



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 02-004

AN ORDER to repeal NR 102.03 (10), 102.04 (4) (e) 1., subchapter I (title) of chapter NR 104, and 104.05 to 104.10 and subchapter II (title) of chapter NR 104; to renumber NR 102.03 (1) to (9) and 102.04 (4) (b) and (c); to renumber and amend NR 102.04 (4) (intro.), (a), (d) and (e) (intro.), 2. and 3.; to amend NR 102.01 (2) and (3) and 102.04 (1) and (2), (3) (intro.), (a), (d) and (e), (4) (title), (5) (title) and (b) and (6); to repeal and recreate NR 104.01 to 104.04; and to create subchapter I (title) of chapter NR 102, 102.03 (intro.) and 102.04 (2m) and (4) (b) 3., (c) and (d) and subchapters I (title) and III (title) of chapter NR 106, relating to stream classifications.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

01-11-02 RECEIVED BY LEGISLATIVE COUNCIL.

02-06-02 REPORT SENT TO AGENCY.

RNS:DLL:ksm;tlu

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



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Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

a. In SECTION 1 of the rule, some indication should be provided, in the treatment clause or in a note, of where the new subchapter title is to go--presumably before s. NR 102.01. Similarly, SECTION 18 should indicate the intended location of the title for subch. II--presumably following s. NR 102.14. However, note that it is not necessary to “reserve” space for future additions to the Wisconsin Administrative Code, as is done in the Code of Federal Regulations. The department could delay the creation of these subchapters until it is ready to create the text of subch. II. (Also, see SECTION 25.)

b. SECTION 4 of the rule renumbers the definitions in s. NR 102.03 (1) to (9) so that they are in alphabetical order. However, it appears that the terms defined in subs. (8) and (9) are not used in ch. NR 102. Therefore, those subsections could be repealed. The remaining terms are in alphabetical order.

c. The changes that are being made to s. NR 102.04 (title) should be shown by the use of strike-throughs and underscoring.

d. Titles to rule provisions are not a part of the rule and so the text of a rule should not rely on a title to convey meaning. For this reason, the titles of s. NR 102.04 (2m) (a) to (d) should be incorporated in the text. For example, s. NR 102.04 (2m) (a) could begin as follows: “The lakes and flowages category includes . . .”; or “Lakes and flowages include . . .”

e. In s. NR 102.04 (3) (a), the final period should be shown without underscoring. In s. NR 102.04 (3) (d) and (e), the periods following the italicized titles should be shown without either strike-throughs or underscoring and the periods following the parenthetical material should be stricken.

f. The treatment clause of SECTION 10 of the rule should read: "NR 102.04 (4) (intro.) and (a) are renumbered NR 102.04 (4) (a) (intro.) and 1. and amended to read:". In the text of that SECTION, the citation "NR 102.04 (4) (a) (title)," should not be underscored.

g. The treatment clause of SECTION 13 of the rule should read: "NR 102.04 (4) (e) (title) and (intro.) are renumbered NR 102.04 (4) (b) (title) and (intro.) and amended to read:".

h. Since there currently is no s. NR 104.03, it cannot be repealed and recreated. Therefore, SECTION 20 should be divided into three SECTIONS--one that repeals and recreates ss. NR 104.01 and 104.02, one that creates s. NR 104.03, and one that repeals and recreates s. NR 104.04.

i. It is suggested that Table 1 in ch. NR 104 be formatted in a way that numbers individual table entries. This will facilitate future insertion, deletion, and amendment of individual items in the table without the need to reproduce the entire table. For models, see the tables in current ch. NR 104, which simply number the table entries sequentially, or the tables in ch. NR 10, which integrate the numbering system of the Wisconsin Administrative Code into the tables.

j. Some explanation of Table 1 in ch. NR 104 is needed. The meanings of the column headings should be given. While some (e.g., County, Receiving Water and Reach Description) are fairly self-explanatory, others (e.g., Facility, Region and GMU) are not. In particular, with regard to the Classification column, which of the several classification systems described in ch. NR 102 is being used in this table? The meaning of the Effective Dates column is reasonably clear, but the column may be inappropriately titled, since two entries refer to flood stages rather than dates. Also, a key to the codes used in the Classification, Region, and, possibly, GMU columns is needed.

k. The tabular material in s. NR 104.03 should be put into numbered tables with title, key, and other features of a table. The comments above relating to Table 1 would apply generally to these tables also.

l. The rule should indicate where to place the new title for subch. I of ch. NR 106. Conceivably, it could be before s. NR 106.01, before s. NR 106.03, or either before or after s. NR 106.04. If it is placed before s. NR 106.01, then current references to "this chapter," for example in ss. NR 106.02 and 106.03, will need to be changed to "this subchapter." If the title is placed in any other location, then it will be necessary to revise the sections preceding the subchapter title to ensure that they are applicable to the entire chapter.

m. There are no definitions provided for subch. III of ch. NR 106, but there is no lack of technical terminology warranting definition in that subchapter. Definitions should be placed in s. NR 106.03 or a new section for definitions should be created following s. NR 106.41.

n. The term “limited fish and aquatic life” in s. NR 106.41 appears to refer to the limited forage fish waters and limited aquatic life waters categories established in ch. NR 102, but it is nowhere defined as such. The rule should either define the term or use the two terms to which it refers.

o. Section NR 106.43 is largely redundant with s. NR 106.42. The two sections should be combined.

p. Sections NR 106.44 (1) and 106.45 (1) refer to site specific limitations. How and under what circumstances are site specific limitations determined? What rule provisions outline this process? If the rules provide for this, these sections should cross-reference the applicable sections; if the rules do not provide for this but this is a practice of the department, that would seem to indicate a major gap in the rules that should be filled.

q. The provisions of ss. NR 106.44 (2) and 106.45 (2) are identical and could be combined into a subsection of s. NR 106.42. This would also make clear that the limits for toxic and organoleptic substances are in addition to *all* limits established under subch. III, including site specific limits.

r. Section NR 106.46 (1) should be written as follows: “Except as provided in sub. (4), this section applies to streams that are not listed in ch. NR 104 and that have $Q_{7,10}$ flows of 0.01 cfs or less in the absence of wastewater discharges.”

s. Section NR 106.46 (4) relates to how use designations are made and so appears more appropriate for inclusion in ch. NR 104.

t. The numbers of the subsections of s. NR 106.48 should be written in parentheses.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The second sentence of s. NR 102.04 (1) (intro.) would read more clearly if the phrase “including the mixing zone” were set off by commas. In par. (a), immediately following, the comma after the word “water” should be repealed (with a strike-through). Also, in pars. (a) to (c), the words “as to” should be repealed and replaced by “that,” and in par. (d) the word “which” should be replaced by the word “that.”

b. Section NR 102.04 (2m) (intro.) indicates that the hydrologic categories of surface waters described in that subsection are exclusive: “all surface waters belong to one of the following” However, that subsection states that wastewater effluent channels are a subset of streams, with the result that wastewater channels belong to two categories. This should be clarified.

Also, the second sentence of s. NR 102.04 (2m) (intro.) is explanatory rather than substantive and should be placed in a note. The explanation provided by that sentence might be clearer if it included a statement that the hydrologic categories are separate from and in addition to the fish and aquatic life categories created and described in sub. (3) of that section.

Finally, with regard to s. NR 102.04 (2m) (intro.), can some indication be given of how and where the classification of waters into these categories is made and what significance the classifications have? The same comment applies to the fish and aquatic life categories created and described in sub. (3) of that section. Answers to these questions would help the reader understand the design of chs. NR 102 to 106. Except where it takes the form of a substantive requirement, this information (if included) should be placed in notes.

c. The rule makes a terminology change, substituting the term “fish and aquatic life” for the term “fish and other aquatic life.” Since fish *are* aquatic life, the current term seems more defensible, at least on grammatical grounds. Another alternative would be the simpler term “aquatic life.” Whatever term the department chooses, it should use that term consistently. The rule retains some instances of “fish and other aquatic life,” for example in s. NR 102.04 (3) (a) and (c).

d. Section NR 102.04 (3) (intro.) states that “[a]ll surface waters shall belong to one of the fish and aquatic life subcategories” However, s. NR 102.13 states that only those “surface waters not included in [outstanding resource waters, exceptional resource waters, Great Lakes system waters, or certain other listed waters] are fish and aquatic life waters.” This conflict should be resolved. In addition, the conflict points out the need for further explanation of the various categories and their application.

e. The stricken sentence in s. NR 102.04 (3) (intro.), regarding the categories described in pars. (a) to (c), seems to compliment the new sentence, regarding the categories described in pars. (d) and (e), and not conflict with it. It would seem that retaining the current sentence, in addition to creating the new one, would give more explanation to the readers.

f. In s. NR 102.04 (4) (c) 2., what constitutes “cold temperatures”?

g. In s. NR 102.04 (5) (b), “do” should be replaced by “does.”

h. In s. NR 102.04 (6), the comma following the underscored word “communities” should be omitted--it is not in the current rule. Also, the phrase, “as described in sub. (3),” in the same sentence, is not necessary and could be stricken as part of this rule revision.

i. Section NR 104.01 states that the purpose of ch. NR 104 is to establish uses and designated standards for surface waters. However, surface water quality standards consist of a designated use of a water body and criteria that must be met in the water body to support the designated use. Chapter NR 102 establishes the use categories for surface waters and the criteria applicable to each use category. It appears, then, that the purpose of ch. NR 104 is to designate the uses for which individual water bodies will be protected. If this characterization is correct, it would be appropriate to remove the term “designated standards” from the current title of ch. NR 104, from s. NR 104.01 and from other provisions of that chapter. In addition, it would be appropriate to review the entire chapter, including the provisions of current subch. II, to ensure that provisions describing uses of surface waters and water quality criteria specific to those uses are moved to ch. NR 102. In particular, much of s. NR 104.03 appears to consist of criteria. Also, care should be taken to ensure that the term “standard” is not used where “criterion” is meant.

j. Section NR 104.03 (title), **Other variances applicable to state surface waters**, implies that there are more such variances than those in that section. Is that the case? If not, the word "other" should be omitted from the title.

k. The addition of the word "standards" to the title of ch. NR 106 seems inappropriate. Again, a water quality standard consists of a designated use of a water and water quality criteria that must be met to support that use, established in chs. NR 102 and 104. Discharge limits are set that ensure that applicable standards are not violated. Discharge limits are set categorically, by industry, in the NR 200 series, and on a water quality basis, for situations where the categorical limits are insufficient, in ch. NR 106. This scheme does not include a concept of "effluent standards," as this new title suggests. Furthermore, the section titles in ch. NR 106 refer to limits, not standards. Consequently, the word "standards" should be omitted from the title of ch. NR 106.

l. In the first sentence of s. NR 106.41, the word "which" should be replaced by the word "that."

m. In s. NR 106.48 (intro.), "any of" or "all of" should be inserted before "the following," depending on what is intended.

n. In s. NR 106.48 (4), what does "exceed" mean? Does this mean that the numerical value of the discharge may not be greater than that of discharges under the referenced limits or does it mean that the limits may not be more stringent, producing lower numerical discharge numbers?

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
REPEALING, RENUMBERING, RENUMBERING AND AMENDING, AMENDING, REPEALING AND
RECREATING, AND CREATING RULES

The Wisconsin Natural Resources Board proposes an order to repeal NR 102.03(10), 102.04(4)(e)1., NR 104 subch. I (title), 104.05 to 104.10, and 104 subch. II (title); to renumber NR 102.03(1) to (9), 102.04(4)(b) and (c); to renumber and amend NR 102.04(4)(intro.), (a), (d), (e)(intro.), 2. and 3.; to amend NR 102.01(2) and (3), 102.04(1) and (2), (3)(intro.), (a), (d) and (e), (4)(title), (5)(title), (b) and (6); to repeal and recreate NR 104.01 to 104.04; and to create NR 102 subch. I (title), 102.03(intro.), 102.04(2m), (4)(b)3., (c) and (d), NR 106 subch. I (title) and NR 106 subch. III (title) relating to stream classifications

WT-11-02

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 227.11(2), 281.15, and 283.13, Stats.
Statutes interpreted: ss. 281.15 and 283.13, Stats.

