the department does not normally go back and change listings, and there is also a lot of recent data that makes it hard to reassess. Jordan Tollefson, hydroelectric industry representative, also asked if DEQ is working on a harmful algal bloom (HAB) assessment method, or if that was on hold. Darrin responded that it is on hold with the nutrients, but that there is currently a draft lake eutrophication assessment method that incorporates HABs.

TMDL Implementation Evaluation (TIEs)

Kyle Milke, Adaptive Management Program Scientist in the TMDL section, gave a presentation on TMDL implementation evaluations (TIEs). He began by giving an overview of the TIE that he is currently working on: the Big Hole TIE. The Big Hole watershed is comprised of 4 TMDL Planning Areas (TPAs) in the southwestern portion of the state. See slide 23 of **Attachment A** for a map showing the TPAs and the location of the Big Hole River watershed.

Slides 24-27 of **Attachment A** explain what a TIE is, the goals of the TIE, and the process of writing one. Kyle explained that a TIE is not an impairment assessment, but an evaluation of implementation practices and water quality improvements that have taken place since development of the TMDL. It can be used to give constructive feedback to stakeholders and provide recommendations, as well as to identify where updates to TMDL documents may be needed or when a beneficial use reassessment is needed for a waterbody. He also noted that once a draft TIE has been created, there will be internal and stakeholder review before being published to the DEQ website. TIEs do not need to have a formal public comment period, nor do they need to be submitted to the EPA.

Kyle finished his presentation by circling back to the Big Hole TIE and summarized that they have been finding high stakeholder interest in the watershed, which we expect to lead to a large amount of restoration work. The main restoration focus areas have been on French Gulch and Elkhorn Creek, as well as a heavy focus on sediment impairments. Christina Staten, TMDL Section Supervisor, ended this section by going over the other TIEs that are currently in development, as shown on slide 30 of **Attachment A:**

- Bitterroot River (lead only)
- Blackfoot Headwaters
- Middle Blackfoot – Nevada Creek
- Lower Gallatin
- Big Sandy and Sage creeks
- Elk Creek
- Bobtail Creek

Discussion

Andy Ulven, Water Quality Planning Bureau Chief, stated that the department had received a petition to list the Big Hole River for nutrients, and that we are currently working through examining data and figuring out the next steps. The petition was received on January 28, 2025, meaning that the department has until April 28, 2025 to respond to the petition. He stated that the department would send a letter in response by then. Brian Sugden inquired if these TIEs were all being assessed by Kyle and if there was a timeline for the Big Hole TIE completion. Christina responded that the TIEs were split up among the TMDL section staff, and that most are anticipated to have a draft completed by the end of this year.

Nonpoint Source Focus Areas

Hannah Riedl, DEQ Nonpoint Source and Wetlands Section Supervisor, provided an overview of focus watersheds for the section. She highlighted the importance of local groups in achieving water quality goals, and further explained how DEQ resources can offer momentum, technical guidance, and occasional funding to watershed groups and restoration projects. In 2019, the section launched a

watershed focus strategy, which allocates half of the approximately $1 million EPA funding dedicated for nonpoint source projects to a selected, focus watershed. The Bitterroot was chosen as the first focus watershed from 2019-2022. This resulted in a threefold increase in funding for nonpoint source projects, the initiation of the Bitterroot Headwaters TIE, and the EPA Region 8's first protection plan written for the Bitterroot River (see slides 33 - 35 of **Attachment A** for details).

In 2022, the lower Gallatin became the second focus watershed and is entering its final year as such. It has seen the formation of award-winning water stewardship groups and increased staffing for local organizations to continue work even after the focus period. Details on these funds can be found on slide 36 of **Attachment A.**

Hannah concluded by noting that the Shields River watershed will likely be the next focus watershed and was chosen for its potential to support high-quality projects and increase local capacity for long-term impact. She also added that the $1 million from the EPA, while valuable, is insufficient for large-scale projects, so the focus has been on smaller, more manageable HUC 8s to maximize success.

DISCUSSION

Jordan Tollefson, hydroelectric industry representative, asked if a particular watershed group must apply to be a focus watershed. Hannah replied that a local organization needs to be lead focus watershed applicant, but that all eligible local organizations implementing projects in the future focus watershed would be eligible for that pot of funding. This cycle, four watersheds applied, and the Shields came out on top. She also directed everyone to the nonpoint sources and wetlands website to learn more about these programs and funds (https://deq.mt.gov/water/Programs/nonpoint).

Brian Sugden, forestry industry representative and STAG Chair, pointed out that the $500,000 given to the focus watershed does not always seem to be the total amount. Hannah replied that it is expected to give the focus watershed the entire amount, but things do not always pan out that way. Brian then asked why funding was limited. Hannah answered that it was a combination of a few factors, but mentioned landowners and the private match. He also inquired about success stories. Hannah replied that they are seeing success stories in both watersheds, and local groups are pushing to address more issues. She did point out, however, that groups still need to focus more, especially on water chemistry aspects. There have been many success stories with habitat improvements, but those normally respond quickly. Water chemistry takes more than one project and more time to really see changes. Greg Bryce, mining representative, asked about habitat improvements and how the department prioritizes projects on these versus water quality improvements. Is one being considered before the other for funding? Hannah replied that projects are funded for both, we are just seeing habitat improvement first.

Chris Edgington, substitute representative for water-based recreation, asked if the effectiveness of these projects also comes from the capacity of the watershed and pointed out that the Gallatin seemed to have several groups working on watershed improvements. Hannah responded that yes, a lot of times the capacity of the groups improves projects significantly. She also noted that the department didn't provide much time for the Bitterroot watershed to prepare, but did allow significant planning periods for the Gallatin and Shields. The group agreed that a year-long planning period for these watersheds would be beneficial.

Karli Johnson, farming-oriented agriculture representative, asked about the difference between 319 and 604 funding. Hannah explained that the 319 funds were where the EPA gave $1 million to DEQ to

disperse throughout watersheds for nonpoint source projects (and the $500,000 going to the focus watershed), and that 604 funding is for local regional planning and monitoring funds. There was a follow-up question about whether there were any additional habitat funds. Hannah replied that they have currently undertaken a sewer overflow grant, but it was more related to stormwater and sewer protections than habitat improvements. She pointed out that there is also Montana Fish, Wildlife & Parks' Future Fisheries Program. Additionally, during the last legislative session the Montana Department of Natural Resources and Conservation was awarded funding that was funneled through DEQ's Nonpoint Source and Wetland Section to help with DEQ match requirements. Darrin Kron asked if they were seeing more applications. Hannah replied that in 2024, they received double the ask of what they were able to give. However, they are still in the process of closing out this year's call for applications and are unsure what the total ask will be. She closed by saying that they still have the 40% match requirement in place this year, but that it will be tough as a lot of watershed restoration plans (WRPs) are upcoming or getting updates.

WATER QUALITY STANDARDS UPDATE

Katie Makarowski, DEQ Standards and Modeling Section Supervisor, gave an overview of the use attainability analysis (UAA) that had been brought up earlier in the meeting. She first explained that Montana's surface waters are classified based on which beneficial uses are to be maintained suitable. Water Quality standards aim to protect these, depending on the use of the water that they are trying to support. Each waterbody has a specific use (or uses) that are to be protected. There are both surface and groundwater beneficial use classifications for the state. This system was adopted many decades ago, and many beneficial uses associated with a waterbody are unchanging unless there is significant rationale to do so. Additionally, it is not easy to change a beneficial use classification, and any change is considered a water quality standards change and requires formal rulemaking. UAAs are defined in both federal and state rules; see slide 39 of **Attachment A** for language.

She then went specifically into the Ashley Creek UAA (slide 40 of **Attachment A**). Ashley Creek has three assessment units (AUs), but the UAA for the change classification is for the lower segment, as well as a small portion of the middle segment. The UAA followed a geomorphological analysis that the city of Kalispell conducted to show that there is a real change in stream morphology between AUs, which could affect the use class of this segment. Katie explained that per the Montana Code Annotated, the department has 90 days from receiving the UAA to evaluate the evidence and agree or disagree that the waterbody is improperly classified. The department is currently two-thirds of the way through the evaluation but has still not determined how to go forward. Katie also made sure to note that the department is having preliminary consultations with the Confederated Salish and Kootenai Tribes; EPA; and Montana Fish, Wildlife & Parks. If rulemaking were to proceed, it would happen within a reasonable timeframe, and the department would put out a notice to the Water Pollution Control Advisory Council (WPCAC).

DISCUSSION

Andy Efta, federal land management representative, asked if Katie could flesh out the geomorphic controls that she had mentioned. Katie replied that there is a clear point where Ashley Creek shifts from a higher gradient, with a gravel bottom, narrower, fast channel with large amounts of woody debris to a lower gradient with a deep, slow, and wide channel with not as much woody debris and finer substrate.

APPLICABLE LEGISLATIVE UPDATES

Andy Ulven, Water Quality Planning Bureau Chief, was slated to speak on this topic but had to leave to speak at the Capitol. Christina Staten gave an overview of the water-quality related bills DEQ is tracking and DEQ's position on them. She also noted that while these bills are not TMDL-specific, TMDLs could still be affected by the result of their passage. Additionally, she noted that all these bills have passed the House and are awaiting decisions in the Senate.

1. HB 6: renewable resource grant program. DEQ is informational on this bill.
2. HB 664: Repeal of numeric nutrient standards. DEQ is a proponent of this bill.
3. HB 684: Changing of deadline to respond to petitions from 60 days to 180 days. DEQ is informational on this bill.
4. HB 685: Feasibility allowance for nondegradation policy. DEQ is informational on this bill.
5. HB 736: Providing nutrient pollutant loading offsets. DEQ is informational on this bill.

Chrsitina closed this section stating that by the next STAG meeting the department will know the outcomes of these bills and how they may affect the department's work.

DISCUSSION

There was no discussion

CLOSE OF MEETING

Christina Staten, DEQ TMDL Section Supervisor, presented the opportunity to return to the future priorities for the TMDL program. Brian Sugden, forestry industry representative and STAG Chair, brought up that if the IR was coming out for public comment in August that they could comment on it then. He then asked if there was an opportunity to change priorities from these comments. Christina answered yes, DEQ has done that before. For example, if a watershed is listed as a moderate priority in this IR, then it can change to a lower priority in the next IR based on a number of factors. They can also be changed after public comment. Brian asked about the Gallatin and if there were larger algal blooms. Darrin Kron responded that the department had never received as many comments as they did for the petition to list the Gallatin. It is a high-profile issue with significant public interest, and people are eager to see TMDLs completed immediately after the assessments.

