
Wild Rice Task Force October 11 Meeting 2 Summary DRAFT 11/2/2018

Date: 10/11/2018

Time: 10:00 am – 5:00 pm

Location: Rum River Library, Anoka, MN

Task Force Members Present: Kurt Anderson, Paul Austin, Chrissy Bartovich, Leya Charles, Kathryn Hoffman, Emi Ito, Norman Miranda, Brad Moore, Al Pemberton, John Rebrovich, Catherine Neuschler, Annette Drewes (substitute for Ann Pierce)

Staff Present: Katie Pratt (EQB),¹ Kris Van Amber (MAD), Lisa Anderson (MAD), Mariah Levison (OCDR), Will Seuffert (EQB), Giuseppe Tumminello (EQB)

Presenters: Ed Fairbanks, Tribal Liaison for the Minnesota Department of Transportation; Steve Giorgi, Executive Director of Range Association of Municipalities and Schools; Mike Hansel, Senior Chemical Engineer, Barr Engineering; Dr. Nate Johnson, Professor, University of Minnesota Duluth; Tadd Johnson, Professor, University of Minnesota Duluth; David Lislegard, Mayor City of Aurora; Dennis Olson, Executive Director, Minnesota Indian Affairs Council; Nancy Schuldt, Water Projects Coordinator, Fond du Lac Band of Lake Superior Chippewa; Ed Swain, Research Scientist, Minnesota Pollution Control Agency; Margaret Watkins, Water Quality Specialist, Grand Portage Band of Chippewa

Agenda Review, Welcome, and Introductions

Kris Van Amber (MAD) welcomed all members and public to the second meeting of the Governor's Task Force on Wild Rice. She then reviewed administrative logistics, agenda, and meeting objectives and led introductions. Kris informed the group that Peter Lee has resigned, and the Governor's Office is looking into a replacement.

Kris also reviewed the preliminary meeting plan. She notified the group that the letters to the Chippewa Tribes and Governor have been finalized and will go out this week.

Kris led members through the process agreement and asked the group to sign. Mariah reviewed revisions to the process agreement and gave members the opportunity to review and sign. Staff will scan and send a copy of the process agreement to everyone.

¹ For a list of acronyms and their meaning, please refer to the Acronyms section of this document.

Meeting 6 will be on November 20th.

Kris led introductions. As each Task Force member introduced themselves, they also shared a personal story or experience related to wild rice.

Public Comment Period

Kris introduced the public comment meeting.

Knowing the context of the conversation and provided a few questions for the public to respond to.

- What would you like the Task Force to be aware of or listen force
- How learn about cultures other than their own?
- What types of info would be important to attend to?
- What advice would you like them to attend to?

Several people provided comments, which were documented and will be summarized in the Task Force's report to Governor Dayton.

Kris welcomed people to go to visit EQB's Wild Rice webpage, which includes information for further meetings and the opportunity to submit written comment.

The public requested clarification that this process does not include paddy rice. Mariah responded that paddy rice is not an explicit focus, but the Task Force can recommend topics they wish to focus on.

Presentations on Cultures and Communities in Northern Minnesota

Mariah introduced presenters. Presentations will be made available to members following today's meeting. All presentation materials can be found at <https://www.eqb.state.mn.us/content/wild-rice-task-force-supplemental#overlay-context=content/governors-task-force-wild-rice>.

Margaret Watkins provided an overview on the nature of the water quality standards for Grand Portage.

Nancy Schuldt presented on health impact assessment of sulfate standards conducted by the Fond du Lac Band, whose water quality standards of 10 parts per million of sulfate in wild rice waters were approved by the EPA in 2001. Nancy also described Fond du Lac's report on the economic benefits of wild rice.

Task Force members asked presenters questions regarding the status of wild rice restoration, triennial standards review findings, and statewide wild rice harvester numbers.

David Lislegard described economic changes and challenges faced by Iron Range communities, particularly Aurora, Minnesota and how limited resources affect communities' ability to comply with changing water quality standards.

Steve Giorgi described people from the Iron Range's connection to wild rice and the natural environment. He talked at length about the cost of updating water treatment, particularly for mercury, on municipalities and the potential impact of additional water treatment regulations. Steve also talked about the contributions taconite has made to the country and contested the research that established the 10mg/L standard.

Task Force members ask presenters questions regarding the origin of mercury pollution, options and costs for mitigating the discharge of pollutants, geographical differences in sulfate levels and wild rice waters, and the existence and abundance of wild rice near the City of Aurora.

