



## PATRICK TESTIN

STATE SENATOR

DATE: February 5, 2020

RE: **Testimony on Senate Bill 722**

TO: The Senate Committee on Natural Resources and Energy

FROM: Senator Patrick Testin

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Thank you to Chairman Cowles and members of the Senate Committee on Natural Resources and Energy for accepting my testimony on Senate Bill 722 (SB 722).

Since last year, I have been serving as a member of the Speaker's Task Force on Water Quality. During the hearings that took the task force around the state, one of the issues that was brought up consistently was the need for improvements in the storage of private well testing data and different communities' desire to host their data in one database. The Center for Watershed Science and Education provided a tour of the Water and Environmental Analysis Lab at UW-Stevens Point, which highlighted that there are entities in our own UW System that are equipped to conduct research and fill this need.

SB 722 provides supplementary funding of \$900,000 over two years to the Center for Watershed Science and Education for them to do this as well as provide outreach to private well owners. This enables them to utilize new data to complement their current research of groundwater quality in the state and provide tools for the Department of Natural Resources (DNR) and the public.

In addition, SB 722 allocates \$250,000 for a DNR program to help counties improve testing rates of private wells and provide education and outreach. A \$200,000 one-time allocation will fund UW-Extension's Phase 1 policy research proposal under the market-based North American Phosphorus Recovery and Reuse Policy.

Furthermore, \$150,000 is allocated to create a three-year project position for a full-time hydrogeologist for the Wisconsin Geological and Natural History Survey. This hydrogeologist will be tasked with working at the local level to assist with interpreting groundwater resource information.

Lastly, the bill increases awareness about the importance of well testing by tasking local units of government with private wells or water supplies with notifying their residents of the importance

of getting their well tested. SB 722 leaves the type of notice up to the local government to decide what will be most effective for their community, whether it is on the municipality's website or a notice at the local governmental body's hall.

SB 722 works in a variety of ways to ensure that water quality is taken seriously as a public health issue and that the public is notified about potential hazards and the importance of well testing. The funding provided will ensure that useful data that can be utilized by the public will continue.

Thank you again Chairman and committee members for accepting my testimony, and I would ask that you support SB 722.



**Testimony in Support of Senate Bill 722**  
**Senate Committee on Natural Resources and Energy**  
*February 5, 2020*

Chairman Cowles, Vice-Chair Olsen, and members of the committee, I appreciate the opportunity to testify in support of Senate Bill 722, legislation supporting the Center for Watershed Science and Education, creating a hydrogeologist position, funding research on phosphorus recovery and reuse, and creating grant programs for counties to test wells and provide outreach and education.

As the Speaker's Task Force on Water Quality traveled around the state, we heard about the need to invest in solutions to remediate water contamination, prevent future contamination, and support the existing work being done in communities across Wisconsin. Many entities within the University of Wisconsin System and Extension conduct some of the most cutting-edge research on groundwater contamination, land use, and agriculture in the state. Senate Bill 722 supports existing and new research within our world-class UW System and invests in ways that will help people throughout Wisconsin become more informed about their private wells and water quality.

We heard from health and county conservation departments across the state about the need to host their data in one database. This would not only support communities in understanding the extent of the contamination, but could also help guide future decision-making on the local, regional, and state level. The best resource for water quality data points is the Well Water Quality Viewer hosted by UWSP's Center for Watershed Science and Education. They have partnered with the Department of Health Services and hosted data points from the Department of Natural Resources to map decades of private well data at county, township, and section levels. The Center has been compiling comprehensive data from health departments and other well testing projects around the state, but does not have sufficient resources to serve as the state hub of water quality data. Accordingly, we heard from communities who wanted to share their data with the Center but found there were not enough resources to do so.

