State of Wisconsin
Department of Natural Resources
dnr.wi.gov

Fish and Aquatic Life Use Designation Summary

Form 3200-121 (12/04)

(Attach supporting data sheets)

Use Designation Information – Required

Water Body Name	WBIC #	Date
Dry Run (headwaters of)	2609300	10/22/2008

Region:	Basin	County
☐ NER ☐ NOR ☐ SCR ☐ SER ☑ WCR	St Croix	St. Croix

Quad Map Where Segment is Shown

Reference Site(s) (Attach use designation form for reference site/cond.)

Segment Description for Segment 1 of 1 (headwater = segment 1)

From:
The Emerald Dairy stormwater pond, heading downstream approximately 8,000 feet (using the DNR webviewer)

upstream _____ ☐ mi., ☐ km., ☐ ft., ☐ M.

Latitude: DEG	MIN	SEC		
45	04	11.0000	N	
Longitude: DEG	**MIN**	**SEC**		**Datum Used**
092	18	08.0000	W	Webviewer

Township		Range	☐ E ☑ W	Section	¼-Section	¼, ¼-Section
30	N	16	W	22	SE	SW

To:
The 140th Ave road crossing

Latitude: DEG	MIN	SEC		
45	03	47.0000	N	
Longitude: DEG	**MIN**	**SEC**		**Datum Used**
092	19	26.0000	W	Webviewer

Township		Range	☐ E ☑ W	Section	¼-Section	¼, ¼-Section
30	N	16	W	21	SE	SW

Attach site map and photos (prefer digital) showing stream segment and discharge point.

Date Fieldwork Conducted/Completed
05/29/2007

Use Designation Status:
- ☑ New Use Designation (First Field Assessment)
- ☐ Standards Review (Updating Previous Field Assessment)
- ☐ Reference Site

Current Codified Fish and Aquatic Life Use Designation:
- ☐ Coldwater Community
- ☐ Warmwater Sport Fish Community
- ☐ Warmwater Forage Fish Community
- ☐ Tolerant Fish and Aquatic Life Community (LFF)
- ☐ Very Tolerant Aquatic Life Community (LAL)

- ☑ Default
- ☐ Field Assessment – Date (mm/dd/yyyy): _____

Existing FAL Use Based on Current Data:
- ☐ Coldwater Community
- ☐ Warmwater Sport Fish Community
- ☐ Warmwater Forage Fish Community
- ☐ Tolerant Fish and Aquatic Life Community (LFF)
- ☑ Very Tolerant Aquatic Life Community (LAL)

Recommended Attainable Use Designation:
- ☐ Coldwater A (Coldwater)
- ☐ Coldwater B (Coldwater)
- ☐ Diverse Fish and Aquatic Life
- ☐ Tolerant Fish and Aquatic Life (LFF)
- ☑ Very Tolerant Aquatic Life (LAL)

Recommended Seasonal Use Designation(s): Effective Date: (mm/dd/yyyy)

☐ Coldwater A (Coldwater)	_____	to	_____	
☐ Coldwater B (Coldwater)	_____	to	_____	
☐ Diverse Fish and Aquatic Life	_____	to	_____	
☐ Tolerant Fish and Aquatic Life (LFF)	_____	to	_____	
☐ Very Tolerant Aquatic Life (LAL)	_____	to	_____	

Other Applicable Uses (as recognized by existing administrative rule):
- ☐ Outstanding Resource Water
- ☐ Exceptional Resource Water
- ☐ Great Lakes System
- ☐ Public Drinking Water Supply
- ☐ Recreational Use
- ☐ Wildlife

Community Types:
- ☐ Class I Trout
- ☐ Class II Trout
- ☐ Class III Trout
- ☐ Coldwater A
- ☐ Coldwater B
- ☐ Game Fish
- ☐ Non-Game Fish
- ☐ Macroinvertebrates
- ☐ Endangered/Threatened Species
- ☐ Intolerant Species
- ☐ Coolwater
- ☐ Tolerant Fish
- ☐ Tolerant Macroinvertebrates

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Use Designation Information (continued)

Basis for Use Designation Decision (List and briefly discuss key elements for the decision) – Use Attachment A, if necessary

Emerald Dairy has applied for a WPDES permit to potentially commence discharge to the wetland south of the dairy operation. While they currently hold a WPDES permit for the landspreading of the animal waste generated at their facility, they are looking into a surface water discharge due to potential alternative methods of treatment that may allow for such a discharge.

Discharger Information – Required

Municipality/Company	WPDES Permit Number	Date Permit Issue	Permit Renewal
Emerald Dairy, PO Box 23, New Richmond, WI 54017	0059315	12/16/2004	

Outfall Location

Proposed locations: 1) into the wetland or 2) downstream of the wetland where channelized flow exisits (near 140th Ave)

Contact Person	Contact Date(s)
John Vrieze	

Did a Representative Observe Field Assessment? ☐ Yes ☑ No

Representative	Telephone Number (include area code)

Comments about facility representative's observations, etc.

