

General FAQs

What is a TMDL?

A Total Maximum Daily Load (TMDL) is the amount of a pollutant that can be discharged into a waterway and still meet water quality standards. In the Wisconsin River Basin, the TMDL is the total amount of phosphorus and suspended solids that can be discharged into the river, its tributaries and reservoirs, and still meet water quality standards. Under existing conditions, many reservoirs and tributaries in the Wisconsin River do not meet water quality standards due to excess pollutant loads, meaning they are not suitable for their designated uses, such as fishing, wildlife habitat, and/or recreational activities such as boating and swimming.

How will the TMDL lead to water quality improvement?

The TMDL study and implementation plan provides a strategic framework and prioritizes resources for water quality improvement in the Wisconsin River Basin, by answering the following questions:

- What is the magnitude of the existing pollutant load?
- What is the contribution from each pollution source?
- How much does pollution need to be reduced in order for each waterway to meet water quality standards and achieve their designated uses (fishing, recreation, habitat etc.)?
- How will the needed pollutant load reductions be achieved for each waterway?

Where is the TMDL project area?

The Wisconsin River TMDL study area spans Wisconsin's central corridor from the river's headwaters in Vilas County to Lake Wisconsin in Columbia County, covering 9,156 mi² – approximately 15 percent of the state.

How did we get a TMDL in the Wisconsin River Basin?

In 2008, local residents and business owners who depend on the Wisconsin River, its reservoirs and tributaries for their livelihood and recreation, took their legislators out on pontoon boats on Petenwell and Castle Rock Reservoirs. After these elected officials observed the water quality problems firsthand, the state legislature allocated funding for a water quality improvement project, and the WDNR began development of a TMDL.

What is the TMDL Timeline?

Our goal is have a draft TMDL by early 2016 and approved TMDL by 2017. However, due to uncertainty in available resources for completing the TMDL, we cannot commit to a specific completion date.

Where did TMDLs come from?

TMDLs and 303(d) program were created by CWA in 1970s, but were not implemented/enforced by EPA until the late 1990s, due to a number of lawsuits challenging the non-use of TMDLs. TMDLs been enforced by EPA for the last 15 years.

What does the EPA require of states regarding of TMDLs?

TMDLs are required for all impaired waters. Since states can't do them all at once, the EPA requires that states complete TMDLs for a certain number of impaired waters each year.

Does the DNR have data or showing the effectiveness of TMDL implementation in other parts of the state, or in others states?

TMDL implementation is relatively new to the state and to the nation. However there have been several successful priority watershed projects, which are similar to TMDLs. A clearinghouse of these projects is available at http://nonpoint.cals.wisc.edu/?page_id=14. Information on 319 success stories are available at <http://water.epa.gov/polwaste/nps/success319/>. EPA also has a “TMDLs at work” page <http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/TMDLsWork.cfm>.

Are there any examples of other states that have effectively regulated nonpoint source, or otherwise achieved nonpoint source reductions, as part of TMDL implementation?

Yes, there are many examples of states working with NPSs successfully. EPA has a compiled list of success stories by state at <http://water.epa.gov/polwaste/nps/success319/>.

Discharger FAQs

My facility doesn’t discharge directly to the Wisconsin River. Does the TMDL still affect me?
My facility doesn’t discharge to an impaired water. Does the TMDL still affect me?

Yes! Wisconsin has statewide nutrient criteria, therefore every point source with a surface water discharge will get an allocation, regardless of whether the receiving water is impaired and regardless of whether the discharge is to the main stem or a tributary of the Wisconsin River.

Will my allocation be based on the immediate or downstream receiving water?

Allocation will be protective of nutrient criteria for **both** immediate and downstream receiving waterway.

Will industrial facilities get a TMDL stormwater allocation?

Industrial stormwater permittees will get a wasteload allocation under TMDL, however, at this time, as long as permittees are in compliance with their WPDES stormwater permit, it is not expected that additional modeling or BMPs will be needed to demonstrate compliance with TMDL.

Why doesn’t the DNR use loads reported by permitted MS4s for urban areas of the TMDL?

The loads reported by permitted MS4s to show compliance with NR 151 TSS reduction requirements do not provide all of the information needed for the TMDL. Some examples of the information needed for the TMDL not included in MS4 reports are:

- The TMDL must include pollutant loads from the entire urban model area. MS4 reports only include loads generated by areas not exempt, prohibited, or excluded from regulation by NR 151.13(2)(b)(b).
- The TMDL model spans a 12- year period, from 2001 to 2013. The model timeframe for loads reported by MS4s for NR 151 is 1 or 5 years.
- The TMDL requires daily/monthly loads, whereas MS4s report loads on an annual basis.