

NEWS FROM THE MONTANA SECTION

Montana Events:

Montana Association of Conservation Districts (MACD) Envirothon, April 25-26, Great Falls MT, macdnet.org

2022 Montana Stormwater Conference, May 2-4, Missoula MT, mtstormwaterconference.org

2022 Montana Section American Water Resources Association (AWRA) Annual Meeting, October 12-14, Butte MT, montanaawra.org

Montana Governor Signs SB 0358 to Eliminate Existing Numeric Standards for Polluted Water Discharges

Montana Governor Greg Gianforte recently signed Senate Bill 0358 requiring the Montana Department of Environmental Quality (MDEQ) to eliminate existing quantitative and numeric water quality nutrient standards (in place since 2014) and adopt new rules with narrative nutrient standards. The narrative nutrient standards will be developed with consultation from the Montana Nutrient Work Group. The new rules will: 1) Develop an adaptive management program for an incremental watershed approach; 2) Balance all factors impacting a water body; 3) Prioritize phosphorous; 4) Identify response variables affected by nutrients; 5) Consider options pertaining to point sources and impaired status of the receiving water body. The MDEQ has been under lawsuit since 2018 by the Upper Missouri WaterKeeper (UMW) who contends that current MS4 permits are managed by the MDEQ with temporary water quality variances to allow cities to violate the pre-existing numeric State water quality standards. A proponent of SB 0358, The Montana League of Cities and Towns, argues Best Available Technologies allowing cities to meet the previous numeric standards are economically infeasible. Opponents to SB 0358, including UMW, contend that the new rules will greatly reduce enforceable water quality protection by the MDEQ. The USEPA has been petitioned to review the new Montana narrative standards for compliance with national standards.