



Testimony in Support of Assembly Bill 789  
Assembly Committee on Rural Development  
*February 4, 2020*

Chair VanderMeer, Vice-Chair Kulp, and members of the committee, I appreciate the opportunity to testify in support of Assembly Bill 789, legislation to increase support for and access to the state Well Compensation Grant Program. We can all agree that everyone deserves access to clean and safe drinking water. About four in ten households in Wisconsin rely on private wells as their primary source for their drinking water. Yet in communities across Wisconsin, we've seen up to half of residents in towns and villages are unable to drink their water from the tap, due to nitrate contamination especially. Some homeowners are forced to buy bottled water to drink and cook with because they can't afford to spend thousands of dollars to replace their contaminated well.

As we traveled the state over the past year on the Water Quality Task Force, folks in every corner of the state asked us to reform the Well Compensation Grant Program, an existing program that helps homeowners to replace or reconstruct their contaminated wells or treat their water. The program also supplies bottled water to those who need it for a short time, and it supports assistance for those who need to hook up to a public utility in some cases. This program has been drastically underutilized for years due to its archaic requirements and restrictions, and it is long overdue for an update.

Under current law, homeowners with serious nitrate contamination only qualify for well compensation grants if their well is used as a source of drinking water for both residents and livestock, causing many families to be barred from eligibility. Assembly Bill 789 eliminates the requirement that a homeowner must own livestock to qualify for grants for nitrate contamination, ensuring homeowners can remediate their contaminated well. Another prohibitive parameter is the requirement that your well must test above 40 mg/L for nitrate contamination to qualify for the program. This bill changes the requirements so that homeowners above 40 mg/L receive first priority, those who test above 30 mg/L receive second priority, those who test above 25 mg/L receive third priority, and those who test between 10 mg/L and 25 mg/L receive assistance from a separate pot of money newly created under the program specifically to help with treatment, unless another solution that meets the needs of their specific situation is warranted. Most importantly, the language in the bill prioritizes the health and welfare of the applicant for the solution that best meets their needs.

The bill also expands state funding for the Well Compensation Grant Program to a total of \$1 million annually, with the maximum grant amount per person at \$12,000. This will ensure more people are eligible for the program to connect to a public or private source of water, treat their water, or replace, retire, or reconstruct their wells, granting them access to drinkable water. The Groundwater Coordinating Council estimates that it could take up to \$440 million to remediate every nitrate-contaminated well in Wisconsin, which is why this bill prioritizes the most significantly nitrate-contaminated wells, ensuring those who are not able to drink, brush their teeth, or cook with their water have first priority.

This is not the first time I've testified before a legislative committee on a bill to expand access to the Well Compensation Grant Program. I've introduced legislation two sessions in a row to reform this program so it can be more accessible, and I am pleased that the task force is prioritizing this issue. While it doesn't include everything that was in past bills, it's important that we work together without regard to politics to pass this bill and build on its successes in future sessions so no one is left behind. While I believe we have a responsibility to increase the household limits to ensure more folks can be eligible for the program, I also know that without passing this compromise bill, thousands of people will not receive state support to access clean water. This bill in front of the committee today is a significant yet simple step the legislature can take to recognize the problem we are facing with access to clean water in Wisconsin and provide homeowners with immediate relief. This bill enjoys broad bipartisan support from members of the Water Quality Task Force and our legislative colleagues, and I encourage the members of this committee to support and prioritize it to ensure that the bill continues to move forward through the legislature this session. I welcome the opportunity to continue working on improving this program now and in the future. Thank you for your consideration on this vital issue for Wisconsin.



## PATRICK TESTIN

STATE SENATOR

DATE: February 4, 2020

RE: **Testimony on Assembly Bill 789**

TO: The Assembly Committee on Rural Development

FROM: Senator Patrick Testin

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I would like to thank Chair VanderMeer and members of the committee for accepting my testimony on Assembly Bill 789 (AB 789).

As many of you know, nitrates are one of the most common groundwater contaminants in Wisconsin. Unfortunately, the Department of Health Services estimates that at least 10% of private wells in Wisconsin have high nitrate levels. The Federal Centers for Disease Control and Prevention has warned that high nitrate levels in water can be especially dangerous for pregnant women and infants. Clean water isn't just an environmental problem, it is a public health problem.

