

Response to Comments - Pine River Watershed One Watershed One Plan

Public and Agency Review

6/5/2019

KEY

Material	Comments represent changes in material and content of the plan.
Editorial	Comments represent spelling, grammatical, clarification, or visual issues with graphics.
Note	Generally consist of a statement expressing a perspective.

Commenter	Date	Comment #	Page / Section	Comment	Material	Editorial	Note	Plan Change Made (Yes/No)	Comment Response / Action	
Public: Pastor Dale Anderson	4/10/19	1	General	<p>More government over reach, more wasteful spending of tax dollars, more bureaucracy. What more could liberals want? This plan is full of arbitrary flaws that will devalue property values. This same type of ponzi scheme has been tried all over the country. It results in fees no one asked for, excessive taxation, and excessive bureaucratic intrusion onto personal property rights. Enough already. Lets have a couple open meetings where i can take this plan to task publicly and the public can here the answers to the questions i have and how we as taxpayers and your bosses....are going to hold you accountable...fiscally and morally. We already have too much government interference in our private lives. And without proper representation...your plan is nothing but a waste of taxpayers dollars.</p> <p>While the government should be reverting land to private ownership to put land back on the tax roles, your plan is the reverse. How about real plans with actual tax incentives and saving to us who actual own land and wish to be good stewards of our own hard work? I will stand opposed to your plan, as I know what lies ahead. The best plan in Minnesota is to give the power back to its constituents...not bureaucrats.</p>			x	No		Thank you for your comments. This is a voluntary local planning process that is funded by the Clean Water Land and Legacy Amendment. No local taxes were raised to complete the plan and no local ordinances have been changed during the planning process. It is simply a way to determine where efforts are needed for improvements and protections of our natural resources. Local elected officials are the ones making the decisions on this plan and citizen stakeholders have been involved in drafting the content.
Tim Terrill Executive Director Mississippi Headwaters Board	4/16/19	2	General	1. The Plan is very well written and understandable so that a layman could read it and get the general idea of what is going on and how CW & Cass county are trying to protect this watershed.		x	No	No	Thank you! We worked hard to make it understandable.	
			Table of Contents	2. First 33 pages - The Land and Resource Narrative could be relabeled "Background and History" and moved to the front of the document. I would suggest renaming the Plan Summary to Executive Summary and add and combine the current executive summary right after it. I can read the Plan Summary and executive summary together and understand the basics of what you wanted to do and the direction you are heading without having to read the entire document. If I really want to dig into the specifics of the 1W1P, then I can read on further.	x		No	No	Thank you for the suggestion. This document is formatted following the BWSR Plan Content Requirements 2.0 and therefore the sections aren't able to be renamed or moved.	
			Section 4, Pg 51	3. Pg. 51, AIS program- after Aquatic Invasive Species put (AIS) to let the reader know later in the document what the abbreviation AIS stands for. Cass And Crow Wing have utilized the Minnesota Traditions social media campaign that was created by the Miss. Headwaters Board since inception. This could be added under Cass and Crow Wing County AIS Programs as: Mississippi Headwaters Board AIS Awareness Campaign: www.facebook.com/MinnesotaTraditions and www.twitter.com/MNTraditions	x		Yes	No	Thank you, we appreciate your partnership and will add this material to page 51.	
			Appendices, pg 137	4. Pg. 137- Under the category of surface water and column Existing Plans Priorities #5 add MHB Annual Plan.	x		Yes	No	We will add this reference.	
			Appendices, pg 147	5. Pg. 147- Add MHB Comprehensive Plan under General Ordinance Standards as we have jurisdictional authority at the confluence where the Pine River and Miss. meet.	x		Yes	No	We will add this reference.	
			Section 7, page 88	6. Add MHB to the acronym list so the reader will know what it stands for.	x		Yes	No	We will add this reference.	
	4/17/19	3	Section 7, page 89	7. Pg. 89: Permanently protect undeveloped land with conservation easements- Please add MHB as a supporting entity since we have an easement & acquisition Habitat program there from LSOHC.	x		Yes	No	We will add this reference.	
