

Chapter NR 104

USES AND DESIGNATED STANDARDS

Subchapter I — Intrastate Waters

NR 104.01	General.
NR 104.02	Surface water classifications and effluent limitations.
NR 104.04	Provision for changes.
NR 104.05	Variations and additions applicable in the southern district.
NR 104.06	Variations and additions applicable in the southeast district.
NR 104.07	Variations and additions applicable in the Lake Michigan district.
NR 104.08	Variations and additions applicable in the north central district.
NR 104.09	Variations and additions applicable in the west central district.
NR 104.10	Variations and additions applicable in the northwest district.

Subchapter II — Interstate Waters

NR 104.20	Wisconsin-Illinois waters.
NR 104.21	Wisconsin-Minnesota-Iowa-Illinois waters.
NR 104.22	Wisconsin-Minnesota waters.
NR 104.23	Wisconsin-Minnesota-Michigan waters.
NR 104.24	Wisconsin-Michigan waters.
NR 104.25	Wisconsin-Michigan-Illinois-Indiana waters.
NR 104.26	Trout waters.
NR 104.27	Fish reproduction.
NR 104.28	Revision of designated uses.

Note: Chapter NR 104 as it existed on September 30, 1976 was repealed and a new chapter NR 104 was created effective October 1, 1976.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 c2md cbd 7., Stats., Register, August, 1997, No. 500.

Subchapter I — Intrastate Waters

NR 104.01 General. c1d XI 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. . . Y s. 283.001 c1d cbd, 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:

- cad The presence of in-place pollutants,
- cbd Low natural streamflow,
- ccd Natural background conditions, and
- cdd Irrecoverable cultural alterations.

c1md 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.

c2d 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.

c3d 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. c1d, Register, December, 1977, No. 264, eff. 1-1-78.

NR 104.02 Surface water classifications and effluent limitations. c1d HYDROLOGIC CLASSIFICATION. XSur-

face waters Y as defined in s. NR 102.03 c7d, 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:

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

cbd *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.

ccd *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.

cdd *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. d 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.

ced *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.

cf d *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 navigability properties of the watercourse, but is dependent upon the quantity-quality relationships of the surface water.

c2d WATER QUALITY CLASSIFICATION. cad Whenever the goals as specified in s. 283.001 c1d cbd, Stats., cannot be attained because of conditions enumerated in s. NR 104.01 c1d, 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.

cbd 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 c1d.

c3d VARIANCE CATEGORIES. cad *Limited forage fish communities cintermediate surface watersd.* 1. ZApplicability.[This category of variance may be applied to either the continuous or noncontinuous stream hydrologic classification.

2. ZSurface 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.
- 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. ZEffluent 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 cmg{Ld	Daily Maximum cmg{Ld	Weekly Average cmg{Ld	Other cmg{Ld
BOD ₅	15	30	-	-
Total Suspended Solids	20	30	-	-
Dissolved Oxygen	-	-	-	4 cminimum md

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.

cbd *Limited aquatic life subcategory cmarginal surface watersd.* 1. ZApplicability.[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. ZSurface 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 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. ZEffluent 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 cmg{Ld	Weekly Average cmg{Ld	Other cmg{Ld
BOD ₅	20	30	-
Total Suspended Solids	20	30	-
Dissolved Oxygen	-	-	4 cminimumd

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.

c4d OTHER CLASSIFICATIONS AND EFFLUENT CRITERIA. cad *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.

cbd *Surface waters classified for fish and aquatic life.* 1. ZStreams.[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. ZLakes 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. ZMinimum 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.

ccd *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.

c5d 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, c2d, c3d cad 2a and d., c3d cbd 2a and c., c4d ccd, Register, December, 1977, No. 264, eff. 1-1-78; am. c3d cad 2a, Register, June, 1978, No. 270, eff. 7-1-78; am. c1d ccd, Register, June, 1984, No. 342, eff. 2-1-84; r. c3d cad 2. b. to d., cbd 2. b. and c., renum. c3d cad 2. e. to g. and c3d cbd 2. d. and e. to be c3d cad 2. b. to d. and c3d cbd

2. b. and c. and am c3d cad 2. g. and c3d cbd 2. c., am. c3d cad 3. a. and c3d cbd 3. a., Register, October, 1986, No. 370, eff. 11-1-86; am. c1d cintro.d, c2d cbd, c3d cad cintro.d and 3. c., and c3d cbd 3. c., r. and recr. c3d cad 2. d. and c3d cbd 2. c., Register, February, 1989, No. 398, eff. 3-1-89; CR 03-050: r. c3d cad 2. b., am. Table 1 Register February 2004 No. 578, eff. 3-1-04; correction in c1d made under s. 13.92 c4d cbd 7., Stats., Register May 2020 No. 773; correction in c1d made under s. 13.92 c4d cbd 7., Stats., Register September 2020 No. 777.

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:

c1d ADDITION. The public water supply standard shall be met on the Wisconsin river in section 8, township 10 north, range 7 east.

c2d VARIANCE. Surface waters in the southern district subject to a variance under s. NR 104.02 c3d are listed in table 3.