This proposal entails changes to chs. NR 102, 104, and 106 of the Wisconsin Administrative Code as follows:

Chapter NR 102 contains water quality standards for Wisconsin surface waters. The major change made to NR 102 includes relocation of standards and associated rule language from NR 104 to NR 102 since it is the more appropriate rule for language associated with specific designated use categories and water quality criteria necessary to support those uses for the surface waters of Wisconsin. A minor change has been to reserve Subchapter II for the thermal water quality standards currently being developed.

Chapter NR 104 contains the uses and designated standards for surface waters. The purpose of the revisions to this chapter is to update the lists of uses and designated standards to reflect current state of knowledge for those waters.

Chapter NR 106 contains procedures for the calculation of water quality-based effluent limitations for toxic and organoleptic (taste & odor) substances. Two additional subchapters have been added to this rule. Subchapter II has been reserved for the procedures for calculating water quality-based effluent limitations for the discharge of heat (i.e., temperature limitations) which are currently under development, and Subchapter III has been created to include effluent limitations for water designated as limited aquatic life waters in NR 104 have been transferred from NR 104 to NR 106 which is a more logical location.

SECTION 1. NR 102 subch. I (title) ^{preceding s. NR 102.01} is created to read:

Subchapter I: General

SECTION 2. NR 102.01(2) and (3) are amended to read:

NR 102.01(2) The long-range goal of Wisconsin water quality standards is to permit the use of water resources for all lawful purposes. Water quality standards shall protect the public interest, which includes the protection of public health and welfare and the present and prospective uses of all waters of the state for public and private water supplies, propagation of fish and other aquatic life and wild and domestic animals, domestic and recreational purposes, and agricultural, commercial, industrial, and other legitimate uses. In all cases where the potential uses are in conflict, water quality standards shall protect the general public interest.

amend ch. NR 102 (title)?
"Standards" vs. "uses & criteria"

2

(3) Water quality standards serve as a basis for developing and implementing control strategies to achieve legislative policies and goals. Water quality standards are the basis for deriving water quality based effluent limitations and the limitations shall be determined to attain and maintain uses and criteria at the point of discharge, unless more stringent effluent limitations are established to protect downstream waters. Water quality standards also serve as a basis for decisions in other regulatory, permitting or funding activities that impact water quality.

SECTION 3. NR 102.03(intro.) is created to read:

NR 102.03(intro.) In this subchapter:

(8)+(9) not used.

ok { SECTION 4. NR 102.03(1) to (9) are renumbered NR 102.03(3) to (9), (2) and (1), respectively.
SECTION 5. NR 102.03(10) is repealed.

SECTION 6. NR 102.04(1) and (2) are amended to read:

2
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X
X
NR 102.04 (title) ^{Standards} ~~Categories of surface water uses and criteria~~. (1) GENERAL. To preserve and enhance the quality of waters, ~~standards~~ ^{standards} surface water uses and criteria are established to govern water management decisions. Practices attributable to municipal, industrial, commercial, domestic, agricultural, land development or other activities shall be controlled so that all surface waters, including the mixing zone and the effluent channel meet the following conditions at all times and under all flow and water level conditions:

5
J
X
(a) Substances that will cause objectionable deposits on the shore or in the bed of a body of water, ~~shall~~ ^{may} not be present in such amounts as to interfere with public rights in waters of the state.

(b) Floating or submerged debris, oil, scum or other material ~~shall~~ ^{may} not be present in such amounts as to interfere with public rights in waters of the state.

(c) Materials producing color, odor, taste or unsightliness ~~shall~~ ^{may} not be present in such amounts as to interfere with public rights in waters of the state.

(d) Substances in concentrations or combinations which are toxic or harmful to humans ~~shall~~ ^{may} not be present in amounts found to be of public health significance, nor ~~shall~~ ^{may} substances be present in amounts which are acutely harmful to animal, plant or aquatic life.

(2)(title) REVISED ~~STANDARDS USES AND CRITERIA~~. It should be recognized that these ~~standards~~ ^{uses and criteria} will be revised as new information or advancing technology indicate that revisions are in the public interest. Water used for hydropower and commercial shipping depends mainly on quantity, depth and elevation; consequently, no specific quality ~~standards~~ ^{criteria} for these uses have been prepared.

SECTION 7. NR 102.04(2m) is created to read:

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Suggests this is an exclusive categorization system, but eff. channel is a subset of stream
shall?
low and where done?
2
put in note
2
also, what is significance of these categories? have their own criteria?
NR 102.04(2m) HYDROLOGIC CATEGORY. For purposes of this chapter and chs. NR 103 and 104, all surface waters belong to one of the following hydrologic categories. (Surface waters in any hydrologic category can be classified into any of the fish and aquatic life use subcategories:

(2) Titles are not part of the rule, so repeat them in the text here

(a) Lakes or flowages. This category includes bodies of water whose current is more or less stagnant or which lacks a unidirectional current.

(b) Wetlands. This category includes areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

Note: The uses and criteria applicable to wetlands are determined according to the provisions of ch. NR 103 unless specific provisions of ch. NR 106 apply to discharges from point sources.

(c) Streams. This category includes intermittent or continuous waters flowing in a natural or created drainage way, from a natural or created source, which may have a defined bed or bank. "Streams" includes wastewater effluent channels.

Note: The application of this classification system is not dependent on the navigability properties of the watercourse, but is dependent upon the quantity and quality of the surface water.

(d) Wastewater effluent channels. This category includes open discharge conveyances constructed primarily for the purpose of transporting wastes from a facility to a point of discharge. Drainage ditches, including those established under ch. 88, Stats., constructed primarily for the purposes of relieving excess waters on agricultural lands may not be construed as effluent channels. Modifications made to natural watercourses receiving wastewater effluents for the purpose of increasing or enhancing the natural flow characteristics of the stream may not be classified as effluent channels.

Why delete?

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SECTION 8. NR 102.04(3)(intro.), (a), (d) and (e) are amended to read:

NR 102.04(3)(title) FISH AND OTHER AQUATIC LIFE USES. ~~The department shall classify all~~ All surface waters ~~into shall belong to one of the fish and other aquatic life subcategories described in this subsection. Only these use subcategories identified in pars. (a) to (c) shall be considered suitable for the protection and propagation of a balanced fish and other aquatic life community as provided in the federal water pollution control act amendments of 1972, P.L. 92 500; 33 USC 1251 et seq.~~ Where the department determines that the presence of in-place pollutants, low natural streamflow, natural background conditions or irretrievable cultural alterations interferes with the attainment of cold water communities, warm water sport fish communities or warm water forage fish communities, a limited forage fish community or limited aquatic life use designation established in par. (d) or (e) applies.

own what are 2

why not keep this? complementary states etc

(a) Cold water communities. This subcategory includes surface waters capable of supporting a community of cold water fish and other aquatic life, or serving as a spawning area for cold water fish species. This subcategory includes, but is not restricted to, surface waters identified as trout water by the department of natural resources (Wisconsin Trout Streams, publication 6-3600 (80)) and those listed as coldwater in ch. NR 104. *no underscore*

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(d) Limited forage fish communities ~~(Intermediate surface waters)~~. This subcategory includes surface waters of limited capacity and naturally poor water quality or habitat. These surface waters are capable of supporting only a limited community of forage fish and other aquatic life.

strike this period and show existing period at end of title

(e)(title) Limited aquatic life communities ~~(Marginal surface waters)~~. This subcategory includes surface waters of severely limited capacity and naturally poor water quality or habitat. These surface waters are capable of supporting only a limited community of aquatic life.

SECTION 9. NR 102.04(4)(title) is amended to read:

NR 102.04 (4) STANDARDS CRITERIA FOR FISH AND AQUATIC LIFE.

other also in par. (c)

s. NR 102.15 sez otherwise

Fix this

(2)

SECTION 10. NR 102.04(4)(intro.) and (a) are ~~amended and~~ renumbered NR 102.04(4)(a) and 1. ^{and amended} ~~respectively.~~ _{to read:}

no model score

NR 102.04(4)(a)(title) Warm water sport fish communities and warm water forage fish communities. Except for natural conditions, all waters ~~classified for fish and aquatic life~~ designated as warm water sport fish or warm water forage fish communities shall meet the following criteria:

1. Dissolved oxygen. Except as provided in ~~par. (e) and s. NR 104.02 (3)~~ NR 104.03, the dissolved oxygen content in surface waters designated as warmwater sport fish or warm water forage fish communities may not be lowered to less than 5 mg/L at any time.

SECTION 11. NR 102.04(4)(b) and (c) are renumbered NR 102.04(4)(a)2. and 3., respectively.

SECTION 12. NR 102.04(4)(d) is renumbered NR 102.04(4)(a)4. and amended to read:

NR 102.04(4)(a)4. Other substances. Unauthorized concentrations of substances are not permitted that alone or in combination with other materials present are toxic to ~~fish or other aquatic life~~ warm water sport fish or warm water forage fish communities. Surface waters shall meet the acute and chronic criteria ~~as set forth in or developed pursuant to ss NR 105.05 and 105.06 ch. NR 105.~~ Surface waters shall meet the criteria which correspond to the appropriate ~~fish and aquatic life subcategory~~ warm water sport fish or warm water forage fish community for the surface water, ~~except as provided in s. NR 104.02 (3).~~

(title) and (intro)

(title) and (intro)

✓

SECTION 13. NR 102.04(4)(e) is renumbered NR 102.04(4)(b) and amended to read:

NR 102.04(4)(b)(title) Temperature and dissolved oxygen for cold waters Cold water communities. ~~Streams classified as trout waters by the department of natural resources (Wisconsin Trout Streams, publication 6-3600 (80)) or as great lakes or cold~~ Cold water communities shall meet the following criteria, and may not be altered from natural background temperature and dissolved oxygen levels to such an extent that ~~trout populations are~~ the cold water community is adversely affected.

SECTION 14. NR 102.04(4)(e)1. is repealed.

SECTION 15. NR 102.04(4)(e)2. and 3. are renumbered NR 102.04(4)(b)1. and 2., respectively, and amended to read:

1. Dissolved oxygen in ~~classified trout streams shall~~ waters designated as cold water communities may not be artificially lowered to less than 6.0 mg/L at any time, nor ~~shall~~ may the dissolved oxygen be lowered to less 7.0 mg/L during the spawning season.

2. The dissolved oxygen in tributaries to the great lakes ~~tributaries~~ used by stocked salmonids for spawning runs ~~shall~~ may not be lowered below natural background during the period of habitation.

SECTION 16. NR 102.04(4)(b)3., (c) and (d) are created to read:

NR 102.04(4)(b)3. Unauthorized concentrations of substances are not permitted that alone or in combination with other materials present are toxic to cold water communities. Surface waters shall meet the acute and chronic criteria in or developed pursuant to ch. NR 105. Surface waters shall meet the criteria which correspond to the appropriate cold water community for the surface water.

(c) *Limited forage fish communities.* All waters designated as limited forage fish communities shall meet the following criteria:

1. Dissolved oxygen may not be less than 3 mg/L.
2. Ammonia nitrogen (as N) at all points in the receiving water may not be greater than 3 mg/L during warm temperature conditions nor greater than 6 mg/L during cold temperatures ~~conditions~~
3. The pH shall be within the range of 6.0 to 9.0.
4. The temperature at any point in the surface water may not exceed 120°F.
5. All other substances shall meet the criteria and requirements for toxic substances for limited forage fish communities specified in or developed pursuant to ch. NR 105.

