



State Senator
Rick Gudex

District 18

October 7, 2015

To: The Senate Committee on Agriculture, Small Business, and Tourism
From: Sen. Rick Gudex
Re: Senate Bill 239

Mr. Chairman, members of the committee, thank you for holding this hearing today. Senate Bill 239 is a simple and narrowly crafted bill that, because it touches on a controversial subject, has become undeservedly controversial itself.

In 2011 the Supreme Court issued what is now known as the Lake Beulah decision, which in effect told the DNR that their authority over water usage isn't limited to the specific language of the statutes. One result of this ruling has been more bureaucracy, more reviews, and more fees on landowners, none of which were previously required and which are particularly burdensome for small family farmers and businesses.

This bill does the following things:

1. Ensures that the owner of a high cap well can transfer ownership without triggering an additional, previously unrequired DNR review;
2. Allows owners to repair or replace a failing well, as long as it is within 75 feet of the original and to substantially the same depth without triggering DNR review;
3. Allows owners to reconstruct an existing well in conformance with existing rules without triggering DNR review;
4. Makes clear that the transferred, reconstructed, or replaced well must comply with the original agreement with the DNR.

Under this bill, the owner of a high capacity well will have to report any of these actions to the DNR, but will not have to pay a fee or undergo an inspection or application process. The original agreement for the well will continue to apply, including all limits and standards in that agreement. The broad authority the DNR already had, even before the Beulah decision, to oversee and regulate high capacity wells remains unchanged under this bill. But this bill gives landowners some small amount of certainty that they'll be able to keep working, keep producing, and that their property values won't take a dive.

Now, there are several misconceptions about this bill that I would like to address.

First, that this bill will hurt the environment, hurt our navigable waters, hurt our water supply. If we have any such problem in Wisconsin, it isn't because of this bill. Every existing high capacity well in Wisconsin received a permit in accordance with the law and DNR rules. The wells affected by this bill already exist, and are already working, and are already under the DNR's continuing oversight.

Second, someone will surely mention that this bill doesn't address larger questions about water usage and high capacity wells in Wisconsin. That's true, it doesn't. This bill isn't going to solve all our problems. It's not meant to. We wanted a narrow, specific bill to address a specific concern, and that's what is before you today.

Third, that with this bill, we're denying the DNR a chance to place greater restrictions on existing wells. Look at it this way: if a landowner has a high capacity well for sixty years, as long as he remains within the limits and standards set in his permit and submits his annual reports and the DNR never has reason to believe the well is hurting the public's interest in navigable waters, that landowner can use his well in peace for all of those sixty years. But that same owner could not sell his land after 5 years without undergoing a lengthy and unpredictable process that wasn't required when the well was originally drilled.

Fourth, that we're removing all chance of oversight over our water. No. That argument ignores the public trust doctrine in 30.03 of the statutes, and the authority in chapter 281 as well. These laws clearly give the DNR authority to review, change and even revoke permits if the situation warrants.

Fifth, that we are creating some kind of "perpetual water right" by passing this bill. If a "perpetual water right" exists, then it already exists under the law. As I mentioned earlier, a landowner can already keep and use a well as long as he/she owns the land now, as long as the well remains within the limits and standards set in the permit, as long as there are no conflicts with the public interest, and as long as the "standards or conditions applicable to the approval of the high capacity well" don't change. That hardly sounds like a perpetual right.

Sixth, that we're not doing anything to ease the red tape in creating new wells. True. The purpose of this bill isn't to make getting new permits easier. It is to protect the rights of landowners who already have high capacity wells, with legal permits, who are abiding by the law and only want to protect the value of their land and businesses.

Finally, one organization has already accused us of wanting to let wells continue even if those wells are directly causing harm to state waters. For the sake of having a bit of restraint, I'll limit myself to saying that this is simply a lie. The DNR has and will continue to have the ability to reexamine and limit wells that are causing problems. This bill does not change that.

One other thing: I'm sure everyone here is aware that Senator Cowles is introducing a more comprehensive bill that includes these same provisions. I would urge the committee to do two things: one, keep today's debate on the much more limited provisions of this bill; and two, don't wait to see what happens with Senator Cowles' bill before considering this one. We all know that, the bigger and more comprehensive a bill is, the harder that bill is to pass. We saw that with this very subject last session. The provisions contained in this bill are simple, and small, but will give landowners back a measure of certainty that they once had and that is very important to them and their businesses. I fully support a more comprehensive look at water usage in Wisconsin, but I urge you to not let these simple but needed changes get lost again.

Thank you again. I will be happy to take any questions.



WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

TO: Senate Committee on Agriculture, Small Business and Tourism
FR: Sen. Mark Miller and Rep. Cory Mason
RE: SB 239

Wisconsin is blessed with an abundance of water. Water provides the basis for our economy and way of life. The Wisconsin state constitution protects the waters of Wisconsin for the benefit of all users. Under Wisconsin's public trust doctrine, everyone is entitled to our water, but no one is allowed to use the water to the detriment of others. The Wisconsin Supreme Court in the 2011 *Lake Beulah* decision confirmed that the public trust applies to all waters of the state, including underground water because ground water and surface waters are interconnected. The state is responsible for protecting this public trust.

In certain areas of Wisconsin, particularly in the Central Sands region, high capacity well operation has caused lake shorelines to recede, springs to dry up, stream flows decline and impacted drinking water supplies. The Little Plover River near Plover is the best-known example of a stream nearly disappearing due to nearby high capacity well withdrawals. This is a problem that must be addressed by the Legislature to ensure the appropriate protection of our water resources now and into the future.

Senate Bill 239 is not the solution. Rather, it exacerbates the problem. SB 239 would grandfather existing high capacity well permits by allowing the transfer, replacement and reconstruction of wells without a new permit. This would essentially create a water rights legal environment where the waters of the state are allocated on a first-come, first serve basis. Water rights is the legal doctrine that prevails in Western States, but runs contrary to Wisconsin's public trust doctrine. New applicants could be denied well permits because existing permits allow over-use of the water resource.

Current groundwater science can determine with reasonable accuracy how much water can be withdrawn from an aquifer and still maintain water availability for all users. It can determine how much water can be withdrawn from wells in the vicinity of water bodies and still maintain normal seasonal flow and lake levels. It can determine which wells are affecting the surface waters. In short, modern ground water science provides us with the tools needed to manage our abundant water resource indefinitely and avoid the conflicts that arise due to over consumption. This should be the basis of a regulatory framework for high capacity wells such as outlined in our legislation, Senate Bill 72/Assembly Bill 105.

We ask that you oppose Senate Bill 239.

DATE: October 7, 2015

TO: Wisconsin State Senate Committee on Agriculture, Small Business, and Tourism

FROM: Wisconsin Department of Natural Resources

SUBJECT: 2015 Senate Bill 239

Good afternoon Chairman Moulton and committee members,

Thank you for the opportunity to testify regarding SB 239, relating to regulation of high capacity wells.

For purposes of background, a high capacity well is defined by statute as any well that, together with all other wells on the same property, has a capacity of more than 100,000 gallons per day, or roughly 70 gallons per minute.

SB 239 proposes to modify certain limited aspects of the DNR's regulation of high capacity wells. Specifically, the bill would create a structure under which repair, maintenance and reconstruction of existing high capacity wells, transfers of ownership of existing high capacity wells and construction of replacement wells within 75 feet of an existing high capacity well would not be subject to application fees and would not require explicit Department approval. Rather, as long as the specified action is consistent with the standards and conditions applied to the existing approved well, the owner would simply provide notice to the Department of the particular action.

The proposed bill would result in little change in the manner that such actions are currently regulated by the DNR.

Under current law, an owner of a high capacity well must obtain approval from the DNR before constructing or using the high capacity well. This has been implemented such that approval is required before constructing any high capacity well, including replacement wells, and also prior to using an existing high capacity well following a transfer of ownership. For construction of new and replacement wells, the current approval process includes an evaluation of the potential impacts resulting from operation of the well and also require payment of an application fee. SB 239 provides that replacement wells proposed to be constructed within 75 feet of the original well and to approximately the same depth would not be subject to the application fee and would not require separate approval and therefore would not be subject to the review of potential impacts.

In regard to approvals for continued operation of existing high capacity wells following transfer of ownership, the Department does not currently collect an application fee nor do we conduct an environmental review, provided the total volume and timing of proposed water use are consistent with the prior approval. Ownership transfers are generally addressed through a notification system, similar to that which would be established under SB 239. The bill would also clarify that such actions are not subject to the current application fee.

Similarly, actions related to reconstruction of existing high capacity wells are not subject to the application fee and generally do not undergo an environmental review. The well driller or pump installer notifies the department prior to conducting the reconstruction activity and then submits a modified well

construction report after completing the work. Under current administrative rules, the only exception to this approach would be if the well were located in a groundwater protection area, that is, within 1,200 feet of a designated trout stream, Outstanding Resource Water or Exceptional Resource Water. In those cases, we would conduct an environmental review to ensure that the reconstruction activity would not result in significant adverse impacts to the designated water body. SB 239 would clarify that all high capacity well reconstruction activities would be handled through a notification process and are not subject to an application fee.

Thank you again for the opportunity to testify regarding SB 239. We would be happy to try answering any questions you may have.



Testimony of Amber Meyer Smith, Director of Government Relations
SB 239
Senate Agriculture, Small Business and Tourism Committee
October 7, 2015

Clean Wisconsin is a non-profit environmental advocacy group focused on clean water, clean air and clean energy issues. We were founded forty five years ago as Wisconsin's Environmental Decade and have thousands of members around the state.

I am speaking today in opposition to SB 239 because it takes us in the wrong direction in terms of protecting our water resources. It is a sad fact that there are areas in Wisconsin where rivers, lakes and streams are drying up and current law does not provide adequate protection. Once waterfront properties are now mud front properties and neighbors are now pitted against each other for the use of scarce water resources. SB 239 will make it even more difficult to deal with the bigger problems of groundwater drawdowns and guarantee that these problems will only continue to get worse in the future.

The problem is most notable in the Central Sands, where sandy soils require a lot of water to grow crops. One third of the 288 billion gallons of groundwater withdrawn annually in Wisconsin comes from the central sands – which covers just 5% of the state's area. The Little Plover River was named one of the country's "Most Endangered Rivers" in 2013. You will hear from many citizens here today that live in this area, and have been dealing for years with problems caused by over-pumping of groundwater without many answers aside from pooling their own resources and making their cases in court.



Long Lake, outside Plainfield
 Kate Golden/Wisconsin Center for Investigative Journalism

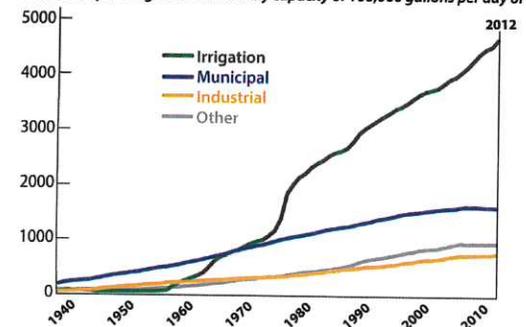
In 2004, the Groundwater Protection Act (Act 310) took an important step forward for protecting groundwater. But it was widely acknowledged that additional legislation would be necessary to adequately protect water supplies. It is now over ten years since the passage of Act 310, and the problems continue to grow, yet there has been no forward movement. When you consider that there has been an explosion of high capacity well permit applications – a 40% increase in the last three years – the need for a solution is more urgent. SB 239 is not that solution, and will in fact remove the only

real opportunity for wells to get reviewed and modified.

We understand the intention of SB 239 is to be limited in scope: to allow wells to be repaired, reconstructed, replaced or transferred without a review by DNR. While it sounds simple, this change could have a big impact in areas like the Central Sands. Currently, when an applicant applies to repair, reconstruct, replace or transfer their well, DNR has the ability to review the permit and make sure it is not adding to the cumulative impact stressing our groundwater resources in an area. This review is the only real opportunity to address wells that might be contributing to the problem because there is no other expiration date for high capacity well permits, and thus no other natural point of review. Furthermore, it creates a

High capacity wells by type in Wisconsin

Number of operating wells with a daily capacity of 100,000 gallons per day or more



Data: Wisconsin Department of Natural Resources Credit: Kate Prengaman/Wisconsin Center for Investigative Journalism

permanent right to water that runs with the property whereby the first person to stick their straw in the glass is essentially assured that level of pumping forever. There is a solution: set a timeframe for the expiration of high capacity well permits. If there is a periodic review of these permits that comes upon expiration, then we would have no problem with ending the review that happens when a well is transferred, repaired, replaced or reconstructed.

We have heard proponents of the bill argue that DNR still has the ability to tackle problems with water drawdowns through Wisconsin Ch. 30.03 and Ch. 281.34. Unfortunately neither offer real solutions for reviewing permits and making the needed adjustments to prevent problems.

Ch 30.03(4)(1): While it is an authority that exists within the statutes, it has never been employed by DNR as a tool to address problems caused by high capacity wells because it is unrealistic and administratively burdensome. To launch a Ch. 30 action DNR would have to name all high capacity well owners in an area as jointly liable for the cumulative impacts of their wells on a waterway. Then there would be an entire contested case process around that liability. Only when a hearing examiner issues “an order directing the responsible parties to perform or refrain from performing acts...to fully protect the interests of the public in the navigable waters” would anything be accomplished. In addition, Ch. 30.03 only applies to damage to a navigable water, thereby leaving damage to private wells or wetlands without recourse or review options.



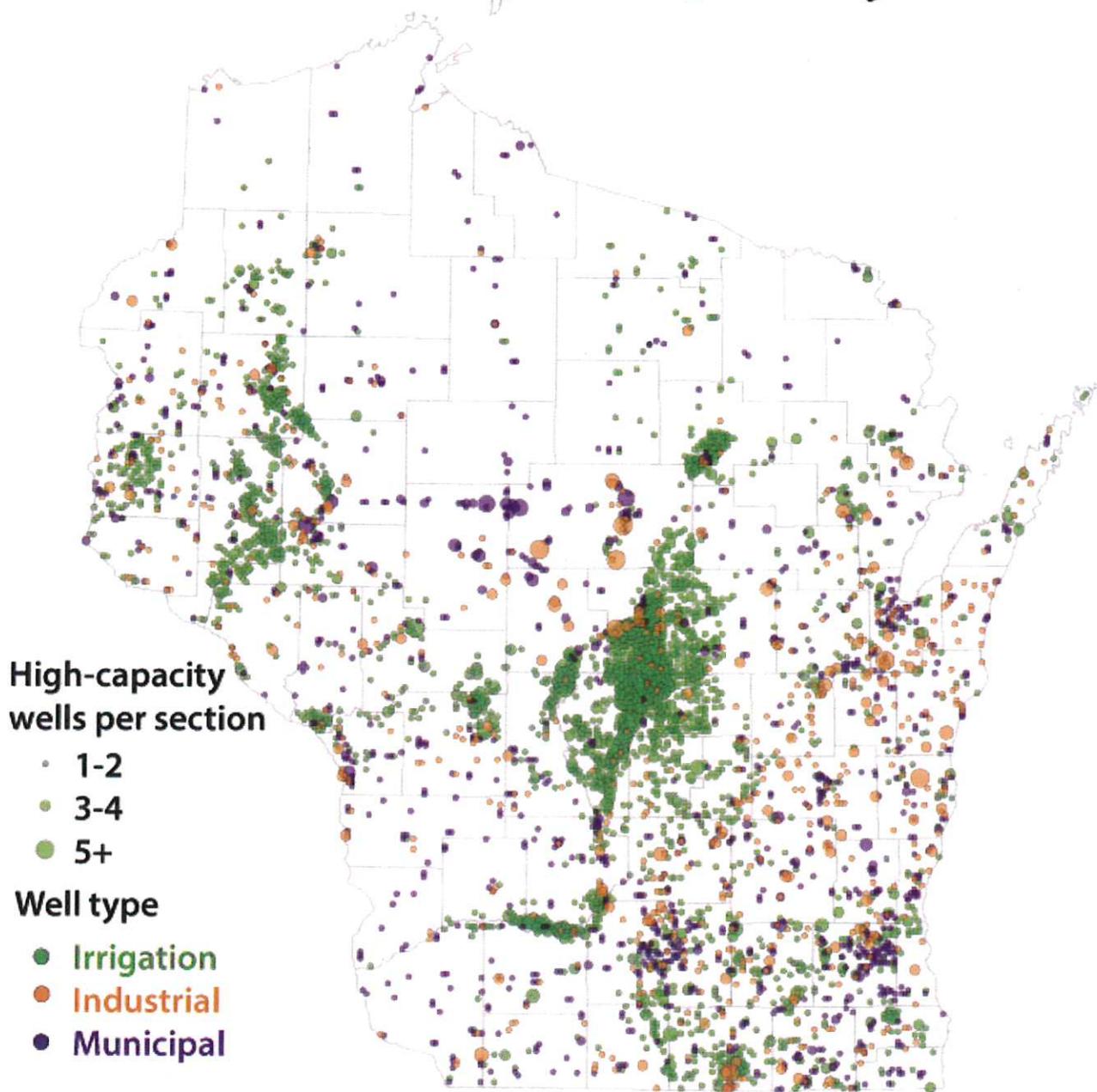
Ch. 281.34(7): This is an authority that DNR can only utilize to modify or rescind a permit because there is a permit violation. It is not permit violations that are causing problems in the Central Sands, but rather lack of adequate limitations in the permits. That is why taking away the only periodic review that currently exists will compound problems in the Central Sands and remove an important tool for managing groundwater resources.



Options that can only be employed AFTER damage has already been caused are not solutions. We need to prevent damage from occurring in the first place and put in place sustainable groundwater management guidelines, not just rely on ways to address problems after the fact. The investments that farmers make in their property and wells should be protected. But that protection needs to be balanced with the equally important need to protect the investments homeowners make in their properties, the public’s right to use and enjoy our state’s waterways and the investments our state makes in protecting our natural resources. Without a balanced approach to resource management, this bill will pick winners in the fight for groundwater resources, and will guarantee the losers are homeowners, tourism, and local tax base.

For these reasons we respectfully ask that you oppose SB 239 today.

Wisconsin's high-capacity wells



Data: Wisconsin Department of Natural Resources

Credit: Kate Pregelman/Wisconsin Center for Investigative Journalism



WMC TESTIMONY FOR INFORMATION ONLY ON SB- 239

Chairman Moulton and Senators:

My name is Lucas Vebber, I am the Director of Environmental and Energy Policy at Wisconsin Manufacturers & Commerce (WMC). WMC is our state chamber of commerce and manufacturers' association. We are the largest business trade association in the state with nearly 4,000 members of all sizes and across all sectors of our state's economy. One in four private sector employees in the state works for a WMC member company. WMC is dedicated to making Wisconsin the most competitive state in the nation.

I am here today to testify for information only. Our members are very concerned about the issue of high capacity well permitting, and want to see a comprehensive solution that addresses not only existing wells but also provides the certainty needed for them to invest and grow here in Wisconsin. The information I am providing today is to emphasize the magnitude of this problem for the business community and the urgent need for an immediate and comprehensive fix. We do not oppose SB-239, but we also cannot support an effort to take this issue on piece by piece – we need a comprehensive fix.

Since the 2011 *Lake Beulah Management District v. Wisconsin Department of Natural Resources* decision from the Wisconsin Supreme Court, the high capacity well permitting process in our state has been in disarray. The court decision left Wisconsin with a process fraught with uncertainty. This has led to significant litigation expenses and a virtual standstill in new investment in industries that require high capacity wells in our state.

Both the regulators at DNR and the industries seeking new permits need more clarity and certainty to move forward. There are currently between 150 and 170 high capacity well permit applications pending at DNR. Without legislative action, the uncertainty and risk of litigation is too great, and the department simply cannot move forward to review these applications. Businesses cannot properly plan for future growth of existing operations or siting of new facilities without knowing there is an objective science-based process in place to review new permit applications.

This issue impacts a wide section of our state's economy. From growers and dairy producers to food processors, mining operations and even municipalities – we need water. Wisconsin is blessed with an abundant supply of this precious natural resource, giving us a competitive advantage against not only other states but the international community. Unfortunately, the current state of high capacity well permitting has prevented us from utilizing this advantage to grow our economy and create jobs. There's an opportunity here to balance the interests of the agriculture and industrial communities with environmental protection to solve this issue once and for all. To push that comprehensive solution off to another day is unacceptable.

To recap the information provided today, we want to urge caution. Passing this legislation, while a positive step for existing permit holders, does nothing to address the underlying issue of high capacity well permitting in Wisconsin – an issue that is not going to go away. These changes should be a part of a larger fix. Please do not waste this opportunity, please continue to work with all parties to develop a comprehensive solution.

We aren't asking for the legislature to force the Department to issue these new permits, only to provide a concrete science-based framework within which the permit applications are considered. Remove the uncertainty and give us a chance to unleash our state's natural economic advantages.

Thank you for your time today. We look forward to working with the committee members and the bill's authors to come up with amendments that can finally fix this problem for industry in our state.



Wisconsin Farmers Union Testimony on SB 239
Senate Committee on Agriculture, Small Business, and Tourism
October 7, 2015

Good afternoon and thank you for the opportunity to share comments on Senate Bill 239 today. My name is David Wright-Racette and I am the Policy Organizer for Wisconsin Farmers Union.

First, we would like to thank Senator Gudex and Representative Nerison for taking on this difficult issue and we look forward to future conversations on the topic. SB 239 would make it easier for farmers to repair, replace, or reconstruct their high capacity wells. It would also give farmers a measure of certainty in property values by allowing a high capacity well permit to transfer with the sale of property. Wisconsin Farmers Union supports both these provisions, but urges committee members to vote against the bill unless it is amended to include a periodic review of all high capacity well withdrawals.

Periodic review is not a new concept as other permits issued by the DNR must be reviewed and reissued on a regular basis. For example, wastewater discharges to waters of the state are regulated through the Wisconsin Pollutant Discharge Elimination System program, also known as the WPDES program. Wastewater permits are issued for a five year term and must be reviewed before reissuance.

Without periodic review, two classes of water users will be created under this bill. Those with high capacity well permits will have their withdrawals locked in, putting new farmers and businesses to an area at a disadvantage. Those who have permits will continue to have access to as much water as they were originally permitted for, while those without permits will be left to fight amongst themselves for whatever water remains.

Periodic review of all high capacity well permits would ensure water withdrawals are not putting pressure on local water resources and would treat all users equally. It would also grant farmers certainty for the length of their permit and provide farmers with information regarding the availability of local water resources. If water is becoming scarce in an area, farmers could decide whether it is smarter to invest in a new well or in new technology that allows them to irrigate more efficiently.

This bill would solve a significant problem by allowing high capacity well permit holders to repair or replace an existing well without hassle. However, in the process of fixing one problem, the bill creates a new one. The bill takes away the DNR's primary window of opportunity to make sure that existing well permits are not over-extending the water supply and jeopardizing neighbors' access to water. It's one step forward, one step back.

We look to you as our elected representatives to pass bills that solve more problems than they create. Luckily, the problem created by the bill's current language is easily fixed. We urge the committee to add a provision allowing for periodic review of all high capacity well permits so that all permit holders are treated fairly and equally.

Wisconsin Farmers Union is a member-driven organization committed to enhancing the quality of life for family farmers, rural communities and all citizens through educational opportunities, cooperative endeavors and civic engagement. Learn more at www.wisconsinfarmersunion.com.

Testimony for Information Purposes on SB 239 – October 7, 2015

My name is John Holevoet, and I am the Government Affairs Director for the Dairy Business Association. I would like to thank Chairman Moulton and the rest of the committee for the opportunity to testify today regarding SB 239. I would also like to thank Senator Gudex for his efforts to address the problems with high capacity well approvals. As I will explain in more detail, this bill addresses part of the problem, but in its current form, it leaves the issues surrounding new well approvals unresolved.

The Dairy Business Association represents dairy producers, dairy processors, and allied businesses throughout Wisconsin. Our membership includes dairy farmers of all sizes with herds ranging from fewer than 50 to more than 10,000 cows. Our primary mission is to sustain and grow dairy farming in Wisconsin.

