



State of Wisconsin
Department of Natural Resources

2024 Water Condition Lists Summary of Public Comments and the WDNR's Responses

A public comment period on the draft 2024 Water Condition Lists was held from November 6 – December 6, 2023. A total of 13 entities commented on specific listings, the listing process, and issues of concern.

The following is a summary of comments and the Wisconsin Department of Natural Resources (WDNR) responses indicating any changes to the draft 2024 Water Condition Lists. This attachment is submitted to the EPA for their review of the 2024 Impaired Waters List. After the EPA has reviewed the list and this supporting documentation, additional changes may be made to ensure compliance with federal requirements.

This summary contains:

- [Public Notice for the Nov. 6 to Dec. 6, 2023 Public Comment Period](#)
- [A list of those who submitted comments](#)
- [A list of listing changes due to public comments](#)
- [Individual comments and WDNR responses](#)

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Public Notice for the Nov. 6 - Dec. 6, 2023 Public Comment Period

FOR IMMEDIATE RELEASE: 2023-11-06

Contact: Kristi Minahan, DNR Water Quality Standards Specialist
Kristi.Minahan@wisconsin.gov or 608-622-2940

DNR SEEKS PUBLIC COMMENT ON UPDATED WATER CONDITION LIST

MADISON, Wis. – The Wisconsin Department of Natural Resources (DNR) is seeking public comment on revised water condition lists included in the draft 2024 Impaired Waters List.

Every two years, the Clean Water Act requires states to publish a list of all waters not meeting water quality standards and an overall report on surface water quality status of all waters in the state. The department is seeking comments and will hold an informational meeting on Monday, Nov. 20, 2023.

More than 80% of Wisconsin's lakes and rivers recently assessed are attaining water quality standards, continuing a trend of improved surface water quality across the state.

Although the majority of waterbodies are in good condition and have been placed on the list of Waters Attaining Standards, 52 new waterbodies or segments are now classified as impaired. Placing waters on the Impaired Waters List means those waters require a restoration plan to improve aquatic habitat, recreation opportunities or fish consumption.

A total of 81 new pollutant listings are proposed; a waterbody can have multiple pollutant listings. Some of the new listings are on waters already identified as impaired. The majority of new pollutant listings are for phosphorus and aquatic plants. This is the first assessment cycle to use the new assessment thresholds for aquatic plants recently approved by the Wisconsin legislature.

"As part of this year's updates, we also have several waterbodies that are newly covered under restoration plans, setting them up for water quality improvement projects to begin," said Laura Dietrich, Chief of DNR's Water Evaluation Section.

Of the 81 new listings, 17 will be placed directly on the list of waters in restoration because they are covered by an existing restoration plan called a Total Maximum Daily Load (TMDL) analysis. The listings are being added to the Milwaukee River Basin TMDL (8 listings), Upper Fox-Wolf Basins TMDL (5 listings), the Northeast Lakeshore TMDL (3 listings) and the Wisconsin River Basin TMDL (1 listing). The department is also seeking public comment on these TMDL additions.

Simultaneously, 37 impairment listings will be removed, with over half being for phosphorus. Overall, the 2024 draft Impaired Waters List contains 1,481 listings. The draft list of Waters In Restoration contains 670 listings.

The department is asking for public comments regarding the new listings and TMDL additions. Provide written comments by Dec. 6, 2023 to DNRWYWaterbodyAssessments@wisconsin.gov or:

Wisconsin Department of Natural Resources
c/o Kristi Minahan, Water Quality, WY/3
P.O. Box 7921
Madison, WI 53707

The water condition lists are submitted to the U.S. Environmental Protection Agency every even-numbered year in accordance with the Clean Water Act. The department follows standard procedures to assess waterbodies against water quality standards.

[The 2024 lists and other materials can be found on the DNR's website.](#)

EVENT DETAILS

What: Public meeting on impaired waters in Wisconsin

When: Nov. 20, 2023 at 1 p.m.

Where: [Register for the Zoom meeting.](#)

[\[https://dnr.wisconsin.gov/newsroom/release/84751\]](https://dnr.wisconsin.gov/newsroom/release/84751)

List of Commenters

Name	Organization	Topic	Details (link to Response)
Patrick Stevens, Craig Summerfield	Wisconsin Paper Council, Wisconsin Manufacturers & Commerce	Listing Methodology	<ul style="list-style-type: none"> • PFOS Listings Based on Fish Consumption Advisories • Macrophyte Listings • Listings for "Cause: Unknown"
Ann Silberman	Citizen	Listing Methodology	<ul style="list-style-type: none"> • General Listing Methodology
Forest Jahnke	Crawford Stewardship Project	Listing Methodology	<ul style="list-style-type: none"> • Drought Conditions • Parameters for WAV • Groundwater-Surface Water Connectivity
01wjhughes@gmail.com	Citizen	Listing Methodology	<ul style="list-style-type: none"> • Access to Information
Nancy Vogt	Citizen	Specific Waters	<ul style="list-style-type: none"> • Bakers Lake
Mark Maciolec	Citizen	Specific Waters	<ul style="list-style-type: none"> • Kentuck Lake
Tim Speerschneider	Attorney on the behalf of Flambeau Mining Company	Specific Waters	<ul style="list-style-type: none"> • Stream C • Whitefish Lake
John Theisen	Citizen	Specific Waters	<ul style="list-style-type: none"> • Channel to Lake Beulah
Chris Willger	Wisconsin DNR	Specific Waters	<ul style="list-style-type: none"> • Large River Chl-a Assessments
djhrica@yahoo.com	Citizen	Specific Waters	<ul style="list-style-type: none"> • Fox Lake
Forest Jahnke	Crawford Stewardship Project	Specific Waters	<ul style="list-style-type: none"> • Crawford County waters
Wendy Drake	EPA	EPA Comments	<ul style="list-style-type: none"> • EPA Comments

List of Updates Based on Public Comment

The following is a list of waters whose listing details changed based on public or internal comments during the review period.

Waterbody Name	WBIC	DNR AU ID	EPA AU ID	Listing Recommendation – Pre-Comment	Listing Recommendation – Post-Comment
Baker Lake	1626400	128836	WI10007924	Add to list for Excess Algal Growth.	Wait for more in-depth analysis with more data. Remains Category 2A.
Kentuck Lake	716800	128505	WI10007625	Remove phosphorus listing; keep mercury listing.	Remove both phosphorus and mercury listings. Delist water and place in Category 2A.
Rock River	788800	11455	WI10001290	No change.	Add Excess Algal Growth observed effect to TP listing.
Manitowoc River	71000	482064	WI10026294	No change.	Add Excess Algal Growth observed effect to TP listing.
Lower Fox River (Mouth To Depere Dam)	117900	10678	WI10008021	No change.	Add Excess Algal Growth observed effect to TP listing.
Fox River (Illinois)	742500	10507	WI10000597	No change.	Add Excess Algal Growth observed effect to TP listing.
Selner Park Beach (City Of Kewaunee), Lake Michigan	20	1452524	WI10024761	List for E.coli, but was missed in public comment materials. Was in submittal to EPA's database.	Listing based on comment by EPA.

Wisconsin DNR Responses to Comments

Comments are quoted when under four paragraphs and summarized if longer. Full comments can be found in the [Public Comments on 2024 Draft Water Condition Lists](#) document.

Listing Methodology

PFOS Listings Based on Fish Consumption Advisories

DNR appears to be again listing waterbodies on the basis of fish advisories. In the 2022 impaired water list, DNR added 14 listings on the basis of “PFOS Contaminated Fish Tissue.” In the draft 2024 impaired water list, DNR has proposed 9 new such listings.

As we noted in comments submitted earlier this year on the draft 2024 WisCALM, WMC and WPC again object to the use of fish advisories as a basis for 303(d) listings. Such a practice is inconsistent with the intended use of fish advisories. As the name suggests, fish advisories are intended to provide information to the public regarding the number of fish that are safe to consume over a given time period, given the amount of pollutants that are contained in the fish in a given waterbody. Fish advisories were not intended to be regulatory standards, nor are they. By listing these waterbodies as impaired due to fish advisories, the advisories essentially become regulations because a listing creates a federal requirement for the DNR to create a TMDL on the waterbody. As noted previously, the establishment of a TMDL may ultimately result in discharge limits being imposed on WPDES permittees.

To the extent that these 9 new PFAS listings are based on fish advisories, such a listing may be allowed under 2024 WisCALM, but is not authorized by state statute or a promulgated rule. Thus, listings based on such fish advisories are unlawful and must be removed.

(Patrick Stevens, Vice President of Wisconsin Paper Council, and Craig Summerfield, Director of Wisconsin Manufacturers & Commerce)

Response: The 303(d) list is a prioritized list of surface waters in the state that do not meet applicable “water quality standards”. Water quality standards include “numeric criteria, narrative criteria, waterbody uses, and antidegradation requirements” (40 CFR 130.7(b)(3)). A surface water can be listed if it doesn’t meet a designated use such as Public Health & Welfare (established in ch. NR 102.04(7), Wis. Adm. Code), including consumption of fish, even if all numeric criteria are being met.

The use of fish consumption advisories to assess impaired waters is supported by statute and administrative rule. Section 281.15(1), Wis. Stats., reiterates the federal language by stating that “Water quality standards shall consist of the designated uses of the waters or portions thereof and the water quality criteria for those waters based upon the designated use. Water quality standards shall protect the public interest, which include the protection of the public health and welfare...”. Chapter NR 102.50, Wis. Adm. Code, specifies “As required under sections 303 (d) and 305 (b) of the Clean Water Act, 33 USC 1313 (d) and 1315 (b), the department shall report to U.S. EPA on the status of the state's waterbodies and attainment of water quality standards every two years. Waterbody assessments are used to determine the condition of the state's surface waters or segments thereof and whether waterbodies are attaining state and federal surface water quality standards.” A determination that a water quality standard is not met can be based on non-attainment of *either* a designated use or a criterion (or both), both of which are promulgated water quality standards.