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(d) *Limited aquatic life communities:* 1. Applicability. The limited aquatic life subcategory may be applied to any hydrologic category, except that it shall be applied to all surface waters categorized as wastewater effluent channels.

belongs in (3) (2) 2

2. All waters designated as limited aquatic life communities shall meet the following criteria:
 - a. Dissolved oxygen may not be less than 1 mg/L.
 - b. The pH shall be within the range of 6.0 to 9.0.
 - c. The temperature at any point in the surface water may not exceed 120°F.
 - d. All other substances shall meet the criteria and requirements for toxic substances for the limited aquatic life designation specified in or developed pursuant to ch. NR 105.

SECTION 17. NR 102.04(5)(title), (b) and (6) are amended to read:

NR 102.04(5)(title) ~~STANDARDS~~ CRITERIA FOR RECREATIONAL USE.

(b) *Exceptions.* Whenever the department determines, in accordance with the procedures specified in s. NR 210.06, that wastewater disinfection is not required to protect recreational uses, the recreational use criteria and classifications as criteria established in this subsection and in chs. NR 103 and 104 ~~do not apply.~~ *does*

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(6) **STANDARDS FOR PUBLIC HEALTH AND WELFARE.** All surface waters shall meet the human threshold and human cancer criteria specified in or developed pursuant to ss. NR 105.08 and 105.09, respectively. The applicable criteria vary depending on whether the surface water is used for public drinking water supplies and vary with the type of fish and ~~other aquatic life subcategory use~~ designation. All surface waters providing public drinking water supplies or classified designated as cold water communities, or warm water sport fish communities ~~as described in sub. (3)~~ shall meet the taste and odor criteria specified in or developed pursuant to s. NR 102.14.

omit (not in current rule)

not needed

SECTION 18. NR 102 subch. II is created to read:

Subchapter II - RESERVED

don't need to do this

SECTION 19. NR 104, subch. I (title) is repealed.

following = NR 102.14 (2)

separate *create 104.03*

SECTION 20. NR 104.01 to 104.04 are repealed and recreated to read:

NR 104.01 General. The purpose of this chapter is to establish uses and designated standards for surface waters of the state pursuant to s. 281.15(2)(b), Stats. Surface waters within the boundaries of the state shall meet the use classification for warm water sport fish communities established in s. NR 102.04(3)(b) and the criteria for warm water sport fish communities established in s. NR 102.04(4)(a), unless the water is otherwise listed in ss. NR 104.02 to 104.04 or in ss. NR 104.20 to 104.27. Additions or deletions from these listings may be made based upon the accumulation of information necessary to make the determination and in accordance with the requirements of ch. 227, Stats., for administrative code revision.

NR 104.02 Use designations applicable to state surface waters. Use designations applicable to state surface waters are listed in Table 1.

abbrev.

Table 1

COUNTY	FACILITY	RECEIVING WATER	REACH DESCRIPTION	CLASSIFICATION	EFFECTIVE DATES	REGION	GMU
Adams	Chula Vista	Wisconsin River Tributary	NW SE T14N R6E S28	LAL		WC	Central Wisconsin
Barron	Crystal Lake	Lightning Creek Tributary	A. From the WWTP outfall in the NW SW T35N R14W S35 to the road crossing on the section line in T34N R14W between S3 and S10 B. From the road crossing in T34N R14W between S3 and S10 to the confluence with Lightning Creek	LAL LFF		NO	Upper Chippewa
Barron	Cumberland and Seneca Foods, Cumberland	Hay River	From the outlet of Beaver Dam Lake to the road crossing in the SE T35N R13W S19	LFF		NO	Upper Chippewa
Barron	Lakeland SD - Barronett	Yellow River Intermittent Tributary	From the WWTP outfall in the NE NW T36N R13W S4 to the entrance to the unnamed lake in the NE SE T36N R13W S4	LFF		NO	Upper Chippewa
Barron	Stella Cheese a.k.a Twin Town Cheese	Hay River Tributary	From the WWTP outfall in the SE NE T33N R14W S12 to the town road crossing in the NE T33N R13W S8	LAL		NO	Upper Chippewa
Barron	Turtle Lake	Moon Creek, Diffuse Surface Water and Wetland Tributary to	A. From the WWTP outfall in the SW SW T34N R14W S32 to the south boundary of S32 B. Wetland Tributary to Moon Creek from the north boundary of T33N R14W S5 to the south boundary of that section	LAL LAL		NO	Upper Chippewa
Bayfield	Bell SD #1 - Cornucopia	Lake Superior, Noncontinuous Tributary to	From the WWTP outfall in the SW NW T51N R6W S26 to Lake Superior in the SE NE T51N R6W S27	LAL		NO	Lake Superior
Bayfield	Clover SD #1 - Herbster	Lake Superior, Diffuse Surface Water and Wetland Tributary to	From the WWTP outfall in the SE NE T50N R7W S7 to Lake Superior in the SW SW T50N R17W S5	LAL		NO	Lake Superior

COUNTY	FACILITY	RECEIVING WATER	REACH DESCRIPTION	CLASSIFICATION	EFFECTIVE DATES	REGION	GMU
Bayfield	Drummond SD	Long Lake Branch, Wetland and Intermittent Tributary to	A. Wetland from the WWTP outfall spreader in the SE SW and SW SE T45N R7W S28 to the outlet weir in the SE SW T45N R7W S28	LAL		NO	Lake Superior
			B. Intermittent tributary from the wetland outlet weir to the entrance to Weso Lake	LAL			
Bayfield	Grand View	Twentymile Creek, Intermittent and Wetland Tributary to	From the WWTP outfall in the SW SE T45N R6W S15 to the confluence with Twentymile Creek	LAL		NO	Lake Superior
Bayfield	Pikes Bay SD	Lake Superior, Diffuse Surface Water Tributary to	From the WWTP outfall in the SE SE T50N R4W S22 to Lake Superior	LAL		NO	Lake Superior
Brown	Belgioioso Cheese - Pulaski, GP	Suamico River North Branch Unnamed Tributary	From SW SE T25N R19E S3 0.5 mi. to confluence with North Branch in NE SE T25N R19E S2	LAL		NE	Upper Green Bay
Brown	Denmark and Land O' Lakes	Neshota River Tributary	From Land O' Lakes outfall in NW SW T22N R22E S27 to the confluence with the Neshota River in the SW SW T22N R22E S23	LFF		NE	Lake Shore
Brown	Holland S.D. WWTP and White Clover Dairy - Holland	Plum Creek Tributaries	From White Clover Dairy @ CTH D & Town Rd to the confluence with Plum Creek	LAL		NE	Lower Fox
Brown	Morrison SD	Branch River Unnamed Tributary	From outfall at SW SW T21N R21E S6 to confluence with Branch River	LAL		NE	Lake Shore
Brown	Stella Foods - Denmark	West Twin River, Tributary to Kings Creek	From WWTP outfall in SW SE T23N R22E S22 to Michiel Road in SE SE T23N R22E S27	LAL		NE	Lake Shore
Brown	Wrightstown SD #1, Greenleaf	East River Drainage Ditch and Tributary	Ditch from the WWTP outfall in the SW SW T21N R20E S5 to the tributary in the SW SW T21N R20E S5	LAL		NE	Lower Fox
Brown	Wrightstown SD #2, Arthur Norgaard	Birch Creek	From the WWTP outfall in the SE NW T22N R20E S27 to the confluence with the East River	LAL		NE	Lower Fox
Buffalo	Dairyland Power Ash Disposal Site near Alma	Mississippi River, Intermittent Tributary to	Entire length in T21N R12W S19	LAL		WC	Black Buff Tresp
Buffalo	Nelson WWTP	Mississippi River, Wetland to the	Entire wetland at the outfall in T22N R10W S6 and S7	LAL	(At normal stage)	WC	Lower Chippewa
				WWSF	(At high stage)		
Burnett	Siren	Wetlands	Wetlands located in the W 1/2 of T38N R16W S18	LAL		NO	St. Croix
Burnett	Webster	Clam River Intermittent Tributary	From the WWTP outfall in the NE SW T39N R16W S16 to the confluence with the Clam River	LAL		NO	St. Croix

COUNTY	FACILITY	RECEIVING WATER	REACH DESCRIPTION	CLASSIFICATION	EFFECTIVE DATES	REGION	GMU
Calumet	Brillion WWTP	Black Creek (Buck Creek)	From the WWTP outfall in the NE NW T20N R20E S35 to Brillion Marsh	LAL		NE	Lake Shore
Calumet	Hilbert WWTP	Manitowoc River North Branch Tributary	From the WWTP outfall in the NE SW T19N R20E S5 to the confluence with the North Branch Manitowoc River	LFF		NE	Lake Shore
Calumet	New Holstein	Jordan Creek and Tributary - Pine Creek	A. Jordan Creek from its origin to Pine Creek	LAL		NE	Lake Shore
			B. Pine Creek upstream from Danes Road	LFF			
Calumet	Potter, Village	Manitowoc River North Branch Drainage Ditch	From the WWTP outfall in the SE NE T18N R20E S15 to the confluence with the North Branch Manitowoc River	LAL		NE	Lake Shore
Calumet	Sherwood WWTP	Manitowoc River North Branch Wetland Tributary	A. From the WWTP outfall to the wetland in the NE T20N R19E S29	LAL		NE	Lake Shore
			B. Wetland in the T20N R19E from S29 through sections 20 and 21	LAL			
Calumet	Stockbridge, Village	Mud Creek, Wetland and Tributary	A. Wetland and tributary from the wetland area to the confluence with Mud Creek	LAL		NE	Upper Fox
			B. From confluence with Mud Creek tributary to Lake Winnebago	LFF			
Calumet	Tecumseh Products, GP	Jordan Creek Tributary	Tributary from Tecumseh Products to Jordan Creek	LAL		NE	Lake Shore
Calumet	White Clover Dairy - Sherwood Whey Plant	Kankapot Creek and Unnamed Tributary West	A. From the outfall in the NW SE T20N R18E S13 to crossing at Smidt Rd/Station 3 in the NW SE T19N R18E S13	LAL		NE	Lower Fox
			B. From Smidt Rd/Station 3 in the NW SE T19N R18E S13 to confluence with Fox River	LFF			
Calumet/ Brown	Forest Junction San. Dist.	Plum Creek Tributary	From the WWTP outfall in the NW SW T20N R20E S9, Calumet County to the convergence with the streams (rivulets) in the SW T21N R20E S31, Brown County	LAL		NE	Lower Fox
Chippewa	Manitou Camp	Wetland	Entire wetland in the SE NW T32N R8W S19	LAL		WC	Lower Chippewa
Chippewa	Northern Wisconsin Center	Chippewa River Wetland Tributary	N 1/2 SE T28N R8W S4	LFF		WC	Lower Chippewa
Clark	Chili WWTP	South Branch Yellow River Tributary	From the WWTP outfall in the SE NW T25N R1E S22 to the confluence with the South Branch Yellow River	LAL		WC	Central Wisconsin
Clark	Curtiss WWTP	East Fork Popple River Tributary	Wetland tributary in the W 1/2 of T29N R1E S32 to the NE NW T28N R1E S5	LAL		WC	Black Buff Tremp
Clark	Dorchester WWTP	North Fork Popple River Tributary	From the WWTP outfall in the SE NE T29N R1E S14 to the confluence with the North Fork Popple River	LFF WWSF	July - Feb Mar - June	WC	Black Buff Tremp