TABLE 3
SOUTHERN DISTRICT

Surface Water Facility Affected	Reach Description	Hydrologic Classification	Applicable Criteria c1d	Effluent Limitations c2d
1. Goose Lake Tributary cArlingtond	Tributary upstream from Goose Lake	Noncontinuous	II	Effluent limitations to be determined
2. Tributary - East Branch Pecatonica River cBarneveldd	From the Barneveld STP downstream to the East Branch Pecatonica River	Noncontinuous	II	B
3. Williams Creek cBlue Moundsd	From the Blue Mounds STP downstream to the east line of Sec. 14, T6N, R5E	Noncontinuous	I	A
4. Sanders Creek cBoscobeld	From the Boscobel STP downstream to the Wisconsin River	Continuous	I	A
5. Allen Creek cBrooklynd	Upstream from Butts Corner Road	Continuous	I	A
6. Kummel Creek cBrownsvilled	From Brownsville STP downstream to CTH XHHY	Noncontinuous	I	A
7. Spring Brook and Tributary cClintond	Tributary from the Clinton STP to Spring Brook	Effluent ditch	II	B
8. Tributary - Dead Creek cClymand	Spring Brook in Clinton Township Tributary from Clyman STP downstream to Dead Creek	Continuous Noncontinuous	II II	NA B
9. West Branch Pecatonica River cCobbd	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 cCottage Groved	Door Creek upstream from STH 12 & 18	Noncontinuous	I	A
11. Coon Branch cCuba Cityd	From STH 12 & 18 downstream to Lake Kegonsa Upstream from westerly tributary approximately 1 mile above STH 11	Continuous Noncontinuous	I II	NA B
12. Mud Creek and Tributary cDeerfieldd	Downstream from above tributary to confluence with Galena River Tributary from Deerfield STP to confluence with Mud Creek	Continuous	I	NA
13. Indian Creek and Tributary cDickeyvilled	Mud Creek from above tributary downstream to confluence with Koshkonong Creek Tributary from Dickeyville STP to confluence with Indian Creek	Continuous Noncontinuous	I II	A NA
14. Dodge Branch cDodgevilled	Indian Creek from above tributary downstream to confluence with Platte River Upstream from a point approximately 3,500 feet downstream from STH 191	Continuous Noncontinuous	I I	A A
15. Tributary - North Branch Crawfish River cFall Riverd	Tributary from the Fall River STP downstream to the North Branch Crawfish River	Noncontinuous	II	Effluent limitations to be determined
16. Gregory Branch cFennimored	Upstream from STH X61Y	Continuous	I	A
17. Tributary - Rock River cHidden Meadows Mobile Home Parkd	Tributary from the Hidden Meadows Mobile Park STP discharge downstream to the Rock River	Noncontinuous	II	B
18. Big Spring Branch cHighlandd	Upstream from the North line of Sec. 19, T7N, R1E	Noncontinuous	I	A
19. Pedler Creek cIowa Co. Nursing Homed	From the Iowa Co. Nursing Home STP downstream to the confluence with an unnamed tributary, SE1/4, SE1/4, Sec. 34, T6N, R2E	Noncontinuous	I	A
20. Tributary - Wildcat Creek cIron Ridged	From the Iron Ridge STP downstream to Wildcat Creek	Noncontinuous	II	B

21.	Tributary & Rock River Tributary cIxoniasan. Dist.d	From the Ixoniasan. Dist. STP downstream to the juncture with the Rock River Tributary	Noncontinuous	II	B
		Rock River Tributary from above tributary to confluence with Rock River	Continuous	II	NA
22.	Tributary - Menominee River cJamestown San. Dist. y2d	From Jamestown San. Dist. y2 STP to the Menominee River	Diffused surface water	II	B
23.	Dead Creek cJuneaud	Upstream from CTH XMY	Effluent ditch	II	B
		From CHT M to St. Helena Rd.	Continuous	I	NA
24.	Sinnipee Creek cKieler San. Dist. y1d	From Kieler lagoon outfall to Bluff Road	Continuous	I	A
25.	Rock Creek cLake Millsd	From the Lake Mills STP downstream to CTH XVY	Noncontinuous	I	A
		From CTH XVY to Harper[s Mill Pond	Continuous	I	NA
26.	Tributary - Pigeon Creek cLancasterd	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 cLebanon San. Dist.d	From Lebanon STP downstream to Baker Creek	Noncontinuous	II	B
28.	Little Platte River cLivingstond	From Livingston STP downstream to New California Road	Noncontinuous	I	A
29.	Tributary-East Branch Rock River cLomirad	Tributary upstream from confluence with East Branch Rock River.	Noncontinuous	I	A
30.	cMadison Metro Sewerage Commissiond	From the STP outfall aerator to the Oregon Branch	Effluent ditch	II	Effluent limitations to be determined
31.	Brewery cFurnaced Creek cMineral Pointd	Brewery Creek upstream from confluence with Mineral Point Branch	Continuous	II	B cNote: the above limitation shall remain in effect until significant nonpoint source problems can be correctedd
32.	Tributary - Blue River cMontfordd	From the Montfort STP downstream to the Blue River	Continuous	I	A
33.	Little Grant River cMount Hoped	From the Mt. Hope STP downstream to the west boundary of Sec. 10, T5N, R4W	Noncontinuous	I	A
34.	West Branch Sugar River cMt. Horebd	From Mt. Horeb STP downstream to CTH XJG.Y	Continuous	I	A
35.	Tributary - Austin-Branch cOrchard Manord	Drainage from Orchard Manor outfall to Austin Branch	Diffused surface waters	II	Effluent limitations to be determined
36.	Oregon Branch - Badfish Creek cOregond	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 XAY	Continuous	I	
37.	Swan Creek and Tributary cOrfordvilled	Tributary from Orfordville ST Poutfall to Swan Creek.	Effluent ditch	II	NA
		Swan Creek from confluence with above tributary to Dicky Road.	Noncontinuous	I	
38.	Tributary - Blake Fork cPatch Groved	Tributary from the Patch Grove STP downstream to Blake Fork	Noncontinuous	I	A
39.	Tributary - Honey Creek cPlaind	From the Plain STP downstream to Honey Creek	Continuous	I	Effluent limitations to be determined
40.	Randolph Branch - Tributary Beaver Creek cRandolphd	From the Randolph STP downstream to Beaver Creek Tributary	Noncontinuous	II	Effluent limitations to be determined
		Tributary to Beaver Creek upstream from Beaver Creek	Noncontinuous	I	
41.	Tributary - Beaver Dam River cReesevilled	Tributary from Reeseville STP to confluence with Beaver Dam River	Noncontinuous	I	A
42.	Conley - Smith Creek cRidgewayd	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 cRiod	From the Rio STP downstream to Rocky Run Creek	Noncontinuous	II	B
44.	Tributary - Narrows Creek cSauk Co. Health Care Centerd	From the Sauk County Health Care Center STP downstream to Narrows Creek	Noncontinuous	I	A
45.	Duck Creek and Tributary cSullivand	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 cSun Prairied	Koshkonong Creek upstream from first bridge above Sun Prairie STP	Noncontinuous	II	Effluent limitations to be determined
47.	Badger Mill Creek cVeronad	Badger Mill Creek from road at Verona STP downstream to STH X69Y.	Continuous	I	A
48.	Tributary - Murphy Creek cWisconsin Department of Cor- rections - Oakwood State Camp	Tributary from Oakwood State Camp STP downstream to Murphy Creek	Noncontinuous	II	B