Jeff Schmalenberg, state trust land management representative, asked why the Clarks Fork of the Yellowstone was listed for nutrients, but not for algae, and further asked if moving towards that TMDL prioritization was changing due to the nutrient holdup. Christina replied that once monitoring wraps up and the legislative session ends, we should have a better pathway forward with nutrients. Additionally, Darrin Kron, DEQ Monitoring and Assessment Section Supervisor, explained that when nutrients are listed, response variables (like algae) are included. Chris Edgington, substitute representative for water-based recreation, then asked if prioritization was largely driven by the public interest or internally by the department. Christina replied that it is largely generated by public interest, especially in driving where we decide to do monitoring. Other factors also come into play for writing TMDLs, which follow the water quality planning process in place at DEQ. This includes coming up with standards, monitoring to compare to these standards, and then writing TMDLs to start implementation work.

The STAG then agreed that the September fall meeting was good. Christina will be sending out a doodle poll soon. The STAG agreed on next meeting topics of legislative impacts, the IR, TIE updates, Ashley Creek UAA updates, 319 funding awards, success stories on IR delisting's, and updates on the TMDL website.

PUBLIC COMMENT

For public comment, Patrick Kelley asked if the Big Hole TIE will quantify or attempt to measure the effectiveness of implementation actions and restoration projects, or if they are simply just mentioned in the TIE. Christina responded that TIEs will describe all restoration projects that we know have occurred. The TIE will compare the waterbody's data to the TMDL targets and assess whether additional time or a reassessment is needed.

The meeting ended at 4:01 p.m.

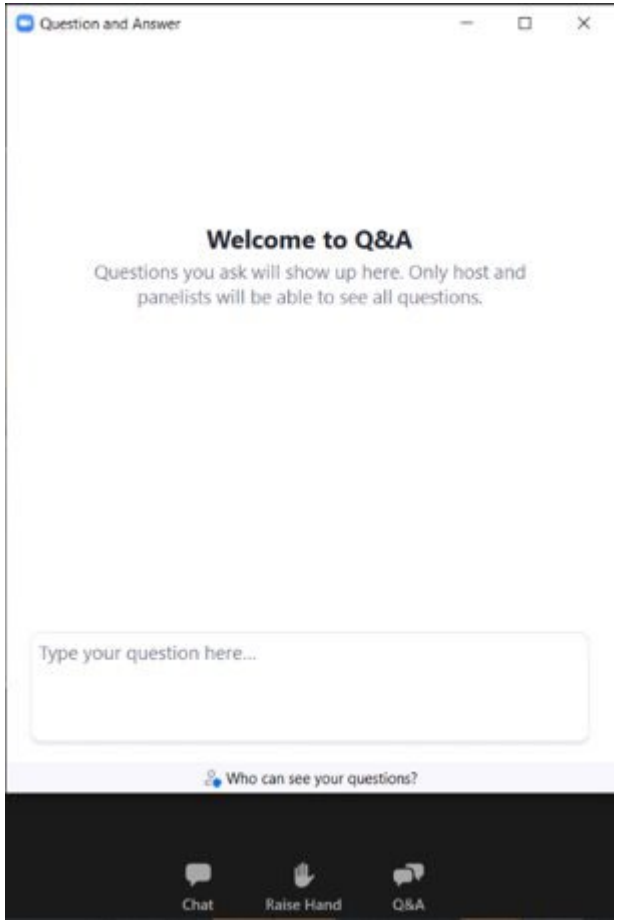
ATTACHMENT A – MARCH 31, 2025 STAG PRESENTATION

Statewide TMDL Advisory Group

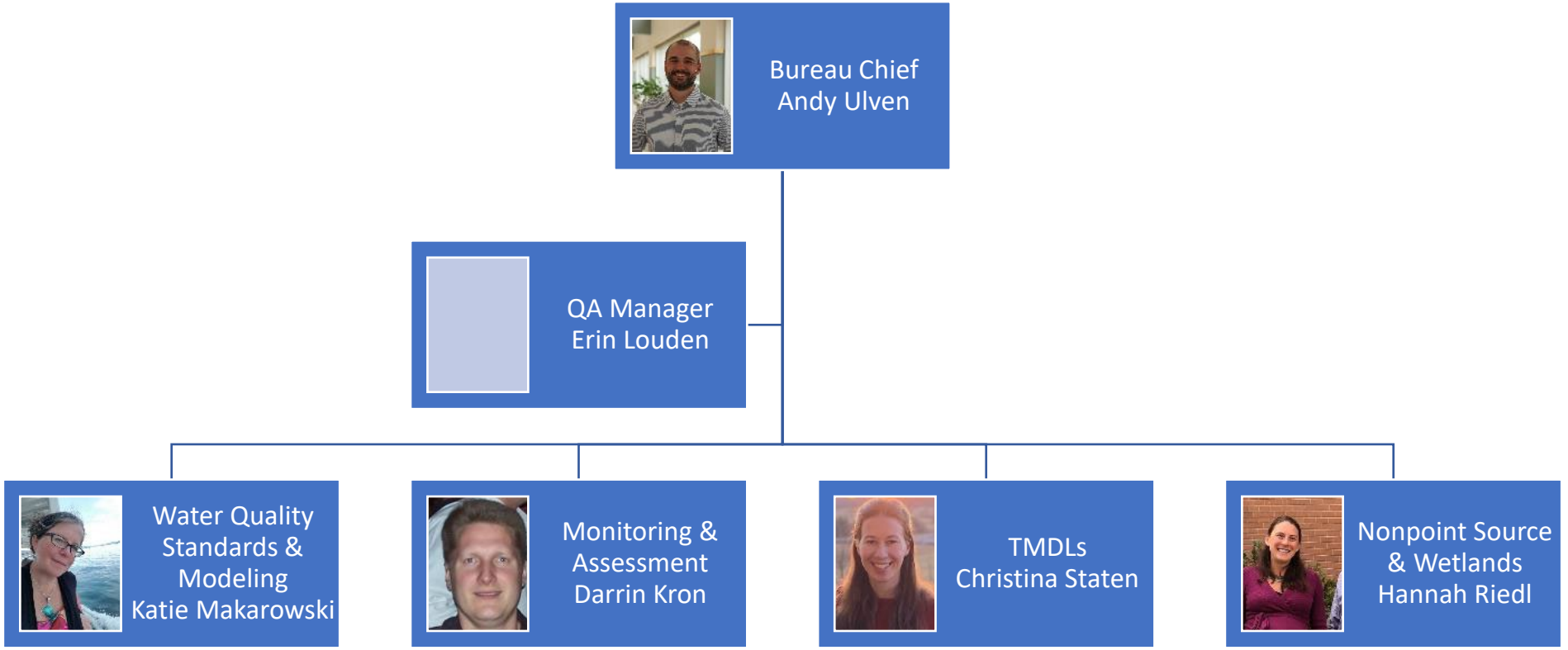
March 31, 2025

Welcome!

- This meeting is a webinar
- STAG members will be panelists
- Members of the public can raise their hand or use the Q&A feature to ask questions during the public comment portion of the meeting
- *9 raises your hand if you're on the phone
- State your name and affiliation before providing your comment



Water Quality Planning Bureau



STAG Member	Affiliation	Representing	Term End Date
Karli Johnson	Montana Farm Bureau	Farming-Oriented Agriculture	January 31, 2026
Ellie Brighton	Montana Stockgrowers Assoc.	Livestock-Oriented Agriculture	January 31, 2026
Frank Szollosi	Montana Wildlife Federation	Conservation or Environmental Interest	January 31, 2026
Chris Edington (sub for David Brooks)	Montana Trout Unlimited	Water-Based Recreation	January 31, 2026
Brian Sugden	Sugden Forest Environmental, LLC	Forestry Industry	January 31, 2026
Ryan Leland	City of Helena	Municipalities	January 31, 2026
Brian Heaston	City of Bozeman	Point Source Dischargers	January 31, 2026
Greg Bryce	Hydrometrics	Mining	January 31, 2026
Andy Efta	U.S. Forest Service	Federal Land Management Agencies	January 31, 2027
Jeff Schmalenberg	Dept. Nat. Resources & Conserv.	State Trust Land Mgt. Agencies	January 31, 2026
Vacant		Conservation District Supervisor – East	
Vacant		Conservation District Supervisor – West	
Jordan Tollefson	Northwestern Energy	Hydroelectric Industry	January 31, 2026
Mike Bias	Fishing Outfitters Assoc. of MT	Fishing-Related Business	January 31, 2026

STAG Roll Call

Agenda

- TMDL Prioritization Process & TMDL Projects (Christina Staten)
- Water Quality Monitoring & Assessment Updates (Darrin Kron)
- TMDL Implementation Evaluations (Kyle Milke / Christina Staten)
- Nonpoint Source Focus Areas (Hannah Riedl)
- Water Quality Standards Updates (Katie Makarowski)
- Applicable Legislative Updates (Andy Ulven)
- Public Comment & Close of Meeting (Brian Sugden / Christina Staten)