Kathy Moore, Executive Director, Northern Waters Land Trust	4/29/19	4	General	The Northern Waters Land Trust (NWLT), formerly the Leech Lake Area Watershed Foundation, fully supports the Pine River One Watershed One Plan (1W1P). We feel the Pine River One Watershed One Plan project is a well-developed and comprehensive plan for the Pine River Watershed and its numerous sub-watersheds. We support The Plan's goal of protecting 75 percent of the watershed in an effort to protect its valuable lakes and streams.		x	No	No	Thank you!	
			General	The Northern Waters Land Trust is ready to assist in the implementation of the plan. NWLT could participate in protecting sensitive habitats by acquiring conservation easements or fee title ownership of those valuable lands. Since our formation, we have helped protect 3,200 acres of uplands and 23 miles of environmentally sensitive shoreline in the watershed. We view The Plan as another tool in protecting vulnerable lands in our area.		x	No	No	Thank you! We welcome your assistance in implementing this plan.	
			General	We are currently under consideration by the Land Trust Alliance, a national organization that oversees land trusts, to become an accredited land trust. Only organizations that meet the high standards of the Land Trust Alliance earn this distinction. Being accredited will also further enhance our ability to negotiate, hold and acquire conservation easements. The only other fully accredited land trust in Minnesota is the Minnesota Land Trust, an organization with which we hold a strong relationship. Please let us know how we can continue to assist your team in implementing this 1W1P.		x	No	No	Thank you! We welcome your assistance in implementing this plan.	
Alan Sherburne for Environmental Group <small>Friends of Lower</small>	5/1/19	5	Section 7	We see it much easier as a lake association to do things at the lake level than upstream. Lower Hay is placed by the Plan in Tier 1, needing protection. Moving from our present 34% protected watershed to 50% protected (upstream) land will cost an estimated \$800,000. However, there are parts of the Plan, involving properties immediately adjacent to the lake, that could be accomplished much more quickly and with much less expense. Goal of protecting ground water: See Plan page 99 for all following.		x	No	No	Yes, shoreline restoration and protection are also a priority in this plan. See goals 10 and 11, pages 101 and 102 of the plan.	
			Section 7, Page 99	1. Extend Goal 8 to more than the "South Fork and Whitefish." Efforts at ground water control, at the property owner level can be accomplished for a small fraction of what it costs to permanently "tie up" land away from the lake. We would like to see recommendations for the Plan referenced well water nitrate testing to be available and extended to other sub-watersheds if appropriate. Like Lower Hay. This involves free nitrate testing of private wells for the purpose of finding failing septic systems and/or drift of nitrates toward the lake from nearby agricultural activity.		x	No	No	Goal 8 aims to continue current programs including free nitrate testing for anyone in the watershed. Whitefish and South Fork subwatersheds are targeted directly, but anyone in the watershed can get free nitrate testing.	

Friends of Lower Hay		Section 7, Page 99	2. Move ground water database management to Level 1 from Level 3. Delaying the start of an adequate database of wells and previous testing almost automatically delays coordinating meaningful local efforts at improving ground water.		x	No	This action is labeled at Level 3 because it is a state database that includes numerous data sources and state testing, not a local database. Level 3 does not make it less important, it just means that it is a partner project, not a local project.
		General	3. "Center pivot agriculture" is mentioned only once in the entire document but is now a reality for certain lakes in the watershed. Lower Hay has a center-pivot field that is within 1.35 miles of the lake. That field is also just 0.6 miles from the Pine River, close to where it flows into impaired Upper Whitefish lake. Lower Hay is also fed by a stream that is only 420 yards from a center-pivot field. That same field is within 220 yards of Bertha lake. Should the plan be strengthened in any way at this time to remain relevant for the next 10 years to handle industrial agriculture? Is the current ground water data sufficient for the DNR to make informed determinations about large volume well permits —new and continuing? The Plan should identify present center-pivot sites and get baseline well data. Then have a plan to continue with long term well testing and a fertilizer management program if needed.		x	No	This plan was developed with partners that represent the local area. Center pivot agriculture is monitored and regulated by the DNR. This area is not a priority for the MN Department of Agriculture at this time, although they do have regulations for commercial pesticide application. The plan will be reviewed and updated for any changes in five years and irrigation can be evaluated again at that time.
