

Chapter NR 103

ENVIRONMENTAL PROTECTION

title

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History: Chapter NR 103 as it existed on September 30, 1973 was repealed and a new chapter NR 103 was created, Register, September, 1973, No. 213, eff. 10-1-73.

NR 103.01 Wisconsin-Illinois waters. (1) The Des Plaines River, Pittscasaw Creek, Nippersink Creek and Turtle Creek upstream of the Rock-Walworth county line are used for wildlife and stock watering, waste assimilation, warm water fishery and recreation. Dutch Gap Canal and Trevor Creek have similar uses excepting waste assimilation. The main stems of these streams shall meet the requirements for recreational use and fish and aquatic life.

(2) The Fox River is used for recreation, waste assimilation, industrial supply, fishing and irrigation. Water quality in the Fox River shall meet the standards for recreational use and fish and aquatic life.

(3) Benet/Shangrila, Cross and Elizabeth Lakes are located on the Wisconsin-Illinois boundary and used for fishing and recreation. Their water quality shall meet the requirements for fish and aquatic life and recreational use.

(d) The Rock River and Sugar River are used for waste assimilation, recreation, fish and aquatic life, irrigation, stock and wildlife watering and hydropower. Their waters shall meet water quality standards for recreational use and fish and aquatic life.

(5) Turtle Creek below the Rock-Walworth county line, Raccoon Creek, East Fork Raccoon Creek, East Fork Galena River, Spafford Creek, Menominee River, Pecatonica River and Galena River are used for recreation, stock and wildlife watering, waste assimilation and fish and aquatic life. Richland Creek and East Branch Richland Creek, Apple River and West Fork Apple River, Sinsinawa River, Little Menominee River and a tributary of the East Fork Galena River have similar uses excepting waste assimilation. Water quality of these streams shall meet standards for recreational use and fish and aquatic life.

(6) Honey Creek is used for waste assimilation, stock and wildlife watering, recreation and fish and aquatic life. A section from the Wisconsin-Illinois state line upstream to the Clarno-Cadiz town line shall meet the requirements for recreational use and fish and aquatic life.

(7) Variance. The sector of Honey Creek above the Clarno-Cadiz town line shall meet the standards for fish and aquatic life except that the dissolved oxygen shall not be lowered to less than 2 mg/l at any time. The membrane filter fecal coliform count in this sector shall not exceed 1,000 per 100 ml as a monthly geometric mean based on not less than 5 samples

per month, nor exceed 2,000 per ml in more than 10% of all samples during any month.

History: Cr. Register, September, 1973, No. 213, eff. 10-1-73.

NR 103.02 Wisconsin-Minnesota-Iowa-Illinois waters. The Mississippi River is used for commercial and recreational fishing, industrial and cooling water supply, boating, hunting, commercial shipping and waste assimilation. Water quality shall meet the standards and requirements for recreational use and fish and aquatic life.

History: Cr. Register, September, 1973, No. 213, eff. 10-1-73.

NR 103.03 Wisconsin-Minnesota waters. (1) The St. Croix River has high scenic and aesthetic value and is used for recreation, fishing, hydro-power, commercial shipping, stock and wildlife water supply, and waste assimilation. An anticipated use involves industrial and cooling water supply. Its water quality shall meet the standards and requirements for recreational use and fish and aquatic life. The standards for public water supply shall be met downstream from the north line of Polk county.

(2) Upper Tamarack River, East Branch Hay Creek and West Branch Hay Creek are used for recreation, fishing, and stock and wildlife water supply. Their water quality shall meet the requirements for recreation and fish and aquatic life.

(3) The St. Louis River adjoining Wisconsin is used for recreation, fishing, waste assimilation and commercial shipping. It is anticipated that a future use in the Lower St. Louis River will include cooling and industrial water supply. The St. Louis River water quality shall meet standards for recreational use and fish and aquatic life.

(4) Black River and Black Lake, Nemadji River and South Fork Nemadji River, Mud Creek, Clear Creek, Pokegama River and Red River are used for fishing, stock and wildlife water supply and recreation. Water quality of these streams shall meet the standards and requirements for recreation and fish and aquatic life. A section of Black River is classified for trout.

History: Cr. Register, September, 1973, No. 213, eff. 10-1-73.