When the Task Force held a hearing in Stevens Point, representatives from the Center for Watershed Science and Education at UW-Stevens Point provided a tour of their Water and Environmental Analysis Lab in the College of Natural Resources and underscored how they serve communities grappling with contaminated water across the state. Senate Bill 722 allocates \$900,000 in funding in the biennium for the Center for Watershed Science and Education to provide outreach to private well owners and develop and maintain the database on private well water quality. With this legislation, they will be able to help communities better understand their contamination, make more informed and data-driven decisions, and more quickly create a nitrate "risk assessment" map for the DNR and the public to utilize while ensuring people's privacy is protected.

Over one million Wisconsinites rely on private wells for their drinking water, and it is essential that we invest in outreach and education to encourage private well owners to test their wells often and have accurate data for areas of concern around the state. A 2015 study determined that only about half of Wisconsin households tested their wells in the last decade, and only 22% had tested their wells within the last one to five years. It's important to recognize that some communities have begun testing programs: Southwestern Wisconsin, Kewaunee County, and the Central Sands regions have especially high rates of contamination, and recently, counties in these regions have been collaborating to find solutions to the regions' widespread water quality challenges. From the SWIGG study in

Southwest Wisconsin to the Central Sands Groundwater County Collaborative, counties are working across watersheds and pooling resources to share data, conduct well testing and source contamination studies, and more. They've asked us for state support as they work together on water quality, and you'll hear from some of these folks today about their efforts.

Senate Bill 722 creates a new grant program funded at \$250,000 and administered by the DNR to provide matching funds to counties to test and map private wells, as well as notify the public of the results. This increase in resources will significantly help incentivize counties to improve the testing rates for those with private wells. The bill provides matching grant funding of up to \$10,000 per county for testing and mapping and up to \$2,500 per county for education and outreach. The bill also includes a requirement for all municipalities in which private wells exist that the local government recommend to its residents to test private wells regularly. This education and outreach could be as simple as including an additional note on the tax bill, or including notices at the town hall, on the village website, or any other creative way to notify community members about this important public health issue. This will empower residents to know what's in their water and take an interest in water quality.

As testing and mapping increases, so too will the need for quality data interpretation and decision-making. The bill also includes funding to create a special three-year project position for one full-time hydrogeologist at the Wisconsin Geological and Natural History Survey, who will work with the counties and focus primarily on groundwater resource information. Their primary task will be to provide assistance to the state, local governments, industries, and the public as it relates to testing our water and mapping contamination. Communities need experts to help them interpret their data and more strategically analyze their next steps forward after well testing and outreach.

Finally, SB 722 includes \$200,000 to help support the research for Phase I of the Market-Based North American Phosphorus Recovery and Reuse Policy study at UW-Extension. Phosphorus is an important nutrient for agriculture, but is a limiting nutrient in our water bodies which causes excessive algal growth. While the focus of this project is first on phosphorus, it will also reveal important information on nitrogen, which appears whenever and wherever phosphorus is found and aggregated. This project proposes to research and develop a market-based recovery and reuse program to recover nutrients on the front end and prevent excess phosphorus and nitrogen loading into our waters altogether.

This bill includes many measures which will provide meaningful investment to successful programs and help people access clean drinking water, which we can all agree everyone deserves.



## **Senate Committee on Natural Resources and Energy**

### *2019 Senate Bill 722*

#### *Grant program for counties to test private wells*

February 5, 2020

Good morning Chairman Cowles 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. Thank you for the opportunity to testify, for informational purposes, on Senate Bill 722 (SB 722). My comments today will be focused on the bill language relating to the proposed Private Well Testing grant program for counties.

SB 722 creates a new grant program to provide funding for counties to gather and assess data about private wells in Wisconsin. Two grant options are available - a \$10,000 grant per county is available for private well testing and related study of geology and well construction practices, and a follow-up \$2,500 grant per county for notifications to well owners. Counties may apply individually or as a group, and counties must provide equal matching funds.

