



MINNESOTA DIVISION IZAAK WALTON LEAGUE OF AMERICA

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Miranda Nichols (Miranda.nichols@state.mn.us)
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155

RE: Minnesota 2018 Draft Clean Water Act Section 303(d) Impaired Waters List

Dear Ms. Nichols,

The Izaak Walton League was founded in 1922 to conserve outdoor America for future generations. The League's 54 founders, who were avid anglers, named the organization after Izaak Walton, the 17th century author of *The Compleat Angler*, a classic book about the art and spirit of fishing. We are one of the earliest conservation organizations to set an aggressive course to defend wild America by changing public policy.

The IWLA mission is to conserve, restore, and promote the sustainable use and enjoyment of our natural resources, including soil, air, woods, waters, and wildlife.

We are submitting this letter in support of WaterLegacy's letter, dated January 22, 2018. We have paraphrased their comments because their points are excellent and we feel strongly that they should be accepted.

Since 1973, Minnesota had had a federally-approved water quality standard that limits sulfate in waters where wild rice is present to 10 mg/L.

It seems to be inconvenient to our state regulators that a State "has a mandatory duty under the Clean Water Act to identify water quality-limited segments and set TMDLs for them. The EPA also has a nondiscretionary duty to ensure the state's compliance with these terms, or to initiate its own TMDLs process if [a State] fails to do so."

The federal Clean Water Act requires that existing and authorized water quality standards must be applied to produce its §303(d) impaired waters list, since "waiting for revisions to the standards would result in continued delays in producing any 303(d) list." That is precisely what has happened in Minnesota; powerful interests have very effectively opposed the application of Minnesota's existing wild rice sulfate water quality standard to determine impaired waters.

Recent reports of Administrative Law Judge (ALJ) LauraSue Schlatter and of the Chief ALJ underscore that Minnesota's wild rice sulfate water quality standard is the existing and authorized standard that must be applied to produce Minnesota's §303(d) impaired waters list.

We strongly support Water Legacy's letter requesting that the MPCA revise its 2018 Clean Water Act Section 303(d) draft Impaired Waters List to list wild rice waters impaired due to failure to meet Minnesota's wild rice sulfate water quality standard. We urge the EPA to require that Minnesota do so; and that with any failure (or delay) on the state's part to comply, that the EPA use its authority to make the necessary additions to the list.

Thank you for your consideration of our recommendations.

Sincerely,

Craig Sterle
President

Izaak Walton League of America – Minnesota Division

Mission Statement of the Izaak Walton League of America

To conserve, restore, and promote the sustainable use and enjoyment of our natural resources, including soil, air, woods, waters, and wildlife.