TMDL Prioritization Process & TMDL Projects

Christina Staten, TMDL Section Supervisor

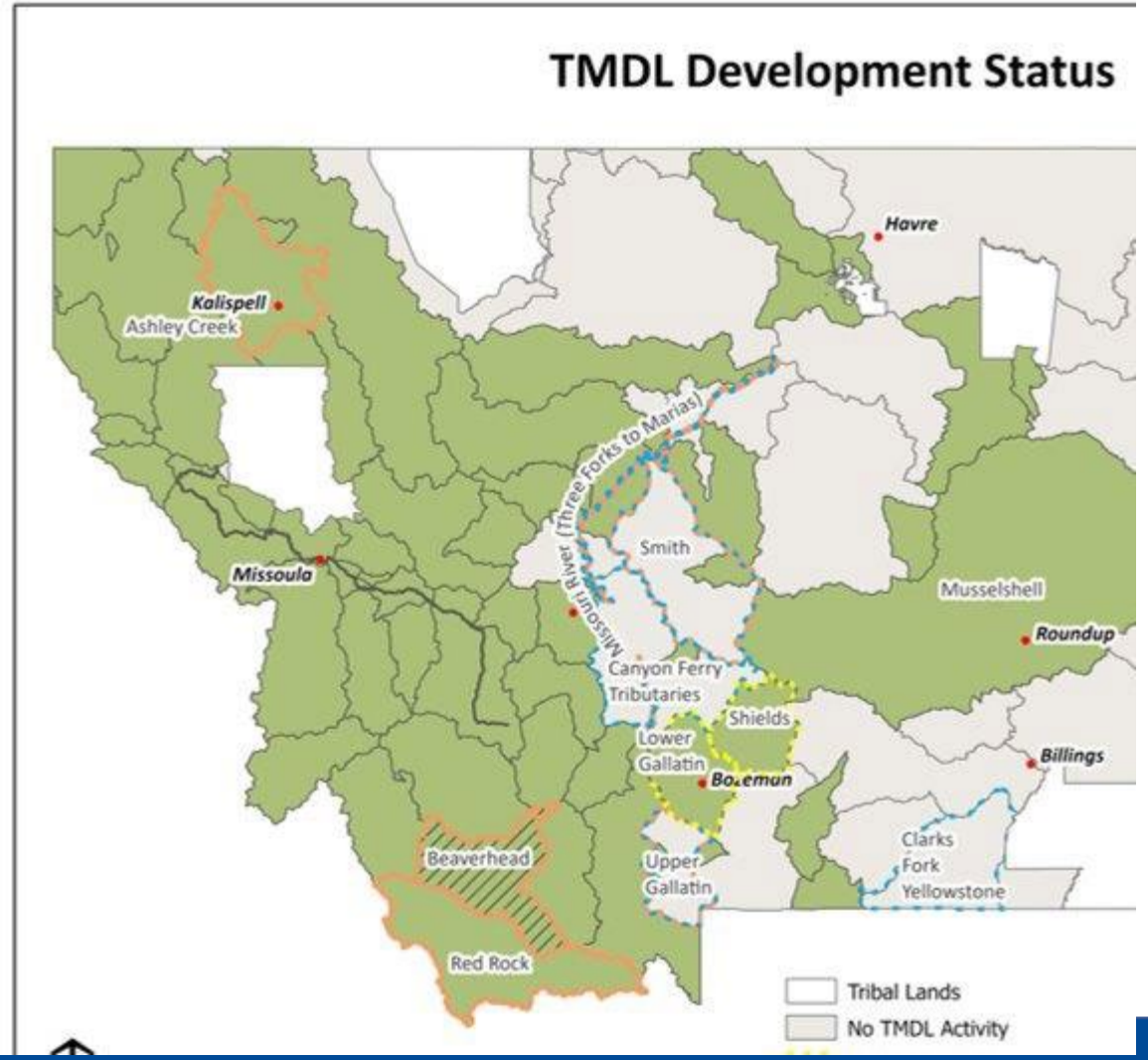
TMDL Commitments to EPA

- Montana must submit TMDL commitments to EPA every two years
- TMDL commitments can be “in development” or “complete”
- “In development” for one 2-year cycle should be “complete” the next 2-year cycle
- TMDL commitments are also reflected in the TMDL priority rankings in the Integrated Report (H, M, L)
  - High: Completion anticipated within 2 years
  - Medium: Completion anticipated within 2 – 6 years
  - Low: TMDL development not started or completion beyond 6 years

Current TMDL Commitments

Due to EPA September 30, 2026

- Beaverhead River watershed nutrients (28 TMDLs) - Complete
- Red Rock River watershed nutrients (30 TMDLs) – Complete
- Ashley Creek nutrient and sediment revisions (8 TMDLs revised within the Flathead-Stillwater document) – In Development



How Did We Choose Current Commitments?

- Beaverhead, Red Rock, and Ashley Creek revisions were all "in-development" commitments to EPA in 2024 (prior 2-year period).
- Beaverhead and Red Rock are to be completed TMDLs for this two-year period.
- Ashley Creek revisions were agreed to be left as "in development" for this two-year period due to UAA completion timing.

TMDL Prioritization Factors
75-5-702, MCA

Factor	Current TMDL Project for which this is a Factor
New, individual discharge permit application	
TMDL implementation considerations	Beaverhead, Red Rock
Program coordination	Ashley Creek revisions
Resource value	
Potential impact to use (human health and aquatic life)	Ashley Creek revisions (UAA)
Impairment characteristics (severity and magnitude)	
Court determinations	
General waterbody characteristics (size, importance)	Beaverhead, Red Rock

Potentials for Next TMDL Commitments
(Next List of Commitments due 9/30/26)

- Gallatin River TMDLs resulting from excess algae study (TMDL pollutants pending reassessment work)
- Clarks Fork Yellowstone nutrients, *E. coli*, metals, sediment
- Smith River metals
- Upper Missouri River metals

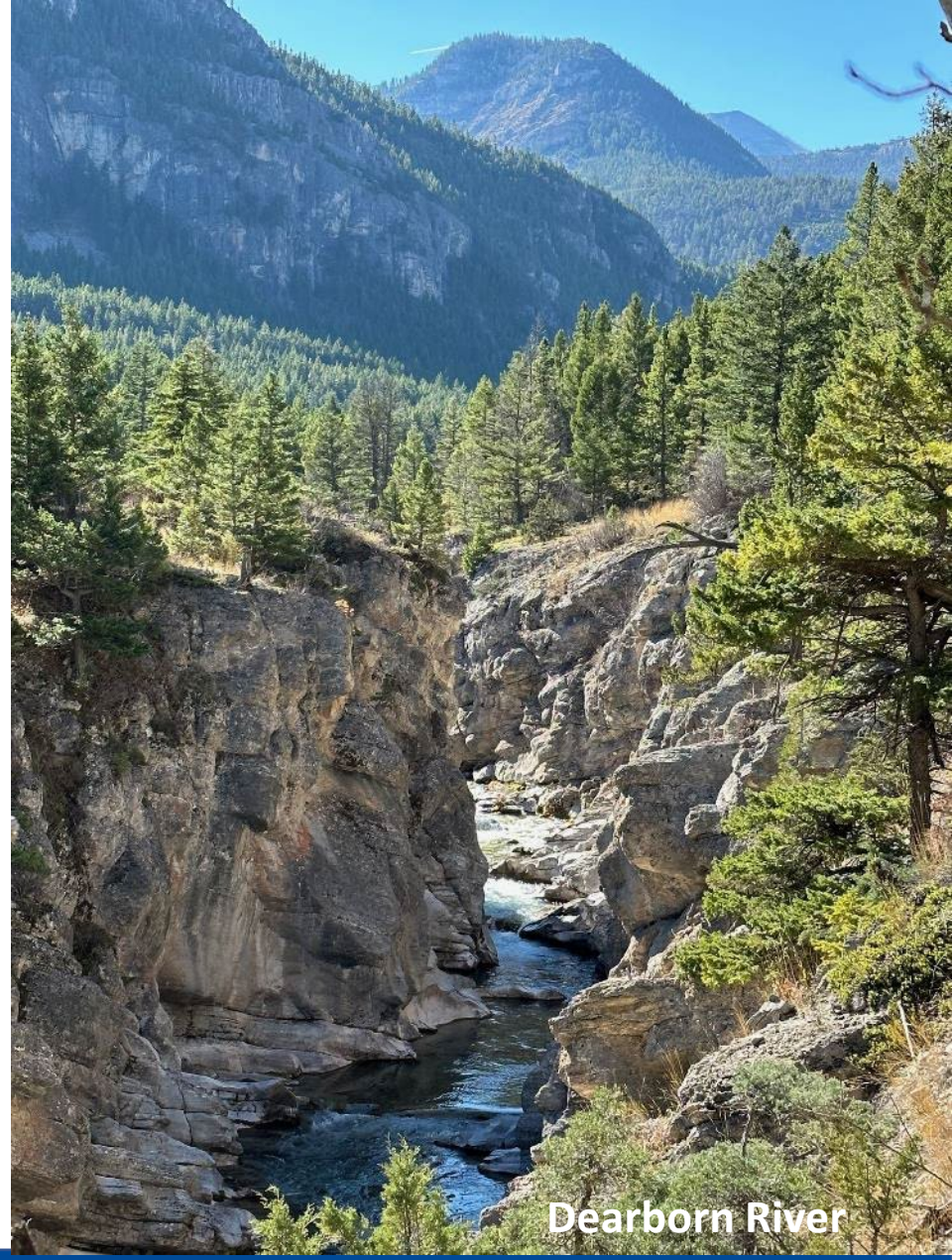
TMDL Prioritization Factors
75-5-702, MCA

Factor	Next TMDL Project for which this is a Factor
New, individual discharge permit application	
TMDL implementation considerations	Gallatin River, Clarks Fork Yellowstone
Program coordination	
Resource value	Gallatin River, Smith River
Potential impact to use (human health and aquatic life)	*inherently equivalent for all projects
Impairment characteristics (severity and magnitude)	Gallatin River
Court determinations	
General waterbody characteristics (size, importance)	*inherently equivalent for all projects

STAG Feedback on Next TMDL Commitments

Timing of STAG Meetings Around Submittal Deadlines

- Next list of TMDL commitments due September 30, 2026
- Current STAG meeting schedule: March and September
- Option: ad-hoc meetings on submittal years


Dearborn River

STAG's Consultation Role

- Sometimes factors arise that drive priorities on expedited timelines (e.g., application for new discharge permit, program coordination needs)
- How do you want to be consulted when faced with a timeline that doesn't align with an upcoming STAG meeting?


Teton River Valley

Water Quality Monitoring & Assessment Updates

Darrin Kron, Monitoring & Assessment Section Supervisor

Assessment Methods Update

- Dissolved Oxygen, Ammonia, Lake Koocanusa/Kootenai R Selenium
  - Public comment period Aug – Oct 2024
  - Dissolved Oxygen
    - Addressing public comments with some updates to the draft document.
    - Daily and weekly minima standards may be overly stringent.
    - On pause and working with MT DEQ Standards section toward resolution. DEQ will not use for 2022/2024 IR.
  - Selenium: On pause due to ongoing litigation.
  - Ammonia
    - Addressing public comments with some updates to the draft document. Clarity and details added.
    - Ammonia does not appear as a predominant stressor in MT. Spring runoff from intensively grazed areas or feedlots.