Restrictions on consumption of fish taken from specified waterbodies is demonstration of an impairment of the public health and welfare use, established under s. NR 102.04, Wis. Adm. Code, in those waterbodies. In developing lists of impaired waters (i.e., the 303(d) list), states are required under 40 CFR 130.7(5) to make use of all available information to assess attainment of designated uses. Fish consumption advisories fall into the category of “available information”, and EPA directs states to use fish consumption advisories as a basis for listing because they demonstrate that the public health designated use is not being met.

Macrophytes

DNR has proposed 18 new listings based on “macrophytes,” or aquatic plant degradation. DNR indicates that this is a new listing for 2024, but does not explain its explicit statutory authorization for this listing.

Presumably, DNR is again relying on 2024 WisCALM guidance as a basis for such listings. As explained previously in these comments, such listings would not be permitted under state statute and administrative code, and would therefore be unlawful. WMC and WPC urge DNR to remove the 18 new listings based on “macrophytes.”

(Patrick Stevens, Vice President of Wisconsin Paper Council, and Craig Summerfield, Director of Wisconsin Manufacturers & Commerce)

Response: See the federal, statutory and administrative code references in the previous comment, explaining that the state must report waters as impaired if they are not attaining any water quality standard, and water quality standards include designated uses. The waterbodies listed for degraded macrophytes are not attaining their Fish and Aquatic Life Designated Use, established under s. NR 102.04(3), Wis. Adm. Code. Section NR 102.56, Wis. Adm. Code, states, “This section contains numeric biological assessment thresholds for evaluating the biological condition of lakes, reservoirs, and impounded flowing waters and determining whether applicable designated uses are being attained.” The macrophyte thresholds for evaluating attainment of the Fish and Aquatic Life Designated Use are specified under s. NR 102.56(1)(b), Wis. Adm. Code, which states that, “Thresholds for evaluating the general health of an aquatic plant community in a lake or reservoir to determine whether its aquatic life use is attained are shown in Table 8.” These thresholds are promulgated in the administrative code.

Listings for “Cause: Unknown”

“DNR has once again proposed new listings on the impaired waters list for “unknown” causes. In the 2022 impaired waters list, DNR added 4 new listings for “unknown pollutants.” In the draft 2024 impaired water list, DNR has proposed 26 such listings. As we did in our comments submitted two years ago, WMC and WPC again strongly object to this practice.

Wisconsin law – both statute and rule – requires DNR to only utilize water quality standards promulgated via statute or rule in order to list a waterbody as “impaired” on the Section 303(d) list. For these 26 listings, DNR appears to be relying on criteria outlined in its Wisconsin Consolidated Assessment and Listing Methodology (WisCALM) 2024.

However, WisCALM 2024 is a guidance document that does not have the force of law. Wis. Stat. § 227.10(2m) provides that “no agency may implement or enforce any standard, requirement or threshold ... unless that standard, requirement, or threshold is explicitly required or permitted by

statute or by a rule that has been promulgated in accordance with [Wis. Stat. Ch. 227, Subchapter II].” They went on to cite Wisconsin Supreme Court Case See SEIU v. Vos, 2020 WI 67, ¶102.

Wisconsin administrative code is also clear that guidance cannot be used to list a waterbody on the impaired waters list. As noted in NR 102.53(2), “only water quality standards that have been promulgated via statute or rule may be considered for the purposes of listing a waterbody on the section 303(d) list.” Listing a waterbody on the section 303(d) list on the basis of guidance is plainly unlawful. WMC and WPC objected to this listing on the 2022 list, and renew this objection for the 2024 list. We urge DNR to remove the proposed 26 new listings with “cause unknown.”

(Patrick Stevens, Vice President of Wisconsin Paper Council, and Craig Summerfield, Director of Wisconsin Manufacturers & Commerce)

Response: This is not about listing based on guidance. The term “cause unknown” is merely a placeholder term that is not identifying any particular causal factor—it is essentially *not listing* any particular pollutant. When an impairment of a designated use is identified, EPA’s data system has a “Cause” field that must be filled. In cases where the cause of the impairment is not yet known, their data system requires entry of the term “Unknown”. To use a medical analogy, it is equivalent to a doctor reporting that test results show that a patient’s heart is not functioning well, but the doctor does not yet know the cause of the problem, which may be arteriosclerosis, a heart defect, high blood pressure, etc. In this analogy, this would be equivalent to “Designated Use = Health”; “Impairment = Cardiovascular system”; “Cause = Unknown”). The doctor cannot neglect to report the heart problem simply because the cause is not yet known. As specified in the above two responses and citations, if a designated use (which is a promulgated water quality standard) is not attained, the department must list it as impaired, regardless of whether the cause is known.

Further, waters added with “Cause: Unknown” were listed due to non-attainment of the Fish and Aquatic Life or Recreation designated uses, which are water quality standards established under s. NR 102.04, Wis. Adm. Code. The determination that these uses are not attained is based on thresholds promulgated expressly for this purpose under Wis. Adm. Code: macrophytes (s. NR 102.56(1)(b)), chlorophyll *a* (ss. NR 102.56(1)(a) and (2)(b), and temperature (subch. II of ch. NR 102).

General Listing Methodology

“Hello, What are the locations listed as “local water?” I appreciate the list but could not find any information on these listings. Are they so bad that they are blocked somehow? Thanks for your help.” **(Citizen)**

Response: The waters named “Local Water” are unnamed and this title is a placeholder until a local name is given. The locations are not blocked; DNR is required to provide locational information for these listings. Additional locational information is available by searching for the Assessment Unit in the Department’s [Surface Water Data Viewer](#) tool or the [Water Search Pages](#).

Drought Conditions

“(W)ith the drought conditions in the past years, we hope that this is being factored in when noting reductions in phosphorus in water. Before a stream is removed from the impaired list for phosphorus, it should be observed meeting the standards under normal or rainier than normal conditions as a true test.” **(Citizen)**

Response: DNR’s assessment guidance (WisCALM) does take into account weather conditions in its listing protocols. See section 4.1.3, *Representative Data*, for a description of how “extreme weather years” are accounted for in listing determinations. In general, if it is determined that a year was an extreme weather year resulting in unrepresentative conditions, that year’s data points are supplemented with data from at least one additional year of monitoring. In this case, combined data from a minimum of two years should be used for assessments to account for variability between years. The guidance provides guidelines for what is generally considered an extreme weather year, and best professional judgment of the DNR stream biologists may also be used on a regional basis to determine whether the dates collected are considered unrepresentative of normal conditions.

Parameters for Water Action Volunteers (WAV)

“(W)e request that the DNR add more parameters to the WAV program that would help indicate health and safety concerns (*Staph. aureus*, antibiotic resistant bacteria, *E. coli*, etc.) particularly in areas with high inputs of liquid manure.” **(Citizen)**

Response: Thank you for this suggestion; it has been forwarded to the WAV Program Coordinator. *E. coli* (and related parameters) are not routinely monitored by DNR; they are addressed on an as-needed basis. The WAV program is designed to focus on parameters that are monitored statewide at all sites, therefore bacteria monitoring in streams may not be a good fit for the WAV program. However, some partners like Milwaukee Riverkeeper have piloted their own volunteer bacteria monitoring program, outside of WAV; see their webpage for more information: <https://milwaukeekeeper.org/bacteria/>.

Groundwater - Surface Water Connectivity

“(We) suggest that (particularly in karstic areas such as southern, western, and eastern Wisconsin) groundwater be considered as intimately connected to surface water in your evaluations, both in terms of quality and quantity.” **(Citizen)**

Response: DNR recognizes that the connection between groundwater and surface water is a key hydrologic principle and that cross-contamination and water levels are important issues. While the surface water assessment process detailed in DNR’s WisCALM guidance is focused on the end water quality of surface waters, we recognize that inputs from groundwater can be an important causal factor. DNR’s surface water program works closely with our Groundwater Program and Agricultural Runoff Management Program to address known causes of groundwater pollution. The Groundwater Program also addresses issues of water withdrawals and DNR has undertaken efforts to investigate the interactions between groundwater use and stream baseflows. In 2018 DNR put a Targeted Performance Standard in place that restricts manure applications in eastern Wisconsin counties where soil depth to bedrock is 20 feet or less to reduce pathogen contamination of drinking water wells. Such efforts may also benefit surface water quality.

Access to information

“What measures are in place to alert the public of the comprised water and aquatic species to limit exposure and ensure public safety? Internet access or knowledge cannot be assumed.” **(Citizen)**

Response: DNR agrees that it is important to reach folks without internet access, and makes efforts to do so.

- DNR publishes a booklet called “Choose Wisely: A health guide for eating fish in Wisconsin”. Printed copies are available at our service centers around the state, so that people can pick them up if they come in for a fishing license. These are also available at county health centers, and some municipalities post signs by waterbodies heavily used for fishing if there are advisories there. The “Choose Wisely” booklet can also be viewed online here: [PUB_FH_824_ChooseWisely.pdf \(widen.net\)](#), and more information about safe fish consumption is here: [Eating your catch - making healthy choices | Fishing Wisconsin | Wisconsin DNR](#).
- Another area where public notification is important is for beach advisories when levels of bacteria are unsafe. The County Health Departments are typically responsible for posting signs at beaches to notify the public if there is a beach advisory (warning) or a beach closure for public safety reasons. For both topics, DNR tries to get the information out to the people who are actually using the water for fishing or swimming.

Specific Waters/Counties

Baker Lake, Vilas County (WBIC 1626400)

“I was surprised to see Baker Lake in Vilas County was changed from 2B to 5A [*Note: 2B are waters attaining standards, based on at least one parameter; 5A are waters impaired for at least one designated use and for which a TMDL is needed*]. Our Lake District has a Water Quality Committee that has participated in CMLN testing, and both phosphorus and chlorophyll have been decreasing. In addition, there was no blue-green algae bloom this year. The Committee just reported to the Lake District Board two weeks ago that water quality on Baker is improving. Hopefully Secchi readings are not the only parameter that is considered, since Baker Lake has significant tannins which may make the Secchi readings an unreliable measure of water quality.

Thank you for the opportunity to provide feedback on the new listings.” (Citizen)

Response: Listing revised: waterbody will remain in category 2A as in previous cycle. The chlorophyll-*a* data behind the listing recommendation were reviewed and while algae levels do exceed the recreation threshold, there are too few samples for an algal listing independent of phosphorus. The phosphorus levels on this lake are near the criterion, but do not exceed it. For these reasons the ‘Excess Algal Growth’ listing will not be added in this cycle and the lake will remain in category 2A. With further monitoring a more robust assessment can be done in the future.