COUNTY	FACILITY	RECEIVING WATER	REACH DESCRIPTION	CLASSIFICATION	EFFECTIVE DATES	REGION	GMU
Clark	Stella Foods	McGrogan Creek	From CTH "X" to the confluence with the North Fork Eau Claire River	LFF		WC	Lower Chippewa
Columbia	Arlington WWTP	Goose Lake Tributary	From the WWTP outfall in the SE NW T10N R9E S24 to Goose Lake	LAL		SC	Lower Rock
Columbia	Friestand Village	Grand River Unnamed Tributary	From the WWTP outfall in the SW SW T13N R12E S15 to the Columbia - Green Lake County line	LAL		SC	Upper Fox
Columbia	Rio WWTP	Rocky Run Creek Tributary	From the WWTP outfall in the NE NE T11N R10E S1 to the confluence with Rocky Run Creek	LAL		SC	Lower Wisconsin
Dane	Blue Mounds WWTP	Williams Creek Tributary	From the WWTP outfall in the SW NW T6N R6E S7 to the east line of the NE SE T6N R5E S14	LFF		SC	Sugar Pecos
Dane	Genex	Koshkonong Creek, Unnamed Tributaries to	A. From Nora Road downstream to the confluence with ditch 14-7 B. Ditch 14-7 the entire length	LAL LFF		SC	Lower Rock
Dane	Deerfield WWTP	Mud Creek Tributary	From the WWTP outfall in the SW SW T7N R12E S22 to the confluence with Mud Creek	LAL		SC	Lower Rock
Dane	Lake Mills WWTP	Rock Creek	From the WWTP outfall in the	LFF		SC	Upper Rock
Dane	Madison Metro Sewerage Commission	Oregon Branch, Ditch to the	From the WWTP aerator outfall in the SE NE T6N R10E S19 to the Oregon Branch	LAL		SC	Lower Rock
Dane	Oregon WWTP	Oregon Branch and Badfish Creek	A. From the WWTP outfall in the NW NE T5N R9E S12 to the confluence with the Madison Metro effluent ditch in the NW SE T5N R10E S6 B. From the confluence with the Madison Metro effluent ditch in the NW SE T5N R10E S6 to the confluence with the Rutland Branch C. Badfish Creek from the confluence with Rutland Branch and Oregon Branch to CTH "A"	LAL LFF LFF		SC	Lower Rock
Dane	Roxbury WWTP	Roxbury Creek (a.k.a. Blums Creek)	From the WWTP outfall in the SW SW T9N R7E S16 to the SW SE T9N R7E S17	LFF		SC	Lower Wisconsin
Dane	Sun Prairie WWTP	Koshkonong Creek	Koshkonong Creek from the NW NE T8N R11E S8 to CTH "T"	LAL		SC	Lower Rock
Dodge	Brownsville WWTP and Grande Cheese	Kummel Creek	From the WWTP outfall in the NW NE T13N R17E S8 to CTH "HH"	LFF		SC	Upper Rock
Dodge	Clyman WWTP	Dead Creek Tributary	From the WWTP outfall in the SW SE T10N R15E S15 to the confluence with Dead Creek	LAL	through 09/30/2005 LFF 10/01/2005	SC	Upper Rock
Dodge	Hidden Meadows Mobile Home Park	Rock River Tributary	From the WWTP outfall in the SW SW T9N R16E S33 to the confluence with the Rock River	LAL		SC	Upper Rock

COUNTY	FACILITY	RECEIVING WATER	REACH DESCRIPTION	CLASSIFICATION	EFFECTIVE DATES	REGION	GMU
Dodge	Iron Ridge WWTP	Wildcat Creek Tributary	From the WWTP outfall in the NW NW T11N R16E S25 to the confluence with Wildcat Creek	LAL		SC	Upper Rock
Dodge	Juneau WWTP	Dead Creek and Tributary	A. From the WWTP outfall in the NE NE T11N R15E S33 to the confluence with the Clyman tributary in the NW NE T10N R15E S10 B. Dead Creek from the confluence with the Clyman tributary in the NW NE T10N R15E S10 to STH "115"	LAL LFF		SC	Upper Rock
Dodge	Lebanon SD	Baker Creek Tributary	From the WWTP outfall in the SE NE T9N R16E S17 to the confluence with Baker Creek	LAL		SC	Upper Rock
Dodge	Lomira WWTP	East Branch Rock River Tributary	From the WWTP outfall in the NW SE T13N R17E S22 to Soo Road	LFF		SC	Upper Rock
Dodge	Randolph WWTP	Beaver Creek Tributary	From the WWTP outfall in the SW NW T12N R13E S7 to the confluence with Beaver Creek	LFF		SC	Upper Rock
Door	Peninsula State Park	Door County Wetland	Wetland adjacent to the sewage disposal ponds in the NW 1/2 T31N R27E S16	LAL		NE	Lake Shore
Door	Sevastopol SD #1	Donlans Creek (Formerly Maple Creek) and Wetland to Dunes Lake	From the WWTP outfall in the SE NW T28N R27E S18 to the center of T28N R27E S19	LAL		NE	Lake Shore
Douglas	Camp Amnicon	Amnicon River, Diffuse Surface Water and Wetland Tributary to	From the WWTP outfall in the SE NE T49N R12W S33 to the confluence with the Amnicon River in the SW NW T49N R12W S34	LAL		NO	Lake Superior
Douglas	Duluth, Winnipeg, and Pacific	Pokegema River Tributary	From the WWTP outfall in the NW T48N R14W S17 to the confluence with the Pokegema River	LFF		NO	Lake Superior
Douglas	Lakehead Pipeline	Nemadji River, Diffuse Surface Water Tributary to	From the WWTP outfall in the NE SE T49N R14W S36 to the Nemadji River in the SE SE T49N R14W S36	LAL		NO	Lake Superior
Douglas	Maple Middle School	Bardon Creek	A. Bardon Creek above its confluence with the tributary in the NE NW T48N R11W S33 B. Bardon Creek from its confluence with the tributary in the NE NW T48N R11W S33 to STH 13	LAL LFF		NO	Lake Superior
Douglas	Murphy Oil Refinery	Newton Creek	From the outfall in the SW SE T49N R14W S25 to its mouth at Hog Island Inlet	LFF		NO	Lake Superior
Douglas	Northwestern High School	Bardon Creek and Tributary	A. From the WWTP outfall in the NE SE T48N R11W S34 to the confluence with Bardon Creek in the SE NE T48N R11W S28 B. From the confluence with the tributary in the NE NW T48N R11W S33 to STH 13	LAL LFF		NO	Lake Superior

COUNTY	FACILITY	RECEIVING WATER	REACH DESCRIPTION	CLASSIFICATION	EFFECTIVE DATES	REGION	GMU
Douglas	Superior School District - Four Corners School	Copper Creek Intermittent Tributary	From the WWTP outfall in the NW SW T47N R14W S24 to the confluence with another tributary in the SW NE T47N R14W S23	LFF		NO	Lake Superior
Douglas	Superior, Village of	Pokegama River and Pokegama River Diffuse Surface Water Tributary	A. From the WWTP outfall in the SW SW T48N R14W S10 to the confluence with the Pokegama River B. Pokegama River from the above confluence to its mouth in Pokegama Bay	LAL LFF		NO	Lake Superior
Douglas	WDNR Pattison State Park	Black River, Diffuse Surface Water Tributary to	From the WWTP outfall in the NE SE T47N R14W S21 to the confluence with the Black River	LAL		NO	Lake Superior
Douglas		Superior Bay		CW		NO	Lake Superior
Douglas		Hog Island Inlet		CW		NO	Lake Superior
Dunn	Allied Processors, Inc	Tiffany Creek	Entire length of Tiffany Creek in Dunn County	CW		WC	Lower Chippewa
Dunn	Bullfrog Business Trout Farm	Unnamed Tributary to Wetland	From the outfall to the wetland in the SE SE T26N R12W S18 and the NE NE T26N R12W S19	LAL		WC	Lower Chippewa
Dunn	Elk Mound WWTP	Muddy Creek Wetland and Wetland Tributary	A. Wetland tributary from the WWTP outfall in the NE NE T29N R11W S34 to the town road between S33 and S34 B. Wetland east of the WWTP in the NE NE T29N R11W S34	LAL LFF	June - Aug Sept - May	WC	Lower Chippewa
Eau Claire	Bush Brothers	Bridge Creek Unnamed Tributary	From the storm sewer outfall to its confluence with First Trestle Creek and Bridge Creek	LFF		WC	Lower Chippewa
Fond du Lac	Alto Dairy Co-Op - Alto	Rock River, Drainage Ditch and Tributary to	A. Ditch from the Alto Dairy Co-Op process water discharge outfall in the SE NE T14N R14E S23 to the tributary to the Rock River in the SE NE T14N R14E S23 B. Tributary from the SE NE T14N R14E S23 to the confluence with the Rock River	LAL LFF		NE	Upper Rock
Fond du Lac	Brandon WWTP	Gallagher Marsh Drainage Ditch and Diffuse Surface Water to	A. Ditch from the WWTP outfall in the NW NW T15N R14E S36 to STH "49" in the SE NW T14N R14E S1 B. Diffused surface water from STH "49" in the SE NW T14N R14E S1 to Gallagher Marsh	LAL LAL		SC	Upper Rock
Fond du Lac	Brandon WWTP	Brandon Tributary to Gallagher Marsh	From the WWTP outfall to Gallagher Marsh	LFF		NE	Upper Rock
Fond du Lac	Eden WWTP	DeNeveu Creek Tributary	From the WWTP outfall in the NW SE T14N R18E S8 to the confluence with DeNeveu Creek	LFF		SC	Upper Fox

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Fond du Lac	Fairwater WWTP	Grand River Tributary	From the WWTP outfall in the NW NW T15N R14E S31 to the confluence with the Grand River	LAL		SC	Upper Fox
Fond du Lac	Mt. Calvary WWTP	Sheboygan River Tributary	From the WWTP outfall in the NW NW T16N R19E S28 to CTH "CCC"	LFF		NE	Sheboygan
Fond du Lac	Rosendale	West Branch of the Fond du Lac River Tributary	Tributary from Rosendale STP downstream to confluence with West Branch Fond du Lac River	LFF		NE	Upper Fox
Grant	Bagley WWTP	Mississippi River Tributary	From the WWTP outfall in the NE NE T5N R6W S20 to the confluence with the Mississippi River	LAL		SC	Grant-Platte
Grant	Dickeyville WWTP	Indian Creek and Tributary	A. From the WWTP outfall in the NW NW T2N R2W S27 to the confluence with Indian Creek	LAL		SC	Grant-Platte
			B. Indian Creek from the confluence with the above tributary to a short distance below Indian Creek Road in the NW NW T2N R2W S29	LFF			
Grant	Fennimore WWTP	Gregory Branch of the Grant River	From the WWTP outfall in the SE SW T6N R2W S19 to the highway "61" bridge	LFF		SC	Grant-Platte
Grant	Foremost Farms, Lancaster	Pigeon Creek Tributary	From the headwaters in the NW T4N R3W S2 to the confluence with Pigeon Creek in the SW T4N R3W S11	LFF		SC	Grant-Platte
Grant	Jamestown SD #2	Menomonee River Tributary	From the WWTP outfall in the SW NE T1N R2W S28 to the confluence with the Menomonee River	LAL		SC	Grant-Platte
Grant	Kieler SD #1	Sinnipee Creek	From the WWTP outfall in the SE SE T2N R2W S33 to the spring in the NW NE T1N R2W S4	LAL		SC	Grant-Platte
Grant	Lancaster WWTP	Pigeon Creek Tributary	From the WWTP outfall in the SW NE T4N R3W S10 to the confluence with Pigeon Creek	LFF		SC	Grant-Platte
Grant	Livingston WWTP	Little Platte River	From the WWTP outfall in the NW SE T5N R1W S24 to New California Road	LFF		SC	Grant-Platte
Grant	Mount Hope WWTP	Little Grant River	From the WWTP outfall in the NW SE T6N R4W S28 to a westerly tributary in the SE NW T5N R4W S5	LFF		SC	Grant-Platte
Grant	Orchard Manor	Austin Branch, Dry Run to	From the WWTP outfall in the SE NE T4N R3W S14 to the confluence with the Austin Branch	LAL		SC	Grant-Platte
Grant	Patch Grove WWTP	Grant River, Tributary to the Blake Fork of the	From the WWTP outfall in the SW SE T5N R5W S4 to a westerly tributary in the SE NE T5N R5W S16	LFF		SC	Grant-Platte
Grant	Potosi WWTP	Wetland	Wetland located in the NE T2N R2E S9	LAL		SC	Grant-Platte
Grant	Sinsinawa Dominicans Inc.	Menomonee River Tributary	From the WWTP outfall in the NW NW T1N R1W S31 to the Wisconsin-Illinois border	LAL		SC	Grant-Platte

