

# 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

