

## **ST. LOUIS RIVER – Partridge River to Cloquet**

### ISSUE:

The St. Louis River at its headwaters near Seven Beavers Lake and at Norway Point has been determined to be a “water used for the production of wild rice” as defined in Minnesota Rule 7050.0224. Such a determination has not been made for the St. Louis River below Norway Point, and in particular for the portion between the confluence with the Partridge River and the city of Cloquet.

### OBJECTIVE:

This document focuses on the development of a MPCA staff recommendation, based on the information currently available, as to whether the portion of the St. Louis River between the confluence with the Partridge River and the city of Cloquet is a “water used for the production of wild rice” as defined in Minnesota Rule 7050.0224.

### SUPPORTING INFORMATION:

- Moyle: “Investigational Report #69” (1947)
  - Inventoried predominate plant species in the St. Louis River and its tributaries.
  - Described that wild rice was “rare” except for in the Swan River and Floodwood River tributaries.
- DNR Fisheries Report: “A Study of the St. Louis River” (2006)
  - Identified and described the presence of wild rice in three locations in the St. Louis River above the confluence with the Partridge River
  - Although other portions of the St. Louis River were included in the report, the report did not identify or describe any other specific wild rice locations in the river. (It should be noted, however, that the focus of this report was on fisheries and that references to wild rice contained within were not made in the context of it being considered a wild rice survey.)
- USGS Photographic Imagery Analysis (2004, 2008)
  - Aerial photos for the main stem St. Louis River taken in August 2003 and August 2008.
  - Potential presence of wild rice identified in the St. Louis River near Brookston.
  - Subsequent field surveys of that area in 2009 identified no wild rice in that area.
  - USGS staff concluded that it was unlikely wild rice was present in the portion of the St. Louis River above Brookston and below the confluence with the Partridge River
- Natural Wild Rice in Minnesota – A Wild Rice Study Document Submitted to the Minnesota Legislature by the MDNR (2008)
  - Discusses importance, background, threats and management challenges related to wild rice in Minnesota.
  - Appendix includes a listing of wild rice distribution and abundance in Minnesota by county.
  - The St. Louis River is listed without reference to specific location or acreage of wild rice. Subsequent conversation with report contributors indicated the referenced wild rice was in known locations in the upper portion of the St. Louis River above the confluence with the Partridge River.

- Mesabi Nugget Wild Rice Survey – Lower Partridge River and St. Louis River (2009)
  - Prepared per MPCA request in support of Mesabi Nugget Phase 2 EIS and permitting.
  - 1854 Authority provided informal feedback on the proposed study area – 1854 Authority mentioned wild rice areas in the upper St. Louis River and in the lower Partridge River, however did not mention any areas in the main stem of the St. Louis River.
  - In informal communication, representatives of neighboring bands said they did not have any additional input beyond that provided by the 1854 Authority.
  - Used the USGS Photographic Imagery supplemented with field surveys.
  - Field surveys identified wild rice in the Lower Partridge River and to a more limited extent in the St. Louis River estuary.
  - No wild rice was identified in the surveyed portions of the ‘mainstem’ St. Louis River (primarily downstream of Brookston).
  
- Fond du Lac Band Water Quality Standards
  - Includes a water classification system that includes a specific classification of “wild rice areas” that is defined as “a stream, reach, lake or impoundment, or portion thereof, presently, historically or with the potential to be vegetated with wild rice”.
  - The classification of the St. Louis River within reservation boundaries does not include this designation of a “wild rice area”.
  
- Final draft list of “350 Significant Wild Rice Waters in Minnesota” (2010)
  - This list was compiled by the Wild Rice Management Workgroup, a coalition of federal, state, and tribal resource managers and other wild rice stakeholders. (The list is not a complete inventory and is not intended to be used as a regulatory document.)
  - Includes specific locations of wild rice in the upper St. Louis River and a more general reference to the St. Louis River estuary, but does not include listings in the ‘mainstem’ St. Louis River.
  
- Partridge River Survey Information submitted via email from the 1854 Treaty Authority (2010)
  - Survey conducted by the 1854 Treaty Authority in the lowermost Partridge River and adjacent St. Louis River identified a “small stand” of wild rice in the St. Louis River at the County Road 100 bridge approximately one half mile downstream of the confluence of the Partridge River.
  - This location is upstream and east of the west section line of Section 21, T58N, R15W.
  
- PolyMet 2010 Wild Rice and Water Quality Monitoring Survey (2011)
  - Field survey included the entire reach of the St. Louis River from its confluence with Partridge River to the St. Louis estuary.
  - No wild rice was found in the 140 river miles from the small stands identified in the vicinity of the County Road 100 bridge near Aurora to the Highway 33 bridge in Cloquet.

## SUMMARY

A review of recent, and to a more limited extent, historic information including field surveys and wild rice water ‘inventories’ suggests that there is little, if any, documentation that wild rice exists in the portion of the St. Louis River between the west section line of Section 21, T58N, R15W (beginning approximately one half mile downstream of the confluence of the Partridge River) and the MN-33 bridge in the city of Cloquet.

## MPCA STAFF RECOMMENDATION

Based on the information currently available, MPCA staff has determined at this time that the portion of the St. Louis River between the west section line of Section 21, T58N, R15W (beginning approximately one half mile downstream of the confluence of the Partridge River) and the MN-33 bridge in the city of Cloquet (i.e., the 'mainstem' St. Louis River) is not a "water used for the production of wild rice" and consequently the 10 mg/L water quality standard for sulfate is not applicable to this portion of the river.

However, recognizing that the information currently available may not necessarily be complete, MPCA staff recommends (but does not mandate) for MPCA permitting that permittees/project proposers further investigate for the presence of wild rice in the 'mainstem' St. Louis River to reduce their 'risk' during the permitting process.

This recommendation is based on information currently available. MPCA staff will consider additional information that may become available in the future, whether from project proposers or from other interested/affected parties, and reserves the right to modify the staff recommendation accordingly.

DRAFT