

February 12, 1979

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explanation.

SENATOR DWORAK: I will answer the question again. I will try to get....

SENATOR DUIS: I think Senator Kahle and some of us would be interested in knowing, because if you are talking about the crest of the spillway would be a hundred acre feet above it?

SENATOR DWORAK: No, Senator Duis, it is that amount of water that is retained by an impoundment that is high enough to the emergency spillway. It has nothing to do with the height. It has to do with the amount of water that is retained behind it. If you raise that emergency spillway another ten foot, you would have more acre feet retained than if you lowered it ten foot. If you lowered the spillway ten foot, you would have less acre feet retained.

SENATOR DUIS: Well, that certainly would have to do with the safety of the dam, wouldn't it? I am thinking you could put this most any place you wanted it then.

SENATOR DWORAK: No, the law now specifically says the emergency spillway should be at a height that would retain fifty acre feet of water. The amended provision of the bill says the emergency spillway can be at a height that would retain a hundred acre feet of water.

SENATOR DUIS: Thank you very much. We do have a controversy going on out our way relative to this as to whether or not the dam should be constructed to the size it is or should there be a tube under the road. Now I wonder, the thing I don't like to do, I don't like to put into statute those things that the NRDs should actually be doing themselves. What they are doing to us here, I am afraid, is they are getting us to make law in some situations that they don't like to control and I think when we passed the NRDs, and I don't know whether fortunately or unfortunately, but Senator Burbach and Senator Kokes and I were the ones that tried to whip these things into shape and it begins to look to me like they want us to pass statutes here that will relieve them of responsibility, and the Department of Water Resources, the people like to have some place they can go to to appeal these things and I think they would like to have the Department of Water Resources and I am awfully sorry but you haven't been able to give me a real good explanation of this height of the emergency spillway but I will conclude my testimony because maybe Senator Kremer or somebody else