
What's Wrong With the Water?



How too many nutrients can lead to unhealthy rivers and lakes

JUNE 2021

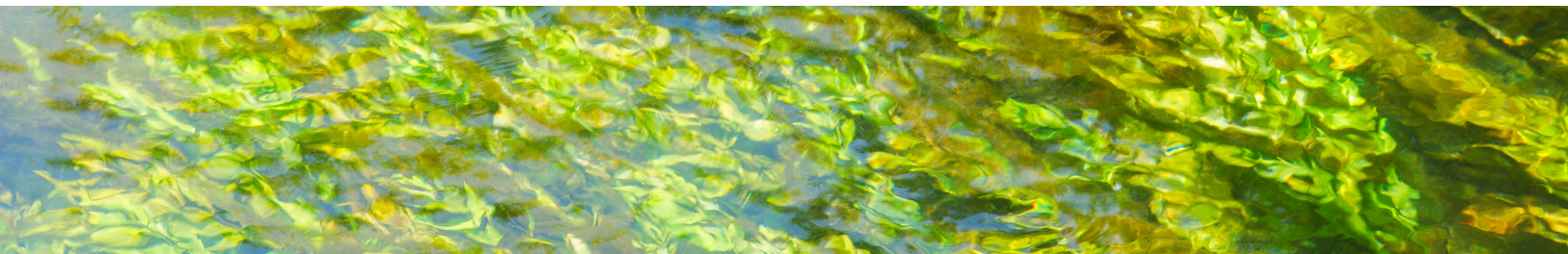


What is nutrient pollution?

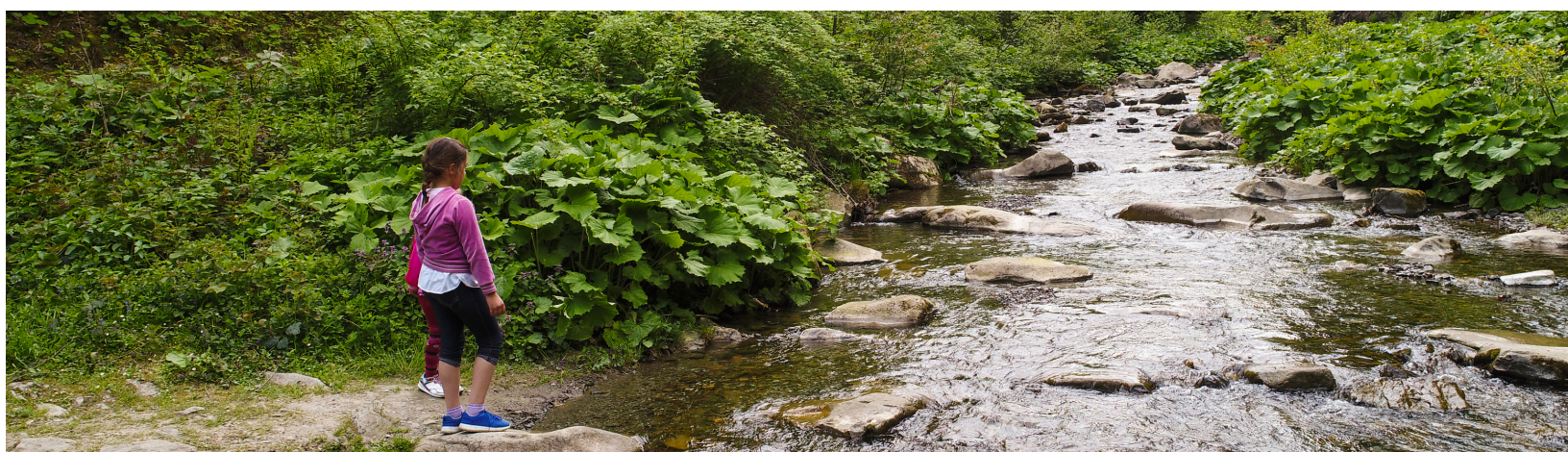
Montana's waters face an ongoing, growing threat from nutrient pollution.

This pollution, in the form of excess nitrogen and phosphorus, enters waterways from fertilizers, animal manure, sewage treatment facilities, laundry detergents, stormwater runoff, and septic tanks.