Kentuck Lake, Vilas and Forest Counties (WBIC 716800)

“The DNR proposal to remove most of the water quality impairment listings for Kentuck Lake in 2024 is good news. I have 2 distinct concerns I would like to address.

1. The failure to address the remaining impairment -crappie/mercury contamination (1998). The DNR does have the crappie samples in their possession. The samples have been submitted to the lab for testing. However as of this time the testing has not been performed due to scheduling. I have requested updates on the testing March 15, 2023, June 6, 2023, August 17, 2023, September 10, 2023 and November 20, 2023 – only to be informed that testing will NOT be completed in time for the 2024 report. WHY NOT? I understand scheduling concerns, priorities and staffing levels. I do not understand why the potential to address the remaining Kentuck Lake impairment gets little consideration. This inactivity pushes the next

data update to 2025. Complete removal of the Kentuck Lake impairment listings has been our goal – do not let this opportunity expire! I am requesting a win/win for Kentuck Lake and the citizens of Wisconsin. Addressing the draft 2024 water condition list NOW, would make the news GREAT not just good.

2. Kentuck Lake water quality data presently shows a direct correlation between a strong walleye population and the resulting large zooplankton population. Walleye stocking is scheduled for even years (2024). For the past 5 decades Kentuck Lake has seen 10 year walleye population explosion/collapse cycles. These collapses coincide with poor water quality years. Numerous Kentuck Lake stakeholder meetings have been held over the years. It has been identified that a new metric must be developed to preclude walleye collapse as in the past. Presently we wait for 3 consecutive years of poor recruitment before implementing proposed action. A new action plan to preclude this failure has been widely accepted by all stakeholders – but little progress has occurred -WHY? Please do not let this critical management plan update fall into oblivion. Failure to act now most likely will put Kentuck Lake back on the impaired list again. Failure now is not an option.” (Citizen)

Response:

- Listing revised: waterbody will be placed into category 2A. Fish consumption guidance needs to be published prior to listing changes; at the time of the draft 2024 public comment period the samples had not been processed and the guidance was not yet published. As of January 2024, the samples have been processed and an updated fish consumption guidance, “[Choose Wisely: A Health Guide For Eating Fish In Wisconsin 2024 – 2026](#)”, was published. On page 3 of the new guidance the list of updates states: “Removing mercury-based guidance for Kentuck Lake”. With this official change the mercury listing for Kentuck Lake is proposed for removal from the 2024 Impaired Waters List. With this proposal Kentuck Lake’s final determination is placement on the Waters Attaining Standards List in Category 2A.
- Thank you for your concerns about walleye management for Kentuck Lake. This topic is outside the scope of this comment period, but we have forwarded it to the appropriate staff in our fisheries management program for their consideration.

Stream C, tributary to the Flambeau River (WBIC 400013) & Whitefish Lake (WBIC 2392000)

“I have a couple of questions on the whitefish lake and stream c listings and water detail [Note: the “water detail” is a DNR web page about the waterbody]—I want to make sure that I understand the listings and water detail—it appears that the water detail has not been updated to reflect the proposed 2024 changes –is there an explanation for the proposed delisting of whitefish lake—also it appears that there is some confusing language on the stream c water detail—would you have a few minutes to discuss—thanks” (Timm Speerschneider on behalf of Flambeau Mining Company)

Response:

- There were no changes to Stream C’s listing details in the 2024 cycle. Commenter was contacted to discuss the web pages in question, which will be updated when the 2024 list is approved.
- For Whitefish Lake, WBIC 2392000, phosphorus and chlorophyll-a were clearly below listing thresholds in the 2024 assessments. Both of these metrics support both uses of Aquatic Life and Recreation. The mean phosphorus level has decreased since the 2020 cycle, and this cycle the confidence interval is below the criterion for the first time. Based on phosphorus levels clearly below the criterion, the phosphorus listing is recommended for removal. More information on [Whitefish Lake’s 2024 assessment is available here](#).

Large River Chl-a Assessments

“There seems to be an issue with your script and how the data was pulled for non-wadable rivers. Specifically when I look at Chl A for the Red Cedar River at Menomonie Hydro (likely exceeds standards for Chl A) and Chippewa River at Sth 10 (probably fine for Chl A), they indicate that there are not qualifying counts, but these are LTT monthly sample sites, and when I download the data I get all the necessary counts.

Pat Oldenburg also looked into it, and indicated that multiple sites on the Wisconsin River don't include all the data for assessment, and that a lot of locations should likely be listed for Chl A.” **(Chris Willger, WDNR)**

Response: You're right, a few impairments weren't highlighted in the new listing tab including segments of the Rock, Lower Fox, Fox (IL), and Manitowoc rivers. One note though is that if the impairment was added to an existing Total Phosphorus listing, then it will appear in the “Impairments (Observed Effects)” column, without an entry in “New Pollutants (Causes)”. Information in the “Note” column indicates the associated pollutant. Below are the four that should have been included in the “New Listings” table.

Waterbody Name Local	Water Type	2022 AU Cat.	2024 AU Cat.	New Impairments (Observed Effects)	Note	WBIC	AU ID	EPA AU ID	Counties
Manitowoc River	RIVER	5A	5A	Excess Algal Growth	Added impairment to TP listing.	71000	482064	WI10026294	Manitowoc
Rock River	RIVER	5A	5A	Excess Algal Growth	Added Impairment to TP listing	788800	11455	WI10001290	Rock
Lower Fox River (Mouth To Depere Dam)	RIVER	5A	5A	Excess Algal Growth	Added Impairment to TP listing	117900	10678	WI10008021	Brown
Fox River (Illinois)	RIVER	5A	5A	Excess Algal Growth	Added Impairment to TP listing	742500	10507	WI10000597	Racine, Waukesha, Kenosha

Your email serves as a comment during the public comment period and these four TP listings will be updated. Below are the assessment review notes for the waters where Chl-a exceeded. If TP did not exceed it was not listed for Chl-a because it is a Phosphorus Response Indicator (PRI), not a stand-alone metric (exclusive to Rivers). It is recommended that these be reevaluated next cycle.

Here is where each assessment ended up:

AU ID	SWIMS Station ID	Primary Station Name	WBIC	Water Type	Local Waterbody Name	Review Notes/ List Inclusion	New Impairments (Observed Effects)
482064	363069	Manitowoc River at Cth Jj(Michigan Ave)	71000	RIVER	Manitowoc River	Missing Added to draft lists spreadsheet.	Excess Algal Growth
10678	053210	Fox River - Above De Pere Dam	117900	RIVER	Lower Fox River (Mouth To Depere Dam)	Missing Added to draft lists spreadsheet.	Excess Algal Growth
352759	713056	Fox River - A Main St Bridge Oshkosh	117900	RIVER	Fox River (At Oshkosh)	No new TP data, not listed for TP; reassess next cycle.	NA
6778521	10033616	Fox River - Center near Wicks Landing	117900	RIVER	Fox River	New TP data did not exceed; not listing.	NA
892011	323131	Mississippi River - Below Ld 7	721000	RIVER	Mississippi River (Reach 3)	In the public noticed list.	Excess Algal Growth, Mercury Contaminated Fish Tissue,

AU ID	SWIMS Station ID	Primary Station Name	WBIC	Water Type	Local Waterbody Name	Review Notes/ List Inclusion	New Impairments (Observed Effects)
							Mercury in Water Column
10507	303066	Fox River (Il) - Nr New Munster Cthjb	742500	RIVER	Fox River (Illinois)	<i>Missing</i> Added to draft lists spreadsheet.	Excess Algal Growth
11455	543001	Rock River at Afton WI	788800	RIVER	Rock River	<i>Missing</i> Added to draft lists spreadsheet.	Excess Algal Growth
356113	283220	Rock River - 700ft below Milwaukee St Bridge Watertown	788800	RIVER	Rock River	In the public noticed list.	Excess Algal Growth
885432	223282	Wisconsin River at Sth 80 Bridge At Muscoda WI	1179900	RIVER	Wisconsin River	New TP data did not exceed; not listing.	NA
885546	573052	Wisconsin River at Wisconsin Dells	1179900	RIVER	Wisconsin River	New TP data did not exceed; not listing.	NA
885964	10031139	Wisconsin River Below Biron Dam temporary site	1179900	RIVER	Wisconsin River	Chl-a sample site directly below a dam; not representative of a free-flowing section of the river.	NA
14023	323017	La Crosse River - Near Mouth	1650200	RIVER	La Crosse River	Disagree with the recommendation because it is using TP and the Chl-a data that is almost 10-years old. Reassessment with new LTRM data do not indicate exceedance.	NA
888812	173208	Red Cedar River at Menomonie Hydro	2063500	RIVER	Red Cedar River	Chl-a exceedance at a station directly downstream of Lake Menomin, which is listed for Chla. Not a representative sample of flowing river.	NA

Channel to Lake Beulah, Walworth County (WBIC 766600)

“To whom it may concern

There is a channel leading to Lake Beulah on the east side of the lake. This channel was hand dug in the 1950s. It was 12 feet deep, it is now eight feet deep. The rest is pollution. The surface of the water in the summer is completely covered by algae and pollution. The channel empties into the lake after a heavy storm. The pollution goes from the middle lake to a small lake where the outlet dam is located. This is spreading the algae and pollution.” (Citizen)

Response: Thank you for bringing this issue to the attention of the Department. This concern has been forwarded to the DNR lake biologist covering this area. Lake Beulah and the channel up to the far end of New Deal Drive (as well as other channels) were listed as impaired for total phosphorus in 2020, because they exceed the criterion for two-story fishery lakes. Data from the last two years were assessed and indicated

that phosphorus levels are still elevated, so it remains on the list. While filamentous algae levels in the channels may periodically be high, in the main lake algae (as measured by chlorophyll *a*) is below the listing thresholds.

Fox Lake, Dodge County (WBIC 835800)

Commenter expressed concern that Fox Lake in Dodge County needs help, suggesting that all dams on the Milwaukee River be removed. They stated that dam removals work better than fish ladders, which are not working well. **(Citizen)**

Response: Thank you for bringing this issue to the attention of the Department. This concern has been forwarded to DNR's regional biologists in this area.