Dairy farms accounts for just nine percent of high capacity well approvals. Our role in Wisconsin's economy is much larger than this modest water usage suggests. The latest figures show that dairy contributes approximately \$44 billion annually to the state's economy. To preserve dairy farming as a major economic driver, it is important that we protect the investments made on existing dairy farms. This includes allowing for the repair, replacement, and potential transfer of existing wells. This is important for those dairy farms that already have such wells, some cheese plants and other processors, and certain crop farmers that rely on irrigation to produce feed for our cattle. We recognize this issue is also important to many other segments of agriculture and industry.

Farmer should be able to quickly repair or replace an existing well that was previously approved by the Department of Natural Resources. There is no new environmental impact from protecting existing wells. Livestock and crops cannot wait for water during a lengthy regulatory review. Historically, they have not had to. The regulatory environment for high capacity wells was turned upside down by the Wisconsin Supreme Court's 2011 decision in *Lake Beulah Management District v. Wisconsin Department of Natural Resources*. It is only since *Lake Beulah* that farmers have faced crippling uncertainty when needing to repair, replace, or transfer a well. SB 239 would address this particular set of problems, while preserving all of the legal protections relating to ground and surface waters that were already in place in 2011.

Lake Beulah also caused upheaval for anyone seeking a new high capacity well approval. The rules of the game are not clear for applicants or the Department of Natural Resources. Clear, science-based legislative guidance on this issue is essential. Unfortunately, this bill does not address this critical need. Agriculture and business have already faced four years of unpredictability relating to new well approvals.

The *Lake Beulah* decision was followed two years later by another Supreme Court decision, *Rock-Koshkonong Lake District v. Wisconsin Department of Natural Resources*, which attempted to clarify the department's regulatory authority. This bill could be made stronger by clarifying that any analysis the Department of Natural Resources does for new wells should be limited to potential impacts on navigable surface waters. This would appropriately harmonize these two Supreme Court decisions in statute.

While we discuss this issue, there is a sizable backlog of high capacity well applications at the Department of Natural Resources. These pending approvals represent investments and job growth that are unnecessarily in limbo. Wisconsin has rich water resources, and very little of the state would ever face any challenges based upon the likely level of pumping from high capacity wells. Yet, the permitting process for the entire state is broken. Farmers can live with more rules, but they must be transparent, easy to understand, and easy for the Department of Natural Resources to fairly implement. We would ask all of you to keep this dire need in mind as you work on any legislation dealing with high capacity wells.

Thank you for your time and consideration of this issue, which is so important to dairy farmers, agriculture, and the entire state's economy.



John Muir Chapter

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Statement of the Sierra Club's John Muir Chapter in opposition to SB 239 Before the Committee on Agriculture, Small Business, and Tourism October 7, 2015

Senator Moulton, and members of the committee, my name is Don Hammes. I am a volunteer for the Sierra Club and a member of the Executive Committee of the John Muir Chapter. I would like to thank you for the opportunity to provide comments on Senate Bill 239 on behalf of the John Muir Chapter of the Sierra Club. The John Muir Chapter represents over 14,000 members living throughout the state. We work to provide opportunities for Wisconsinites to enjoy nature and advocate for the fair and rational management of our common resources so that all Wisconsin residents have access to the clean air, water, land, flora and fauna they need for their health and safety as well as to drive our economy forward .

Having assured access to clean water in sufficient quantity is necessary for Wisconsinites to live and raise their children without fear and creates the bedrock of our economy. Therefore, the John Muir Chapter advocates for a fair and rational system of managing our water resources that ensures access to those who need it and that does not allow one land owner's actions to harm his neighbors. Unfortunately as drafted, SB 239 does not meet this test.

All waters in Wisconsin - lakes, streams, and aquifers - are connected. We must manage this resource with this fundamental fact in mind. This means that what is happening with our water must be monitored and reviewed periodically to incorporate any changes in circumstances like changes in rainfall, ground water recharge or water use patterns in the area near the well. This will ensure that no one person's use of water is unfairly damaging the rights of others. Section 3 of SB 239 violates this precept by removing several points where the Department of Natural Resources (DNR) could review water use in a particular area and make adjustments if necessary. The replacement, reconstruction or transfer of a well are all logical points at which the current water use patterns in an area can and should be reviewed. This would ensure that the proposed changes to a well will not result in harm to others, yet the bill as drafted strips the ability of the DNR to afford this protection to others by not requiring any sort of approval for these actions.

Removing the ability of the DNR to review and adjust as necessary is unfair to neighbors in two regards. First it can lead to direct harm. This has been viscerally demonstrated time and again by instances like the Little Plover River running dry in Portage County or in Monroe County the Jorgenson dairy's well running dry - both due to ground water withdrawals on adjacent property. Second, it means that the burden of challenging the actions of a well owner fall on those who are harmed instead of those who control and benefit from the altered well. This will have to be done through lengthy and expensive litigation during which neighbors will have to suffer from the damage done by the well-owners actions.

For these reasons, we ask that the Committee either reject SB239 or amend it to ensure we have a water management system that provides all Wisconsinites access to the water they need for their families and their economic activity.

Thank you again for the opportunity to speak on this issue.

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The John Muir Chapter is proud to be a member of



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Wisconsin Farmers Union Testimony on SB 239
Senate Committee on Agriculture, Small Business, and Tourism
October 7, 2015

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First, we would like to thank Senator Gudex and Representative Nerison for taking on this difficult issue and we look forward to future conversations on the topic. SB 239 would make it easier for farmers to repair, replace, or reconstruct their high capacity wells. It would also give farmers a measure of certainty in property values by allowing a high capacity well permit to transfer with the sale of property. Wisconsin Farmers Union supports both these provisions, but urges committee members to vote against the bill unless it is amended to include a periodic review of all high capacity well withdrawals.

Periodic review is not a new concept as other permits issued by the DNR must be reviewed and reissued on a regular basis. For example, wastewater discharges to waters of the state are regulated through the Wisconsin Pollutant Discharge Elimination System program, also known as the WPDES program. Wastewater permits are issued for a five year term and must be reviewed before reissuance.

Without periodic review, two classes of water users will be created under this bill. Those with high capacity well permits will have their withdrawals locked in, putting new farmers and businesses to an area at a disadvantage. Those who have permits will continue to have access to as much water as they were originally permitted for, while those without permits will be left to fight amongst themselves for whatever water remains.

Periodic review of all high capacity well permits would ensure water withdrawals are not putting pressure on local water resources and would treat all users equally. It would also grant farmers certainty for the length of their permit and provide farmers with information regarding the availability of local water resources. If water is becoming scarce in an area, farmers could decide whether it is smarter to invest in a new well or in new technology that allows them to irrigate more efficiently.

This bill would solve a significant problem by allowing high capacity well permit holders to repair or replace an existing well without hassle. However, in the process of fixing one problem, the bill creates a new one. The bill takes away the DNR's primary window of opportunity to make sure that existing well permits are not over-extending the water supply and jeopardizing neighbors' access to water. It's one step forward, one step back.

We look to you as our elected representatives to pass bills that solve more problems than they create. Luckily, the problem created by the bill's current language is easily fixed. We urge the committee to add a provision allowing for periodic review of all high capacity well permits so that all permit holders are treated fairly and equally.

Wisconsin Farmers Union is a member-driven organization committed to enhancing the quality of life for family farmers, rural communities and all citizens through educational opportunities, cooperative endeavors and civic engagement. Learn more at www.wisconsinfarmersunion.com.



Senator Terry Moulton
Chair, Senate Committee on Agriculture, Tourism and Small Business
Room 310 South
State Capitol

October 7, 2015

RE: Senate Bill 239

Good afternoon Senator Moulton and members of the Committee,

My name is Helen Sarakinos and I am with the River Alliance of Wisconsin. I would like to speak today on behalf of our 2500 individual, organizational and business members statewide. The River Alliance of Wisconsin is sitting before you today as an organization that has protected and restored Wisconsin rivers for over two decades. We have also been deeply engaged in finding reasonable science-based solutions to managing the conflicts around groundwater usage and protection of surface waters. In 2003 we drafted a proposal in partnership with the Potato and Vegetable Growers and worked closely with all the stakeholders in the creation of the Groundwater Protection Act of 2004. My comments will echo many of the others you've heard today in that we are concerned that this proposed bill, as it is written, does not move us toward a fair solution to a growing water crisis in Wisconsin.

Make no mistake, this issue has fired up citizens around the state every time groundwater policy is introduced for one reason: we have a problem that cannot be ignored. In areas around the state, there is only so much groundwater to go around. Today you have citizens from the Central Sands and throughout Wisconsin explaining how they and their families have been impacted by lakes and streams drying up. We are not asking our elected leaders to shut down business or farming or anything, we are not asking you to put a padlock on wells and call it a day. We are asking that our lawmakers treat permits for groundwater pumping as they treat other permits relating to use of water in the state.

Groundwater pumping permits are forever permits and the only opportunity to review them is if a permittee needs to rebuild, move or transfer a permit to a new permit holder. SB239 would remove even this small window of review. If there was a timeline for review of pumping permits or renewal period, the way there is for almost any other permit to use our public water, then the bill before us today would not raise any eyebrows at all. As it stands, these windows for review, rarely to never used, would become important in only the most extreme cases where there is a water shortage.

When a business applies for a permit to discharge wastewater into our waters – called a WPDES permit – that permit is granted on a five year basis – it must be renewed every 5 years. And yet the major industries that rely on these permits being issued – the paper industry, energy utilities, and food processors, just to name a few – have not collapsed under the uncertainty of it. Even permits to build a

dam on our waters have conditions and periods of review: those dams need to be inspected every 5 to 10 years and DNR may require repairs to keep them safe or operational changes to minimize impacts to surface waters. And DNR even has the authority to require fish passage on dams that are having a major negative impact on public waters. Permits for surface water diversions are conditioned upon the stream or lake not falling below an established a public interest level.

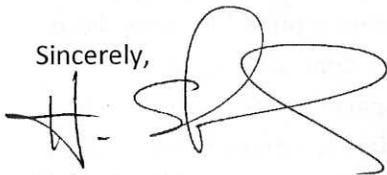
So why is one group of users suddenly demanding special treatment and claiming their industry will grind to a halt without it?

A permit to use water is not a right attached to your land and it is privileged upon not harming others. In some parts of the state, we have a groundwater scarcity and use by some is harming others. Why, in the face of this problem, would we pass a law that locks down the problem further and denies homeowners fairness? Neighboring states have figured this out, why can't Wisconsin?

For this reason, we oppose SB 239 as it stands for taking us backward on fair and sustainable groundwater management in this state. As the committee moves forward we hope the author of the bill will consider modifications that will allow streamlining of well management to happen while ensuring a fair process to evaluate water use into the future.

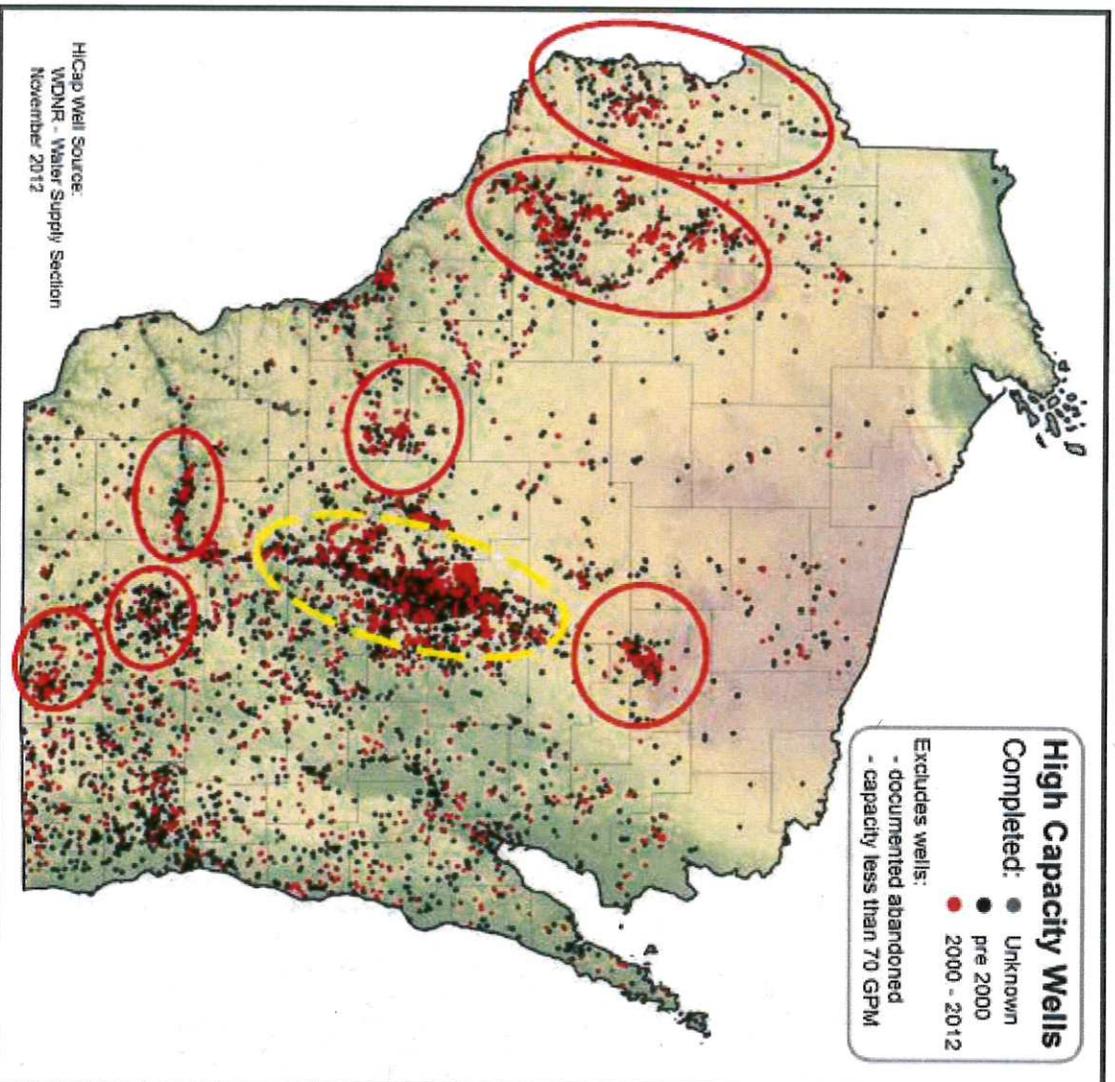
Thank you for the opportunity to speak this afternoon.

Sincerely,

A handwritten signature in black ink, appearing to be 'Helen Sarakinos', written over a horizontal line.

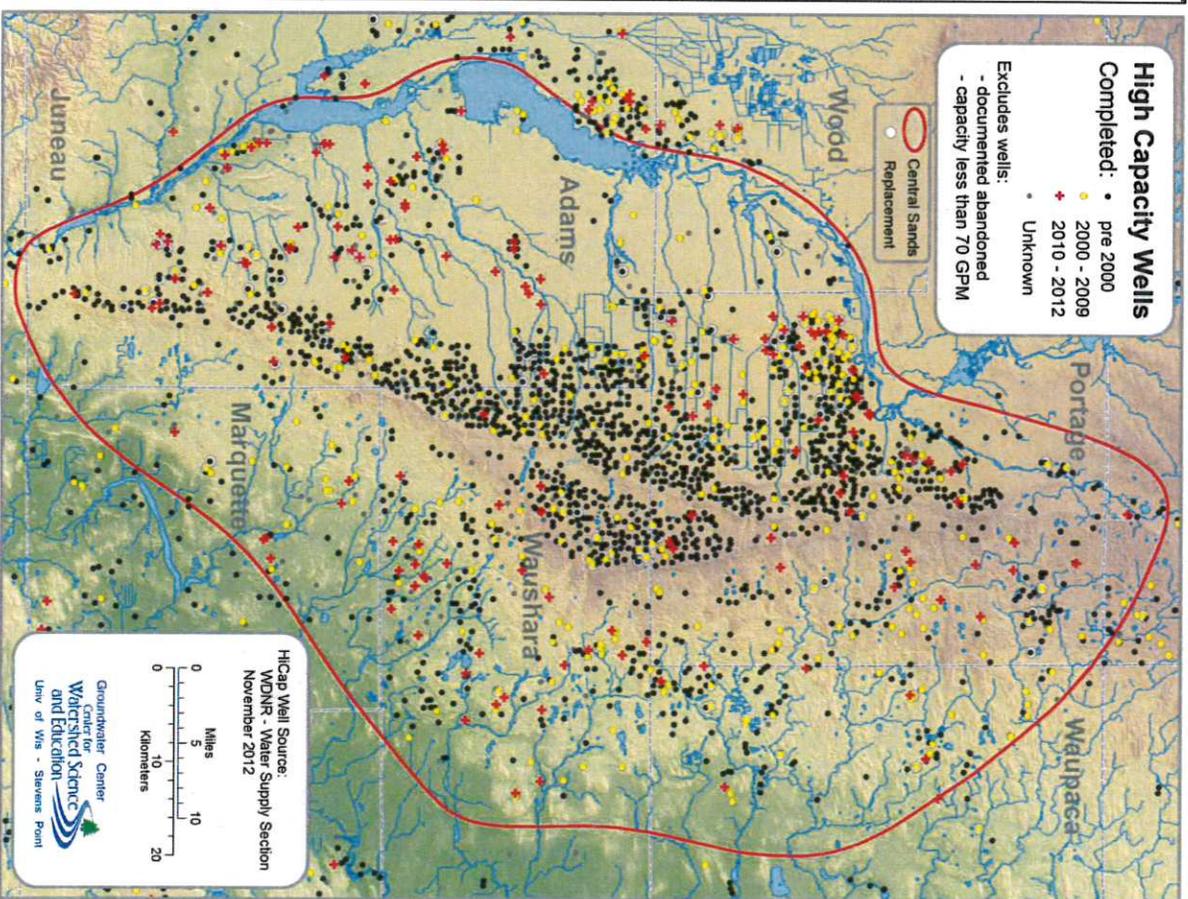
Helen Sarakinos
Policy Director

Change in High Capacity Wells in the Central Sands Over Time

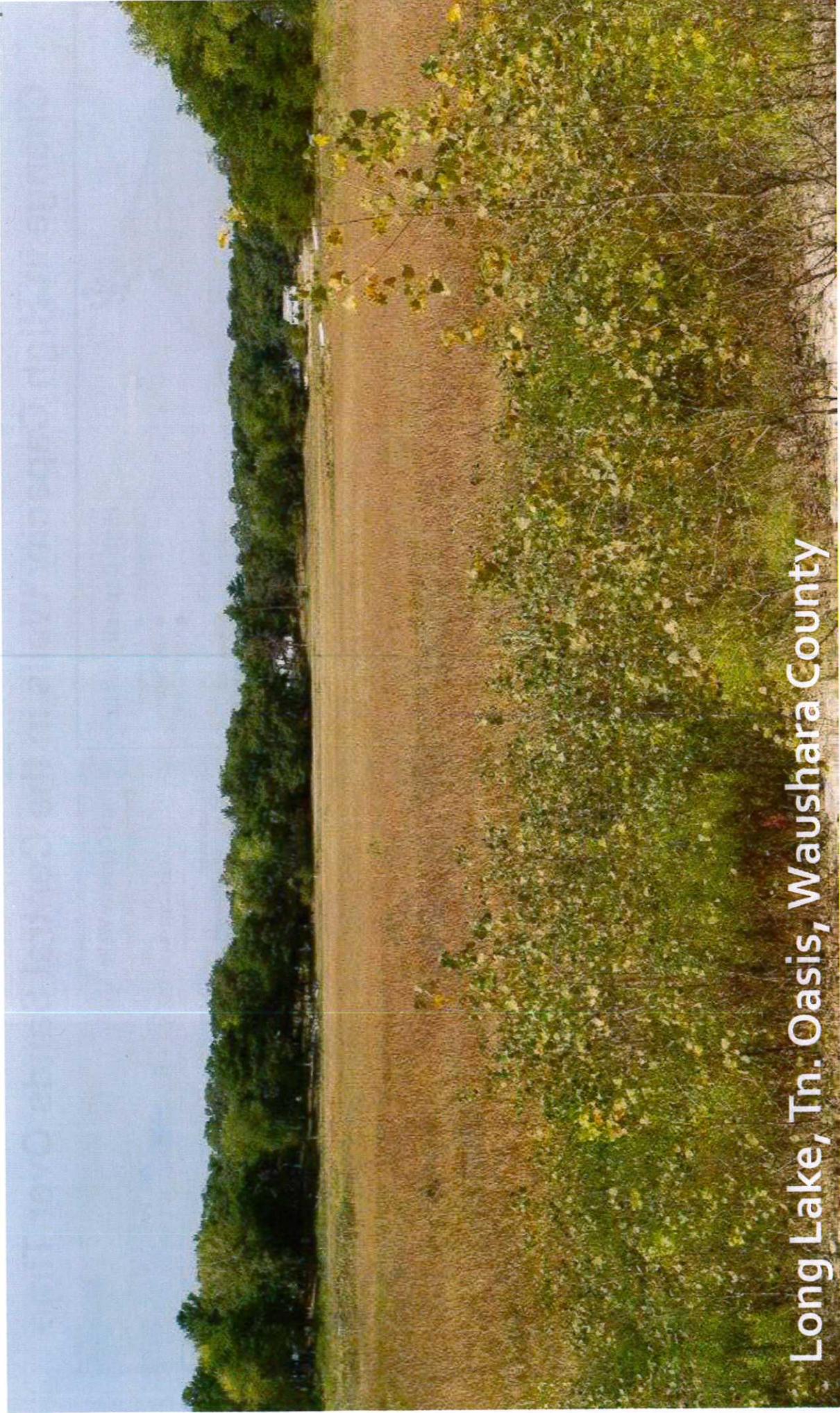


High Capacity wells in WI as of 2012. Red circles denote "hot spots"; ~~blue~~ circle identifies the Central Sands region

