



News

Email story to a friend |
 Print story in plain text |
 View Comments on this story |
 Add Comment to this story

Shore owners pepper county, DNR officials with questions at informational meetings

Sawyer County Record

Last updated: Wednesday, July 11th, 2007 10:15:47 AM

by Terrell Boettcher

News Editor

Round Lake shoreline owners pressured Sawyer County officials to take action to permanently resolve a long-standing controversy over the lake's water level at the first of two public information meetings conducted by the county's Land and Water Conservation Committee on June 29 at Hayward High School. About 50 people attended the meeting.

A Round Lake shore owner, Dave Andersen, said "We're talking about the same things now as we did four years ago. Todd Naas (former DNR water regulation specialist) sent a memo to the county then about his concern that the water is too low. There's been virtually no progress on this whole thing in four years and that's not satisfactory. Give us a plan."

Andersen said Naas concluded that "both Round and Little Round were managed at higher levels than authorized (by the 1941 Public Service Commission order). That conclusion is still valid today."

Andersen added that "Tiger Cat Flowage property owners are very concerned about diverting any water through that diversion channel."

In August 2005 after the county's \$485,000 settlement of the Jim Hausman lawsuit, Andersen sent a letter to County Clerk Kris Mayberry and said he never got a response to his questions. He presented a copy of his letter on June 29 to L and W Committee Chairperson Jim Bassett.

Committee and Round Lake task force member Shirley Riedmann said they have not yet made a recommendation to the board. That recommendation will be made "hopefully in September" after the next meeting of the Round Lake Study Task Force in August, she said.

In May 2005, the county convened a task force to look at the Round Lake water situation after petitioning the Department of Natural Resources to clarify existing orders relating to the Round-Little Round-Osprey chain of lakes.

These lakes also are connected upstream to the Tiger Cat Flowage via the Lake Placid diversion canal (which the county is seeking to abandon) and downstream via Osprey Creek to the Lac Courte Oreilles Chain of Lakes.



Terrell Boettcher

DNR water specialist Dave Kafura (third from right) answers an audience question during the Round Lake watershed management information meeting Friday, June 29.

Related Stories:

- [Plan outlined for abandonment of Lake Placid dam](#)

Sawyer County Record [insert rates | advertising rates](#)

15617B Highway 63 North Hayward, WI 54843 Phone: 715-634-4881 Fax: 715-634-8191

[Terms and Conditions of Use](#) |
 [Privacy Policy](#) |
 [Security Statement](#)

Copyright © 1998-2006 [MultiMedia Interactive](#).

All rights reserved.

The county hired SEH Inc. out of Rice Lake to obtain “objective, factual data” about the Round Lake water control system, said Riedmann. Also, a draft Round Lake management plan was prepared with input from county staff, shoreowners, DNR, LCO Tribe, and Great Lakes Fish and Wildlife Commission. This draft plan is available on the Sawyer County government Web site and also in hard copy from the county Land and Water Conservation office.

Bernard Lenz of SEH presented his hydraulic controls evaluation at the informational meeting. He said the surface area of Round and Little Round Lakes is about 3,500 acres. A six-inch rainfall is considered as the “100-year flood” and would raise the lakes’ level about 10 inches, Lenz said. The Little Round Lake dam can pass only enough water to lower the lakes’ level one-half inch per day, he added.

The Round Lake water system is “difficult to control,” Lenz added.

SEH recommendations:

Recommendations offered by Lenz:

- A weir/dam below Osprey Lake to mimic beaver dams by raising Osprey Lake in times of drought and also the level of lakes behind it: Little Round and Round. This option would require dam permits and also flood easements as the structure would raise the 100-year flood elevation of Osprey Lake.
- A new dam about 30 feet wide at the outlet of Little Round Lake, which would only impact the levels of Round and Little Round. The current 10-foot wide dam opening (with installable boards to control water levels) is “undersized for high water events,” Lenz said. A longer weir would allow a larger increase in outflow each time the lake rises. It would be designed to meet or exceed the capacity of the current downstream controls — the Osprey Creek channel and the Highway NN culverts (the culverts are the main control in times of high water).

Questions, answers

Shore owners peppered Sawyer County and DNR officials with questions at the informational meeting. The questions and responses were:

Q. Who owns Carlson Road (which passes over the top of the Little Round Lake outlet dam)?

A. (Dave Kafura, DNR water regulations specialist): “I checked on the status of Carlson Road through the Dept. of Transportation. What I found out was that a section of the road in the town of Hayward was removed from gas tax monies, but it has not gone through the process of proper abandonment.”

Carl Scheider, who owns the property next to Little Round Lake dam on Carlson Road, said the county dug the channel in the 1940s and there’s a private road across the dam.

Scheider said that historically the lake used to be 10 feet lower; then the county put in the diversion canal and culverts to keep water from getting too low or too high.

He asked what would happen to the road access across the dam if the dam is abandoned.

Frank Dallam, DNR dam regulation specialist, said, “The DNR would give consideration to abandoning the stop log structure at the outlet of Little Round Lake. It’s not the same as the Carlson Road bridge. The county actually dug a channel through there and put in the stop log structure to maintain a minimum water level. I don’t know who owns the bridge.”

Alan Reinemann, a resort owner on Round Lake, said “The purpose of the Little Round Lake Dam was also to maintain and protect property values. This dam is antiquated and falling apart and it will have to be dealt with sooner or later. If we don’t improve it, what else will protect our properties from drastic low water as it is now?”