Impaired waters in Crawford County

A resident of Crawford County and member of the Crawford County Stewardship Project expressed multiple concerns, summarized as follows:

- Crawford County has a large number of monitored streams that are listed as impaired. "More monitoring is clearly needed, as well as serious plans to mitigate further contamination, yet over the years we have experienced reduced support from the DNR in your own WAV monitoring program, and there is not one single stream in the county with a restoration plan." "(It appears) that impairment status means that the DNR plans to perhaps come up with a restoration plan at some point, but there is no timeline, the criteria for prioritizing bodies of water is untransparent, and again, even with partners on the ground here like Crawford Stewardship Project and the Tainter Creek Farmer Led Watershed Council we have yet to see a single restoration plan for one of these streams and we are not covered by a TMDL plan." "None of the additional protective conditions or monitoring which are available to the DNR have been added, despite clear science to support added conditions, broad public outcry and county government calling for more due diligence before permitting."
- "(T)he DNR has recently permitted the largest farm in Crawford County, Roth Feeder Pig, to build a second facility of triple the size, which would make them the largest hog CAFO in the state. We have [clearly documented issues](#) in the streams below their existing facility, and have demonstrated alarming results in our last few years of baseline monitoring streams around the proposed facility." "(W)e request that the DNR take on more responsibility (or at least provide more direct support) for monitoring around CAFOs and other industries you permit, and that the local water quality monitoring be considered when permitting CAFOs and other industrial facilities. The DNR should endeavor to create baseline data before permitting potentially polluting industries, so impacts can be quantified."

(Citizen)

Additional points raised by the commenter are included under the "Listing Methodology" section.

Response: DNR appreciates active citizen groups working toward water quality monitoring and restoration. Thank you for sharing graphs of the data you've collected. If you would like these data to be evaluated for the next assessment cycle, we encourage you to submit the raw data in DNR's SWIMS database following instructions on the DNR's public participation webpage:

<https://dnr.wisconsin.gov/topic/SurfaceWater/PublicParticipation.html>.

We understand concerns over the time it can take to begin restoration efforts, and have shared your comments with several regional DNR staff in the water quality, CAFO, and runoff programs. Crawford County has six waterbodies listed as impaired, and from an initial look, those listed waterbodies would be best addressed through restoration efforts other than TMDLs. These watersheds are relatively small with seemingly well-defined source areas that could be identified through visual inspection and addressed with conventional management practices and some well-executed streambank restoration projects. There are several mechanisms that can be pursued to assist in deployment of management practices; however, Crawford County Land Conservation Department (LCD) and supporting programs will be integral. A primary avenue for restoration plans outside of TMDLs are Nine Element Plans. These are smaller in scale and are appropriate for watersheds without permitted point source discharges (i.e. nonpoint-dominated watersheds). Typically a governmental unit (county, tribe, etc.) is the lead entity that initiates Nine Element Plan development and, after approval of the plan, implementation. DNR typically provides support through this development and assists with implementation via grants, water quality monitoring, staff time, etc.

Here is a summary of impaired waterbodies and potential recommendations regarding restoration activities:

- *Wisconsin River*: This stretch of the Wisconsin River is listed for PCBs and mercury. TMDLs are not the best tool for either of these pollutants. PCBs and mercury are typically best addressed through remediation or dredging efforts. Since current sources of mercury are mostly from air deposition, often from sources outside of Wisconsin or the continental U.S., TMDLs are very limited in what they can accomplish.
- *Knapp Creek*: Knapp Creek from mile 0 to 1.6 is listed for phosphorus. There are no identified point sources. The impairment appears to stem mostly from agricultural activities and channel stability issues. Consider a Nine Element Plan.
- *Kickapoo River*: A 6.4-mile portion of the Kickapoo River is listed for mercury and phosphorus but does not have any point source dischargers so a Nine Element Plan maybe more appropriate than a TMDL to address the phosphorus impairment.
- *Richland Creek*: 9.71 miles of Richland Creek is listed as impaired for phosphorus. The watershed is primarily forest (54%) with around 14% in agriculture along the creek valley. Given the land use and topography of the watershed, restoration efforts should target installing buffer strips along the stream corridor and ensuring that land in agricultural production meets NR 151 performance standards.
- *Halls Branch Creek*: The 3.19 miles of Halls Branch which is listed as impaired for sediment/TSS has a similar land use distribution but with slightly more agriculture at 20%. Given the land use and topography of the watershed, restoration efforts should target installing buffer strips along the stream corridor and ensuring the agricultural land meets NR 151 performance standards.
- *Tainter Creek*: A total of 12.58 miles of Tainter Creek is listed as impaired due to elevated water temperature. Much of the stream channel is incised into the valley floor resulting in vertical and eroding streambanks. This creek could benefit from both streambank stabilization work and efforts to provide shading to help reduce temperature.

If you would like more information on Nine Element Plans, please see this webpage (<https://dnr.wisconsin.gov/topic/Nonpoint/9keyElement>) and contact DNR Nine Element Plan coordinator Andrew Craig (Andrew.craig@wisconsin.gov) and Cindy Koperski, regional nonpoint coordinator (cindy.koperski@wisconsin.gov).

Regarding CAFOs, obtaining baseline water quality data is not a prerequisite to obtaining a WPDES permit. The department does consider water quality data when it is available. Self-reporting is a key component of the federal NPDES permit program that serves as a basis for Wisconsin's WPDES permit program. The permit requires the operation complete ongoing self-monitoring and reporting of its production area and nutrient management activities. The permittee is required to report certain types of non-compliance within 24 hours to the DNR. In addition to self-monitoring/reporting by the permittee, the DNR (1) reviews annual reports summarizing self-monitoring activities and Nutrient

Management Plan updates, (2) responds to citizen complaints, (3) may conduct a manure hauling audit on an operation's land application practices, (4) conducts a compliance inspection at least once every five-year permit term, typically during the last year of the permit term, (5) conducts more frequent inspections where warranted based compliance issues or constructions activities, and (6) responds to spills should they occur. Documented noncompliance is subject to DNR compliance and/or enforcement measures. The department has reviewed all provided water quality data from the area surrounding Roth Feeder Pig, Inc. At this time, there is not enough information to indicate that this facility is directly contributing to water quality conditions in the area. There have been no reported or observed violations of Roth Feeder Pig, Inc.'s permit conditions that would lead the department to believe that these conditions are directly associated with this facility at this time.

TMDLs that are drafted for watersheds that include CAFOs, whether for dairy, swine, or poultry, do not create any new requirements or performance standards beyond those already in the CAFO permit or authorized under existing administrative code. For the CAFO production area, a TMDL assigns a wasteload allocation of zero which is deemed equivalent to and consistent with the CAFO permit requirements.

EPA Comments

Email on December 6, 2023

"Here are the comments and questions I have on the draft Wisconsin 2024 Integrated Report documentation (Water Condition Lists) available for public comment, including the two I sent last week, which are comments #1 and #2 below. I also may have more questions after the 2024 cycle assessments are uploaded into/promoted to ATTAINS now that the new version of ATTAINS is available as of 12/5/23. I recognize that the previous version of ATTAINS was likely preventing WDNR and other states from promoting the 2024 cycles in ATTAINS."

1. "**Category 3:** We noticed that the published water condition lists don't include Category 3, which "... is for waterbodies with insufficient data for a clear general or full assessment, or ambiguous assessment results where an attainment determination cannot be made." The waterbodies in category 3 would be helpful to include as part of the water condition lists to understand how many waterbodies have not been assessed."

Response: The Category 3 waters were submitted to the ATTAINS database and were not included in the list release materials because there are over 24,000 assessment units. Not all of our waters have been given an assessment unit, so we calculate the percentage of waters assessed by water type and size (current estimates in Table 6 of 2024 WisCALM).

2. "**Designated uses:** We also noticed that the lists don't include the designated uses associated with each waterbody, which also would be helpful to include. For example, given the information provided in the spreadsheet (DRAFT2024WaterConditionLists_WEB.xlsx), we're not able to determine the status of Lake Winnebago, Lake Michigan shoreline, or Lake Superior shoreline for Public Water Supply Use Attainment."

Response: The designated uses will be added to the final lists. The related designated use information was uploaded to ATTAINS.

3. "**TMDLs:**

- a. I noticed a few differences between the numbers of new listings in the 2024 water condition lists [fact sheet](#) and the [spreadsheet](#). The **attached** spreadsheet includes these same comments in the column S of the "InRestorationList" worksheet. For example, the fact sheet indicates that there are new listings that will be placed directly on the list of Waters in Restoration, which are covered by TMDLs, including:

- i. Milwaukee River Basin TMDL (8)
 - A. However, when I filter the “InRestorationList” worksheet in the spreadsheet for “Cycle Listed” (column G) = “2024” and “TMDL” (column R) = “Milwaukee River Basin TMDL,” I count 6 instead of 8 waterbodies. The spreadsheet does not include Menomonee River (WI6876528) with total phosphorus (TP) cause (column I) and degraded fish community impairment (column J) or Zablocki Park Creek (WI10028282) with TP cause and impairment unknown, which are included on p. 11 of the [Draft 2024 Water Condition List Updates](#) PDF file. **Is the spreadsheet accurate?**
- ii. Upper Fox-Wolf Basin TMDL (4)
 - A. Note: The webinar presentation on 11/20/2023 clarified that Schoenik Lake is not covered, so there are 4 instead of 5 new listings in this basin.
 - B. When I filter the “InRestorationList” worksheet in the spreadsheet for “Cycle Listed” (column G) = “2024” and “TMDL” (column R) = “Upper Fox Wolf River TMDL,” I noticed that the water body “Local Water” (WI10028615) has a TP cause and “NA” for impairment on p. 11 of the draft 2024 Water Condition List updates file, and the spreadsheet says that this waterbody has a “degraded habitat” impairment for TP. **Is the spreadsheet impairment accurate? Also, what does “NA” mean in the impairment column?** (Note: I realize ATTAINS may have additional information about what “NA” means related to this assessment unit, which I’ll check when the 2024 cycle is promoted to ATTAINS.)
- iii. Northeast Lakeshore TMDL (3)
 - A. When I filter the “InRestorationList” worksheet in the spreadsheet for “Cycle Listed” (column G) = “2024” and “TMDL” (column R) = “Northeast Lakeshore TMDL,” I count 2 instead of 3 waterbodies. The spreadsheet does not include Barr Creek (WI10006211), which is included on p. 11 of the draft 2024 Water Condition List updates. **Is the spreadsheet accurate?**
- iv. Wisconsin River Basin TMDL (1)—No comments, except for the one immediately below.”