NR 103.04 Wisconsin-Minnesota-Michigan waters. Lake Superior is used for recreation, commercial and recreational fishing, shipping, municipal water supply, industrial and cooling water, and waste assimilation. Lake Superior open waters shall meet the criteria and requirements for public water supplies. All waters of Lake Superior shall meet the standards for recreational use and fish and aquatic life.

History: Cr. Register, September, 1973, No. 213, eff. 10-1-73.

NR 103.05 Wisconsin-Michigan waters. (1) The Montreal River is used for hydropower, recreation, wildlife and stock watering, waste assimilation and has aesthetic value. Its waters shall meet the standards and requirements for recreational use and fish and aquatic life.

(2) Several waters cross the Wisconsin-Michigan line including Wester Creek, Black River tributaries, McDonald Creek tributaries, Bena Lake Inlet, Harris Creek, Moraine Creek, Oxbow Lake Inlet, Unnamed Creek between Little Presque Isle Lake and Twin Island Lake, South and East Branch Presque Isle River, tributary to Palmer Lake, Johnson Springs Outlet, Lobischer Creek and Elvoy Creek and the following lakes:

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| (a) Unnamed (T44N, R5E,
Sec. 18) | (j) Big |
| (b) Moraine | (k) West Bay |
| (c) Stateline | (l) Mamie |
| (d) Basin | (m) Big Bateau |
| (e) Little Presque Isle | (n) Mill |
| (f) Roach | (o) Crystal |
| (g) Tenderfoot | (p) Eleanor |
| (h) Plum | (q) Lac Vieux Desert |
| (i) Crampton | (r) Nurwood |
| | (s) Smoky |

Uses of these waters include fishing, recreation, aesthetic, and stock and wildlife watering. Their water quality shall meet the requirements and standards for recreation and fish and aquatic life. The Black River tributaries and Elvoy Creek are classified as trout waters.

(3) The Brule and Menominee Rivers are used for hydropower production and the latter stream is used for waste assimilation and industrial water supply. Fishing, recreation, aesthetic values and stock, and wildlife watering are common to both. The Brule River is classified as a trout stream and it shall meet the requirements for recreation and the standards for trout waters. Waste quality requirements and standards on the Menominee River shall meet the standards for recreational use and fish and aquatic life.

(4) Green Bay is used for public water supply, recreation, commercial and recreational fishing, industrial and cooling water, and waste assimilation. The waters of Green Bay, except as provided below, shall meet the standards for fish and aquatic life and recreational use.

(5) Green Bay waters southeasterly from the navigation channel and southerly from the north line of Brown County shall from January 1 to April 1 annually meet the standards for recreational use and fish and aquatic life except that the dissolved oxygen shall not be lowered to less than 2 mg/l at any time.

History: Cr. Register, September, 1973, No. 213, eff. 10-1-73.

NR 103.06 Wisconsin-Michigan-Illinois-Indiana waters. Lake Michigan is used for recreation, commercial and recreational fishing, shipping, public water supply, waste assimilation, and industrial and cooling water. All Lake Michigan waters shall meet the standards for public water supplies and the standards for recreational use and fish and aquatic life, in addition to the thermal criteria contained in s. 102.04, Stats.

History: Cr. Register, September, 1973, No. 213, eff. 10-1-73; reprinted to correct printing error, Register, February, 1987, No. 374.

NR 103.07 Trout waters. Trout waters include the open waters of Lakes Superior and Michigan as well as those classified by the department of natural resources. They must be given special protection as required by the fish and aquatic life standards.

History: Cr. Register, September, 1973, No. 213, eff. 10-1-73; reprinted to correct printing error, Register, February, 1987, No. 374.

NR 103.08 Fish reproduction. Standards adequate to maintain fish reproduction shall be maintained in the open waters of Lake Superior and Lake Michigan and in all other interstate waters which are designated by

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the department as of primary importance in the public interest for the maintenance of fish reproduction.

History: Cr. Register, September, 1973, No. 213, eff. 10-1-73.

NR 103.09 Revision of designated uses. Modification of the uses and designated standards established in this chapter may be initiated by the department, by petition of any interested person, or by the natural resources board, subject to the provisions of ch. 227, Stats.

History: Cr. Register, September, 1973, No. 213, eff. 10-1-73.