Q. (Bob Strachota, president of the Round Lake Property Owners Association): “Are beaver dams a reason to kill the weir dam idea?”

A. Lenz: "The idea of a weir dam is to control low-water situations; during high water flows, the beaver dams plus the constrictions downstream (beaver dams, culverts on Highway NN and the natural channel) would be the control, in that order."

Q. What is the ordinary high water mark (OHWM) on Round Lake?

A. Kafura: "The OHWM is the point at which private land ceases and public rights start. In determining the OHWM, you look at the erosive effects, the vegetation. It's not exactly the same across the lake. There are shallow, sheltered areas where you don't get long lake fetches that create erosive marks on them. But in other areas, such as on the Peninsula, you get wave action coming in from different directions, you get water that's eroding higher."

"Normally, the zoning department and DNR determine the OHWM on particular properties, case-by-case. In the summer of 2006, we looked at a number of locations on Round Lake, and the OHWM ranged from 77.84 feet to 78.23 feet."

Q. What would be the scouring effects if the dam is removed?

A. Lenz: "If any dam were built, a scour study would be done as part of an engineering feasibility and ecological analysis."

He added that he doesn't know what a 30-foot weir dam at Carlson Road would cost since a feasibility study has not been done.

Q. What is the LCO Tribe's position on the Round Lake water levels?

A. Dan Tyrolt, LCO Conservation Department: Osprey Lake is basically controlled by the beaver dam there; we're real concerned that if the beaver dam is artificially removed, the lake will drop two feet or more.

Riedman said that, "We have asked the tribe to give us their position on how they feel the dams are affecting the lake. About one-half of Osprey Lake's shoreline is tribally-owned. The state works with the tribes to avoid a conflict of interest."

Andersen cited two resolutions passed by the LCO Tribal Governing Board. On Oct. 8, 2002, the tribal council resolved to strongly oppose any dredging or other disturbance of Osprey Creek. On Oct. 4, 2003, the tribal council passed a resolution in favor of establishing a revised lawful water level on Round Lake to prevent any lowering of the lake and to reflect the normal variation of the lake.

Q. What is the 1941 Public Service Commission order pertaining to Round Lake?

A. "Sawyer County shall maintain Round and Little Round Lakes at their normal elevation of 77.00 feet at all times that a sufficient water supply exists, and during spring freshets and every runoff to prevent the level from rising above 77.25 feet."

County board member Fred Zietlow said that according to surveyors, the historic high of Round Lake was reached in 1900 at 83.34 feet (7.3 feet higher than on June 29 this year); and the historic low was 73.77 feet in 1933-35 (3.5 feet lower than on June 29). "We're subject to change," he said.

Q. (Sue Kintzinger, RLPOA board member): "I'm very concerned about the water quality. If we have consistently lower water levels, won't the lake be more susceptible to Eurasian watermilfoil?"

A. Kafura: "If milfoil gets into your lake and conditions are right, it will take off. It doesn't necessarily depend on water level. A healthy ecosystem will defend itself against exotics; we have both deep waters and shallow waters that have exotics in them."

Comments: terrell.boettcher@mx3.com.

July 6 meeting

by Will LaBreche

Staff Writer

It seems that for a project of this size, affecting many residents and non-residents of the county, the Round Lake watershed issue is a hot-button topic for lake associations, individuals and the county; and this was apparent at the second, July 6, meeting held at the LCO Convention Center.

The county took a couple of scalding shots from the audience and was also critiqued by lake association members on hand, who have now brought this issue front and center on their agendas.

As with the first meeting, Bernard Lenz of SEH thoroughly explained the project, outlining the different options available to the county.

What seems to be the rising issue of contention between Sawyer County and the LCO Tribe is the removal of the age-old, albeit still active, beaver dam spanning Osprey Creek, which has historically controlled levels in Osprey Lake.

The county has requested a formal statement from LCO on the matter; however, the tribe has been largely unresponsive to this point. No representatives from LCO attended last Friday's meeting.

When questioned about the removal of the beaver dam, DNR regulations specialist Dave Kafura called it a "sticky situation.

"In the department's opinion, the statutes under 29.885 say that I can give notice to the tribe that there are beaver dams on their property that are causing damage or are a nuisance — it does not give me the authority to trespass on tribal sovereign land. I cannot go onto tribal land and remove (the dams)," he said. "I can, however, go on navigable waters and remove them. So if I so choose, I can go down after giving due notice and remove it by boat and remove the debris with no trespassing on tribal land."

When an audience member asked if the tribe owns the water, Kafura responded "they don't have permitting authority on navigable waters in the state" and that the tribe is "a partner like anyone else."

Though publicized as an informational meeting only, many took advantage of the open forum to voice their opinions about the project. Many of the comments focused on lake association representation and individuals, rather than addressing the watershed topic itself.

One attendee said that "the concern here is one of leadership" and that "this is a very divisive situation and it's causing a great chasm in the community." Following up that statement, he offered an assumption that the county is completing this project only to avoid litigation, a point that Sawyer County board member Shirley Riedmann said was like "suing ourselves.

"We're here to work together to find a solution," she said. "I'm here to find the best solutions for people in Sawyer County."

Comments: will.labreche@mx3.com.

 del.icio.us

Comments: Shore owners pepper county, DNR officials with questions at informational meetings

[add comment](#)

If you would like to make comments on this story you need to [create an account](#)

If you already have an account please login by clicking on "add comment" above.

Search for Stories

multisearch powered by:

SPC *Superior Publishing Corporation*