

# North American Water Office

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Comments on Framework Site Specific Sulfate Standards for Wild Rice

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The work of John B. Moyle on the harm caused to wild rice from sulfate discharged to wild rice lakes from mining companies, industrial facilities, and municipal wastewater treatment plants has been published in the scientific literature since 1944.

As early as 1973 Moyle's 10 mg/liter sulfate standard was approved by the United States Environmental Protection Agency and adopted. However, this sulfate standard was seldom, if ever, enforced by the Minnesota Pollution Control Agency. Rather than enforce the existing standard, countless public taxpayer dollars and staff time were spent first studying the problem and then a grueling six to seven years were spent attempting to promulgate a wild rice rule that was defeated. The rule was defeated because it was so obviously biased against protecting sensitive resources.

NAWO mentions this historical evidence to call into question the MPCA framework for a site-specific sulfate standard (SSS) for regulation of sulfate discharges into wild rice waters. It is laughable to contemplate the non-existing army of paid agency staff members, boats and vehicles required to accomplish the testing and rules/limits for 2,400 wild rice lakes. Enforcement has always been the weak link in the MPCA budget and NAWO questions the ability of the Agency to accomplish this framework. It is with interest that NAWO notes the number of wild rice lakes has increased by 1,200 from the number cited by the Minnesota Department of Natural Resources website and 2008 study. The additional 1,200 lakes were brought to the Agency's attention by Tribal participants and others during the previous wild rice rule proceedings.

Each boat that enters a wild rice lake provides another opportunity for the introduction of invasive species such as starry stonewort, narrowleaf cattail, and Eurasian milfoil into wild rice waters. This must be guarded against with due diligence.

In terms of honor and respect for Indigenous Peoples, the Agency has frequently exhibited a callous disregard for the Traditional Ecological Knowledge of Minnesota Tribal Nations. Time immemorial knowledge is not comparable to the Western Science of the Agency that began with the creation of the Agency in 1967. NAWO noticed and appreciates that there is a language shift with this attitude in the SSS Framework. Whether language becomes action is another matter. We hope this shift in language leads to more appropriate behavior on the part of the Agency.

Former Governor Dayton called John Moyle's 10 mg/liter sulfate wild rice standard "outdated" and if it was left in place, it would hurt the mining interests in the state. By its actions, the Agency doesn't care about wild rice. The SSS framework demonstrates that the Agency doesn't care about wild rice. The SSS framework will simply enable more mining.

Wild rice for Indigenous Peoples is not just "beneficial use." Wild rice is the very identity of Anishinaabeg Peoples, the very soul of the Indigenous Nations. Additional sulfide in the soils and

sediments mobilizes mercury and methylates mercury into fish tissue. Northern Minnesota Tribes traditional diets include fish particularly those fish that bio-concentrate methylmercury like walleye and northern pike. The Agency with this SSS framework is committing genocidal actions against the Northern Tribes. This will result in forced assimilation. Is this what you want?

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