Chapter NR 104

USES AND DESIGNATED STANDARDS

Note: Chapter NR 104 as it existed on September 30, 1976 was repealed and a new chapter NR 104 was created effective October 1, 1976. Corrections made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1997, No. 500.

Subchapter I — Intrastate Waters

NR 104.01 General. (1) "It is...the goal of the state of Wisconsin that, wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish and wildlife and provides for recreation in and on the water be achieved by 1983. . ." s. 283.001 (1) (b), Stats. The long–range goal of Wisconsin water quality standards is, therefore, to permit the use of water resources for all lawful purposes. Surface waters which because of natural conditions are not conducive to the establishment and support of the complete hierarchy of aquatic organisms shall not be degraded below present levels, but shall be upgraded as necessary to support assigned uses. Most surface waters within the state of Wisconsin already meet or exceed the goals specified above. However, certain waters of the state may not meet these goals for the following reasons:

(a) The presence of inplace pollutants,

(b) Low natural streamflow,

(c) Natural background conditions, and

(d) Irretrievable cultural alterations.

(1m) Where it is determined that one or more of these factors may interfere with the attainment of the statutory objectives, a variance from the criteria necessary to achieve those objectives is provided.

(2) Surface waters within the boundaries of the state shall meet the standards for fish and aquatic life and recreational use with the variances and additions listed below in ss. NR 104.05 to 104.10. A system is provided within which small streams and other surface waters which cannot support high quality uses are granted a variance from the high quality criteria.

(3) Effluent limitations specified in this chapter shall be achieved by industrial, private and municipal dischargers by July 1, 1983 unless an earlier date is otherwise provided in a permit issued under s. 283.31, Stats. Municipal dischargers eligible for state or federal grant–in–aid shall achieve the specified effluent limitations upon completion of construction or modification of facilities approved by the department of natural resources subsequent to adoption of this chapter unless otherwise provided in a permit issued under s. 283.31, Stats.

History: Cr. Register, September, 1976, No. 249, eff. 10–1–76; am. (1), Register, December, 1977, No. 264, eff. 1–1–78.

NR 104.02 Surface water classifications and effluent limitations. (1) HYDROLOGIC CLASSIFICATION. "Surface waters" as defined in s. NR 102.03 (6), may be classified according to their hydraulic or hydrologic characteristics. For purposes of this chapter, surface waters will be classified by the department into one of the following categories:

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

(b) *Diffused surface waters.* This classification includes any water from rains, intermittent springs or melting snow which flows on the land surface, through ravines, etc., which are usually dry except in times of runoff. This category does not include waters at the land surface in the vicinity of agricultural or wastewater irrigation disposal systems.

(c) *Wetlands.* This classification 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.

(d) *Wastewater effluent channels.* This classification includes 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 shall 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 shall not be classified as effluent channels.

(e) *Noncontinuous streams.* This classification includes watercourses which have a defined stream channel, but have a natural 7–day Q flow of less than 0.1 cfs and do not exhibit characteristics of being perpetually wet without wastewater discharges.

(f) *Continuous streams.* This classification includes watercourses which have a natural 7–day Q flow of greater than 0.1 cfs or which exhibit characteristics of a perpetually wet environment, are generally capable of supporting a diverse aquatic biota and flow in a defined stream channel.

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

(2) WATER QUALITY CLASSIFICATION. (a) Whenever the goals as specified in s. 283.001 (1) (b), Stats., cannot be attained because of conditions enumerated in s. NR 104.01 (1), a variance may be provided. Variances from a specific water quality criteria may be given in s. NR 104.05 et. seq. or a variance under one of the categories provided in this chapter may be specified.

(b) Practices attributable to municipal, industrial, commercial, domestic, agricultural, land development, or other activities shall be controlled so that waters regardless of their hydrologic and water quality classifications meet the general aesthetic and acute toxicity conditions in s. NR 102.04 (1).

(3) VARIANCE CATEGORIES. (a) *Limited forage fish communities (intermediate surface waters).* 1. Applicability. This cate-

gory of variance may be applied to either the continuous or noncontinuous stream hydrologic classification.

2. Surface water criteria. The following water quality criteria shall be met in all surface waters included in this variance category:

a. Dissolved oxygen shall not be less than 3 mg/L.

b. Ammonia nitrogen (as N) at all points in the receiving water shall not be greater than 3 mg/L during warm temperature conditions nor greater than 6 mg/L during cold temperatures to minimize the zone of toxicity and to reduce dissolved oxygen depletion caused by oxidation of the ammonia.

c. The pH shall be within the range of 6.0 to 9.0.

d. All other substances shall meet the acute and chronic toxicity criteria for limited forage fish communities specified in or developed pursuant to ss. NR 105.05 and 105.06.

3. Effluent criteria. a. The effluent limitations determined necessary to meet the surface water criteria listed above are enumerated in table 1.

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	–	–
NH3\N (May–October)	–	–	3	–
NH3\N (November–April)	–	–	6	–
Dissolved Oxygen	–	–	–	4 (minimum)

b. Unless otherwise specified in table 1 above, effluent limitations for sewage treatment works shall be as adopted in ch. NR 210.

c. In addition to the effluent limitations enumerated in table 1, effluent limitations for these and any other substance necessary to protect assigned uses shall be met, including water quality based effluent limitations necessary to meet the criteria specified in or developed pursuant to ss. NR 105.05 and 105.06 for limited forage fish communities.

(b) *Limited aquatic life subcategory (marginal surface waters).* 1. Applicability. This variance category may be applied to the continuous or noncontinuous stream hydrologic classification, except that it shall be applied to all surface waters classified as effluent channel, wetland or diffuse surface water.

2. Surface water criteria. The following surface water quality criteria shall be met in all surface waters included in this variance category:

a. Dissolved oxygen shall not be less than 1 mg/L.

b. The pH shall be within the range of 6.0 to 9.0.

c. All other substances may shall meet the acute and chronic toxicity criteria for the limited aquatic life subcategory specified in or developed pursuant to ss. NR 105.05 and 105.06.

3. Effluent criteria. a. The effluent limitations determined necessary to meet the surface water criteria listed above are enumerated in table 2.

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)

b. Unless otherwise specified in table 2 above, effluent limitations for sewage treatment works shall be as adopted in ch. NR 210.

c. In addition to the effluent limitations enumerated in table 2, effluent limitations for these and any other substance necessary to protect assigned uses shall be met, including water quality based limitations necessary to meet the criteria for limited aquatic life surface water specified in or developed pursuant to ss. NR 105.05 and 105.06.

(4) OTHER CLASSIFICATIONS AND EFFLUENT CRITERIA. (a) *Surface waters significant to the environmental integrity of the state or region.* Under all hydrologic categories, the department reserves the right to require other effluent limitations, including allocation of wasteloads for organic material, toxicants and chlorine residuals if it is determined that the specified surface water is important to the overall environmental integrity of the area. In waters identified as trout streams, located in scientific areas or wild and scenic areas, providing endangered species habitat or of high recreational potential, effluent criteria will be evaluated on a case–by–case basis.

(b) *Surface waters classified for fish and aquatic life.* 1. Streams. Where flowing streams or rivers are specified to achieve fish and aquatic life criteria, wasteload allocation for organic material, toxicants and chlorine residuals shall determine effluent criteria necessary to achieve that standard.

2. Lakes and flowages. Effluent characteristics for discharges to lakes or flowages shall be based upon an evaluation of water quality necessary to protect fish and aquatic life taking into account mixing zone and nutrient removal criteria.

3. Minimum effluent criteria. If it can be reasonably demonstrated that the quality of the surface water is independent of a wastewater discharge, effluent limitations established under ss. 283.13 and 283.19, Stats., shall apply.

(c) *Wastewater treatment lagoons.* Effluents from fill–and–draw wastewater treatment lagoons or domestic waste stabilization ponds discharging to waters receiving a variance in this chapter may be permitted to vary from the limitations specified in table 1 or 2 provided the following conditions are met:

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 shall 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.

(5) CHANGES IN CLASSIFICATION. Surface waters which exhibit changing hydrologic and quality characteristics shall be classified accordingly. Effluent criteria for upstream discharges shall be based upon the most critical downstream classification and shall be specified by the department either on the basis of justified inference or by the application of a wasteload allocation analysis. Any subsequent changes in a stream's morphology or potential may necessitate the reevaluation of the classification.