This new grant program will increase the number of privately-owned wells being tested, which will improve well owner awareness and understanding of their drinking water quality. We know that many well owners do not test their wells due to the cost of testing, and the need for technical support in understanding the results. Counties are in a good position to provide testing and local support. Private well testing and studies of geology and well construction will also increase our collective understanding of groundwater quality around the state, and of best well construction practices for safe drinking water.

As the agency charged with managing the state's groundwater resource, the Department of Natural Resources collects and analyzes groundwater data and maintains a database of well test results for public use. SB 722 requires counties to submit private well test results to the Center for Watershed Science and Education rather than the Department, which means that some private well test results would not be available to the general public through the Department's database. The DNR would welcome a discussion on possibilities for the Department receiving private well test results from any grant-funded county study as a condition of the grants. The Department would manage the data to ensure that any personally identifiable information is handled appropriately.

Since the DNR is also given statutory responsibility to establish well construction standards for Wisconsin, having the results of any grant-funded county study of geologic characteristics and well construction practices also be submitted to the Department as a condition of receiving the grant would enable the Department to incorporate this data in providing technical assistance to well owners and well drillers, and to use it to inform policies and standards for well construction.

The Department anticipates developing administrative procedures, forms and outreach materials to support implementation of this new grant program, and promulgating these procedures through rulemaking.

On behalf of the Bureau of Drinking Water and Groundwater, I thank you for your time today, and I would be happy to answer any questions you may have.



## **Senate Committee on Natural Resources and Energy**

*2019 Senate Bill 722*

*Creating a Hydrogeologist Position at WGNHS*

*February 5, 2020*

Good morning Chairman Cowles and members of the Senate Committee on Natural Resources and Energy. My name is Ken Bradbury and I am the State Geologist and Director of the Wisconsin Geological and Natural History Survey (WGNHS) which is located within the UW-Madison Division of Extension. Thank you for the opportunity to testify in support of Senate Bill 722 (SB 722), which, amongst other things, creates a hydrogeologist position at WGNHS.

The Wisconsin Geological and Natural History Survey was created by the Wisconsin Legislature in 1897. It is the descendant of earlier state surveys in Wisconsin, which date back to 1854. The WGNHS is an interdisciplinary organization that conducts natural resources surveys and research to produce information used for decision making, problem solving, planning, management, development, and education. *Survey* is defined to include resource inventory and basic and applied research and analysis. Maps, data, records, and reports—including interpretations and recommendations—produced by the WGNHS provide basic data for resource, land-use, and environmental management. The WGNHS has no specific regulatory or enforcement responsibilities.

The WGNHS is a unique state organization that produces and provides maps, reports, technical studies, and technical assistance about Wisconsin's groundwater and geology. Maps and data developed at the Survey are used constantly by local, state and Federal agencies, planning departments, crop consultants, water well drillers, engineering firms and others to support decision making. Most of our groundwater investigations are targeted at County and local scale problem solving. Due to recent cuts in the state budget, we currently only have three hydrogeologists on staff and these individuals are fully committed to ongoing projects, outreach, and service. We frequently receive new requests for studies and service for counties and local governments and we are currently unable to meet these needs. Adding an additional hydrogeologist, with supporting funding, to our staff will significantly add to the Survey's capacity to address groundwater questions and produce local groundwater inventories and

models. This individual will focus on applied hydrogeologic studies at the county and local scale. It is important to note that providing this base capacity will allow the Survey to leverage other federal, state and local funds in developing cooperative groundwater studies.

University of Wisconsin-Madison appreciates the work of the Water Quality Task Force and this bill's authors for introducing this legislation. On behalf of the UW-Madison I would like to thank you for your time and for allowing me to detail the important work being done by WGNHS and the Division of Extension. At this time, I would be happy to try to answer any questions you may have.



**Statement of Support for SB 718 and SB 722**

**Phil O'Leary**

**Residence - Cottage Grove WI**

**Farm - Rock County**

I appreciate your work to address this very important challenge that farmers and rural residents face every day. I wish to speak in support of Senate Bills 718.