It can cause algal growth (algal blooms) that negatively impacts stream health and aquatic life, and has serious impacts to human health, especially infants and other vulnerable populations.



Protecting Montana's waters from nutrient pollution



Montana was one of the first states to adopt “numeric” nutrient pollution limits, the allowed numerical and measurable limit of pollution discharged into our rivers and streams.

In 2021, due to industry pressure, the Montana Legislature repealed these clear limits on pollution, and directed the Montana Department of Environmental Quality (DEQ) to draft implementation rules for the new law that includes “narrative” limits and an “adaptive management” approach to regulate these pollutants.

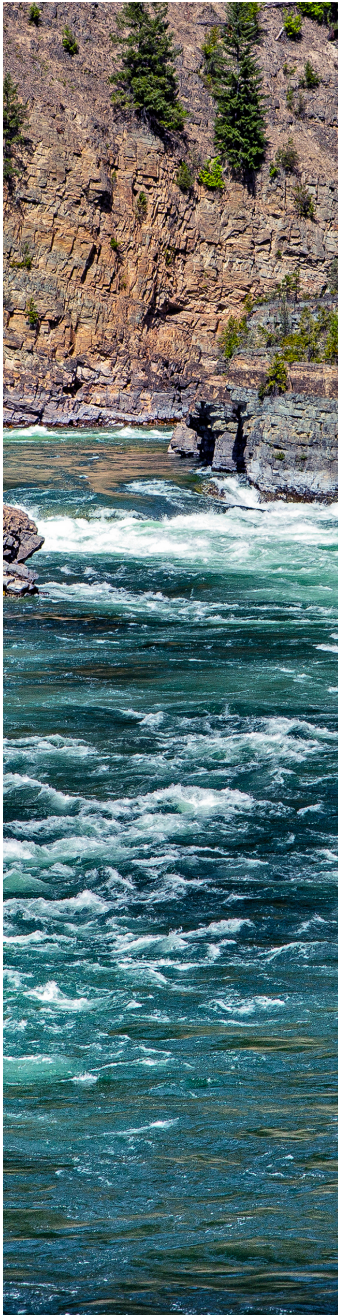
While numeric standards are measured at the source of pollution and provide a specific standard that must be met, narrative standards are often site-specific, and determined based on biological and water quality monitoring and other assessment methods to establish whether a water is able to be used as intended (i.e. fishable, swimmable, drinkable, etc).

This narrative and adaptive management approach is a much more labor- and resource-intensive process than measuring numeric pollution at its source.



**Pollution
prevention
now can save
money and
lives in the long
run.**

What's next?



DEQ is now developing a set of proposed rules to implement the new narrative standards and adaptive management process.

In order to comply with the law, DEQ needs to develop a set of draft rules to implement the narrative standards and adaptive management process by early November 2021.

The draft rules will then go through the more formal rulemaking process and must be finalized by March 1, 2022.

Find more info on DEQ's website:
<http://deq.mt.gov/water/resources/nutrientworkgroup>

2021 DEQ Nutrient Work Group virtual meetings:

May 27

August 25

June 23

September 22

July 28

October 27

In order to protect Montana waters, the DEQ rules must follow these guidelines:

1. The rules cannot allow backsliding.

Rules can't allow (or incentivize) increased pollution in our waters, restricting how we are able to safely interact with our healthy waters.

2. The rules must address nitrogen as well as phosphorus.

The new law prioritizes minimizing phosphorus. Nitrogen is the strongest driver of nutrient pollution in Montana waters, so it must also be considered.

3. The rules must require the best available water treatment technology.

Montana should be informed and learn from other jurisdictions using proven technologies.

4. The rules must include a robust scientific process defining watershed baseline conditions.

In order for narrative methods to be effective, the DEQ must have robust data on water quality before industrial activity occurred, as well as measurements over time and an analysis of existing point source (i.e. water treatment facility discharge points) vs non-point source (i.e. agricultural runoff) causes of pollution.

5. The DEQ needs to fund nutrient pollution protections adequately.

DEQ must seek additional funding sources to adequately staff the rulemaking process and implementation of narrative standards because the legislature did not.