yellow

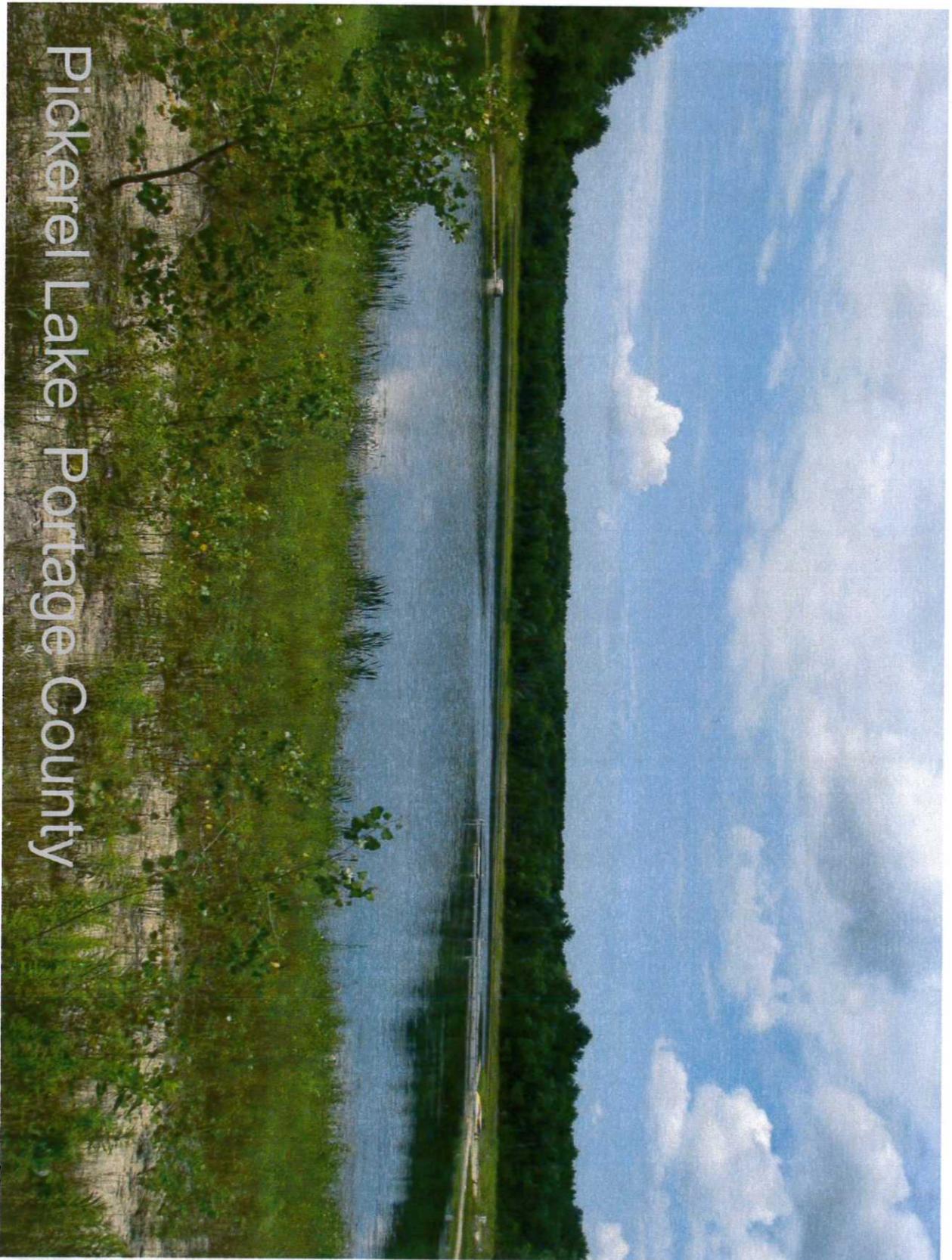


Change in high capacity wells in the Central Sands over time



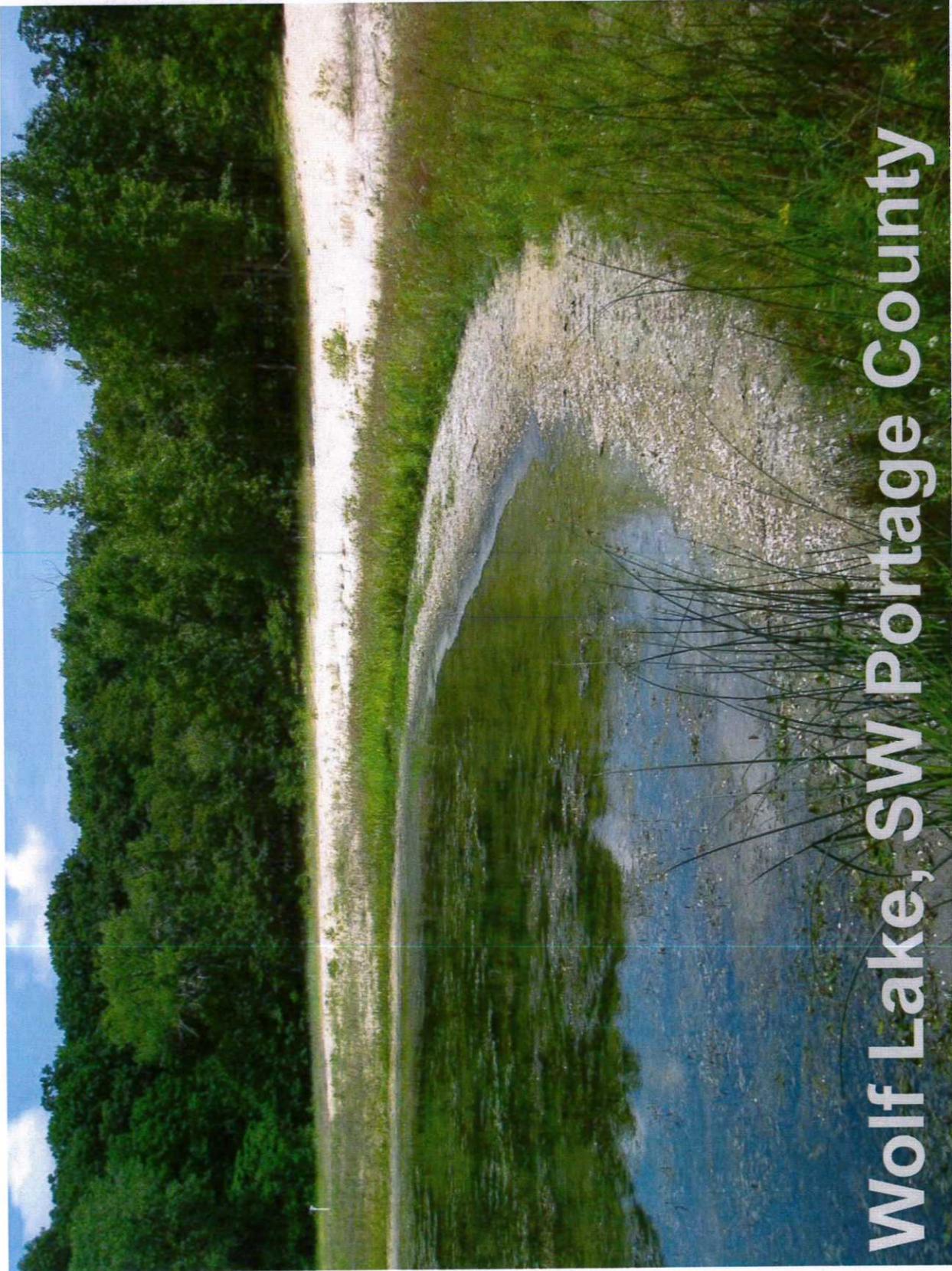
Long Lake, Tn. Oasis, Waushara County

This former trophy bass lake never dried in anyone's memory. It used to be up to 14 feet deep. It now has about 3 feet of water, in it at the deep spot, not enough to support waterskiing and fish.



Pickereel Lake, Portage County

This is the view from the boat landing , now 100 feet from water. The lake now winterkills regularly, and the camp for indigent children (at left) is losing its water front.



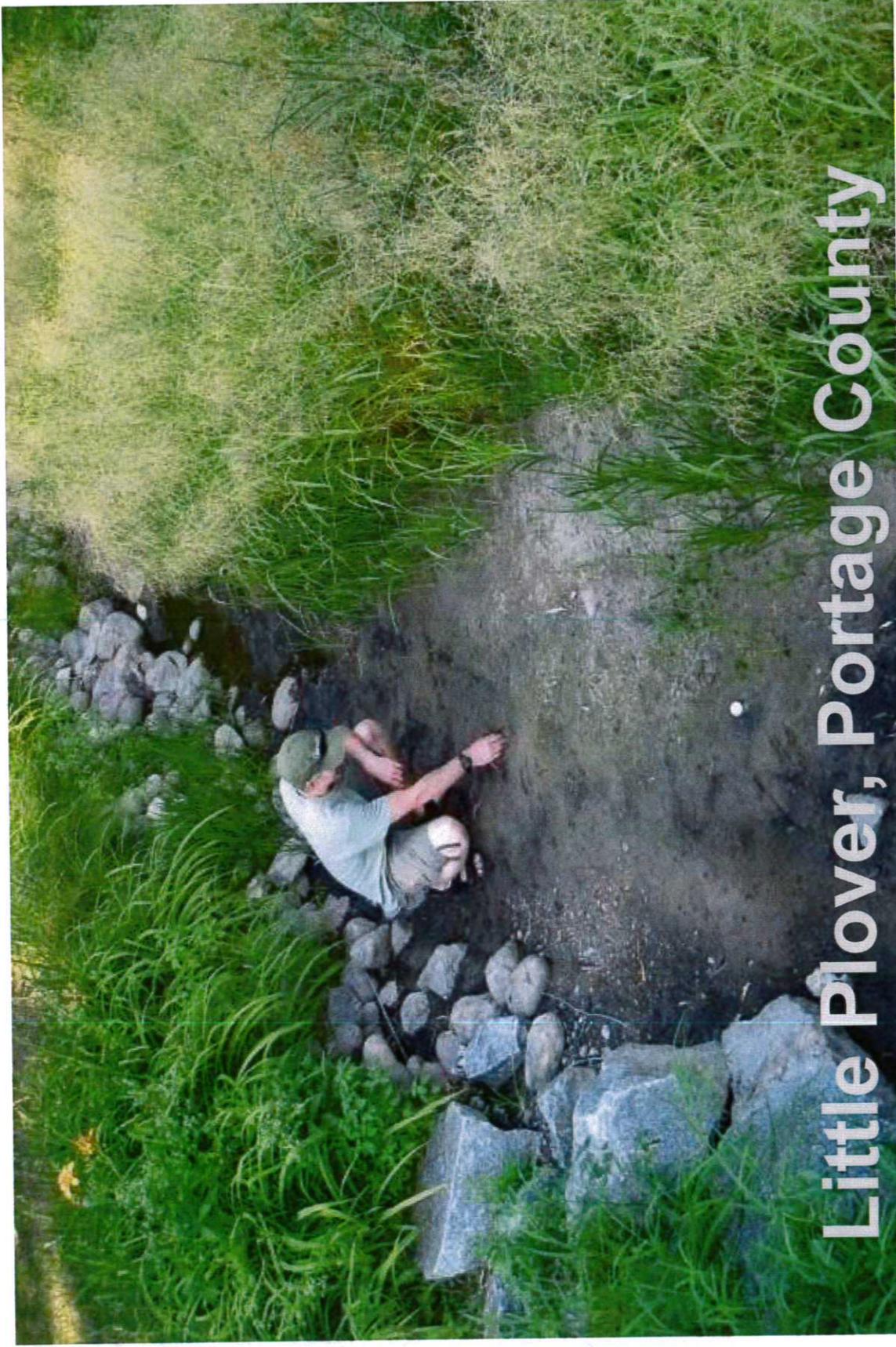
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This used to be a county beach where hundred would recreate on weekends. Water levels are too low for swimming and the county has lost use of its park since 2003.

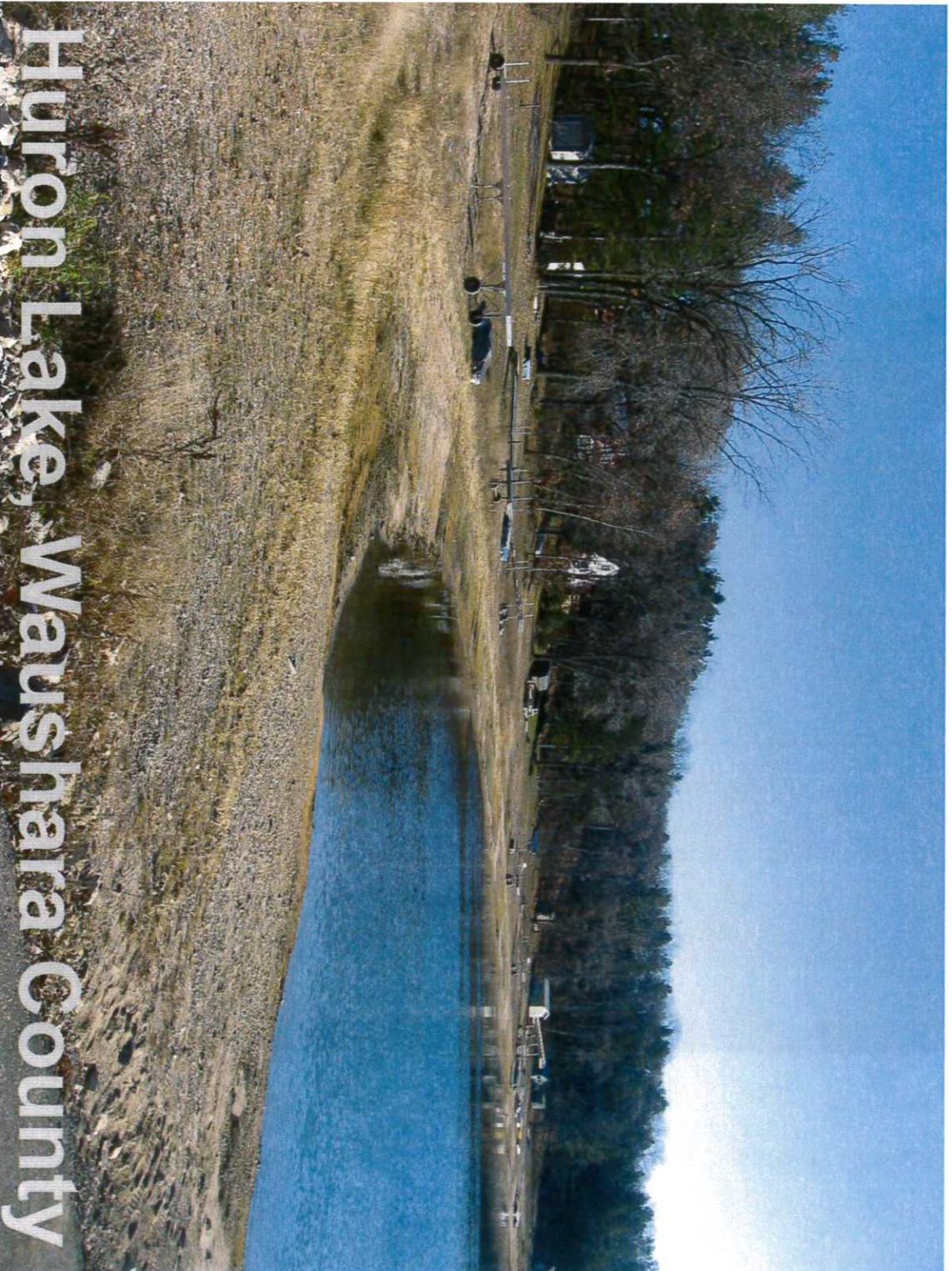


Stoltenberg Cr., Portage Co

This trout stream west of Nelsonville gets shorter and shorter every year as more irrigation wells go in. And it dries in whole reaches as well.



The Little Plover River, a class I trout stream. It dried in sections every year from 2005-2009 due to pumping. It flowed below "healthy levels" (public rights flow) 80% of the time in 2012 and 2013.



Huron Lake near Plainfield. Note where the trees and docks are showing where water levels used to be. This lake supports the cottages of visitors from out of the area who support the tourist economy and tax base. The cottages around this lake supply the same amount of property tax as 40,000 acres of ag land.



Trib of Tenmile Creek, Adams County

Formerly robust stream stretches of trout waters are now regularly going dry during irrigation season. 2013 photo.



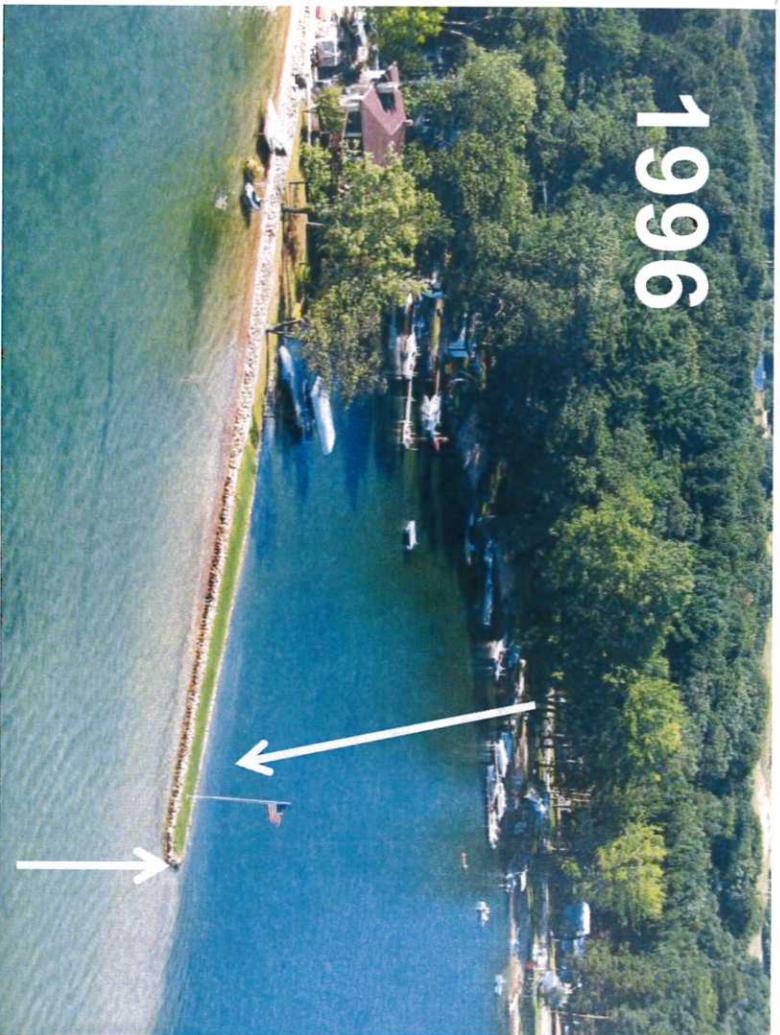
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Near Hancock. Note that the dock is high and dry. The weather has gotten wetter, pumping is the only cause..



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Note tree line where water levels were historically.



1996

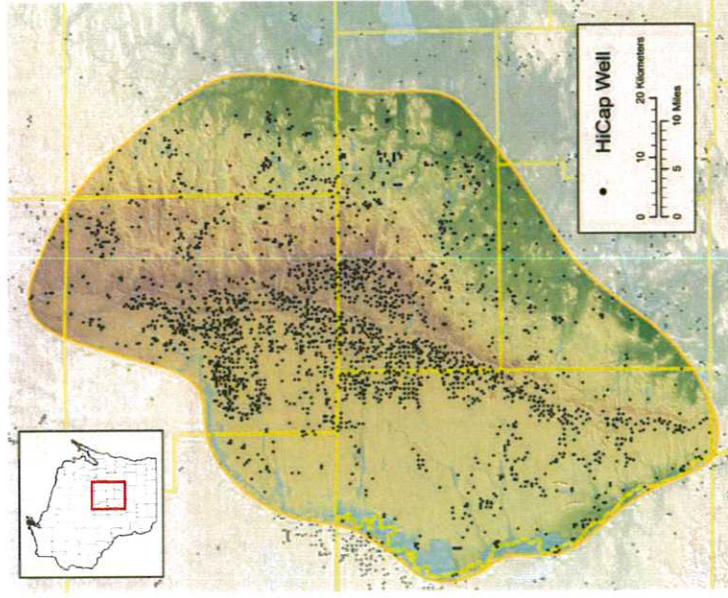
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The Flag didn't move, the
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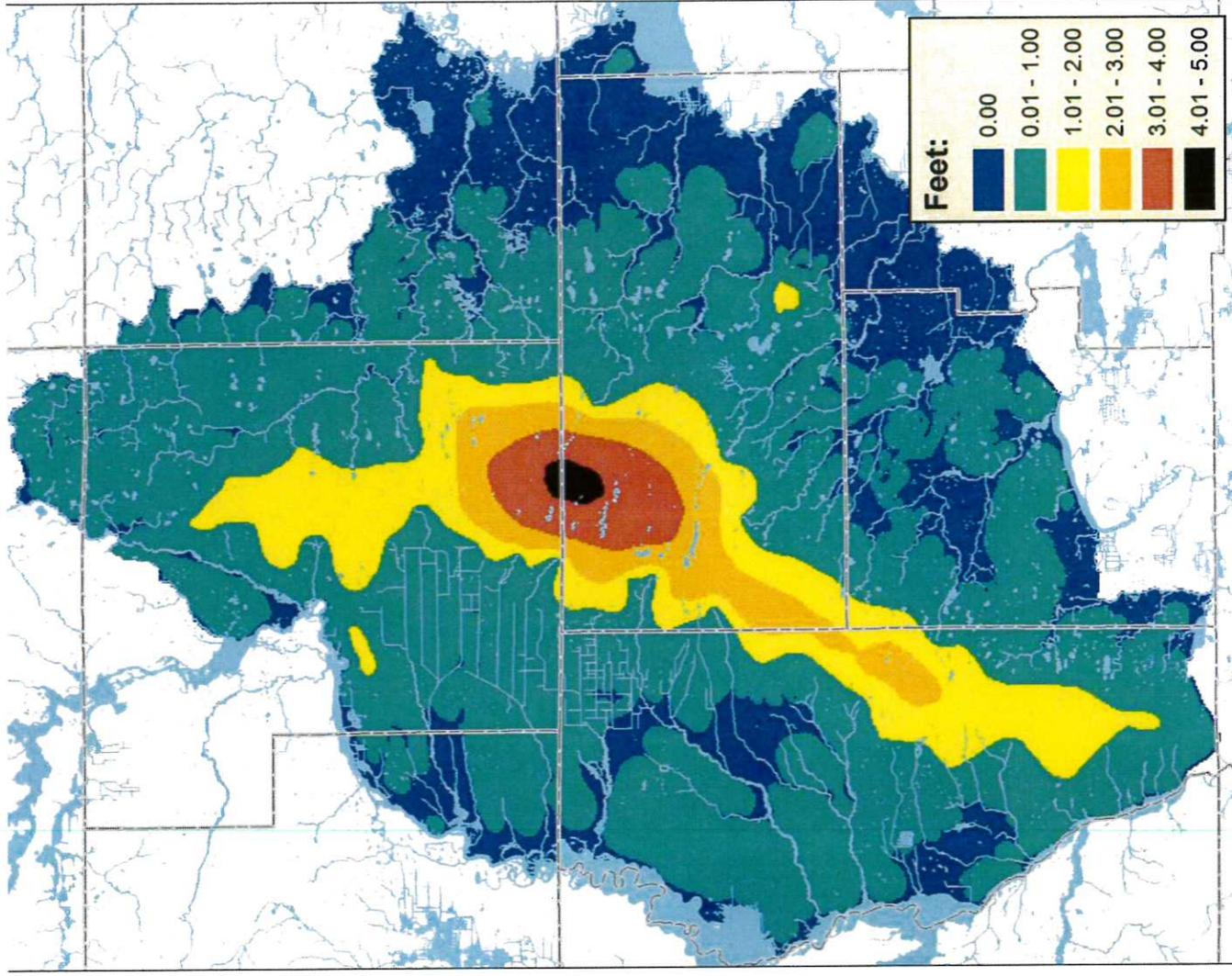


2013

Average Water Level Declines from Pumping in the central sands



LW
Extension
University of Wisconsin-Extension



October 7, 2015

To: Members, Senate Committee on Agriculture, Small Business and Tourism
From: John Manske, Director of Government Relations
RE: Support for Senate Bill 239

Among the members of Cooperative Network are four Farm Credit associations that provide credit and other financial services to farmers and rural residents across the state. Together, AgStar Financial Services, Badgerland Financial, GreenStone Farm Credit Services and United FCS serve over 23,700 Wisconsin customers and work together on state public policy of interest to their members through the Wisconsin Farm Credit Legislative Committee. We appreciate the introduction of SB 239 and today's committee hearing and would like to express support for the bill.

The Farm Credit committee has adopted a policy statement that supports legislation to clarify the permitting of high capacity wells "to ensure that Wisconsin's production agriculture and agribusiness will have access to, and the ability to utilize, the water they need to produce crops and animals for the consumer marketplace." We therefore support SB 239, which is focused on existing wells.

As lenders, our Farm Credit associations have provided credit to farmers based in part on existing farm assets, including wells. It is critical for the producers and their lenders that there is certainty for the replacement or reconstruction of high capacity wells as well as for treatment of permits in the event of a property ownership transfer. The existing uncertainty and unapproved permit applications backlogged at the WDNR is a drag on Wisconsin's vital agricultural economy. We strongly urge your support for assurance of the repair, replacement, reconstruction, and transfer of existing high capacity wells, all of which can be realized through the enactment of Senate Bill 239.

In addition to our Farm Credit members, our dairy and farm supply cooperative members also have an interest in the Legislature addressing the need to restore certainty in high capacity well permitting this session so that the cooperatives' producer-members who need such wells can obtain permits in a timely manner.

Thank you for considering this input.



Oppose Retrograde Groundwater Bill SB239

October 07, 2015

Dear Members of the Senate Committee on Agriculture, Small Business, and Tourism,

My name is Michael Kuhr and I am currently serving as the Vice Chair for Wisconsin Trout Unlimited. As a life-long Wisconsin resident, I've always been drawn to water. My favorite childhood memories are filled with times spent exploring our lakes and rivers.

