



# WHITE EARTH RESERVATION

**CHAIRMAN** Michael Fairbanks **SECRETARY-TREASURER** Michael LaRoque

**DISTRICT I** Henry Fox **DISTRICT II** Eugene Sommers **DISTRICT III** Laura Lee Erickson

February 7<sup>th</sup>, 2025

Minnesota Pollution Control Agency  
Leyla Charles Waters List Coordinator  
520 Lafayette Road North, St. Paul MN 55155

RE: MPCA Draft Triennial Water Quality Standards Plan for 2025-2027

Dear Ms. Charles,

White Earth Nation would like to thank the MPCA for the opportunity to comment on the Triennial Review. Some of the main points that we would like MPCA to consider include:

1. Move Manoomin (naturally occurring stands of wild rice) from Class 4 waters to Class 2 waters.
2. Research the impacts of low levels of atrazine on Manoomin.
3. Research the impacts of atrazine in combination with other agricultural pesticides and nutrients.
4. Research and report on the impacts of Minnesota water quality on Treaty Rights, Responsibilities, and Obligations in the ceded lands of the 1855 and 1863 land cession treaty areas.

## **Manoomin as a Protected Aquatic Species**

Manoomin (wild rice) is central to the culture, identity, and sustenance of Indigenous peoples in Minnesota. However, despite repeated calls from tribal nations, it remains classified under Class 4 waters—intended for agricultural and irrigation use—rather than under Class 2, which protects aquatic life and recreation. Manoomin is not an agricultural crop but a naturally occurring aquatic plant that thrives in clean, well-balanced water systems. As highlighted by multiple tribal submissions to MPCA, the current classification fails to recognize the ecological and cultural significance of this plant. White Earth Nation echoes these concerns.

Manoomin provides habitat for aquatic species, supports water quality by stabilizing sediment, and is a foundational part of treaty-protected harvesting rights. Tribes have long asserted that reclassifying wild rice to Class 2 waters would afford it the necessary protections, ensuring its long-term survival against increasing threats from pollution, invasive species, climate change, and hydrologic disruption.



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## **The Threat of Atrazine and Agricultural Pollutants**

Atrazine, a widely used herbicide, is known to have detrimental effects on aquatic ecosystems. However, the extent of its impacts on wild rice remains inadequately studied. Existing research suggests that even low levels of atrazine can interfere with plant growth, aquatic biodiversity, and water quality. Yet, there has been no comprehensive study on its specific impact on Manoomin, a keystone species in tribal harvesting and traditional practices.

Additionally, the combined effects of atrazine with other agricultural pesticides and nutrients pose an even greater threat. Fertilizer runoff, herbicide contamination, and changing water chemistry can all disrupt wild rice beds, leading to declining yields and habitat loss. MPCA must prioritize research into these interactions, as the cumulative impacts may be more harmful than atrazine alone.

## **Water Quality, Treaty Rights, and Environmental Justice**

Minnesota has a legal and ethical responsibility to protect the water resources that sustain tribal treaty rights. The 1855 and 1863 land cession treaties reserved Indigenous peoples' rights to hunt, fish, and gather on ceded lands. However, these rights cannot be meaningfully exercised if water bodies are degraded, contaminated, or rendered unsuitable for traditional harvesting.

As both Fond du Lac and Grand Portage Bands have stated, state and federal agencies must manage treaty resources in consultation with tribes, ensuring that water quality standards reflect the needs of Indigenous communities. The continued impairment of water bodies affects not only Manoomin but also fish populations, drinking water, and ecosystem health—all of which are necessary for the exercise of treaty rights.

We would like to include mercury emissions largely from taconite mining practices that have gone largely unchecked in its impacts on water quality and fish tissue. White Earth Nation, specifically would like MPCA to better evaluate levels of methyl mercury and incorporating water quality standards that are informed by understanding the relationship between methyl mercury impacts on ecosystem and human health.

Furthermore, Indigenous communities face disproportionate environmental burdens, including the loss of traditional foods and subsistence rights due to pollution, inappropriately classified Manoomin waters, and habitat destruction. MPCA's strategic plan must incorporate environmental justice by ensuring that tribal concerns and tribal treaty rights — particularly regarding water quality protections — are prioritized in policy decisions.



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## Conclusion

MPCA has a unique opportunity during this triennial review to take meaningful action in protecting Manoomin, ensuring the integrity of treaty rights, and addressing environmental justice concerns. Moving wild rice to Class 2 waters, studying the effects of atrazine and methyl mercury, and evaluating the broader impacts of agricultural pollution in setting water quality standards will be critical steps toward achieving these goals.

We urge MPCA to commit to these actions as part of its ongoing responsibility to protect Minnesota's waters, respect treaty obligations, and uphold environmental justice.

Miigwech,

A handwritten signature in black ink, appearing to read 'Michael Fairbanks', is positioned above a blue horizontal line.

[Michael Fairbanks \(Feb 7, 2025 18:07 CST\)](#)

Michael Fairbanks

Chairman, White Earth Nation







# MPCA Triennial Review WQS 2025-27\_WEN Comments

Final Audit Report

2025-02-08

Created:	2025-02-07
By:	Andrea Kingbird (andrea.kingbird@whiteearth-nsn.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAQ7iJEQ8AgMXQ7VVZLvZuizka8dJ0jz19

## "MPCA Triennial Review WQS 2025-27\_WEN Comments" History

-  Document created by Andrea Kingbird (andrea.kingbird@whiteearth-nsn.gov)  
2025-02-07 - 10:13:18 PM GMT
-  Document emailed to michael.fairbanks@whiteearth-nsn.gov for signature  
2025-02-07 - 10:13:23 PM GMT
-  Email viewed by michael.fairbanks@whiteearth-nsn.gov  
2025-02-07 - 10:14:01 PM GMT
-  Signer michael.fairbanks@whiteearth-nsn.gov entered name at signing as Michael Fairbanks  
2025-02-08 - 0:07:12 AM GMT
-  Document e-signed by Michael Fairbanks (michael.fairbanks@whiteearth-nsn.gov)  
Signature Date: 2025-02-08 - 0:07:14 AM GMT - Time Source: server
-  Agreement completed.  
2025-02-08 - 0:07:14 AM GMT