c1d Criteria I requires the maintenance of surface water criteria specified in NR 104.02 c3d cad2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 c3d cbd2.
c2d Effluent limitation A requires those limits specified in NR104.02 c3d cad3.
Effluent limitation B requires those limits specified in NR 104.02 c3d cbd3.
NA—Not applicable

History: Cr. Register, September, 1976, No. 249, eff. 10-1-76; am. table 3, r. c3d, Register, December, 1977, No. 264, eff. 1-1-78; correction in Table 3 made under s. 13.92 c4d cbd 6., Stats.

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.

c1d VARIANCE. Surface waters in the southeast district subject to a variance under s. NR 104.02 c3d are listed in table 4.

c2d OTHER VARIANCES. cad 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:

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.

cbd 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 ambient water temperature exceed 89°F at any time at the edge of the mixing zones established by the department under s. NR 102.05 c3d:

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 cFacility Affectedd	Reach Description	Hydrologic Classification	Applicable Criteria c1d	Effluent Limitations c2d
1.	Tributary - Onion River cBelgiumd	From Belgium to the Onion River	Noncontinuous	II	B
2.	Tributary - Des Plaines River cBristol	Tributary from Bristol to the Des Plaines River	Noncontinuous	II	Effluent limitations to be determined
3.	Tributary - Darien Creek - Little Turtle Creek cDariend	Darien Creek tributary from the origin to Darien Creek Darien Creek from its origin to Little Turtle Creek Little Turtle Creek from its origin to Turtle Creek	Effluent ditch Continuous Continuous	II I I	B NA NA
4.	Eagle Creek cEagle Lake San. Dist.d	From Eagle Lake to CTH XJY	Noncontinuous	II	B
5.	East Branch Root River Canal cFonk Mobile Home Park y1d	From CTH XJY to the Fox River Upstream from STH X20Y From STH X20Y downstream to the West Branch Root River Canal	Noncontinuous Noncontinuous Noncontinuous	I II I	NA B NA
6.	Tributary - Des Plaines River cFonk Mobile Home- Park y2 and Union Grove Ind.d	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 cHales Cornersd	Upstream from the Hales Corners STP cexcept for Upper Kelly Laked From Hales Corners STP downstream to Whitehall Park Pond	Noncontinuous Noncontinuous	II I	NA A
8.	Dover Ditch - Goose Lake Branch Canal cHoly Redeemer Colleged	Dover Ditch upstream from Dover Line Road	Noncontinuous	II	B
9.	Tributary-Muskego Lake cMuskegod	From the Muskego STP downstream to wetland near Muskego Lake Drainage from above location to Muskego Lake	Effluent ditch Wetland	II II	Effluent limitations to be determined