I've grown into an avid fisherman and enjoy chasing trout, muskies, bass, and panfish. Proximity to water is one of the reasons my wife and I have chosen to raise our children here in Monona. Our vacation plans are often made based on which body of water we can canoe on, fish in, or hike by.

We are not alone in our passion for recreating in Wisconsin waters. According to the American Sportfishing Association (2013 – "Sportfishing in America" Report), Wisconsin ranks 3rd in the nation in the number of non-resident anglers. In all, recreational angling in Wisconsin generates over \$2.2 billion dollars of economic impact per year. This tourism industry directly supports small businesses in our local communities.

I (and my children) have seen the bubbling upwelling in the headwaters of a trout streams. We've seen groundwater pouring out of a rocky outcropping, constantly feeding our waterways. We understand the connection between groundwater and surface water.

This bill seeks to eliminate the only real chance we have at reviewing and analyzing the effects of existing high cap wells on our waterways. From the outside, it appears to favor agricultural users over small businesses, the tourism industry, and local citizens. Wisconsin would be better served if all these groups were at the table working to ensure future access to clean water.

It is my belief that in the future our kids and grandkids will not fight wars over oil... they will fight over water. Legislation like Senate Bill 239 will only serve to hasten these fights. Don't let this happen on your watch. I urge the committee to oppose Senate Bill 239.

Thank you for your time and for your commitment to public service.

Sincerely,
Mr. Michael Kuhr
6103 Queens Way
Monona, WI 53716
mikek.trout@yahoo.com
(414) 588-4281



WISCONSIN WILDLIFE FEDERATION

1540 W. James Street, Columbus, WI 53925 • (920) 623-9975 • (800) 897-4161
www.wiwf.org

AFFILIATED WITH THE NATIONAL WILDLIFE FEDERATION

President:
George Borchert
7420 South Hwy 45
Oshkosh, WI 54902
920-688-3122
geo44@charter.net

October 7, 2015

First Vice President:
Bill Tollard
4630 Friedrich Avenue
Omro, WI 54963
920-379-3429
bill@adashumjones.com

Testimony of the Wisconsin Wildlife Federation on Senate Bill 239----High Capacity Wells

Second Vice President:
Gary Dieck
E2326 Crandall
Woneewoc, WI 53968
(608) 464-3290,
GDieck@centurytel.net

1. Representing 195 Hunting, Fishing and Trapping Groups

Treasurer:
Dave Verhage
2610 Lanaeh Lane
Plover WI 54467
715-344-3497
DavidDebiV@charter.net

2. Please support Private Property Rights, Protection of Wisconsin's Lakes and Streams and Hunting, Fishing and Trapping Rights by Opposing SB 239

Secretary:
Jack Nissen
1811 W. Ottawa Avenue
Dousman, WI 53118
262-370-8154
countyhighway@yahoo.com

3. The attached pictures describe the problem better than any words can.

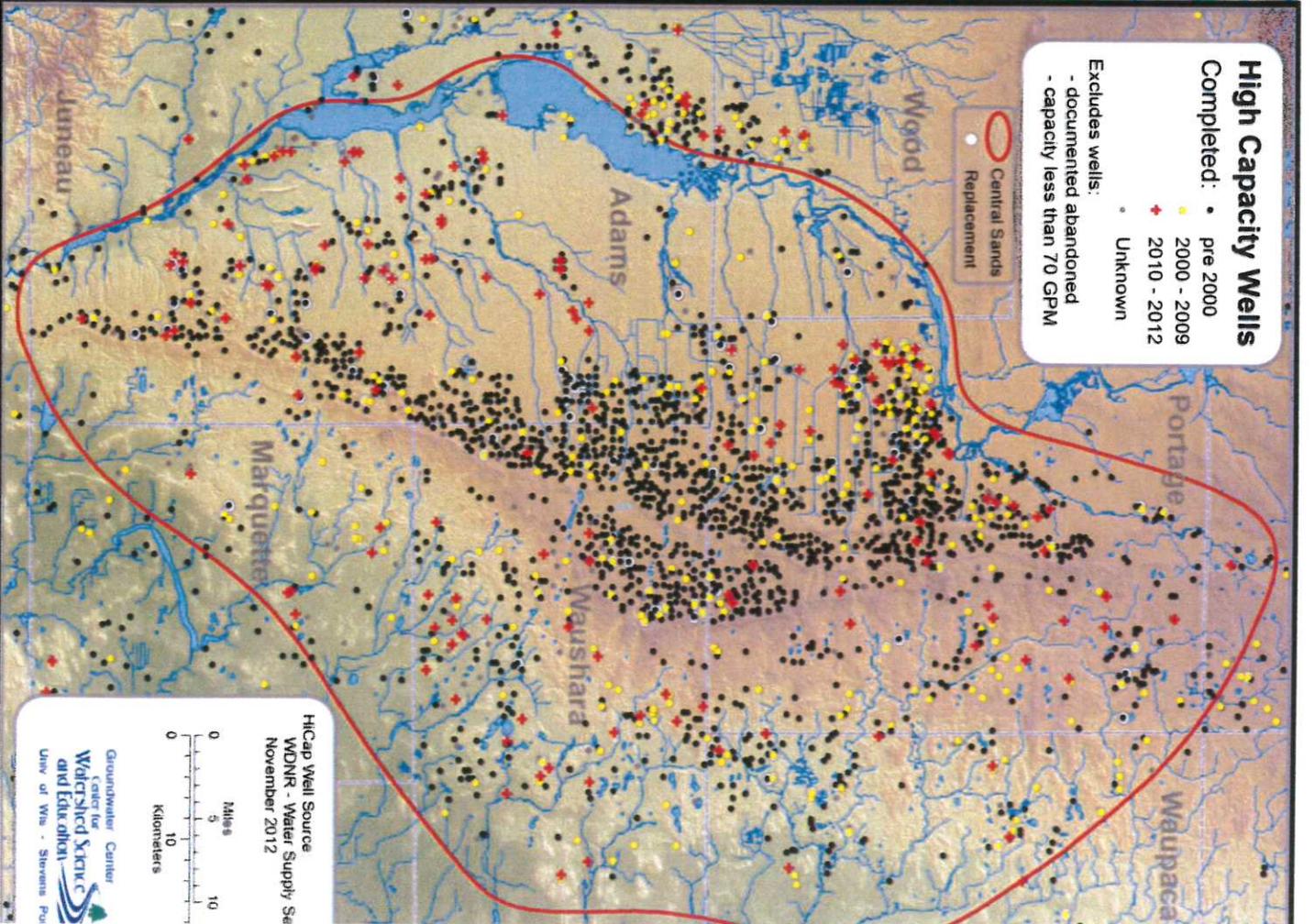
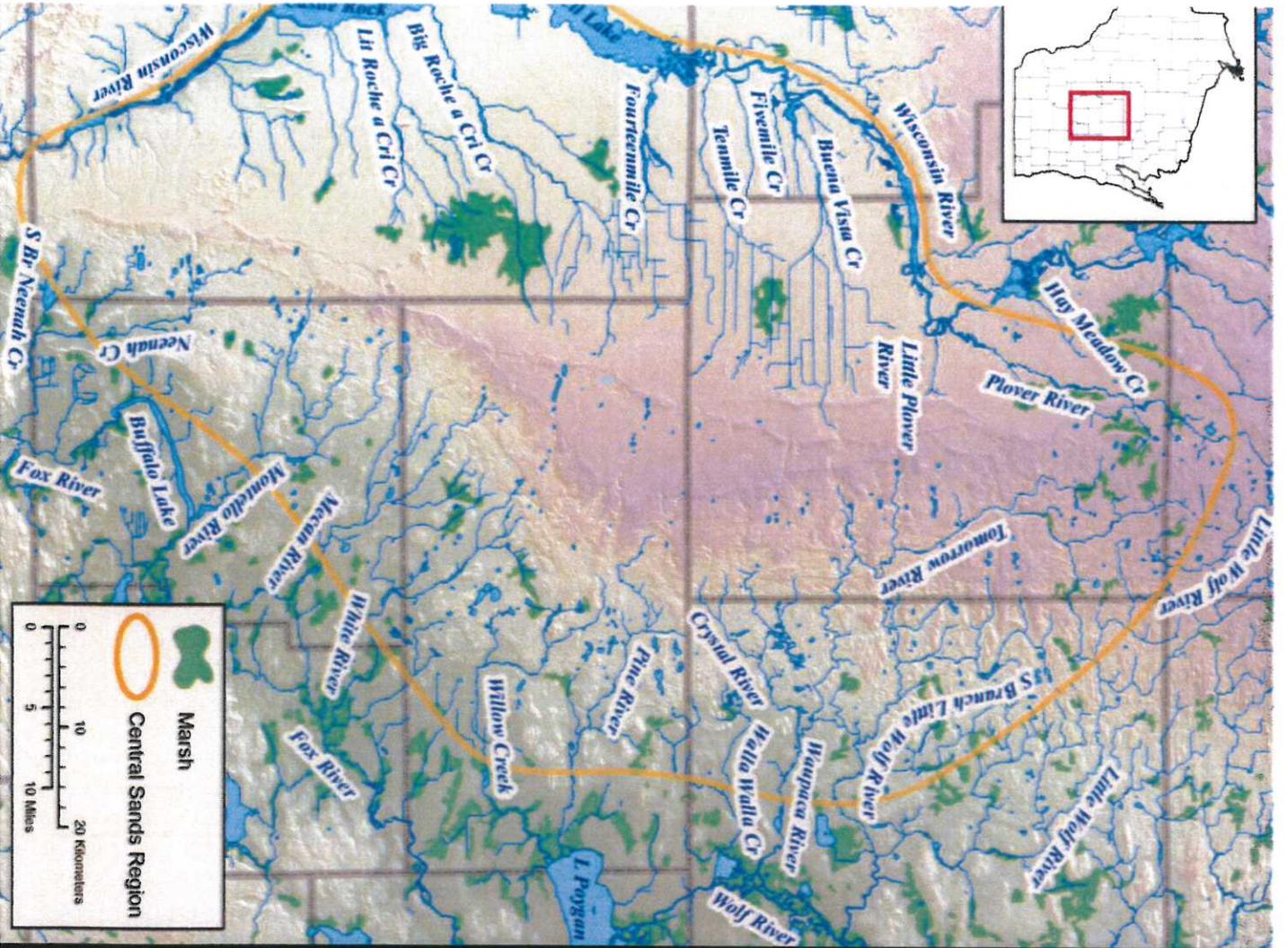
Submitted by George Meyer, Executive Director, Wisconsin Wildlife Federation

Past President:
John Wagner
828 A S. Silver Lake St.
Oconomowoc, WI 53066
262-490-7213
ext2022@sbcglobal.net

Executive Director:
George Meyer
201 Randolph Drive
Madison, WI 53717
608-516-5545
georgemeyer@tds.net

Business Manager:
Kim Lang
1540 W. James St., Suite 500
Columbus, WI 53925
920-623-9975
kim@wiwf.org

**Central Sands lakes and rivers affected by
excessive groundwater pumping**



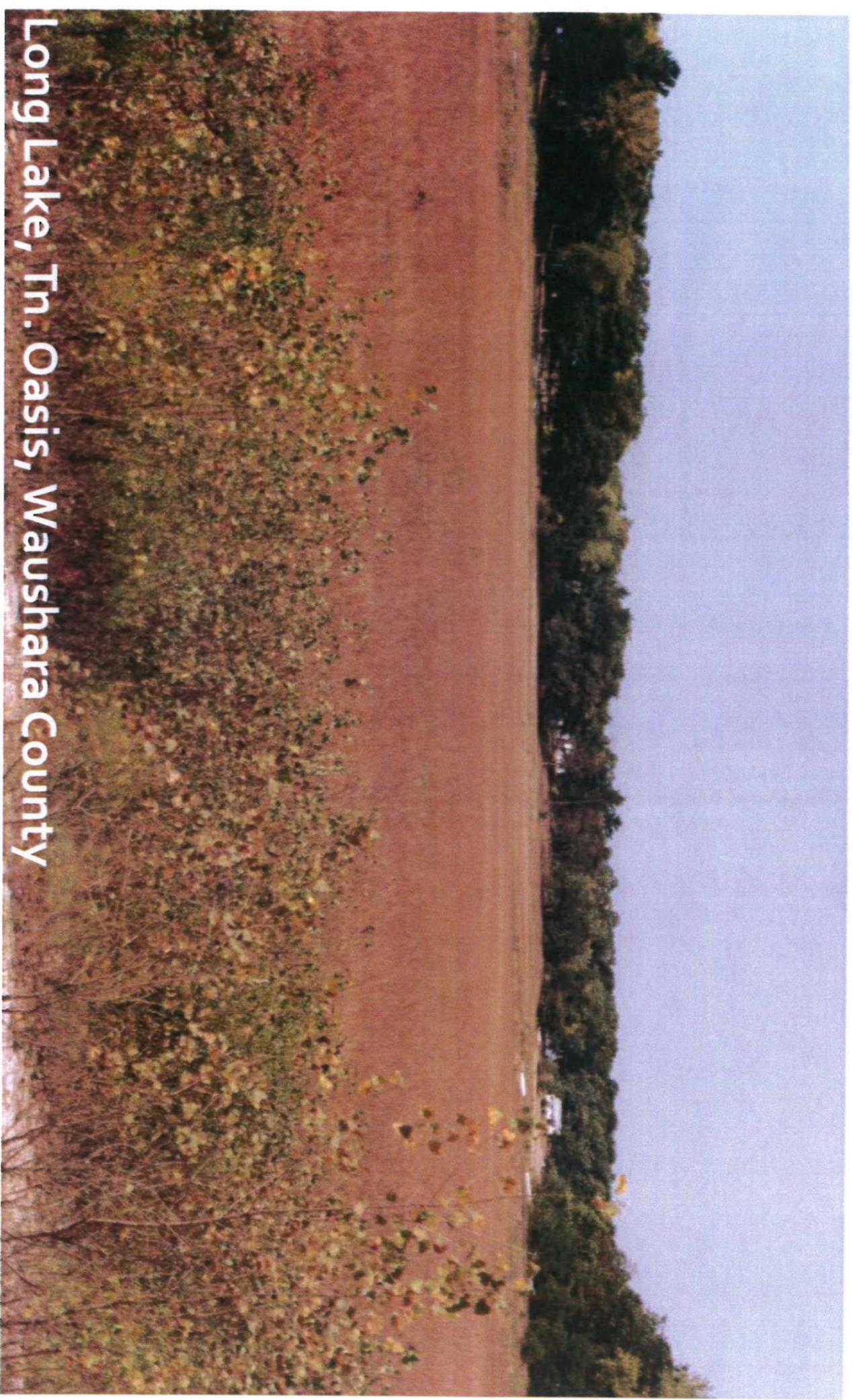
High Capacity Wells

Completed: • pre 2000
 • 2000 - 2009
 + 2010 - 2012
 • Unknown

Excludes wells:
 - documented abandoned
 - capacity less than 70 GPM

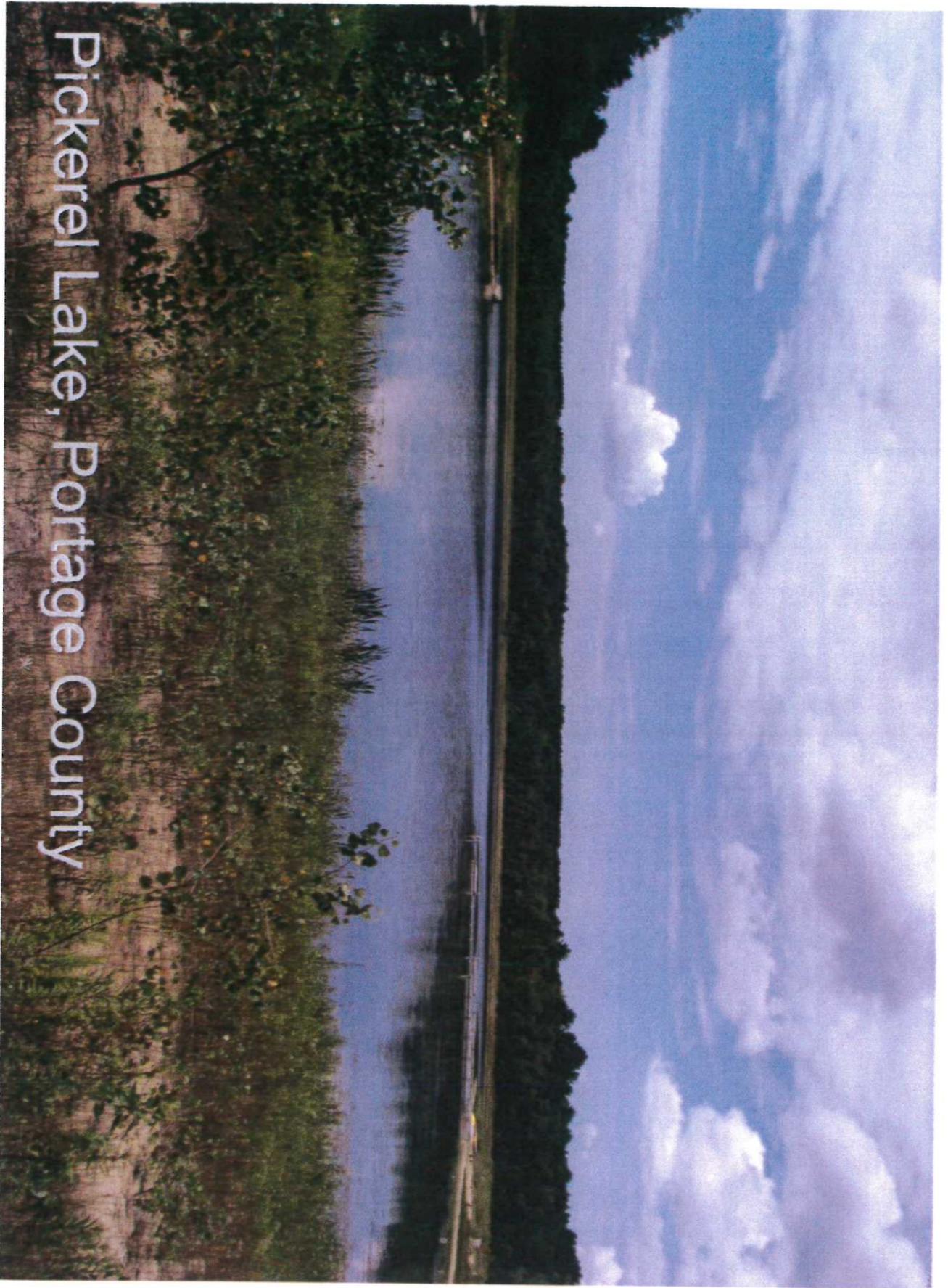
HiCap Well Source
 WDNR - Water Supply Section
 November 2012

Groundwater Center
 Center for
 Watershed Science
 and Education
 Univ. of Wis. - Stevens Point



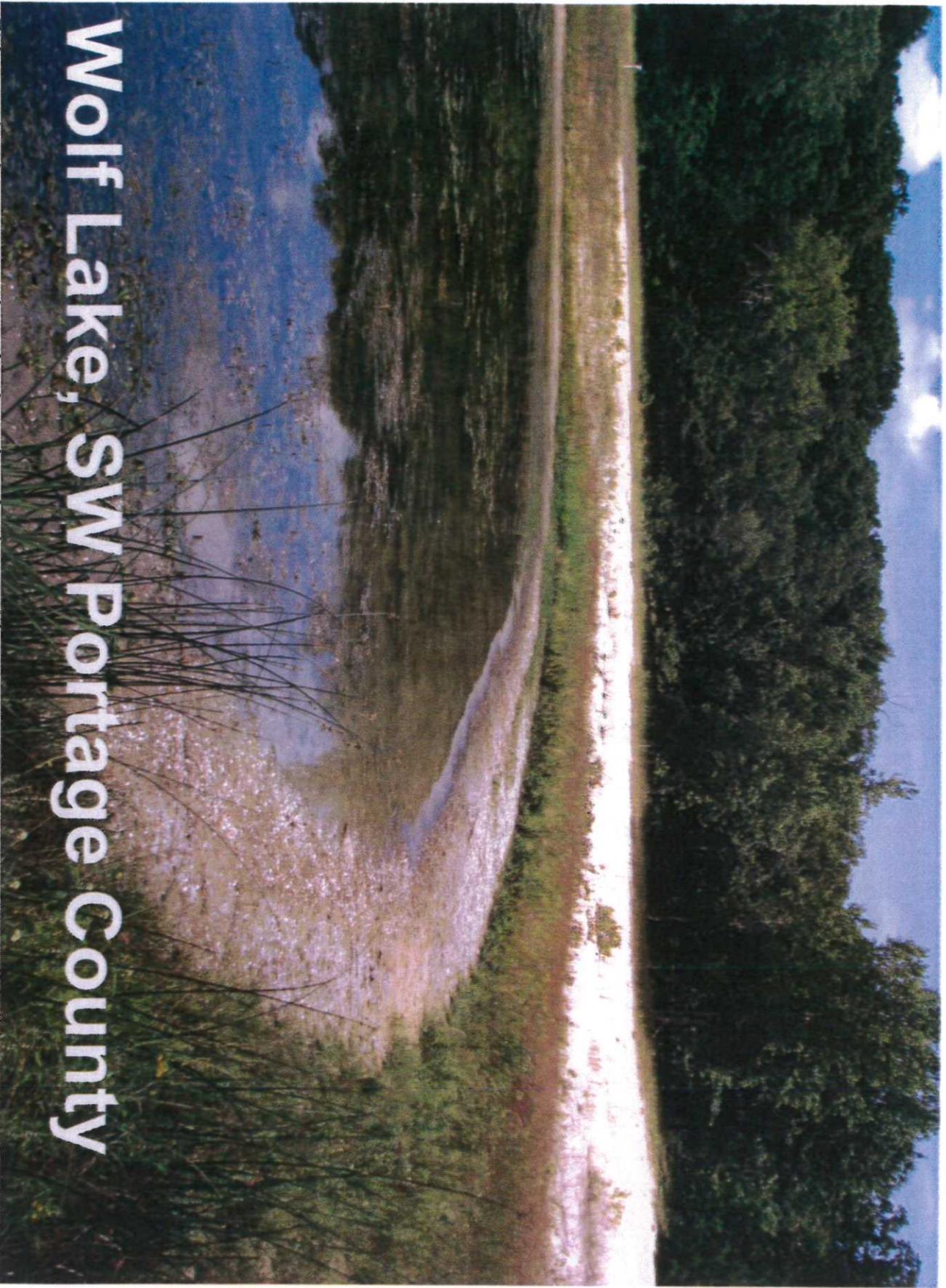
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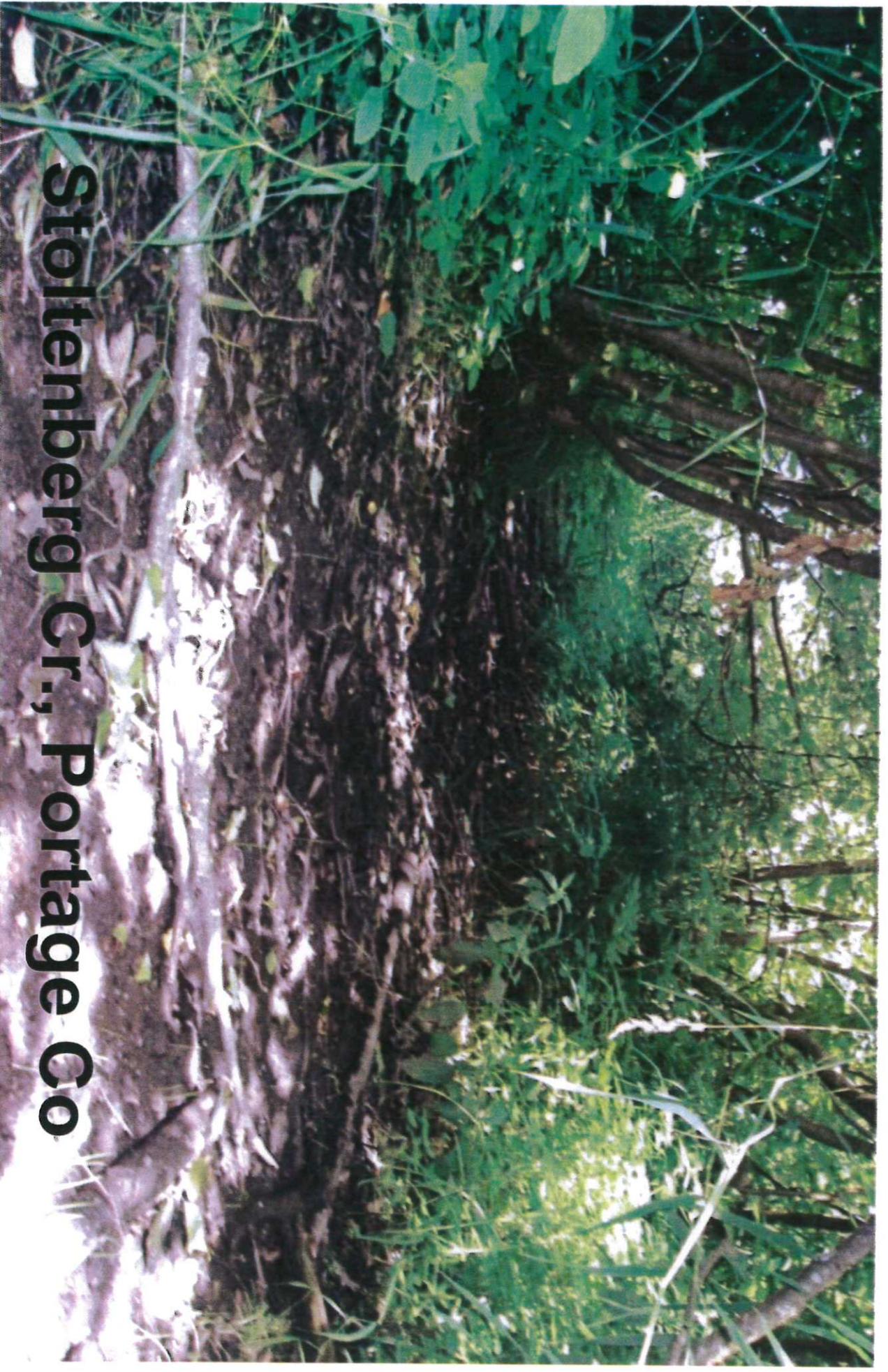
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This is the view from the boat landing , now 100 feet from water. The lake now winterkills regularly, and the camp for indigent children (at left) is losing its water front.