Response: There were a few waters that were meant to be part of an existing TMDL that were not recorded correctly in the public comment materials, as noted in the comments above. The final numbers associated with each of these TMDLs are those that were presented in the TMDL appendices sent to EPA for approval: [Milwaukee River Basin TMDL](#), [Wisconsin River Basin TMDL](#), [Fox-Wolf Basins TMDL](#), and [Northeast Lakeshore TMDL](#). Those waters not represented in the TMDL appendices will be kept as Category 5 until the next assessment cycle.

In the spreadsheet provided to the public, on the New Listings tab the term “NA” meant there was no *new* Cause or Impairment (Observed Effect). In the New Listings tab the goal was to present only changes, though this did cause confusion.

- b. “On p. 11 of the draft 2024 Water Condition List updates, several waterbodies have a new pollutant cause (column I) of TP, and the corresponding new impairment (column J) of “impairment unknown.” This is also the case for some waterbodies in the “NewListings” worksheet of the spreadsheet. I am interested in understanding more about the “new” TP causes identified in the draft 2024 Water Condition List updates that include “impairment unknown.” (I am also relatively new to my position and am still learning WDNR’s assessment process.) Can WDNR further explain these instances—that is, why the impairments are unknown when TP has exceeded water quality standards? (Note: I realize ATTAINS may have additional information about what “impairment unknown” means related to these assessment units with a

TP cause, which I'll check when the 2024 cycle is promoted to ATTAINS.) For example, here's a list of the four waterbodies for which this is the case on p. 11:

- i. Milwaukee River Basin: Zablocki Park Creek (WI10028282)
- ii. Northeast Lakeshore: Horseshoe Lake (WI1000119) and Stony Creek (WI10025681)
- iii. Wisconsin River Basin: Webster Creek (WI10008112)

Response: In Wisconsin's CWA reporting program each identified cause requires a linked observed effect (former terminology: pollutant and impairment combinations). The term "Impairment Unknown" has been used to indicate associated biological assessments revealed no impact by elevated phosphorus, or there was a lack of biological assessment. When reporting to EPA in the ATTAINS database these "Impairment Unknown" entries become "Organic Enrichment". As the program works to align Observed Effect and parameter terminology with EPA's ATTAINS database, "Impairment Unknown" may be phased out for phosphorus listings.

4. **"Impaired waters list additions:**

- a. The fact sheet and draft 2024 Water Condition List updates indicate that there are 81 listings newly listed on the impaired waters list or waters in restoration list (on p. 1 of each of these two files), but the pie chart on p. 2 of the draft 2024 Water Condition List updates indicates there are 80. **Which is correct?"**

Response: The final number of new listings is 85.

- b. "In the "NewListings" worksheet in the spreadsheet, Manitowoc River (WI10026294), indicates that the 2024 proposed listing category (column L) is 4A. **Why is this waterbody categorized as 4A if there isn't a TMDL listed in column N?"**

Response: The listing update for the Manitowoc River (WI10026294) was an addition of Excess Algal Growth only; this listing is part of the 2012 Total Phosphorus listing which is covered by the Northeast Lakeshore TMDL. There was a missing TMDL in column N.

5. **"List deletions:** The fact sheet and draft 2024 Water Condition List updates indicate that there are 37 former listings that are now proposed for deletion from the list (on pp. 2 and 1, respectively). However, the draft 2024 listing removals in the 2024 Water Condition List updates on p. 9 and the "ListingRemovals" worksheet in the spreadsheet both show 38. Also, the slide from the 11/20/2023 webinar indicated that there were 36 listings removed (see screenshot below). **Which is correct?"**

Response: The final number of listing removals is 38.

Email on January 31, 2024

Thank you for the extra time to review WDNR's 303(d) list. Here are several more questions.

1. Data solicitation: Can you forward a copy of the data solicitation that WDNR published for public notice (e.g., in fall or winter 2022)?

Response: Yes.

2. TMDL Actions:

- a. Data clean up: WDNR and EPA previously agreed to clean up associations with TMDL actions between 2022 and 2024. Have these been resolved?
 - i. In addition, the email exchange between Julianne Socha and Ashley Beranek between March 26-28, 2022, mentions two AUIDs requiring changes: WI9123346 and WI10004273 (Porcupine Creek). Was this resolved? I can forward this email exchange if that would be helpful.

Response: Due to staffing changes the TMDL task has not yet been completed. In ATTAINS the new AU IDs have been associated with the appropriate TMDLs but not visa versa; this results in these TMDL associations not being visible on the How's My Waterway app. This is only applicable to TMDLs older than 2018.

The Porcupine Creek segmentation was updated in ATTAINS in September 2023.

- b. Updated TMDLs: I reviewed the AUIDs added to Category 4A as a result of the updated TMDLs that Kevin Kirsch sent to Dave Werbach earlier this month on 1/8, and I've attached my comments/questions after comparing the attached AUIDs with the "2024 – organization public comment snapshot" in ATTAINS. See the file named: 2024_Updates_Corrections_Additional_Data_Final wed.xlsx.

Response: The abbreviated tables below include listings with questions.

Upper Fox-Wolf TMDL:

Official Name	Waterbody Name	AU ID	WBIC	EPA ID	County	Impairment (OE)	Pollutant	EPA comments	WDNR Responses
Unnamed	Unnamed Trib to Silver Creek	5476567	147700	WI10030965	Fond du Lac	Degraded Habitat	TSS	I don't see this parameter (TSS) in ATTAINS for this AUID. Is WDNR planning to add this to ATTAINS for the final 2024 IR? (I only see TP (FAL) in category 4A for this AUID, although this isn't a new category in 2024, and the Action ID for TP is WI-2020-001.)	Yes, both of these TSS listings should be covered by the Upper Fox-Wolf basin TMDL. This has been updated in ATTAINS.
Unnamed	Unnamed Trib to Silver Creek	5476590	146900	WI10030980	Green Lake	Degraded Habitat	TSS	Same comment as cell P12 above; I don't see this parameter (TSS) in ATTAINS for this AUID. Is WDNR planning to add this to ATTAINS for the final 2024 IR? (I see TP (FAL) in category 4A for this AUID, although this isn't a new category in 2024, and the Action ID for TP is WI-2020-001.)	

NE Lakeshore TMDL:

Waterbody Name	AU ID	WBIC	EPA ID	County	Impairment	Pollutant	EPA comments	WDNR Responses
Stony Creek	10219	96100	WI10025681	Door and Kewaunee	Impairment Unknown	Total Phosphorus	<p>TP added to 4A in ATTAINS (previously category 3), and TSS was added to category 4A (previously category 5). Should TSS be included as a separate row in this table?</p> <p>In addition, the associated action ID for TSS is WI-2023-NEL--should it be changed to WI-2023-NEL-2024?</p> <p>Also, both of these parameters--TP and TSS--now say delisted in ATTAINS. Is this correct?</p>	<p>The 1998 TSS listing on this water was part of the original TMDL, approved in 2023. The listing is considered delisted because it is part of a TMDL approved since the last assessment cycle.</p> <p>The 2024 TP listing shouldn't say delisted; ATTAINS was updated.</p>

Milwaukee TMDL:

Waterbody Name	AU ID	WBIC	EPA ID	County	Impairment(s)	Pollutant	EPA comments	WDNR Responses
Kinnickinnic River	3899425	15100	WI10027436	Milwaukee	Recreational Restrictions	E. coli	I do not see E. coli as a parameter for this AUID in ATTAINS. Should it be added in ATTAINS? I only see fecal coliform that was added to 4A in a previous cycle (Action ID WI_04040003).	Yes, this belongs in ATTAINS and has been added. The E. coli parameter was associated with action WI_04040003_2024.
Menomonee River	8104655	16000	WI8104656	Milwaukee, Washington, Waukesha	Recreational Restrictions	E. coli	I do not see E. coli as a parameter for this AUID in ATTAINS. Should it be added in ATTAINS?	Yes, this belongs in ATTAINS and has been added. The E. coli parameter was associated with action WI_04040003_2024.
Menomonee River	6876527	16000	WI6876528	Washington	Degraded Fish Community	TP	TP changed from category 2 to 4a. However, this parameter says delisted even though parameter attainment changed to "not meeting criteria" and parameter status named changed from "meeting criteria" to "cause." Should the delisting status be changed from "Y" to "N"?	The 2024 TP listing shouldn't say delisted or have additional action IDs; ATTAINS was updated.

Waterbody Name	AU ID	WBIC	EPA ID	County	Impairment(s)	Pollutant	EPA comments	WDNR Responses
South 43rd Street Ditch	9981	15900	WI10000209	Milwaukee	Recreational Restrictions	E. coli	Same comment as P26; I do not see E. coli as a parameter for this AUID in ATTAINS. Should it be added in ATTAINS? I only see fecal coliform that was added to 4A in a previous cycle (Action ID WI_04040003).	Yes, this belongs in ATTAINS and has been added. The E. coli parameter was associated with action WI_04040003_2024.
Zablocki Park Creek	3987849	5036633	WI10028282	Milwaukee	Impairment Unknown	TP	TP changed from category 3 to 4A. However, AUID name in ATTAINS is "Unnamed." Should this be updated to "Zablocki Park Creek" in ATTAINS? In addition, the delisting status is "Y" instead of "N," and the delisting reason is "DELISTING_4A" Is this correct? The attainment code name is "not supporting," and the parameter attainment is "not meeting criteria." (Action IDs: WI_04040003_PP, WI_04040003_2024)	The 2024 TP listing shouldn't say delisted. ATTAINS was updated. The AU name was updated with the local name "Zablocki Park Creek".