10.	Tess Corners Creek cMuskego NE District	Upstream from STH X45Y	Noncontinuous	I	A
		From STH X45Y downstream to Whitnall Park Pond	Continuous	I	NA
11.	Poplar Creek cNew Berlin High School & Cleveland Heights School	From the treatment plant outfalls downstream to the Chicago & Northwestern railroad bridge	Noncontinuous	II	B
		From the railroad bridge downstream to the confluence of The Fox River	Continuous	I	NA
12.	Drainage and Tributary - Root River cNew Berlin Memorial Hospital	From the New Berlin Memorial Hospital STP to Root River tributary	Diffuse Surface Waters	II	B
		Tributary to the Root River downstream from New Berlin Memorial Hospital STP	Noncontinuous	II	NA
13.	Deer Creek cNew Berlin- Regal Manor	Deer Creek from its origin to Poplar Creek	Noncontinuous	II	B
14.	Tributary - Lake Michigan cNorth Park	Tributary from its origin to Lake Michigan	Noncontinuous	I	A
15.	Drainage - Tributary - Brighton Creek cPaddock Laked	Drainage at Paddock Lake STP and near Brighton Creek Tributary between above wetlands areas	Wetland Noncontinuous	II II	B NA
16.	Drainage - Mud Lake cParamski Mobile Home Park	From the Mobile Home STP to Mud Lake	Wetland	II	B
17.	Tributary - Lake Michigan cPleasant Park San. Dist.	From the Pleasant Park STP to the Illinois State line	Noncontinuous	II	B
18.	Pleasant Prairie Tributary cPleasant Prairie Util. Dis- trict Dd	Pleasant Prairie Tributary from its origin to the Des Plaines River	Noncontinuous	II	Effluent limitations to be determined
19.	Tributary - Des Plaines cPleasant Prairie S.D. y73- 1d	From its origin to the Illinois State line	Noncontinuous	II	B
20.	Tributary and Hoods Creek cRacine County Hwy. & Park Comm.d	Tributary up from Hoods Creek towards Ives Grove Hoods Creek from STH X20Y downstream to confluence with Root River	Noncontinuous Noncontinuous	II I	B NA
21.	Tributary - Root River cRawson Homes Sanitary Trustd	From the Rawson Homes STP to the Root River	Noncontinuous	II	B
22.	Salem Branch cSalem Util- ity District 1d	Salem Branch from Salem Utility District 1 STP down stream to 216th Avenue.	Noncontinuous	I	A
23.	Little Turtle River cSharon	Little Turtle River from Sharon STP downstream to Rock- Walworth County line	Noncontinuous	II	B
24.	Drainage - Kenosha County cSienadale Motherhoused	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 cSlinger	Rubicon River from origin downstream to easterly tribu- tary 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 River cSomers Util Dist. 1d	Tributary from its origin to South Branch Pike South Branch Pike River from Somers Tributary to Pike River	Noncontinuous Continuous	II I	Effluent limitations to be determined
27.	Tributary - Pike River cSt. Bonaventure Schoold	Tributary from St. Bonaventure School STP downstream to Sturtevant tributary	Noncontinuous	II	Effluent limitations to be determined
28.	Wayne Creek cSt. Killian Cheese Factoryd	Wayne Creek from its origin to the Kohlsville River	Noncontinuous	I	A
29.	Tributary - Pike River cSturtevantd	Tributary from Sturtevant STP downstream to first rail- road 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 cUnion Groved	West Branch Root River Canal from 67th Drive down- stream to CTH XCY	Noncontinuous	II	NA
		West Branch Root River Canal from above location downstream to STH X20.Y	Noncontinuous	I	A
31.	Tributary - Des Plaines River cWis. DOT Kenosha Rest Area 26d	From the Information Center STP to the Des Plaines River	Noncontinuous	II	B

- c1d Criteria I requires the maintenance of surface water criteria specified in NR 104.02 c3d cad 2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 c3d cbd 2.
- c2d Effluent limitation A requires those limits specified in NR 104.02 c3d cad 3.
Effluent limitation B requires those limits specified in NR104.02 c3d cbd 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. c2d cbd, Register, February, 1989, No. 398, eff. 3-1-89; CR 19-014: am. c2d cad cintro.d, cbd cintro.d Register April 2020 No. 772, eff. 5-1-20.

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:

c1d ADDITION. The public water supply standard shall be met in the following surface waters:

- cad Lake Winnebago.
- cbd Fox river from Lake Winnebago downstream to the upper dam in the city of Appleton.
- ccd West branch Wolf river at Neopit.
- cdd Rainbow lake in Waupaca county.

c2d VARIANCE. Surface waters in the Lake Michigan district subject to a variance under s. NR 104.02 c3d are listed in table 5.

**TABLE 5
LAKE MICHIGAN DISTRICT**

	Surface Water Facility Affected	Reach Description	Hydrologic Classification	Applicable Criteria c1d	Effluent Limitations c2d
1.	Ditch - Tributary - Rock River cAlto Co-op Creamery	Ditch from the Alto Co-op process water discharge to the tributary	Effluent ditch	II	Effluent limitations to be determined
2.	Tributary - Dutchman Creek	Tributary from its origin to the Rock River	Noncontinuous	I	B
3.	cAustin Straubel Fieldd Bear Creek cBear Creekd	Tributary upstream from CTH XGHY From CTH XGHY to Dutchman Creek From the Bear Creek STP to the Embarrass River	Noncontinuous Noncontinuous Continuous	I I I	NA A
4.	Tributary - Fox River cBeucher & Sons of WI, Inc.d	From the discharge location downstream to the Fox River	Noncontinuous	II	B
5.	Black Creek cBlack Creekd	Black Creek from Black Creek STP to confluence with Shioc River csee Black Creek at Seymour	Noncontinuous	I	A
6.	Drainage to Gallagher Marsh cBrandond	Upstream from STH X49Y to Brandon	Effluent ditch	II	B
7.	Tributary-Spring Creek cBrilliond	Drainage from STH X49Y to Diffuse surface water Channel from Brillion STP to Spring Creek	Diffuse surface water Effluent ditch	II II	NA NA
8.	Barr Creek-Tributary cCedar Groved	Spring Creek upstream from Brillion Marsh Barr Creek and tributary to Cedar Grove STP upstream from Lake Michigan	Continuous Noncontinuous	I II	A B
9.	Tributary - Taycheedah Creek cCongregation of St. Agnes Utilitiesd	Tributary from the Congregation of St. Agnes Utilities STP to Taycheedah Creek	Noncontinuous	II	B
10.	Tributary - Rat River cDale S.D. yld	Tributary from Dale to the Winnebago-Outagamie County Line	Noncontinuous	II	B
11.	Tributary-Neshota River cDenmarkd	From the County Line to the Rat River	Continuous	I	NA
12.	Tributary and Red River cDu Vall Farmers Co-opd	Tributary from Denmark downstream to Neshota River	Noncontinuous	I	A
13.	Tributary-DeNeveu Creek cEdend	Tributary from the cheese factory discharge to the Red River	Diffused surface water	II	B
14.	Tributary-Grand River cFairwaterd	Red River upstream from Green Bay DeNeveu Creek tributary from Eden STP downstream to confluence with DeNeveu Creek	Noncontinuous Continuous	I I	NA A
15.	Tributary - Grand River cFairwaterd	Tributary from the STP to the Grand River	Noncontinuous	II	Effluent limitations to be determined
16.	Tributary - West Twin River cFrancis Creekd	Tributary from the Francis Creek STP to CTH XQY	Noncontinuous	II	B
17.	Tributaries and Duck Creek cFreedom Elementary Schoold	Ditch leading from the STP to the tributary of Duck Creek	Effluent ditch	II	B
18.	cFreedom San. Dist.d Seven Mile Creek cHavend San. Dist.d	Tributary to Duck Creek at Freedom Elementary School	Noncontinuous	II	NA
19.	Tributary-North Branch Manitowoc River cHilbertd	Duck Creek upstream from CTH XJY Seven Mile Creek upstream from confluence with Meeme River	Noncontinuous Noncontinuous	I II	A B
20.	Tributary - Wolf River cHillshire Farms Co.d	Tributary to Hilbert upstream from confluence with North Branch Manitowoc River	Noncontinuous	I	A
21.	Tributary - Wolf River cHillshire Farms Co.d	From the upstream CTH [D] crossing downstream for 1/2 mile	Noncontinuous	II	Effluent limitations to be determined
22.	Tributary - Wolf River cHillshire Farms Co.d	From above location downstream to marsh at Wolf River	Noncontinuous	I	