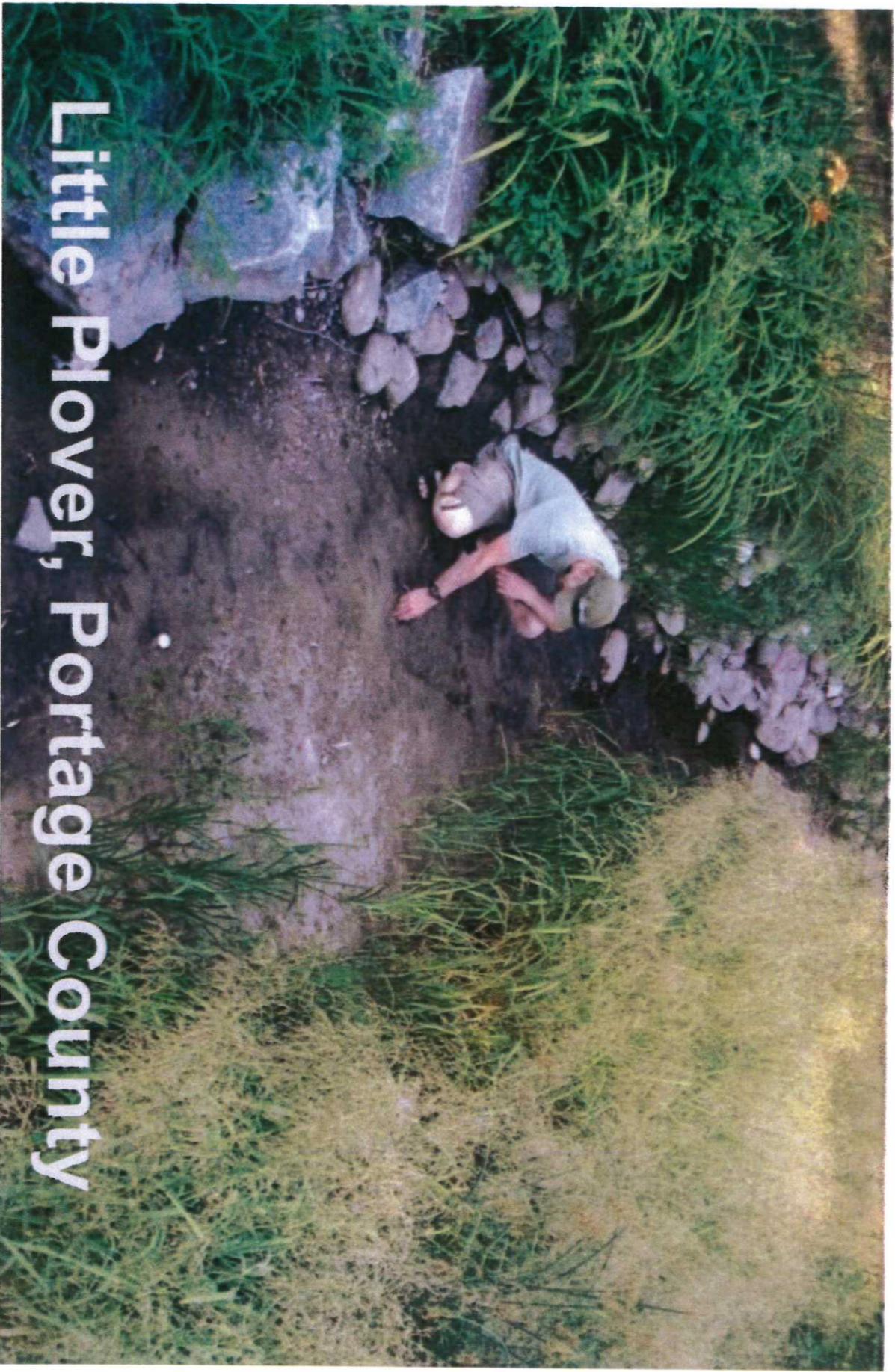
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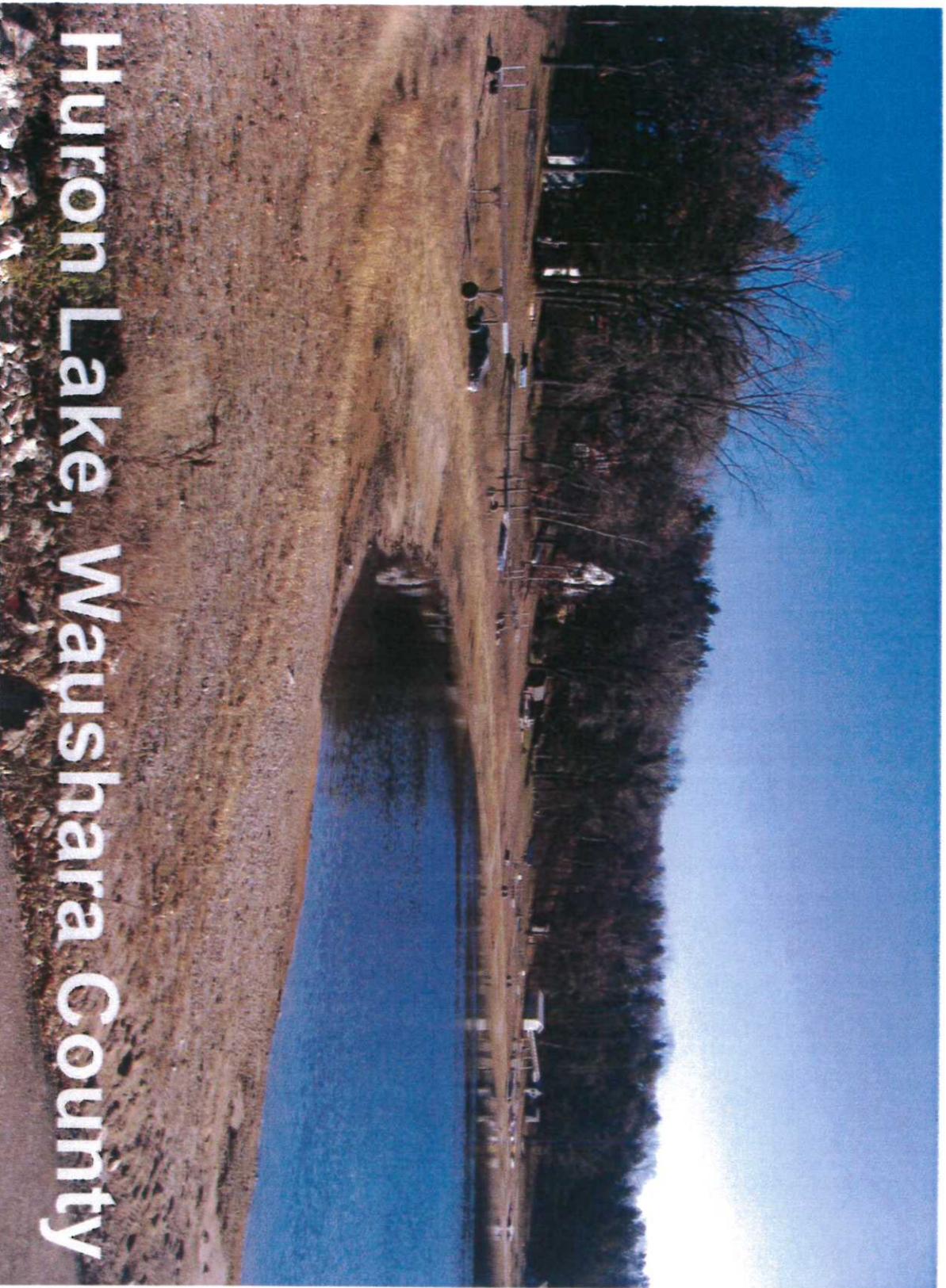
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Huron Lake near Plainfield. Note where the trees and docks are showing where water levels used to be. This lake supports the cottages of visitors from out of the area who support the tourist economy and tax base. The cottages around this lake supply the same amount of property tax as 40,000 acres of ag land.



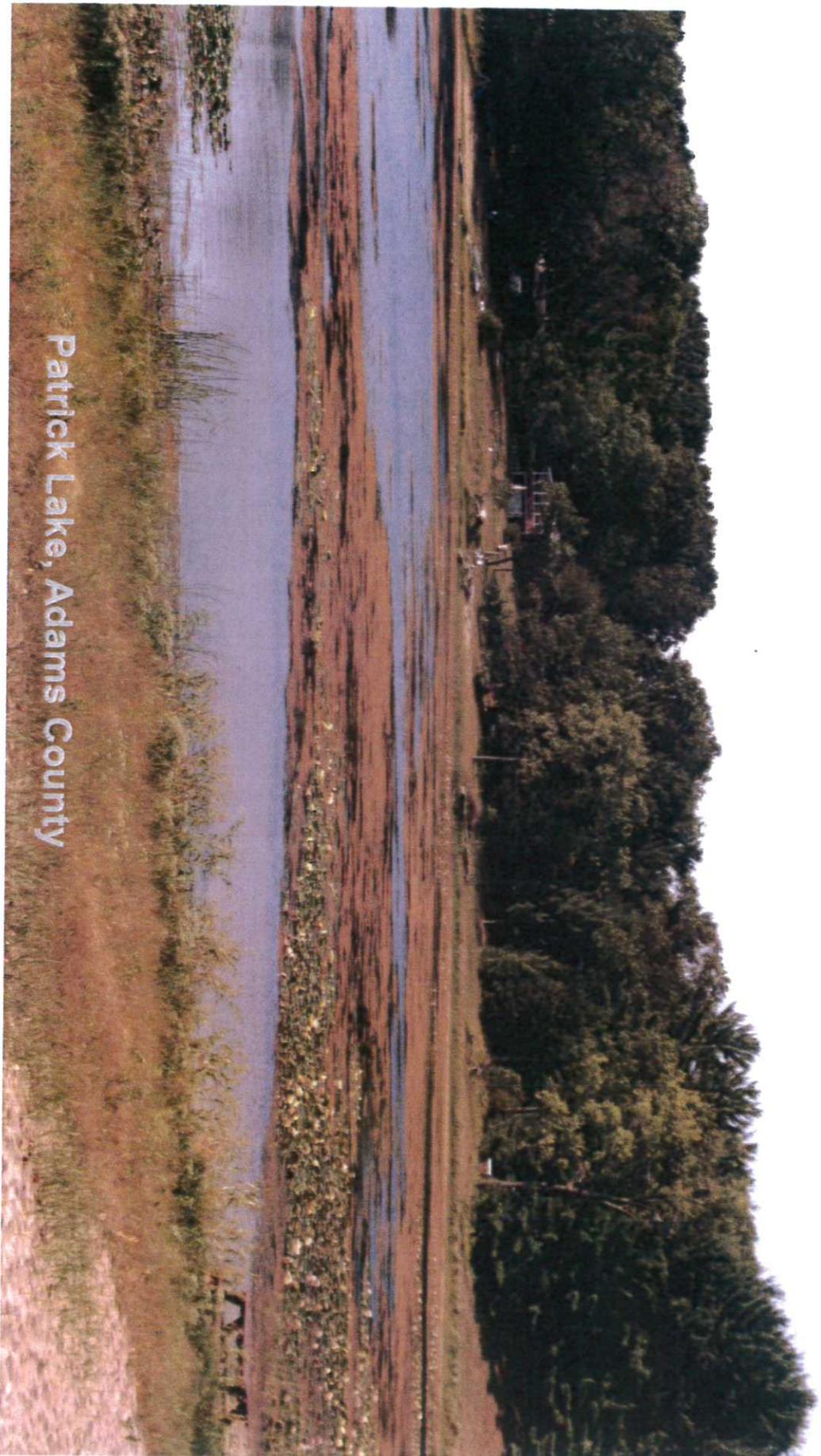
Trib of Tenmile Creek, Adams County

Formerly robust stream stretches of trout waters are now regularly going dry during irrigation season. 2013 photo.



Pine Lake, Waushara County

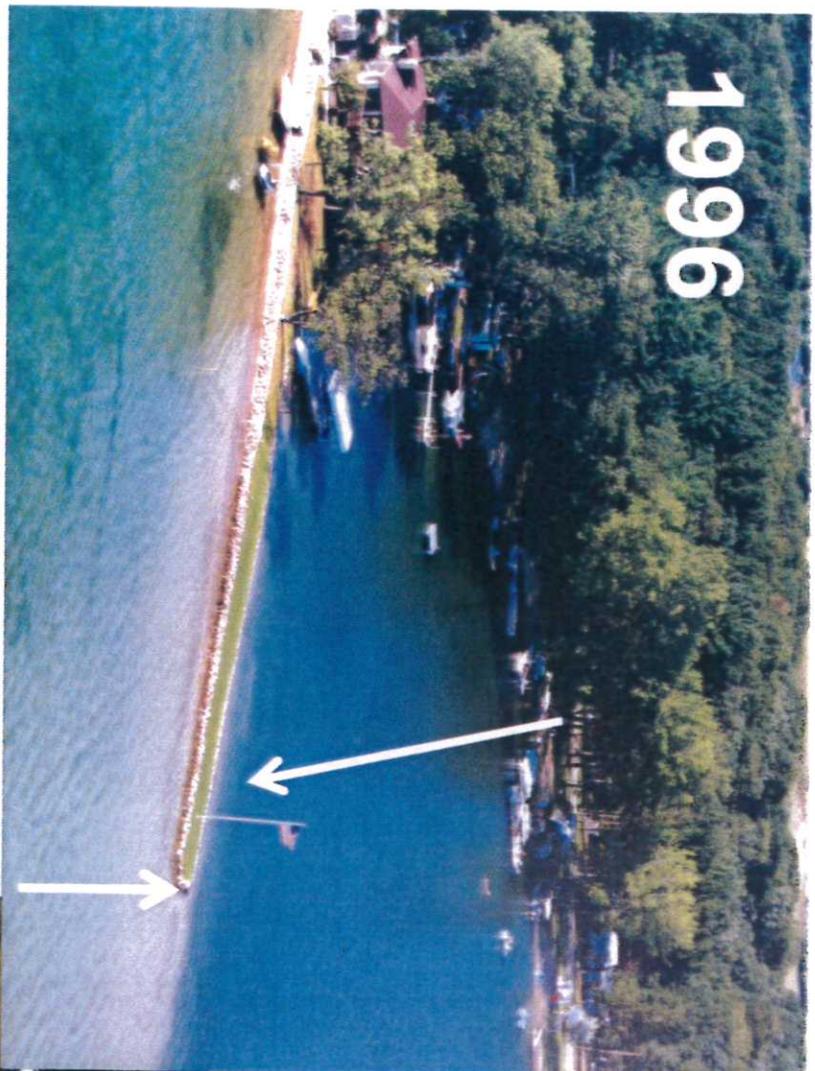
Near Hancock. Note that the dock is high and dry. The weather has gotten wetter, pumping is the only cause..



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Note tree line where water levels were historically.

1996

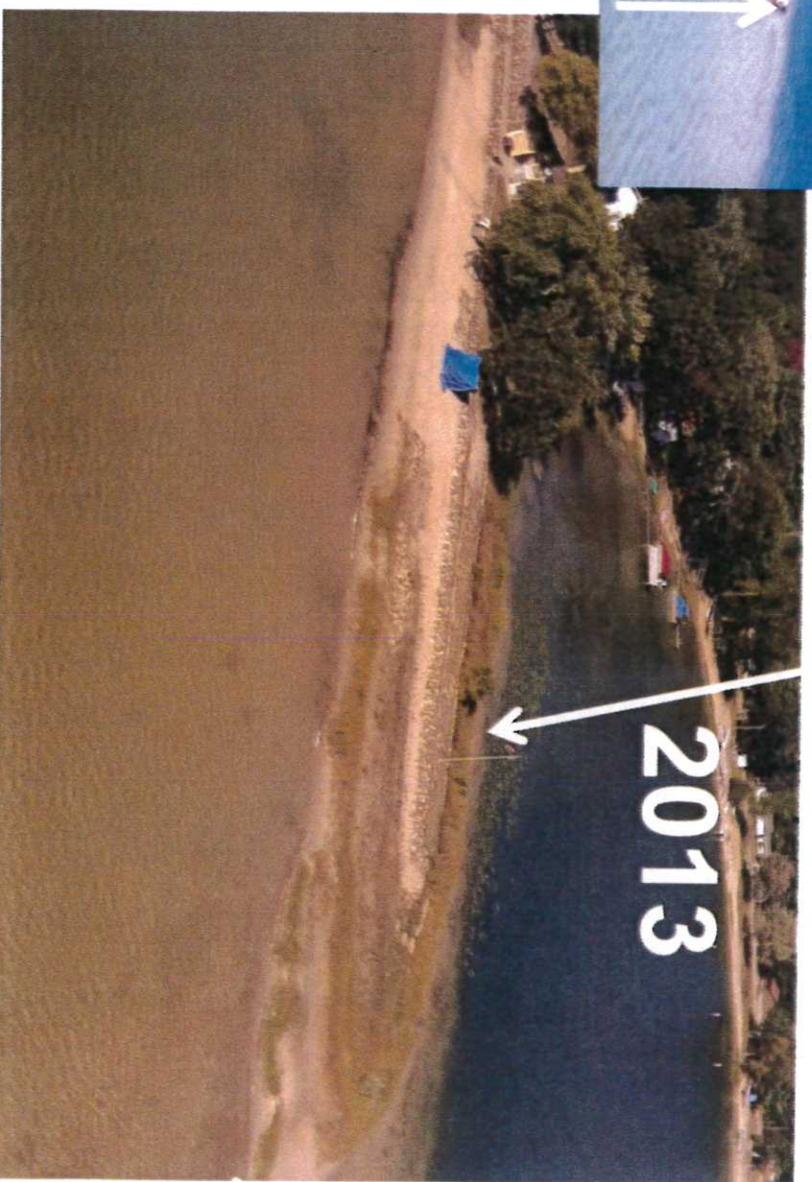


**Pleasant Lake,
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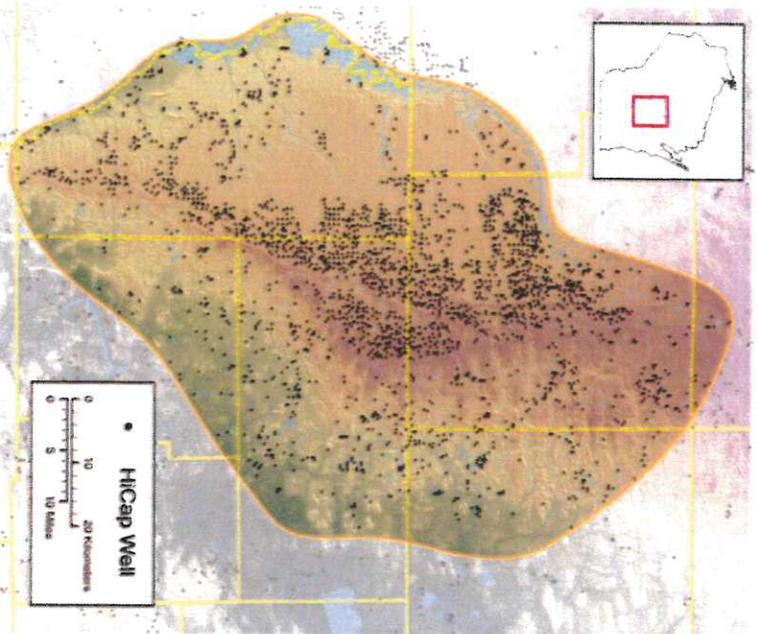
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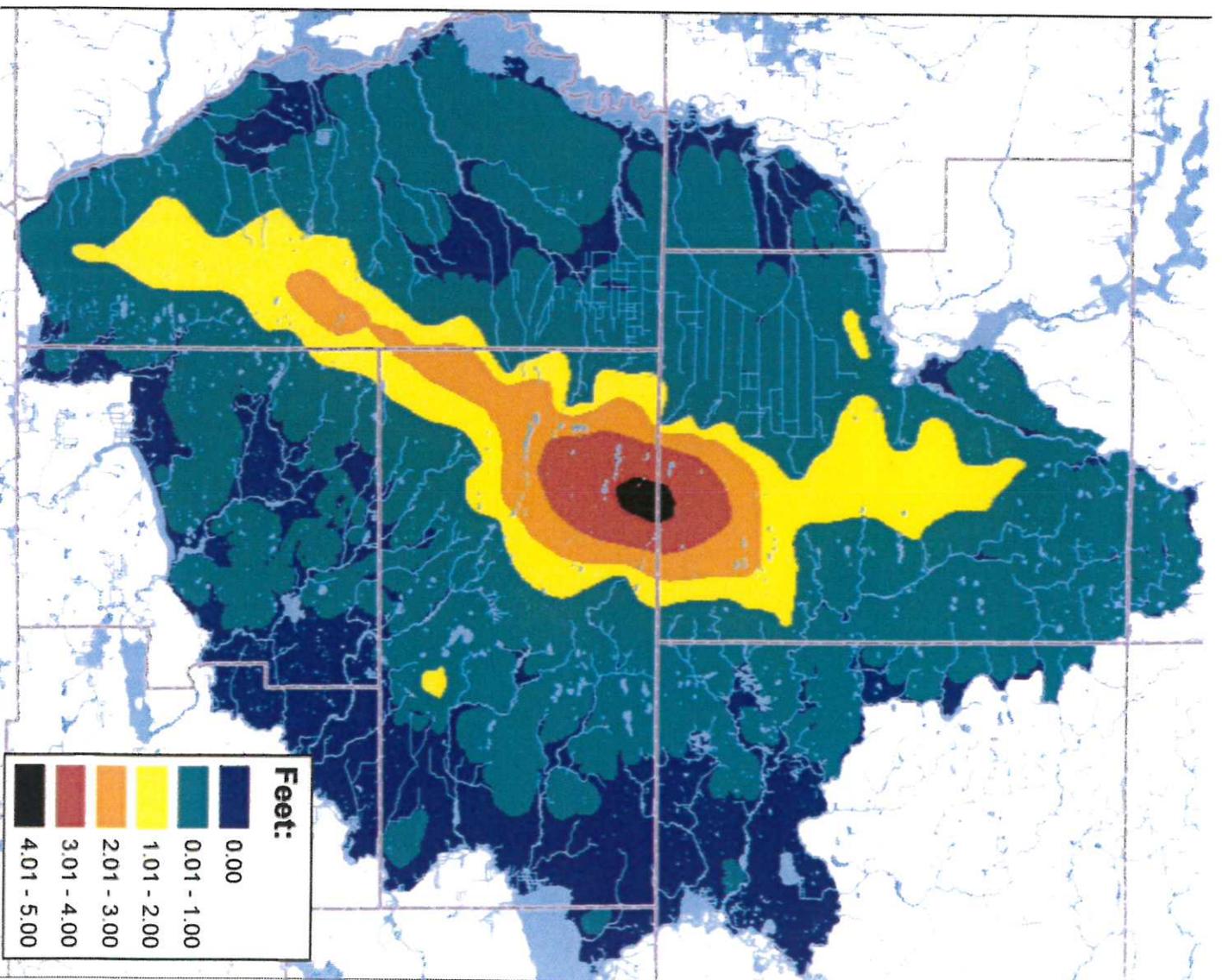
2013



Average Water Level Declines from Pumping in the central sands



UW
Extension
University of Wisconsin—Extension



October 7, 2015

Senator Moulton

Members of the Committee on Agriculture, Small Business and Tourism

My name is Carol Elvery, I live on Shadow Lake in Waupaca. I oppose Senate Bill 239.

