



LEECH LAKE BAND OF OJIBWE

DIVISION OF RESOURCE MANAGEMENT

Via Email: Leya.Charles@state.mn.us
Minnesota Pollution Control Agency
c/o Leya Charles
520 Lafayette Road
Saint Paul, MN 55155

January 11, 2024

RE: 2024 Draft MN Impaired Waters List

The Leech Lake Band of Ojibwe (LLBO) is a Sovereign Tribal Nation with Treatment as a State (TAS) authorities under Section 106, Section 401, & 303(c), and Section 319 of the Clean Water Act. LLBO holds usufructuary rights to hunt, gather and fish within the Leech Lake Reservation and 1855 ceded territories. Protection of water quality in this region is of utmost importance to protection of the treaty protected resources that Leech Lake Band members rely on for spiritual and physical wellbeing.

Wild Rice Waters

LLBO is appreciative of the opportunity to comment on Minnesota's list of wild rice waters. Wild rice is sacred, and every fall during the Rice Moon band members gather rice both on the Reservation and on waters in the 1855 ceded territory. Although the Leech Lake Reservation and the surrounding area are blessed with lakes and rivers where wild rice grows, wild rice has been in decline since European settlement began in the area. Sulfate pollution is one of the leading causes of this decline. The listing of wild rice waters is a good step in ensuring these waters receive more stringent protection. However, LLBO takes the stance that all waters are capable of supporting wild rice. Tribes have Tribal Ecological Knowledge (TEK) regarding the resources in their homelands. Tribes should have direct input on the listing of wild rice waters on the Reservation and in ceded territories as access and protection of this resource is vital to the lifeways of the Tribe.

Nutrient impairment in Dixon Lake

Dixon Lake (31-0921-00) is a shared water between LLBO and Minnesota. Dixon Lake is a unique system that supports a diverse fishery and wild rice stands. Leech Lake would like to partner with the State of Minnesota on a TMDL-like study for nutrient impairment in Dixon Lake. This would help LLBO and MPCA to understand the sources of nutrient inputs to Dixon Lake and identify potential BMP's and pollution reduction activities that can be implemented and pursued by LLBO and interested partners.

Official 303(d) list

LLBO acknowledges that waterbodies within the exterior boundaries of the Reservation are left off of the official 303d list that is submitted to EPA. However, the MPCA still assesses all waterbodies of the state, including waterbodies within Reservation boundaries. LLBO would like to emphasize that assessments of these waters should continue to be done in collaboration with LLBO. These partnerships allow for more inclusive and robust assessments.

Conclusion

Thank you for the opportunity to comment on the 2024 Draft MN impaired waters list. LLBO is encouraged by improvements MPCA has made to wild rice protection and Tribal collaboration but also recognizes there is room for improvement with many of these issues. We look forward to continuing to improve collaboration and strengthening partnership between our agencies.

Sincerely,



Craig Tangren
Interim Deputy Environmental Director, Leech Lake Band of Ojibwe

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