History: Cr. Register, September, 1976, No. 249, eff. 10–1–76; am. Tables 1 and 2, (2), (3) (a) 2a and d., (3) (b) 2a and c., (4) (c), Register, December, 1977, No. 264, eff. 1–1–78; am. (3) (a) 2a, Register, June, 1978, No. 270, eff. 7–1–78; am. (1) (c), Register, June, 1984, No. 342, eff. 2–1–84; r. (3) (a) 2. b. to d., (b) 2. b. and c., renum. (3) (a) 2. e. to g. and (3) (b) 2. d. and e. to be (3) (a) 2. b. to d. and (3) (b) 2. b. and c. and am (3) (a) 2. g. and (3) (b) 2. c., am. (3) (a) 3. a. and (3) (b) 3. a., Register, October, 1986, No. 370, eff. 11–1–86; am. (1) (intro.), (2) (b), (3) (a) (intro.) and 3. c., and (3) (b) 3. c., r. and recr. (3) (a) 2. d. and (3) (b) 2. c., Register, February, 1989, No. 398, eff. 3–1–89.

NR 104.04 Provision for changes. The surface waters specified in this chapter are not intended to be an exclusive listing nor do the specified effluent criteria purport to meet the 1983 water quality goals set forth in ch. 283, Stats. Additions to or deletions from these listings may be made based upon the accumulation of information necessary to make such determination and in accordance with the requirements of ch. 227, Stats.

History: Cr. Register, September, 1976, No. 249, eff. 10–1–76.

NR 104.05 Variances and additions applicable in the southern district. Subject to the provision of s. NR 104.04, intrastate surface waters in the southern district counties of Columbia, Dane, Dodge, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock and Sauk shall meet the criteria for fish and aquatic life and recreational use with exceptions and additions as follows:

(1) ADDITION. The public water supply standard shall be met on the Wisconsin river in section 8, township 10 north, range 7 east.

(2) VARIANCE. Surface waters in the southern district subject to a variance under s. NR 104.02 (3) are listed in table 3.

TABLE 3
SOUTHERN DISTRICT

	Surface Water (Facility Affected)	Reach Description	Hydrologic Classification	Applicable Criteria (1)	Effluent Limitations (2)
1.	Goose Lake Tributary (Arlington)	Tributary upstream from Goose Lake	Noncontinuous	II	Effluent limitations to be determined
2.	Tributary – East Branch Pecatonica River (Barneveld)	From the Barneveld STP downstream to the East Branch Pecatonica River	Noncontinuous	II	B
3.	Williams Creek (Blue Mounds)	From the Blue Mounds STP downstream to the east line of Sec. 14, T6N, R5E	Noncontinuous	I	A
4.	Sanders Creek (Boscobel)	From the Boscobel STP downstream to the Wisconsin River	Continuous	I	A
5.	Allen Creek (Brooklyn)	Upstream from Butts Corner Road	Continuous	I	A
6.	Kummel Creek (Brownsville)	From Brownsville STP downstream to CTH "HH"	Noncontinuous	I	A
7.	Spring Brook and Tributary (Clinton)	Tributary from the Clinton STP to Spring Brook	Effluent ditch	II	B
		Spring Brook in Clinton Township	Continuous	II	NA
8.	Tributary – Dead Creek (Clyman)	Tributary from Clyman STP downstream to Dead Creek	Noncontinuous	II	B
9.	West Branch Pecatonica River (Cobb)	From the Cobb STP downstream to confluence with an unnamed tributary NE1/4 , NW1/4 ,Sec. 2, T5N, R1E.	Continuous	I	A
10.	Door Creek (Cottage Grove)	Door Creek upstream from STH 12 &18	Noncontinuous	I	A
		From STH 12 & 18 downstream to Lake Kegonsa	Continuous	I	NA
11.	Coon Branch (Cuba City)	Upstream from westerly tributary approximately 1 mile above STH 11	Noncontinuous	II	B
		Downstream from above tributary to confluence with Galena River	Continuous	I	NA
12.	Mud Creek and Tributary (Deerfield)	Tributary from Deerfield STP to confluence with Mud Creek	Effluent ditch	II	B
		Mud Creek from above tributary downstream to confluence with Koshkonong Creek	Continuous	I	
13.	Indian Creek and Tributary (Dickeyville)	Tributary from Dickeyville STP to confluence with Indian Creek	Noncontinuous	II	NA
		Indian Creek from above tributary downstream to confluence with Platte River	Continuous	I	A
14.	Dodge Branch (Dodgeville)	Upstream from a point approximately 3,500 feet downstream from STH 191	Noncontinuous	I	A
15.	Tributary – North Branch Crawfish River (Fall River)	Tributary from the Fall River STP downstream to the North Branch Crawfish River	Noncontinuous	II	Effluent limitations to be determined
16.	Gregory Branch (Fennimore)	Upstream from STH "61"	Continuous	I	A
17.	Tributary – Rock River (Hidden Meadows Mobile Home Park)	Tributary from the Hidden Meadows Mobile Park STP discharge downstream to the Rock River	Noncontinuous	II	B
18.	Big Spring Branch (Highland)	Upstream from the North line of Sec. 19, T7N, R1E	Noncontinuous	I	A
19.	Pedler Creek (Iowa Co. Nursing Home)	From the Iowa Co. Nursing Home STP downstream to the confluence with an unnamed tributary, $SE^1/_4$, $SE^1/_4$, Sec. 34, T6N, R2E	Noncontinuous	I	A
20.	Tributary – Wildcat Creek (Iron Ridge)	From the Iron Ridge STP downstream to Wildcat Creek	Noncontinuous	II	B
21.	Tributary & Rock River Tributary	From the Ixonia San. Dist. STP downstream to the juncture with the Rock River Tributary	Noncontinuous	II	B

	(Ixonia San. Dist.)	Rock River Tributary from above tributary to confluence with Rock River	Continuous	II	NA
22.	Tributary – Menominee River (Jamestown San. Dist. #2)	From Jamestown San. Dist. #2 STP to the Menominee River	Diffused surface water	II	B
23.	Dead Creek (Juneau)	Upstream from CTH "M"	Effluent ditch	II	B
		From CHT M to St. Helena Rd.	Continuous	I	NA
24.	Sinnipee Creek (Kieler San. Dist. #1)	From Kieler lagoon outfall to Bluff Road	Continuous	I	A
25.	Rock Creek (Lake Mills)	From the Lake Mills STP downstream to CTH "V"	Noncontinuous	I	A
		From CTH "V" to Harper's Mill Pond	Continuous	I	NA
26.	Tributary – Pigeon Creek (Lancaster)	Tributary from Lancaster STP downstream to south line of section 10	Continuous	II	Effluent limitations to be determined
		Tributary from above point downstream to confluence with Pigeon Creek	Continuous	I	
27.	Tributary – Baker Creek (Lebanon San. Dist.)	From Lebanon STP downstream to Baker Creek	Noncontinuous	II	B
28.	Little Platte River (Livingston)	From Livingston STP downstream to New California Road	Noncontinuous	I	A
29.	Tributary–East Branch Rock River (Lomira)	Tributary upstream from confluence with East Branch Rock River.	Noncontinuous	I	A
30.	(Madison Metro Sewerage Commission)	From the STP outfall aerator to the Oregon Branch	Effluent ditch	II	Effluent limitations to be determined
31.	Brewery (Furnance) Creek (Mineral Point)	Brewery Creek upstream from confluence with Mineral Point Branch	Continuous	II	B (Note: the above limitation shall remain in effect until significant nonpoint source problems can be corrected)
32.	Tributary – Blue River (Montfort)	From the Montfort STP downstream to the Blue River	Continuous	I	A
33.	Little Grant River (Mount Hope)	From the Mt. Hope STP downstream to the west boundary of Sec. 10, T5N, R4W	Noncontinuous	I	A
34.	West Branch Sugar River (Mt. Horeb)	From Mt. Horeb STP downstream to CTH "JG."	Continuous	I	A
35.	Tributary – Austin-Branch (Orchard Manor)	Drainage from Orchard Manor outfall to Austin Branch	Diffused surface waters	II	Effluent limitations to be determined
36.	Oregon Branch – Badfish Creek (Oregon)	From the Oregon outfall downstream to juncture with the Madison Met effluent ditch	Noncontinuous	II	Effluent limitations to be determined
		From this point downstream to CTH "A"	Continuous	I	
37.	Swan Creek and Tributary	Tributary from Orfordville ST Poutfall to Swan Creek.	Effluent ditch	II	NA
	(Orfordville)	Swan Creek from confluence with above tributary to Dicky Road.	Noncontinuous	I	A
38.	Tributary – Blake Fork (Patch Grove)	Tributary from the Patch Grove STP downstream to Blake Fork	Noncontinuous	I	A
39.	Tributary – Honey Creek (Plain)	From the Plain STP downstream to Honey Creek	Continuous	I	Effluent limitations to be determined
40.	Randolph Branch – Tributary	From the Randolph STP downstream to Beaver Creek Tributary	Noncontinuous	II	Effluent limitations to be determined
	Beaver Creek (Randolph)	Tributary to Beaver Creek upstream from Beaver Creek	Noncontinuous	I	
41.	Tributary – Beaver Dam River (Reeseville)	Tributary from Reeseville STP to confluence with Beaver Dam River	Noncontinuous	I	A
42.	Conley – Smith Creek (Ridgeway)	From the Ridgeway STP downstream to the south boundary of Sec. 14, T6N, R4E	Noncontinuous	I	Effluent limitations to be determined
43.	Tributary – Rocky Run Creek (Rio)	From the Rio STP downstream to Rocky Run Creek	Noncontinuous	II	B
44.	Tributary – Narrows Creek (Sauk Co. Health Care Center)	From the Sauk County Health Care Center STP downstream to Narrows Creek	Noncontinuous	I	A
45.	Duck Creek and Tributary (Sullivan)	Tributary from the Sullivan STP to Duck Creek	Effluent channel	II	Effluent limitations to be determined