20.	Tributaries-Plum Creek cHolland San. Dist.d	Tributary from CTH XDY 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 cHoward-Suamico Schoold	Tributary from the STP to the Suamico River	Noncontinuous	II	B
22.	Tributary-Kriwaniks Creek cKellnersvilled	Tributary from Kellnersville downstream to Kriwaniks Creek	Noncontinuous	I	A
23.	Drainage Ditch cLakeview Mobile Home Parkd	From Lakeview Mobile Home Park STP downstream to Lake Winnebago	Noncontinuous	II	B
24.	Arrowhead River cLarsen San. Dist. y1d	Arrowhead River upstream from a point one-half mile upstream from STH X110Y	Noncontinuous	II	B
		From STH 110 to CTH XMY	Continuous	I	NA
25.	Jones Creek cLenad	Jones Creek upstream from CTH XJY	Noncontinuous	II	B
		Jones Creek from CTH J downstream to confluence with Little River	Continuous	I	NA
26.	Meeme River cTown of Liberty San. Dist.d	From Little Pigeon Lake outlet to Spring Valley Dam	Continuous	I	A
27.	School Creek cLuxemburgd	School Creek upstream from confluence with Kewaunee River	Noncontinuous	I	A
28.	Tributary-Grand River cMarkesand	Ditch tributary from Markesan STP outfall to Grand River	Effluent ditch	II	Effluent limitations to be determined
29.	Neenah Slough cMenasha Corporationd	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 cMt. Calvaryd	From the Mt. Calvary STP to the Sheboygan River	Noncontinuous	I	A
31.	Tributary - Jordan Creek - Pine Creek cNew Holsteind	Tributary from Tecumseh Products to Jordan Creek	Effluent ditch	II	B
		Jordan Creek from its origin to Pine Creek	Noncontinuous	II	B
		Pine Creek upstream from Danes Road	Continuous	I	NA
32.	Black River cOostburgd	From Oostburg STP to Wilson-Lima Road	Noncontinuous	II	B
33.	Tributary - Mud Creek cOutagamie County Airportd	From Outagamie County Airport STP to tributary	Effluent ditch	II	B
34.	Wetland - Door County cPeninsula State Parkd	Tributary upstream from Casloma Rd.	Noncontinuous	II	NA
		Wetland adjacent to Peninsula State Park STP	Wetlands	II	B
35.	Drainage Ditch - Wolf River cPeters Poultry Dressingd	From the discharge location downstream to the east-west drainage ditch	Effluent ditch	II	B
		Drainage ditch upstream from the Wolf River	Noncontinuous	II	NA
36.	Tributary - Little Suamico River cPickle-Rite, Inc.d	From the Pickle-Rite, Inc. discharge downstream to the Little Suamico River	Noncontinuous	II	B
37.	Tributary - North Branch Manitowoc River cPotter San. Dist.d	Tributary from the STP to the North Branch of the Manitowoc River	Effluent ditch	II	B
38.	Tributary-Beaver Creek cPoundd	Tributary of Beaver Creek from Pound STP downstream to confluence with Beaver Creek.	Noncontinuous	I	A
39.	Little Suamico River cPulaskid	Little Suamico River upstream from Jaworski Road	Noncontinuous	II	B
40.	Silver Creek cRandom Laked	Silver Creek from Random Lake STP downstream to first crossing of Creek Road	Continuous	I	A
41.	Mud Creek - Manitowoc River cReedsvilled	From the Reedsville STP downstream to the Manitowoc River	Noncontinuous	II	B
42.	Tributary - Arrowhead River cRidgeway Country Clubd	Tributary to the Arrowhead River from the Ridgeway Country Club STP	Noncontinuous	II	B
43.	Tributary - Mud Creek cTown of Rockland San. Dist. y1d	From the Rockland STP downstream to Mud Creek	Effluent ditch	II	B
		From Mud Creek downstream to the Manitowoc River	Noncontinuous	II	NA
44.	Tributary-West Branch Fond du Lac River cRosendaled	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 cRoyal Scott San. Dist. y1d	Vincent Point Creek upstream from Green Bay	Noncontinuous	II	NA
47.	Maple Creek cSevastopol San. Dist. y1d	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 cSeymourd	Black Creek from Seymour STP downstream to confluence with Shioc River csee Black Creek at Black Creekd	Noncontinuous	I	A