Literature Review – Use Attachment B, if necessary

1. Previous classification reports and use designations – cite here and attach

None

2. All previous studies and data associated with the water body that are applicable to use designation – cite here and attach

None

3. Is stream listed as trout water in Wisconsin Trout Streams? ☐ Yes ☐ No If yes, cite here and attach a copy

4. Any other literature applicable to the fish and aquatic life use designation – cite here and attach

5. Summarize and interpret the literature available and how it relates to and supports the recommended use designation

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Field Assessment Data and Observations – Use Attachment C, if necessary

Assessment Date (mm/dd/yyyy): 05/29/2008 Additional Assessment Date(s):

Stream Segment Physical/Chemical Data:

Length 8,000 ☑ feet ☐ meters ☐ miles
Avg. Width _____ ☐ feet ☐ meters
Max. Width _____ ☐ feet ☐ meters
Avg. Depth _____ ☐ feet ☐ meters
Max. Depth _____ ☐ feet ☐ meters

Gradient _____ Velocity _____

Substrate Material:

Silt _____% Organic _____%
Rubble _____% Gravel _____%
Sand _____% Other _____%

Stream Flow 0 cfs ☐ Measured ☑ Estimated
At time of assessment, flow was: ☐ High ☐ Low ☐ Very Low
7Q2 Flow _____ cfs
7Q10 Flow _____ cfs

Stream Temperature _____ °C ☐ Instantaneous ☐ 24-Hr. Maximum ☐ 24-hr. Avg.
Dissolved Oxygen (Instantaneous) _____ mg/L Time of Day ____:____ ☐ am ☐ pm
Minimum Dissolved Oxygen Recorded _____ mg/L Time of Day ____:____ ☐ am ☐ pm
Maximum Dissolved Oxygen Recorded _____ mg/L Time of Day ____:____ ☐ am ☐ pm
Method of Analysis: ☐ Meter ☐ Modified Winkler Method

Effluent Flow:

Daily Average 0.0465 cfs ☐ Measured ☑ Estimated
Design Flow _____ cfs (Convert MGD to cfs by multiplying by 1.55)

Chemical Data Collected: (STORET # _____)

☐ Ammonia ☐ Pesticides ☐ Other: _____
☐ Atrazine ☐ Phosphorus ☐ Other: _____
☐ Bacteria ☐ Metals ☐ Other: _____

Brief Interpretation/Comments:

The examined waterway consisted of wetland w/intermittent defined stream channels. Examination of historical soils maps indicates the large wetland in Section 22 may not have always had a channel outlet. All drainage was indicated as flowing toward the wetland. Currently a channel flows out of the wetland to the west. Its possible that development of the wetland's watershed increased the flood hydrogrpah & created a westward outlet channel. On the day of waterway examination, flow was not visible entering the sedge wetland from the east but was visible leaving it westward in a confined channel. (See Attachment A for more infromation).

Habitat – Use Attachment D, if necessary

Procedure:
☐ Guidelines For Evaluating Fish Habitat in Wisconsin Streams (Simonson, Lyons and Kanehl, 1994)
☐ Development and Evaluation of a Habitat Rating System For Low Gradient Wisconsin Streams
☐ Other – Describe: _____

Habitat Rating – Attach Habitat Rating Forms: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

Significant Problems Affecting Use Attainment:
☑ Low-flow ☐ Sedimentation ☐ Bank Erosion ☐ Ditching ☐ Fish Cover ☐ Depth
☑ Other – Describe: no flow, this is a wetland

Observations About Habitat Quality:

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Biological Data – Fish data is required

Fish:

Sampling Date (mm/dd/yyyy) _____

Species List and IBI Forms: ☐ Attached to Report ☐ Not Applicable

Survey Location(s) _____

Distance Sampled _____ ☐ feet ☐ meters ☐ miles

Sampling Gear: ☐ Backpack Shocker ☐ Other – Describe: _____

Number of Species Collected _____ Total Number of Fish Collected _____

Number of Intolerant Species _____ % Intolerant Species _____

Endangered or Other Special Category Species Collected:

Species _____ No. of Individuals Collected _____

Species _____ No. of Individuals Collected _____

Species _____ No. of Individuals Collected _____

IBI Score _____ Rating _____

Macroinvertebrates:

Sampling Date (mm/dd/yyyy) _____ ☐ HBI ☐ FBI

Survey Location(s) _____

Sampling Procedure _____

☐ Less than 100 organisms were found – List Dominant Genera, etc.:

Genus _____ Number Found _____ HBI Score _____

Genus _____ Number Found _____ HBI Score _____

Genus _____ Number Found _____ HBI Score _____

☐ More than 100 organisms found – Attach taxonomy bench sheet or other analyses

Other Biological Data/Observations – Use Attachment E, if necessary

Interpretations Based on Existing Fish and Aquatic Life Community – Use Attachment F, if necessary

The dominant herbaceous wetland vegetation was reed canary grass with the exception of a Section, indicated on the attached map, which was dominated by sedge. Older beaver dams indicated historic activity immediatly downstream from the sedge wetland. Old beaver canals and drowned aspen were present in the reed canary grass dominated area upstream of the sedge wetland. No evidence of recent beaver activity was noted. See Attachment A for more information.