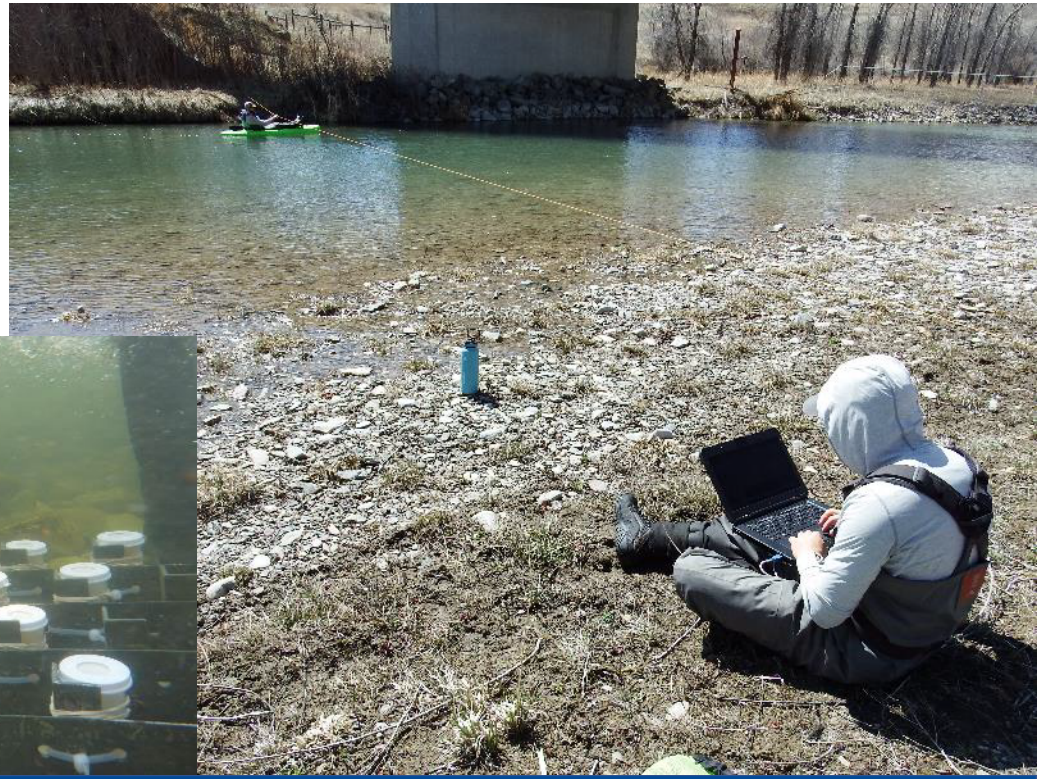
Assessment Methods Update

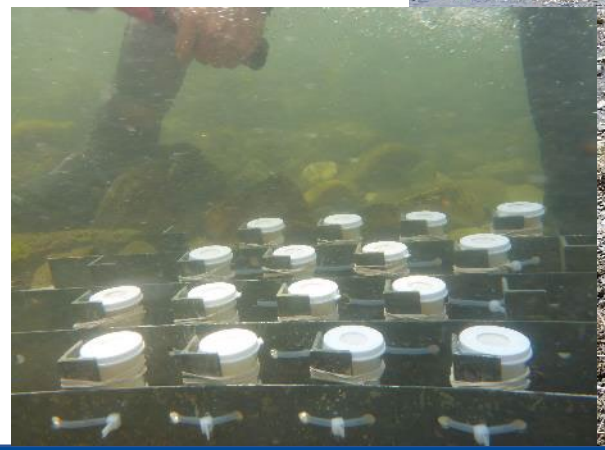
- pH
  - Public comment period with 2022/24 IR
  - Implemented within the IR
  - DEQ will address comments and adjust listings if needed
  - In general, high pH appears to follow existing nutrient listings
- Temperature
- Fish Tissue
- Metals/Toxics update
- Sediment update
- Sulfate update
- Nutrients

On horizon – Future IRs

IR Update - 2022/2024

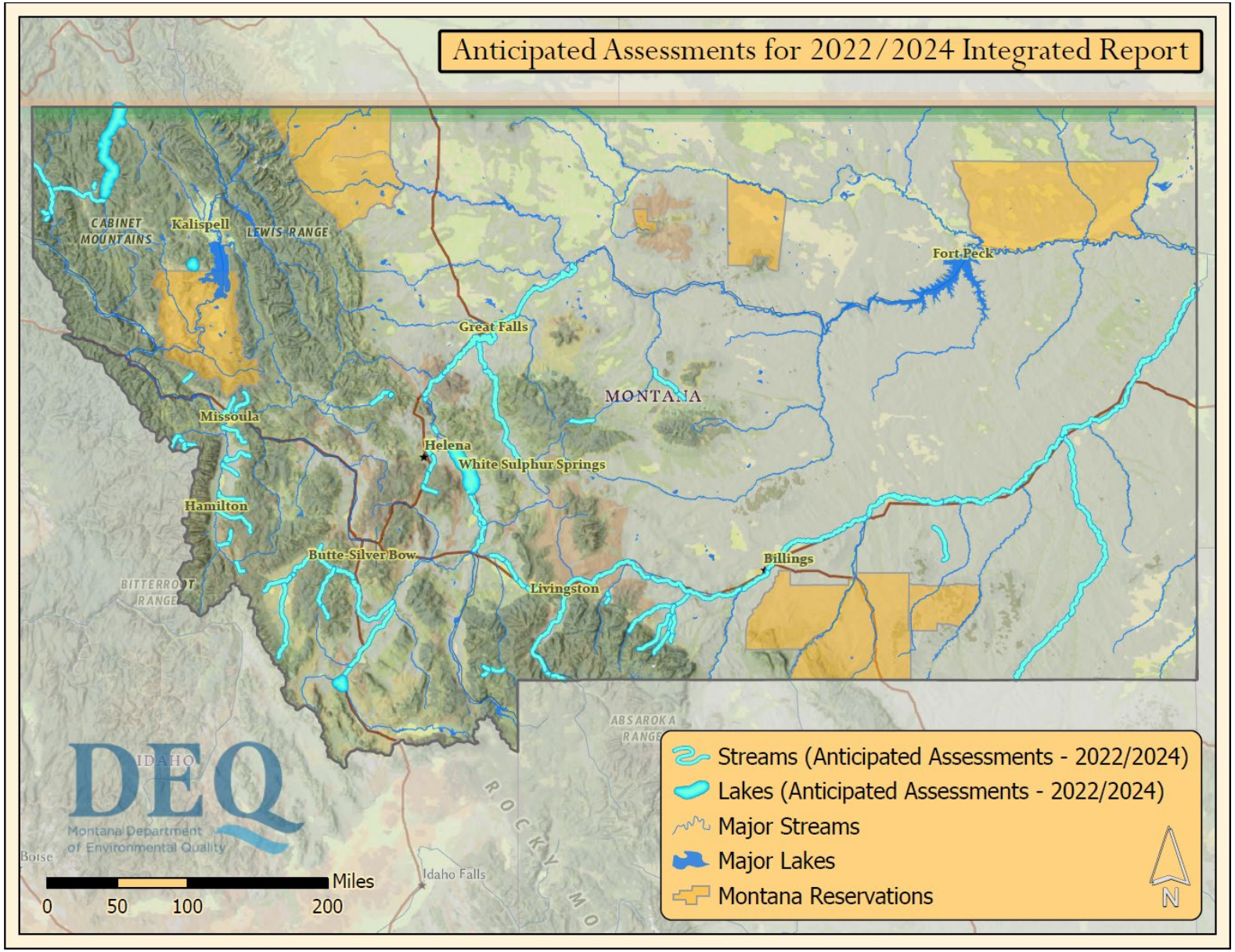
- Contains assessment of existing assessment methods:
  - Plus, upcoming pH
  - Postponed:
    - Nutrients/eutrophication
    - Dissolved Oxygen
    - Lake Koocanusa/Kootenai R Selenium





2022/2024 IR Update

- Target available data
- Known external data sources
- DEQ projects
- Volunteer Monitoring
- USGS
- Call for data
  - E. Gallatin
  - Ashley Cr
  - Kootenai River
  - Koocanusa
  - Fairway, Stanley, Lake Cr



IR Update - 2022/2024

- 94 Assessment Units (AU)
- 8 New Assessment Units
- 1542 AU x Cause Combinations reviewed
- Most new listings are metals and pH with 3 asbestos, 1 ammonia, 2 sediment
- Most delistings are metals with a few habitat and sediment

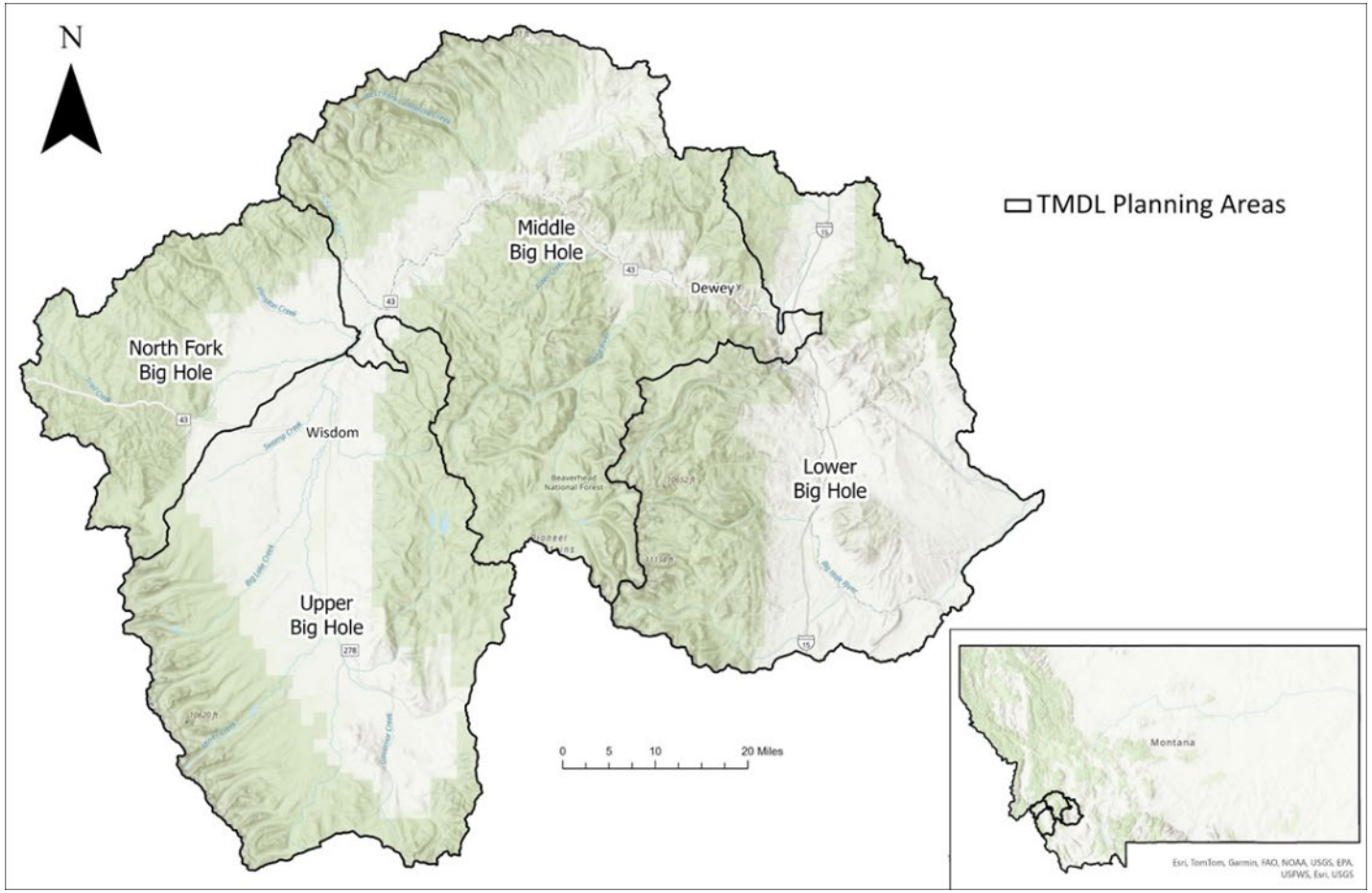
AU x Cause Combo Summary	
Insufficient Info*	839
Delist	42
List	82
Do not list	303
Keep listed	275

*Includes existing listings with assessment method limitations

TMDL Implementation Evaluations (TIEs)

Kyle Milke / Christina Staten, TMDL Section

Big Hole TMDL Implementation Evaluation



What is a TIE?

