



May 19, 2014

IP-NO-2013-58-01501

Sawyer County - Dale Olson  
10610 Main St., Suite 49  
Hayward, WI 54843

Dear Mr. Olson:

This letter contains important information regarding your DNR permit application to remove the Little Round Lake dam at Carlson Road on Little Round Lake in Sawyer County. In addition, the proposal requests rescission of the 1941 Public Service Commission Order. Your application has reached its date of closure and is considered complete. Wisconsin law (chapters 31 and 281, Wisconsin Statutes) requires that the public be allowed an opportunity to comment on projects like yours. The next step in the individual permit review process is a Notice of Pending Application and public comment period. In addition, a public informational hearing has been requested.

The Department has scheduled a public informational hearing on your proposal for June 13, 2014 at the Hayward Veterans Community Center, 10534 S. Main Street, Hayward, WI 54843. The hearing will start at 10 a.m. This hearing is concurrent with the whole comprehensive project to remove/abandon the dam and replace it with the box culvert.

The hearing provides an opportunity for you and the Department to gather additional facts to help gauge the possible environmental impacts of your proposed project. The hearing is informational only. Department staff will manage the hearing agenda according to set procedures to allow all who attend a chance to be heard and to gather as much factual information as possible.

The enclosed document is a "Notice of Pending Application/Notice of Public Hearing" for your project. The Department will publish the notice on our Internet website. The 30-day period to submit written public comment will begin on the date on which the Department first publishes the notice on our Internet website. The period to submit written public comment will end 10 days after the date the hearing is completed.

Before the Department can proceed further toward a decision, state law requires that you:

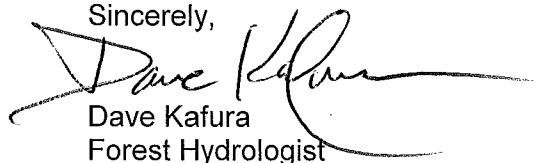
1. Publish this as a Class I Notice, at your expense, in the Sawyer County Record, 15617B Hwy 63 N., Hayward WI 54843-0919, [ejuhl@sawyercountyrecord.net](mailto:ejuhl@sawyercountyrecord.net); Phone (715) 634-4881 **at least 10 days prior** to the hearing date.
2. Provide the Department an Affidavit of Publication from the newspaper to prove that the notice was published.
3. Provide a copy of the enclosed notice to the parties listed below by U.S. Mail or in person. If provided by U.S. Mail, send the notice Certified Mail - Return Receipt Requested. If provided in person, obtain a signature from each party to verify that they received the

notice. You may notify others at your discretion. You also must provide a copy of the notice to any person or group who asks you to do so.

Please send me the Affidavit for proof of publication, and the Return Receipts or other signed document for proof of notification of the groups or individuals, as soon as possible.

Please contact me at email [David.Kafura@wisconsin.gov](mailto:David.Kafura@wisconsin.gov) if you have any questions.

Sincerely,



Dave Kafura  
Forest Hydrologist

cc: Osprey Lake Property Owners Assoc., 9471N Osprey Rd., Hayward, WI 54843  
([info@ospreylake.org](mailto:info@ospreylake.org))  
Round Lake Property Owner Assoc., PO Box 1070, Hayward, WI 54843  
([twherewolf@gmail.com](mailto:twherewolf@gmail.com) [jpurdin@charter.net](mailto:jpurdin@charter.net))  
Tiger Cat Flowage Assoc., Nancy Mercer 10819N Clear Lake Dr., Hayward, WI 54843  
Lac Courte Oreilles Tribal Government, 13394 W Trepania Rd., Hayward, WI 54843  
Dan Tyrolt, LCO Conservation Dept., 13394 W Trepania Rd., Hayward, WI 54843  
([ddtyrolt@cheqnet.net](mailto:ddtyrolt@cheqnet.net))  
Tom Aartila – Park Falls  
DNR Hayward File  
Frank Dallam – Spooner  
Megan Correll – LS/8, GEF II  
William Sturtevant – Madison  
Keith Patrick/Travis Holte  
Town of Hayward, PO Box 13260, Hayward, WI 54843

