



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
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Weigel

JUN 25 2014

REPLY TO THE ATTENTION OF:
RECEIVED

Russell Rasmussen, Administrator
Division of Water
Wisconsin Department of Natural Resources
101 S. Weber Street
Madison, Wisconsin 53707-7921

WW-16J
JUL 2 2014

WT/3 - WY/3 - OGL/3

Dear Mr. Rasmussen:

The U.S. Environmental Protection Agency conducted a complete review of Wisconsin's 2012 Section 303(d) list and supporting documentation and information. Based on this review, EPA determined that Wisconsin's 2012 list of water quality limited segments still requiring Total Maximum Daily Load calculations meets the requirements of Section 303(d) of the Clean Water Act (CWA) and EPA's implementing regulations. Therefore, EPA approves Wisconsin's Section 303(d) list which identifies the waters and associated pollutants along with the State's priority rankings for these waters and pollutants. The statutory and regulatory requirements, and EPA's review of Wisconsin's compliance with each requirement, are described in the enclosed decision document.

EPA's approval of Wisconsin's Section 303(d) list extends to all water bodies on the list with the exception of those waters that are within Indian Country, as defined in 18 U.S.C. § 1151. EPA is taking no action to approve or disapprove the State's list with respect to those waters at this time. EPA, or eligible Indian Tribes, as appropriate, will retain responsibilities under CWA Section 303(d) for those waters.

We appreciate the efforts you and your staff have made in providing a complete submittal of the list as required. If you have any questions, please contact Mr. Peter Swenson, Chief of the Watersheds and Wetlands Branch, at 312-886-0236.

Sincerely,

Peter Swenson

for Tinka G. Hyde
Director, Water Division

Enclosure

cc: Aaron Larson, WDNR
Brian Weigel, WDNR

bcc: Barbara Wester

DECISION DOCUMENT FOR THE APPROVAL OF WISCONSIN'S 2012 LIST WITH RESPECT TO SECTION 303(d) OF THE CLEAN WATER ACT

The U.S. Environmental Protection Agency (EPA) has conducted a complete review of Wisconsin's 2012 Clean Water Act (CWA) Section 303(d) list and supporting documentation and information. Based upon this review, EPA has determined that Wisconsin's list of water quality limited segments (WQLSs) still requiring Total Maximum Daily Loads (TMDLs) meets the requirements of Section 303(d) of the Act and EPA's implementing regulations at 40 CFR § 130.7. Therefore, EPA hereby approves Wisconsin's 2012 Section 303(d) list.

EPA concludes that Wisconsin properly assembled and evaluated existing and readily available data and information, including data and information relating to categories of waters specified at 40 CFR § 130.7(b)(5). EPA concludes that the State submitted a methodology that outlines how the state uses readily and available data and information to make assessment and impairment decisions. EPA also concludes that Wisconsin provided a rationale for not relying on particular existing and readily available water quality related data and information as a basis for listing waters on the 303(d) list, and that Wisconsin demonstrated good cause for not listing certain WQLSs on its 2012 303(d) list.

EPA's approval of Wisconsin's 2012 303(d) list extends to water bodies identified in Table 1 in the Appendix to this Decision Document, with the exception of those waters that are within Indian Country as defined in 18 U.S.C. Section 1151. EPA is taking no action to approve or disapprove the State's list with respect to those waters that are within Indian Country. EPA, or eligible Indian Tribes, as appropriate, will retain responsibilities under Section 303(d) for those waters.

The statutory and regulatory requirements, and EPA's review of Wisconsin's compliance with each requirement, are described below.

Appendix to the Decision Document for Wisconsin's 2012 CWA Section 303(d) List

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Decision Document- Wisconsin 2012 CWA Section 303(d) List Approved June 25, 2014 Table 1

Local Waterbody Name	WATERS ID	WBIC	Counties	Segment	Start Mile	End Mile	Length/Size	Units	List Category	Date Listed	Pollutant	Impairment Indicator	TMDL Priority	Source Category	Status
St. Louis River AOC, St. Louis River	17465	2843800	Douglas	1			5902.36	ACRES	5A	4/1/1998	Mercury	Contaminated Fish Tissue	Medium	Other	TMDL Development
Starkweather Creek	11668	805100	Dane	1	0	3.65	3.65	MILES	5A	4/1/1998	BOD	Low DO	Low	NPS	303d Listed
Starkweather Creek	11668	805100	Dane	1	0	3.65	3.65	MILES	5A	4/1/1998	Unspecified Metals	Chronic Aquatic Toxicity	Low	Contam. Sed.	303d Listed
Starkweather Creek	11668	805100	Dane	1	0	3.65	3.65	MILES	5A	4/1/1998	Sediment/ Total Suspended Solids	Degraded Habitat	n/a	NPS	TMDL Approved
Stone Lake (Sugar Camp Chain)	128309	1597600	Oneida	1			188	ACRES	5B	4/1/1998	Mercury	Contaminated Fish Tissue	Medium	Atm. Dep.	303d Listed
Stony Creek	10219	96100	Door, Kewaunee	1	0	8.26	8.26	MILES	5A	4/1/1998	Sediment/ Total Suspended Solids	Degraded Habitat	Low	NPS	303d Listed
Stream C, trib to Flambeau River	3924686	7215137	Rusk	1	0	0.39	0.39	MILES	5A	4/1/2012	Copper	Acute Aquatic Toxicity	Low	Unknown	New List
Stream C, trib to Flambeau River	3924686	7215137	Rusk	1	0	0.39	0.39	MILES	5A	4/1/2012	Zinc	Acute Aquatic Toxicity	Low	Unknown	New List
Sucker Creek	11343	50100	Ozaukee, Sheboygan	1	0	10.19	10.19	MILES	5A	4/1/2012	Total Phosphorus	Degraded Biological Community	Low	Unknown	New List
Sugar Camp Lake	128310	1020400	Oneida	1			545	ACRES	5B	4/1/1998	Mercury	Contaminated Fish Tissue	Medium	Atm. Dep.	303d Listed
Sugar River	1855695	875300	Rock	5	0	10.99	10.99	MILES	5P	4/1/2012	Total Phosphorus	Impairment Unknown	Low	PS/NPS	New List