Terry Neff Environmental Services Director, Aitkin County	5/6/19	Section 1, page 7	On Page 7 in the paragraph under "why does it matter" – the word "aetheistical" I think should be "aesthetics".		x	Yes	Thank you, we will make this correction.
		Section 6, page 72	On Page 72 under Goal 6 – I am unaware of and have seen no studies that have determined maintaining a septic system by regular schedule pumping will enhance water quality (ie – reduce phosphorus, nitrates, bacteria, etc in the groundwater). The three feet of separation to the seasonal saturation layer is the factor that reduces these nutrients and bacteria to acceptable levels before reaching a watertable/seasonal saturation layer. Regular pumping of the tank is for prolonging the useful life of the drainfield (prevent premature hydraulic failure and surface discharge) and surface discharge from the tank should the outlet pipe become plugged. At the point of surface discharge you would have concern for increase nutrients via overland flow to a surface water but the more concerning issue at this point would be a public health threat.		x	No	We reached out to UMN Extension about the benefits of maintenance and received the following response: When septic tanks are not pumped the contaminant load to the soil treatment will go up for: 1. Organic and Inorganic material - will cause overloading over time. This is a longevity issue, but if a system is surfacing this is a public health issue. 2. Nitrogen - there are important nitrogen transformations occur which will not if the tank is full of solids 3. Phosphorus - there is phosphorous removal as solids settle/float in a septic tank. As tanks get full and less settling occurs more phosphorus will travel out to the soil treatment system. Soils have a limited amount of phosphorous removal capacity base on mineral content and surface area so the less going out there the better. The other big benefit of regular maintenance is catching other problems: cracked tanks, missing baffles, pumps issues, etc. The sooner these issues are caught the better.
		General	I think what is proposed is a very well written plan. Great job!		x	No	Thank you!
Kenard Smith and Scott Nelson, Crosslake residents	5/7/19		As lakeshore owners on the Whitefish Chain and long-term residents we are highlighting issues and a few questions that stand out in our initial review of the 1W1P. We are not water resource experts but as stakeholders have a keen interest in the future of the Whitefish Lake Region. As a key source of drinking water for downstream communities as far south as Missouri the Pine River Watershed will have long-term regional consequences for a large section of the Upper Midwest and beyond. Thanks for the opportunity to learn more about your current and future programs. The Advisory Board team is to be commended for its comprehensive plan for the Pine River Watershed. The Watershed defined by the Pine River drainage basin is a sound geographic framework for data collection, analysis, planning, land management, and monitoring. Additionally, the report describes and maps the watershed's geomorphology and many other key physical and land use features of the Lake Country setting. The presentation of ninety-five prioritized lakes (out of 500 watershed lakes) is carefully documented.		x	No	Thank you!
		Section 5	1. Declining water quality measured in terms of water clarity by the Kendall trend statistic, and other metrics, particularly on the "impaired lakes," such as Whitefish and Big Trout Lakes, seems to us to be a reasonable and pragmatic approach for the analysis of root causes of water quality decline and the selection of best remediation processes.		x	No	Thank you!
		Section 8	2. Non-point pollution from phosphorus loading/runoff into surface waters has been identified as a leading contaminant that falls in the "fix it" category. This makes sense but how did this issue rise to the top? Additionally, we recognize that ground water has been impacted by faulty septic systems and nitrate loading into the watershed's sandy aquifer.		x	No	Existing data show that phosphorus loading to surface water has impacted the lakes with declining trends. Data show that groundwater has not been impacted yet, although we do recognize that it is vulnerable and it is a protection focus in this plan.
		Section 5	3. The range of monitoring and mitigation steps are outlined throughout the report. As noted above, the Advisory Committee prioritized lakes and streams that require the most immediate attention (i.e., Whitefish and Big Trout Lake as noted above). What key data sources underscore the lake selection process? Other significant lakes within the watershed such as Cross Lake, are classified as stable and are not the focus of short-term solutions. Cross Lake, however, does have perhaps the densest concentration of 382 private septic systems, whose inspections and well sealing recommended for attention in the ten-year plan.		x	No	Please see section 5 for details on the lake prioritization. A description of the criteria is presented at the top of page 55. You are correct that Cross Lake is not a focus of short-term solutions, but the long term protection of Cross Lake does fall within the plan.