		Duck Creek from the effluent ditch downstream juncture with northerly drainage ditch in Sec. 5, T6N, R16E	Noncontinuous	I	
46.	Koshkonong Creek (Sun Prairie)	Koshkonong Creek upstream from first bridge above Sun Prairie STP	Noncontinuous	II	Effluent limitations to be determined
		Koshkonong Creek from above location to CTH 'T'.	Continuous	II	
47.	Badger Mill Creek (Verona)	Badger Mill Creek from road at Verona STP downstream to STH "69".	Continuous	I	A
48.	Tributary – Murphy Creek (Wisconsin Department of Health & Family Services – Oakwood State Camp)	Tributary from Oakwood State Camp STP downstream to Murphy Creek	Noncontinuous	II	B

(1) Criteria I requires the maintenance of surface water criteria specified in NR 104.02 (3) (a)2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 (3) (b)2.

(2) Effluent limitation A requires those limits specified in NR104.02 (3) (a)3.
Effluent limitation B requires those limits specified in NR 104.02 (3) (b)3.
NA—Not applicable

History: Cr. Register, September, 1976, No. 249, eff. 10–1–76; am. table 3, r. (3), Register, December, 1977, No. 264, eff. 1–1–78.

NR 104.06 Variances and additions applicable in the southeast district. Subject to the provisions of s. NR 104.04, intrastate surface waters in the southeast district counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha shall meet the criteria for fish and aquatic life and recreational use with exceptions and additions as follows.

(1) VARIANCE. Surface waters in the southeast district subject to a variance under s. NR 104.02 (3) are listed in table 4.

(2) OTHER VARIANCES. (a) The following surface waters in the southeast district shall meet the standards for fish and aquatic life except that the dissolved oxygen shall not be lowered to less than 2 mg/L at any time, nor shall 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:

1. Underwood creek in Milwaukee and Waukesha counties below Juneau boulevard.
2. Barnes creek in Kenosha county.
3. Pike creek, a tributary of Pike river, in Kenosha county.
4. Pike river in Racine county.
5. Indian creek in Milwaukee county.
6. Honey creek in Milwaukee county.
7. Menomonee river in Milwaukee county below the confluence with Honey creek.
8. Kinnickinnic river in Milwaukee county.
9. Lincoln creek in Milwaukee county.

(b) 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 exceed 89ºF at any time at the edge of the mixing zones established by the department under s. NR 102.05 (3):

1. Milwaukee river in Milwaukee county downstream from the North Avenue dam.
2. South Menomonee canal and Burnham canal in Milwaukee county.

TABLE 4
SOUTHEAST DISTRICT

	Surface Water (Facility Affected)	Reach Description	Hydrologic Classification	Applicable Criteria (1)	Effluent Limitations (2)
1.	Tributary – Onion River (Belgium)	From Belgium to the Onion River	Noncontinuous	II	B
2.	Tributary – Des Plaines River (Bristol)	Tributary from Bristol to the Des Plaines River	Noncontinuous	II	Effluent limitations to be determined
3.	Tributary – Darien Creek –	Darien Creek tributary from the origin to Darien Creek	Effluent ditch	II	B
	Little Turtle Creek (Darien)	Darien Creek from its origin to Little Turtle Creek	Continuous	I	NA
		Little Turtle Creek from its origin to Turtle Creek	Continuous	I	NA
4.	Eagle Creek	From Eagle Lake to CTH "J"	Noncontinuous	II	B
	(Eagle Lake San. Dist.)	From CTH "J" to the Fox River	Noncontinuous	I	NA
5.	East Branch Root	Upstream from STH "20"	Noncontinuous	II	B
	River Canal (Fonk Mobile Home Park #1)	From STH "20" downstream to the West Branch Root River Canal	Noncontinuous	I	NA
6.	Tributary – Des Plaines River (Fonk Mobile Home-Park #2 and Union Grove Ind.)	From Fonks tributary downstream to the Union Grove Industrial tributary	Noncontinuous	II	Effluent limitations to be determined
		The Union Grove Industrial tributary to the juncture of Fonks tributary	Effluent ditch	II	
		The Union Grove tributary below Fonks Trib.	Noncontinuous	I	NA
7.	Hales Corners Tributary (Hales Corners)	Upstream from the Hales Corners STP (except for Upper Kelly Lake)	Noncontinuous	II	NA
		From Hales Corners STP downstream to Whitehall Park Pond	Noncontinuous	I	A

8.	Dover Ditch – Goose Lake Branch Canal (Holy Redeemer College)	Dover Ditch upstream from Dover Line Road	Noncontinuous	II	B
9.	Tributary–Muskego Lake (Muskego)	From the Muskego STP downstream to wetland near Muskego Lake	Effluent ditch	II	Effluent limitations to be determined
		Drainage from above location to Muskego Lake	Wetland	II	
10.	Tess Corners Creek (Muskego NE District)	Upstream from STH "45"	Noncontinuous	I	A
		From STH "45" downstream to Whitnall Park Pond	Continuous	I	NA
11.	Poplar Creek (New Berlin High School &	From the treatment plant outfalls downstream to the Chicago & Northwestern railroad bridge	Noncontinuous	II	B
	Cleveland Heights School)	From the railroad bridge downstream to the confluence of The Fox River	Continuous	I	NA
12.	Drainage and Tributary – Root River	From the New Berlin Memorial Hospital STP to Root River tributary	Diffuse Surface Waters	II	B
	(New Berlin Memorial Hospital)	Tributary to the Root River downstream from New Berlin Memorial Hospital STP	Noncontinuous	II	NA
13.	Deer Creek (New Berlin–Regal Manor)	Deer Creek from its origin to Poplar Creek	Noncontinuous	II	B
14.	Tributary – Lake Michigan (North Park)	Tributary from its origin to Lake Michigan	Noncontinuous	I	A
15.	Drainage – Tributary –	Drainage at Paddock Lake STP and near Brighton Creek	Wetland	II	B
	Brighton Creek (Paddock Lake)	Tributary between above wetlands areas	Noncontinuous	II	NA
16.	Drainage – Mud Lake (Paramski Mobile Home Park)	From the Mobile Home STP to Mud Lake	Wetland	II	B
17.	Tributary – Lake Michigan (Pleasant Park San. Dist.)	From the Pleasant Park STP to the Illinois State line	Noncontinuous	II	B
18.	Pleasant Prairie Tributary (Pleasant Prairie Util. District D)	Pleasant Prairie Tributary from its origin to the Des Plaines River	Noncontinuous	II	Effluent limitations to be determined
19.	Tributary – Des Plaines (Pleasant Prairie S.D. #73–1)	From its origin to the Illinois State line	Noncontinuous	II	B
20.	Tributary and Hoods Creek	Tributary up from Hoods Creek towards Ives Grove	Noncontinuous	II	B
	(Racine County Hwy. & Park Comm.)	Hoods Creek from STH "20" downstream to confluence with Root River	Noncontinuous	I	NA
21.	Tributary – Root River (Rawson Homes Sanitary Trust)	From the Rawson Homes STP to the Root River	Noncontinuous	II	B
22.	Salem Branch (Salem Utility District 1)	Salem Branch from Salem Utility District 1 STP down stream to 216th Avenue.	Noncontinuous	I	A
23.	Little Turtle River (Sharon)	Little Turtle River from Sharon STP downstream to Rock– Walworth County line	Noncontinuous	II	B
24.	Drainage – Kenosha County (Sienadale Motherhouse)	From the Sienadale STP downstream to an intermittent stream	Effluent ditch	II	Effluent limitations to be determined
		Intermittent stream in Secs. 13, 14,23, T1N, R22E	Noncontinuous	II	
25.	Tributary–Rubicon River (Slinger)	Rubicon River from origin downstream to easterly tributary confluence in NW1/4 ,NE1/4 , Section 13, T10N, R18E	Noncontinuous	II	Effluent limitations to be determined
		Easterly tributary which flows into the Rubicon River at above location.	Wetland	II	
		Rubicon River from above location downstream to confluence with Slinger tributary	Noncontinuous	I	Effluent limitations to be determined
		Tributary of the Rubicon River from the Slinger STP downstream to the wetland adjacent to Slinger Road.	Effluent ditch	II	Effluent limitations to be determined
		Wetland adjacent to Slinger Road downstream from Slinger STP	Wetland	II	
		Tributary from above location downstream to Rubicon River	Noncontinuous	II	
26.	Tributary – South Branch Pike River	Tributary from its origin to South Branch Pike	Noncontinuous	II	Effluent limitations to be determined
	River (Somers Util Dist. 1)	South Branch Pike River from Somers Tributary to Pike River	Continuous	I	
27.	Tributary – Pike River (St. Bonaventure School)	Tributary from St. Bonaventure School STP downstream to Sturtevant tributary	Noncontinuous	II	Effluent limitations to be determined
28.	Wayne Creek (St. Killian Cheese Factory)	Wayne Creek from its origin to the Kohlsville River	Noncontinuous	I	A