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Green	Brooklyn WWTP	Allen Creek	From the WWTP outfall in the SE NW T4N R10E S6 to the first town road bridge below CTH "T" in the SW SE T4N R10E S8	LFF		SC	Sugar-Pecatonica
Iowa	Dodgeville WWTP	Dodge Branch	From the WWTP outfall in the SE SE T6N R3E S27 to 1200 yards below STH 191	LFF		SC	Sugar-Pecatonica
Iowa	Highland WWTP	Big Spring Branch	From the WWTP outfall in the NE SE T7N R1E S29 to the northern section line of T7N R1E S19	LFF		SC	Lower Wisconsin
Iowa	Mineral Point WWTP	Brewery Creek	From the WWTP outfall in the NE SE T4N R3E S6 to the confluence with the Rock Branch	LAL	through 12/31/2002	SC	Sugar-Pecatonica
				LFF	01/01/2003		
Iowa	Rewey WWTP	Williams-Rewey Branch Unnamed Tributary of the Pecatonica River	From the WWTP outfall in the SW NE T4N R1E S8 to the confluence with the Williams Branch of the Pecatonica River	LAL		SC	Sugar-Pecatonica
Iowa	Ridgeway WWTP	Smith-Conley Creek	From the WWTP outfall in the NW SE T6N R4E S14 to the northern section line of T6N R4E S23	LFF		SC	Sugar-Pecatonica
Iron	Anderson SD - Whitecap Mountain	Alder Creek, Diffuse Surface Water and Wetland Tributary to	From the WWTP outfall in the NE NW T45N R1E S8 to Alder Creek in the SE NW T45N R1E S8	LAL		NO	Lake Superior
Iron	Knight SD, Town of - Iron Belt	Cemetery Creek, Effluent Ditch Tributary to	From the WWTP outfall in the SE NW T45N R1E S2 to the confluence with Cemetery Creek	LAL		NO	Lake Superior
Iron	Saxon	Vaughn Creek	From the WWTP outfall in the NE T46N R1W S1 to the west boundary of T46N R1W S1	LFF		NO	Lake Superior
Jefferson	Helenville WWTP	Deer Creek Tributary	From Grunners Road in the NE SE T6N R15E S3 to the confluence with an unnamed tributary in the SW SE T6N R15E S3	LFF		SC	Lower Rock
Jefferson	Ixonia SD	Rock River Tributaries	A. From the WWTP outfall in the NW SW T8N R16E S22 to the juncture with a tributary to the Rock River	LAL		SC	Upper Rock
			B. From the above juncture in the NE SW T8N R16E S28 to the confluence with the Rock River	LAL	through 09/30/2007		
				LFF	10/01/2007		
Jefferson	Spacious Acres Mobile Home Community	Duck Creek Tributary	From the WWTP outfall in the NE SW T7N R16E S27 to the confluence with Duck Creek	LAL		SC	Lower Rock

COUNTY	FACILITY	RECEIVING WATER	REACH DESCRIPTION	CLASSIFICATION	EFFECTIVE DATES	REGION	GMU
Jefferson	Sullivan WWTP	Duck Creek and Tributary	A. From the WWTP outfall in the NE NW T6N R16E S3 to the confluence with Duck Creek	LAL		SC	Lower Rock
			B. Duck Creek former stream channel from the effluent ditch downstream juncture with northerly drainage ditch in T6N R16E S5	LFF			
Juneau	Merrick Foods	Baraboo River Tributary	NW SE T14N R2E S21	LAL		WC	Central Wisconsin
Juneau	Pleasant Acres Nursing Home	Webster Creek Tributary	Ditch from the WWTP outfall in the NW SW T16N R2E S24 to the confluence with Webster Creek	LAL		WC	Central Wisconsin
Kenosha	Bong Recreation Area	Peterson Creek	From the WWTP outfall in the NW SE T2N R20E S16 to the wetland in the SE NE T2N R20E S30	LAL		SE	Fox (Illinois)
Kenosha	Brighton Dale County Park	Brighton Creek Wetland Tributary	From the WWTP outfall in the SW NE T2N R20E S10 to Brighton Creek at STH "142"	LAL		SE	Fox (Illinois)
Kenosha	Bristol	Des Plaines River Tributary	Tributary from Bristol to the Des Plaines River	LAL	through 09/30/2005	SE	Fox (Illinois)
				WWSF	10/01/2005		
Kenosha	Kenosha Beef International	Des Plaines River Center Branch Unnamed Tributary	A. From the WWTP outfall in the NE NW T2N R21E S26 to an unnamed private road in the NE NW T2N R21E S35	LAL		SE	Fox (Illinois)
			B. From above unnamed private road in the NE NW T2N R21E S35 to confluence with the Center Branch Des Plaines River	LFF			
Kenosha	Pleasant Prairie S.D. #73-1	Des Plaines River Unnamed Tributary	From the WWTP outfall in the SW T1N R22E S33 to the beginning of the wetland in the SW NW T1N R22E S17	LAL		SE	Fox (Illinois)
Kenosha	Pleasant Prairie Util. District "D"	Pleasant Prairie Tributary	Pleasant Prairie Tributary from its origin to the Des Plaines River	LAL		SE	Fox (Illinois)
Kenosha	Rainbow Lake Manor	Mud Lake Wetland Tributary	From the WWTP outfall in the SW SW T1N R21E S32 to Mud Lake	LAL		SE	Root-Pike
Kewaunee	Packerland Whey Products	School Creek Unnamed Creek	School Creek upstream from confluence with Kewaunee River	LFF		NE	Lake Shore
Kewaunee	Thiry Daems Cheese Factory	Kewaunee River Unnamed Tributary	From Lowell Rd (SW NE T24N R23E S4) to confluence with Kewaunee River at SW SE T25N R23E S34	LAL		NE	Lake Shore
Kewaunee	Weyauwega Milk - Luxemburg	East Twin Unnamed Tributary	From the WWTP outfall to SE SE T23N R23E S27 to Sleepy Hollow Road in NE NE T23N R23E S26	LAL		NE	Lake Shore
La Crosse	Bostwick Mobile Home Park	Bostwick Creek	Entire length of Bostwick Creek in La Crosse County upstream from swamp road	CW		WC	Bad-Axe

COUNTY	FACILITY	RECEIVING WATER	REACH DESCRIPTION	CLASSIFICATION	EFFECTIVE DATES	REGION	GMU
La Crosse	Maple Grove Estates	Pleasant Valley Creek, Wetland Tributary to	From the WWTP outfall in the NE SW T16N R6W S8	LFF		WC	La Crosse
La Crosse	Ridgeview Inn	Bostwick Creek, Tributary (Tollefson Coulee) to	From the WWTP outfall in the NW NW T15N R6W S10 to the spring headwaters in the SW SW T15N R6W S3	LAL		WC	La Crosse
La Crosse	Rockland WWTP	La Crosse River Wetland Tributary	From the Rockland STP outfall in the N 1/2 NW T17N R5W S36 to a wetland and outlet channel to the confluence with the La Crosse River	LFF	July - Feb	WC	La Crosse
La Crosse	St. Joseph WWTP	Mormon Creek Intermittant Headwater	From the WWTP outfall in the NW NE T15N R6W S13 to the spring located in the SW NE T15N R6W S13 (one half mile)	LAL		WC	La Crosse
Lafayette	Cuba City WWTP	Coon Branch	A. From the WWTP outfall in the NW SW T2N R1E S31 to the first westerly tributary in the NW SE T1N R1E S5 B. From the first westerly tributary in the NW SE T1N R1E S5 to STH "11"	LAL LFF		SC	Grant-Platte
Lafayette	Shullsburg WWTP	Shullsburg Branch Tributary	From the WWTP outfall in the SW NE T1N R2E S3 to the confluence with the Shullsburg Branch	LAL		SC	Grant-Platte
Lincoln	Lincoln Hills School	North Branch Prairie River Tributary	From the WWTP outfall in the SE NE T33N R7E S20 to the confluence with the North Branch Prairie River	LAL		NO	Headwaters
Lincoln	Russell WWTP, Town of	North Branch of the Prairie River Ditch Tributary	Ditch from the WWTP outfall in the SE NW T33N R8E S29 to the North Branch of the Prairie River	LAL		NO	Headwaters
Lincoln	Tomahawk WWTP	Wisconsin River Tributary	Ditch from the WWTP outfall in the NW SE T34N R6E S10 to the confluence with the Wisconsin River	LAL		NO	Headwaters
Manitowoc	Kellnersville WWTP	Kriwaniks Creek Drainage Ditch	From the WWTP outfall in the SE NW T20N R23E S7 to the confluence with Kriwaniks Creek	LFF		NE	Lake Shore
Manitowoc	Kossuth Town SD #2 (uninc. Rockwood)	West Twin River Unnamed Tributary	From origin in the SE SE T20N R23E S26 to confluence with W. Twin River in the NE T20N R24E S30	LAL		NE	Lake Shore
Manitowoc	Maribel	West Twin River Unnamed Tributary	From the WWTP outfall in the SW SE T21N R22E S23 to CTH "R" (a.k.a. STH "141")	LAL		NE	Lake Shore
Manitowoc	Reedsville	Mud Creek	From the Reedsville STP downstream to the Manitowoc River	LAL		NE	Lake Shore
Manitowoc	Rockland SD	Mud Creek Drainage Ditch	From the WWTP outfall in the SE SE T19N R21E S27 to the confluence with Mud Creek	LAL		NE	Lake Shore
Manitowoc	Stock Manufacturing Corp & Dinner Club	Pine Creek Unnamed Tributary	From the WWTP outfall in the SE NE T18N R23E S21 to CTH "CR"	LAL		NE	Lake Shore

