

CR 89-96



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Ronald L. Semmann, Deputy Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. WR-36-89 was duly approved and adopted by this Department on January 28, 1993. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have here-
unto set my hand and affixed the
official seal of the Department at
the Natural Resources Building in
the City of Madison, this 8th
day of April, 1993.

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Ronald L. Semmann, Deputy Secretary

(SEAL)

6-1-93



ORDER OF THE WISCONSIN NATURAL RESOURCES BOARD
AMENDING AND CREATING RULES

.....
 IN THE MATTER of amending ss. NR 102.10(2) and creating .
 ss. NR 102.10(1)(f) and (1m), and 102.11(1)(d) of the .
 Wisconsin Administrative Code pertaining to waters classified .
 as outstanding resource waters and exceptional resource waters. .

WR-36-89

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 144.025(2)(b) and 227.11(2)(a), Stats.
 Statutes interpreted: s. 144.025(2)(b), Stats.

The proposed creation of NR 102.10(1)(f) adds portions of certain Class I and/or Class II trout waters and also certain warm water sport fish streams to the Outstanding Resource Waters antidegradation classification. The proposed creation of NR 102.10(1m) adds certain lakes to the Outstanding Resource Waters designation.

The proposed creation of NR 102.11(1)(d) adds portions of certain Class I, Class II, or Class III trout waters and also certain warm water sport fish streams to the Exceptional Resource Waters antidegradation classification.

SECTION 1. NR 102.10(1)(f) is created to read:

NR 102.10(1)(f) The following cold or warm water streams and rivers or portions thereof:

1.	Barron	Engle Creek Hickey Creek Upper Pine Creek	Class I & II Portions Class I & II Portions Above Dallas Flowage
2.	Bayfield	Bark River Big Brook Cranberry River & Tribs. East Fork Iron River & Tribs. East Fork White River Eighteen Mile Cr. & Tribs. Fish Creek (Main) Long Lake Branch & Tribs. No. Fork Fish Creek & Tribs. Onion River & Tribs. Pikes Creek & Tribs. Sioux River & Tribs. So. Fork White River Thompson Creek Twenty Mile Creek White River Whittlesey Creek & Tribs	All-Class I Portion All All-Class I Portion All-Class I Portion All-Class I Portion All-Class I Portion All From below Drummond Lake to White River All-Class I Portions All-Class I & II Portions All-Class I Portions All-Class I Portion All-Class I & II Portions All-Class I Portion All-Class I Portion All-Class I & II Portions All-Class I Portions
3.	Burnett	Tributaries to the N. & S. Forks of the Clam River	All-Class I & II Portions
4.	Dane	Mt. Vernon Creek	All-Class I Portion
5.	Door	Mink River	All
6.	Forest	Allen Creek Brule Creek Elvoy Creek Jones Creek North Otter Creek	All All All Class I & II portions All
7.	Grant	Little Green River	All
8.	Iron, Ashland & Price	No. Fork Flambeau River	From Turtle-Flambeau Flowage Dam downstream to Park Falls
9.	La Crosse	Berge Coulee Creek	All

