



Clark Fork Coalition Testimony on SB 358 - Feb. 24, 2021

Members of the Senate Natural Resources Committee,

On behalf of the Clark Fork Coalition and its members, we urge you to vote no on SB 358. The Clark Fork Coalition (CFC) is a non-profit organization with a 35-year history of protecting and restoring the Clark Fork River basin in western Montana.

SB 358 is a step in the wrong direction at the wrong time. Montana currently has major issues with anthropogenic nutrient pollution in streams and the algae blooms they fuel, and the problem is getting worse: Last year we saw harmful algae blooms on the Clark Fork, Smith, and Gallatin rivers. These blooms threaten the ecology of lakes and rivers, and also harm the economies they support. With many areas of Montana experiencing an explosion of development, we need proactively address this problem.

SB 358 does the opposite by shifting us from a proactive approach to nutrient management to a crisis management approach. For example, on page 16 of the bill, the proposed 150 mg/ per square meter standard is too high. This is the maximum allowable level under the Voluntary Nutrient Reduction Program for the Clark Fork River and represents nuisance levels of algae that have serious ecological, recreational, and economic consequences. We need to be working proactively to avoid ever getting to this level, not setting it as the point at which we take action. The Clark Fork Coalition understands that costs for water treatment are always a concern, but it is far better and cheaper to prevent this problem than to try to fix it after it happens.

Second, the proposed revisions are flat out unworkable because they ignore all of the other controlling and limiting factors that contribute to dangerous algae levels: things like water depth, substrate size, and other chemical parameters like calcium. So while an upstream discharger may not see his or her discharge reach the "crisis level" nutrient trigger proposed by the bill, the nutrients from this point source will just flow downstream and potentially cause nuisance algae blooms somewhere else, which will just force another discharger to pay to deal with it.

Finally, the bill ignores the interconnectedness of our waterways and the cumulative impacts of nutrient pollution. Take Flathead Lake as an example: if algae levels in Flathead Lake's major tributaries like the Whitefish River, Swift Creek, and the Stillwater River remain below 150 mg/msq, under this bill, no nutrient standards would apply. But all that nitrogen and phosphorus would still flow downstream to Flathead Lake, where cumulatively it would fuel algae blooms and the overall eutrophication of the lake. It's the clarity and cleanliness of the lake that makes it such an attractive destination, a popular fishery, and an economic driver, and this bill would jeopardize all of that.

For all these reasons, the Clark Fork Coalition urges a "do not pass" on SB 358.