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**Water Division Customer Service Survey**  
<https://www.surveymonkey.com/s/WDNRWater>

Notice of Pending Application/Public Informational Hearing for Proposed Dam  
Abandonment/Removal and Rescission of the 1941 Public Service Commission Water Level  
Order

BEFORE THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES,  
DOCKET NUMBER IP-NO-2013-58-01501

Sawyer County, c/o; Dale Olson, 10610 Main St., Suite 49, Hayward, WI 54843 has applied to the Department of Natural Resources for a permit to remove Little Round Lake Dam on the man-made channel outlet from Little Round Lake. In addition, Sawyer County has requested that the 1941 Public Service Commission Order establishing water levels be rescinded.

The project is located in the SW1/4 of the SE1/4 of Section 36, Township 41 North, Range 8 West, Town of Hayward, Sawyer County.

Sawyer County, operator of the Little Round Lake Dam on the man-made channel between Little Round Lake and Osprey Lake, has proposed to remove/abandon the authorized dam structure and replace it with a box culvert, which would no longer be able to actively control water levels on Round and Little Round Lake. Sawyer County is also requesting that the 1941 Public Service Commission Order establishing water levels be rescinded as part of the dam abandonment process.

The Department will review the proposal provided by the applicant and any information from public comments and the public informational hearing. The Department will determine whether the proposal complies with ss. 1.11 and 31.185, 31.18, Stats., and ch. NR 150, Wis. Adm. Code, and ensure that the required mitigation meets the standards in s. 281.36(3r), Stats., if the project impacts wetlands.

The Department is currently evaluating the applicant's proposal and must consider factual information about the following legal standards in deciding whether to grant, modify, or deny a permit for the project:

- Whether navigation will be materially obstructed, including commercial, recreational, active and passive forms of navigation.
- Whether there is detriment to public interest, including fish and wildlife or their habitat, natural scenic beauty or water quality.
- Whether flood flow capacity of a waterway is materially reduced.
- Whether this is in the interest of promoting safety and protecting life, health and property.

The Department considers all of the following information to make a decision to approve, modify or deny the application:

- Applicable standards in statutes, rules and common law.
- Plans and information provided by the applicant.
- Information gathered during site investigation(s).
- Written statements provided during a public comment period and during public informational hearing.
- Statements or information provided by local, state, national and tribal agencies/government.

- Data or information found in natural resource inventories and plans, or maps collected by the department or others using commonly accepted methods.
- Published scientific research.
- Section 1.11 WI Stats., Wisconsin Environmental Policy Act, and NR 150 WI. Admin. Code.
- Any other pertinent information.

If you would like to know more about this project or would like to see the application and plans, please visit the Department's permit tracking website at <https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx>.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

The public informational hearing is scheduled for June 13, 2014 at the Hayward Veterans Community Center, 10534 S. Main Street, Hayward, WI 54843. The informational hearing will start at 10 a.m.

The Department scheduled a public informational hearing on this activity or project because the Department received a request for a public hearing. The hearing will be a public informational hearing where members of the public can learn more about the proposed activity and submit written or oral comments about the waterway and project in light of the legal standards above. Any member of the public may submit written comments by emailing [David.Kafura@wisconsin.gov](mailto:David.Kafura@wisconsin.gov) or writing to DNR - Dave Kafura, 10220 State Hwy 27, Hayward, WI 54843 by U.S. mail. Comments should include the docket number or applicant name, and should relate to whether the project meets the legal standards listed above. Comments must be postmarked no later than 10 days after the date that the public informational hearing is completed in order for them to be considered.

If you object to this proposal **and** would like to request a contested case hearing under 227.42 WI Stats., your objection shall specify;


- 1). Why the proposed project violates the legal standards found in Section 31.06 and 31.185, Wisconsin Statutes; and
- 2). That you or your representative will appear at the hearing and present information supporting your objection.

The final decision may be appealed as indicated in the decision document.

Docket Number IP-NO-2013-58-01501

**WISCONSIN DEPARTMENT OF NATURAL RESOURCES**

For the Secretary

  
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Dave Kafura  
Forest Hydrologist

May 19, 2014  
Date