10.	Langlade	Elton Creek Little Evergreen Creek Mayking Creek Michelson Creek Mid Branch Embarrass River	Class I Portion All All All Class I Portion
11.	Marathon	Falstad Creek So. Branch Embarrass River	Class II Portion Class I Portion
12.	Marinette	No. Branch Beaver Creek	Entire River & tributaries
13.	Oneida	Noisy Creek	Class II Portion
14.	Pierce	Kinnickinnic River	From Powell Dam to St. Croix River
15.	Polk	Sand Creek & Tribs	All-Class I & II Portions
16.	Price, Rusk & Sawyer	So. Fork Flambeau River	All-Round L. Dam downstream to Jxn with No. Fork Flambeau R.
17.	Richland	Elk Creek	All
18.	Rusk	Devils Creek So. Fork Main Creek	All-Class I & II Portions Class I & II Portions (T35N R3W S28 downstream to T34N R4W S11)
19.	Sauk	Otter Creek Parfrey's Glen	From headwaters to southern section line of T11N R6E S33 From headwaters to CTH "DL"
20.	Sawyer	Benson Creek Eddy Creek Grindstone Creek Little Weirgor Creek & Tribs McDermott Creek Mosquito Brook	All-Class I Portion All-Class I Portion All-Class I Portion All-Class I & II Portions All All-Class I Portion
21.	Shawano	Middle Br. Embarrass R. No. Br. Embarrass R. So. Br. Embarrass R.	Origin to but not including Homme Pond Origin to CTH "J" Origin to but not including Tigerton Pond
22.	Vilas	Allequash Springs Brule Creek East Br. Blackjack Cr. Elvoy Creek & Springs Mishonagon Creek Siphon Creek Spring Meadow Creek Tamarack Creek	Class I & II Portions All All Class I & II Portions Class I & II Portions All Class I Portion All
23.	Washburn	Beaver Brook Sawyer Creek So. Fork Bean Brook	All-Class I Portion All-Class I & II Portions All-Class I Portion

SECTION 2. NR 102.10(1m) is created to read:

NR 102.10(1m) The following lakes are designated as outstanding resource waters:

1..	Ashland	Bad River Slough Kakagon Slough
2.	Barron	Bear Lake (T36N R12W S2) Red Cedar Lake Sand Lake Silver Lake
3.	Bayfield	Bark Bay Slough Diamond Lake Middle Eau Claire Lake Namekagon Lake Owen Lake

- Pike Chain of Lakes (Pike, Millicent, Buskey Bay, Hart, Twin Bear, Eagle, Flynn and Hildur Lakes)
 Star Lake
 Upper Eau Claire Lake
4. Burnett Big Mckenzie Lake
 Big Sand Lake
 Sand Lake (T40N R15W S25)
5. Columbia Crystal Lake
6. Douglas Bond Lake
 Lower Eau Claire Lake
 Nebagamon Lake
 Upper St. Croix Lake
 Whitefish Lake (Bardon)
7. Florence Edith Lake
 Keyes Lake
 Lost Lake
 Perch Lake
 Riley Lake, South
8. Forest Butternut Lake
 Franklin Lake
 Lucerne Lake (Stone)
 Metonga Lake
9. Iron Catherine Lake
 Cedar Lake
 Hewitt Lake
 Owl Lake
 Trude Lake
 Turtle-Flambeau Flowage
10. Oconto Archibald Lake
 Bass Lake (T32N R15E S9)
 Bear Paw Lake
 Boot Lake
 Chain Lake
11. Oneida Big Carr Lake
 Clear Lake (T39N R7E S16)
 Little Tomahawk Lake
 Tomahawk Lake
 Two Sisters Lake
12. Polk Pipe Lake
13. Price Cochram Lake
 Tucker Lake
14. Rusk Bass Lake (T34N R9W S16)
 Fish Lake
 Island Chains of Lakes (Chain, Clear, McCann, and Island Lakes)
 Three Lakes No. 1 (T36N R9W S25)
15. St. Croix Bass Lake (T30N R19W S23)
 Perch Lake
16. Sauk Devils Lake
17. Sawyer Barker Lake
 Blaisdell Lake
 Camp Smith Lake
 Evergreen Lake
 Grindstone Lake
 Lac Court Oreilles
 Lake Chippewa (Chippewa Flowage)
 Nelson Lake
 Osgood Lake
 Perch Lake (T42N R6W S25)
 Round Lake (Big Round)
 Sand Lake