Polarities Management Activity

Kris introduced the polarity management activity to members and asked members first to reflect on the morning's conversation.

What are the common elements that you heard from all presenters?

- They all respected wild rice
- Passion for their community--the health of their community is very important
- Concern about the future of their communities
- Availability of healthy food and food sovereignty
- Concern that their voices weren't being heard
- Traditional way of life in a modern world
- Concern that officials or regulators were not addressing their concerns

What did you hear that was important to the presenters?

- Jobs as a result of mining, rickers to support themselves
- Restoration—bringing back wild rice
- Preserving their way of life
- Rules as they exist do not make sense from their cultural perspective (external rule)
 - Tribes have opportunity to have protective standards, but Fond du Lac has the same standard as Minnesota and has decide to expand in its triennial review.

What were underlying fears you heard?

- Loss of wild rice
- Loss of community, Loss of culture, tradition—ceremonies surrounding wild rice
- Fear of external factors affecting their community—out of their control
- Concerns of how tremendous the burdens they already bear

Is there something here to be managed rather than a problem to solve?

Is this difficulty ongoing? <nods>

- Lack of trust
- Sense that one side doesn't care but the other sides' issues—not hearing or caring about the issues. “you hear me but you don't understand how important this is to me”
- Not exactly, disagreement about acceptable level of sulfate. Complexity beyond 10ppm is difficult to communicate.

Kris asked members to think about two poles that seemed interdependent. The group responded that there were commonality within the cultural conversations and that ecology and economics are not mutually exclusive.

Kris asked about additional reflections. One person reflected that, as someone who grew up in Minnesota, they are familiar with historical boom and bust cycles related to mining, which were not a result of wild rice and sulfates. They also acknowledged that loss of community has profound negative impacts and drew parallels between the case of wild rice and the sulfate standard in Minnesota to the case of the spotted owl and logging in the Pacific Northwest. Another person emphasized the need to understand and account for peoples' differing levels of risk tolerance.

Role of Sulfate on Wild Rice Health

Katie introduced panel of scientists about their research and the state of knowledge on wild rice health, and areas of agreement and disagreement in the science.

Dr. Nate Johnson began the presentation of sulfate impacts on wild rice health. He described sulfur reactions, hydrology, and plant physiology and identified points of general agreement and highlighted his research.

Ed Swain described the MPCA's research on the effects of sulfate on wild rice health, including laboratory experiments, mesocosm experiments, and field surveys leading to their proposed equation-based standard.

Mike Hansel identified areas of disagreement among scientists and provided information on a less stringent standard and the point of view of industry.

Task Force members ask presenters questions regarding the research that has occurred by various groups and their findings, including whether wild rice would regenerate, potential effects of groundwater, life cycle of wild rice, and how findings compare and contrast.

Tribal-State Relations and Tribal Consultation Panel

Kris introduced the Tribal Relations and Tribal Consultation panel.

Dennis Olson introduced himself and gave a brief background of the Indian Affairs Council and its membership. He explained 1837 and 1854 treaties and ceded territory.

Tadd Johnson reviewed tribal sovereignty (self-governance) and trust responsibility (land trusts)—obligations owed by the US to tribes through treaties, statutes, and the course of dealing. He reviewed the history of American Indian-US relations, Federal Indian Law, and exclusion of states' power.

Ed Fairbanks shared his background and how he came to his work as a tribal liaison for the Minnesota Department of Transportation. He also presented background on tribal state relations and tribal consultation. Ed clarified his role for members of the public.

Presenters responded to clarifying questions regarding treaties, ceded lands, and tribal-state relations.

Wrap-up

Mariah closed the meeting by asking the group to complete the Task Force Feedback form and asked whether there was any other content they are interested in.

The next meeting will be a two-day retreat October 25-26, 2018 from 9:00 am to 4:00 pm, both days, at the University of Minnesota Research Center in Grand Rapids.

Acronyms

DNR – Department of Natural Resources (State of Minnesota)

EQB – Environmental Quality Board (State of Minnesota)

EPA – Environmental Protection Agency (United States Government)

OCDR – Office of Conflict and Dispute Resolution (State of Minnesota)

MAD – Management Analysis and Development (State of Minnesota)

MPCA – Minnesota Pollution Control Agency (State of Minnesota)

MIAC – Minnesota Indian Affairs Council (State of Minnesota)

NPS – Nonpoint Source

TAS – Treatment as a State

WQS – Water Quality Standards