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Manitowoc	Valders WWTP	Manitowoc River Tributary	From the WWTP outfall in the SE NW T19N R22E S32 to the confluence with the Manitowoc River	LAL		NE	Lake Shore
Manitowoc	Whitelaw, Village WWTP	Hempton's Lake Tributary	From WWTP outfall in the SE NW T19N R22E S2 to Hempton's Lake	LAL		NE	Lake Shore
Marathon	Abbotsford WWTP	Elm Brook	A. From the headwaters of Elm Brook in the NW SW T29N R2E S31 to Lincoln Road in T28N R2E between S7 and S18	LAL		WC	Central Wisconsin
			B. From Lincoln Road in T28N R2E between S7 and S18 to the confluence with Dill Creek	LFF			
Marathon	Colby WWTP	Dill Creek	From the headwaters (TRS) to Cloverdale Road in T28N R2E between S29 and S32	LFF		WC	Central Wisconsin
Marathon	Edgar WWTP	Scotch Creek	From the WWTP outfall in the SW SW T28N R5E S7 to the confluence with Soda Creek	LFF		WC	Central Wisconsin
Marathon	Foremost Farms USA Coop - Abbotsford	Elm Brook	A. From the headwaters of Elm Brook in the NW SW T29N R2E S31 to Lincoln Road in T28N R2E between S7 and S18	LAL		WC	Central Wisconsin
			B. From Lincoln Road in T28N R2E between S7 and S18 to the confluence with Dill Creek	LFF			
Marathon	Mid Whey Powder	Scotch Creek	From the WWTP outfall in the SW SW T28N R5E S7 to the confluence with Soda Creek	LFF		WC	Central Wisconsin
Marathon	Milan WWTP and Foremost Foods	Randall Creek	A. Entire stream above the middle of T29N R3E S21	LAL		WC	Central Wisconsin
			B. From the middle of T29N R3E S21 to the confluence with the Big Eau Pleine River	LFF			
Marathon	Rozellville WWTP	Wild Creek and Tributary	A. Ditch from the WWTP outfall in the SE NW T26N R4E S16 to Wild Creek	LAL		WC	Central Wisconsin
			B. Wild Creek from the SE NE T26N R4E S17 to the confluence with the Little Eau Pleine River	LFF			
Marathon	Spencer WWTP	Little Eau Pleine River Tributary	From the WWTP outfall in the SW NE T26N R2E S8 to the confluence with the Little Eau Pleine River	LAL		WC	Central Wisconsin
Marathon	Stratford WWTP	Big Eau Pleine River Tributary	From the WWTP outfall in the NE SE T27N R4E S19 to the confluence with Big Eau Pleine River	LAL		WC	Central Wisconsin
Marathon	Unity WWTP	Wetland of Little Eau Pleine River	Wetland in NW NE T27N R1E S1	LAL		WC	Central Wisconsin

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Milwaukee	Milwaukee Grey Iron, 83rd Street, West Allis	Honey Creek	All existing concrete lined or enclosed reaches extending from Honey Creek Parkway Bridge in the SW SE T7N R21E S28 to the NW SW T6N R21E S23	LAL		SE	Milwaukee
Milwaukee	Briggs and Stratton, Froedert Malting Co, General Electric Co, Pressed Steel Tank Co	Kinnickinnic River (43rd Street Ditch) Unnamed Tributary and Storm Sewers	Upstream from the confluence with the Kinnickinnic River in the SE NE T6N R21E S12 to the headwaters in the NW SE T6N R21E S2	LAL		SE	Milwaukee
Milwaukee	MMSD c.s.o. downstream of 13th St. and Milwaukee Co. General Mitchell Field	Kinnickinnic River (Wilson Park Creek) Unnamed Tributary	A. All existing concrete lined or enclosed reaches from the confluence with Edgerton Channel in the SE NW T6N R22E S27 to 6th Street in the SE SW T6N R22E S20 B. All natural or earth lined reaches between 6th Street in the SE SW T6N R22E S20 to 20th Street in the NW NE T6N R22E S19 C. All existing concrete lined or enclosed reaches from 20th Street in the NW NE T6N R22E to the confluence with the Kinnickinnic River in the SE SE T6N R21E S12	LAL LFF LAL		SE	Milwaukee
Milwaukee		Kinnickinnic River	Upstream of 6th Street in the City of Milwaukee to the headwaters	LAL		SE	Milwaukee
Milwaukee	GPs: Interstate Forging Ind Inc, Stainless Foundry & Eng'g Inc, Manders Premier Inc. GPs: Outboard Marine Corp, Wisc Color Press, Bardes Plastics, Univ'l Fds-Red Star Yeast	Lincoln Creek in Milwaukee County	A. All concrete lined or enclosed reaches upstream of the Teutonia Avenue bridge in the NE SE T8N R21E S36 to the 32nd Street bridge and drop structure in the NW NE T17N R21E S1 B. All natural or earth lined channel reaches upstream of the 32nd Street bridge and drop structure in the NW NE T7N R21E S1 to the Hampton Avenue bridge in the NE NE T7N R21E S3 C. All concrete lined or enclosed reaches upstream of the Hampton Avenue bridge in the NE NE T21N R7E S3 to the drop structure located in the SE SE T8N R21E S26 D. All natural or earth lined reaches upstream of the drop structure in the SE SE T8N R21E S26 to the concrete lined reach in the SE SE T8N R21E S15 E. All concrete lined or enclosed reaches upstream of the SE SE T8N R21E S15 to the storm sewer headwater in the SE SE T8N R21E S15	LAL LFF LAL LFF LAL		SE	Milwaukee

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Milwaukee	GPs: Solvox Mfg., Inc.	Underwood Creek	All existing concrete lined or enclosed reaches from the confluence with the Menomonee River upstream to the drop structure located at the Waukesha - Milwaukee County line	LAL		SE	Milwaukee
Milwaukee	Lakeview Hospital, Zignego Ready Mix, GP	Underwood Creek (South Branch) Unnamed Tributary	All existing concrete lined or enclosed reaches from South Branch of Underwood Creek from NW NW T6N R21E S6 to the confluence with Underwood Creek	LAL		SE	Milwaukee
Milwaukee		Wilson Park Creek, Edgerton Channel, Unnamed Tributary	Upstream of the confluence with the Kinnickinnic River in the SE NW T6N R22E S27 to the headwaters at Nicholson Road in the NE SE T6N R22E S27	LAL		SE	Milwaukee
Monroe	Cashton WWTP	Little LaCrosse River Tributary	From the WWTP outfall in NW SW T15N R3W S30 to the SE SE T15N R4W S24	LAL		WC	Bad-Axe
Monroe	Kendall WWTP	Baraboo River	Entire length of Baraboo River in Monroe County	CW		WC	Central Wisconsin
Monroe	Oakdale WWTP	Allen Creek Tributary	From the WWTP outfall in the NE NW T17N R1E S10 to the confluence with Allen Creek	LAL		WC	Lower Wisconsin
Oconto	Bond Food Products	Oconto River	From the mouth to the dam at Stiles	CW		NE	Upper Green Bay
Oconto	Lena WWTP and Stella Foods - Lena	Little River Tributary (a.k.a. Jones Creek)	A. From the headwaters to State Highway 141 B. From State Highway 141 to a point 1/2 mile downstream of Belgium Road in the NW NE T29N R20E S25	LAL LFF		NE	Upper Green Bay
Oconto	New Harvest Foods, Pulaski	Little Suamico River Tributary	From the stormwater outfall in the SW SW T26N R19E S31 to the confluence with the Little Suamico River	LAL		NE	Upper Green Bay
Oneida	Three Lakes WWTP	Townline Lake Wetland Tributary	From the WWTP outfall in the NE NE T38N R10E S12 to Townline Lake	LAL		NO	Headwaters
Outagamie	Bear Creek	Bear Creek (Embarrass)	From the Bear Creek STP to the Embarrass River	LFF		NE	Wolf
Outagamie	Dale SD #1	Rat River Tributary	A. From the WWTP outfall at Depot Road in T21N R15E between S27 and S28 to the confluence with a secondary tributary 1/2 mile south of Cedar Road at county line B. From the confluence with a secondary tributary 1/2 mile south of Cedar Road at county line to the confluence with the Rat River	LAL LFF		NE	Wolf

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Outagamie	Hillshire Farms Co.	Wolf River Tributary	A. From the WWTP outfall in the NE NE T22N R15E S19 to a point 1/2 mile downstream	LAL		NE	Wolf
			B. From this 1/2 mile point downstream to the confluence with the Wolf River	LFF			
Outagamie	Seymour WWTP and Black Creek WWTP	Black Creek	From the Seymour WWTP outfall in the NW NW T24N R18E S32 to the confluence with the Shioc River	LFF		NE	Wolf
Outagamie	Stephensville WWTP	Bear Creek (Wolf)	From the WWTP outfall in the NE NW T22N R16E S20 to the confluence with the Wolf River	LFF		NE	Wolf
Ozaukee	Belgium and Lakeside Foods - Belgium	Onion River Tributary	From Belgium to the Onion River	LAL		SE	Sheboygan
Pierce	Ellsworth WWTP	Isabelle Creek	A. Entire length in T26N R17W S17, S20, S21 and S28	LAL		WC	Lower Chippewa
			B. Entire length in the NW NW T26N R17W S33 and the NW 1/2 T25N R17W S4	LFF			
Polk	Amani SD	Diffuse Surface Water Drainageway and Wetland	A. From the WWTP outfall in the NW NE T32N R18W S19 for 0.75 miles to 1/4 mile east of S19 and S20 town road	LAL		NO	St. Croix
			B. Wetland located in SW T32N R18W S20 tributary to unnamed lakes in SE SW T32N R18W S20	LAL			
Polk	Clayton	South Branch of Beaver Brook Tributary	From the WWTP outfall in the NW T33N R15W S13 for 1.5 miles to the east-west town road in T33N R15W S11	LFF		NO	St. Croix
Polk	Clear Lake	Willow River Tributary	From the WWTP outfall in the NW SW T32N R15W S20 to the confluence with the Willow River	LFF		NO	St. Croix
Polk	Land O Lakes, Inc	Unnamed Lake, Effluent Ditch Tributary to	From the WWTP outfall in the SW T32N R15W S18 to the unnamed lake in the SW T32N R15W S18	LAL		NO	St. Croix
Polk	Luck	Wetland Tributary to Unnamed Stream	From the WWTP outfall in the NW SW T36N R17W S21 to the confluence with the unnamed stream just across the railroad tracks in the NW SW T36N R17W S21	LAL		NO	St. Croix
Portage	Junction City WWTP	Mill Creek Tributary	From the headwaters in the NW NE T24N R6E S3 to the confluence with Mill Creek	LAL		WC	Central Wisconsin
Price	Ogema SD #1	Wetlands	Wetlands located in the SW T34N R1E S13 and T34N R1E S14	LAL		NO	Upper Chippewa
Racine	Eagle Lake San. Dist.	Eagle Creek	A. From Eagle Lake to CTH "J"	LAL		SE	Fox (Illinois)
			B. From CTH "J" to the Fox River	LFF			

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Racine	Fonk's Mobile Home Park - Hickory Haven	Des Plaines River Unnamed Tributaries	A. From the WWTP outfall in the NW SW T3N R21E S31 to the confluence with a second unnamed tributary in the SE SE T3N R21E S31	LAL		SE	Fox (Illinois)
			B. From the above confluence of two unnamed tributaries to the confluence with the Des Plaines River	LFF			
Racine	Fonk's Mobile Home Park - Yorkville	Root River Canal East Branch	A. From CTH "E" in the SW SW T2N R21E S11 to STH "20" in the NW SE T3N R21E S11	LAL		SE	Root-Pike
			B. From STH "20" to the confluence with the West Branch Root River Canal in the NW SW T4N R21E S23	LFF			
Racine	Lakeview Neurological Rehabilitation Center	Goose Lake Branch Canal, Dover Ditch to the	From the WWTP outfall in the NW SE T3N R20E S8 to the confluence with the Goose Lake Branch Canal	LAL		SE	Fox (Illinois)
Racine	S.C. Johnson-Waxdale (GP)	Pike River North Branch Tributary (Waxdale Creek)	Waxdale Creek from its headwaters in T3N R22E S21 to confluence with Pike River North Branch in the SE SE T3N R22E S22	LFF		SE	Root-Pike
Racine	Union Grove	Root River Canal West Branch	A. From 67th Drive to CTH "C"	LAL		SE	Root-Pike
			B. From CTH "C" to STH "20"	LFF			
Racine	Yorkville Sewer Utility District #1	Ives Grove Ditch to Hoods Creek	From the WWTP outfall in the NW SW T3N R22E S7 to Hoods Creek	LAL	through 03/31/2002	SE	Root-Pike
				LFF	04/01/2002		
Rock	Clinton WWTP	Spring Brook and Spring Brook Tributary	From the WWTP outfall in the NW NW T1N R14E S17 to the township line between Clinton and Turtle Townships	LAL		SC	Lower Rock
Rock	Orfordville WWTP	Swan Creek and Tributary	A. From the WWTP outfall at STH "11" in T2N R10E S14 to the confluence with Swan Creek	LAL		SC	Sugar-Pecatonica
			B. Swan Creek from the confluence with the above tributary to Dicky Road	LFF			
Rusk	Flambeau Correctional Center	Hackett Creek, Wetland Tributary to	From the WWTP outfall in the SW NE T37N R3W S28 to the confluence with Hackett Creek	LAL		NO	Upper Chippewa
Rusk	Glen Flora	Deertail Creek, Wetland Tributary to	From the WWTP outfall in the NW SE T35N R4W S20 to the confluence with Deer Tail Creek	LAL		NO	Upper Chippewa
Rusk	Hawkins	Main Creek, South Fork of	From the WWTP outfall in the NW SE T35N R3W S14 to CTH "M"	LFF		NO	Upper Chippewa