29.	Tributary – Pike River (Sturtevant)	Tributary from Sturtevant STP downstream to first railroad crossing at S.C. Johnson Co.	Effluent ditch	II	NA
		Tributary from above location downstream to confluence with Pike River	Continuous	I	A
30.	West Branch Root River Canal (Union Grove)	West Branch Root River Canal from 67th Drive downstream to CTH "C"	Noncontinuous	II	NA
		West Branch Root River Canal from above location downstream to STH "20."	Noncontinuous	I	A
31.	Tributary – Des Plaines River (Wis. DOT Kenosha Rest Area 26)	From the Information Center STP to the Des Plaines River	Noncontinuous	II	B

(1) Criteria I requires the maintenance of surface water criteria specified in NR 104.02 (3) (a) 2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 (3) (b) 2.

(2) Effluent limitation A requires those limits specified in NR 104.02 (3) (a) 3.
Effluent limitation B requires those limits specified in NR104.02 (3) (b) 3.
NA—Not applicable

History: Cr. Register, September, 1976, No. 249, eff. 10–1–76; am. Table 4, Register, December, 1977, No. 264, eff. 1–1–78; reprinted to correct error in table 4, line 11, Register, August, 1982, No. 320; am. (2) (b), Register, February, 1989, No. 398, eff. 3–1–89.

NR 104.07 Variances and additions applicable in the Lake Michigan district. Subject to the provisions of s. NR 104.04, intrastate surface waters in the Lake Michigan district counties of Brown, Calumet, Door, Florence, Fond du Lac, Green Lake, Kewaunee, Manitowoc, Marinette, Marquette, Menominee, Oconto, Outagamie, Shawano, Sheboygan, Waupaca, Waushara and Winnebago shall meet the criteria for fish and aquatic life and recreational use with exceptions and additions as follows:

(1) ADDITION. The public water supply standard 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.

(2) VARIANCE. Surface waters in the Lake Michigan district subject to a variance under s. NR 104.02 (3) are listed in table 5.

TABLE 5
LAKE MICHIGAN DISTRICT

	Surface Water (Facility Affected)	Reach Description	Hydrologic Classification	Applicable Criteria (1)	Effluent Limitations (2)
1.	Ditch – Tributary – Rock River (Alto Co–op Creamery)	Ditch from the Alto Co–op process water discharge to the tributary	Effluent ditch	II	Effluent limitations to be determined
		Tributary from its origin to the Rock River	Noncontinuous	I	
2.	Tributary – Dutchman Creek	Tributary upstream from CTH "GH"	Noncontinuous	II	B
	(Austin Straubel Field)	From CTH "GH" to Dutchman Creek	Noncontinuous	I	NA
3.	Bear Creek (Bear Creek)	From the Bear Creek STP to the Embarrass River	Continuous	I	A
4.	Tributary – Fox River (Beucher & Sons of WI, Inc.)	From the discharge location downstream to the Fox River	Noncontinuous	II	B
5.	Black Creek (Black Creek)	Black Creek from Black Creek STP to confluence with Shioc River (see Black Creek at Seymour)	Noncontinuous	I	A
6.	Drainage to Gallagher Marsh (Brandon)	Upstream from STH "49" to Brandon	Effluent ditch	II	B
		Drainage from STH "49" to Diffuse surface water	Diffuse surface water	II	NA
7.	Tributary–Spring Creek (Brillion)	Channel from Brillion STP to Spring Creek	Effluent ditch	II	NA
		Spring Creek upstream from Brillion Marsh	Continuous	I	A
8.	Barr Creek–Tributary (Cedar Grove)	Barr Creek and tributary to Cedar Grove STP upstream from Lake Michigan	Noncontinuous	II	B
9.	Tributary – Taycheedah Creek (Congregation of St. Agnes Utilities)	Tributary from the Congregation of St. Agnes Utilities STP to Taycheedah Creek	Noncontinuous	II	B
10.	Tributary – Rat River (Dale S.D. #1)	Tributary from Dale to the Winnebago–Outagamie County Line	Noncontinuous	II	B
		From the County Line to the Rat River	Continuous	I	NA
11.	Tributary–Neshota River (Denmark)	Tributary from Denmark downstream to Neshota River	Noncontinuous	I	A
12.	Tributary and Red River (Du Vall Farmers Co–op)	Tributary from the cheese factory discharge to the Red River	Diffused surface water	II	B
		Red River upstream from Green Bay	Noncontinuous	I	NA
13.	Tributary–DeNeveu Creek (Eden)	DeNeveu Creek tributary from Eden STP downstream to confluence with DeNeveu Creek	Continuous	I	A
14.	Tributary – Grand River (Fairwater)	Tributary from the STP to the Grand River	Noncontinuous	II	Effluent limitations to be determined
15.	Tributary – West Twin River (Francis Creek)	Tributary from the Francis Creek STP to CTH "Q"	Noncontinuous	II	B

