Nutrient Core Team Sub-Workgroup Charter

Charge

Assist with Development of Nutrient Reduction Programs
Provide DWQ with immediate feedback on nutrient related programs that have the potential to directly affect the specific stakeholder groups.

• Provide detailed answers to key questions raised by the Core Team
• Flesh out details of policies, rules etc. that surround specific nutrient reduction strategies
• Provide DWQ with comments and recommendation on policy recommendations
• Report back to Core Team with recommendations and concerns

Outreach
Inform and seek feedback from your stakeholders on our need to develop Numeric Nutrient Criteria (NNC) and associated nutrient reduction programs.

• Use your existing stakeholder groups and forums
• Work with DEQ content expert / representative

DWQ Support
• Meeting Planning and Support
• Develop Notes and Action Items
• Develop documents that translate stakeholder recommendations into draft policy, rules, etc.
Point Source Workgroup

Principle Charge
- Develop rules and guidance for technology-based effluent limits implementation
- Provide the Core Team with recommended solutions
- Solicit feedback from stakeholders who may be directly affected by policy recommendations

Proposed Structure
- Does the existing POTW workgroup suffice for sub-workgroup purposes?
  - Does this exclude important stakeholders?

Questions Previously Raised in Core Team Discussions
- What are appropriate N&P technology-based limits for mechanical WWTPs?
  - Should nitrogen limits be established for TIN or TN?
  - Should compliance be measured by Concentration or load?
  - What is an appropriate compliance averaging period? Monthly?
  - How do proposed values differ from current discharge levels?
- What limits are appropriate for Lagoons?
- What is a reasonable compliance schedule?
  - Should deadlines for N be different than deadlines for P?
- How can we bring more long-term certainty to POTWs with regard to future requirements?
  - What about the interface with TMDLs or “Straight to Implementation” options for addressing nutrient-related impairments?
- What elements of the strategy need to be captured in rule versus guidance?
- How should technology-based limits interface with permitting or nutrient-related TMDLs?
- Should exceptions to technology limits be made, if:
  - The discharge is insignificant load compared to receiving water (e.g., Moab)?
  - It is demonstrated that reductions are not necessary to protect both immediately proximate and downstream uses?
    - Should these evidence-based exclusions apply only for N?
- What methods can be used to objectively identify habitat-limited waters?
  - Who has the burden of proof? What documentation should be required?
- How can we most effectively work together to communicate the need for these reductions?
  - How should these approaches differ for:
    - Communities?
    - Boards?
    - Other important stakeholders (TBD)?

Potential Workgroup Products/Outcomes
- Policy Document
- Rules
- Statutory Changes
- MOUs
Non-Point Source Workgroup

Principle Charge
- Review potential policy solutions related to NPS questions raised by the Core Team
- Provide the Core Team with recommended solutions
- Solicit feedback from stakeholders who may be directly affected by policy recommendations

Proposed Structure
- Define the workgroup in consultation with existing Water Quality Taskforce and other NPS partners
  - Create subworkgroup to interface with the Core Team

Questions Previously Raised in Core Team Discussions
- What are potential funding mechanisms to address nonpoint source nutrient pollution?
- How does an NPS nutrient program effectively interface with existing support network (i.e., NRCS, UDAF, Farm Bureau, UACD, Forest Service, BLM, etc.)?
- How does an NPS nutrient program best interface with existing or developing agriculture programs?
  - UDAF Environmental Stewardship Certification
  - CAFOs and Nutrient Management Plans
  - Watershed plans
  - NRCS funding prioritization
  - Others?
- How do we keep the program voluntary but still have accountability?
  - Voluntary monitoring?
- How do we identify specific nonpoint sources?
- How do we identify and contact specific sources contributing to known problems?

Potential Workgroup Products/Outcomes
- Policy Document
- Implementation Strategy
- Rules
- MOUs
- Outreach Materials
Storm Water Workgroup

Principal Charge
- Review knowledge base and Utah-specific storm water issues relevant to nutrient pollution and control. Prepare:
  - Problem statement
  - Knowledge/information gaps assessment
- Develop/analyze alternatives; prepare policy recommendations
- Outline implementation strategy / schedule
- Develop rules and guidance for storm water nutrient control policies
- Provide the Core Team with recommended solutions
- Solicit feedback from stakeholders affected by policy recommendations

Proposed Structure
- Define in consultation with nutrient core team and storm water workgroup
  - Leadership
  - Subgroups?
  - DWQ Staff, Outside support and expertise?

Potential Discussion Topics
- Funding mechanisms
- Storm water point source versus non-point source differences, e.g., loads, technologies, regulation authorities/mechanisms
- Appropriate values for N & P
  - Measurement – load estimation
  - Load impact
  - Source identification and reduction
- Compliance Schedule
- Bringing certainty to long-term planning
  - Integration with other programs, policies, agencies
- Implementation strategy / timing
- Exceptions/offramps, if any
  - Phased implementation, e.g., MS4
  - Waterbody protected through other mechanisms, e.g., relative dilution or load
  - Defining habitat limitation implementation classes
  - Who has the burden of proof? Required documentation?
- Outreach strategy
  - Existing networks
  - Communities
  - League of Cities and Towns
  - Effectiveness strategy

Potential Products
- Policy Documents
- Guidelines/Rules/Statute
- Outreach activities/materials