

September 1, 2017
Brad Mormann
Conservation Director
Jones County Conservation Board
By email: conservation@co.jones.ia.us

Dear Mr. Mormann:

I have a number of questions about the Monticello Maquoketa River Dam project. Please share this letter with the Jones County Conservation Board (JCCB) members as such sharing may help you acquire the information I seek. I respectfully request the following information:

First, at the meeting on August 24, 2017, while I was making my presentation, Chairman Pisarik, who was moderating the meeting, made several concessions, or partial concessions, on three topics, which I would like to have confirmed in writing:

With regard to safety, and particularly with regard to the dam allegedly being a drowning machine at low or normal water levels (meaning non-flood levels), Chairman Pisarik indicated that safety was no longer an issue, meaning that the JCCB was no longer alleging that safety, and particularly the "drowning machine" concern, was a reason for removal of the dam. Please confirm that understanding. If my understanding is incorrect, please provide Chairman Pisarik's understanding of what he said on this issue.

With regard to upstream flooding, the JCCB conceded, through comments from Chairman Pisarik and Conservation Director Moorman, that, once a flood reaches the 10 year flood level or higher, the dam is not a factor with respect to the flooding caused at that level. (I assume this is because the dam is completely submerged at such levels. I also assume the 10 year flood refers to a flood that, on average, would be expected to occur once every 10 years.) Please confirm that understanding. If my understanding is incorrect, please provide Chairman Pisarik's and Director Moorman's understandings of what they said on this issue.

With regard to navigation, Chairman Pisarik indicated that navigation was no longer an issue, meaning that the JCCB was no longer alleging that navigation was a reason for removal of the dam. Please confirm that understanding. If my understanding is incorrect, please provide Chairman Pisarik's understanding of what he said on this issue.

Second, if the JCCB made a video or audio recording of the meeting, I would appreciate receiving a copy of such.

Third, in your June 13, 2016 Board meeting minutes, the Board indicates that it received documents from Stephen Intlekofer relating to water quality degradation due to removal of the dam. Could you please provide copies of those documents?

Fourth, in those Board meeting minutes, there is a discussion of water quality information and sediment information that the Board has. Please describe what documents you have on those topics with respect to the Maquoketa River, particularly in the vicinity of the dam.

Fifth, in your July 11, 2016 Board minutes, the JCCB voted to conduct wetland delineation, and to not conduct sediment testing. Please describe (a) what documents you have on wetland delineation and (b) why the JCCB chose not to conduct sediment testing.

Sixth, the February 10, 2016 Monticello Express article "Public Input Points to Removal of Mon Maq Dam" mentions a public meeting, on January 28, 2016, sponsored by the Jones County Conservation Board on removal of the dam. The purpose, according to the article, was to "get public input on whether it was feasible to modify or completely remove the dam". It indicated 15 people attended. It had no reportage of any public comments, only comments by Brad Mormann.

a. How was input obtained from the public at this meeting? Were there any records kept of the public input?

b. How was this meeting announced to the public? Was there an announcement in the local newspapers? If so, which papers and when?

c. Mr. Mormann is quoted as saying, "A vast majority of the public, including neighboring landowners, are fine with this dam coming out." What evidence did Mr. Mormann acquire to support this statement?

d. Mr. Mormann claimed, "The dam is hurting the fish population upstream. This could improve the quality of fishing throughout the river." What evidence is there to support these statements?

e. Were the JCCB Board members at this meeting? Was an agenda issued? Were minutes taken?

Seventh, your Board minutes for September 14, 2015 mention "Mon-Maq Dam Modification Project Kickoff Meeting: Tuesday, September 29th, 6 PM at Nature Center".

a. How was input obtained from the public at this meeting? Were there any records kept of the public input? How many members of the public attended this meeting?

b. How was this meeting announced to the public? Was there any announcement in the local newspapers? If so, which papers and when?

c. . Were the JCCB Board members at this meeting? Was an agenda issued? Were minutes taken?

Eighth, on July 21, 2017, Brad Morman sent out an email to the Monticello Express providing a website address on options for the dam. That document stated that "To date the Conservation Board's preferred options are A and B." In the August 2' 2017 issue of the Monticello Express, states that Mr. Mormann, on July 25, 2017, presented, to the Board of Supervisors, Option A "as something that the board is favoring today."

a. Please describe how the Board members came to a determination that it initially preferred options A and B and later determined that it favored Option A by July 25, 2017?

b. How did the Board members communicate with each other so that they determined that they initially preferred Options A and B, and ultimately Option A by July 25, 2017?

c. Did they communicate with each other directly by telephone or other electronic means on the options for the dam? What were those means?

d. Did any of these communications, personal or electronic simultaneously involve three or more board members?

e. Did Board members communicate through an intermediary on the options for the dam? Who was that intermediary? Was it understood that intermediary, if one was used, was representing and communicating the views of the other members of the Board, when the intermediary met with one or more members of the Board?

Ninth, is the dam covered by a liability insurance policy or is the county self-insured with respect to liability for injuries caused by the dam?

Thank you so much for your time and assistance.

Sincerely,

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