Thank you for the opportunity to testify today.

We retired and moved to Waupaca from Illinois twenty years ago so we could enjoy Wisconsin lakes and rivers. We enjoyed countless hours of joy and peace, though now we are concerned. Though my lake has not been affected by this groundwater crisis, so far, I have friends who have been impacted greatly by the problem. The first time I visited a friend who lives on a lake just south of Waupaca, she had a lovely lakeshore, a beach that the grandkids love to play on and a pontoon boat at the end of the dock to take the family for rides. In a couple of years, the dock had to be extended in order to reach the water and the boat. In recent years, her waterfront has totally disappeared, her dock is "a dock to nowhere" and the boat has been sold since there is no way to get to it. This spring, her property value was decreased and her property taxes were lowered. She said she was worried it would get worse. The nearby farm was sold last year. This year the new owner had irrigation rigs where previously there had been none.

All of us have an equal right to the water, farmers and all the other people of Wisconsin. Is it fair that farmers can take so much water that my friend's lakeshore disappears? Or that a fisherman's favorite trout stream dries? What in this legislation gives ME certainty that my lake won't be next?

SB239 does nothing to serve all water users, it only cements the farmers' right to the public's water into the future.

We need a groundwater management bill that provides mechanisms to insure that water is shared fairly between farmers and those who have invested in waterfront property and those whose lives depend on the recreational use of our waterways.

Thank you.

Carol Elvery
Waupaca WI 54981

Barbara Gifford
2421 Rainbow Drive
Plover, WI 54467
barbaragifford@charter.net

- My name is Barbara Gifford
- Thank you for the opportunity to express my concerns in opposition to Bill 239.
- I have always supported all thoughtful, factual and temperate dialogue in search of a way forward and I believe Bill 239 does not move us as a state FORWARD.
- I am a riparian property owner on a "Historic Trout Stream" in Portage County . . . the Little Plover River.
- I am not a professional speaker
- I am a retired owner of three businesses I tell you this so you know I do understand the complexities involved.
- But I am a Grandmother and, ladies and gentlemen, I am very worried
- I have lived on the Little Plover River for almost 40 years One cannot live on a body of water, be it river or lake, and not know when something is wrong, very wrong
- I taught my grandson and granddaughter to fish on the Little Plover River.
- I taught them to kayak on the Little Plover River.
- They learned by experience the wildlife wonders of a gentle river and its wetlands.
- They were always in search of some new discovery on the Little Plover River.
- We were in the river at sun up and night fall, listening to the sounds of river life and, of course, roasting a marshmallow or two.
- Then things changed, a great deal and now my 5 month old granddaughter may never have those experiences on the Little Plover River.
- The Little Plover River is one of the most studied rivers in America, since before the 1960s and many Wisconsinites have witnessed its decline. The stories are many:
"Between 300 and 500 men and boys fished the Little Plover River when the season opened at midnight." *The Gazette, April 15, 1895*
- Then in 1997 (that's 18 years ago) I read a commissioned report that predicted the "Historic Dry Up" of the Little Plover River if increased growth in pumping by high capacity wells continued unabated. . . would occur in 2005. Pumping continued to grow and in 2005 sections of the river did go dry.

- The 2005 dry-up prompted the formation of the Friends of the Little Plover River (10 years ago.)
- The science was sound before 1997, correct in 1997 and was spot on from 2005 to 2015 regarding what was plaguing the once splendid Little Plover River. We did nothing then and we have yet to do anything now.
- We commend the beginning of voluntary efforts like those of Del Monte, but they alone were not enough then nor are they now. After 18 years of stalling we are still waiting and this river cannot wait any longer. Nor should any Wisconsin citizen have to wait for the restoration and protection of that which is theirs under the Wisconsin Public Rights Doctrine . . . our waters of Wisconsin.
- Computer groundwater modeling has shown a direct correlation between Little Plover River depletion and the growth of High Capacity Wells.
- In 2009 the DNR established the "Public Rights Flow" for the Little Plover River and now we have a science-based tool to guide the enforcement of this minimum flow.
- The Wisconsin Geological and Natural History Survey has now completed the long awaited, state of the art, Little Plover River Modeling Study which can be used to determine the appropriate science-based means to save, restore and protect our lakes and rivers.
- It is way past the time of denial, we must embrace the science.
- If you pass this bill you will virtually be signing into law the death of the Little Plover River and other lakes and rivers already in peril.
- This bill is about "grandfathering" in FOREVER all current High Capacity Wells without even any review now and into the future as to what harm they may do to our groundwater, the life blood of 89% of Wisconsin lakes, rivers and drinking water.
- This Bill 239 does nothing but embrace the past and the status quo It does nothing to move Wisconsin forward.
- How we deal with water today depends on how you want to be remembered by future generations . . . with gratitude or with disdain The time is now to solve this problem . . . we all need to come together.
- It gives one pause if one considers what a future without water looks like . . . all else would pale in comparison.
- Water will be like "Liquid Gold" of the future . . . even now we see this today.
- I would like to conclude with some good news . . . the level of Water Conservation and Public Awareness has dramatically increased . . . more people know what groundwater is and water is a common topic of conversation.



WISCONSIN LAKES

We Speak for Lakes!

4513 Vernon Blvd., Suite 101, Madison WI 53705
608.661.4313 ~ 608.661.4314 fax
info@wisconsinlakes.org

TESTIMONY TO SENATE COMMITTEE ON AGRICULTURE, SMALL BUSINESS, AND TOURISM IN OPPOSITION TO SB239

Presented by Michael Engleson, Executive Director
October 7, 2015

Thank you for the opportunity to testify today on SB239, a bill that would virtually eliminate any opportunity to review the impact of a high capacity well in the future. Wisconsin Lakes is a non-profit conservation organization whose membership is primarily waterfront property owners, and lake associations and districts who in turn represent over 80,000 citizens and property owners. On behalf of these groups, who care deeply about lake health and the environmental, economic, and cultural benefits they bring to Wisconsin, I am here today to express Wisconsin Lakes' opposition to this bill, and to urge all of you all to vote against it.

High-capacity well permits do not expire. Because this bill prohibits the state from reviewing those permits for their impact, either singularly or in concert with other area wells at either the time the wells are repaired, reconstructed, replaced, or transferred, under this bill there would be no time when the wells' impacts would ever be reviewed. In effect, this creates a perpetual water right for the permit holder, more akin to the dry states of the western U.S. than the reasonable use standard embedded in Wisconsin law. The problem created by the bill is not so much because review should happen at the time of repair, reconstruction, replacement, and transfer, it's that with this bill the *only times when review currently occurs* is being taken away.

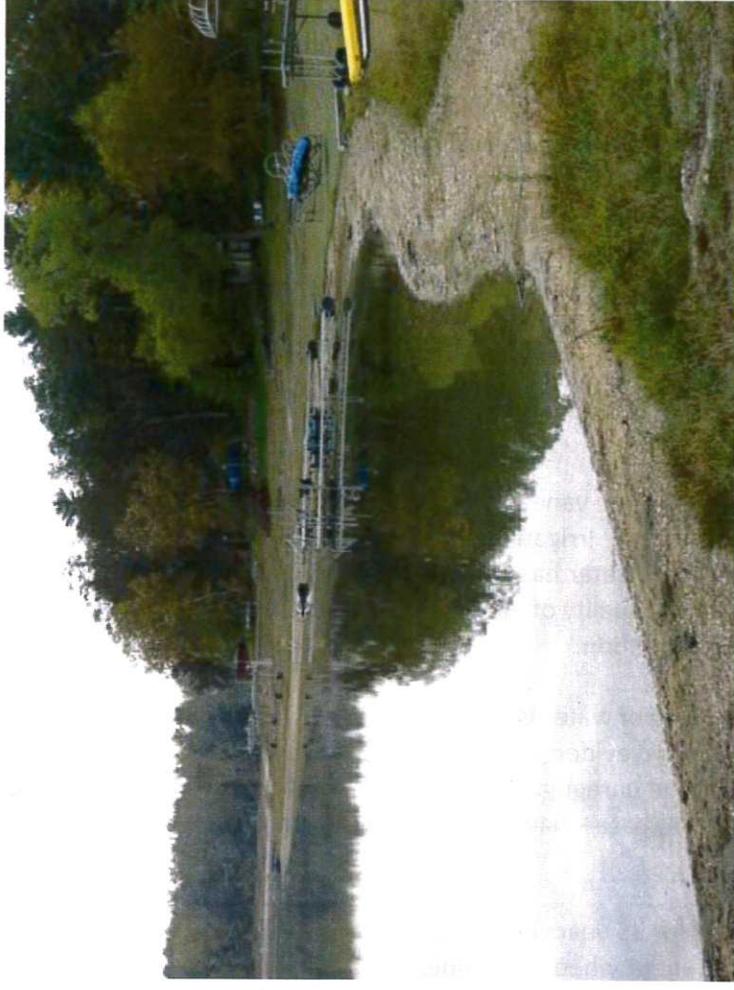
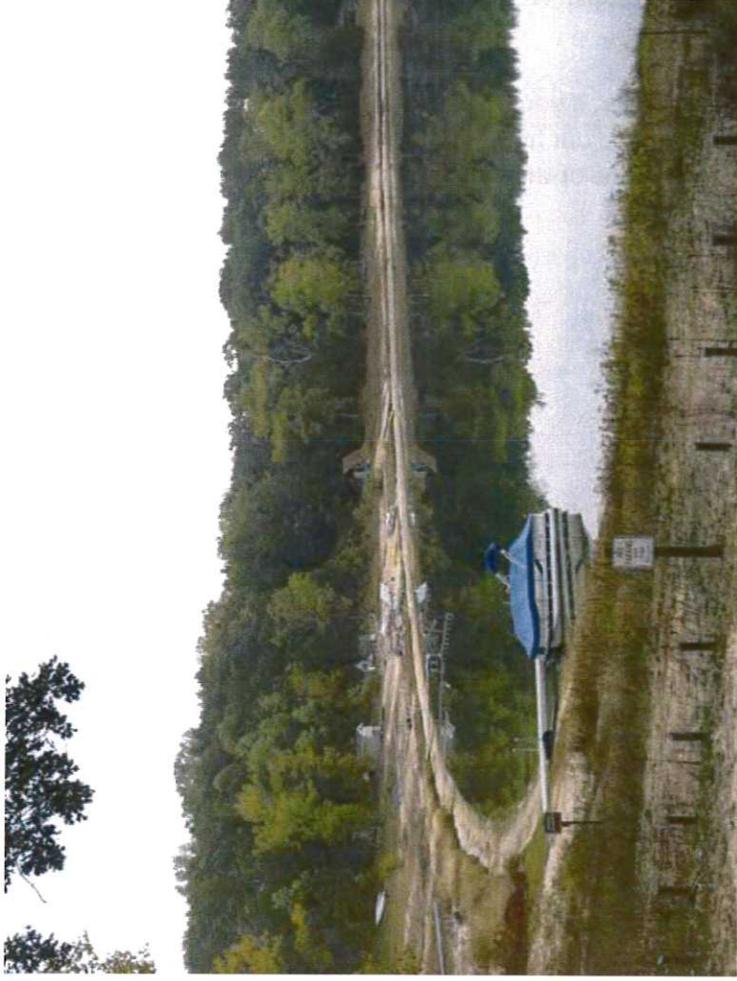
Under this bill, if a growing number of wells in a particular geographic area impacted the water levels in local lakes and rivers, a permitted high capacity well would just keep on pumping. If a new business needing a well wanted to locate in an area lacking water to support another well, that business would likely be out of luck and would locate somewhere else, limiting growth in the local economy. If a family farm's wells started to run dry, other permitted high capacity wells in the area could just keep on pumping - though if there was no longer enough water to satisfy that right to pump, lawsuits among competing users would certainly arise. In fact, if I was a waterfront property owner watching my lake drain away before my eyes, along with my property value, I would be asking myself why *I* don't have the legal right to that water, to a full lake, since I was using that water first?

Let's say a family of four orders a pizza, which comes cut into 12 slices. Because one brother is at a late football practice and not eating with the family, Dad declares "everyone here gets four pieces!" Under the rationale of this bill, if that brother comes home early, he gets no pizza, because the four slice allowance is never subject to review. Brother is plum out of luck. That's not a very fair way to run a family. And unless high capacity well permits are given some other form of reasonably periodic review, allowing repair, reconstruction, replacement, or transfer of wells without review isn't a very fair - or sensible - way to manage Wisconsin's waters either.

Wisconsin Lakes urges you all to stand for a reasonable and fair management of our waters, and to reject SB239.

Wisconsin Lakes is a statewide nonprofit organization with nearly 1,000 members and contributors including individuals, businesses, and lake associations or districts representing more than 80,000 citizens. For over 20 years, Wisconsin Lakes has been a powerful bipartisan advocate for the conservation, protection and restoration of Wisconsin's lake resources.

Huron Lake- October 6, 2015



Huron Lake, originally 48 acres, has 40+ homes and a county park frequented by residents in nearby communities from May to October.

When we purchased our home in 1996, the water level reached the tree line. Today, 20 years later, the lake has been reduced to a pond because of increased irrigation in the watershed.

The sandy "beach" shows the amount of water lost since April of this year.

Gary Kirschke, Huron Lake Resident

A reward

On many of the fields that surround the lake on which I live in central Wisconsin there is a sign which offers a \$2500 reward for identifying any culprit who damages the property. If a similar sign were on my land, I would be very wealthy. For I know the culprit that is damaging what I own and cherish.

My name is Gary Kirschke. My wife Kan-Mui Lo and I live in one of the 40+ homes on Huron Lake in northwest Waushara County, the so-called Central Sands of our state. When we purchased the property on which we live in 1996, Huron Lake boasted 48 acres and crystal clear waters. Today the lake is much smaller and more polluted, its diminished waters slowly succumbing to a higher concentration of chemicals washing out from nearby fields and leading to subsequent increase in vegetation choking the lake. Two photos, taken yesterday, show the damage inflicted on the lake during the past 20 years.

My wife and I know who the culprit is. The vandal? The vandal is irrigation and the relentless, unchecked pumping of water from high capacity wells in the lake's watershed. Irrigation and the unregulated pumping of water has damaged the lake. Irrigation and the unregulated pumping of water has damaged the value of our property. Irrigation and the unregulated pumping of water is even affecting the quality of life of people in nearby communities – those people have frequented the county park on Huron Lake for recreation.

We believe irrigation and the unregulated pumping of water is the vandal. Why? As an individual with 3 post-graduate degrees, I have profound respect for research-based evidence. Research-based evidence by the scientific community in this state and others has fingered irrigation and the unregulated pumping of water as the culprit. In the past few years, I have sought evidence to refute that claim, but – to date – have found none. Therefore, I will continue to speak – even preach – what I believe.

Before returning to my native Wisconsin, I lived for 35 years in China, where my wife was born. While there, we witnessed the devastating effect on the environment when government officials ignored science and turned a blind eye in exchange for rewards offered by special interest groups. We hope and pray nothing even faintly similar would happen here.

Therefore, we urge you not to support SB239. However, if you are inclined to ignore the science and support the bill, my wife and I would like to make an offer. We invite you to our home for a visit...and promise to reward you – reward you with a fragrant cup of Chinese tea...as well as a foul view of the damage caused by irrigation and unregulated pumping of water on nearby fields.

Thank you.

Rev Gary A Kirschke & Kan-Mui Lo
N6024 N Huron Road
Plainfield WI 54966
715.335.6437
garykirschke@yahoo.com

Contact: Forest Jahnke, Crawford Stewardship Project
Coordinator
forestjahnke@gmail.com, 608-632-2183

October 7, 2015

RE: Opposition Comments to SB #239

For good process, it is helpful to first establish the problem, and in regards to groundwater there are plenty. While we are generally a water-rich state, it is concerning to us that there is really no good data or tracking of groundwater levels and what they are doing across the state. We are seeing issues in parts of the state with water drawdowns causing individuals, farms, and businesses to drill deeper wells.

It is certainly also a problem that in general farms have to jump through far too many bureaucratic hoops, need some certainty to continue operating, and we do not doubt that SB 239 was drafted with the good intention of relieving that burden somewhat.

Parts of this bill would be completely supportable and seem to be common sense, *if* there were some regular process of DNR review of high capacity wells implemented instead of the current processes. The current piecemeal approach of granting individual permits while ignoring cumulative impacts does not make sense for aquifers or our communities, businesses, and farmers who rely on them.

Since one of our supporters began tracking this a few years ago, we have noticed an average of roughly a high capacity well permitted every day in this state. These permits, since there is no systematic tracking of groundwater levels and no accounting for cumulative impacts, are essentially being given out blindly and under this bill would become “forever permits”, locking in these pumping levels on these properties.

This bill panders to present farmers by telling us it will make our lives easier, while ignoring the state’s responsibility to hold the waters of the state in public trust for current and future generations of farmers and families. It keeps us on the slippery slope we are on to the privatization of clean water, our most precious public resource, and sets us up for a future race to the bottom of the aquifer in water-stressed areas. This is the epitome of environmental injustice.

SB 239 is simply shortsighted. It reaches for the low-hanging fruit, while ignoring the fundamental issues at hand. We need bold legislation that, as has been requested in a number of recent court cases, clarifies the WDNR’s responsibility to monitor and manage our groundwater resources for the future. It must be crystal clear that in permitting new high capacity wells, cumulative impacts are to be taken into account, regional and individual pumping levels periodically assessed, and the DNR must be funded and staffed sufficiently to do their due diligence. With these in place, we can begin to catch up on the backlog of permits and help farmers by getting rid of red tape. Without these basics however, Crawford Stewardship Project finds SB 239 to be unsupportable.

Thank you for your time and consideration,

Forest Jahnke

Crawford Stewardship Project Coordinator

2015 Senate Bill 239 Comments

- My name is Patrick Rindfleisch, I live in Madison and my family owns a cottage on Witter Lake in Waushara County
- I am opposed to SB239 because I feel it has the potential to do harm to the ground and surface waters of our state, specifically at a time when we need to focus on solutions to the growing ground water problems in the Central Sands area, and I believe this bill rolls back protections that are currently in place
- I purchased our cottage in 2006, although it has been in our family since my grandfather built it in 1968. I note that when he built the cottage there were a couple hundred hi-cap wells in the Central Sands and there are now over 3,000
- Since purchasing our cottage in 2006, in addition to paying over \$20k of property taxes, we have made over \$100k of improvements using local contractors and suppliers, directly benefiting the local economy. If lake levels continue to drop, how much future investment will there be in orus and other lake properties?
- Witter Lake is a groundwater or seepage lake, meaning that there are no springs or streams feeding the lake...100% of the water comes from groundwater and precipitation
- Over the past several years we have seen large areas of forested land near our lake clear cut and turned into farmland with numerous high capacity irrigation wells
- During this same period of time we have seen the water levels in our lake drop 2 ½ to 3 feet...precipitation levels from rain and snow have been average during this time which leads me to believe that the new high cap wells are having an impact on the lake levels
- Like many lakes in the Central Sands area, the average depth is about 7 feet so when the water table is drawn down during the summer months by high cap wells for irrigation, it has a direct and noticeable impact on the ability to use the lake as well as the quality of water. When we put our boat in this spring it was sitting in 2-3 feet of water and when we took it out in late August the front half of the boat was resting on the lake bed
- I recognize that irrigation is critical for the yields from the farm fields but my hope would be that as a state we would strike a balance between irrigating crops and protecting the surface waters that are so valuable to the families that enjoy them
- If a farmer wants to buy land near a lake, clear cut the trees and install a high cap well then they should do so knowing that if the water levels in the lake decline below a certain level they may have to dial back their pumping.
- I often look around our lake on summer weekends and see the 50 or 60 cottages full of families and kids enjoying the water and think about the fact that the same scene is being played out on hundreds of other lakes in the area...it would be a tragic mistake not to protect these waters for future generations and I ask you to consider the rights of all citizens as it relates to ground and surface waters in our state and instead of supporting SB239, please work on a bill that would balance the need for irrigation along with protecting the at-risk waters of the Central Sands area

Contact: Edie Ehlert, Crawford Stewardship Project Board
President
edieehlert@centurytel.net, 608-734-3223

October 7, 2015

RE: Opposition Comments to SB #239

There is a lot that you as legislators can do to successfully regulate groundwater for the benefit of farmers, industry, and the citizens of Wisconsin.

This bill is not one of those things. Under this bill, those with high capacity well permits could be allowed to transfer their permits with the sale of their property, permanently locking in water withdrawals that could hinder others from using water in the future, including farmers. Do we really want water rights permanently tied to property rather than permitting to people for specific use?

None of us has the crystal ball to see the future groundwater needs of all of us in our state. Right now, high capacity wells are being drilled deeper in the Central Sands area, parts of Eau Claire and Chippewa Counties, and in north central Wisconsin at significant expense to farmers, and without understanding the long term effects.

We have models in both Michigan and Minnesota as resources on regulating the cumulative impacts without harming industry and agriculture.

What we DO need from our legislators in Wisconsin includes:

Give DNR legislative guidance and rulemaking authority to regulate the cumulative impacts of high-capacity wells.

Provide funding for the DNR to compile the data needed to construct a cumulative impacts model.

Increase DNR staffing to review high-capacity well permits. Four staff members for the whole state for hundreds of new applications is seriously inadequate.

Our groundwater belongs to us all, and being sure that we have adequate water for the next generations is crucial. Please revisit and rewrite a groundwater bill that protects our water and all our citizens.

Thank you.



Edie Ehlert

Crawford Stewardship Project Board President

Gays Mills, WI

TO: Members of the Senate Committee on Agriculture, Small Business and Tourism

FROM: Paul Zimmerman
Executive Director of Governmental Relations

DATE: October 7, 2015

RE: Support SB 239 – High Capacity Well Legislation

The Wisconsin Farm Bureau Federation (WFBF) respectfully requests your support for Senate Bill 239, relating to the replacement, reconstruction and transfer of ownership of existing high capacity well permits.

Current law requires a person to obtain approval from the Department of Natural Resources (DNR) before constructing a high capacity well. A high capacity well is defined as a well and all other wells on the same property that together have the capacity to withdraw more than 100,000 gallons of water per day.

Due to the 2011 State Supreme Court decision in *Lake Beulah Management District vs State*, DNR now has interpreted its authority to require the environmental review process for all high capacity well permit applications, including those for replacement, reconstruction and transfer of ownership of existing high capacity well permits. Prior to the Court's decision, DNR used the environmental review process for new high capacity well permit applications that met one of the following conditions: 1) may impact the water supply of a public water utility; 2) may impact an outstanding resource water body or an exception resource water body; 3) is to be used to withdraw water for bottling purposes and; 4) may impact larger scale springs.