- Spider Lake
- Teal Lake
- Whitefish Lake
- 18. Vilas
 - Black Oak Lake
 - Crab Lake
 - Crystal Lake (T41N R7E S27)
 - Lac Vieux Desert
 - North Twin Lake
 - Palette Lake (Clear)
 - Partridge Lake
 - Plum Lake
 - South Twin Lake
 - Star Lake
 - Stormy Lake
 - Trout Lake
 - White Sand Lake (T24N R7E S26)
- 19. Walworth
 - Lulu Lake
- 20. Washburn
 - Bass Lake (T40N R10W S17)
 - Long Lake
 - Middle McKenzie Lake
 - Shell Lake
 - Stone Lake (T39N R10W S24)
- 21. Waukesha
 - Spring Lake (T5N R18E S9)
- 22. Waupaca
 - Graham Lake (Nelson)
 - North Lake
- 23. Waushara
 - Gilbert Lake
 - Lucerne Lake (Egans)
 - Norwegian Lake
 - Pine Lake (Springwater)

SECTION 3. NR 102.10(2) is amended to read:

NR 102.10(2) The waters in sub (1) and (1m) may not be lowered in quality.

SECTION 4. NR 102.11(1)(d) is created to read:

NR 102.11(1)(d) The following cold or warm water streams and rivers or portions thereof:

- | | | | |
|----|---|-------------------------|--|
| 1. | Barron | Brill River | All-Class II Portion |
| 2. | Crawford | Copper Creek | All |
| | | Plum Creek | All |
| | | Sugar Creek | From headwaters to T10N R6W S10 |
| | | Tainter Creek | From Vernon County Line to CTH "B" |
| 3. | Dane | Blue Mounds Branch | All |
| | | Deer Creek | All |
| | | Dunlap Creek | All |
| | | Elvers Creek (Bohn Cr.) | All |
| | | Flynn Creek | All |
| | | Fryes Feeder Creek | All |
| | | Garfoot Creek | All |
| | | Milum Creek | All |
| | | Rutland Branch | All |
| | | Ryan Creek | All |
| | | Schalpbach Creek | All |
| | | Sixmile Creek | All |
| | | Spring Creek (Lodi) | All |
| 4. | Dane, Sauk, Iowa,
Grant, Richland,
Crawford | Wisconsin River | From below Prairie du Sac to Prairie du
Chien |
| 5. | Dane & Green | Little Sugar River | Above New Glarus |
| | | Story Creek (Tipperary) | All, originating in T5N R8E S36 |
| | | Sugar Creek | All |
| 6. | Dunn | Sand Creek | From Chippewa County Line to mouth |
| 7. | Eau Claire | Lowes Creek | From Hwy 37 & 85 upstream to headwaters |

8.	Fond du Lac	Feldner's Creek Lake Fifteen Creek	From headwaters to Mischo's Millpond Entire Creek above & below Lake Fifteen
9.	Forest	Armstrong Creek Middle Br. Peshtigo R. North Br. Peshtigo R. North Br. Popple R. West Br. Armstrong Creek	All All All All Class II Portion
10.	Grant	Doc Smith Branch Little Platte River	All From Arthur downstream to Platte River
11.	Grant & Iowa	Big Spring Branch	From Springhead to Blue River
12.	Green	Burgy Creek Gill Creek Hefty Creek, North Branch Hefty Cr., Center Branch Liberty Creek Norwegian Creek Richland Creek Ross Crossing Sylvester Creek Spring Valley Creek Ward Creek	All All All All All All All All All All All
13.	Green & Rock	Allen Creek	Below Evansville
14.	Iowa	Harker-Lee-Martin System	From headwaters to T6N R2E S10
15.	Iron	Manitowish River	All
16.	Jackson	Trempealeau River	From STH 95 at Hixton to CTH "P" at Taylor
17.	Jefferson	Allen Creek	All
18.	Kewaunee	Casco Creek	From T24N R24E S19 downstream of Rock Ledge to Kewaunee River
19.	La Crosse	Bostwick Creek Coon Creek Dutch Creek	From headwaters to County Hwy "O" All From headwaters to Russian Coulee Road (section 8)
20.	Lafayette	Galena River	From headwaters to Buncombe Road
21.	Langlade	East Br. Eau Claire R. Hunting River	From STH 64 upstream to firelane crossing in T33N R11E S35 SW¼ From Fitzgerald Dam Road downstream to T33N R11E S1
22.	Lincoln	North Br. Prairie River Silver Creek	From headwaters to CTH "J" in T33N R8E All
23.	Manitowoc	Branch River	All
24.	Monroe	Big Creek Farmers Valley Creek & Tribs Soper Creek	From headwaters to Acorn Rd (S7) From headwaters to I-90 (S19) All
25.	Oneida	Bearskin Creek	From Tomahawk River to Little Bearskin Lake
26.	Pierce	Big River Cady Creek Trimbelle River	Class I Portion From CTH "P" upstream All
27.	Richland	Babb Hollow Hanzel Creek (Hansell) Melancthon Creek Coulter Hollow Creek E. Branch Mill Creek Happy Hollow Creek Higgins Creek Hood Hollow Creek Jacquish Hollow Creek	All-Trib to Mill Creek All-Trib to Melancthon Cr. Class II Section All-Trib to Mill Creek All All-Trib to Willow Creek All-Trib to Mill Creek All-Trib to Mill Creek All-Trib to Willow Creek