49.	Tributary - Onion River cSheboygan Co. Comprehensive Health Centerd	Tributary upstream from the Onion River	Noncontinuous	II	B
50.	Diffused surface runoff to Sheboygan River cSheboygan Falls-Kohler Incineratord	For approximately 100 yards below the discharge location For the remainder of the distance to the Sheboygan River	Effluent ditch	II	B
51.	Drainage - Kankapot Creek cSherwoodd	Drainage tributary from Sherwood STP downstream to wetland	Noncontinuous	II	B
52.	Bear Creek cStephensville San. Dist.d cGreenville San. Dist.d	Wetland receiving above tributary Bear Creek from STH 76 to the tributary in Sec. 19, T22N, R17E Bear Creek from above location downstream to the Wolf River	Wetland Noncontinuous	II II	NA B
53.	Pine Creek cStock Mfg. Corp. & Dinner Clubd	From Carstens Lake outlet downstream to tributary east of Hwy 141 in Sec.27, T18N, R23E	Noncontinuous	II	B
54.	Drainage to Mud Creek cStockbridge Sanitary Districtd	From tributary downstream to Lake Michigan Immediate vicinity of discharge before appearance of defined channel	Continuous Wetland	II II	NA B
55.	Tributary - Manitowoc River cValdersd	Tributary from Valders STP downstream to Manitowoc River	Effluent ditch Noncontinuous	II II	NA B
56.	Tributary - Hempton[s Lake cWhitelawd	Tributary from Whitelaw downstream to Hempton[s Lake	Noncontinuous	II	Effluent limitations to be determined
57.	Tributary - Rat River cWinchester San. Dist.d	Tributary from Winchester to the Rat River	Noncontinuous	II	B
58.	Tributary - East River cWrightstown San. Dist. y1d	Drainage from STP Tributary from Green leaf to East River	Effluent ditch Continuous	II I	Effluent limitations to be determined
59.	Birch Creek cWrightstown San. Dist. y2d	Birch Creek from Norgaard[s Pond downstream to the St. Paul & Pacific RR tracks From the RR tracks downstream to the East River	Noncontinuous Continuous	II II	B NA

c1d Criteria I requires the maintenance of surface water criteria specified in NR 104.02 c3d cad 2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 c3d cbd 2.
c2d Effluent limitation A requires those limits specified in NR 104.02 c3d cad 3.
Effluent limitation B requires those limits specified in NR 104.02 c3d cbd 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. c3d Register, August, 1981, No. 308, eff. 9-1-81; r. c3d cad, Register, May, 1986, No. 365, eff. 6-1-86; r. c3d, 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 s. 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:

c1d ADDITION. The public water supply standards shall be met in Lake Nepco in Wood county.

c2d VARIANCE. Surface waters in the north central district subject to a variance under s. NR 104.02 c3d are listed in table 6.

**TABLE 6
NORTH CENTRAL DISTRICT**

	Surface Water Facility Affectedd	Reach Description	Hydrologic Classification	Applicable Criteria c1d	Effluent Limitations c2d
1.	Elm Brook cAbbotsfordd	Upstream from Lincoln Road From Lincoln Road downstream to Dill Creek	Noncontinuous Noncontinuous	II I	B NA
2.	Hemlock Creek cArpind	Hemlock Creek above junction with tributary in NW1{4 , NW1{4 , Sec. 26, T24N,R4E	Noncontinuous	II	B
3.	Little Bear Creek cAuburndaled	From above location downstream to Dawes Creek From Auburndale STP downstream to a tributary in the NW1{4 , SW1{4 , Sec. 24, T25N,R4E	Noncontinuous Noncontinuous	I II	NA B
4.	Dill Creek cColbyd	Little Bear Creek from above location downstream to CTH H Upstream from confluence with Elm Brook Dill Creek from Elm Brook to the town road between sections 29 and 32,T28N, R2E	Noncontinuous Continuous	I I	A NA
5.	Tributary - Peshtigo Lake cCrandond	From the Crandon STP to Peshtigo Lake	Noncontinuous	II	Effluent limits to be determined
6.	Scotch Creek cEdgard	From CTH H downstream to Soda Creek	Noncontinuous	I	A
7.	Tributary - Mill Creek cJunction Cityd	From the Junction City STP downstream to Mill Creek	Noncontinuous	II	B

8.	Tributary - Wisconsin River cLand O Lakesd	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 cLincoln Hills Schoold	From outfall to small pond in the NW1{4, SW1{4 of Sec. 15, T33N, R7E	Noncontinuous	II	B
10.	Mill Creek cMarshfieldd	Mill Creek upstream from CTH K.	Effluent ditch	II	B
11.	Randall Creek cMiland or the 2nd alternative Marsh Creek cMilan S.D.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 cNorthern Lake Terraced	The area between the Northern Lake Terrace discharge and Spirit Lake	Wetland	II	B
13.	Tributary - Deerskin River cPhelpsd	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 cRozellvilled	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 cRudolphd	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 cSpencerd	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 cStratfordd	Tributary from Stratford downstream to Big Eau Pleine R.	Noncontinuous	II	B
18.	Drainage to Town Line Lake cThree Lakes Sanitary Districtd	Drainage area between Three Lakes Sanitary District STP and Town Line Lake	Wetland	II	B
19.	Tributary - Hemlock Creek cVesperd	From Vesper STP to the confluence with Hemlock Creek	Noncontinuous	II	NA
		Hemlock Creek from the Vesper Dam to Dawes Creek	Noncontinuous	I	A

c1d Criteria I requires the maintenance of surface water criteria specified in NR 104.02 c3d cad2.
 Criteria II requires the maintenance of surface water criteria specified in NR 104.02 c3d cbd2.
 c2d Effluent limitation A requires those limits specified in NR 104.02 c3d cad 3.
 Effluent limitation B requires those limits specified in NR 104.02 c3d cbd 3.
 NA—Not applicable

c3d VARIANCE. cad 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. c3d, 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:

c1d ADDITION. The public water supply standard shall be met in the following surface waters:

- cad Black river at Neillsville.
- cbd Town creek at Black River Falls.

c2d VARIANCE. Surface waters in the west central district subject to a variance under s. NR 104.02 c3d are listed in table 7.