- TMDL Implementation Evaluation (TIE)
  - 75-5-703(9), MCA
- Evaluation of progress in restoring WQ since the TMDL was developed
- TIE conclusions
  a. Implementation of new practices is necessary,
  b. All practices in place; more time is needed,
  c. TMDL revisions are necessary

DEQ
Montana Department of Environmental Quality

Kennedy Creek Watershed TMDL Implementation Evaluation

March 2023

Greg Gianforte, Governor
Christopher Dorrington, Director DEQ

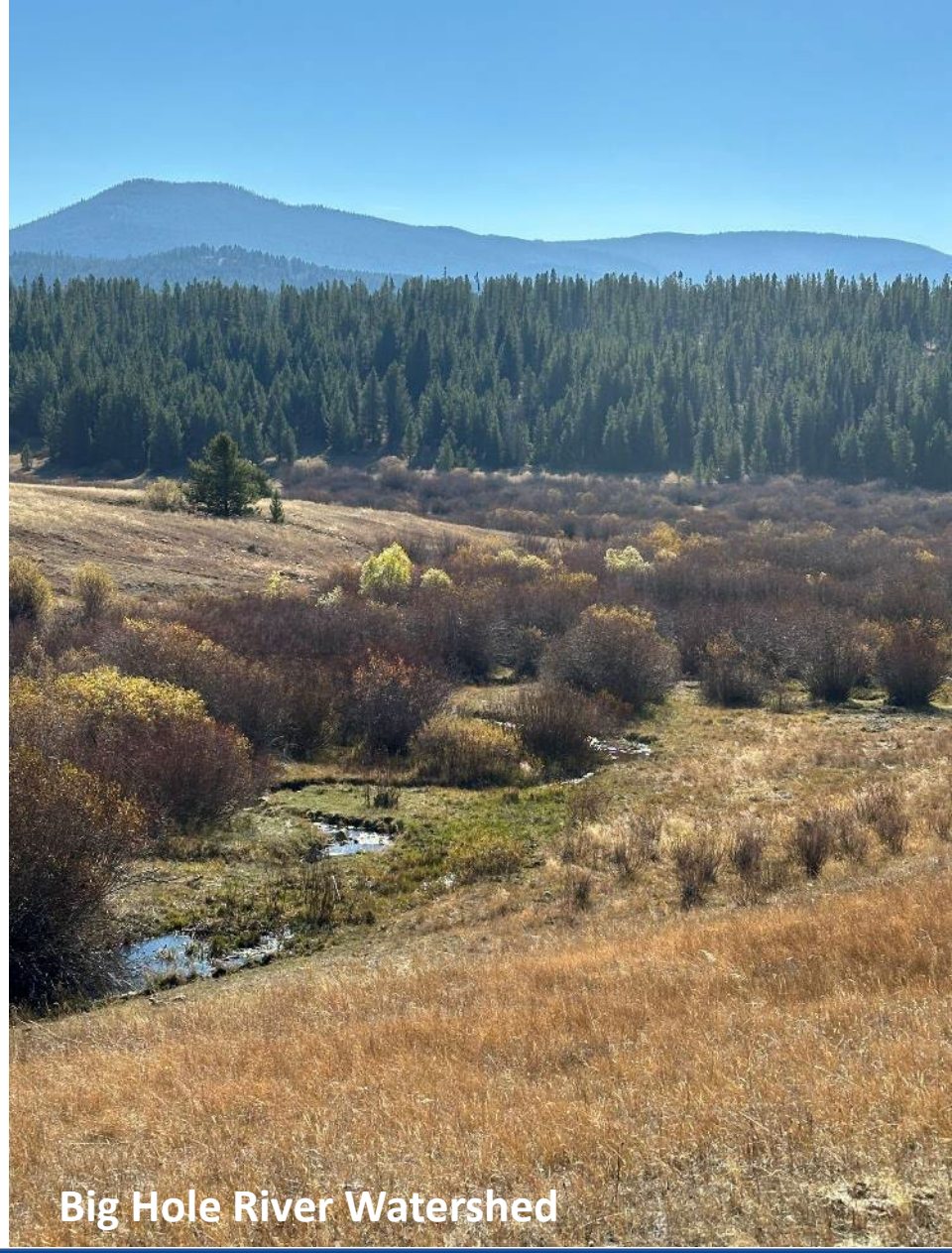
Goals of a TIE

- Constructive feedback for stakeholders,
- Suggest additional monitoring, if needed,
- Identify TMDL document updates, if applicable,
- Document conditions where an updated beneficial use assessment may be needed
- Note: TIEs ≠ impairment assessment


Big Hole River Watershed

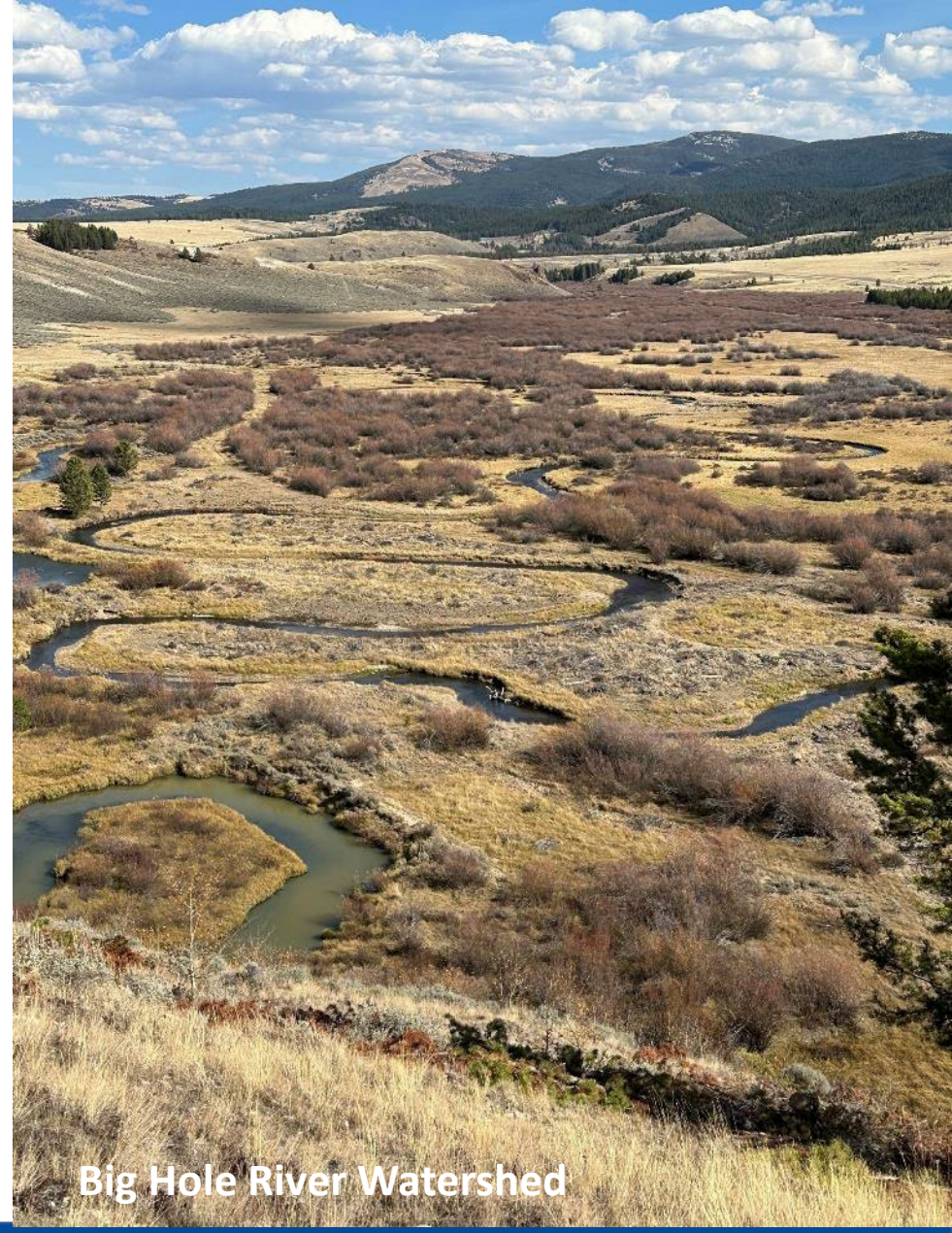
TIE Process

- Review of TMDL documents
  - TMDL Planning Areas (TPAs)
  - Applicable pollutants
- Compile all available data
  - Databases
  - 319 nonpoint source implementation projects
  - Stakeholders
- Stakeholder Outreach
  - Restoration, monitoring, or planning activities
  - Pictures and reports
  - GIS files
  - Contact Information


Big Hole River Watershed

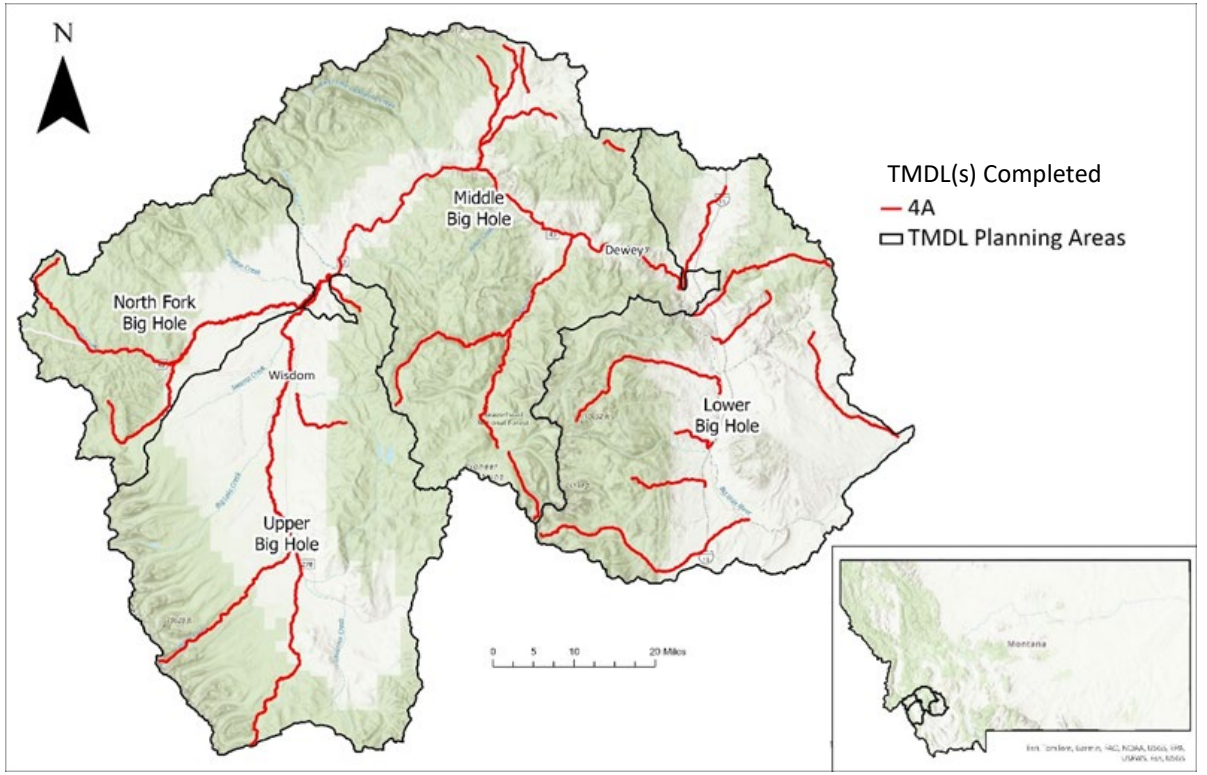
TIE Process (Cont'd)