Assembly Bill 789 aims to help private well owners have access to clean drinking water. The current well compensation program is only for nitrate contaminated wells that are the water supply of livestock. AB 789 will expand the program and eliminate the livestock requirement. It also creates a priority system for contaminated wells, with wells having over 40 mg/L being given the highest priority, on down to 10 mg/L. Also important, this bill recognizes that nitrate contamination can be treated by filtration methods and reserves funding for reverse osmosis systems for wells with nitrate concentrations between 10-25 mg/L.

While this bill will not serve to remediate all nitrate contaminated wells in Wisconsin, it is a start. It will provide relief to some people who currently can't drink, cook or bathe with the water their well is producing. Thank you again, and I hope you will join me in supporting Senate Bill 789.





## Assembly Committee on Rural Development

### *2019 Assembly Bill 789*

### *Well Compensation Grants*

February 4, 2020

Good morning Chair VanderMeer and members of the Committee. My name is Liesa Lehmann, and I am the Private Water Supply Section Chief in the Bureau of Drinking Water and Groundwater with the Wisconsin Department of Natural Resources. With me today is Cathy Burrow, Environmental and Natural Resource Grants Section Chief with the Department's Bureau of Community Financial Assistance. We thank you for the opportunity to testify, for informational purposes, on Assembly Bill 789 (AB 789), related to Wisconsin's Well Compensation Grant program.

Wisconsin's existing well compensation program provides state cost-sharing funds for low-income private well owners to replace or remediate contaminated wells, but updates to the program would be welcome. Governor Evers recognized this need by including several updates to the program in his proposed budget. AB 789 makes several important changes to current law. First, it expands eligibility for well owners with nitrate contamination by eliminating the livestock watering requirement and 40 ppm nitrate threshold for a nitrate-contaminated well to be eligible. These long-standing requirements have disqualified many rural well owners who would otherwise be eligible. With these changes, income-eligible private well owners would be able to receive state funding assistance to address nitrate contamination.

Second, the bill directs the Department to prioritize claims for nitrate contamination based on the relative level of contamination, and to determine the most effective remediation method for the health and welfare of the well owner. We expect that we would apply this nitrate prioritization on a quarterly basis and provide personal technical assistance to each well owner to identify the best method for their situation and property.

Finally, AB 789 provides an additional \$1 million in state funds, which we estimate would provide cost-sharing for more than 200 well owners each year, and a Department position to implement the changes and respond to the expected high level of interest. We would promptly update procedures, forms, outreach materials, and administrative code to implement these changes and provide funding support to eligible well owners.

On behalf of the Department of Natural Resources, we would like to thank you for your time today. We would be happy to answer any questions you may have.

February 4, 2020

Hi, I'm Derek Orth, I am dairy farmer from Southwest Wisconsin and a member of the Grant County Farm Bureau. We raise Jersey cattle and raise crops to feed our cows and youngstock. We do everything we can to protect both the surface water and well water on our farm is the highest quality possible. A few of the things we are doing on our farm to protect the environment are contour strips and cover crops. We also have terraces and waterways to prevent erosion and keep what we put in the fields, in the fields. More and more farmers are using cover crops to protect the environment and improve sustainability and profitability.

As a husband and father of two young daughters, I know that it is my responsibility to protect the water and always do my best to prevent anything from hurting the water that me, my wife, my daughters, and all of you drink!

That being said, the Southwest Wisconsin Groundwater and Geology or SWIGG study is proof that water contamination can happen. After testing the water from hundreds of wells, researchers retested the 35 wells with contamination and released preliminary data. By cherry picking the data, the media left out the fact that a majority of the wells testing positive were contaminated by human waste and wrongly pointed the blame to livestock farmers.