With the Court's decision farmers that need to repair an existing well, or want to purchase land with a high capacity well, or want to sell land with a high capacity well are now seeking regulatory certainty for a DNR approval process that offers none.

SB 239 clarifies state law by directing DNR to restore certainty to previously issued high capacity well permits. SB 239 states that no additional approval is needed for an existing high capacity well to repair or maintain the well, to construct a replacement high capacity well of substantially the same depth within a 75-foot radius of the existing high capacity well, to reconstruct the existing high capacity well, or to transfer the approval of a high capacity well as part of the sale of land where the well is located.

It should be noted that in these instances no new water withdrawals are being approved; but rather, existing wells are either being repaired for continued use, replaced for continued use or being owned by a different person for the same use. It is important for farmers with existing high capacity wells to have financial and regulatory certainty that they will be able to water their livestock and irrigate their crops as previously approved by the DNR.

Again, WFBF requests your support for SB 239. Thank you for your time and consideration. If you wish to discuss this issue further, please contact me at 608-828-5708 or pzimmerman@wfbf.com.

Questions from Arlene Kanno re SB 239 7 October 2015
Hearing Senate Committee on Agriculture, Small Business, and Tourism
[Issue: to facilitate HCW transfer & replacement]

name, address, connection to the issue:

Arlene Kanno
N9947 Thompson Drive
Wisconsin Dells WI 53965
akanno@uchicago.edu

I am a retired certified biology teacher who lives in an area with sandy soil, wetlands, springs, and shallow creeks and lakes. My last full time employment was teaching teachers, especially in the area of critical thinking.]

1) Do you know/understand that we have dried-up rivers, lakes, and streams in many locations in Wisconsin where we have never had them before? Do you understand that many other water bodies are measurably/noticeably shallower than in the past?

2) Have you listened to the scientists, especially hydrogeologists, who inform you that shallow water is warmer and holds less oxygen for normal populations of fish and other animals that depend on water? Have you looked at their SCIENTIFIC DATA, including maps of overpumped areas and graphs of future groundwater supplies?

WATER is LIMITED!

3) Do you have any constituents who have a small business, depend on tourism, or constituents who enjoy hunting, fishing, boating, swimming in Wisconsin waters?

4) Do you think that SMALL BUSINESS and TOURISM will thrive despite proliferation of dried-up streams and lakes in Wisconsin?

5) Do you think that the Senate Committee on Agriculture, Small Business and Tourism is responsible for making INFORMED, SCIENCE-BASED decisions that consider the future?

Consider increased population < AZ, NM, CA, Mexico

6) Do you get more campaign contributions from large (possibly corporate farms) and lobbyists than you get from small business owners and operators of small restaurants, bait shops, campgrounds etc.?

7) When you vote on this issue, will you consider ALL of your constituents, and groundwater availability for at least the next generation, if not the next seven generations?

*Frances Rowe
W 13475 Czech Lane
Coloma, Wisconsin 54930*

**Testimony in Opposition to SB 239
October 7, 2015**

I have owned property on Pleasant Lake since 1980, my family has lived there since the 1930's. My concern today is that Pleasant Lake is losing its water and SB 239 will not help. Pleasant Lake is losing its water to the epidemic of high capacity wells plaguing central Wisconsin. As the water goes down so does my property value.

Lakes depend on water Without water there is no boating, no fishing, no swimming, no sailing and no skating.

Along with my written testimony I have submitted a few pictures that tell the Pleasant Lake story.

Picture 1 is of my children in front of our home, it shows you the water level in 1985;

Picture 2 shows you that same wall in 1993 – water about 18 inches from the top.

Picture 3 shows you the wall and beach in 2011 – the distance from the wall to the water is over 28 feet.

On the next page you see the wall and beach in 2012 – the distance from the wall to the water is over 44 feet.

On the third page of the picture packet is one of me standing at the end of my pier. A pier I once could dive from on a regular basis. I am 5'2". The wood blocks placed on top of the pier were cut from the bottom of the legs at some point around 2005 to enable the pier to "work" with the drying lake.

In addition to these pictures, I have included a graphical representation of the dropping water level in Pleasant Lake. Beginning in 1995, you can see the precipitous drop in the lake level of over 4 feet to 2012. Since 2012 the water level has fluctuated, but has never approached its previous levels.

Finally, let me point out the we are not the only ones – Patrick Lake, Long Lake, Huron Lake, and many others are suffering the same fate. Water moving away from shoreline habitats is a real problem for lake plants, fish, and invertebrates.

Water is our most precious resource.

We all need water: farmers, fish, the canning companies, breweries, deer, municipalities, home owners – everyone!

In Wisconsin, our constitution gives the waters of the state to all Wisconsinites, SB 239, changes that.

If SB 239 becomes law, high capacity well permits will become a property right, the state's water will no longer belong to all Wisconsinites, it will belong to a few, those that already have existing high capacity well permits. Pumping water from the groundwater is a privilege, not a right. Groundwater flows, it moves under the ground, just as it moves on the surface. Water is not a mineral; it is not part of the land it flows under. It belongs to all of us.

If SB 239 becomes law, review of existing permits will become a thing of the past. There will be no oversight of pumping allocations, no opportunity to protect lakes, trout streams, or wetlands from over pumping. Why should a farmer growing corn for ethanol have water rights that trump his new neighbor growing snap beans or an old neighbor's drinking water?

If SB 239 becomes law, there will be no protection for homeowners who will be helpless as they watch their property values decline. Watch what was once a beloved lake become a prairie. And, discover they no longer have drinking water because they cannot afford to drill a well deep enough to get it out of the ground.

The bill before us today takes water away from the majority and gives it to a few. A few farmers who already have high capacity wells benefit; hundreds of property owners lose. On Pleasant Lake alone, 214 property owners will suffer if this bill ever becomes law. It not only threatens our drinking water and lake levels, it prevents new agricultural and business operations from coming to Coloma, because it gives the existing water to well owners that currently have wells. Effectively creating western water law in Wisconsin. Do you really want western water law in Wisconsin?

Please kill SB 239 in this Committee. Do not let it become Wisconsin law as it helps a few, but hurts many!

Pleasant Lake

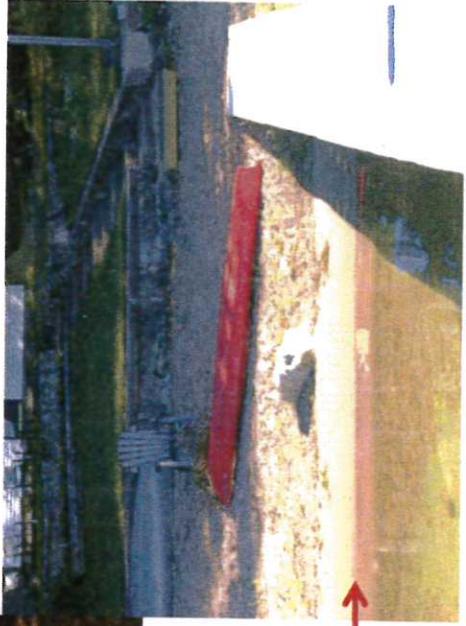
Water Levels 1984-2011



Water Line 1985



Water Line 1993



Water Line 2011

28 feet south of wall

Pleasant Lake Shoreline 2012



Water line
44 feet
from wall

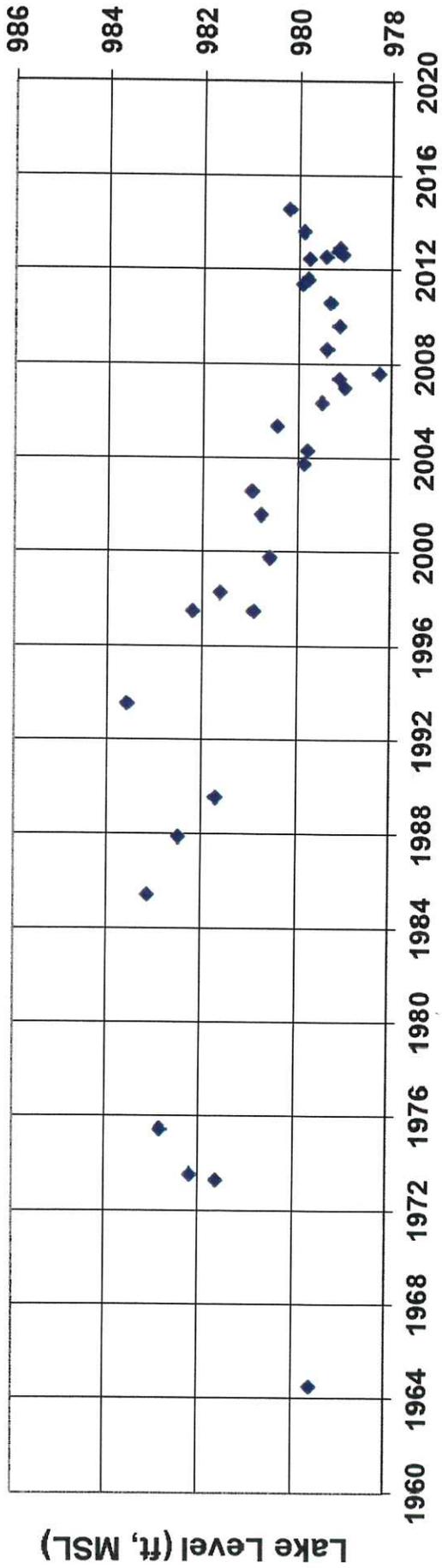
Frances Rowe Testimony - Oct. 7, 2015

Pleasant Lake Shoreline 2012

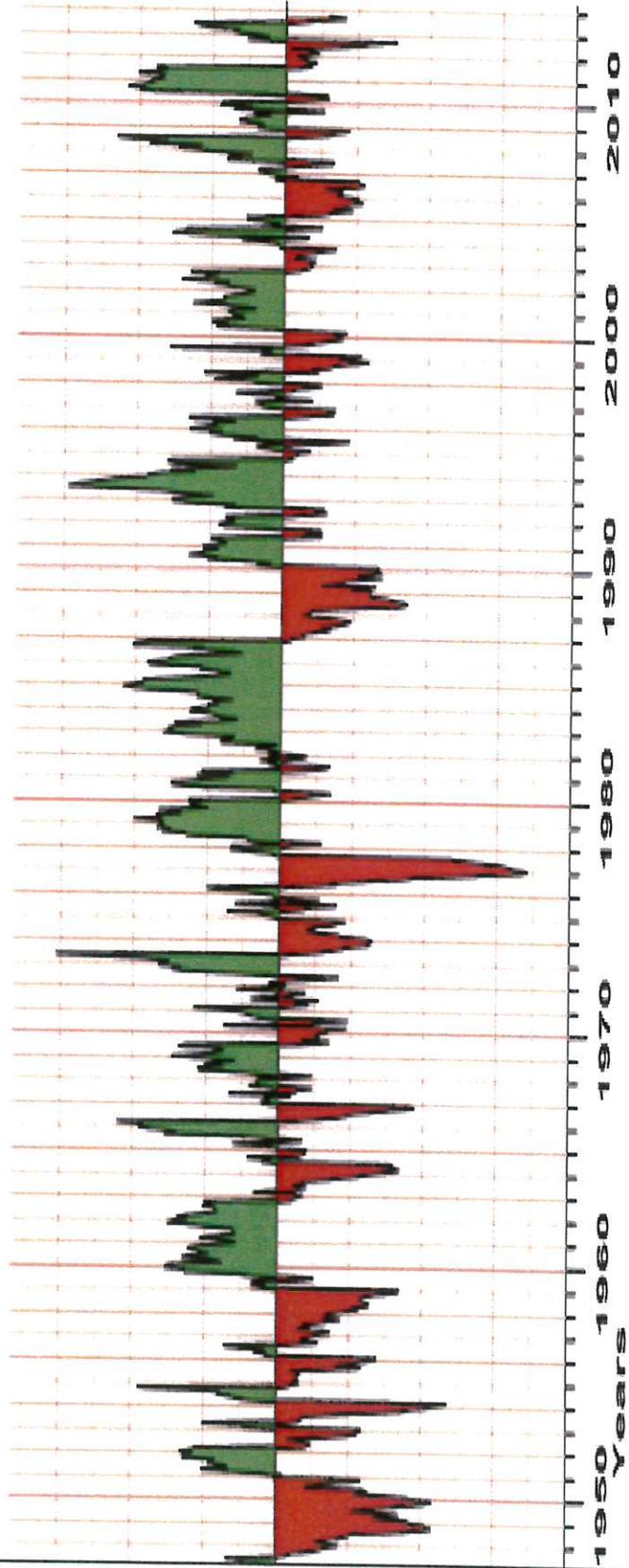


Frances Rowe Testimony - Oct. 7, 2015

Pleasant Lake Water Levels



Palmer Drought Severity Index for Central Wisconsin



Central Sands “missing water”



Little Plover River



Fish Lake



Long Lake



Pine-Hancock Lake



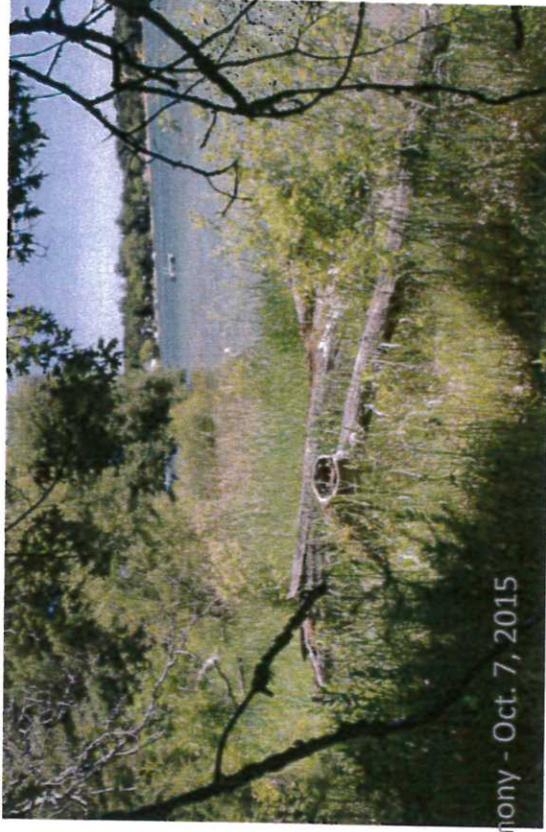
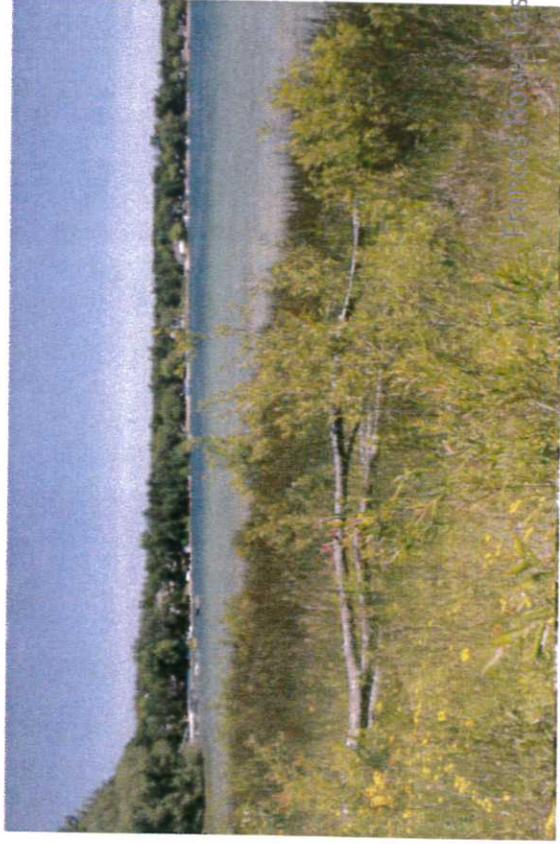
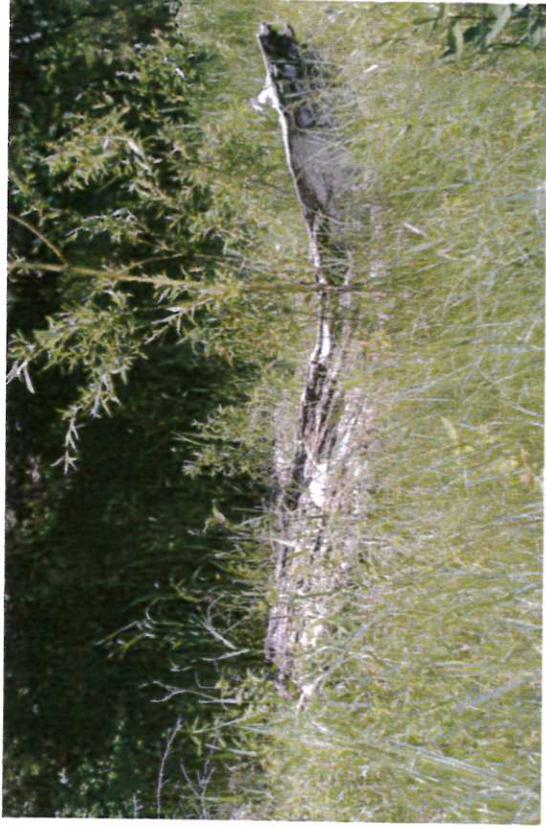
Huron Lake



Patrick Lake

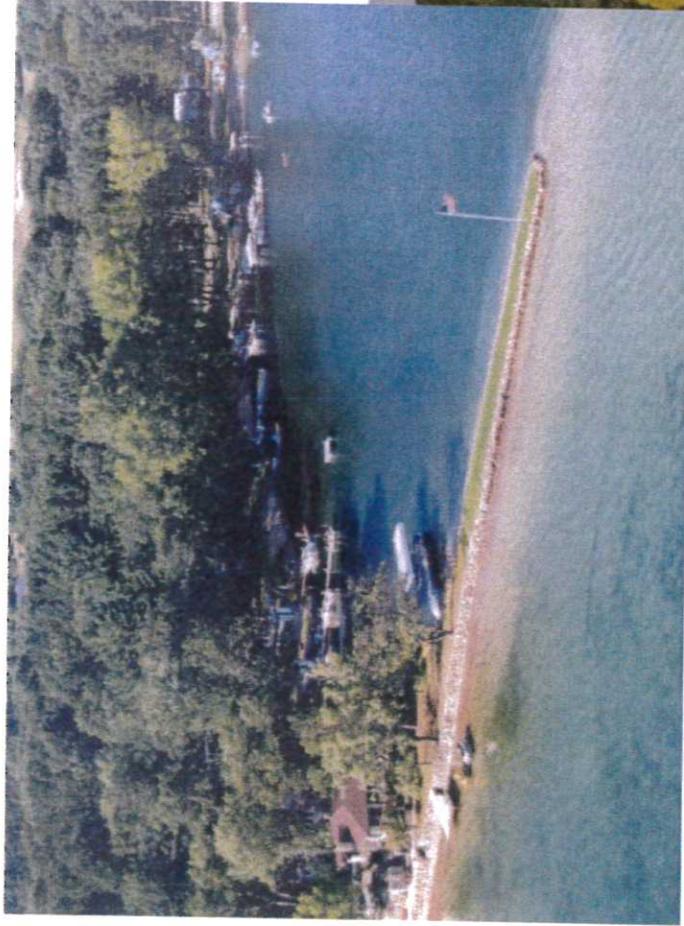
Frances Rowe Testimony - Oct. 7, 2015

Pleasant Lake Water “Water moving” Away from Shoreline Habitat



Frances Goyal testimony - Oct. 7, 2015

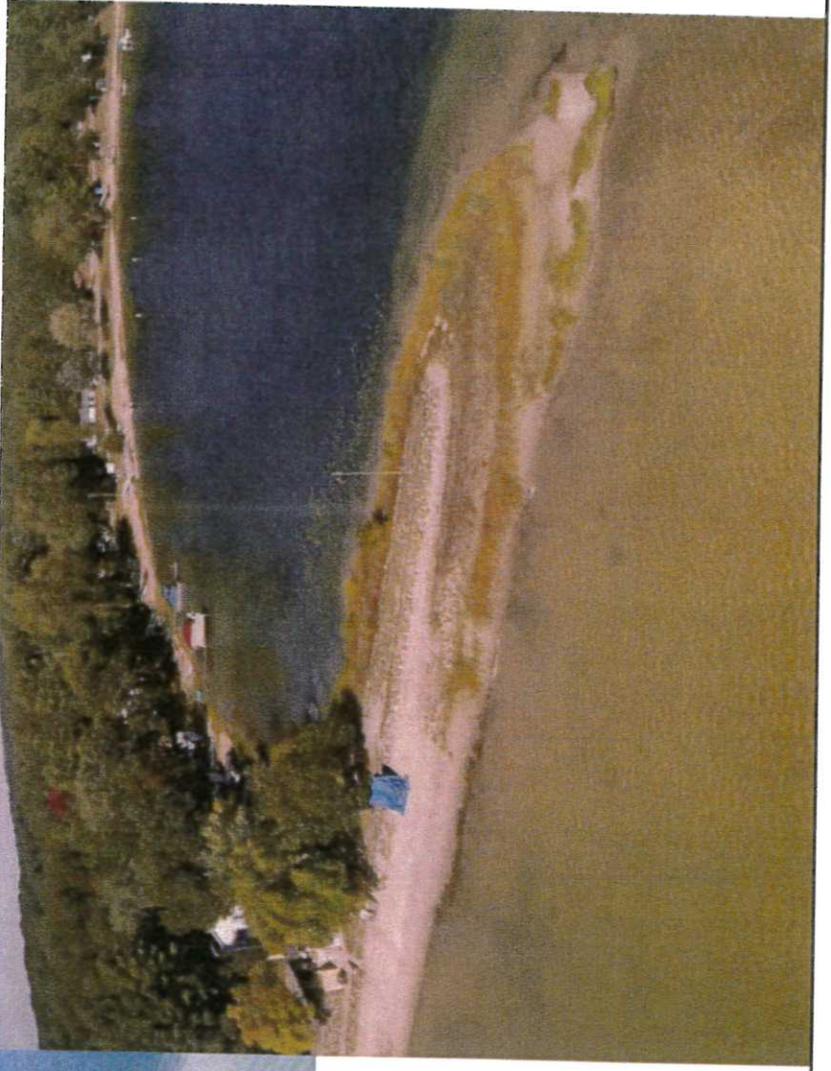
Pleasant Lake, Waushara County



1996

Pleasant Lake North Shore Point

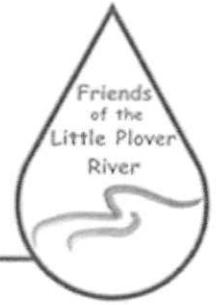
2013



Frances Rowe Testimony - Oct. 7, 2015

Friends of the Little Plover River

1100 Main Street, Suite 150
Stevens Point, WI 54481
(715) 343-6215
www.friendsofthelittleploverriver.org



Little Plover River Time Line

- The LPR is the “Canary in the Mine” for the Groundwater of the Central Sands
- 1997 (17 years ago) Village of Plover commissioned a study . . . predicting a dry up in 2005
- 2005 (9 years ago)—1st dry up of sections of the LPR in recorded history
 - Friends of the Little Plover River formed
 - 1st Annual Newsletter
- 2006 (8 years ago)—Sections Dry
 - LPR Workgroup formed with all parties represented
 - Newsletter
- 2007—Sections Dry
 - Augmented to save trout
 - 1st Annual Appreciation Day Event on the river/ 140 4th grade students from Roosevelt and Plover/Whiting Schools
 - 2 Newsletters
- 2008—Sections Dry
 - Augmented to save trout
 - DNR asked to set Public Rights Flow
 - Newsletter
- 2009—Sections Dry
 - Augmented to save trout
 - DNR sets PUBLIC RIGHTS FLOW
(6.8 cfs at Hoover, 4.0 cfs at CTH R, 1.9 cfs at Eisenhower)
 - State Legislators form LPR Fact Finding Commission—the Groundwater Working Group
 - FLPR representatives regularly attended Groundwater Working Group meetings in Madison
 - State Legislators visit LPR
- 2010 Heavy rains
 - FLPR representative gave testimony to the Wisconsin State Legislative fact-finding committee, the Groundwater Working Group
 - FLPR started tracking HCW applications and approvals
 - Groundwater legislation did not proceed
 - Newsletter

- 2011 Heavy rains
 - FLPR WEBSITE goes live (all volunteer hours to develop and maintain)
 - FLPR awarded Water Conservation Organization of the Year
 - FLPR Award Installation at Roosevelt and Plover/Whiting Schools
 - 2 Newsletters
- 2012 CSWAC/FLPR asked DNR to enforce Public Rights Flow (1st letter)
 - USGS report: *Stream Flow Depletion by Wells*
 - Portage County involvement requested and task force formed but stalled
 - LPR Conservation Concept Plan
 - Purchase of 140 acres funded by Stewardship and Portage County Land Preservation Funds—takes 100 acres out of irrigation
 - Newsletter
- 2013 2nd letter asking DNR to enforce PRF
 - LPR named 4th Most Endangered River in America
 - FLPR does presentations in Chicago and throughout Wisconsin
 - Natural Resources Board, including DNR Secretary Stepp, visits LPR
 - 8th Annual LPR Appreciation Day (1000 students engaged in water conservation to date)
 - Event: LPR walk with Professor Robert Freckman
 - LPR E-News started, 20 to date
 - LPR Conservation land transferred to the Village of Plover
 - Groundwater Resolution passed Portage County Groundwater Citizens Advisory Committee and moved on to Planning and Zoning Committee
 - Portage County Planning and Zoning Committee approves Groundwater Resolution, it will be before the Portage County Board on December 17
 - DNR: more LPR studies pending—another 1 ½ years. 2015?
 - What happens after the study . . . does the DNR have the “authority to save any river or lake?”

