

Will this action permanently eliminate surface flow over the dam during dry conditions and thus eliminate flow downstream when levels are below the top of the weir/ dam ?

3. During winter-spring 2009 SLC to inspect and repair any leaks in dam; DNR can assist in stream flow measurements, if needed. SLC will continue to maintain this dam with assistance from DNR as needed.
4. DNR and SLC will design and set up work plan to raise elevation of the weir to the design elevation, i.e., authorized height, 1287.3-feet (NGVD-1929). DNR and SLC want to complete construction in early spring/summer 2009.
5. Any proposal to increase height of weir above the design elevation must comply with MN Statute 103G.407 and MN Rules 6115. DNR and PLOA agreed to continue discussions on levels of the lake and outlet.
6. DNR will continue to communicate with PLOA and other affected interests via notices, news releases, and public meetings as needed.

NOTE. Here is link to MN Statute 103G.407 : <https://www.revisor.leg.state.mn.us/statutes/?id=103G.407>
The general web site to obtain any state statute or rule is : <https://www.revisor.leg.state.mn.us/pubs/>
MN Statute 103G.407 is copied below.

103G.407 WATER LEVEL CONTROLS FOR PUBLIC WATERS WITH AN OUTLET.

(a) The commissioner, upon due consideration of recommendations and objections as provided in paragraph (c), may issue a public waters work permit to establish a control elevation for a public water with an outlet that is different than any previously existing or established control level when:

(1) all of the property abutting the ordinary high-water mark of the public water is in public ownership or the public entity has obtained permanent flowage easements; and

(2) the commissioner finds that the proposed change in the control level is in the public interest and causes minimal adverse environmental impact.

(b) In addition to the requirements in section [103G.301, subdivision 6](#), if the proposed control elevation differs from any historical control level, the permit applicant shall serve a copy of the application on each county and municipality within which any portion of the lake is located and on the lake improvement district, if one exists.

(c) A county, municipality, watershed district, watershed management organization, or lake improvement district required to be served under paragraph (b) or section [103G.301, subdivision 6](#), may file a written recommendation for the issuance of the permit or an objection to the issuance of the permit with the commissioner within 30 days after receiving a copy of the application.