16.	Tributaries and Duck Creek	Ditch leading from the STP to the tributary of Duck Creek	Effluent ditch	II	B
	(Freedom Elementary School)	Tributary to Duck Creek at Freedom Elementary School	Noncontinuous	II	NA
	(Freedom San. Dist.)	Duck Creek upstream from CTH "J"	Noncontinuous	I	A
17.	Seven Mile Creek (Haven San. Dist.)	Seven Mile Creek upstream from confluence with Meeme River	Noncontinuous	II	B
18.	Tributary–North Branch Manitowoc River (Hilbert)	Tributary to Hilbert upstream from confluence with North Branch Manitowoc River	Noncontinuous	I	A
19.	Tributary – Wolf River (Hillshire Farms Co.)	From the upstream CTH 'D' crossing downstream for 1/2 mile	Noncontinuous	II	Effluent limitations to be determined
		From above location downstream to marsh at Wolf River	Noncontinuous	I	
20.	Tributaries–Plum Creek (Holland San. Dist.)	Tributary from CTH "D" downstream to Plum Creek	Noncontinuous	II	B
		Tributary from Holland Sanitary District STP downstream to above named tributary	Noncontinuous	II	B
21.	Tributary – Suamico River (Howard–Suamico School)	Tributary from the STP to the Suamico River	Noncontinuous	II	B
22.	Tributary–Kriwaniks Creek (Kellnersville)	Tributary from Kellnersville downstream to Kriwaniks Creek	Noncontinuous	I	A
23.	Drainage Ditch (Lakeview Mobile Home Park)	From Lakeview Mobile Home Park STP downstream to Lake Winnebago	Noncontinuous	II	B
24.	Arrowhead River (Larsen San. Dist. #1)	Arrowhead River upstream from a point one–half mile upstream from STH "110"	Noncontinuous	II	B
		From STH 110 to CTH "M"	Continuous	I	NA
25.	Jones Creek (Lena)	Jones Creek upstream from CTH "J"	Noncontinuous	II	B
		Jones Creek from CTH J downstream to confluence with Little River	Continuous	I	NA
26.	Meeme River (Town of Liberty San. Dist.)	From Little Pigeon Lake outlet to Spring Valley Dam	Continuous	I	A
27.	School Creek (Luxemburg)	School Creek upstream from confluence with Kewaunee River	Noncontinuous	I	A
28.	Tributary–Grand River (Markesan)	Ditch tributary from Markesan STP outfall to Grand River	Effluent ditch	II	Effluent limitations to be determined
29.	Neenah Slough (Menasha Corporation)	From the Menasha Corporation STP to the Neenah Slough	Effluent ditch	II	Effluent limitations to be determined
		Neenah Slough downstream to 500 feet below the Hwy 41 bridge	Noncontinuous	I	
30.	Tributary – Sheboygan River (Mt. Calvary)	From the Mt. Calvary STP to the Sheboygan River	Noncontinuous	I	A
31.	Tributary – Jordan Creek – Pine Creek	Tributary from Tecumseh Products to Jordan Creek	Effluent ditch	II	B
	(New Holstein)	Jordan Creek from its origin to Pine Creek	Noncontinuous	II	B
		Pine Creek upstream from Danes Road	Continuous	I	NA
32.	Black River (Oostburg)	From Oostburg STP to Wilson–Lima Road	Noncontinuous	II	B
33.	Tributary – Mud Creek (Outagamie County	From Outagamie County Airport STP to tributary	Effluent ditch	II	B
	Airport)	Tributary upstream from Casloma Rd.	Noncontinuous	II	NA
34.	Wetland – Door County (Peninsula State Park)	Wetland adjacent to Peninsula State Park STP	Wetlands	II	B
35.	Drainage Ditch – Wolf River (Peters Poultry	From the discharge location downstream to the east–west drainage ditch	Effluent ditch	II	B
	Dressing)	Drainage ditch upstream from the Wolf River	Noncontinuous	II	NA
36.	Tributary – Little Suamico River (Pickle–Rite, Inc.)	From the Pickle–Rite, Inc. discharge downstream to the Little Suamico River	Noncontinuous	II	B
37.	Tributary – North Branch Manitowoc River (Potter San. Dist.)	Tributary from the STP to the North Branch of the Manitowoc River	Effluent ditch	II	B
38.	Tributary–Beaver Creek (Pound)	Tributary of Beaver Creek from Pound STP downstream to confluence with Beaver Creek.	Noncontinuous	I	A
39.	Little Suamico River (Pulaski)	Little Suamico River upstream from Jaworski Road	Noncontinuous	II	B
40.	Silver Creek (Random Lake)	Silver Creek from Random Lake STP downstream to first crossing of Creek Road	Continuous	I	A
41.	Mud Creek – Manitowoc River (Reedsville)	From the Reedsville STP downstream to the Manitowoc River	Noncontinuous	II	B
42.	Tributary – Arrowhead River (Ridgeway Country Club)	Tributary to the Arrowhead River from the Ridgeway Country Club STP	Noncontinuous	II	B

43.	Tributary – Mud Creek (Town of Rockland	From the Rockland STP downstream to Mud Creek	Effluent ditch	II	B
	San. Dist. #1)	From Mud Creek downstream to the Manitowoc River	Noncontinuous	II	NA
44.	Tributary–West Branch Fond du Lac River (Rosendale)	Tributary from Rosendale STP downstream to confluence with West Branch Fond du Lac River	Noncontinuous	I	A
45.	Tributary – Vincent Point	Tributary from the golf course pond downstream to Vincent Point Creek	Effluent ditch	II	B
46.	Vincent Point Creek (Royal Scott San. Dist. #1)	Vincent Point Creek upstream from Green Bay	Noncontinuous	II	NA
47.	Maple Creek (Sevastopol San. Dist. #1)	Maple Creek from the Sevastopol S.D. STP to the center of Sec. 19, T28N, R27E	Noncontinuous	II	B
		From the center of Sec. 19 to Mud Lake	Wetlands	II	NA
48.	Black Creek (Seymour)	Black Creek from Seymour STP downstream to confluence with Shioc River (see Black Creek at Black Creek)	Noncontinuous	I	A
49.	Tributary – Onion River (Sheboygan Co. Comprehensive Health Center)	Tributary upstream from the Onion River	Noncontinuous	II	B
50.	Diffused surface runoff to Sheboygan River	For approximately 100 yards below the discharge location	Effluent ditch	II	B
	(Sheboygan Falls–Kohler Incinerator)	For the remainder of the distance to the Sheboygan River	Diffused surface water	II	NA
51.	Drainage – Kankapot Creek (Sherwood)	Drainage tributary from Sherwood STP downstream to wetland	Noncontinuous	II	B
		Wetland receiving above tributary	Wetland	II	NA
52.	Bear Creek (Stephensville San. Dist.)	Bear Creek from STH 76 to the tributary in Sec. 19, T22N, R17E	Noncontinuous	II	B
	(Greenville San. Dist.)	Bear Creek from above location downstream to the Wolf River	Continuous	I	A
53.	Pine Creek (Stock Mfg. Corp. & Dinner Club)	From Carstens Lake outlet downstream to tributary east of Hwy 141 in Sec.27, T18N, R23E	Noncontinuous	II	B
		From tributary downstream to Lake Michigan	Continuous	II	NA
54.	Drainage to Mud Creek (Stockbridge Sanitary	Immediate vicinity of discharge before appearance of defined channel	Wetland	II	B
	District)	Tributary from wetland area above to Mud Creek	Effluent ditch	II	NA
		Mud Creek upstream from confluence with Lake Winnebago	Noncontinuous	I	NA
55.	Tributary – Manitowoc River (Valders)	Tributary from Valders STP downstream to Manitowoc River	Noncontinuous	II	B
56.	Tributary – Hempton's Lake (Whitelaw)	Tributary from Whitelaw downstream to Hempton's Lake	Noncontinuous	II	Effluent limitations to be determined
57.	Tributary – Rat River (Winchester San. Dist.)	Tributary from Winchester to the Rat River	Noncontinuous	II	B
58.	Tributary – East River (Wrightstown San. Dist. #1)	Drainage from STP Tributary from Green leaf to East River	Effluent ditch Continuous	II I	Effluent limitations to be determined
59.	Birch Creek (Wrightstown San. Dist. #2)	Birch Creek from Norgaard's Pond downstream to the St. Paul & Pacific RR tracks	Noncontinuous	II	B
		From the RR tracks downstream to the East River	Continuous	II	NA

(1) Criteria I requires the maintenance of surface water criteria specified in NR 104.02 (3) (a) 2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 (3) (b) 2.

(2) Effluent limitation A requires those limits specified in NR 104.02 (3) (a) 3.
Effluent limitation B requires those limits specified in NR 104.02 (3) (b) 3.
NA—Not applicable

History: Cr. Register, September, 1976, No. 249, eff. 10–1–76; am. Table 5, Register, December, 1977, No. 264, eff. 1–1–76; r. entry 46, Table 5, Register, July, 1981, No. 307, eff. 8–1–81; r. and recr. (3) Register, August, 1981, No. 308, eff. 9–1–81; r. (3) (a), Register, May, 1986, No. 365, eff. 6–1–86; r. (3), Register, November, 1989, No. 407, eff. 12–1–89.

NR 104.08 Variances and additions applicable in the north central district. Subject to the provisions of NR 104.04, intrastate waters in the north central district counties of Adams, Forest, Juneau, Langlade, Lincoln, Marathon, Oneida, Portage, Vilas and Wood shall meet the criteria for fish and aquatic life and recreational use with exceptions and additions as follows:

(1) ADDITION. The public water supply standards shall be met in Lake Nepco in Wood county.

(2) VARIANCE. Surface waters in the north central district subject to a variance under s. NR 104.02 (3) are listed in table 6.