- Analyze data and creating graphics
  - Data comparisons to TMDL targets
  - Trends
  - Photo comparisons
- Develop conclusions and recommendations
  - Three possible conclusions
- Review process
  - Internal review
  - Stakeholder review
  - Finalization
- TIE published on DEQ webpage
  - https://deq.mt.gov/water/Programs/tmdl


Big Hole River Watershed

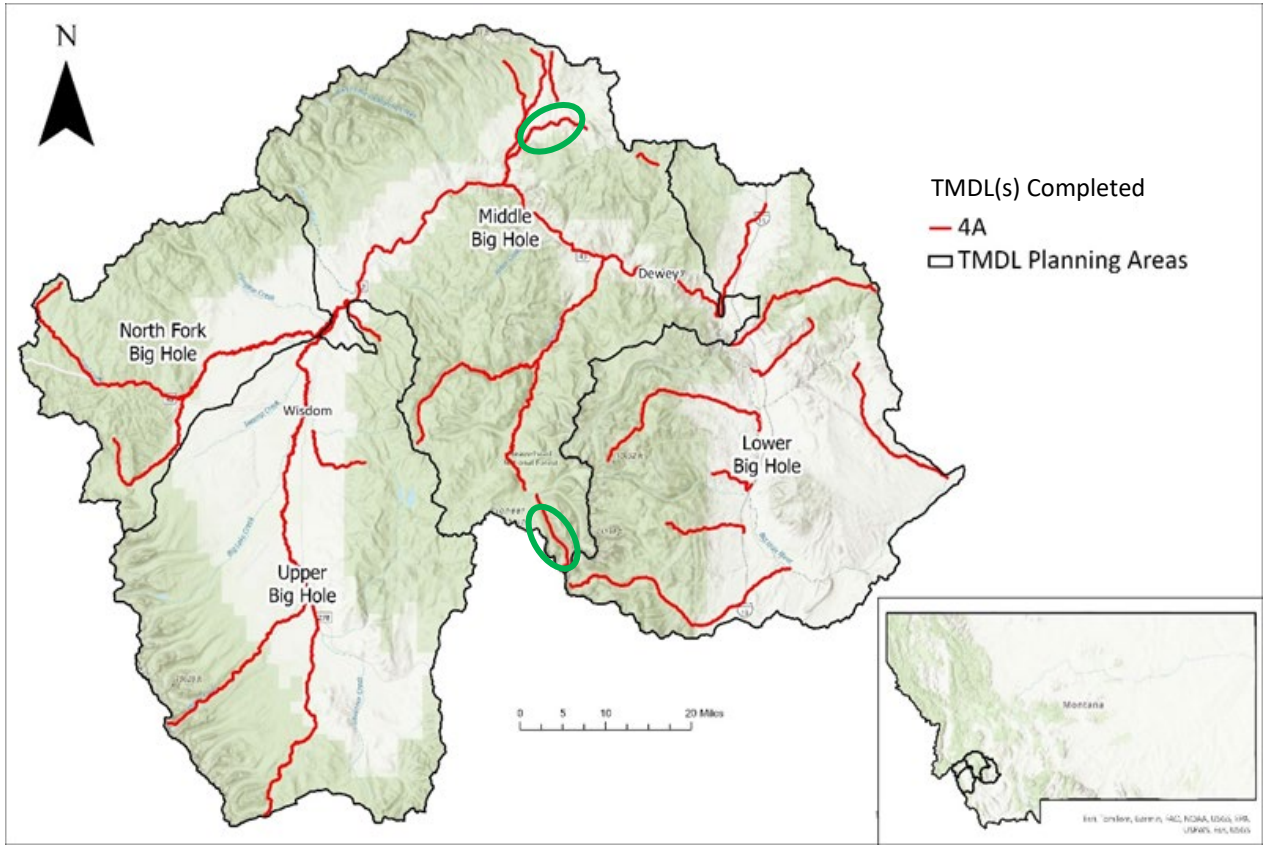
Big Hole TMDLs & Streams

- 2 TMDL documents
  - Middle and Lower
  - Upper and North Fork
- 48 waterbodies with TMDLs (Totaling 91 TMDLs)
  - Temperature (4)
  - Sediment (46)
  - Metals (As, Cd, Cu, Pb, Hg, Zn) (11)
  - Nutrients (TN, TP) (7)



What are we finding?

- High stakeholder interest = large amount of restoration work
- Restoration focus areas
  - French Gulch
  - Elkhorn Creek
- Heavy focus on sediment impairment



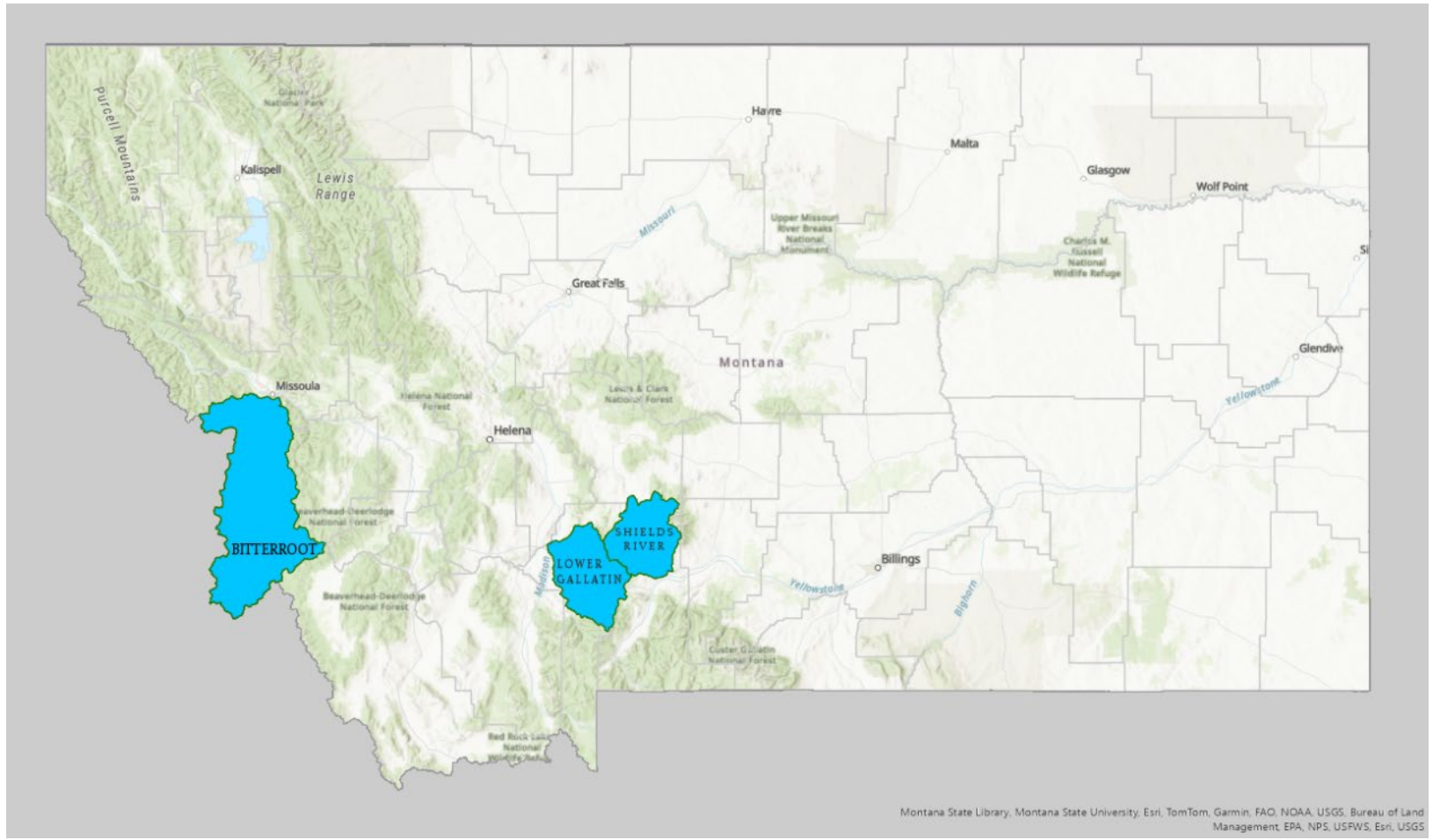
Other TIEs In Development

- Bitterroot River (lead only)
- Blackfoot Headwaters (metals, sediment)
- Middle Blackfoot – Nevada Creek (nutrients, metals, sediment, temp)
- Lower Gallatin (nutrients, pathogens, sediment)
- Big Sandy and Sage creeks (salinity)
- Elk Creek (sediment)
- Bobtail Creek (sediment)

