

Jaci Christenson

ALL WATERS DESERVE PROTECTION--WHAT USE IS AN IMPAIRED WATERS LIST THAT DOES NOT ALSO CREATE A PLAN FOR RESTORATION?

- I Support Identification of 2,395 Wild Rice Producing Waters. MPCA's evidence-based recognition of wild rice waters, including waters where wild rice is sparse due to sulfate pollution, is a meaningful positive step. Tribes have sought recognition of wild rice waters for decades, and it is long past time for our state to recognize this, as well. This is an opportunity for the MPCA to uphold treaty responsibility by protecting reserved rights to hunt, fish, gather and hold ceremonies on healthy lands and waters.
- I Support MPCA's 2024 Addition of 20 Wild Rice Producing Waters Impaired Due to Sulfate Exceeding Minnesota's Standard. The 2015 Minnesota Legislature law purporting to prevent listing wild rice waters impaired due to exceedance of Minnesota's 10 mg/L wild rice sulfate standard was illegal and abhorrent. Thankfully in 2021, the EPA recognized this and overturned the MPCA's failure to list wild rice waters impaired due to sulfate, stating that this state law could not contradict the Clean Water Act. Uphold the Clean Water Act and Minnesota's wild rice standard, adding 20 additional listings, bringing it to 55 waters on Minnesota's list of wild rice waters impaired due to excessive sulfate.
- I Request MPCA Add Dark Lake to Minnesota's 2024 Draft Impaired Waters List. Dark Lake has been identified by MPCA (as well as by tribes) as a wild rice producing water. It is downstream of U.S. Steel Minntac tailings basin pollution in the Rainy River watershed. All waters deserve protections--establish regulatory controls of pollution on the west side of the U.S. Steel's Minntac tailings basin.
- MPCA Must Go Beyond Listing and also Restore Wild Rice Waters Impaired Due to Sulfate. The Draft 2024 Impaired Waters List says that a Total Maximum Daily Load (TMDL) study of all pollution sources is needed for Minnesota's wild rice waters impaired due to sulfate. What good is listing impaired waters, without a plan to restore? MPCA must complete and implement a study that determines how much sulfate must be reduced to attain compliance with the sulfate standard.
- Move Quickly to Determine Sulfate Load Reductions and Regulate Mining Pollution to Restore Wild Rice Waters. If you are sincere about controlling pollution, as is stated in your title/mission, you must establish/enforce sulfate discharge limits in mining National Pollutant Discharge Elimination System (NPDES) permits to reduce sulfate and achieve compliance with Minnesota's wild rice sulfate standard.
- Recognize that Sulfate Exacerbates Mercury Contamination. Peer-reviewed science establishes that sulfate pollution and alteration of wetland hydrology exacerbates the effects of air deposition of mercury. TMDL studies and plans to restore mercury impaired waters must all consider the effects of sulfate pollution and other aggravating factors that increase mercury release from wetlands and sediments and mercury methylation. MPCA must also set firm deadlines to analyze watersheds and establish regulatory controls that reduce mercury to safe levels.

Thank you!

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