

## Jean Ross

Please add Dark Lake to its draft 2014 Impaired Waters List, because of its wild-rice-killing sulfate levels. I support MPCA's 2024 Addition of 20 Wild Rice Producing Waters Impaired Due Sulfate Exceeding Minnesota's Standard. In 2015, the Minnesota Legislature passed a law purporting to prevent listing wild rice waters impaired due to exceedance of Minnesota's 10 mg/L wild rice sulfate standard. In 2021, the EPA overturned MPCA's failure to list wild rice waters impaired due to sulfate, stating that this state law could not contradict the Clean Water Act. Listing Dark Lake is important to establish regulatory controls of pollution on the west side of the U.S. Steel's Minntac tailings basin.

The states' Wild Rice Rule states wild rice producing waters should have no more than 10 milligrams per liter (mg/L) of sulfate. Sulfates degrades into wild rice-killing sulfides. The MPCA has not enforced the rule for decades, likely because the sulfate pollution is coming from powerful taconite mining interests. The MPCA should move quickly to determine sulfate load reductions and regulate mining pollution to restore wild rice waters. The MPCA should: a) determine how much sulfate needs to be reduced for each waterbody impaired by mining pollution to comply with Minnesota's sulfate standard, b) write mining permits with stringent sulfate limits, and c) enforce those permits.