3. Categories 5A and 5R: Do the 259 AUIDs in the “2024 - organization public comment snapshot” in ATTAINS with changes from category 5A to 5R between 2022 and 2024 have advance restoration plans (ARPs) (e.g., WI6923087/North Fork Eau Claire River/TP/FAL)? It’s my understanding that WDNR has been using 5A as the default category for impaired waters (TMDL needed) instead of category 5A/5-Alt, which, at the national level, previously reflected waterbodies with alternative restoration approaches, and this category is now going to be considered 5R (ARP). I’m wondering if the required change from category 5A/5-Alt (alternative restoration approach) to 5R (ARP) documented in the 2024 IR memo on p. 5 affects WDNR and if additional changes need to be made to in ATTAINS given WDNR’s state-specific category definition for 5A, which didn’t refer to ARPs/alternative restoration approaches.

Response: To reduce confusion for constituents the Department maintains the category names outlined in WisCALM 2024. When equating to EPA’s listing Categories, the Department’s Category 5W is equivalent to EPA’s 5A/5-Alt, now 5R. In the ATTAINS system waters with Category 5W listings were automatically translated to EPA’s Category 5R. No special updates were required for this change.

Email on February 9, 2024

I’ve completed my review of the information in ATTAINS (2024 - organization public comment snapshot) and the information WDNR provided during the public comment period. In addition to the comments I previously sent on 11/30/23, 12/6/23, and 1/31/24, here are the additional comments I

have after comparing the information WDNR made available during the comment period to ATTAINS, as well as comparing the 2022 and 2024 cycles (snapshots) in ATTAINS.

GENERAL QUESTIONS:

1. Public comments: What changes is WDNR planning to make based on public comments, or will this be clear in WDNR's responses to the comments? If it's possible to receive the public comments and WDNR's responses before the final IR submission to EPA, that would be helpful.

Response: A section in this response document is dedicated to outlining the specific changes due to public comment. There are many changes due to data cleaning; these will be noted in the specific responses. An advanced copy of the response to comments can be sent prior to the final submittal.

2. ATTAINS Organizational Final – Internal Review Status: Will there be time for one more quick EPA review when WDNR promotes the public comment cycle to “Organization Final – Internal Review Status” in ATTAINS before WDNR promotes to “Organization Final Action – Submittal Status” in ATTAINS and submits the final IR to EPA?

Response: Yes, a cycle snapshot will be made prior to submittal of the final cycle.

SPECIFIC QUESTIONS:

Category 5: There are 1,527 AUIDs in category 5 in ATTAINS (2024 - organization public comment snapshot), and 1,482 AUIDs in category 5 in WDNR's “ImpairedWatersList” worksheet in the “DRAFT2024WaterConditionLists.xlsx” spreadsheet made available during the public comment period (here). See specific questions in the “EPA comments” column in these three worksheets in the attached “WI_2024_303(d)ListReview_PN_2-9-24.xlsx” spreadsheet:

Response: The mismatch in total values is a combination of data entry errors and double counted AU IDs. In both the Impaired Waters List and Waters In Restoration List DNR spreadsheets the rows represent individual cause listings, so there can be multiple rows per AU ID. Please see the simplified tables below for data entry error corrections.

“These 19 AUID/parameter combinations were not in ATTAINS (2024 - organization public comment snapshot), but they were in the “ImpairedWatersList” worksheet in the “DRAFT2024WaterConditionLists.xlsx” spreadsheet posted on WDNR's website during the public comment period. Should they be added to ATTAINS?”

“Category 5 – Table 1” includes Category 5 waters not in ATTAINS (2024 - Organization Public Comment Snapshot) and included in WDNR's “ImpairedWatersList” worksheet.”

#	Waterbody Name (Local)	Water Type	Size (Acres or Miles)	AU Cat.	Cycle Listed	Pollutants (Causes)	EPA AU ID	Notes	WDNR RESPONSES
1	Silver Lake	LAKE	515.97	5A	2024	Cause Unknown	WI10000535	New listing.	Should not be in ATTAINS or spreadsheet. Biologist review resulted in removing this recommendation.
2	Ivanhoe Lake	LAKE	46.04	5A	2024	Cause Unknown	WI10000550	New listing.	
3	Long Lake	LAKE	71.82	5A	2024	Cause Unknown	WI10002675	New listing.	
4	West Branch Sugar River	RIVER	11.17	5A	2024	Cause Unknown	WI10002826	New listing.	Should be in ATTAINS; has been added.
5	Platte River	RIVER	37.8	5P	2012	Total Phosphorus	WI10002941		This segment was split into two AUs: WI10279446 and WI10279449. These are in ATTAINS and the spreadsheet was updated.
6	Beaver Lake	LAKE	61.98	5C	2024	Cause Unknown	WI10007538	New listing.	Should be in ATTAINS. The listing changes for these lake were missed and have been updated.
7	Found Lake	LAKE	336.36	5A	2024	Cause Unknown	WI10007601	New listing.	
8	Scattering Rice Lake	LAKE	263.28	5A	2018	Cause Unknown	WI10007713		
9	Baker Lake	LAKE	36.57	5A	2024	Cause Unknown	WI10007924	New listing.	After public comment this should not be in ATTAINS; it should have been in the public comment snapshot.
10	Trib To Brewery Creek	RIVER	2.25	5A	1998	Cadmium	WI10008473		This AU was split into two new AUs: WI10280051 and WI10280054. This was updated in ATTAINS and the final spreadsheet.
11	Trib To Brewery Creek	RIVER	2.25	5A	1998	Lead	WI10008473		
12	Trib To Brewery Creek	RIVER	2.25	5A	1998	Mercury	WI10008473		
13	Trib To Brewery Creek	RIVER	2.25	5A	1998	Zinc	WI10008473		
14	Pike Lake	LAKE	203.69	5A	2024	Cause Unknown	WI10008656	New listing.	Should not be in ATTAINS or spreadsheet. Biologist review resulted in removing this recommendation.
15	Ellwood Lake	LAKE	129.58	5A	2024	Cause Unknown	WI10009786	New listing.	
16	Local Water	LAKE	5.21	5A	2024	Cause Unknown	WI10022034	New listing.	
17	Trump Coulee Creek	RIVER	7.71	5A	1998	Total Phosphorus	WI10026663		This AU was split into three new AUs: WI10280829, WI10280961, and WI10280963. This was updated in ATTAINS and the final spreadsheet.
18	E. Br. Pecatonica River	RIVER	21.9	5P	2014	Total Phosphorus	WI10038760		This AU was split into two new AUs: WI10279754, WI10279757. This was updated in ATTAINS and the final spreadsheet.
19	Unnamed Stream	RIVER	1.71	5A	2024	Total Phosphorus	WI10044544	New listing.	Should be in ATTAINS. The listing changes for this stream were missed and have been updated.

- b. "Category 5 – Table 2" includes Category 5 waters in ATTAINS (2024 - Organization Public Comment Snapshot) and not included in WDNR's "ImpairedWatersList" worksheet

These 65 AUID/parameter combinations were in ATTAINS (2024 - organization public comment snapshot), but they were not in the "ImpairedWatersList" worksheet in the "DRAFT2024WaterConditionLists.xlsx" spreadsheet posted on WDNR's website during the public comment period. Should they be added to WDNR's "ImpairedWatersList" worksheet/database?

Response: The table below is an abbreviated version of the one provided by EPA. The majority of these discrepancies were due to missing Cause-TMDL links in ATTAINS when entered. Other issues included missing delisting information and recent AU splits that were not in WDNR's spreadsheet.

#	AU ID	ASSESSMENT UNIT NAME	PARAM CAT.ID	PARAMETER CODE NAME	WDNR RESPONSES
1	WI10000132	Carstens Lake	5R	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
2	WI10000148	Mud Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
3	WI10000158	Branch River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
4	WI10000162	Round Lake	5R	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
5	WI10000173	Boot Lake	5R	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
6	WI10000174	South Branch Manitowoc River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
7	WI10000180	Pine Creek	5	POLYCHLORINATED BIPHENYLS (PCBS)	Was abbreviated to PCBs in worksheet.
8	WI10000181	Pine Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
9	WI10000201	Black Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
10	WI10000270	Batavia Creek	5	CAUSE UNKNOWN	Delisting; corrected in ATTAINS.
11	WI10000307	King Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
12	WI10000308	Unnamed	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
13	WI10000309	Twin Hill Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
14	WI10000316	Johnson Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
15	WI10000318	Jambo Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
16	WI10000326	Shea Lake	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
17	WI10000368	East Twin River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
18	WI10000369	East Twin River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
19	WI10002678	East Branch Honey Creek	5	PHOSPHORUS, TOTAL	New listing; ATTAINS entry completed.
20	WI10003547	Solberg Lake	5	PHOSPHORUS, TOTAL	Delisting; corrected in ATTAINS.
21	WI10003781	South Turtle Lake	5	CAUSE UNKNOWN	Delisting; corrected in ATTAINS.
22	WI10006069	Calvin Creek	5R	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
23	WI10006087	West Twin River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
24	WI10006088	West Twin River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
25	WI10006105	East Twin River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
26	WI10006106	Luxemburg Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)

