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October 9, 2020

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Darrell G. Seki Sr., Chairman, Red Lake Band of Chippewa Indians  
(VIA EMAIL: dseki@redlakenation.org)

Dear Honorable Tribal Leaders,

Thank you for your October 2, 2020 letter to Governor Walz which raises a number of issues and specifically requests state-tribal consultation on the proposed changes to the Class 3 and 4 water quality standards designed to protect industrial, agriculture, and wildlife beneficial uses. We remain respectful and humbled by your support of one another, your communities, and to our shared mission of protecting the environment and human health. We recognize there is a lot of work we need to do to not only respond to your letter, but to find a meaningful path forward consistent with that mission, and this may take some time. At this time, I am writing to officially acknowledge your request for consultation on the changes to the Class 3 and 4 water quality standards.

The Minnesota Pollution Control Agency (MPCA) has been working on the proposed amendments to the Class 3 and 4 water quality standards for nearly a decade. During that time, tribal environmental staff have provided thoughtful input that has informed the current proposal. For this particular matter, we would appreciate the opportunity to share what we have heard, how we have incorporated Tribal input related to protection of aquatic life from the impacts of salty parameters, and to listen and understand your remaining concerns prior to the release of draft rule language.

The MPCA is planning to make draft rule language available on our website the last week in October with a goal to publish the rule for formal comment in late November 2020. We would like to meet with you before these milestones. We recognize that the letter submitted is on behalf of all Minnesota Tribes, therefore we **will be setting up a meeting on Wednesday, October 14<sup>th</sup> at 4PM** during the time

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usually allotted to the regular occurring Tribal Leaders call with the Governor's Office. A meeting invite will be sent from Patina Park and representatives of the Governor's Office will join us on this call. The purpose of the meeting is to walk through what we have heard from tribal environmental staff on the Class 3 and 4 rulemaking and how we have considered and incorporated their input. In advance of the meeting on the 14<sup>th</sup>, we would like to share the most recent drafts of two documents – the approach to protection of aquatic life and a portion of the draft State of Need and Reasonableness (SONAR) for the rule that describes how we have considered and incorporated the comments received during tribal engagement (attached).

We appreciate the feedback we have received thus far and we kindly ask that you to review these documents as the information includes how we have incorporated comments on protection of aquatic life. Prior to the meeting next week, if you are able to review of the materials and send any remaining questions to Katrina Kessler at MPCA Assistant Commissioner, we will be prepared to make efficient use of the time. You can reach Katrina at [katrina.kessler@state.mn.us](mailto:katrina.kessler@state.mn.us).

In addition, the Governor's Office and the MPCA are committed to providing you with a comprehensive response to other issues currently under consideration, namely, your request to add wild rice waters to the draft 2020 Impaired Waters List and your requests regarding enforcement actions concerning U.S. Steel's Minntac facility.

As leaders of your respective sovereign nations and communities, it has not gone unrecognized that the environment remains a priority for you and your people, even in the midst of these unprecedented times. I also recognize that the issues you have brought up did not occur overnight; there is a lot of work we have to do and there are opportunities for us to do this hard work together. I remain committed to finding a path forward that respects Tribal sovereignty and is protective of the environment and all the communities we serve. Thank you for your letter and your request.

Sincerely,



Laura Bishop  
Commissioner

cc:

Patina Park, Office of Governor Walz

(VIA EMAIL: [patina.park@state.mn.us](mailto:patina.park@state.mn.us))

April McCormick, Secretary/Treasurer, Grand Portage Band of Lake Superior Chippewa

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