TABLE 6
NORTH CENTRAL DISTRICT

	Surface Water (Facility Affected)	Reach Description	Hydrologic Classification	Applicable Criteria (1)	Effluent Limitations(2)
1.	Elm Brook	Upstream from Lincoln Road	Noncontinuous	II	B
	(Abbotsford)	From Lincoln Road downstream to Dill Creek	Noncontinuous	I	NA
2.	Hemlock Creek (Arpin)	Hemlock Creek above junction with tributary in NW1/4 , NW1/4 , Sec. 26, T24N,R4E	Noncontinuous	II	B
		From above location downstream to Dawes Creek	Noncontinuous	I	NA
3.	Little Bear Creek (Auburndale)	From Auburndale STP downstream to a tributary in the NW1/4 , SW1/4 , Sec. 24, T25N,R4E	Noncontinuous	II	B
		Little Bear Creek from above location downstream to CTH H		I	NA
4.	Dill Creek (Colby)	Upstream from confluence with Elm Brook	Noncontinuous	I	A
		Dill Creek from Elm Brook to the town road between sections 29 and 32,T28N, R2E	Continuous	I	NA
5.	Tributary – Peshtigo Lake (Crandon)	From the Crandon STP to Peshtigo Lake	Noncontinuous	II	Effluent limits to be determined
6.	Scotch Creek (Edgar)	From CTH H downstream to Soda Creek	Noncontinuous	I	A
7.	Tributary – Mill Creek (Junction City)	From the Junction City STP downstream to Mill Creek	Noncontinuous	II	B
8.	Tributary – Wisconsin River (Land O Lakes)	From outfall to unnamed lake in the NW1/4, SW1/4, Sec. 2, R10E,T42N	Noncontinuous	II	B
		From the above location to Wisconsin River	Continuous	I	NA
9.	Tributary – North Branch Prairie River (Lincoln Hills School)	From outfall to small pond in the NW1/4, SW1/4 of Sec. 15, T33N, R7E	Noncontinuous	II	B
10.	Mill Creek (Marshfield)	Mill Creek upstream from CTH K.	Effluent ditch	II	B
11.	Randall Creek (Milan) or the 2nd alternative Marsh Creek (Milan S.D.)	From the discharge location to the middle north half of Sec. 21, T29N, R3E	Wetland	II	B
		From proposed discharge site to the middle of Section 19, T29N, R3E	Diffused surface water	II	B
		From that point to the town road bridge between Sections 25 & 36	Noncontinuous	II	NA
		From above location to Randall Creek	Noncontinuous	I	NA
12.	Spirit Lake Drainage (Northernaire Lake Terrace)	The area between the Northernaire Lake Terrace discharge and Spirit Lake	Wetland	II	B
13.	Tributary – Deerskin River (Phelps)	From the Phelps STP discharge to STH 17	Wetland	II	B
		From STH 17 to the town road between Secs. 12 & 13, T41N, R11E	Noncontinuous	II	NA
		From above location to Deerskin River	Noncontinuous	I	NA
14.	Tributary – Wild Creek (Rozellville)	From STP to tributary of Wild Creek	Diffused surface waters	II	B
		Tributary upstream from Wild Creek	Noncontinuous	II	NA
		Wild Creek upstream from Eau Pleine River	Noncontinuous	I	NA
15.	Tributary – Wisconsin River (Rudolph)	From the Rudolph STP downstream to the town road in Sec. 16, T23N, R6E	Effluent ditch	II	B
		From above road down to tributary in Sec. 26, T23N,R3E	Noncontinuous	II	NA
		From above tributary downstream to the Wisconsin River	Continuous	I	NA
16.	Tributary – Little Eau Pleine River (Spencer)	From the Spencer STP to the tributary in the NE corner of Sec. 8, T26N, R2E	Effluent ditch	II	B
		From above location downstream to the Little Eau Pleine River	Noncontinuous	II	NA
17.	Tributary–Big Eau Pleine River (Stratford)	Tributary from Stratford downstream to Big Eau Pleine R.	Noncontinuous	II	B
18.	Drainage to Town Line Lake (Three Lakes Sanitary District)	Drainage area between Three Lakes Sanitary District STP and Town Line Lake	Wetland	II	B
19.	Tributary – Hemlock Creek (Vesper)	From Vesper STP to the confluence with Hemlock Creek	Noncontinuous	II	NA
		Hemlock Creek from the Vesper Dam to Dawes Creek	Noncontinuous	I	A

(1) Criteria I requires the maintenance of surface water criteria specified in NR 104.02 (3) (a)2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 (3) (b)2.

(2) Effluent limitation A requires those limits specified in NR 104.02 (3) (a) 3.
Effluent limitation B requires those limits specified in NR 104.02 (3) (b) 3.
NA—Not applicable

(3) VARIANCE. (a) The Wisconsin river from the Rhinelander dam downstream to Crescent creek shall meet the standards for fish and aquatic life and recreational use except that the dissolved oxygen shall not be lowered to less than 3.0 mg/L at any time. This variance to the 5.0 mg/L dissolved oxygen criterion provided by this subsection shall expire on June 30, 1984.

History: Cr. Register, September, 1976, No. 249, eff. 10–1–76; am. Table 6, Register, December, 1977, No. 264, eff. 1–1–78; am. Table 6, entry 10, Register, June, 1978, No. 270, eff. 7–1–78; r. and recr. (3), Register, August, 1981, No. 308, eff. 9–1–81.

NR 104.09 Variances and additions applicable in the west central district. Subject to the provisions of s. NR 104.04, intrastate waters in the west central district counties of Barron, Buffalo, Chippewa, Clark, Crawford, Dunn, Eau Claire, Jackson, La Crosse, Monroe, Pepin, Pierce, Polk, St. Croix, Trempealeau and Vernon shall meet the criteria for fish and aquatic life and recreational use with exceptions and additions as follows:

(1) ADDITION. The public water supply standard shall be met in the following surface waters:

(a) Black river at Neillsville.

(b) Town creek at Black River Falls.

(2) VARIANCE. Surface waters in the west central district subject to a variance under s. NR 104.02 (3) are listed in table 7.

TABLE 7
WEST CENTRAL DISTRICT

	Surface Water (Facility Affected)	Reach Description	Hydrologic Classification	Applicable Criteria (1)	Effluent Limitations (2)
1.	Drainage Area – CR. 31–16, Meyer's Valley Creek (Arcadia)	Drainage area south of railroad tracks and west of stabilization ponds in N1/2, NE1/4, Sec. 1, T20N, R10W	Wetland	II	B
		Cr. 31–16 (Meyer's Valley Creek) North of railroad tracks to Trempealeau River	Continuous	I	NA
2.	Baldwin Creek–Rush River (Baldwin)	Baldwin Creek–upstream from confluence with Rush River.	Noncontinuous	I	A
		Rush River–upstream from St. Croix–Pierce County line.	Noncontinuous	I	A
3.	Tributary – Hay Creek (Boyd)	Tributary from Boyd STP downstream 1,300 feet	Noncontinuous	II	Effluent limitations to be determined
		Tributary from above location to Hay Creek	Continuous	I	
4.	Little La Crosse River (Cashton)	Little La Crosse River upstream from 0.2 miles north of line between Sections 24 and 25, T15N, R4W.	Noncontinuous	I	A
5.	Drainage Area Tributary – South Branch Yellow River (Chili)	Drainage area in center of sec. 22, T25N, R1E	Wetland	II	B
6.	Drainage – Tributary – South Branch Beaver Brook (Clayton)	Drainage area east of railroad tracks in W1/2, SE1/4, NE1/4, Sec. 13, T33N, R15W	Diffused surface waters	II	B
7.	Tributary – Willow River (Clear Lake)	Tributary from Clear Lake STP downstream to Yellow River	Noncontinuous	I	
8.	Hay River (Cumberland)	Hay River from dam at Beaver Dam Lake downstream to Town Road at northwest corner of Section 9.	Noncontinuous	I	A
9.	Drainage – Tributary – East Fork Poplar	Drainage area in center of S1/2 , NW1/4 , Sec. 32, T29N,R1E	Wetland	II	B
	River (Curtiss)	Tributary from 500 feet north of STH "29" to 500 feet south of STH "29"	Noncontinuous	II	NA
10.	Tributary – North Fork Poplar River (Dorchester)	Tributary from Dorchester STP to North Fork Poplar River	Noncontinuous	I	A
11.	Drainage Area – Tributary to Fish Hatchery Creek (Dresser)	Drainage area upstream from constructed drainage ditch to the tributary of Fish Hatchery Creek.	Wetland	II	B
		Drainage ditch and tributary to Fish Hatchery Creek.	Noncontinuous	I	A
12.	Drainage – Tributary –Muddy Creek	Drainage Area from Elk Mound STP to culvert under I–94	Wetland	II	Effluent limitations to be determined
	(Elk Mound)	Tributary from I–94 downstream to Muddy Creek	Noncontinuous	I	
13.	Isabella Creek (Ellsworth)	Isabella Creek upstream from Town Road between Sections 28 and 33.	Noncontinuous	II	B
		Isabella Creek in Section 33.	Noncontinuous	I	NA
		Isabella Creek from above location downstream to CTH V.	Continuous	I	NA
14.	Drainage Area – Tributary Hutton Creek	From Emerald STP discharge to E/W town road in Sec. 13, T30N, R16W	Effluent ditch	II	B
	(Emerald, Emerald and Glenwood S.D.)	From E/W town road to Hutton Creek tributary	Diffused surface waters	II	NA
		Tributary to Hutton Creek and Hutton Creek	Noncontinuous	II	NA

