



Water Policy Interim Committee

69th Montana Legislature

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May 5, 2026

TO: Water Policy Interim Committee
FROM: Alexis Sandru, Staff Attorney
RE: Administrative Rule Report – May 2026 Meeting

This report summarizes administrative rules concerning the quality or quantity of water that have been proposed or adopted by the Department of Environmental Quality (DEQ), the Department of Fish, Wildlife, and Parks (FWP), and the Department of Natural Resources and Conservation (DNRC) since WPIC's March 2026 meeting. Rule notices are available at <https://rules.mt.gov>.

PROPOSAL NOTICES

MAR Notice Number: 2026-489.1 (Proposed Issue 8, April 24, 2026)

Subject: Montana pollutant discharge elimination system permits, definitions, and designation procedures for small municipal separate storm sewer systems (MS4s)

Summary: The DEQ is proposing to amend existing rules to:

- replace references to "urbanized area" with "urban area with a population of 50,000 or more people as determined by the latest decennial census by the U.S. Census Bureau" to reflect changes in federal terminology; and
- revise the definition of "small municipal separate storm sewer system" to:
 - include the city of Bozeman and Gallatin County, the city of Helena, city of East Helena, and Lewis and Clark County, and the city of Missoula and Missoula County in the list of small MS4s that are automatically subject to MS4 permitting requirements under federal law due to population increases identified in the 2020 decennial census; and
 - designate the city of Belgrade as a regulated MS4.

Notes/Hearing: A public hearing is scheduled for May 22, 2026, at 2 p.m. Written public comment is due on May 22, 2026.

MAR Notice Number: 2026-489.1 (Proposed Issue 8, April 24, 2026)

Subject: Amend Circular DEQ-7 pertaining to numeric water quality standards for surface water and ground water

Summary: The DEQ is proposing to amend Circular DEQ-7 to correct errors and improve clarity and to amend the human health standards for cyanide in ground water and lead in surface water and ground water and to correct errors for human health standards for four pesticides – chlorosulfuron, imazapic, 1,2-dibromoethane, and nicosulfuron -- in surface water and ground water.

Notes/Hearing: A public hearing is scheduled for June 8, 2026, at 11 a.m. Written public comment is due on June 8, 2026.

**Repealed statute cited as implementing authority – contacted agency rule reviewer.

ADOPTION NOTICES

None.