#	AU ID	ASSESSMENT UNIT NAME	PARAM CAT.ID	PARAMETER CODE NAME	WDNR RESPONSES
27	WI10006556	Amber Lake	5	CAUSE UNKNOWN	Delisting; corrected in ATTAINS.
28	WI10007337	Little Bearskin Lake	5	PHOSPHORUS, TOTAL	Delisting; corrected in ATTAINS.
29	WI10007625	Kentuck Lake	5	PHOSPHORUS, TOTAL	Delisting; corrected in ATTAINS.
30	WI10007646	Little Crooked Lake	5	CAUSE UNKNOWN	Delisting; corrected in ATTAINS.
31	WI10007685	Twin Lakes (North)	5	PHOSPHORUS, TOTAL	Delisting; corrected in ATTAINS.
32	WI10007713	Scattering Rice Lake	5	PHOSPHORUS, TOTAL	Delisting; corrected in ATTAINS.
33	WI10008797	Unnamed	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
34	WI10008797	Unnamed	5	TOTAL SUSPENDED SOLIDS (TSS)	The TSS listing was overlooked in the TMDL table assembly; this listing will be added to the NE Lakeshore TMDL in the 2026 cycle.
35	WI10008814	Branch River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
36	WI10008821	Kewaunee River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
37	WI10024761	Selner Park Beach (City Of Kewaunee), Lake Michigan	5	ESCHERICHIA COLI (E. COLI)	While this beach was not in the DNR's publicly noticed spreadsheet, it was part of the submittal to EPA's ATTAINS database. This beach was added to the DNR's final list based this comment.
38	WI10025677	Kewaunee River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
39	WI10026294	Manitowoc River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
40	WI10027170	Ephraim Beach, Lake Michigan	5	ESCHERICHIA COLI (E. COLI)	New listing; ATTAINS entry completed.
41	WI10027186	Sand Bay Beach 1, Lake Michigan	5	ESCHERICHIA COLI (E. COLI)	Delisting; corrected in ATTAINS.
42	WI10027788	Fish Creek	5	CHLORIDE	Delisting; corrected in ATTAINS.
43	WI10028615	Unnamed	5	CAUSE UNKNOWN	Replaced by TSS listing; corrected in ATTAINS.
44	WI10029380	Wind Point Lighthouse Beach	5R	ESCHERICHIA COLI (E. COLI)	Delisting; corrected in ATTAINS.
45	WI10036460	Point Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
46	WI10037981	Stony Brook	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
47	WI10038520	Sheboygan River	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)
48	WI10279446	Platte River	5	PHOSPHORUS, TOTAL	These listings were erroneously under the old AU ID WI10002941 in WDNR's spreadsheet. This was updated.
49	WI10279449	Platte River	5	PHOSPHORUS, TOTAL	
50	WI10279754	East Branch Pecatonica River	5	PHOSPHORUS, TOTAL	These listings were erroneously under the old AU ID WI10038760 in WDNR's spreadsheet. This was updated.
51	WI10279757	East Branch Pecatonica River	5	PHOSPHORUS, TOTAL	
52	WI10280051	Unnamed	5	CADMIUM	These listings were erroneously under the old AU ID WI10008473 in WDNR's spreadsheet. This was updated.
53	WI10280051	Unnamed	5	LEAD	
54	WI10280051	Unnamed	5	MERCURY	
55	WI10280051	Unnamed	5	ZINC	
56	WI10280054	Unnamed	5	CADMIUM	
57	WI10280054	Unnamed	5	LEAD	
58	WI10280054	Unnamed	5	MERCURY	
59	WI10280054	Unnamed	5	ZINC	

#	AU ID	ASSESSMENT UNIT NAME	PARAM CAT.ID	PARAMETER CODE NAME	WDNR RESPONSES
60	WI10280829	Trump Coulee Creek	5	PHOSPHORUS, TOTAL	These listings were erroneously under the old AU ID WI10026663 in WDNR's spreadsheet. This was updated.
61	WI10280961	Trump Coulee Creek	5	PHOSPHORUS, TOTAL	
62	WI10280963	Trump Coulee Creek	5	PHOSPHORUS, TOTAL	
63	WI10290457	Eagle Creek	5	PHOSPHORUS, TOTAL	This AU ID should replace the one used in the spreadsheet. Split from WI10290457.
64	WI10290460	Eagle Creek	5	PHOSPHORUS, TOTAL	Split from WI10290457. Delisting; corrected in ATTAINS.
65	WI6970300	Fischer Creek	5	PHOSPHORUS, TOTAL	TMDL Approved or established by EPA (4a)

c. "Category 5R" Which EPA-approved document(s) is WDNR using to justify category 5R/5W for Lower Pine Creek? ATTAINS shows Action ID 159131240, the July 2015, "A River Runs Through Us: A Water Quality Strategy for the Land and Waters of the Red Cedar River Basin." Is WDNR adding this AUID to category 5R based on this 2015 report? If so, why now and is there updated information to support this waterbody's 5R/5W categorization? Has any additional action has been taken since the report was written in 2015?

Waterbody Name (Local)	Water Type	AU Category	Cycle Listed	Source	Pollutants (Causes)	Impairments (Observed Effects)	Listing Category	TMDL Priority	WBIC	WDNR AU ID	EPA AU ID	Counties	Notes
Lower Pine Creek	RIVER	5W	2024	NPS	Total Phosphorus	Impairment Unknown	5W	Low	2085300	15756	WI10025712	Barron, Dunn	New listing.

Response: The plan runs from 2015 to 2026; as new waters are identified as impaired within this nine element plan area they are identified as covered by the existing plan. Lower Pine Creek was just identified as having an issue with total phosphorus and is within the Red Cedar River Basin plan.

2. Category 4A: There are 631 AUIDs in category 4A in ATTAINS, and 669 AUIDs in category 4A in WDNR's "InRestorationList" worksheet.
 - a. See specific questions in the "EPA comments" column in the "Category 4A" worksheet in the attached spreadsheet.
 - b. See also comments previously sent on 1/31/24 related to the updated TMDLs in the spreadsheet named: "2024_Updates_Corrections_Additional_Data_Final wed.xlsx."

Response: Please see the abbreviated table below with WDNR responses.

ATTAINS AU ID	AU NAME	PARAMETER CODE NAME 2024	PARAM CODE NAME 2022	PARAM CAT 2024	PARAM CAT 2022	ATTAINS UPDATE NOTE	PARAM STATUS	DELIST FLAG	FISR CYCLE LISTED	EPA COMMENTS	WDNR RESPONSES
WI10000119	Horseshoe Lake	PHOSPHORUS, TOTAL	PHOSPHORUS, TOTAL	4A	2	CHANGED	Cause	N	2024	I don't see this AUID/parameter combination in the updated TMDLs spreadsheet from Kevin Kirsch received on 1/8/24 (see file named 2024_Updates_Corrections_Additional_Data_Final wed.xlsx sent to WDNR on 1/31/24). (However, Horseshoe Lake is included the updated TMDL (appendix O, p. 4) dated 1/9/2024.)	Because Horseshoe Lake was in the TMDL submittal to EPA, this listing has been updated in ATTAINS and the DNR spreadsheet.
WI8104653	Menomonee River	ESCHERICHIA COLI (E. COLI)		4A		ADDED	Cause	N	2024	Should this AUID be added to the "updated TMDLs" spreadsheet (see 1/8/24 email from Kevin Kirsch and file named "2024_Updates_Corrections_Additional_Data_Final wed.xlsx sent to WDNR on 1/31/24")?	This AU was not properly public commented in the spreadsheet or TMDL update materials. This listing will be added in the 2026 cycle.
WI10000163	North Branch Manitowoc River	PHOSPHORUS, TOTAL	PHOSPHORUS, TOTAL	4A	5A	CHANGED	Cause	N	1998	I don't see this AUID/parameter combination in Table 1 of Appendix A of the decision document in ATTAINS (see file named "(2023.10.30)_CL_DD_Northeast Lakeshore TMDL (WI).pdf").	This is part of the original 2023 TMDL; this record shouldn't be in Appendix A.
WI10280829	Trump Coulee Creek	TOTAL SUSPENDED SOLIDS (TSS)		4A		ADDED	Cause	N	1998	Why is this AUID being added now? TMDL (sediment) approved in 2004.	This is due to a split AU; the action is being re-added to the same extent.
WI10280963	Trump Coulee Creek	TOTAL SUSPENDED SOLIDS (TSS)		4A		ADDED	Cause	N	1998	Same comment as above; see cell V9.	
WI10280961	Trump Coulee Creek	TOTAL SUSPENDED SOLIDS (TSS)		4A		ADDED	Cause	N	1998	Same comment as above; see cell V9.	

ATTAINS AU ID	AU NAME	PARAMETER CODE NAME 2024	PARAM CODE NAME 2022	PARAM CAT 2024	PARAM CAT 2022	ATTAINS UPDATE NOTE	PARAM STATUS	DELIST FLAG	FISR CYCLE LISTED	EPA COMMENTS	WDNR RESPONSES
WI10044544	Unnamed	PHOSPHORUS, TOTAL	PHOSPHORUS, TOTAL	4A	3	CHANGED	Cause	Y	2024	<p>I don't see this AUID/parameter combination in the updated TMDLs spreadsheet from Kevin Kirsch received on 1/8/24 (see file named 2024_Updates_Corrections_Additional_Data_Final wed.xlsx sent to WDNR on 1/31/24).</p> <p>Also, what does the "DELISTING_4A" delisting reason mean in this and other rows? The AUIDs with this comment say "Y" instead of "N" in the DELISTING column.</p>	<p>This was public noticed as a new listing in category 5A; it also was not included in the TMDL materials. ATTAINS was updated to reflect this. This listing will be considered for TMDL inclusion in the 2026 cycle.</p>
WI10028752	Unnamed	PHOSPHORUS, TOTAL	PHOSPHORUS, TOTAL	4A	5	CHANGED	Cause	Y	2016	<p>This AUID is called "Silver Stream" in the decision document in ATTAINS for Action ID WI-2023-NEL--see Appendix A, p. 6 in Table 1 in the file named "(2023.10.30)_CL_DD_Northeast Lakeshore TMDL (WI).pdf." Should the assessment unit name be updated in ATTAINS?</p>	<p>Name updated in ATTAINS for clarity.</p>
WI10008796	Unnamed	TOTAL SUSPENDED SOLIDS (TSS)	TOTAL SUSPENDED SOLIDS (TSS)	4A	5	CHANGED	Cause	Y	1998	<p>I don't see this AUID/parameter combination in Table 1 of Appendix A of the decision document in ATTAINS (see file named: "(2023.10.30)_CL_DD_Northeast Lakeshore TMDL (WI).pdf").</p>	<p>The TSS listing was overlooked in the TMDL table assembly; this listing will be added to the NE Lakeshore TMDL in the 2026 cycle.</p>
WI10000201	Black Creek	PHOSPHORUS, TOTAL								<p>Should Action ID "WI-2023-NEL" be added as an associated action to change this AUID/parameter combination to category 4A?</p> <p>Rows 11-37 are from "Table 1. Streams and impairment listings on the WDNR 2022 303(d) list addressed in this TMDL report" in Appendix A of the decision document.</p>	<p>Yes; the association with WI-2023-NEL has been added in ATTAINS.</p>
WI10000158	Branch River	PHOSPHORUS, TOTAL									
WI10008814	Branch River	PHOSPHORUS, TOTAL									
WI10006069	Calvin Creek	PHOSPHORUS, TOTAL									
WI10006105	East Twin River	PHOSPHORUS, TOTAL									
WI10000368	East Twin River	PHOSPHORUS, TOTAL									
WI10000369	East Twin River	PHOSPHORUS, TOTAL									