15.	Tributary – Schoolhouse Creek (Fairchild)	From Fairchild STP to railroad grade in NW1/4 , Sec. 2, T24N,R5W	Effluent ditch	II	Effluent limitations to be determined
		From above location along railroad grade to spring flow	Noncontinuous	I	
		From spring flow to Schoolhouse Creek	Continuous	I	
16.	Brown Brook Tributary – Trade River (Frederic)	Tributary from Frederic STP to confluence with Trade River	Noncontinuous	I	A
17.	Drainage Area (Hammond)	Drainage area in center of N1/2 , Sec. 28, T29N, R17W	Diffused surface waters	II	B
18.	Tributary – Yellow River (Lakeland San. Dist.)	Tributary from Lakeland stabilization ponds to Yellow River	Noncontinuous	I	A
19.	Bear Creek (Loyal)	Bear Creek from Loyal STP downstream to Town Road on north line of Section 8.	Noncontinuous	I	A
20.	Drainage – North Star Creek tributary to Trade River (Luck)	Tributary from Luck STP downstream to center of Section 21	Effluent ditch	II	B
21.	Drainage Area Tributary Rice Lake (Milltown)	Drainage area north of Rice Lake in Section 17	Wetland	II	B
22.	Drainage Area – Duncan Creek (New Auburn)	Drainage Area in S1/2 , SE1/4 , Sec. 36, T32N, R10W	Wetland	II	B
23.	Tributary – Allen Creek (Oakdale)	From Oakdale stabilization pond discharge south 375 feet to drainage ditch	Effluent ditch	II	B
		Drainage ditch south 900 feet and east to Allen Creek	Noncontinuous	II	NA
		Allen Creek	Continuous	I	NA
24.	Twin Lakes (Roberts)	Twin Lakes (east lake)	Wetland	II	B
25.	Drainage – La Crosse River (Rockland)	Drainage area in N1/2 , NW1/4 , Sec. 36, T17N, R5W	Wetland	II	B
26.	Tributary – Mormon Creek (St. Joseph)	Tributary from St. Joseph STP to Mormon Creek	Noncontinuous	I	A
27.	Tributary – North Fork Eau Claire River (Thorp)	Tributary from Thorp STP downstream to North Fork Eau Claire River	Noncontinuous	I	A
29.	Tributary to Springville Branch Bad Axe River (Vernon County Home)	Tributary from Vernon County Home in Sec. 29 downstream to large spring above Springville	Noncontinuous	II	B
30.	Tributary to Springville Branch Bad Axe River (Viroqua)	Tributary from Viroqua STP in Sec. 31 downstream to large spring above Springville.	Noncontinuous	II	Effluent limitations to be determined.
31.	Tributary to North Fork Bad Axe River (Westby)	Tributary from Westby STP downstream to line between Sec. 35 and 36, T14N, R5W.	Noncontinuous	II	B
32.	Drainage Area – Trempealeau River (Whitehall)	Drainage area from Whitehall STP to Trempealeau River	Wetland	II	B
33.	Tributary–Eau Galle River (Woodville)	Tributary from Woodville STP downstream to Eau Galle River	Noncontinuous	II	B
		Eau Galle River downstream to CTH N	Noncontinuous	II	NA

(1) Criteria I requires the maintenance of surface water criteria specified in NR 104.02 (3) (a)2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 (3) (b)2.

(2) Effluent limitation A requires those limits specified in NR104.02 (3) (a)3.
Effluent limitation B requires those limits specified in NR104.02 (3) (b)3.
NA – Not applicable.

History: Cr. Register, September, 1976, No. 249, eff. 10–1–76; am. table 6, Register, December, 1977, No. 264, eff. 1–1–78; r. (2) table 7, entry 28, Register, September, 1981, No. 309, eff. 10–1–81.

NR 104.10 Variances and additions applicable in the northwest district. Subject to the provisions of s. NR 104.04, intrastate waters in the northwest district counties of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor and Washburn shall meet the criteria for fish and aquatic life and recreational use with exceptions and additions as follows:

(1) ADDITION. The public water supply standard shall be met in the following surface waters:

(a) Lake Lavina in Iron county.

(b) Little Rib lake in Taylor county.

(2) VARIANCE. Surface waters in the northwest district subject to a variance under s. NR 104.02 (3) are listed in table 8.

TABLE 8
NORTHWEST DISTRICT

	Surface Water (Facility Affected)	Reach Description	Hydrologic Classification	Applicable Criteria (1)	Effluent Limitations (2)
1.	Drainage to Amnicon River (Camp Amnicon)	Drainageway from the Camp Amnicon lagoon to the Amnicon River	Diffused surface water	II	B
2.	Ditch & Seepage Area (Clam Lake Field Sta.)	Channel receiving Clam Lake Field Station polishing pond effluent	Effluent ditch	II	B
3.	Bear Creek (Douglas Co. Health Care Facility)	Bear Creek from the Douglas Co. Health Care Facility STP to Allouez Bay	Noncontinuous	I	A
4.	Drainage to Hackett Creek (Flambeau State Camp)	Drainage from Flambeau State Camp lagoon to Hackett Creek	Wetland	II	B
5.	Drainage to Yellow River (Gilman)	Drainage area from Gilman lagoon to Yellow River	Diffused surface water	II	B
6.	Tributary – Deertail Creek (Glen Flora Sch.)	Channel from Glen Flora School polishing pond to Deertail Creek	Effluent ditch	II	Effluent limits to be determined
7.	South Fork Main Creek (Hawkins)	South Fork Main Creek from Hawkins Millpond Dam downstream to CTH M	Continuous	I	A
8.	Bradley Brook (Hayward)	From Hayward STP outfall to the confluence with Namekagon River	Continuous	I	A
9.	Tributary – Cemetery Creek (Iron Belt)	Channel from the Iron Belt STP outfall to Cemetery Creek	Effluent ditch	II	Effluent limits to be determined
10.	Wetland near Frog Creek (Minong)	Wetland receiving Minong STP effluent	Wetland	II	B
11.	Tributary & Bardon Creek (Northwestern	From the school polishing pond to Bardon Creek	Noncontinuous	II	B
	Junior–Senior High School)	Bardon Creek	Noncontinuous	I	NA
12.	Wetland near Holmes Creek (Ogema)	Wetland receiving Ogema lagoon effluent	Wetland	II	B
13.	Drainageway and Tributary to a Tributary of Whittlesey Creek	Drainageway from Ondossagon School polishing pond to a noncontinuous tributary to an unnamed tributary to Whittlesey Creek	Diffused surface water	II	Effluent limits to be determined
	(Ondossagon School)	Noncontinuous tributary to an unnamed tributary to Whittlesey Creek	Noncontinuous	I	
14.	Drainage to the Black River (Pattison State Park)	Drainageway from Pattison Park STP to the Black River	Diffused surface water	II	Effluent limits to be determined
15.	Drainage to Meads Creek (Pence)	Drainage Area from Pence STP to Meads Creek	Wetland	II	B
16.	Drainage to Lake Superior (Pureair)	Drainageway from the Pureair STP to Lake Superior	Diffused surface water	II	B
17.	Drainage Area – Couderay River (Radisson)	Wetland receiving Radisson STP effluent	Wetland	II	B
18.	Sheep Ranch Creek (Rib Lake)	Sheep Ranch Creek from Rib Lake STP downstream to first town road	Continuous	I	A
19.	Tributary – Sawyer Creek (Shell Lake)	Channel from the Shell Lake STP outfall to Sawyer Creek	Diffused surface water	II	Effluent limits to be determined
20.	Wetland (Siren)	Wetland receiving Siren STP effluent	Wetland	II	B
21.	Ditch & West Branch Big Eau Pleine River	Channel from the Stetsonville lagoon to the West Branch Big Eau Pleine River	Effluent ditch	II	Effluent limits to be determined
	(Stetsonville)	West Branch Big Eau Pleine River downstream to tributary in the NW1/4 , SW1/4, Sec. 29, T30N, R2E	Noncontinuous	I	
22.	Drainage to Pokegama River	Drainageway from Village of Superior lagoon to Pokegama River	Diffused surface water	II	B
	(Superior, Village of)	Pokegama River from above location to St. Louis Bay	Continuous	I	
23.	Drainage to	Channel from Tony lagoon to wetland	Effluent ditch	II	B
	Deertail Creek (Tony)	Drainage from effluent ditch to Town Line Rd.	Wetland	II	NA
		Tributary to Deertail Creek below Town Line Rd.	Noncontinuous	I	NA
24.	Tributary – Clam River (Webster)	Tributary from the Webster lagoon to the Clam River	Noncontinuous	II	B
25.	Tributary – Soft Maple Creek (Weyerhauser)	Drainage from Weyerhauser lagoon to tributary	Diffused surface water	II	B
		Tributary of Soft Maple Creek upstream from CTH "F"	Noncontinuous	II	NA
26.	Seepage Area near Brunet River (Winter)	Area receiving the Winter lagoon effluent	Diffused surface water	II	B
27.	Drainage from Village of Turtle Lake to Moon Creek (Turtle Lake)	Drainage area from effluent pipes to impoundment	Wetland	II	B

