

Star Lake Property Owners Association, Inc.

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February 6, 2012

To: Bill Kalar
Otter Tail County Land and Resource Management
Government Services Center
Fergus Falls, MN 56537

Re: Little McDonald, Kerbs, and Paul Lake LID
Environmental Assessment Worksheet Comments

We offer the following comments and concerns regarding the Little Mc Donald-Kerbs-Paul LID (MKP) Environmental Assessment Worksheet (EAW). The following discussion points are offered in the spirit of legitimate concerns and constructive criticism. We support seeking a long term solution for MKP, but only on a basis that considers all consequences and provides results that do not negatively impact downstream interests.

- Star Lake "Free Board" Capacity: The EAW calls for release of water into CD 25 when downstream lakes, including Star, are at or below their Ordinary High Water Levels. (Projected Operating Plan- 12 A, page 12). This allows no freeboard capacity for heavy rains or excessive winter moisture as experienced in 2010-11. Star Lake's OHW levels result in flooding, excessive shoreline erosion and related damage. If Ditch - 25 is connected and opened for release of water from MKP, we believe the Otter Tail County Commissioners must provide permitting restrictions and direct oversight such that *no water will be released* from MKP, until and unless Star Lake is at least 4 inches below its Ordinary High Water Level (OHWL) of 1329.5 feet above sea level.
- Control of the "Gates" The EAW (#12 Operation Plan, page 12) does not specify who will oversee and have authority to operate the gates and release water within an approved plan. In public comments, the LID suggested that it would have operational authority. We disagree! It is imperative that Otter Tail County authorities have authority, responsibility and assigned resources with direct operational control to open and close water outflows within an approved operating plan. In addition, adequate security provisions need to be implemented to prevent tampering or unauthorized releases or closures.
- Shut Down Triggers: Given the uncertainty of existing water quality of Round Lake and the lack of EAW analysis of Round Lake implications, the EAW operating plan should also explicitly provide for the shut down of water flow whenever:
 - the water quality being released into Star Lake from Ditch 25 deteriorate as compared to baseline independent water quality testing conducted by RMB Environmental Laboratories, Detroit Lakes, MN using samples collected on August 2, 2011.

- the existence of invasive species (zebras, etc.) is detected based both on annual microscopic and/or other monitoring techniques.
- Impact of increased water flows (#6b Operation Methods and Features): The plan proposes extensive “repair and maintenance” to increase ditch capacity and flow. The EAW does not adequately consider the impact of the increased and less obstructed water flow on natural filtration. The impact of tampering with the existing mature ditch system (reduced filtration of phosphates, bacteria and other impurities) between McDonald-Round-Star after “repair and maintenance” needs additional consideration. We are concerned with a degradation of water quality, particularly in the area where CD 25 empties into the north side of Star Lake. Analysis is needed on the ability of the wet lands to filter sediment and phosphorous and other impurities under increased flow rates. Further, any improvements to CD 25 should be given adequate time to stabilize and/or re-vegetate in areas where vegetation is disturbed before the outlet systems are allowed to function. The EAW makes no such allowance.
- Round Lake Ignored: The impact of the MKP LID plan on Round Lake (from which water flows to Star Lake) is virtually ignored in the EAW. The analysis and discussion on water quality, historic lake levels, fishery impact, invasive species, sediments and other critical considerations are not examined with respect to Round Lake. This is a material omission in the analysis and leaves Star Lake exposed to unknown consequences.
- Impact of Devil’s Lake LID to access Ditch 25 Ignored (#6 Description of Project): The OTC Board has approved the plan for the formation of a Devil’s Lake LID whose expressed purpose is to also access CD 25 for the purpose of venting high water levels. The cumulative impact of the Devil’s Lake plan needs to be analyzed and considered before the MKP LID project is implemented. The additional water flow will impact the MKP EAW assumptions and conclusions. Ideally, the EAW should consider the impact of both projects in a single document.
- McDonald Lake Impact: We have studied the professional limnologist review by Emmons & Oliver Resources of the EAW dated February 1, 2012 on behalf of the McDonald Lake Assn. We share many of the detailed concerns expressed in that document, as any impact on McDonald will eventually flow down stream to Star. Specifically, we agree that McDonald’s “two basin” structure (which was not considered in the EAW) could materially alter the EAW analysis and conclusions with respect to the collection of phosphorous, sediment and silting in McDonald.
- Impact on Down-stream Lakes beyond Star Not Considered (Dead, Walker, Otter Tail, and OT River) (#6b Operation Methods and Features): The plan acknowledges that the MKP water will be discharged through Berger, McDonald, Big McDonald, Round, Star, Dead, Walker, Otter Tail Lake and into the Otter Tail River. The EAW is silent on the impact to down stream lakes beyond Star (in addition to Round). The EAW should consider the impact on all affected down-stream interests. At the August 22, 2011 meeting of the OTC Board, Commissioner Rogness stressed the need for study of the impact on the entire watershed. He specifically called for study “from the bottom up” noting the lack of storage capacity on the Otter Tail River.
- Star Lake Outlet (Down-stream issue not considered in EAW): Star Lake has an uncontrolled natural outlet that is doing an adequate job venting our own high water conditions at this time. The lake is now down approximately 18 inches since our peak high water levels of 2010 and

early 2011. We are just as concerned about the impact of “over drainage” if the natural outlet (Star-Dead Lake Creek) is ever “cleaned out” as we are with the impact of high water if our outlet should again become plugged with floating bog material as it did in the 1990s. Assurances are needed from the Minnesota Department of Natural Resources and OTC Board of Commissioners that man-made changes to the natural flow (in or out) do not negatively impact the precious balance that Star Lake has historically enjoyed.

- Alternatives Not Considered: The EAW does not consider alternatives to the proposed project. The MKP LID acknowledged at the public meetings held in Perham in August and September, 2011 that other alternatives had been considered by the LID. The EAW should provide comparative information of 1) draining Little Mac directly to the current inlet at the north end of Big McDonald Lake, 2) using Wolf Creek-Tamarack Creek-Dead Lake route, or 3) the 2007 DNR recommendation to discharge water east into the Otter Tail River via a constructed channel.

Enclosed is a copy of the review and comments to the Dead Lake Property Owners’ Association from SEH regarding the impact of the proposed Ditch 25 project. Those remarks also reflect our concerns.

We urge your consideration of these items as you proceed with this proposal.

Sincerely,

Arlette Preston, President
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