WATERSHED DATA AND OBSERVATIONS – Optional (Please answer to the best of your ability. Estimates are acceptable.)

Approximate Area _____ ☐ Acres ☐ Square Miles

Land Use: Crop Land _____% Pasture _____ % Forest _____%

Grass Land _____% Urban _____ % Wetland _____%

Number of Feedlots/Barn Yards Near Stream _____

Other Nonpoint Sources _____

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WATERSHED DATA AND OBSERVATIONS (continued) – Use Attachment G, if necessary

Is this watershed currently or proposed to receive nonpoint source management under a State, Federal or local organization?

☑ No ☐ Yes List Date(s) (mm/dd/yyyy) _____ _____ _____

Explain _____

Discuss nonpoint source impacts and controllability, and nonpoint relationship to fish and aquatic life existing and attainable uses. Include factors such as bank erosion, land cover/use near stream, gully erosion, barnyards, etc. (attach additional sheets if required):

VTAL/TFAL Justification – Required – Use Attachment H, if necessary

Note: This section must be completed when the use designation is tolerant fish and aquatic life (formerly LFF) or very tolerant aquatic life (formerly LAL)

Recommended Attainable Use Designation: ☐ **TFAL** ☑ **VTAL**

Tolerant Fish and Aquatic Life and Very Tolerant Aquatic Life use designations (LFF & LAL) are not defined as full fish and aquatic life uses. However, these uses are in most cases the best use that can be attained by these resources due to habitat or water quality limitations. A designated use recommendation into one of these sub-categories must be based on one or more of the following factors (sec. 283.15, Stats.). Check all that apply to this use designation and provide a brief description of the situation:

☐ a. Naturally occurring pollutant concentrations prevent the attainment of a full fish and aquatic life community.

☑ b. Natural, ephemeral, intermittent or low flow conditions or water levels prevent the attainment of a full fish and aquatic life community, unless these conditions may be compensated for by the discharge of sufficient volume of effluent discharges without violating water conservation requirements.

☐ c. Human caused conditions or sources of pollution prevent the attainment of a full fish and aquatic life community and cannot be remedied or would cause more environmental damage to correct than to leave in place.

☐ d. Dams, diversions or other types of hydrologic modifications preclude the attainment of a full fish and aquatic life community, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of a full fish and aquatic life community.

☐ e. Physical conditions related to the natural features of the water body, such as the lack of proper substrate, cover, flow, depth, pools, riffles, and the like, unrelated to water quality, preclude attainment of a full fish and aquatic life community.

Description:

The appropriate hydrological classification of the area from the Emerald Dairy stormwater pond to the first crossing at 140th Avenue is wetland. The wetland 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" (s. NR 104.02(1)(c)). Wetlands carry a default water quality classification of limited aquatic life (s. NR 104.02(2)b)). Based on the current guidance and the May 2007 survey, the recommended classification is Very Tolerant Aquatic Life (aka Limited Aquatic Life). Very Tolerant Aquatic Life is the existing use without the discharge, and while an additional survey may be needed if effluent were to be discharged to the wetland, it is not anticipated that an effluent discharge would change this classification.

Prepared By

Preparer Signature	Printed Name	Date Prepared
	Holly Heldstab	10/22/2008

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Author and Peer Review

The author should submit a peer-reviewed report to Watershed Program Coordinator for review and approval.

Submitted By	Date
Peer Reviewed By	Date

Approval Signatures

Review, approval, and signature by the Watershed Program Coordinator (Expert), Regional Water Leader (or designee) as well as the Water Quality Standards Section Chief (or designee) is required.

Printed Name of Watershed Program Coordinator (Expert)	Watershed Program Coordinator (Expert) Signature	Date
Printed Name of Regional Water Leader (or designee)	Regional Water Leader (or designee) Signature	Date
Printed Name of Water Quality Standards Section Chief (or designee	Water Quality Standards Section Chief (or designee) Signature	Date

Final Report Distribution List

Once the Use Designation Report has been approved by the Water Quality Standards Section Chief (or designee), the report can be distributed to the appropriate individuals, as listed below. Please indicate below individuals who should be copied on final report distribution. It should be noted that the classification recommendation in the report does not become official until it is approved by the Natural Resources Board and adopted into Wisconsin Administrative Code.

Facility Contact _____

Basin Engineer _____

Basin Planner _____

Effluent Limits Calculator _____

Endangered Resources _____
(when T&E Species Present)

Other Interested Parties:

_____

_____

_____