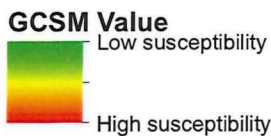
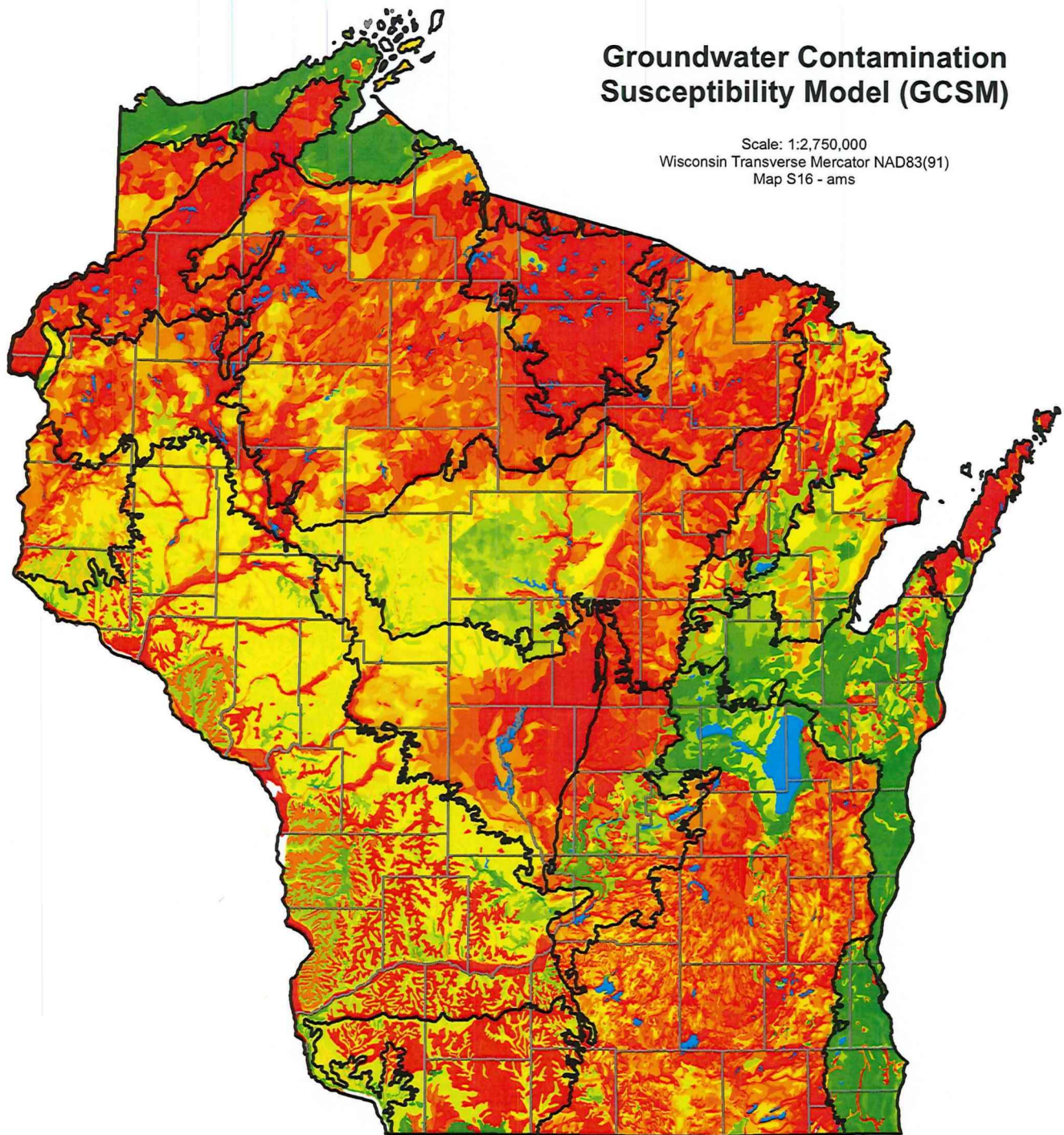
Nonetheless, water is the most important nutrient we consume! This bill would benefit Wisconsinites and especially make it easier and more affordable for people in rural areas to have a reliable, nutritious water source.

I urge you to pass Assembly bill 789 and continue showing the people of Wisconsin that you care about the water we drink.

Thank you!

# Groundwater Contamination Susceptibility Model (GCSM)

Scale: 1:2,750,000  
 Wisconsin Transverse Mercator NAD83(91)  
 Map S16 - ams



- Ecological Landscape
- County Boundaries
- Open water - not susceptible

The Groundwater Contamination Susceptibility Model (GCSM) for Wisconsin estimates the susceptibility of the state's groundwater to contamination from surface activities. The GCSM was developed by the DNR, the US Geological Survey (USGS), the Wisconsin Geological & Natural History Survey (WGNHS), and the University of Wisconsin – Madison in the mid-1980s. The results of the GCSM are illustrated in a map published in 1987 at a scale of 1:1,000,000 (available from the Wisconsin Geological & Natural History Survey: <http://www.uwex.edu/wgnhs/maps.htm> ).