I own and operate our family farm that was established in 1925 and is located in Rock Township which is in Rock County. My prior career was at the UW and DNR. I have extensive experience working as an agricultural and environmental engineer.

My fertilizer practices are guided by and consistent with the UW soil testing recommendations. I support the Nitrate Pilot Program, Senate Bill 718 with the expectation that this will result in the development of better practices for nitrogen fertilizer use in corn production.

The farmers that I know are anxious to maximize their productivity while also protecting the environment and minimizing their costs.

I also want to note that I am in support of other proposed legislation that will increase land conservation department support and accelerate well testing and replacement.

The private drinking water wells in Rock Township have an average reported nitrate-N concentration that exceeds the drinking water standard of 10 mg/l.

I have been annually collecting well testing samples from my well and have been helping some of my relatives do the same. Fortunately my well does not exceed the nitrate standard but I am concerned about my neighbors.

I specifically support of SB 722. Expanded well testing would increase the protection of the health of our rural residents by providing them information about their well. The expanded testing and plus funding for the hydrogeologist will provide a better understanding of Wisconsin groundwater state-wide.

I complement everyone that contributed their knowledge here today. We as a state are very fortunate to have this level of expertise and commitment here in Wisconsin.



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February 5, 2020

TO: Honorable Members of the Senate Committee on Natural Resources and Energy

FROM: Ray Cross, UW System President 

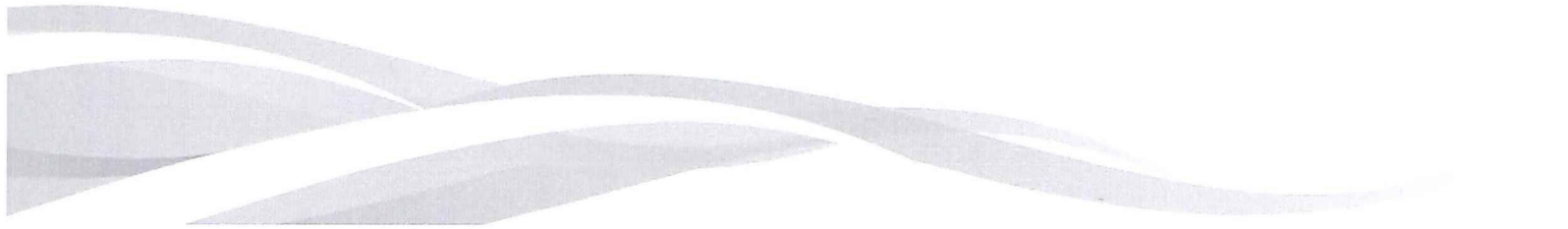
RE: Senate Bill 722 Testimony - In Favor

Thank you, Chairman Cowles and committee members, for holding this public hearing on SB 722. Thank you to Senators Testin and Olsen and Representatives Shankland and Krug as well as the members of the Speaker's Task Force on Water Quality for supporting this proposal.

SB 722 will improve Wisconsin's capacity to better understand our groundwater resource quality and quantity while focusing on sharing and conveying that information to our residents. To accomplish this, the bill invests \$150,000 to fund a hydrogeologist position to focus on developing groundwater resources information as well as \$200,000 to fund research on phosphorus within the Division of Extension at UW-Madison. The bill also invests \$450,000 in each year of the biennium to support the Center for Watershed Science and Education based at UW-Stevens Point.

The funding to support the Center for Watershed Science and Education's groundwater research and public outreach and extension programming will significantly increase the Center's capacity. Contaminated or degraded private well water is an environmental hazard with numerous health implications for our residents, who also face challenges. These challenges often cause frustration or inaction in too many residents, which include understanding well water testing, where to get tests done, what to have tested, how to understand the results, and how to mitigate any potentially negative findings. This bill will greatly expand the capacity of the Center to engage private well owners by increasing awareness of groundwater quality through better understanding of the data and science and increasing the number of well owners participating in testing. The bill will also expand their knowledge of options available to them for addressing concerns and expand access to local and statewide data on water quality testing results via the Center's Wisconsin Well Water Viewer.

