

City of Longville

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August 19, 2026

BY CERTIFIED MAIL AND ELECTRONIC MAIL

Sarah Strommen, Commissioner
Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4040

Re: *Request of the City of Longville for an Independent Engineering and Hydrologic Review of the Girl Lake Outlet / Boy River Rock Arch Rapids Project, Cass County — DNR Public Waters Work Permit No. 2025-1442*
Formal Complaint under Minn. Stat. § 103G.515, subd. 1

Dear Commissioner Strommen:

The City of Longville writes on behalf of its residents and by unanimous action of its City Council. Enclosed is a certified copy of Resolution No. 2026-819, adopted August 19, 2026, together with the Petition of residents, property owners, business owners, and taxpayers that prompted it.

The City asks the Department to answer one question, and to have it answered by someone with no interest in the answer: is the replacement outlet structure at the Girl Lake outlet drawing the Woman Lake chain down?

I. The City's Interest

Longville is a statutory city situated on Girl Lake. The channel serving the City docks is shoaling, and vessels that have reached the downtown by water for generations increasingly cannot. The resorts, guides, bait shops, restaurants, and retailers that carry the City's summer economy depend on a navigable lake system, as do the municipal liquor operation and the property tax base that funds the City's streets, park, ballfield, library, and airport.

Minnesota law expressly recognizes municipal interests in projects affecting lake control elevations. Minn. Stat. § 103G.301, subd. 6, requires service upon the mayor when the proposed permitted activity is within a municipality. Minn. Stat. § 103G.407 and Minn. R. 6115.0221, subp. 2(B), provide additional notice and objection rights to municipalities in which portions of the affected lake are located when their respective statutory or regulatory thresholds are met. Longville is such a municipality with respect to Girl Lake.

II. The Request

Pursuant to Minn. Stat. §§ 103G.401, 103G.515, subd. 1, and 103G.251, subd. 1, the City requests that the Commissioner cause an independent, documented engineering and hydrologic review of the Girl Lake outlet / Boy River rock arch rapids project completed in November 2025 (the "Project"). This letter is submitted as a complaint within the meaning of Minn. Stat. § 103G.515, subd. 1.

The City asks that the review be performed by a qualified party independent of both the Department and the Cass Soil and Water Conservation District — for example, the United States Geological Survey, Minnesota Water Science Center, or a licensed professional engineer retained for the purpose who had no role in the

design, permitting, sponsorship, or construction of the Project. The City intends no criticism of the professionals involved. But the Department designed and permitted this Project and the District sponsored and built it, and both have now been asked whether it is drawing down the chain. Their answer may well prove correct. It has not, however, been tested by anyone else, and a community cannot be expected to accept as final a review conducted by the builders of their own work.

III. The Question Is Performance, Not Crest Elevation

The Project has been defended on the ground that its crest elevation matches that of the structure it replaced. With respect, that is the wrong measurement. Two structures may share an identical crest elevation and pass materially different volumes of water, because discharge is a function of crest width and length, rock geometry, the size and number of voids between boulders, low-flow fish-passage openings situated below the crest, channel configuration, and hydraulic efficiency. Under drought conditions the former structure slowed to a trickle or stopped.

The present structure continues to discharge. An elevation the two structures share cannot explain a difference in behavior between them.

The City therefore asks that the review determine how the completed structure actually performs across low, ordinary, and higher flows, and what that performance does to Girl Lake, Woman Lake, Child Lake, Little Woman Lake, and the Boy River.

IV. Requested Scope

The City requests that the review include, at minimum:

1. An independent as-built survey of the crest elevation, the elevations of all sub-crest flow paths including fish-passage openings, and void geometry, referenced to NAVD88 and to the ordinary high-water level of record;
2. Comparative stage-discharge relationships for the Project and for the structure it replaced, evaluated at identical lake stages across low, ordinary, and high flow conditions;
3. Concurrent gauging of inflow and outflow sufficient to establish a water balance for the Woman Lake chain, and an assessment of whether meteorological conditions alone adequately account for the observed decline in Girl Lake given the reported concurrent rise in the next basin downstream; and
4. Verification, in fact and not merely in design intent, of compliance with Minn. R. 6115.0221, subp. 2(A)(2)(a) (replacement at essentially the same control elevation where a functioning outlet existed in a state of nature or for a long period following lawful creation), subp. 2(A)(4) (justification of need and impacts on receiving waters through a detailed hydrologic study), and subp. 2(A)(5) (a written plan for operation and control, including appropriate monitoring of water levels).

