



**ASSEMBLY AMENDMENT 9,  
TO ASSEMBLY BILL 1**

February 5, 2013 – Offered by Representatives SUDER and HONADEL.

1           At the locations indicated, amend the bill as follows:

2           **1.** Page 156, line 19: after that line insert:

3           “(bg) *Measures excluded from consideration.* In determining if a navigable  
4           water activity meets the requirements under par. (a) with regard to a navigable  
5           water, the department may not consider any proposed measure under par. (b) if the  
6           navigable water is any of the following:

7           1. A perennial stream, if the drainage area of the portion of the stream  
8           upstream from the farthest downstream point of the navigable water activity is more  
9           than 2 square miles. In this subdivision, “perennial stream” means a stream that  
10          has a continuous flow every day of every year in which there is average precipitation.

11          2. A navigable water, other than a stream, that is more than 2 acres in area  
12          every day of every year in which there is average precipitation and that is not a  
13          freeze-out pond, as defined in s. 29.001 (29).

