

Round Lake Task Force Meeting 4/19/07 Summary & Analysis (Draft)

This preliminary summary may be modified, amended or corrected in the future.

Present at the meeting were representatives from: County, LCO, DNR, RLPOA, Osprey Lake, and Tiger Cat Associations

Tom Kintzinger VP & Secretary, Jack Ardoyno and Sue Kintzinger were representing the RLPOA Board.

Shirley Riedmann started off the meeting by making a very public challenge to the RLPOA representatives and their legitimacy particularly Tom Kintzinger the Vice President and Secretary. Tom said that all official decisions will ultimately be decided by the RLPOA Board of Directors not any one individual. The Board ultimately makes their decision based on what the general members want.

Jack Ardoyno reminded everyone why we were all here and that is because of the Hausman lawsuit.

Unfortunately the LCO tribe did not present their "Water Level Positions" at the meeting and we are still awaiting this. Apparently they may give their position on beaver dams, NN culverts, Carlson Dam, dredging and the natural eastern drainage channel from Little Round Lake.

The application for the Placid Diversion Canal abandonment has not been sent in yet and RLPOA has requested a copy of that application. There was no discussion about how much water/year this channel actually diverts into Round Lake under present management. There was no discussion about minimum flow requirements for this artificial channel as there were for the similar artificial channel downstream of Carlson Dam. [Mr. Frank Dallam](#) of the DNR refused to address any inconsistencies concerning management of The Carlson Dam compared to NN culverts or the Tiger Cat Diversion Canal. This reflects Mr. Dallam's position that he is in support of abandoning the Carlson Dam and vacating the 1941 order. Mr. Dallam after the meeting told Tom Kintzinger and Jack Ardoyno of the RLPOA board that he is in favor of the [technical committee recommendations](#). This means passive or no water management. He has already made up his mind and appears to be predisposed to do whatever is necessary using DNR authority to see that his position is implemented unless there is overwhelming support for something else.

[Bernard Lenz from SEH engineering](#) was present and available for questions. He stated that with the existing beaver dams upstream of NN that a somewhat wider dam at Carlson Road would not be as effective as it could be. The wider dam improves the function of it during high water and low water control would be essentially the same with the present dam and a new wider one assuming equivalent management. The elevation of the sill in a new dam would be critical and beavers would have to be managed because of the running water.

Jack Ardoyno had a series of questions concerning downstream implications of removing the beaver dams upstream of NN and a bigger dam at Carlson Road. It should be understood that no one lives for several miles downstream of NN and that there are vast swamps and wetlands there. [Aerial photos](#) show this area. There was discussion also concerning rice beds and spawning grounds.

Towards the end of the meeting there was hypothetical discussion about abandoning the 1941 PSC order. Tom Kintzinger of RLPOA made it clear that if the 1941 PSC order was abandoned that no one would have authority to put boards into the present dam and consequently there would be no low water control and that RLPOA is strongly against that. The DNR confirmed that no one would be able to put boards in if the 1941 order was vacated. Bernard Lenz confirmed that if boards could not be put in there would be no low water control. The RLPOA is strongly against abandoning the 1941 order and not having low water control.

Upon post meeting reflection even with dam abandonment it should be clear that someone will always need to maintain that dam otherwise it will become obstructed with debris. The dam is also made out of wood and will eventually deteriorate. The artificial Carlson Dam channel is needed because the natural southeastern Little Round Lake drainage channel is presently obstructed by an earthen berm at 1345.97 feet ([page 3 SEH report](#)). This is about one foot below the [proposed 100 year flood level](#). These are additional reasons why the [official RLPOA position](#) is reasonable and that a new concrete dam should be built or at a minimum continued responsible management of the existing dam until that needs to be replaced due to age.

There was no discussion about who would be responsible or continue to take care of the dam if the 1941 order was vacated.

There was also reference to finding out who exactly owns the Carlson Bridge and easements and that these would need to be resolved if a new dam is built. Kris Mayberry County Clerk had this information or could get it. There was also no discussion concerning who would be responsible for the dam if it was abandoned. Would it revert to the homeowners that own the road, DNR or County?

[Frank Dallam of the DNR](#) said the permitting process for any possible new dam would be lengthy and that after the County held their two “Public Informational Meetings” proposed for July of 2007 that the DNR would hold “legal” Public Hearings” on a specific proposal. After the meeting adjourned Frank Dallam told Tom Kintzinger and Jack Ardoyno RLPOA board members that he was for [the technical committee recommendations](#). This means passive or no water management. Mr. Dallam also made it clear that if there is 1/100 foot change in any flood level that a lot more legal requirements would need to be met. If the beaver dams are removed or altered upstream of NN the downstream impact of this and a wider dam was discussed. Tom Kintzinger notes now that no one lives downstream of NN for several miles. Mr. Dallam is not in favor of the RLPOA position.

Mr. Dallam again made a lengthy statement about the water being owned by the public and RLPOA reaffirmed and agreed with this.

Bernard Lenz will talk to his dam building engineering associate and have some cost estimates at the Land & Water Conservation Committee Meeting on May 7, 2007. The Land & Water Conservation Committee will present proposals to the full County Board on May 17, 2007

Tom Kintzinger of RLPOA requested that another board be put into the Carlson Dam to capture any remaining spring rains/runoff so that it would be available for later in the season both on Round Lake and our downstream neighbors.

The present dam has one board in it now and the top of that board is about 1344.25 feet (sill elevation + silt thickness?) which is about 9 inches below the top level of the [1941 PSC range](#) and just under three feet below the new [proposed flood elevation](#). The [DNR \(Frank Dallam\)](#) & the County appeared to refuse to put any more boards into the present dam this spring. According to my calculations and referencing [SEH data](#) it would take at least 7+inches of rain in a 24 hour period to transiently raise the water level one foot and this would be if the existing water tables were saturated. Presently we are in a protracted drought and consequently it would take much more rain than 7 inches in 24 hours to raise Round Lake one foot. Minimum flow requirements downstream of Carlson Dam were also mentioned but Frank Dallam of the DNR said he did not know what they were.

In a prior email communication with Frank Dallam he would not say if minimum flow requirements apply to an artificially created channel such as the one downstream of the Carlson Dam. Mr. Dallam did not seem to be concerned in the least bit about minimum flow requirements downstream of the Placid Diversion Canal Dam which is similar to the artificial channel downstream of the Carlson Dam. These emails and his response are available upon request.

This will be the last meeting unless something else comes up that needs to be addressed by the group.

Respectfully submitted,

Tom Kintzinger, RLPOA Vice President & Secretary