TABLE 7
WEST CENTRAL DISTRICT

Surface Water Facility Affected	Reach Description	Hydrologic Classification	Applicable Criteria	Effluent Limitations
1. Drainage Area - CR. 31-16, Meyer[s Valley Creek cArcadiad	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 cMeyer[s Valley Creekd North of railroad tracks to Trempealeau River	Continuous	I	NA
2. Baldwin Creek-Rush River cBaldwind	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 cBoydd	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 cCashond	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 cChilid	Drainage area in center of sec. 22, T25N, R1E	Wetland	II	B
6. Drainage - Tributary - South Branch Beaver Brook cClaytond	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 cClear Laked	Tributary from Clear Lake STP downstream to Yellow River	Noncontinuous	I	
8. Hay River cCumberlandd	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 River cCurtissd	Drainage area in center of S1{2, NW1{4, Sec. 32, T29N,R1E	Wetland	II	B
	Tributary from 500 feet north of STH X29Y to 500 feet south of STH X29Y	Noncontinuous	II	NA
10. Tributary - North Fork Poplar River cDorchesterd	Tributary from Dorchester STP to North Fork Poplar River	Noncontinuous	I	A
11. Drainage Area - Tributary to Fish Hatchery Creek cDresserd	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 cElk Moundd	Drainage Area from Elk Mound STP to culvert under I-94	Wetland	II	Effluent limitations to be determined
	Tributary from I-94 downstream to Muddy Creek	Noncontinuous	I	
13. Isabella Creek cEllsworthd	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 cEmerald, Emerald and Glenwood S.D.d	From Emerald STP discharge to E{W town road in Sec. 13, T30N, R16W	Effluent ditch	II	B
	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 cFairchildd	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 cFredericd	Tributary from Frederic STP to confluence with Trade River	Noncontinuous	I	A
17. Drainage Area cHammond	Drainage area in center of N1{2, Sec. 28, T29N, R17W	Diffused surface waters	II	B
18. Tributary - Yellow River cLakeland San. Dist.d	Tributary from Lakeland stabilization ponds to Yellow River	Noncontinuous	I	A
19. Bear Creek cLoyald	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 cLuckd	Tributary from Luck STP downstream to center of Section 21	Effluent ditch	II	B
21. Drainage Area Tributary Rice Lake cMilltownd	Drainage area north of Rice Lake in Section 17	Wetland	II	B
22. Drainage Area - Duncan Creek cNew Auburnd	Drainage Area in S1{2, SE1{4, Sec. 36, T32N, R10W	Wetland	II	B
23. Tributary - Allen Creek cOakdaled	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 cRoberts	Twin Lakes ceast laked	Wetland	II	B
25.	Drainage - La Crosse River cRocklandd	Drainage area in N1{2 , NW1{4 , Sec. 36, T17N, R5W	Wetland	II	B
26.	Tributary - Mormon Creek cSt. Josephd	Tributary from St. Joseph STP to Mormon Creek	Noncontinuous	I	A
27.	Tributary - North Fork Eau Claire River cThorpd	Tributary from Thorp STP downstream to North Fork Eau Claire River	Noncontinuous	I	A
29.	Tributary to Springville Branch Bad Axe River cVernon County Homed	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 cViroquadd	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 cWestbyd	Tributary from Westby STP downstream to line between Sec. 35 and 36, T14N, R5W.	Noncontinuous	II	B
32.	Drainage Area - Trempealeau River cWhitehalld	Drainage area from Whitehall STP to Trempealeau River	Wetland	II	B
33.	Tributary-Eau Galle River cWoodvilled	Tributary from Woodville STP downstream to Eau Galle River	Noncontinuous	II	B
		Eau Galle River downstream to CTH N	Noncontinuous	II	NA

c1d Criteria I requires the maintenance of surface water criteria specified in NR 104.02 c3d cad2.
 Criteria II requires the maintenance of surface water criteria specified in NR 104.02 c3d cbd2.
 c2d Effluent limitation A requires those limits specified in NR104.02 c3d cad3.
 Effluent limitation B requires those limits specified in NR104.02 c3d cbd3.
 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. c2d 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:

c1d ADDITION. The public water supply standard shall be met in the following surface waters:
 cad Lake Lavina in Iron county.
 cbd Little Rib lake in Taylor county.
c2d VARIANCE. Surface waters in the northwest district subject to a variance under s. NR 104.02 c3d are listed in table 8.

**TABLE 8
 NORTHWEST DISTRICT**

	Surface Water cFacility Affectedd	Reach Description	Hydrologic Classification	Applicable Criteria c1d	Effluent Limitations c2d
1.	Drainage to Amnicon River cCamp Amnicond	Drainageway from the Camp Amnicon lagoon to the Amnicon River	Diffused surface water	II	B
2.	Ditch & Seepage Area cClam Lake Field St.d	Channel receiving Clam Lake Field Station polishing pond effluent	Effluent ditch	II	B
3.	Bear Creek cDouglas Co. Health Care Facilityd	Bear Creek from the Douglas Co. Health Care Facility STP to Allouez Bay	Noncontinuous	I	A
4.	Drainage to Hackett Creek cFlambeau State Campd	Drainage from Flambeau State Camp lagoon to Hackett Creek	Wetland	II	B
5.	Drainage to Yellow River cGilmand	Drainage area from Gilman lagoon to Yellow River	Diffused surface water	II	B
6.	Tributary - Deertail Creek cGlen Flora Sch.d	Channel from Glen Flora School polishing pond to Deertail Creek	Effluent ditch	II	Effluent limits to be determined
7.	South Fork Main Creek cHawkinsd	South Fork Main Creek from Hawkins Millpond Dam downstream to CTH M	Continuous	I	A
8.	Bradley Brook cHaywardd	From Hayward STP outfall to the confluence with Namekagon River	Continuous	I	A
9.	Tributary - Cemetery Creek cIron Beltd	Channel from the Iron Belt STP outfall to Cemetery Creek	Effluent ditch	II	Effluent limits to be determined
10.	Wetland near Frog Creek cMinongd	Wetland receiving Minong STP effluent	Wetland	II	B
11.	Tributary & Bardon Creek cNorthwestern Junior-Senior High Schoold	From the school polishing pond to Bardon Creek	Noncontinuous	II	B
		Bardon Creek	Noncontinuous	I	NA
12.	Wetland near Holmes Creek cOgemad	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

