

Clearinghouse Rule 98-150 98-150
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

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STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, 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. LE-49-98 was duly approved and adopted by this Department on February 23, 1999. 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.

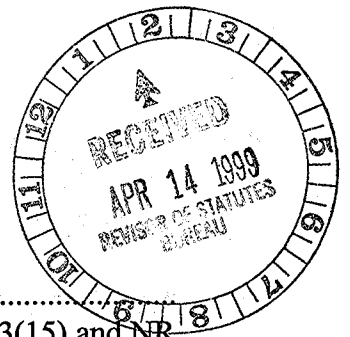


IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 12th day of April, 1999.

George E. Meyer
George E. Meyer, Secretary

(SEAL)

**ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
AMENDING AND CREATING RULES**



.....
The Wisconsin Natural Resources Board proposes an order to amend NR 20.03(15) and NR 23.02(10)(l) and create NR 23.02(4m) relating to Wisconsin-Michigan boundary waters.
.....

LE-49-98

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.014(1), 29.041 and 227.11(2)(a), Stats.

Statute interpreted: ss. 29.014(1) and 29.041, Stats.

In this order, SECTION 1 amends NR 20.03(15) to exclude a small portion of Green Bay water between the breakwalls off the mouth of the Menominee river from being regulated under ch. NR 20 for purposes of angling as part of Green Bay waters. SECTION 2 creates a definition for the Menominee river in ch. NR 23 as Wisconsin-Michigan boundary water and includes the small portion of Green Bay water between the breakwalls off the mouth of the Menominee river as a part of that boundary water for purposes of ch. NR 23. SECTION 3 of the Order amends NR 23.02(10)(l) to delete language made unnecessary by the definition of "Menominee river" created in SECTION 2 of the order.

SECTION 1. NR 20.03(15) as created by CHR 98-148 is amended to read:

NR 20.03(15) "Green Bay" means those waters of Lake Michigan located to the west of the Green Bay – Lake Michigan line. For the purposes of s. NR 20.20, Green Bay shall mean Green Bay, Sturgeon Bay, Sawyer's Harbor, the Sturgeon Bay ship canal from Sturgeon Bay to a line located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, section 22, T27N, R26E, Door county, commencing at a point on the southwest shore of the Sturgeon Bay ship canal directly beneath the center of the Wisconsin public service company power line and extending in a northeasterly direction beneath and parallel to the center of the power line to a point on the northeast shore of the ship canal and the Fox river from its mouth up to the dam at DePere. For purposes of this chapter, "Green Bay"

does not include that portion of Green Bay bounded by the mouth of the Menominee river on the west, the "government pier" or breakwall on the south, the "lighthouse pier" or breakwall on the north, and a line connecting the eastern-most points of those breakwalls on the east.

SECTION 2. NR 23.02(4m) is created to read:

NR 23.02(4m) "Menominee river" means the Menominee river, all impoundments downstream to its confluence with Green Bay, and that portion of Green Bay bounded by the mouth of the Menominee river on the west, the "government pier" or breakwall on the south, the "lighthouse pier" or breakwall on the north, and a line connecting the eastern-most points of those breakwalls on the east.

SECTION 3. NR 23.02(10)(1) is amended to read:

NR 23.02(10)(1)

(1) MENOMINEE RIVER

~~(including all impoundments downstream to the confluence with Green Bay)~~

Menominee, Dickinson & Iron cos - Michigan
Florence & Marinette cos. - Wisconsin

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on February 23, 1999.

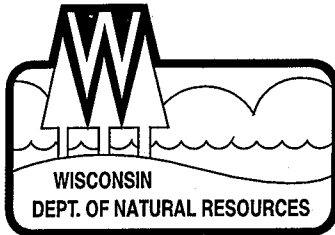
The rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin April 12, 1999

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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April 12, 1999

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. LE-49-98. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Agriculture, Environmental Resources and Campaign Finance Reform 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
Secretary

Enc.

