

I have two comments related to the Keetac NPDES draft permits and preliminary variance request denial:

1. I am opposed to the agency's current method of listing Waters Used For the Production of Wild Rice (WUFPOWR). Whatever the method is that is currently being used seems much too subjective and not based in science. There was a time not too long ago when the agency was proposing to base the wild rice beneficial use for a water body on some defined level of wild rice production, e.g., a certain amount of wild rice produced during any given year that would feed a certain number of waterfowl over a given period of time. I would like to see the agency create a framework, subject to public comment, for properly listing WUFPOWR that considers waters of the state as WUFPOWR if and only if there is consistently enough wild rice present in a given water body to be considered productive and demonstrate a wild rice use that is actually beneficial in terms of reasonable harvest potential for people or sufficient for sustaining a certain number of waterfowl as previously proposed;

2. I am in support of the agency granting the requested variance to U. S. Steel to allow the company time to gather 10 consecutive years of wild rice-related data to determine if a site specific standard is reasonable, as required by the most recent site specific standard request guidance. Of all the factors that have been identified as influencing wild rice growth, possibly the least understood factor, but potentially the most important, may be climate change, as has been pointed out by the regional tribal groups. Granting the variance will allow the time needed to evaluate whether periodic warmer winters are negatively affecting seed germination and subsequent poor growth years, while also allowing the time to assess whether alternating winters with more "normal" colder winters allow proper seed germination and the potential for successful growth and possibly boom growth years.