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Rusk	Tony	Deertail Creek, Effluent Ditch, Wetland and Intermittent Tributary to	A. From the WWTP outfall in the SW T35N R5W S33 to the wetland	LAL		NO	Upper Chippewa
			B. Receiving wetland in the SW T35N R5W S33 to the intermittent tributary beginning at the town road at the south edge of T35N R5W S33	LAL			
			C. Intermittent tributary from the above town road to the confluence with Deer Tail Creek	LFF			
Rusk	Weyerhaeuser	Soft Maple Creek, Wetland and Intermittent Tributary to	A. Wetland from the WWTP outfall in the NE SW T34N R8W S19 to the town road crossing in the NW SE T34N R8W S19	LAL		NO	Upper Chippewa
			B. Intermittent tributary from the town road crossing in the NW SE T34N R8W S19 to CTH "F"	LAL			
Rusk	WI Dairies Coop - Conrath	Main Creek Intermittent Tributary	From the outfall in the NE T33N R5W S19 to the confluence with Main Creek	LAL		NO	Upper Chippewa
Sauk		Baraboo River, Intermittent Tributary (Babbling Brook)	From origin in the NE SW T11N R6E S13 to railroad crossing below Lake St. in the NE SW T11N R6E S1	LAL	Aug - Oct	SC	Lower Wisconsin
				WWSF	Nov - July		
Sauk	Carr Valley Cheese	Carr Valley Branch Tributary	From the WWTP outfall in the NE NW T12N R3E S20 to the confluence with the Carr Valley Branch	LFF		SC	Lower Wisconsin
Sauk	Christmas Mountain SD	Spring Brook	Spring Brook and the intermittent tributaries downstream to the private drive above the Spring Brook Campground impoundment	LFF		SC	Lower Wisconsin
Sauk	Plain WWTP	Honey Creek Tributary	From the WWTP outfall in the SW SE T9N R4E S5 to the confluence with Honey Creek	LFF		SC	Lower Wisconsin
Sauk	Spring Green Golf Club, SD #2	Lowery Creek Tributary	From the WWTP outfall in the NW NW T8N R4E S30 to the confluence with Lowery Creek	LAL		SC	Lower Wisconsin
Shawano	Birnawood WWTP	Railroad Creek Drainage Ditch	A. From the WWTP outfall in the NE NE T28N R11E S7 to the first wetland	LAL		NE	Wolf
			B. From the first wetland to the confluence with Railroad Creek	LFF			
Shawano	Krakov WWTP	Pensaukee River Drainage Ditch	From the WWTP outfall in the NW NE T26N R18E S1 downstream 50 feet to the confluence with the Pensaukee River	LAL		NE	Upper Green Bay
Sheboygan	Cedar Grove Village and Dean Foods Company, Cedar Grove	Barr Creek	From the Dean Foods Company WWTP outfall in the NE SE T13N R22E S24 to Lake Michigan	LAL	through 12/31/2005	SE	Sheboygan
				LFF	01/01/2006		

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Sheboygan	Lakeland College	Fischer Creek Tributary	From the Lakeland College STP outfall to the Jetzer Lake outlet	LAL	through 06/30/2002	SE	Sheboygan
				WWSF	07/01/2002		
Sheboygan	Oostburg WWTP	Black River	From the Oostburg WWTP outfall in the NE NE T13N R22E S1 to the confluence with Lake Michigan	LFF		SE	Sheboygan
Sheboygan	Random Lake	Silver Creek	Silver Creek from Random Lake STP downstream to first crossing of Creek Road	LFF		SE	Milwaukee
Sheboygan	Sheboygan Co. Comprehensive Health Center	Onion River Tributary	Tributary upstream from the Onion River	LAL		SE	Sheboygan
St. Croix	Baldwin WWTP	Rush River and Tributary	A. From west end of sewage disposal pond to the confluence with the Rush River	LFF		WC	Lower Chippewa
			B. Rush River from the NE NE T29N R17W S35 to the NW SW T29N R17W S36	LFF			
St. Croix	Foremost Farms USA Co-op	Cady Creek Intermittant Headwater	From the WWTP outfall in the NE SE T28N R15W S10 downstream to STH "29"	LAL		WC	Lower Chippewa
St. Croix	Glenwood City WWTP	Tiffany Creek, Wetland Tributary to	Wetland tributary in the S 1/2 of T30N R15W S25 to Tiffany Creek	LAL		WC	Lower Chippewa
St. Croix	Hammond WWTP	Wetland	Entire wetland in the N 1/2 T29N R17W S28	LAL		WC	St. Croix
St. Croix	Kerr McGee Groundwater Remediation Site	Willow River Unnamed Tributary	From the stormwater outfall in the SE SW T31N R18W S36 to the confluence with the Willow River	LAL		WC	St. Croix
St. Croix	Roberts WWTP	Twin Lakes, East and West Basin	Twin Lakes in T29N R18W S28 and S29	LAL		WC	St. Croix
St. Croix	Wilson WWTP	Wilson Creek	From the WWTP outfall in the NW SW T29N R15W S35 to second railroad crossing in the NE SE T29N R15W S35	LAL	at normal flow	WC	St. Croix
St. Croix		Kinnickinnic River	Kinnickinnic River mouth, 0.7 mile reach downstream from Devil's Den	WWSF		WC	St. Croix
Taylor	Gilman	Yellow River, Wetland Tributary to	From the WWTP outfall located in the NW SW T31N R4W S24 to the confluence with the Yellow River	LAL		NO	Upper Chippewa
Taylor	Lublin	North Fork of the Eau Claire River, Diffuse Surface Water and Wetland Tributary	From the WWTP outfall in the NE NW T30N R3W S23 to the confluence with the North Fork of the Eau Claire River in the SW SW T30N R3W S14	LAL		NO	Upper Chippewa
Taylor	Rib Lake	Sheep Ranch Creek	From the WWTP outfall in the SW SE T33N R2E S27 to the confluence with the Big Rib River	LFF		NO	Headwaters

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Taylor	Stetsonville	West Branch Big Eau Pleine River and Effluent Ditch Tributary to	A. From the WWTP outfall in the NW SE T30N R2E S19 to the confluence with the West Branch Eau Pleine River	LAL		NO	Headwaters
			B. From the above confluence to the confluence with a second tributary located in the NW SW T30N R2E S29	LFF			
Vernon	Chaseburg WWTP	Coon Creek	Coon Creek in Vernon County between Hwy K and Hwy G	CW		WC	Bad-Axe
Vernon	Readstown WWTP	Kickapoo River, Old Channel of	Entire channel in the W 1/2 of T11N R3W S8	LAL		WC	Lower Wisconsin
Vernon	Stoddard WWTP	Wetland	Entire wetland located in the Coon Creek/Pool 8 Delta Complex in T14N R7W S28 and S32	LAL		WC	Bad-Axe
Vernon	Viroqua WWTP	Springville Branch of the Bad Axe River	From the WWTP outfall in the NW NW T13N R4W S31 to a spring in the SW SE T13N R5W S23	LAL		WC	Bad-Axe
Vernon	Westby WWTP and Westby Coop Creamery	North Fork Bad Axe River, Tributary to	From the WWTP outfall in the SW SW T14N R4W S29 to the SW SW T14N R5W S36	LAL		WC	Bad-Axe
Vilas	Land O'Lakes	Wisconsin River Tributary	A. From the headwaters in the SE NE T43N R10E S34 to an unnamed lake in the NW SE T42N R10E S2	LAL		NO	Headwaters
			B. Outlet from the unnamed lake in the NW SE T42N R10E S2 to the confluence with the Wisconsin River	LFF			
Vilas	Phelps WWTP	Deerskin River Tributary and Wetland	A. Wetland from the WWTP outfall in the NW NW T41N R11E S1 to STH "17"	LAL		NO	Headwaters
			B. Tributary from STH "17" to the road in T41N R11E between S11 and S14	LAL			
			C. From the road in T41N R11E between S11 and S14 to the confluence with the Deerskin River	LFF			
Walworth	Sharon	Little Turtle Creek	Little Turtle Creek from Sharon STP downstream to Rock-Walworth county line	LAL		SE	Lower Rock
Walworth	Wisconsin DOT Rest Area #36	Sugar Creek Unnamed Tributary	From the WWTP outfall in the SE NW T3N R17E S11 to confluence with Sugar Creek	LAL		SE	Fox (Illinois)
Washington	Slinger WWTP	Rubicon River Unnamed Tributary	From the WWTP outfall in the NW SW T10N R19E S18 to the confluence with a second unnamed tributary in the SE SW T10N R18E S13	LAL		SE	Upper Rock
Waukesha	New Berlin High School	Poplar Creek	A. From the treatment plant outfalls downstream to the Chicago & Northwestern railroad bridge	LAL		SE	Fox (Illinois)
			B. From the railroad bridge downstream to the confluence of the Fox River	LFF			

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Winnebago	Larsen Winchester SD	Arrowhead River and Drainage Ditch	A. Ditch from the WWTP outfall in the SE SW T20N R16E S19 to the Arrowhead River	LAL		NE	Wolf
			B. Arrowhead River from the section line between S19 and S30 in T20N R16E to a point 1/2 mile upstream from STH "110" in the SE NW T20N R15E S36	LAL			
			C. From the SE NW T20N R15E S36 downstream to CTH "M"	LFF			
Winnebago	Ridgeway Country Club	Arrowhead River Tributary	From the Ridgeway Country Club to the confluence with the Arrowhead River originating at T20N R16E S23	LAL		NE	Wolf
Wood	Arpin WWTP and Arpin Dairy	Hemlock Creek	A. Ditch from the Dairy outfall in the NE NW T24N R4E S28 to Hemlock Creek	LAL		WC	Central Wisconsin
			B. Hemlock Creek at Chicago and North Western Railroad in the NE SW T24N R4E S21 to the confluence with an unnamed tributary in the NE NW T24N R4E S26	LAL			
			C. From the confluence with an unnamed tributary to the Vesper Dam	LFF			
Wood	Auburndale WWTP	Little Bear Creek Tributary	A. From the WWTP outfall in the NE SE T25N R4E S23 to the confluence with a tributary of Little Bear Creek in the NW SW S24	LAL		WC	Central Wisconsin
			B. Little Bear Creek from the confluence with the above tributary to CTH "H" in the NW NW T25N R5E S16	LFF			
Wood	Beatrice Cheese	Squaw Creek	A. From the WWTP outfall at Peach Avenue downstream to the confluence with an unnamed tributary in the NW SE T25N R3E S2	LAL		WC	Central Wisconsin
			B. From the NW SE T25N R3E S2 to the confluence with the Little Eau Pleine River	LFF			
Wood	Bethel Living Center	Yellow River Tributary	A. Ditch from the WWTP outfall in the SE NW T24N R3E S25 to a wetland tributary to the Yellow River in the NE NE T24N R3E S26	LAL		WC	Central Wisconsin
			B. Tributary at the confluence with the above ditch to Captain Lane in the SW NE T24N R3E S35	LAL			
			C. From Captain Lane in the SW NE T24N R3E S35 to the confluence with the Yellow River	LFF			
Wood	Marshfield WWTP	Mill Creek	From the WWTP outfall at Washington Avenue in the T25N R3E between S20 and S21 to the confluence with a tributary in the SW SW T24N R4E S1	LAL		WC	Central Wisconsin

