



# Clean Water Act

## Common Definitions & Acronyms

**CWA (Clean Water Act):** The Clean Water Act is the federal law that, starting in 1948, establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating water quality standards for surface waters. The Clean Water Act is the regulatory basis for all TMDLs in the United States.

**TMDL (Total Maximum Daily Load):** The amount of a pollutant a waterbody can receive and still meet water quality standards. Basically, it is a pollution "budget" for a water body or watershed that establishes the pollutant reduction needed from each pollutant source to meet water quality goals. Sometimes expressed as the formula:

$$\text{TMDL} = \text{Waste Load Allocation (WLA)} + \text{Load Allocation (LA)} + \text{Margin of Safety (MOS)}$$

In this formula WLA is the allowable pollutant load from point sources which includes stormwater permitted municipalities (MS4s), LA is the allowable pollutant load from non-point sources, and MOS is an additional pollutant loading designed to account for unknowns and uncertainties in the TMDL modeling.

**Agricultural Performance Standards and Prohibitions:** A list of minimal cropland and manure management requirements that are defined in DNR rules NR151. The best management practices farmers can use to meet these requirements are defined in DATCP rule ATP50.

### Agricultural performance standards

- Control cropland erosion to meet tolerable rates.
- Build, modify or abandon manure storage facilities to accepted standards.
- Divert clean runoff away from livestock and manure storage areas located near streams, rivers, lakes or areas susceptible groundwater contamination.
- Apply manure and other fertilizers according to an approved nutrient management plan.
- See also [Wisconsin Runoff Rules: What Farmers Need to Know \[PDF\]](#)

### Manure management prohibitions

- No overflow of manure storage facilities.
- No unconfined manure piles near water bodies.
- No direct runoff from feedlots or stored manure into state waters.
- No trampled streambanks or shorelines from livestock.

**CAFOs (Concentrated Animal Feeding Operation):** Farm operations with enough livestock or poultry to equal or exceed 1,000 animal units. Animal units are calculated for each different type and size class of livestock and poultry. For instance, facilities with 1,000 beef cattle, 700 milking cows or 200,000 chickens would each be considered to have the equivalent of 1,000 animal units. Farms with 1,000 or more animal units must apply for a Wisconsin Pollutant Discharge Elimination System permit or WPDES Permit.

**Designated, Existing and Attainable Use:** Designated uses (e.g. fishing, swimming, habitat, etc.) are those uses specified in water quality standards for each water body or segment of a water body. Existing uses are those uses actually attained in the water body on or after November 28, 1975. Attainable uses are those that could be attained by implementing appropriate management actions. Attainable use should be the basis for determining designated use.

**Impaired Waters:** Any lake, river, stream or beach in Wisconsin that is not meeting its designated use for either fish and aquatic life, recreation, public health and welfare, or wildlife; or is not meeting its water quality criteria.



**303d List:** The "303(d) Impaired Waters List" pertains to Section 303(d) of the Clean Water Act which states that water bodies that are not meeting their designated uses (fishing, swimming) due to pollutants must be placed on this list. The 303(d) Impaired Waters List is updated every two years. Wisconsin is required to develop TMDLs for water bodies on this list.

**MS4 (Municipal Separate Storm Sewer System):** A system of stormwater conveyances that is:

- Owned by a state, city, town, village, or other public entity that discharges to waters of the U.S.;
- Designed or used to collect or convey stormwater (including storm drains, pipes, ditches, etc.);
- Not a combined sewer (combined stormwater and sanitary); and
- Not part of a Publicly Owned Treatment Works or POTW (sewage treatment plant).

MS4s are considered point source discharge.

**P (Phosphorus):** A chemical element. It's often called a "nutrient" because it is essential to life, but too much phosphorus can harm rivers and other water bodies. Excess phosphorus can come from "nonpoint" or "point" sources. How much these sources contribute to water quality problems in a lake or river varies widely based on land use in a watershed and the total number of other pollutant dischargers into that lake or river.

**P Index ("PI"):** The Wisconsin Phosphorus Index (P Index) is a planning and assessment tool for managing phosphorus runoff from cropland and pastures. The P Index uses general cropping, soil test and long-term weather information to estimate a field's annual phosphorus runoff to nearby surface waters. It can also be used to identify appropriate practices for reducing runoff losses.

**POTW (Publicly Owned Treatment Works or Municipal Wastewater Facility):** Generally refers to publically owned sewage treatment plants. POTWs are point source dischargers.

**Public Trust Doctrine:** Wisconsin's Waters Belong to Everyone! Wisconsin lakes and rivers are public resources, owned in common by all Wisconsin citizens under the state's Public Trust Doctrine. Based on the state constitution, this doctrine has been further defined by case law and statute. It declares that all navigable waters are "common highways and forever free", and held in trust by the Department of Natural Resources.

As a result, the public interest, once primarily interpreted to protect public rights to transportation on navigable waters, has been broadened to include protected public rights to water quality and quantity, recreational activities, and scenic beauty. All Wisconsin citizens have the right to boat, fish, hunt, ice skate, and swim on navigable waters, as well as enjoy the natural scenic beauty of navigable waters, and enjoy the quality and quantity of water that supports those uses.

**TSS – Total Suspended Solids (including sediment, algae, and other particulates):** A commonly used water quality indicator that measures the particulates floating in a water sample. TSS is used as an indicator because its relationship with other pollutants, like phosphorus, can be consistently simulated by computer models. While TSS is not a perfect measure for all types of stormwater pollution, scientists and regulators have experience with using TSS to design stormwater BMPs.

**WPDES (Wisconsin Pollutant Discharge Elimination System) :** A permit process through which the DNR regulates municipal and industrial operations discharging wastewater to surface and groundwaters in Wisconsin. The DNRs authority to issues WPDES permits is delegated by the US Environmental Protection Agency through the Clean Water Act.

**WQS (Water Quality Standards):** The clean water goal for a water body. WQSs are determined by designating the uses for a water body, setting criteria to protect those uses, and establishing provisions to protect the water body from pollutants.