Impoundment formed by constructed dam in the SW1/4, SW1/4, sec. 32, T34N, R14W	Flowage	II	NA
Drainage from the dam to the south line of sec. 32, T34N, R14W	Noncontinuous	I	NA
Drainage area from the north line to the south line of sec. 5, T33N, R14W	Wetland	II	NA

(1) Criteria I requires the maintenance of surface water criteria specified in NR 104.02 (3) (a)2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 (3) (b)2.
(2) Effluent limitation A requires those limits specified in NR104.02 (3) (a)3.
Effluent limitation B requires those limits specified in NR104.02 (3) (b)3.
NA – Not applicable

(3) OTHER VARIANCES. (a) The Flambeau river from the upper dam at Park Falls downstream to the Crowley dam shall meet the standards for fish and aquatic life and recreational use, except that the dissolved oxygen may not be lowered to less than 3.0 mg/L at any time. On June 30, 1984, this variance shall expire and after that date all portions of the Flambeau river shall meet the standards for fish and aquatic life and recreational use, including the dissolved oxygen standard of 5.0 mg/L.

(b) Newton creek in the city of Superior, from the headwaters to its mouth into Hog Island Inlet of Superior Bay shall be classified as a noncontinuous stream and shall also be classified for fish and aquatic life uses with the subcategory of limited forage fish communities. Hog Island Inlet and Superior Bay shall be classified for fish and other aquatic life uses with the subcategory of great lake communities.

History: Cr. Register, September, 1976, No. 249, eff. 10–1–76; am. table 8, Register, December, 1977, No. 264, eff. 1–1–78; cr. entry 27, table 8, Register, September, 1981, No. 309, eff. 10–1–81; am. (3) (a), Register, May, 1983, No. 329, eff. 6–1–83; am. (3) (b), Register, February, 1989, No. 398, eff. 3–1–89; am. (3) (b), Register, April, 1991, No. 424, eff. 5–1–91.

Subchapter II — Interstate Waters

NR 104.20 Wisconsin–Illinois waters. (1) The Des Plaines River, Pitscasaw Creek, Nippersink Creek and Turtle Creek upstream of the Rock–Walworth county line are used for wildlife and stock watering, waste assimilation, warm water fishery and recreation. Dutch Gap Canal and Trevor Creek have similar uses excepting waste assimilation. The main stems of these streams shall meet the requirements for recreational use and fish and aquatic life.

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

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

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

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

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

(7) The sector of Honey Creek above the Clarno–Cadiz town line shall meet the standards for fish and aquatic life except that the dissolved oxygen shall not be lowered to less than 2 mg/L at any time. The membrane filter fecal coliform count in this sector shall not exceed 1,000 per 100 ml as a monthly geometric mean based on not less than 5 samples per month, nor exceed 2,000 per ml in more than 10% of all samples during any month.

History: Cr. Register, September, 1973, No. 213, eff. 10–1–73; renum. from NR 103.01, Register, July, 1991, No. 427, eff. 8–1–91.

NR 104.21 Wisconsin–Minnesota–Iowa–Illinois waters. The Mississippi River is used for commercial and recreational fishing, industrial and cooling water supply, boating, hunting, commercial shipping and waste assimilation. Water quality shall meet the standards and requirements for recreational use and fish and aquatic life.

History: Cr. Register, September, 1973, No. 213, eff. 10–1–73; renum. from NR 103.02, Register, July, 1991, No. 427, eff. 8–1–91.

NR 104.22 Wisconsin–Minnesota waters. (1) The St. Croix River has high scenic and aesthetic value and is used for recreation, fishing, hydropower, commercial shipping, stock and wildlife water supply, and waste assimilation. An anticipated use involves industrial and cooling water supply. Its water quality shall meet the standards and requirements for recreational use and fish and aquatic life. The standards for public water supply shall be met downstream from the north line of Polk county.

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

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

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

History: Cr. Register, September, 1973, No. 213, eff. 10–1–73; renum. from NR 103.03, Register, July, 1991, No. 427, eff. 8–1–91.

NR 104.23 Wisconsin–Minnesota–Michigan waters. Lake Superior is used for recreation, commercial and recreational fishing, shipping, municipal water supply, industrial and cooling water, and waste assimilation. Lake Superior open waters shall meet the criteria and requirements for public water supplies. All waters of Lake Superior shall meet the standards for recreational use and fish and aquatic life.

History: Cr. Register, September, 1973, No. 213, eff. 10–1–73; renum. from NR 103.04, Register, July, 1991, No. 427, eff. 8–1–91.

NR 104.24 Wisconsin–Michigan waters. (1) The Montreal River is used for hydropower, recreation, wildlife and stock watering, waste assimilation and has aesthetic value. Its

waters shall meet the standards and requirements for recreational use and fish and aquatic life.

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

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

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

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

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

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

History: Cr. Register, September, 1973, No. 213, eff. 10–1–73; renum. from NR 103.05, Register, July, 1991, No. 427, eff. 8–1–91.

NR 104.25 Wisconsin–Michigan–Illinois–Indiana waters. Lake Michigan is used for recreation, commercial and recreational fishing, shipping, public water supply, waste assimilation, and industrial and cooling water. All Lake Michigan waters shall meet the standards for public water supplies and the standards for recreational use and fish and aquatic life, in addition to the thermal criteria contained in s. 102.04, Stats.

History: Cr. Register, September, 1973, No. 213, eff. 10–1–73; reprinted to correct printing error, Register, February, 1987, No. 374; renum. from NR 103.06, Register, July, 1991, No. 427, eff. 8–1–91.

NR 104.26 Trout waters. Trout waters include the open waters of Lakes Superior and Michigan as well as those classified by the department of natural resources. They must be given special protection as required by the fish and aquatic life standards.

History: Cr. Register, September, 1973, no. 213, eff. 10–1–73; reprinted to correct printing error, Register, February, 1987, No. 374; renum. from NR 103.07, Register, July, 1991, No. 427, eff. 8–1–91.

NR 104.27 Fish reproduction. Standards adequate to maintain fish reproduction shall be maintained in the open waters of Lake Superior and Lake Michigan and in all other interstate waters which are designated by the department as of primary importance in the public interest for the maintenance of fish reproduction.

History: Cr. Register, September, 1973, No. 213, eff. 10–1–73; renum. from NR 103.08, Register, July, 1991, No. 427, eff. 8–1–91.

NR 104.28 Revision of designated uses. Modification of the uses and designated standards established in this chapter may be initiated by the department, by petition of any interested person, or by the natural resources board, subject to the provisions of ch. 227, Stats.

History: Cr. Register, September, 1973, No. 213, eff. 10–1–73; renum. from NR 103.08, Register, July, 1991, No. 427, eff. 8–1–91.