Nonpoint Source Focus Areas

Hannah Riedl, Nonpoint Source & Wetlands Section Supervisor

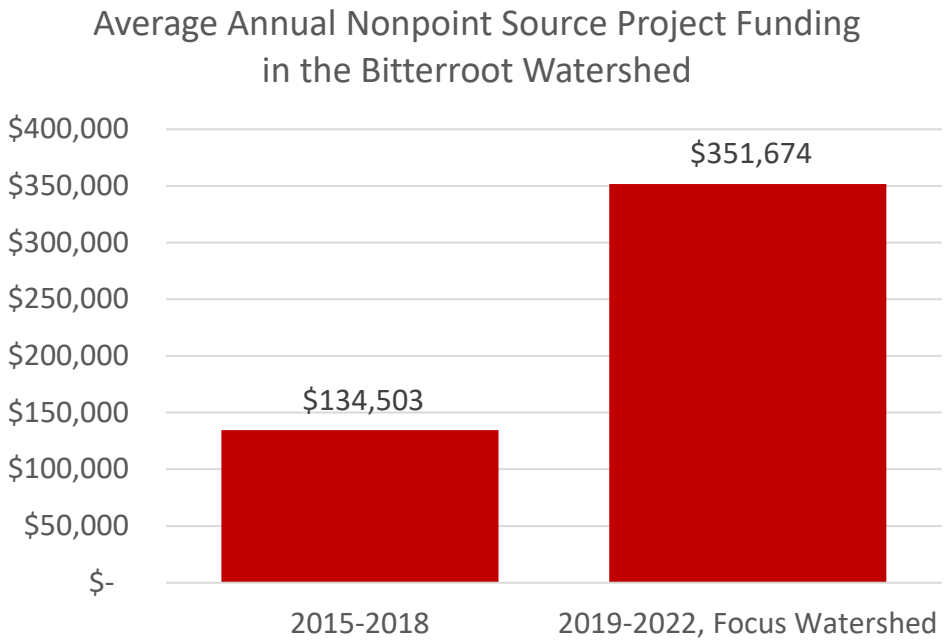
Nonpoint Source and Wetlands Program Focus Watersheds

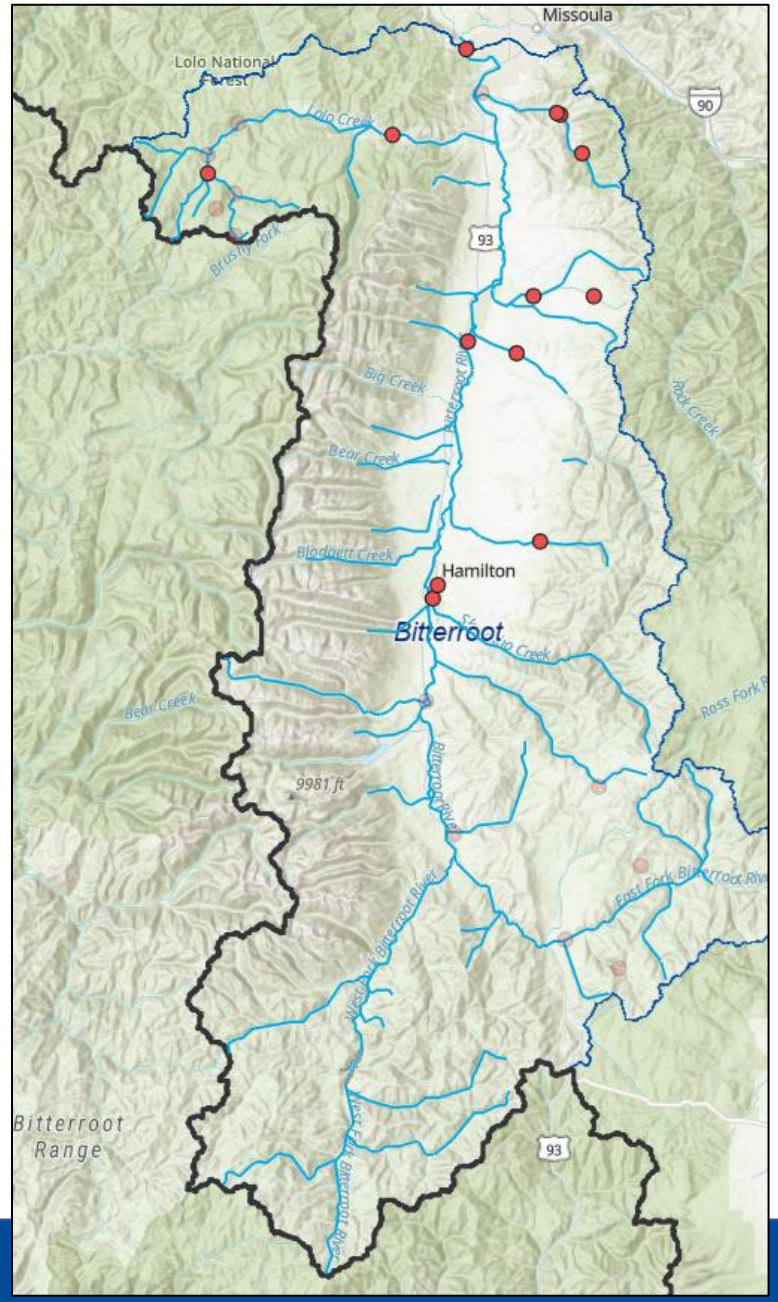


- ≥1 DEQ-accepted Watershed Restoration Plan in place.
- Resources and momentum exist through active local groups.
- Locals are interested in and value natural resources provided by water quality.
- DEQ resources can provide increased momentum for water quality improvement.
- DEQ's ability to track changes in water quality and other indicators.
- Supports other agency or other DEQ program priorities.
- The extent of nonpoint source pollution issues and related impairment conditions that can be addressed via traditional BMPs.
- Opportunities to reduce municipal wastewater or other point source water treatment costs by reducing upstream nonpoint sources of pollution.

Bitterroot Focus Watershed Results

- Anticipated fish passage delistings in the Upper Lolo
- Bitterroot Headwaters TIE
- Bitterroot River Nutrient Protection Plan
- Bitterroot River Nutrient Trends Report anticipated in 2025
- Built staff capacity of local organizations





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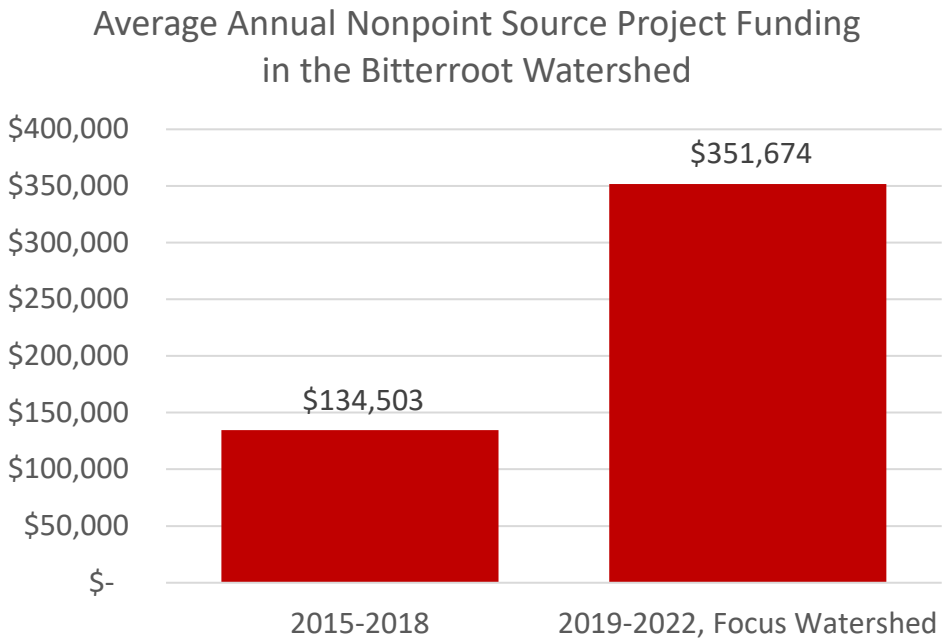