		General	4. The efficacy of non-point pollution monitoring and land management techniques are beyond our expertise. However, a systematic watershed management program must begin with a research program including expert data collection, analysis, and review for the top priorities (phosphorus loading and possibly nitrate contamination) to generate "big wins" that improve the quality and clarity of the most impacted lakes. Other emerging issues like aquatic invasive species are not in the plan, but presumably under review by other public agencies.		x	No	You are correct. Aquatic Invasive Species are already addressed and funded through each county's AIS Plan.
		Section 6	5. Our other key questions for the Advisory Board concern the identification and justification for the goals in the ten-year program. Three examples stand out. First, five percent reduction in phosphorus loading seems low. Is this standard primarily based on the recent study cited (Radomski, 2018)? Will a five percent reduction be that effective in improving water quality? What is the scientific basis for only five percent? Second, on what basis did the Advisory Committee determine the 75/25 percent standard for watershed protection? And, how will property owners and public land managers know if they are "in" or "out" of that standard? Third, the two-mile riparian buffer: what is the scientific basis for that standard? Is the two-mile buffer for streams primarily, or also for lakeshore? Finally, how will all three of these goals be measured, monitored, and enforced? Will property owners be incentivized to make land management changes?		x	No	(1) 5% reduction was based on the Radomski 2018 study, but it was also chosen because it is achievable in the 10 year timeframe of the plan. 5% reduction in phosphorus in the lakes with declining water quality amounts to a reduction of 750 lbs of phosphorus at a cost of approximately \$3.6 million. (2) Please see pages 29-30 of the plan for a description of the 75/25 percent standard for watershed protection. A full list of the percent protection for each minor watershed can be found in Appendix D, page 142. If there is a large lake in the minor watershed it is listed in this table and is a reference for land managers. (3) The two-mile riparian buffer goals include both lake and streams. Two miles was chosen as ambitious, but achievable during this plan's 10 year timeframe. Incentives for land management changes are offered through the local SWCDs in the form of cost share, technical assistance, tax incentives and more. The Crow Wing SWCD will keep statistics on what is achieved during the plan timeframe to track progress towards these goals.
		General	6. The goals set by the Advisory Committee are modest in our opinion but realistic due to the high costs of the ten-year program (i.e., \$14.8 million if fully funded). Consequently, we applaud these significant steps in a long-term effort to improve the Pine River Watershed and benefit a much larger region.		x	No	Thank you!
		Section 2, page 18	On page 18, the impaired lakes in the watershed are identified. It could be noted that of the five impaired lakes, only four are impaired due to anthropogenic (human activity) causes. Low Lake is classified as a "natural background (4D)" Impairment.		x	Yes	Thank you, we will make this change.

MPCA	5/30/19	8	Section 8, page 111	The 1W1P refers to lands currently enrolled in the Sustainable Forest Incentive Act (SFIA) as "protected". As indicated on page 111, SFIA status varies between 8, 20, and 50 years, meaning that a parcel currently under an eight year SFIA plan could potentially become unprotected within a very short time. On page 90, percentages of land currently deemed "protected" within each watershed are said to include SFIA. Would it be possible or practical to identify what percentage of lands are protected by SFIA, to get a better idea of how vulnerable these protections are to the possibility of SFIA contracts running out?	x		No	Discussions with the DNR and Department of Revenue resulted in a response that <1% of enrollees are looking to withdraw from SFIA by year 8. Many enrollees have also switched from an 8 year to a 20 or 50 year covenant. Approximately a third of enrollees have already moved from the 8 year to the 20-50 year covenant since those options became available in 2018. Therefore, in this plan we will keep SFIA in the protected land category.
