



Dedicated to a Strong Greater Minnesota

The Governor's Task Force on Wild Rice
Minnesota Environmental Quality Board
520 Lafayette Road
St. Paul, MN 55155

December 20, 2018

RE: Comments Submitted on the Governor's Task Force on Wild Rice Draft Report

These comments are submitted on behalf of the Coalition for Greater Minnesota Cities ("CGMC"), a nonprofit, nonpartisan advocacy organization representing 97 cities outside of the Twin Cities metropolitan area. We want to note that we appreciate and respect the concern of all stakeholders, and in particular, the sovereign rights of the indigenous community. However, many of our members stand to be impacted by this report, and we want to raise three main concerns we have at this time.

1. The report appears to be developing a regulatory roadmap based on the old 10 mg/L sulfate rule – something the state is trying to move away from.

When looking at the suggestions of the Governor's Task Force on Wild Rice's ("the Task Force") recommendations, the chosen path toward the long-term protection of wild rice seems to be based in the 10 mg/L sulfate limit rule. While we understand this is the current standard and must legally remain so until a new one replaces it, the Minnesota Pollution Control Agency ("MPCA") has clearly tried to move away from this standard, as it lacks full scientific defensibility based on the many variables that occur from its environmental interaction. This report not only fails to address the flaws inherent in this rule and its application, but has the potential to have very harmful effects on municipalities. This is largely due to anti-backsliding laws and the very real potential for future sulfate standards to be less restrictive than the current standard. Implementing and enforcing the current standard in municipalities' permits leaves them in limbo – they are forced to comply with something that they feasibly cannot, as MPCA has essentially conceded.

Furthermore, the way that this report is authored focuses almost completely on sulfate as the sole aggressor in the wild rice fight. While it is no doubt a major contributor and concern, the focus of this report should be written from a wholistic protection standpoint versus a narrow focus on one pollutant.

2. The state – through the Legislature – needs to invest in the protection of wild rice.

As the primary regulator, the state needs to assist the regulated communities through the mitigation process both financially and technically. This report, mainly in Recommendation 2,

calls for cost sharing by the state, implying that municipalities should still be responsible for a large portion of the cost. Mitigation for the effects of sulfate on this scale is a huge challenge for small communities, which have a limited tax base and a limited number of ratepayers. We believe this funding needs to primarily come from the state. This is especially important given the immense cost of mitigation technologies currently available, like reverse osmosis.

We also want to impress that any funding that cities receive to combat sulfate discharges cannot cut into other designated funding sources that our communities depend on. As municipalities, sulfate is not the only pollutant we have to prioritize and work to limit. Water infrastructure funding needs across Greater Minnesota are very high, and we need to make sure that they are being met adequately as well.

3. The CGMC supports developing a better approach to variances.

The CGMC strongly supports developing a variance program to address issues like sulfate as we move toward a more permanent solution. A multi-discharger variance approach is what we consider to be the best approach at this time.

We understand that this Task Force worked on a very expedited timeline, and we appreciate the work that has gone into addressing this very important issue. We also appreciate the opportunity to submit comments.

Respectfully,



Ron Johnson, Bemidji City Councilor
President, Coalition of Greater Minnesota Cities