If each of these requirements was satisfied, the review will establish that, and the City will say so publicly.

V. Notice to the City

The City raises one procedural matter, and does so without accusation. The ordinary high-water level of Girl and Woman Lakes is reported as 1324.3 (NAVD88). The Project's crest is reported to lie approximately 20.4 inches — one and seven-tenths feet — below that elevation, and the bottom of its fish-passage openings approximately 29.4 inches below it.

If those figures are accurate, the structure's flow paths sit more than one and one-half feet below the ordinary high-water level. Minn. R. 6115.0221, subp. 2(B), requires service of the application upon each municipality in which any portion of the lake is located when the proposed control elevation is more than one and one-half feet

below the ordinary high-water level. Separately, Minn. Stat. § 103G.301, subd. 6, requires service upon the mayor when the proposed permitted activity is within the municipality. Minn. Stat. § 103G.407(b) further requires service upon each county and municipality within which any portion of the lake is located whenever the proposed control elevation differs from a historical control level, and § 103G.407(c) affords a served municipality thirty days in which to file a recommendation or objection.

The City has no record of having been served with an application for this Project. The City asks the Department to identify whether service was required and, if so, when and upon whom it was made. If service was not required because the Department determined the control elevation to be unchanged, the City asks for the documentation supporting that determination — which returns to the central question of whether the functional control elevation is in fact unchanged.

VI. Data Requested

Pursuant to Minn. Stat. Ch. 13, the City requests copies of the complete Project record, including: the permit application and permit file; design calculations; hydrologic and hydraulic analyses; pre-construction and as-built survey data; plans, specifications, and any revisions thereto; change orders and records of field adjustments; construction inspection reports; water-level and discharge monitoring data for the Woman Lake chain and the Boy River before and after construction; proof of service of the application upon any county, municipality, or lake improvement district; and any document reflecting a decision, recommendation, or field determination affecting the functional control elevation of the outlet. The City will pay reasonable copying costs and asks that data be produced electronically where available.

VII. Interim Measures

The City requests that the Commissioner identify and take such interim measures as the Commissioner may lawfully take to reduce discharge from the chain pending completion of the review, including consideration of the Commissioner's authority under Minn. Stat. § 103G.315, subs. 4 and 11 and subd. 11(a) (permits subject to cancellation or to further conditions as necessary to protect the public interests). The City recognizes that the Commissioner must weigh downstream and ecological interests in any such decision, and asks only that the question be reached rather than deferred.

VIII. Response Requested

The City respectfully requests a written response within thirty (30) days identifying who will conduct the review, its scope, its schedule, and its data sources. If the Department declines to undertake the review, the City asks that the declination be stated in writing with its reasons, so that the City may consider its remaining options.

IX. Reservation of Rights

The City expressly reserves its authority to apply under Minn. Stat. § 103G.401 to establish and maintain the level of these public waters and to establish the ordinary high-water level, and to file a recommendation or objection under Minn. Stat. §§ 103G.301, subd. 6, and 103G.407, and Minn. R. 6115.0221, subp. 2(B). Nothing in this letter waives any right, remedy, or objection available to the City.

X. Conclusion

Each season this continues, usable shoreline and navigational access are diminished, and businesses in this City make decisions they cannot unmake. If the Project is performing as designed, an independent review will establish that and settle the matter. If it is not, every month of delay compounds a problem that can still be corrected. A reliable answer obtained now is worth considerably more than a contested one obtained later.

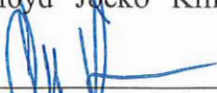
The City stands ready to assist the Department, to provide access, records, and local knowledge, and to receive the reviewer's findings.

Respectfully submitted,

CITY OF LONGVILLE, MINNESOTA



Floyd "Jocko" Kline, Mayor



Christina Herheim, City Clerk

Enclosures: Certified copy of Resolution No. 2026-819; Petition with signature pages

cc: Melissa Kuskie, Director, Division of Ecological and Water Resources, MnDNR
DNR Regional Director, Region
DNR Area Hydrologist, Cass County
Cass County Board of Commissioners
Cass Soil and Water Conservation District
Senator Keri Heintzeman, District 6
Representative Josh Heintzeman, District 6B