BWSR	6/4/19	9	Section 9, pages 126-127	It appears that the draft plan is following 1W1P Operating Procedures (Version 2.0). After reviewing the Assessment, Evaluation and Reporting Section on page 126-127, it appears this section is following 1W1P Operating Procedures (Version 1.0). Please clarify if the plan is following version 1.0 or 2.0 of the 1W1P Operating Procedures.	x		Yes	Yes, this plan is following 2.0 operating procedures. We will make the changes to Section 9 so it fits the 2.0 operating procedures.
			Section 6, page 84	Goal 11 (page 84) says "Maintain and enhance/restore two miles of riparian vegetation on streams and lakes with over 10% impervious surface/disturbed area through outreach to private citizens". The targeted watersehds include Whitefish Lake and Daggett Brook. The map included in the plan statets that the impervious surface coverage in Whitefish is less than 5%. We question if that number is correct and it should be reviewed. If the impervious number is correct, the goal may need to be changed to include adding lakes with a declining watershed.	x		Yes	We double-checked the Whitefish impervious percentage and it is less than 10%. Therefore we will change the goal to include lakes with declining trends.
		Section 8, page 117	Achieving Plan Goals Section (page 117) - Forests and Habitat - this verbiage should be changed to coincide with the comment mentioned above.	x		Yes	Thank you, we will make this change.	
		Section 8, page 108	Consider adding language on page 108 to clarify that the counties and cities will meet once a year to discuss ordinances and counties will notify each other of any proposed ordinance ammdements.	x		Yes	Thank you, we will make this change.	
MDA	5/30/19	10	Section 7, page 99	Under section 6 of the plan, goal 8 illustrates the need for continued vigilance in nitrogen fertilizer use decisions to reduce any impact to groundwater. Reference to groundwater data collected by the MDA and the Nutrient Management Initiative (NMI) to help growers evaluate management changes to improve nitrogen use efficiency is noted. The MDA's ability to enroll one landowner per year in the NMI program will depend on the availability of funding (page 99).	x		Yes	We will change the wording to say "Enroll one landowner per year depending on funding availability".
			Section 7, page 92	Pasture management is mentioned throughout the plan and listed as goal 3 under section 6. Mention of the MDA's Minnesota Ag Water Quality Certification Program (MAWQCP) under the implementation section of this goal is noted (page 92). I would add to this, the AgBMP Loan Program that was mentioned in our initial comments. In some cases, the AgBMP program can also be useful in addressing pasture management challenges with a landowner. In agricultural outreach activities I would also encourage local resource professionals to reference the Ag BMP handbook to help identify the most practical and cost effective practices to address the resource concerns identified in this plan.	x		Yes	Thank you, we will make this change.
MDH	5/21/19	11	General	No comments.				
DNR	6/4/19	12	Section 7 , page 102 and Section 8, page 108	The plan includes implementation actions, such as culvert and stormwater runoff management, which will directly and indirectly address planned growth. These strategies involve working with townships, but could be strengthened by including the cities in the watersheds too.	x		Yes	We will update this in the implementaton table and the implementation program section to include cities.
			Section 7, page 102, Section 8, page 108	The plan addresses specific shoreland ordinances strategies for counties, but cities can play an important role as well. As noted in DNR's April 2018 priority concerns letter, development is increasing in municipalities also. County efforts could be strengthened by working with cities on their shoreland ordinances. This would fit well in Section 7 Goal 11 and the "Manage It" category of Section 8.	x		Yes	We will update this in the implementaton table and the implementation program section to include cities.
		General	DNR recently published an Innovative Shoreland Standards Showcase website that may be helpful to local governments as they work on the above-mentioned goals. DNR staff are also available to help identify opportunities to strengthen water quality protections in existing ordinances.		x	Yes	Thank you, we will mention this in Section 8, "Manage It" and also include it in educational efforts.	
		Section 8, page 115	Groundwater protection is addressed in several parts of the plan. Section 8, page 115 indicates the ability to monitor groundwater quantity through the Cooperative Groundwater Monitoring System but the system does not currently include any wells in the Pine River Watershed. Consider incorporating goals and actions in the plan for the addition of monitoring wells. DNR staff are available to help with this effort.				We will add an action to the implementation table that says "Coordinate with the DNR on well installation in the watershed and future monitoring". This will be a level 3 action for installation and level 1 action for monitoring. The cost is estimated at \$3,000 per well.	