



Shakopee Mdewakanton Sioux Community

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TESTIMONY OF THE HONORABLE
KEITH B. ANDERSON
CHAIRMAN
SHAKOPEE MDEWAKANTON SIOUX COMMUNITY

Before the field hearing of the
SENATE COMMITTEE ON INDIAN AFFAIRS

On

INVESTING IN NATIVE COMMUNITIES: TRANSFORMATIVE OPPORTUNITIES
IN THE INFRASTRUCTURE INVESTMENT AND JOBS ACT

June 28, 2022
Mystic Lake Center
Shakopee Mdewakanton Sioux Reservation

Introduction. Good morning. Thank you for this opportunity to testify on the need for federal support for the development of infrastructure in Indian Country so that all tribal communities can catch up to the rest of America.

Welcome. Welcome to our reservation, where the ancestors of our community of Dakota people have lived for hundreds of years. And where we have cared for what we call Uŋci Maka, or Grandmother Earth, as we have hunted wild game, fished in its rivers and lakes, and aligned our lives with its changing seasons. This reservation is our home and we cherish it, which is why we work so hard to make sure the infrastructure we need does not destroy the very earth that sustains our tribal Community.

Background. Throughout history, Dakota culture has focused on the values of living in harmony with our surroundings and sharing our natural and material resources with our neighbors. These values continue to guide our tribal government decisions and our Community life today.



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In living out our culture, intertwined as it is with our natural surroundings, the tribal government of the Shakopee Mdewakanton Sioux Community, or SMSC, uses the latest science and technology to help protect and restore wetlands, aquifers, soils, air sheds, prairies, and forests, and to protect and encourage the ability of native plants, animals, and insects to make our lands their home. As a result, our reservation is home to land stewardship programs, different green technologies, and an organic garden, all of which enhance our commitment to a healthy environment.

SMSC Infrastructure. Being a good neighbor, good employer, and good steward of the earth is a core part of who we are and what we do. Through partnerships and collaborations, we seek to embody Dakota values of helping others. All this would not be possible without our tribal government's strong defense of tribal sovereignty. Our sovereign authority as a federally recognized tribal government is the key to our efforts toward self-sufficiency.

The appropriate use of infrastructure, in the right places and in the right ways, is essential for our tribal Community to survive and thrive. That's why our tribal government has contributed millions of dollars to, and partnered with, neighboring governments to provide for mutually beneficial regional infrastructure such as roads, water and sewer systems, and emergency services. We share this earth with our neighbors, and together we must care for it.

There are many examples of SMSC's commitment to enhancing infrastructure, from our state-of-the-art regional wastewater plant to our highway safety improvements to our fire, rescue, and medical emergency response equipment and services. But today, I wish to highlight just one, noteworthy project – our SMSC Organics Recycling Facility and some of the exciting new plans we have for this tribal enterprise.

SMSC's Organics Recycling Facility Infrastructure. The SMSC Organics Recycling Facility, or ORF, is a unique project that our tribal government has operated for more than a decade on our reservation. The SMSC ORF reflects our Dakota tradition of care for the earth by recycling organic waste into useful materials through the use of innovative infrastructure investment.

The ORF uses natural processes to break down organic material to produce compost and compost blends for retail and wholesale purchase. The resulting compost product is a



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nutrient-rich, natural fertilizer for gardening, farming, and landscaping. We also process wood to be used as mulch. Basically, we take what may have been tossed in a landfill and instead create high-quality compost, compost blends, and mulch.

The ORF regularly accepts yard waste, Christmas trees, and Halloween pumpkins for free from Scott County residents who have, since 2013, made more than 40,000 deliveries to our facility. The SMSC ORF also provides commercial customers as well as neighboring governments and school systems in our region with the opportunity to dispose of their paper, food scraps, tree stumps, and yard waste sustainably and productively.¹ Our facility's close proximity to these metropolitan sources of waste means that our supply customers and hauling companies lower their carbon footprint, saving drive time and fuel costs. And, of course, our facility also recycles and repurposes organic waste from the SMSC's many tribal departments and enterprises on our reservation, including this Mystic Lake Center, the Mystic Lake Casino Hotel, Little Six Casino, and our natural food market Mazopiya.

The SMSC ORF markets its composted products widely. It also donates compost soil and mulch to neighboring cities, schools, and nonprofit organizations. While minimizing waste is a significant benefit of composting, our compost and mulch products also improve soil structure, increase nutrient content, and work to ward off plant disease. Fertile soil has far greater moisture retention, allowing gardeners, landscapers, and business owners to use less water.

Our SMSC ORF recycles an average of 70,000 tons of organic material each year on our 24-acre site, including 11,000 tons a year of source-separated organics, or SSOs. Ours is one of only two large-scale composting facilities processing source-separated organics in the Twin Cities metropolitan area. From 2013-2020, the ORF accounted for 22.9% of organic material composted in the metro area.