ATTAINS AU ID	AU NAME	PARAMETER CODE NAME 2024	PARAM CODE NAME 2022	PARAM CAT 2024	PARAM CAT 2022	ATTAINS UPDATE NOTE	PARAM STATUS	DELIST FLAG	FISR CYCLE LISTED	EPA COMMENTS	WDNR RESPONSES
WI6970300	Fischer Creek	PHOSPHORUS, TOTAL									Yes; the association with WI-2023-NEL has been added in ATTAINS.
WI10000318	Jambo Creek	PHOSPHORUS, TOTAL									
WI10000316	Johnson Creek	PHOSPHORUS, TOTAL									
WI10025677	Kewaunee River	PHOSPHORUS, TOTAL									
WI10008821	Kewaunee River	PHOSPHORUS, TOTAL									
WI10000307	King Creek	PHOSPHORUS, TOTAL									
WI10006106	Luxemburg Creek	PHOSPHORUS, TOTAL									
WI10026294	Manitowoc River	PHOSPHORUS, TOTAL									
WI10000148	Mud Creek	PHOSPHORUS, TOTAL									
WI10000180	Pine Creek	PHOSPHORUS, TOTAL									
WI10000181	Pine Creek	PHOSPHORUS, TOTAL								Should Action ID "WI-2023-NEL" be added as an associated action to change this AUID/parameter combination to category 4A?	
WI10036460	Point Creek	PHOSPHORUS, TOTAL									
WI10038520	Sheboygan River	PHOSPHORUS, TOTAL									
WI10000174	S. Br. Manitowoc River	PHOSPHORUS, TOTAL									
WI10037981	Stony Brook	PHOSPHORUS, TOTAL									
WI10000309	Twin Hill Creek	PHOSPHORUS, TOTAL									
WI10000308	Unnamed	PHOSPHORUS, TOTAL									
WI10008797	Unnamed	PHOSPHORUS, TOTAL									
WI10006087	West Twin River	PHOSPHORUS, TOTAL									
WI10006088	West Twin River	PHOSPHORUS, TOTAL									

ATTAINS AU ID	AU NAME	PARAMETER CODE NAME 2024	PARAM CODE NAME 2022	PARAM CAT 2024	PARAM CAT 2022	ATTAINS UPDATE NOTE	PARAM STATUS	DELIST FLAG	FISR CYCLE LISTED	EPA COMMENTS	WDNR RESPONSES
WI10000173	Boot Lake	PHOSPHORUS, TOTAL								Should Action ID "WI-2023-NEL" be added as an associated action to change this AUID/parameter combination to category 4A? Rows 38-41 are from "Table 2. Lakes and impairment listings on the WDNR 2022 303(d) list addressed in this TMDL report" in Appendix A of the decision document.	Yes; the association with WI-2023-NEL has been added in ATTAINS.
WI10000132	Carstens Lake	PHOSPHORUS, TOTAL									
WI10000162	Round Lake	PHOSPHORUS, TOTAL									
WI10000326	Shea Lake	PHOSPHORUS, TOTAL									

2. Category 2: See general questions in the "EPA comments" column in the "Category 2" worksheet of the attached spreadsheet.

Response: Please see the abbreviated table below with WDNR responses.

AU ID	AU NAME	PARAM NAME	PARAM CAT 2024	PARAM CODE 2022	DELIST FLAG	DELISTED REASON	CYCLE FIRST LISTED	EPA COMMENTS	WDNR RESPONSES
WI10007379	Minocqua Lake	PHOSPHORUS, TOTAL	2	4A	Y	WQS_RECOVERY_UNSPECIFIED	2014	Does WDNR document these success stories--waterbodies that move from category 5 or 4A to 2--on the web or in a report, etc. to share them with the public? Also, when I checked this water body--Minocqua Lake--the WDNR Water Search website indicated that this lake is impaired for TP (https://apps.dnr.wi.gov/water/waterDetail.aspx?key=128227 , accessed on 2/1/24). Will this website be updated to reflect this delisting, too?	We highlight some of these in the Report to Congress. The linked webpages will be updated with 2024 data after ATTAINS work is completed, and prior to submittal.
WI10026309	Lake of the Pines	CAUSE UNKNOWN	2	5	Y	WQS_RECOVERY_UNSPECIFIED	2018	When does WDNR use "WQS_recovery_unspecified" as a delisting reason? See column M.	This delisting reason is used when it is unclear why conditions improved. Excess Algal Growth (OE) and Cause Unknown were removed because Chl-a levels were below listing thresholds with new data.
WI10026987	Unnamed	CAUSE UNKNOWN	2	5	Y	WQS_LISTING_INCORRECT	2016	What was incorrect about the WQS listing? See delisting reason in column M.	This water was listed based on biology but this segment is designated an LAL water (limited aquatic life). This water was delisted until further designation work can be done.
WI10000569	Tichigan Lake	PHOSPHORUS, TOTAL	2	5	Y	WQS_RESTORATION_ACTIVITIES	2012	When does WDNR use "WQS restoration activities" as a delisting reason? See column M.	We use this reason when there has been activity in the watershed that likely had a positive impact on water quality.

3. Delistings: See specific questions in the “EPA comments” column in the “Delistings” worksheet in the attached spreadsheet related to delistings not in ATTAINS (2024 - Organization Public Comment Snapshot) and included in WDNR’s "ListingRemovals" worksheet.

Response: Please see the abbreviated table below with WDNR responses.

Waterbody Name Local	Water Type	2022 AU Cat.	2024 AU Cat.	Removed Pollutants (Causes)	Removed Observed Effects	Note	WBIC	AU ID	EPA AU ID	EPA Comments	WDNR Responses
Eagle Creek (Eagle Lake Outlet)	RIVER	5P	2C	Total Phosphorus	Impairment Unknown	Delisting	759500	10290459	WI10000560	This AUID isn't showing up in ATTAINS, and this AUID/parameter combination is also not showing up in ATTAINS as a delisting between 2022 and 2024.	This AU was split into two portions; the spreadsheet had the old AU ID. The segment with ID WI10290460 is proposed for delisting.
Solberg Lake	LAKE	5B	5B	Total Phosphorus	Impairment Unknown	Deletion	2242500	14731	WI10003547	TP remains an impairment in ATTAINS. I realize this AUID/parameter combination is being deleted, but can WDNR explain the change to category 5B (WDNR's mercury only sub-category)?	The lake will now only be listed for mercury, so the AU listing category was changed to 5B.
Turtle Lake, South	LAKE	5A	2A	Cause Unknown	Excess Algal Growth	Delisting	2310200	15009	WI10003781	This AUID/parameter combination isn't showing up as a delisting in ATTAINS between 2022 and 2024.	This is a delisting; ATTAINS has been updated.
Amber Lake	LAKE	5A	2A	Cause Unknown	Excess Algal Growth	Delisting	2271600	18693	WI10006556	This AUID/parameter combination isn't showing up as a delisting in ATTAINS between 2022 and 2024.	This is a delisting; ATTAINS has been updated.
Kentuck Lake	LAKE	5A	5B	Total Phosphorus	Eutrophication, Excess Algal Growth, Impairment Unknown	Deletion	716800	128505	WI10007625	TP remains an impairment in ATTAINS. I realize this AUID/parameter combination is being deleted, but why is this changing to category 5B (WDNR's mercury only sub-category)?	After public comment this water is being delisted for mercury as well.
Little Crooked Lake	LAKE	5A	2A	Cause Unknown	Excess Algal Growth	Delisting	2335500	128530	WI10007646	I'm not sure why this change isn't showing up in ATTAINS between 2022 and 2024. This AUID remains in category 5 for "cause unknown."	This is a delisting; ATTAINS has been updated.

Waterbody Name Local	Water Type	2022 AU Cat.	2024 AU Cat.	Removed Pollutants (Causes)	Removed Observed Effects	Note	WBIC	AU ID	EPA AU ID	EPA Comments	WDNR Responses
Scattering Rice Lake (Eagle Chain)	LAKE	5A	5A	Total Phosphorus	Impairment Unknown	Deletion	1600300	128607	WI10007713	TP remains an impairment in ATTAINS. I'm not sure why this AUID/parameter combination is considered a <u>deletion</u> and the Twin Lakes (North) row above is considered a <u>delisting</u> ; "impairment unknown" was removed for both AUIDs.	The phosphorus listing was replaced with "Cause Unknown"; the observed effect NUTRIENT/EUTROPHICATION BIOLOGICAL INDICATORS remains. A deletion is when the water will still be listed for another cause. A delisting is when the entire water is delisted (no causes remain).
Sand Bay Beach 1, Lake Michigan	GREAT LAKES BEACH	5A	2B	E. coli	Recreational Restrictions - Pathogens	Delisting	20	3897303	WI10027186	E. coli remains an impairment in ATTAINS. Can WDNR explain this "recreational restrictions - pathogens" delisting?	This is a delisting; ATTAINS has been updated.
Fish Creek	RIVER	5A	5A	Chloride	Chronic Aquatic Toxicity	Deletion	44700	3924909	WI10027788	Chloride remains an impairment in ATTAINS, and I also see chronic toxicity as an observed effect in ATTAINS. Why is "chronic aquatic toxicity" being deleted?	This is a delisting; ATTAINS has been updated.
Wind Point Lighthouse Beach	GREAT LAKES BEACH	5W	2B	E. coli	Recreational Restrictions - Pathogens	Delisting	20	3999943	WI10029380	E. coli changed from 5A to 5R between 2022 and 2024 in ATTAINS. Can WDNR explain this "recreational restrictions - pathogens" delisting?	This is a delisting; ATTAINS has been updated. While it no longer impacts the listing, this beach was within the "Wind Point Watershed Restoration Plan - Nine Key Element Plan"