COUNTY	FACILITY	RECEIVING WATER	REACH DESCRIPTION	CLASSIFICATION	EFFECTIVE DATES	REGION	GMU
Wood	Milladore WWTP	Mill Creek Tributary	From the WWTP outfall in the NW NE T24N R5E S12 to the confluence with Mill Creek	LAL		WC	Central Wisconsin
Wood	Nasonville Dairy	Yellow River Tributary					
Wood	Rudolph WWTP	Wisconsin River Tributary	A. From the WWTP outfall in the SW NW T23N R6E S9 to the NE SW T23N R6E S26 B. From the NE SW T23N R6E S26 to the confluence with the Wisconsin River	LAL LFF		WC	Central Wisconsin
Wood	Vesper WWTP	Hemlock Creek and Drainage Ditch	A. From the WWTP outfall in the SE NW T23N R4E S13 to Hemlock Creek B. Hemlock Creek from Vesper Dam to Dawes Creek	LAL LFF		WC	Central Wisconsin

NR 104.03 Other variances applicable to state surface waters. (1) The following surface waters in the southeast region shall meet the standards for fish and aquatic life except that the dissolved oxygen may not be lowered to less than 2 mg/L at any time, nor may the membrane filter fecal coliform count 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 100 ml in more than 10% of all samples during any month:

these are criteria

COUNTY	GMU	SURFACE WATER	LOCATION
Kenosha	Root-Pike	Barnes creek	
Kenosha	Root-Pike	Pike creek	tributary of Pike river
Milwaukee	Milwaukee	Honey creek	
Milwaukee	Milwaukee	Indian creek	
Milwaukee	Milwaukee	Kinnickinnic river	
Milwaukee	Milwaukee	Lincoln creek	
Milwaukee	Milwaukee	Menomonee river	below the confluence with Honey creek
Milwaukee	Milwaukee	Underwood creek	below Juneau boulevard
Racine	Root-Pike	Pike river	
Waukesha	Fox (Illinois)	Underwood creek	below Juneau boulevard

(2) The following surface waters in the southeast district shall meet the standards for fish and aquatic life except that the dissolved oxygen may not be lowered to less than 2 mg/L at any time, nor may the membrane filter fecal coliform count exceed 1,000 per 100 mL as a monthly geometric mean based on not less than 5 samples per month nor may the receiving water exceed 89°F at any time at the edge of the mixing zones established by the department under s. NR 102.05(3):

dito

COUNTY	GMU	SURFACE WATER	LOCATION
Milwaukee	Milwaukee	Burnham canal	
Milwaukee	Milwaukee	Milwaukee river	downstream of North Avenue dam
Milwaukee	Milwaukee	South Menomonee canal	

(3) The following surface water in the northeast region shall meet the standards for fish and aquatic life except that the dissolved oxygen may not be lowered to less than 2 mg/L at any time:

dito

COUNTY	GMU	SURFACE WATER	LOCATION
Oconto	Upper Green Bay	Oconto River	from the bridge in Oconto Falls to the county highway "J" bridge

NR 104.04 Public water supply use and criteria. The public water supply use and criteria shall be met in the following surface waters:

- (a) Lake Winnebago.
- (b) Fox river from Lake Winnebago downstream to the upper dam in the city of Appleton.
- (c) West branch Wolf river at Neopit.
- (d) Rainbow lake in Waupaca county.
- (e) Lake Nepco in Wood county.
- (f) Black river at Neillsville.
- (g) Town creek at Black River Falls.
- (h) Lake Lavina in Iron county.
- (i) Little Rib lake in Taylor county.

SECTION 21. NR 104.05 to 104.10 are repealed.

SECTION 22. NR 104 subch. II (title) is repealed

SECTION 23. Chapter NR 106(title) is amended to read:

CHAPTER NR 106

~~"PROCEDURES FOR CALCULATING WATER QUALITY-BASED EFFLUENT STANDARDS AND LIMITATIONS FOR TOXIC AND ORGANOLEPTIC SUBSTANCES, DISCHARGED DISCHARGES TO SURFACE WATER"~~

SECTION 24. NR 106, subch. I (title) is created to read:

Subchapter I - Effluent Limitations For Toxic and Organoleptic Substances

*where? before 106.01?
before or after
105.01?*

SECTION 25. NR 106, subch. II (title) is created to read:

Subchapter II - RESERVED

not needed

SECTION 26. NR 106, subch. III is created to read:

Subchapter III - Effluent Limitations for Limited Aquatic Life Waters

NR 106.40 Purpose. The purpose of this subchapter is to specify how the department will determine water quality-based effluent limitations under s. 283.13(5), Stats., for substances discharged to waters which have been designated under the provisions of ch. NR 102 as limited fish and aquatic life surface waters. The description of these uses and associated criteria are found in ch. NR 102 and specific waters to which the criteria apply are found in ch. NR 104. Water quality-based effluent limitations are needed to assure attainment and maintenance of surface water quality standards as established in accordance with s. 281.15(1)(b), Stats., and as set forth in chs. NR 102 to 105.

insert

that

NR 106.41 Applicability. This subchapter is applicable to point sources which discharge wastewater to waters designated under ch. NR 102 as limited fish and aquatic life uses. Effluent limitations specified in this subchapter shall be achieved by industrial, private and municipal dischargers as specified in a permit issued under s. 283.31, Stats., and when applicable, s. 283.33 or 283.35, Stats.

spec by hold by?

NR 106.42 General. (1) Water quality-based effluent limitations shall be established whenever categorical effluent limitations required under s. 283.13, Stats., are less stringent than necessary to achieve applicable water quality standards specified in chs. NR 102 to 105. Water quality-based effluent limitations for a point source shall be specified in the WPDES permit for that point source. *exp...*

(2) In no case may the water quality-based effluent limitations imposed in a WPDES permit be less stringent than applicable categorical effluent limitations. *Specified in chs NR 200-299*

(3) The department shall establish limitations according to the methods specified in this subchapter.

NR 106.43 Calculation of water quality-based effluent limitations for discharges to limited fish and aquatic life use waters. The department shall establish water quality-based effluent limitations for point source dischargers whenever the limitations are necessary, as determined by any method in this subchapter, to meet the applicable water quality standards and secondary values as determined in chs. NR 102 to 105. *X*

NR 106.44 Discharges to limited forage fish community waters. (1) LIMITATIONS FOR CONVENTIONAL POLLUTANTS. The effluent limitations listed in table 1 shall apply to all discharges to surface waters listed as limited forage fish communities in ch. NR 104 unless site specific limitations are determined. *?*

Table 1

Parameter	Monthly Average (mg/L)	Daily Maximum (mg/L)	Weekly Average (mg/L)	Other (mg/L)
BOD ₅	15	30	-	-
Total Suspended Solids	20	30	-	-
NH ₃ -N (May-October)	-	-	3	-
NH ₃ -N (November-April)	-	-	6	-
Dissolved Oxygen	-	-	-	4 (minimum)
Temperature				120°F

(2) LIMITATIONS FOR TOXIC AND ORGANOLEPTIC SUBSTANCES. In addition to the effluent limitations enumerated in table 1, effluent limitations for toxic and organoleptic substances shall apply to all discharges to surface waters listed as limited forage fish communities in ch. NR 104 and shall be determined according to the procedures in subch. I

NR 106.45 Discharges to limited aquatic life waters. (1) LIMITATIONS FOR CONVENTIONAL POLLUTANTS. The effluent limitations listed in table 2 shall apply to all discharges to surface waters listed as limited aquatic life in ch. NR 104 unless site specific limitations are determined. *?*

Table 2

Parameter	Monthly Average (mg/L)	Weekly Average (mg/L)	Other (mg/L)
BOD ₅	20	30	-
Total Suspended Solids	20	30	-
Dissolved Oxygen	-	-	4 (minimum)
Temperature			120°F

(2) LIMITATIONS FOR TOXIC AND ORGANOLEPTIC SUBSTANCES. In addition to the effluent limitations enumerated in table 2, effluent limitations for toxic and organoleptic substances shall apply to all discharges to surface waters listed as limited aquatic life communities in ch. NR 104 and shall be determined according to the procedures in subch. I.

NR 106.46 Effluent limitations for discharges to streams with $Q_{7,10}$ flows of 0.01 cfs or less.

(1) This section applies to discharges to streams not listed in ch. NR 104 with $Q_{7,10}$ flows of 0.01 cfs or less, except as established under sub. (4). Reference to $Q_{7,10}$ flows of 0.01 cfs or less refer to natural flows in the absence of wastewater discharges.

(2) The effluent limitations specified in s. NR 106.44 shall apply whenever the department determines all of the following:

(a) The summation of $Q_{7,10}$ and annual average effluent flow, as defined in s. NR 106.06(4)(d)1 and 2, of all discharges to the stream is less than 0.50 cfs.

(b) A warmwater sport fish community, warmwater forage fish community or cold water community cannot be attained in the absence of effluent.

(c) More stringent effluent limitations are not required to protect more sensitive downstream fish and aquatic life or other uses.

(3) When the summation of $Q_{7,10}$ and annual average effluent flow, as defined in s. NR 106.06(4)(d)1. and 2., of all discharges to the stream equals or exceeds 0.50 cfs, effluent limitations established under s. NR 106.45 shall be replaced in the permit with effluent limitations necessary for warm water sport fish communities, unless the stream has been listed in ch. NR 104 in a different use subcategory.

(4) If the permittee establishes that the receiving stream cannot attain a limited forage fish use, the department shall promulgate a limited aquatic life use designation in ch. NR 104 and the limitations in s. NR 106.45 shall be established in the permit.

NR 106.47 Effluent limitations for discharges to wetlands. Whenever the department determines there will be a discharge or proposed discharge subject to a permit issued under ch. 283, Stats., directly to or directly affecting a wetland, the provisions of ch. NR 103 shall apply. Under this subsection, any discharge to a wetland shall meet effluent limitations which are not less stringent than those identified in s. NR 106.45, unless the department determines, in a plan approval issued under s. 281.41, Stats., or a permit issued pursuant to ch. 283, Stats., that more stringent limitations are needed to protect downstream waters, or through the procedures specified in ch. NR 103, determines that more stringent limitations are needed to protect the functional values of the wetland.

NR 106.48 Fill and draw lagoons. Effluents from fill-and-draw wastewater treatment lagoons or domestic waste stabilization ponds discharging to waters receiving a variance in this subchapter may be permitted to vary from the limitations specified in table 1 or 2 provided the following conditions are met:

all of ?

(1)

1. The discharge occurs only during the spring and fall of the year when the flow in the receiving water is normally high, and the temperature is low. The rate of discharge may not exceed that specified in a permit under s. 283.31, Stats., or where no rate is indicated, the allowable discharge quantities shall be determined by the department based upon current evaluation of the receiving water.

2. In lieu of the previous conditions, the discharge from a fill-and-draw lagoon may occur at any time provided the rate does not exceed the assimilative capacity of the receiving water as specified in a permit under s. 283.31, Stats.

3. The dissolved oxygen in the effluent is maintained at a level greater than or equal to 4 mg/L, and the permitted rate of discharge shall be such that the dissolved oxygen and ammonia nitrogen criteria necessary to sustain fish and aquatic life are maintained in the stream during the period of discharge.

4. The effluent limitations do not exceed those established under ss. 283.13 and 283.19, Stats.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on _____.

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 _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Darrell Bazzell, Secretary

(SEAL)