



TO: Public

FROM: NRDP

DATE: September 29, 2020

SUBJECT: Public Review and Comment: Draft 2020 Revised Restoration Plan for the Clark Fork River Aquatic and Riparian Resources

1. Purpose and Background

In April 2004, the Record of Decision (ROD) for the Clark Fork River Operable Unit (CFROU) was released by the United States Environmental Protection Agency (EPA 2004). The ROD included a description of the response actions to be undertaken along the Clark Fork River. In light of information contained in the ROD, the State's Aquatic and Terrestrial Injury Reports (NRDP 1995a) and the Remedial Investigation and Feasibility Study (Pioneer 2002), the State supplemented the 1995 Restoration Determination Plan with the 2007 Revised Restoration Plan for the Clark Fork River Aquatic and Riparian Resources (2007 Revised Restoration Plan) that more directly considered and supplemented the remediation actions proposed by EPA. In 2015, EPA, in consultation with DEQ, issued an Explanation of Significant Difference (DEQ and EPA 2015) that included additional remedial design factors required to meet ROD requirements. This amendment to the 2007 Revised Restoration Plan is necessary because the final remedy described in the Explanation of Significant Differences (DEQ and EPA 2015) now includes actions originally described in the 2007 Revised Restoration Plan.

In 2019, the Natural Resource Damage Program (NRDP) began the process of updating the 2007 Revised Restoration Plan by analyzing restoration priorities in the Clark Fork River Aquatic and Riparian Restoration and Prioritization Analysis (Geum et al. 2019). Restoration priorities are based on restoration actions included in the 2007 Revised Restoration Plan and actions identified during implementation of the integrated remediation/restoration actions in completed phases of the Clark Fork River. The draft 2020 Revised Restoration Plan outlines how the categories of restoration actions restore, rehabilitate, replace, or acquire the equivalent of the injured natural resources.

NRDP is now seeking public input on the 2020 Revised Restoration Plan for the Clark Fork River Aquatic and Riparian Resources. The document is available on the [NRDP website](http://restorationteam.net/default.lasso?flink=2F253863168a016339yVB6DBDE85) or at <http://restorationteam.net/default.lasso?flink=2F253863168a016339yVB6DBDE85> [restorationteam.net].

2. Review and Approval Processes and Public Participation

The public will have the opportunity to provide written comments on this draft 2020 Restoration Plan during a 30-day comment period commencing September 29, 2020. Following consideration of public input, NRDP will make a recommendation to the Trustee in November

2020. The Trustee will make the final decision on this 2020 Revised Restoration Plan for the Clark Fork River Aquatic and Riparian Resources.

3. Schedule for 2020 Revised Restoration Plan for the Clark Fork River Aquatic and Riparian Resources

The 2020 Revised Restoration Plan for the Clark Fork River Aquatic and Riparian Resources is subject to a 30-day public comment period scheduled for September 29, 2020 through October 30, 2020. NRDP has scheduled a public meeting to be held via the Microsoft TEAMS meeting platform for October 22, 2020, 6 to 8 PM (MST), where the 2020 Revised Restoration Plan will be presented and NRDP will answer questions. NRDP will not be accepting verbal comments during this meeting. Written comments may be submitted to NRDP at nrdp@mt.gov. Comments may also be sent by mail (postmarked on or before October 30, 2020) to NRDP, 1720 9th Avenue, Helena, MT 59620-1425. All emailed and mailed comments must include “Public Comment: CFR Aquatic and Riparian Resources Restoration Plan 2020 Revision” in the subject line.

October 22, 2020 Public Meeting access information:

For security reasons, members of public who wish to participate in this meeting, please request access instructions from NRDP by no later than 4:00 pm, Oct. 22nd, 2020. Requests can be made via email to nrdp@mt.gov, ATTN: Meranda Flugge. Please put “Oct. 22nd CFR 2020 Revised Restoration Plan Public Meeting Request for Access” in the subject line. Or call 406-444-0205.

NRDP will make reasonable accommodations for persons with disabilities who wish to participate in this public meeting. For questions about accessibility or to request accommodations, please call Shannon Gilskey at 406-444-0229 or email her at shannon.gilskey@mt.gov as soon as possible but no later than 3:00 PM Wednesday, Oct. 21st, 2020, the day before the meeting date.