	Kepler Branch	All-Trib to Mill Creek
	Mill Creek	From headwaters to above Boaz
	Miller Branch	All-Trib To Mill Creek
	Pine Valley Creek	All-Trib To Mill Creek
	Ryan Hollow	All-Trib To West Branch Mill Creek
	Wheat Hollow Creek	All
	W. Branch Mill Creek	All
28.	Rock	Bass Creek
		East Fork Raccoon Cr.
		Little Turtle Creek
		Raccoon Creek
		Spring Brook
		Turtle Creek
		Unnamed Creek T2N R14E S31
29.	Rusk	Big Weirgor Creek
30.	Rusk, Taylor & Chippewa	Jump River
		From Village of Jump River downstream to Holcombe Flowage
31.	Sauk	Beaver Creek (Trib to Dell Creek)
		Camels Creek (Trib to Dell Creek)
		Dell Creek
32.	Shawano	Kroenke Creek
		Red River
		West Br. Red River
33.	Sheboygan	Ben Nutt Creek
		Class II Portion to Junction with Mill Creek
34.	St. Croix	Apple River
		Cady Creek
		Willow River
		From NSP plant below CTH "I" to Mouth All Extend Class II Portion into Delta in Lake Mallileau
35.	St. Croix & Pierce	St. Croix River
		From No. Boundary of Hudson City limits to the river mouth in Pierce Co.
36.	Trempealeau	Buffalo River
		From Hwy 53 to Strum Pond
37.	Vernon	Bishop Branch
		Cheyenne Valley Creek
		Coon Creek
		Frohock Valley Creek
		Hornby Creek
		Reads Creek
		Tainter Creek
38.	Vilas	Manitowish River
		From Rest Lake Dam downstream to Iron County line
39.	Washington	E. Branch Milwaukee R.
		From Long Lake outlet to STH 28
40.	Waukesha	Genesee Creek
		Mukwonago River
		Oconomowoc River
		Above STH 59 From Eagle Springs Lake to Upper Phantom Lake From below North Lake to Okauchee Lake
41.	Waupaca	Blake Brook & Branches
		Little Wolf River
		Waupaca River
		Class II Portion From junction with Wolf River upstream to Manawa Dam Class II Portion
42.	Waupaca & Shawano	Embarrass River
		From Wolf River upstream to dam at Pella
43.	Waushara	Lower Pine River
		From below Wild Rose Millpond to dam at Poy Sippi

SECTION 5. NR ^{102.03}~~102.02~~(10) is created to read:

NR ^{102.03}~~102.02~~(10) Class I and Class II trout waters are as defined in NR 1.02(7).

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on January 28, 1993.

The rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin April 8, 1993

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

(SEAL)



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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April 6, 1993

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APR 15 1993

Revisor of Statutes
Bureau

Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI

Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WR-36-89. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Urban Affairs, Financial Institutions and Environmental Resources pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

George E. Meyer
George E. Meyer
Secretary

Enc.