

SB 358 Sample Comments

Email comments to loryn.johnson2@mt.gov before February 8, 2022.

Oppose Rule Lifting Pollution Protections on Waterways:

Subject: Comments Opposing Proposed Amendment of ARM 17.30.1304 and Adoption of New Rule 1

To Whom It May Concern,

Thank you for the opportunity to comment on the proposed amendment of ARM 17.30.1304 and adoption of the new narrative water quality standards rule.

I am [*1-2 sentences introducing yourself, your address, how you use/care about MT's waterways, any background and interests in pollution control rules for rivers and fisheries*].

I have serious concerns about the proposed regulation changes and oppose the rollback of enforceable numeric nutrient criteria and science-based waterway protections. Montana's world-class waterways are the lifeblood of our state, supporting blue-ribbon fisheries, trophy wildlife, agriculture, and recreation. Our clean water and all the ways we depend on it are a precious part of Montana's heritage. We should aim to improve this invaluable resource for future generations rather than risk degrading it, as the current proposal and rule do.

Thorough, long-term science shows that controlling nutrient pollution is best accomplished by use of clearly identified, enforceable numeric nutrient criteria. That's why the Environmental Protection Agency has for years encouraged states to adopt numeric standards and why Montana was one of the first states to do so. Point source polluters are required by federal law to have stringent permit limits so that their discharges do not cause or contribute to violations of water quality standards. The Department of Environmental Quality's (DEQ) proposed new rules would eliminate proactive, enforceable, science-based pollution controls and require use of a new, unproven write as you go adaptive management program. This change will undoubtedly result in degraded water quality across our state. It represents a critical failure of our government meet its Constitutional and statutory obligation to protect local water quality in our streams, rivers, and lakes.

I am concerned that abandoning a proven system for controlling point source nutrient pollution in favor of an ambiguous new write as you go adaptive management program that appears to disregard best available science will increase nutrient pollution problems and algal blooms in our waterways. The new program allows polluters too much discretion in how discharges are measured, who does the measuring, and enforcement. DEQ's scientific experts need to have a stronger hand in protecting our water quality.

We should be tightening controls over water pollution, not proposing new rules that weaken pollution controls and give more control to the polluters causing the problem. Weak and non-science-based rules allow more pollution that harms our aquatic communities, wildlife populations, and way of life.

In summary, I oppose the repeal of numeric nutrient criteria, the creation of a new write as you go adaptive management program, and support strong, science-based pollution protections as required by the Clean Water Act for Montana's waterways.

Sincerely,

[Name, address]

Oppose Rule Causing Harmful Pollution Impacting Human Health:

Subject: Oppose Proposed Amendment of ARM 17.30.1304 and Adoption of New Rule 1

To Whom It May Concern,

Thank you for the opportunity to comment on the proposed amendment of ARM 17.30.1304 and adoption of the new narrative water quality standards rule.

I am [1-2 sentences introducing yourself, your address, how you use/care about MT's waterways, any background and interests in pollution control rules for rivers and fisheries].

I have serious concerns about and strongly oppose the rollback of enforceable numeric nutrient criteria and science-based waterway protections. All Montana communities and families rely upon clean water, whether for recreation, drinking, or use in our businesses. By removing the enforceable science-based standards that determine whether a waterbody is polluted by nitrogen and phosphorus, the health of Montanans' favorite waterways becomes uncertain. I am concerned that changing our state rules to create leeway for the largest polluting sectors will result in poor oversight and inadequate management of clean water protections in Montana. We should be strengthening water quality standards given the many threats our waterways are facing today, not weakening them. We should be improving water quality for future generations, not degrading it for the benefit of industries and corporate polluters.

We can't let the State of Montana prioritize industrial and corporate polluters' "flexibility" over the health of Montana's waterways and the communities they support.

In summary, I oppose the repeal of numeric nutrient criteria and support science-based pollution protections for Montana's waterways.

Sincerely,

[Name, credentials]

Oppose Rule Threatening Montana's Outdoor Economy and Way of Life:

Subject: Oppose Proposed Amendment of ARM 17.30.1304 and Adoption of New Rule 1

To Whom It May Concern,

Thank you for the opportunity to comment on the proposed amendment of ARM 17.30.1304 and adoption of the new rule.

I am *[1-2 sentences introducing yourself, your address, how you use/care about MT's waterways, any background and interests in pollution control rules for rivers and fisheries]*.

I have serious concerns about the current proposal by the Department of Environmental Quality (DEQ) and am opposed to the rollback of enforceable numeric nutrient criteria and science-based waterway protections. Montana's \$7.1 billion outdoor recreation economy and the 71,000 jobs and businesses it supports depend on clean water and healthy rivers. Excessive, uncontrolled nutrient pollution entering our rivers and lakes puts the second largest sector of Montana's economy and the health of the waterways that attract visitors from around the world at risk for the benefit of polluting special interests.

The proposed rule would create a new write as you go adaptive management program for controlling nutrient pollution, like nitrogen and phosphorus. To the best of my knowledge, this new proposed program does not reflect baseline requirements for controlling nutrient pollution from different sectors to our waterways. Eroding a proven, enforceable system of pollution control in favor of an untested new program that favors industrial and corporate polluters and lacks a strong scientific basis creates substantial uncertainty for Montana's outdoors based economy.

I believe DEQ needs to protect our outdoors and water quality on the basis of best available science and as required by the law, and I am concerned that the proposed rules do just the opposite and be disastrous for the outdoors-based economy.

Sincerely,

[Name, credentials]