There is much work to be done to accomplish the goals of this bill, and the investments in both the Division of Extension and UW-Stevens Point will go a long way to enhancing our ability to achieve our mutual goals. Thank you again for your consideration of this bill and the opportunity to submit testimony on SB 722.



To: Senate Committee on Natural Resources and Energy

February 4, 2020

Wisconsin Farmers Union is happy to testify in favor of Senate Bill 722 today.

In the past several years, many of our members have asked us questions like:

- how do I find information about well water quality in my area?
- how can my community conduct a well testing drive?
- how can my county obtain sophisticated groundwater maps to help farmers identify sensitive areas to prevent groundwater contamination?

In response to these questions, we regularly refer our members to the UW Stevens Point Center for Watershed Science and Education, and the Wisconsin Geological and Natural History Survey. We place great value on the services these entities provide, and apparently we're not the only ones. These offices are juggling more and more requests in recent years. As a result, projects such as county-wide groundwater studies take longer than they ideally would, because existing staff are already booked to capacity (or over-capacity.)

Senate Bill 722 represents a step in the right direction with regard to providing the Center for Watershed Science and Education and the Wisconsin Geological and Natural History Survey the resources they need to serve Wisconsin citizens, communities, and counties.

Wisconsin Farmers Union also appreciates the portion of the bill that provides grants to counties for groundwater testing and mapping, but notes that the \$10,000 cap is far too low to meaningfully defray the expense of these types of studies. For example, the Southwest Wisconsin Groundwater and Geology (SWIGG) Study is expected to cost \$150,000. Wisconsin Farmers Union respectfully recommends removing the language in the bill that prohibits the DNR from providing a county more than \$10,000 for this purpose, and instead simply direct the DNR to disburse all available funds as evenly as possible among counties. We need to boost the amount of money to counties for groundwater studies, hopefully sooner rather than later. In light of this, we should not cap the amount at this artificially low number.

Kara O'Connor, Wisconsin Farmers Union

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Comments for Wednesday Feb 5, 2020

Dear members of the Senate Committee on Natural Resources and Energy,

I am writing in favor of SB 715, SB 722, and SB 723. With today's growing farm crisis we must act swiftly to help our rural places. Creating a grazing coordinator position would help farmers in a time of need. I am a producer and a Farmer led water shed board member. Our local watershed group has found this program to be advantageous to our farmers as well as our rural communities and municipalities. With the addition of grazing coordinators these watershed groups could further their success stories.

There are many reasons to support grazing education. Farmers deserve assistance in accomplishing a practice that can help their bottom line, watershed, local municipality, current cash crop dilemma and the market. This is timely with the current trade debacle. Some Dairy farmers are transitioning to beef. In 2016 over 70% of the US grass fed beef was imported. Much of the US grass fed beef was coming from Australia, note the countries burnt status. There is a potential market to be filled. The time is ripe to diversify and fill a market, grazing assistance could help during transitional time.

Grazing can help our rural places in phosphorus reduction. Many of our municipalities waste water treatment centers are currently out of compliance with EPA discharge standards. Phosphorus (P) loads can be decreased in a number of ways. The Farmer led watershed groups include this in their goals. Smart grazing and perennial crops show success in reducing P and therefore reducing the need for municipalities to spend millions of dollars in infrastructure updates, saving our tax payers millions of dollars. There are examples of farmers collaborating with their villages on these P reduction efforts. DATCP Farmer led programs are letting the farmers play a leadership role in their watershed, adding a grazing component will only help them further their success.

Furthermore, grazing has many positive externalizes too, as it can foster carbon sequestering, provide habitat for our pollinators and a future for our farmers and earth.

Lastly I will mention again that grazing is an option for farmers, when many are in a time of need. This is a win-win, as it will help address water concerns and farmers needs. Please consider supporting SB 715.