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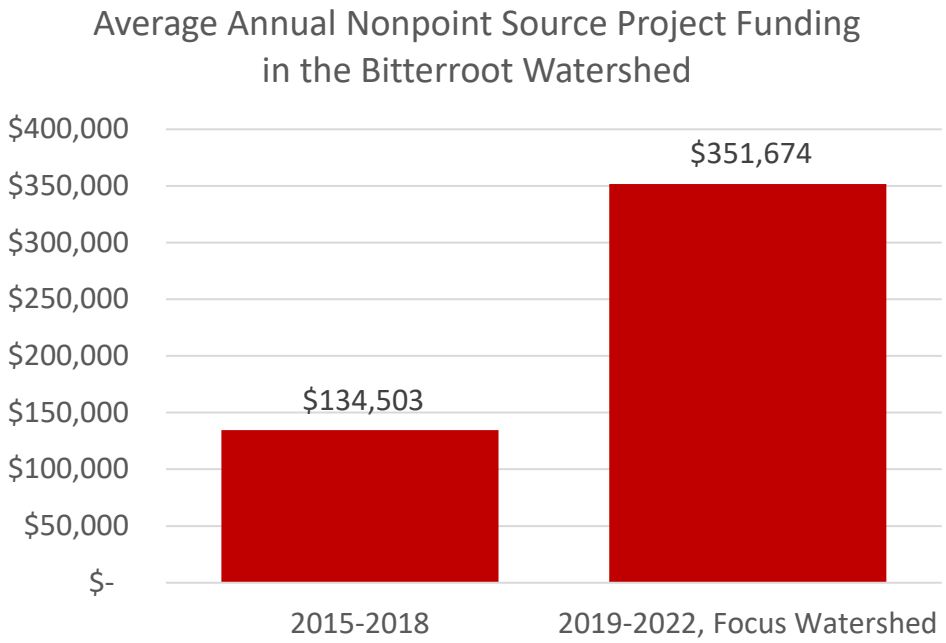
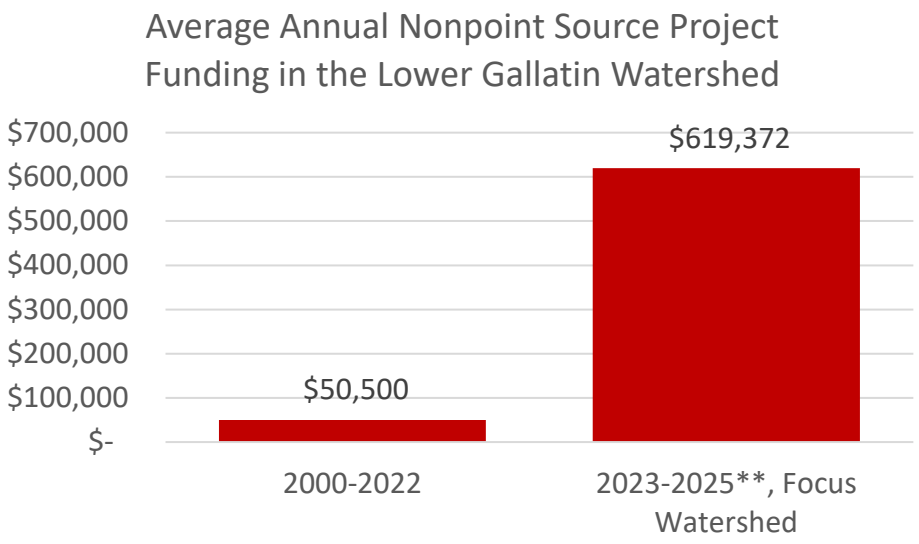
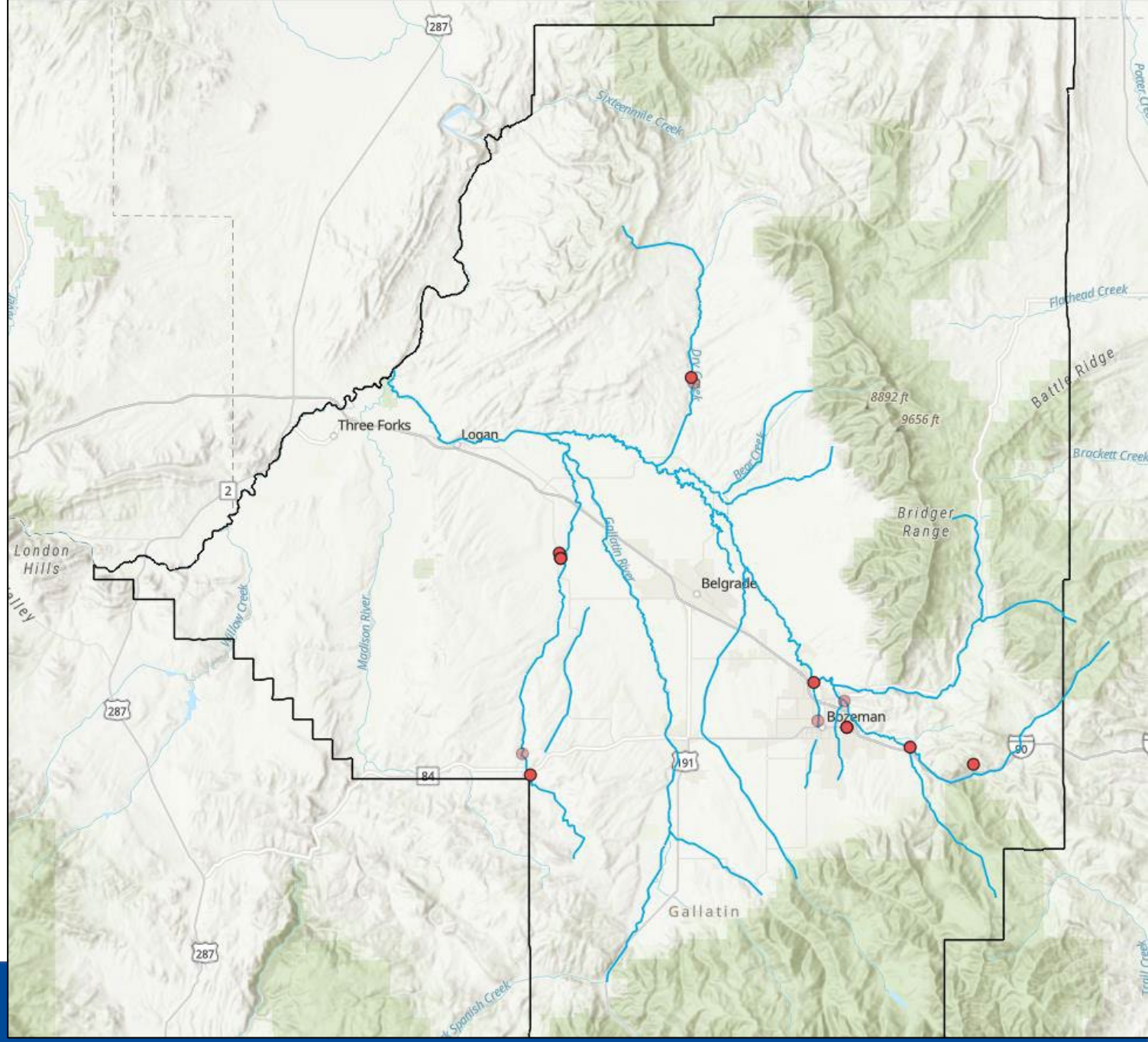


Lower Gallatin Focus Watershed

- Formed award-winning Gallatin Water Collaborative
- Steering Gallatin County planning
- Built staff capacity of local organizations





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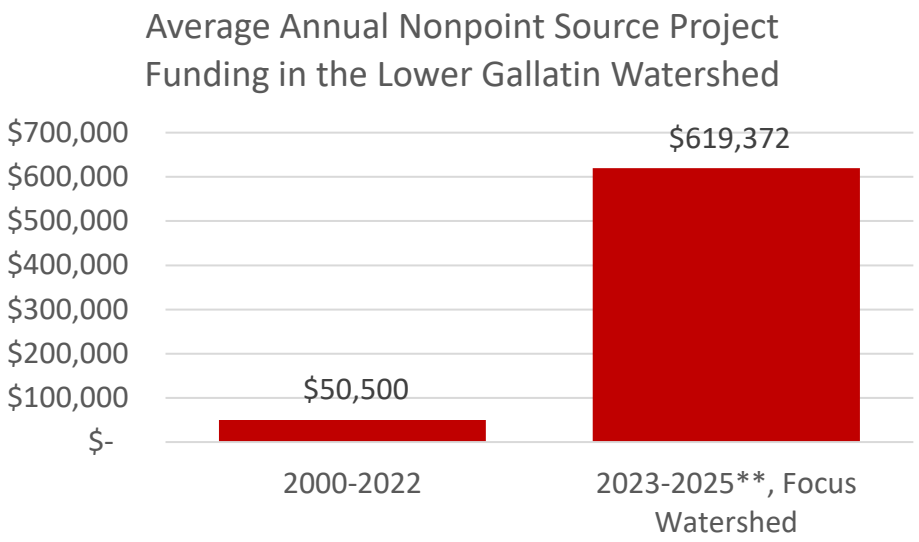


Water Quality Standards Updates

Katie Makarowski, Water Quality Standards & Modeling Section Supervisor

Use Attainability Analysis (UAA)

Montana's surface waters are classified based on which beneficial uses they are to be maintained suitable for.

- Use classifications also specify the water quality standards that must be met.

Changing a beneficial use classification requires formal rulemaking

Changing a beneficial use classification often requires a UAA (depending on the changes being proposed)

- UAA = structured scientific assessment of factors affecting the attainment of a use(s)
- UAA definitions at 40 CFR §131.3(g) and ARM 17.30.602(39)

75-5-302, MCA

- When the department is presented with facts indicating that a body of water is not properly classified in accordance with its existing, present, and future most beneficial uses, the department shall, within 90 days, evaluate the facts. If the department determines that the water body is not properly classified, the department shall initiate rulemaking to properly classify the water body in accordance with its existing, present, and future most beneficial uses.

Ashley Creek Use Attainability Analysis

On January 28, 2025, the City of Kalispell submitted a UAA and a request to change water quality standards for the lower segment of Ashley Creek.

- S Meridian Road to confluence with Flathead River
- Describes natural geomorphologic controls limiting attainability of uses
- Recommends change from "growth and marginal propagation of salmonid fishes" to "growth and propagation of non-salmonid fishes"
- Recommends site-specific temperature, total nitrogen, and total phosphorus standards.

DEQ is currently reviewing the UAA and evaluating the facts

- Must initiate rulemaking if DEQ determines Ashley Creek is not properly classified

Applicable Legislative Updates

Andy Ulven, Water Quality Planning Bureau Chief

Bills DEQ is Tracking

- HB 6: Renewable Resource Grants
- HB 664: Repeal numeric nutrient standards
- HB 684: Eliminate deadline for water quality data review
- HB 685: Feasibility allowance for nondegradation policy
- HB 736: Provide nutrient pollutant loading offsets

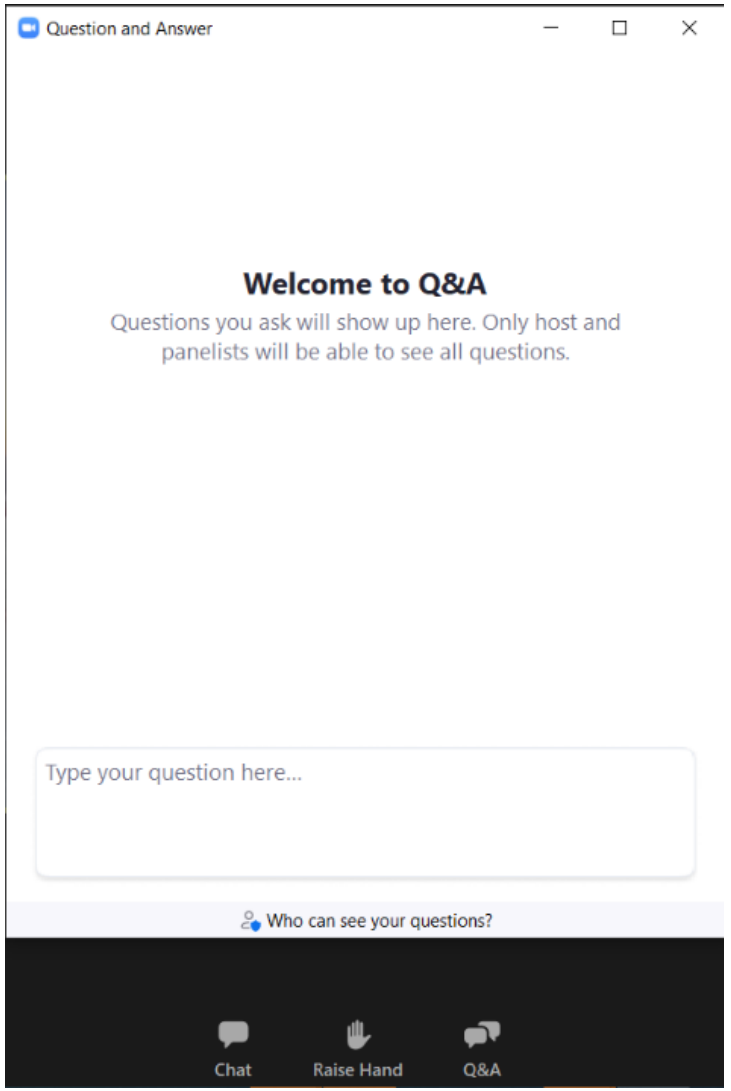
Public Comment & Close of Meeting

Close of Meeting

- Discussion of Next Meeting Topics & Meeting Date
- Public Comment

Questions / Comments

- Raise hand (*9 if on the phone) or type questions into the Q&A
- DEQ will unmute you if you wish to provide your comment orally
- If calling by phone, press*6 to unmute
- State your name and affiliation before providing your comment



Thanks for Joining Us!

- **Christina Staten**
- *TMDL Section Supervisor*
- CStaten@mt.gov
- 406.444.2836

DEQ STAG Webpage:
https://deq.mt.gov/water/Councils