

# Must All Hubbard County Lakes Become Impaired??

## The COLA Call

by Ed Mutsch

The 1962 publication of Rachel Carson's Silent Spring jolted America into a recognition of the vulnerability of nature to human carelessness and disregard. While that seminal work was most prominently concerned with the annihilatory impact of pesticides, most notably DDT, on birds, the book triggered a broader public panic about the potential adverse effect of environmentally dispersed poisons on humans. This in turn spurred the creation of an ever broader environmental consciousness concerned with the full range of destructive human behavior on the earth's air, soil, and water. Notable follow-on developments have included the 1970 creation of the Environmental Protection Agency (EPA) and the 1972 passage of a water pollution control act which, after amendment in 1977, became the Federal Clean Water Act establishing the basic regulatory structure governing the discharge of pollutants into American waters.

The Clean Water Act requires all states to designate uses for waters of the state, set standards that protect those uses, collect water quality data to determine whether standards are being met, and develop remediation plans when standards are violated. In our state this responsibility falls on the Minnesota Pollution Control Agency (MPCA). The agency biennially publishes a list of those Minnesota water bodies determined to be "impaired", i.e., those containing one or more pollutants that exceed the maximum amount considered acceptable/safe.

To date water quality determinations have been made on only about 16% of the lakes in Minnesota. Of those lakes whose water quality has been evaluated, about 40% (!!!!!) have been found to be impaired. The slow pace of water quality assessment and the even slower (read negligible) pace of restoration of impaired waters has prompted a rising chorus of citizen complaint over the past

few years, ultimately triggering a few feeble and failed legislative attempts to accelerate water quality evaluation, protection, and restoration efforts. Following these earlier abortive attempts, a measure of success was finally achieved in the last legislative session with passage of the Minnesota Clean Water Legacy Act (MCWLA), a proverbial good news/bad news story. The good news is that legislative action on this issue has finally been taken. The bad news is that the MCWLA provides a one-time funding bolus of \$25 million, far short of the \$80 million/per year for 10 years that many close observers believe is needed.

The MPCA recently released its biennial report on the state's polluted lakes and rivers. The update adds 287 new polluted waters to the existing list, resulting in a new listing of 1469 impairments on 836 Minnesota waters. The list is formally on public notice from Oct. 8 to Nov. 7 and a series of public information meetings are currently being conducted across the state. [One can obtain a listing of meeting places and dates and much more information on impaired waters at <http://www.pca.state.mn.us/>]. Hubbard County's 8th Crow Wing Lake has made its unenviable debut appearance on the list, joining the previously cited 1st Crow Wing and Portage lakes. What are the implications of being included on this list of impaired waters?

The Clean Water Act requires that a Total Maximum Daily Load (TDML) study be done on an impaired lake. This is a technical study, typically taking 2-4 years, undertaken to determine the sources of contamination in the watershed and the maximum amount of pollutant the water body can sustain while still meeting water quality standards. Once the TDML study is complete and approved by the EPA, a detailed implementation plan is developed for achieving the pollutant reductions necessary to restore water quality. This plan must work its way up the priority list, obtain funding, then be put into action, a process that takes a few more years. The current MPCA workload includes over 300 projects. This situation prompts a prediction: an owner of property on a lake which appears on the impaired waters list will not live long enough to see that lake's water quality restored!!!!

So can anything be done to stem the tide before all the lakes of Hubbard County join the Impaired Waters Club, and county residents suffer the economic consequences of such a debacle? Since the forces that contribute to ultimate impairment are insidiously accretive, invisible until the final result suddenly springs on you full blown, that must remain an open question. But virtually all appropriate actions, some of which have been laid out in previous columns in this series, others of which will appear in future columns, fall under the rubric of such aphorisms as "an ounce of prevention is worth a pound of cure",

or "a stitch in time saves nine". [All the articles of this series can be found on the COLA website at [www.mnwaters.org/hubbardcola](http://www.mnwaters.org/hubbardcola).] To put it in a prolix, less aphoristic way, all must get on board and begin today to be better stewards of our precious water resources. Maintain and/or restore shores. Minimize impervious surfaces. Eliminate shoreland fertilization. Fastidiously maintain septic systems. [Note: Hubbard County should establish a sanitary district; more on that later.] Eliminate Hitchhikers (i.e., aquatic invasive species). Urge county commissioners to update shoreland regulations and more adequately fund the Environmental Services Office. Volunteer to do water testing for COLA or the MPCA. Lobby area state legislators to support water-directed preservation and restoration funding.

It is all too easy to "miss the forest for the trees" or to fail to "connect the dots" to create the larger picture. The appearance of the 8th Crow Wing Lake on the MPCA impaired waters list is a recent dot. But there are many others. The detection of curly leaf pondweed in the 11th Crow Wing Lake is a dot. The 10-year testing experience of 40 COLA member lakes showing deterioration in the water quality of 12 of those lakes is a dot. The presence of Eurasian watermilfoil in Leech Lake is a dot. The approach of spiny waterflea from the north is a dot. These and numerous other dots can be connected to create a picture of Hubbard County waters under siege. Will we man the barricades?

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