I am also in support of SB 723, increasing funds for our County Conservation staffing grants will help address both Phosphorus and Nitrogen management. WE need the resources to address our problems. Our county folks have done an excellent job in assisting farmers and could some more resources to do their jobs.

Please support SB 722. When working for my township's Rural Land Conservation Committee, there was a great interest in well testing. We need better resources in particular for our rural well testing. We need to better track our rural water quality. Water is a great resource to our diary state. All of Wisconsin deserves good water.

Respectfully submitted by

April Prusia

Owner/operator

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**Testimony in Support of Senate Bill 722**  
**Committee on Natural Resources and Energy**  
*February 5, 2020*

Chair Cowles, Vice-Chair Olsen and members of the committee, I appreciate the opportunity to testify in support of Senate Bill 722. In particular, I'd like to highlight the bill's targeted goals towards collection, analysis, interpretation, and mapping of data for private wells.

Private wells and quality groundwater are vital to rural Wisconsin. A third of the state's population gets its water from private wells. In contrast to municipal water systems, where water is regularly tested and required to meet drinking water standards; ensuring safety of water from private wells is largely the responsibility of the well owner. It's been clear from my experiences over the past 16 years, that Wisconsin citizens increasingly want access to data that allows them to understand where problems exist, want to know what to do when problems occur, and want to understand how water quality is changing.

The Center for Watershed Science and Education is a joint venture between University of Wisconsin-Stevens Point and the University of Wisconsin-Madison, Division of Extension. In the past 30 years, the Center has assisted nearly 100,000 rural landowners in the testing of their wells and interpretation of water test results. In the process the Center has maintained an extensive database that paints a detailed picture of well water quality across the state and is made available to the public through the WI Well Water Viewer.

While the Well Water Viewer is a great tool, improvements would provide valuable information to private well owners and local officials. Some current limitations; the data is not distributed equally across the state, some counties have tens of thousands of samples, while others may have less than 100. Also, while the database contains significant data, that data spans over 30 years. When we start separating the data out by decades, we often lose the detail that would be necessary to answer the question of how has groundwater quality changed over time. More data, collected over a more consistent timeframe is necessary if communities want to be able to know for sure whether their groundwater quality is better or worse today than it was 10 or 20 years ago.

We know that there are county health departments, other university labs, and private labs that collect well water data. While the Center has been able to integrate a few of these other datasets into the well water viewer, it has been time consuming and sometimes challenging because data isn't stored or tracked in the same way. The demand for these organizations to integrate data currently exceeds our staff's capacity to do so. New database systems, tools, and templates are needed in order to service all the entities and ensure data integration is performed in a credible, consistent manner. Funding would provide much needed resources to upgrade database systems, mapping tools, and educational resources for private well owners and other resource professionals that serve this audience.

I believe the grants for counties to increase well testing efforts, would provide a boost to testing efforts at the local level. There is both a need and a willingness for counties to perform additional well water testing. Recent work in Sauk County has revealed, when households are invited to participate in the long-term monitoring of well water quality in their county, nearly 60% of those contacted have responded that they would like to be part of those efforts by regularly submitting a sample from their well. Additional





## University of Wisconsin-Stevens Point

Center for Watershed Science and Education

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testing and outreach opportunities outlined in this bill would assist well owners in diagnosing the safety of their drinking water and collect valuable new information on water quality statewide.

Finally, good scientists are necessary to help analyze and communicate the data to the public and decision makers. An additional hydrogeologist at the Wisconsin Geological and Natural History Survey would provide much needed capacity for development of water table elevation maps and groundwater flow models; tools that are necessary for communities to manage their groundwater resources for future generations.

This bill would expand access to well water testing opportunities, provide homeowners with resources and assistance to make informed decisions about well water, and develop protocols and systems for storing and maintaining well water quality data so that it can be easily accessed and utilized.

Thank you for your time.

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Extension  
UNIVERSITY OF WISCONSIN-MADISON