¹ Scott, Carver, Dakota, Hennepin, Ramsey, and Washington County governments have used the SMSC ORF. As have the cities of Apple Valley, Arlington, Belle Plaine, Bloomington, Brooklyn Park, Burnsville, Chanhassen, Cologne, Columbia Heights, Eden Prairie, Edina, Golden Valley, Henderson, Hopkins, Hutchinson, Inver Grover Heights, Le Sueur, Lonsdale, Maple Grove, Mayer, Minneapolis, Minnetonka, Northfield, Norwood Young America, Plymouth, Prior Lake, Rosemount, Savage, Shakopee, St. Louis Park, St. Paul, Victoria, Waconia, Watertown, Woodbury. The ORF has also served agencies including the Metropolitan Airports Commission, Prior Lake-Savage Area Schools, Ramsey/Washington Recycling and Energy, Shakopee Public Schools, Shakopee Public Utilities Commission, St. Paul Academy & Summit School, and Three Rivers Park District.



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In 2017, the Minnesota Pollution Control Agency adopted the Metropolitan Solid Waste Management Plan for the Twin Cities metro area that set a goal of recycling 75% of waste, which calculates to be a minimum of 616,000 tons of organics, by December 31, 2030. This ambitious goal can be met only if SMSC ORF dramatically expands its capacity.

The SMSC ORF Relocation and Expansion Infrastructure Project. The SMSC recently announced that we have acquired industrial land in Louisville Township, nearby our main reservation, where we intend to relocate our SMSC Organics Recycling Facility in 2023. The relocation project is currently in the approvals and permitting phase, and the SMSC tribal government is actively collaborating with the Township, Scott County, and the Minnesota Pollution Control Agency in a mutually beneficial permitting process. Construction is expected to begin spring of 2023. The 60-acre site is zoned for heavy industrial uses and is located adjacent to the Dem-Con Landfill, the Bryan Rock Products Quarry, and the Renaissance Festival site.

We have decided to relocate the SMSC ORF to increase our capacity to meet the metropolitan-scale demand for its services. The SMSC General Council, the highest governing body of our tribal government, has authorized a multimillion-dollar investment of tribal funds in order to enable this ORF relocation and expansion. Our new ORF facility will be able to process up to three times the food waste we now handle, part of an annual total of 172,000 tons of organics including 35,000 tons per year of SSOs, when fully built out.

Our new ORF will incorporate the latest technology and processes for state-of-the-art odor containment and efficient production, including an aerated static pile system and a storm water management system to contain polyfluoroalkyl substances, or PFAS. The diversion of organic waste from landfills to the new SMSC ORF will reduce carbon dioxide equivalent emissions by an estimated 21,000 metric tons per year at full capacity. Part of our relocation plan also involves making infrastructure improvements to the Highway 41 intersection, adding turn and by-pass lanes on Highway 41 near our site.

The SMSC understands the value of investing in advanced technology to keep up with growing demands while eliminating harmful chemicals. A stormwater/PFAS management system is vital for organics recycling because the technology prevents PFAS from migrating into drinking water as well as the rest of the environment. The tribe's new facility will be located in an industrial area next to the Minnesota River valley, which requires



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additional protections to prevent chemicals from entering the groundwater and nearby surface waters. Stormwater/PFAS management will be a critical part of these protections.

Senator Smith, the SMSC greatly appreciates your support of our \$2.5 million request for FY 2023 congressionally directed spending or community project funding. The amount we have requested would provide an 80% federal matching contribution against the \$3.125 million stormwater system cost component of the SMSC's \$20 million overall project cost. The federally funded stormwater reclamation system will reuse all water runoff on the new ORF site (approximately ten million gallons annually) and allow the new ORF site to operate without discharges off-site even in extreme rainfall conditions.

We were pleased to see just last week that the same \$2.5 million request of our Representative, Angie Craig, has been included in the House Committee on Appropriations draft list of funded FY 2023 projects, and we hope you, Senator Smith, along with Senator Klobuchar, are likewise able to persuade your Senate colleagues to include that same \$2.5 million request in the Senate's draft FY 2023 appropriations bill in the coming weeks.

SMSC will use this federal funding investment to complete the water reclamation system in our new ORF facility, providing a regional example of how best to protect surface water and ground water while operating an organics recycling facility when handling organic materials which may contain PFAS and other elements that give rise to environmental concerns.

Conclusion. Chairman Schatz, Ranking Member Murkowski, Senator Smith, and members of the Committee, the Shakopee Mdewakanton Sioux Community is honored to host this field hearing on our reservation. We are grateful for the opportunity to showcase some of the infrastructure that we have rebuilt in our homelands. And we look forward to working with you and the Committee on expanding our mutual, government-to-government commitments to the rebuilding of Indian Country infrastructure. Thank you.