	cOndossagon Schoold	Noncontinuous tributary to an unnamed tributary to Whittlesey Creek	Noncontinuous	I	
14.	Drainage to the Black River cPattison State Parkd	Drainageway from Pattison Park STP to the Black River	Diffused surface water	II	Effluent limits to be determined
15.	Drainage to Meads Creek cPenced	Drainage Area from Pence STP to Meads Creek	Wetland	II	B
16.	Drainage to Lake Superior cPureaird	Drainageway from the Pureair STP to Lake Superior	Diffused surface water	II	B
17.	Drainage Area - Coudereay River cRadissond	Wetland receiving Radisson STP effluent	Wetland	II	B
18.	Sheep Ranch Creek cRib Laked	Sheep Ranch Creek from Rib Lake STP downstream to first town road	Continuous	I	A
19.	Tributary - Sawyer Creek cShell Laked	Channel from the Shell Lake STP outfall to Sawyer Creek	Diffused surface water	II	Effluent limits to be determined
20.	Wetland cSirend	Wetland receiving Siren STP effluent	Wetland	II	B
21.	Ditch & West Branch Big Eau Pleine River cStetsonvilled	Channel from the Stetsonville lagoon to the West Branch Big Eau Pleine River West Branch Big Eau Pleine River downstream to tributary in the NW1{4, SW1{4, Sec. 29, T30N, R2E	Effluent ditch Noncontinuous	II I	Effluent limits to be determined
22.	Drainage to Pokegama River cSuperior, Village of d	Drainageway from Village of Superior lagoon to Pokegama River Pokegama River from above location to St. Louis Bay	Diffused surface water Continuous	II I	B
23.	Drainage to Deertail Creek cTonyd	Channel from Tony lagoon to wetland Drainage from effluent ditch to Town Line Rd. Tributary to Deertail Creek below Town Line Rd.	Effluent ditch Wetland Noncontinuous	II II I	B NA NA
24.	Tributary - Clam River cWebsterd	Tributary from the Webster lagoon to the Clam River	Noncontinuous	II	B
25.	Tributary - Soft Maple Creek cWeyerhauserd	Drainage from Weyerhauser lagoon to tributary Tributary of Soft Maple Creek upstream from CTH XFY	Diffused surface water Noncontinuous	II II	B NA
26.	Seepage Area near Brunet River cWinterd	Area receiving the Winter lagoon effluent	Diffused surface water	II	B
27.	Drainage from Village of Turtle Lake to Moon Creek cTurtle Laked	Drainage area from effluent pipes to impoundment Impoundment formed by constructed dam in the SW1{4, SW1{4, sec. 32, T34N, R14W Drainage from the dam to the south line of sec. 32, T34N, R14W Drainage area from the north line to the south line of sec. 5, T33N, R14W	Wetland Flowage Noncontinuous Wetland	II II I II	B NA NA NA

- c1d Criteria I requires the maintenance of surface water criteria specified in NR 104.02 c3d cad2.
Criteria II requires the maintenance of surface water criteria specified in NR 104.02 c3d cbd2.
- c2d Effluent limitation A requires those limits specified in NR104.02 c3d cad3.
Effluent limitation B requires those limits specified in NR104.02 c3d cbd3.
NA - Not applicable

c3d OTHER VARIANCES. cad 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.

cbd 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. c3d cad, Register, May, 1983, No. 329, eff. 6-1-83; am. c3d cbd, Register, February, 1989, No. 398, eff. 3-1-89; am. c3d cbd, Register, April, 1991, No. 424, eff. 5-1-91.

Subchapter II — Interstate Waters

NR 104.20 Wisconsin-Illinois waters. c1d 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.

c2d 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.

c3d 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.

cdd 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.

c5d 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.

c6d 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.

c7d 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.

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; CR 19-014: am. c7d Register April 2020 No. 772, eff. 5-1-20.

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. c1d 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.

c2d 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.

c3d 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.

c4d 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. c1d The Montreal River is used for hydropower, recreation, wildlife and stock watering, waste assimilation and has aesthetic value. Its wa-

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

c2d 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, Lobis-cher Creek and Elvoy Creek and the following lakes:

cad	Unnamed cT44N, R5E, Sec.18d	cjd	Big West Bay
cbd	Moraine	ckd	West Bay
ccd	Stateline	cLd	Mamie
cdd	Basin	cmd	Big Bateau
ced	Little Presque Isle	cnd	Mill
efd	Roach	cod	Crystal
cgd	Tenderfoot	cpd	Eleanor
chd	Plum	cqd	Lac Vieux Desert
cid	Crampton	crd	Nurwood
		csd	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.

c3d 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.

c4d 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.

c5d 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. NR 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; correction made under s. 13.93 c2md cbd 7., Stats., Register January 2002 No. 553.

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.