



JOINT PRESS RELEASE OF THE FOND DU LAC AND GRAND PORTAGE BANDS



FOR IMMEDIATE RELEASE

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Fond du Lac and Grand Portage Bands File Suit Against EPA to Reverse Approval of Minnesota's Damaging New Class 3 & 4 Water Quality Standards

MINNEAPOLIS, MN (July 14, 2022) — The Fond du Lac and Grand Portage Bands of Lake Superior Chippewa today filed a landmark Clean Water Act lawsuit against the EPA in federal court. At issue in the case is EPA Region 5's approval of the Minnesota Pollution Control Agency's overhaul of Class 3 (Industrial Use) and 4 (Agricultural Use) Water Quality Standards.

This is believed to be the first lawsuit any tribe in the country has filed against the EPA over approval of changes to state water quality standards. The Bands argue this move ignored decades of science and rolls back key protections for the state's waters in violation of the Clean Water Act. The elimination of numeric water quality standards for industrial and agricultural uses in Minnesota is likely to result in increased pollution in downstream waters that flow around and through the Bands' reservations, and waters that are important to the Bands' treaty-reserved rights to hunt, fish, and gather throughout their ceded territories. In particular, the new, less protective approach poses a major threat to Northern Minnesota's wild rice waters.

Grand Portage Chairman Robert Deschampe stated: "Wild rice is sacred to Anishinaabe people. It is unbelievable to us that both the state and federal governments would make these changes without even looking at the potential damage to wild rice waters. We will do all we can to right this wrong."

Fond du Lac Chairman Kevin Dupuis said, "Our water quality and legal staff worked for years to show the problems with these proposed changes, especially for wild rice waters. Yet MPCA pushed them through and EPA approved them. Where regulators refuse to do their jobs, we fight them in court."

Grand Portage Secretary-Treasurer, April McCormick stated "The actions of the EPA and MPCA in their capacity as regulatory agencies demonstrate they are deliberately ignoring both science and law, resulting in decisions which degrade water quality and harm aquatic life. The under-protection of our waters is an issue that impacts every Minnesotan – now is the time for action. We must stop the irretrievable devastation of Manoomin (Ojibwe), Psin (Dakota) wild rice, allowed by the very agencies whose responsibility is to protect sensitive aquatic life, our environment and our human health. The Tribes have stood together in government-to-government consultation and testified with the Office of Hearings and Appeals to no avail. Legal action is our recourse. Clean water is clean water."

The Fond du Lac and Grand Portage Bands are federally recognized Indian tribes with reservations in northern Minnesota.

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