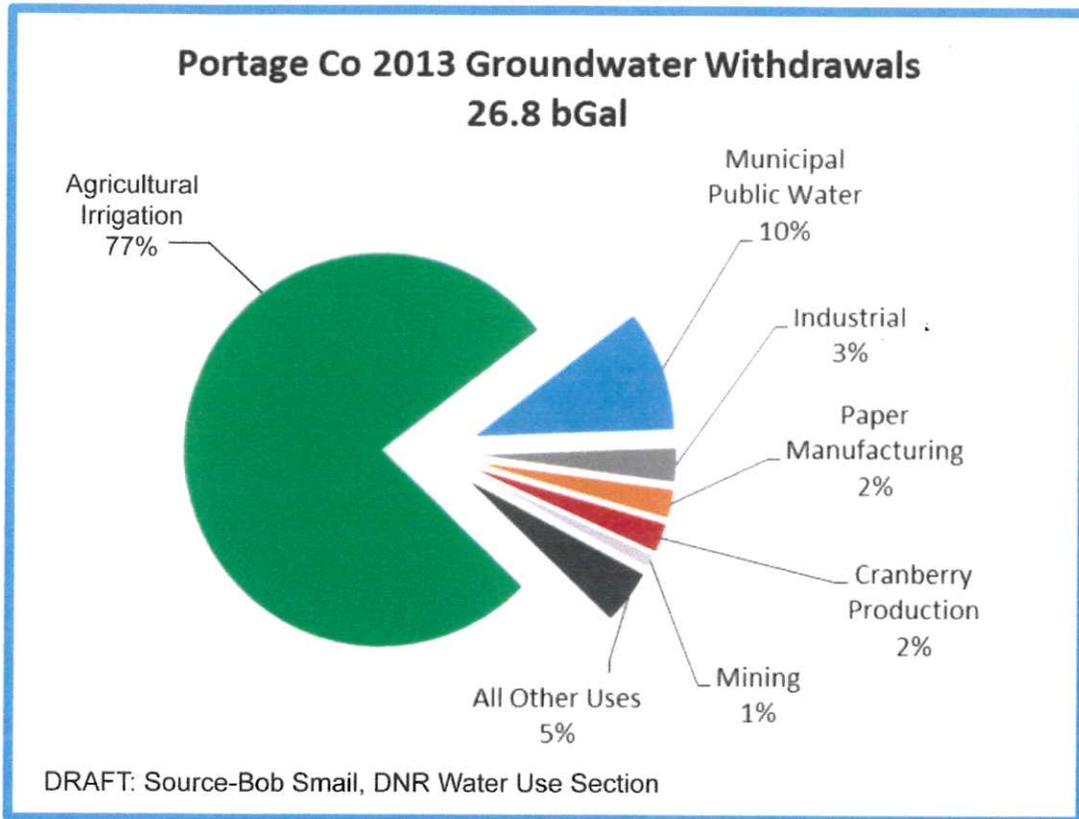
Since 2006, the Friends of the Little Plover River has successfully applied for 16 grants to support its educational mission.

Friends of the Little Plover Mission

The mission of the FLPR is, through education and conservation, to restore and maintain the healthy flow of the LPR and its associated shore lands by promoting wise management of the groundwater and land resources in the LPR watershed and beyond.



How We Use Groundwater in Portage County



AGRICULTURAL IRRIGATION AGAIN TOPS LIST

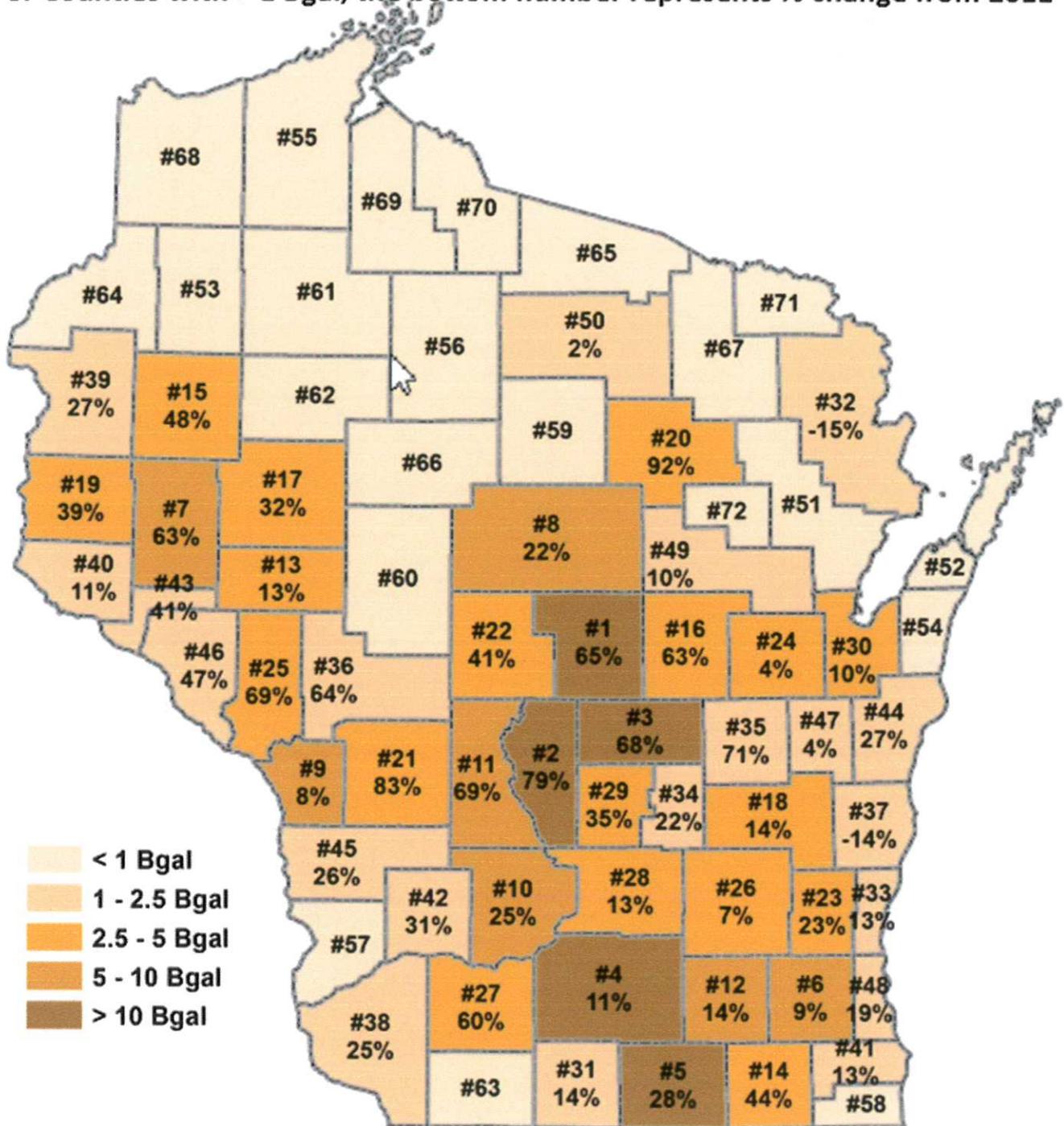
- 20.7 BILLION GALLONS pumped 2013 . . . over 3/4 of groundwater used in Portage County
- Municipalities used (in comparison) 2.6.Billion gallons

All Source Water Use	Total 2011 Withdrawals	Total 2012 Withdrawals	Total 2012 Sources	Total 2013 Withdrawals	Total 2013 Sources	% of 2013 Wdrl Total
Agricultural Irrigation	15,625,404,718	29,038,997,224	812	20,734,182,923	721	77.3%
Municipal Public Water	2,738,954,686	2,850,091,428	21	2,648,339,390	18	9.9%
Industrial	1,061,380,133	1,265,366,219	30	749,172,331	20	2.8%
Paper Manufacturing	641,488,355	646,615,008	7	615,058,920	2	2.3%
Cranberry Production	511,583,700	408,610,634	10	613,335,498	10	2.3%
Mining	384,977,305	263,111,800	11	277,543,665	6	1.0%
All Other Uses	340,083,086	429,928,439	220	1,187,299,887	338	4.4%
Totals	21,309,871,983	34,902,720,662	1,111	26,824,932,614	1,115	

Visit our website: <http://www.friendsofthelittleploverriver.org>

2012 Groundwater Total Withdrawals by County

Top number indicates ranking of total withdrawal (#1 = highest, #72 = lowest)
 For Counties with > 1 Bgal, the bottom number represents % change from 2011



Source: Wisconsin DNR Water Use Program



Central Wisconsin Sand and Gravel Aquifer Managing Water for Multiple Uses

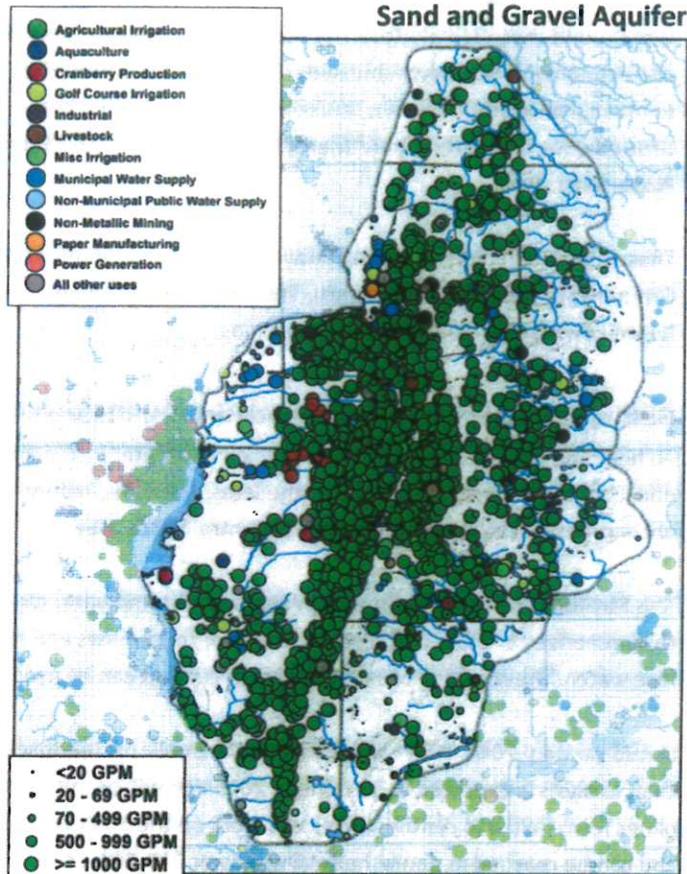
What is the Central Wisconsin Sand and Gravel Aquifer ?

An aquifer is a rock or soil formation that can store or transmit water. The Central Wisconsin Sand and Gravel Aquifer (CWSGA) is defined as a contiguous area east of the Wisconsin River where groundwater is stored in sand and gravel deposits more than 50 feet deep. The aquifer covers 1.75 million acres in parts of Adams, Marathon, Marquette, Portage, Shawano, Waupaca, Waushara and Wood counties.

These deposits of sand and gravel were left by melting glaciers at the end of the last ice age. Because they are comprised of coarse material, rainfall and snowmelt are more likely to soak into the ground rather than flowing off the land surface to lakes and streams. In many areas of the CWSGA, there can be over 150 feet of sand and gravel saturated with groundwater. Often, this aquifer starts only a few feet below the surface.

This region is characterized by over 800 miles of trout streams and over 300 lakes. Most of these streams and lakes are highly dependent on groundwater as their primary source of water.

High Capacity Wells Located in the Central Wisconsin Sand and Gravel Aquifer



The CWSGA has proven to be an effective setting for a number of agricultural industries including produce, grain, dairy, timber, Christmas tree and cranberry production. In fact there are over 2000 high capacity irrigation wells in the CWSGA. This represents half of all irrigation wells in Wisconsin and their use is a major contributor to Wisconsin's national ranking in crop production for potatoes (3rd), green beans (1st), sweet corn (2nd), peas (3rd), and carrots (2nd). The estimated economic impact of irrigated agriculture in this area is billions of dollars and tens of thousands of jobs per year. Achieving a sustainable balance between water uses requires a scientific approach to adaptive management and the participation of local stakeholders.

Currently, the DNR is working to improve its management tools by partnering with the U.S. Geological Survey, the Wisconsin Geological and Natural History Survey, and others by building computer models to better understand the complex groundwater-surface water interactions and how different management alternatives affect groundwater and surface water flows. In addition, DNR is in the early stages of developing a strategic analysis for the CWSGA that will collect, analyze and report the latest scientific, ecological and socio-economic information relating to groundwater and surface water in the eight-county area.

Read more about these efforts on the back and how partners hope they will lead to possible solutions.



Central Wisconsin Sand and Gravel Aquifer High Capacity Well Trends and Concerns

Work underway to help provide foundation for possible future discussions and solutions

Work is underway to help foster the sustainable use of groundwater in the Central Sands to benefit the people, natural resources and economy of the region and state. Two particularly important efforts are underway to help address and find possible solutions to meet growing demands for, and concerns about, groundwater withdrawals: the **Strategic Analysis for Surface Water and Groundwater Use, Effects and Management in the Central Sands of Wisconsin** and the **Groundwater Flow Model for the Little Plover River Basin**.

These efforts build on a growing body of research and monitoring in the Central Sands area coordinated through Wisconsin Groundwater Coordinating Council. They also build on cooperative efforts by state and federal agencies, academia, and high capacity well owners to voluntarily find solutions.

Getting the big picture as a foundation for discussion

To help find ways to sustainably manage groundwater in Wisconsin's Central Sands region in the future, the state is launching an effort to collect, analyze and report the latest scientific, natural resources and socio-economic information relating to groundwater and surface waters in the eight-county Central Sands area.

This **Strategic Analysis for Surface Water and Groundwater Use, Effects and Management in the Central Sands of Wisconsin** aims to summarize the state of the science in all of these areas and assess alternative courses of action to protect groundwater and surface water. The resulting comprehensive document can be used as a reference for the development of public policy.

In mid-January 2014, DNR will provide to the public for feedback a draft outline of the topics planned for inclusion in the analysis. A draft analysis is expected to be done in 2015 and will be available for public comment at that time. A team of DNR staff across disciplines from field and central offices will work on the analysis. Dan Hesel, water leader for DNR's West district, is the lead contact and can be reached at daniel.hesel@wi.gov or 715-284-1431.

Zeroing in on a specific situation to develop a model for elsewhere

DNR is funding a project jointly conducted by the Wisconsin Geological and Natural History Survey and the U.S. Geological Survey to develop a sophisticated computer model aimed at helping maintain healthy water levels in the Little Plover River.

The group will assess the current state of science regarding groundwater and surface water interaction in the Little Plover River watershed and will develop a groundwater flow model to simulate the local groundwater and surface water systems.

A second phase of the modeling will develop tools to evaluate various pumping scenarios and water management strategies to ensure the health of the Little Plover River. The project is expected to take about two years.

Contacts for this project:

Dan Hesel, DNR, daniel.hesel@wi.gov

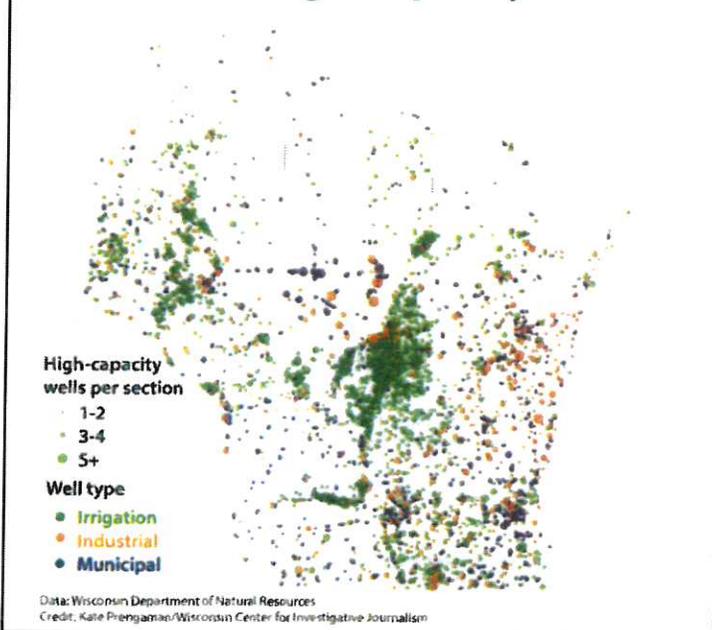
Ken Bradbury (WGNHS) krbradbu@wisc.edu

Mike Fienen (USGS) mnfienen@usgs.gov

Protecting Groundwater for Future Generations

Groundwater supply is a growing concern in Wisconsin. Luckily, Wisconsin is not yet facing a water crisis of the magnitude that many western states are facing. If we take smart action now, we can manage our groundwater to ensure that adequate supplies are available for future generations. On the other hand, if Wisconsin fails to take action to limit the cumulative impacts of high-capacity wells, the prospects for future generations of farmers and the outlook for the state's \$88 billion agricultural industry will be in jeopardy.

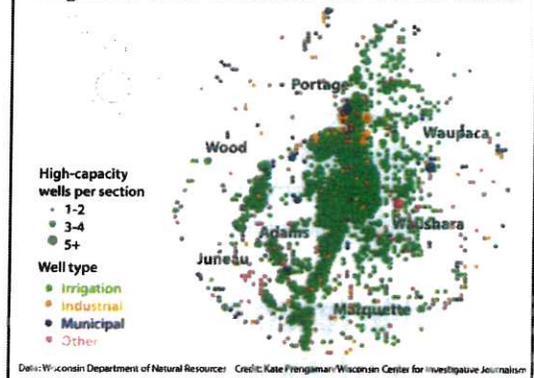
Wisconsin's high-capacity wells



This fact sheet is brought to you by:

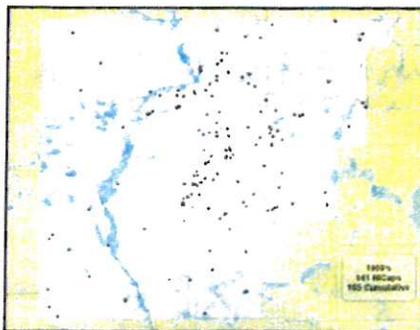


Irrigation wells dominate the Central Sands

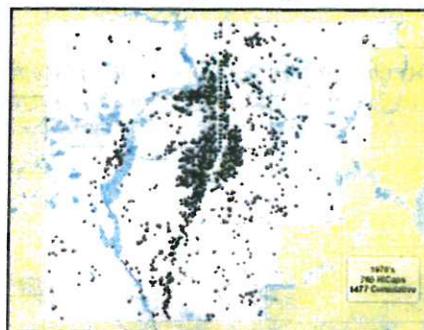


There are currently 8,402 permitted high capacity wells in Wisconsin, defined as wells with the capacity to pump over 70 gallons per minute or 100,000 gallons per day. In 2013, over 2,200 of those were located in the Central Sands region of Wisconsin, and there are even more today. The Central Sands consists of six counties: Wood, Portage, Waupaca, Adams, Waushara, and Marquette. Most wells in the Central Sands are not operating at their full permitted capacity, and yet water levels in the region are still declining enough that some farmers have had to drill newer, deeper wells (at significant expense) as groundwater levels drop.

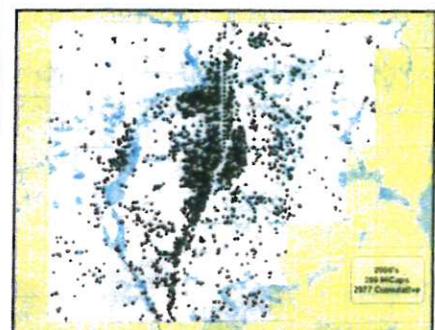
The Growth of High Capacity Wells in Wisconsin



1950s



1970s



2000s

Managing Groundwater: What can the state do?

- Give the DNR legislative guidance and rulemaking authority to regulate the cumulative impacts of high-capacity wells.

The experience of states such as Michigan and Minnesota demonstrate that it is possible to regulate the cumulative impacts of high-capacity wells without stifling agriculture or other industrial development. Indeed, a sound framework for managing groundwater is necessary to ensure economic growth. Attempts to prohibit the DNR from taking cumulative impacts into account are short-sighted and harmful to farmers and industry in the long run.

Key components of a cumulative impacts framework include: establishing baseflow allocations for maintenance of surface waters, development of a model (either regional or statewide) that predicts how a proposed well would impact surface waters and existing wells, and creation of procedures to ensure that all water users can exercise their right of reasonable use in the case of conflicts.

- Provide funding for the DNR to compile the necessary data to construct a cumulative impacts model.

- Increase DNR staffing to review high-capacity well permits.

Right now, the DNR has only 4 staff members reviewing high-cap well permits. Because of a backlog of hundreds of new well applications, review can take well over six months. By comparison, the state of Minnesota has 18 hydrogeologists, as well as additional support staff, who review of high-capacity well permits. Result: Minnesota farmers get their well permits in a timely fashion. Simply stated, the Wisconsin DNR needs more staff reviewing high-capacity well permits.

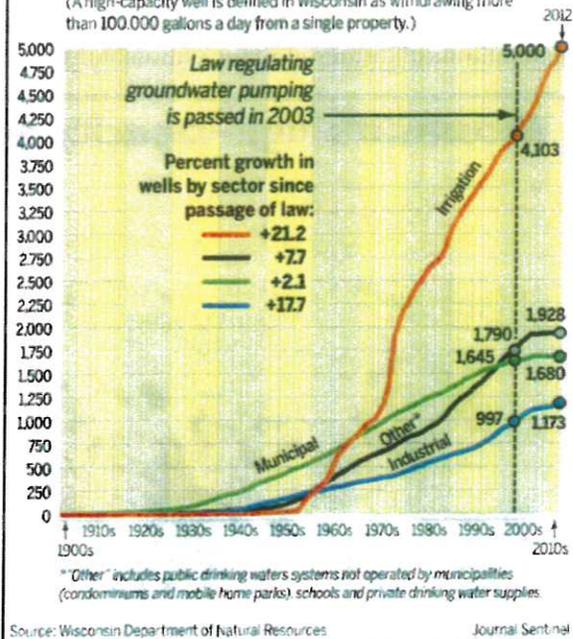
Wisconsin Farmers Union, a member-driven farm organization, is committed to enhancing the quality of life for family farmers, rural communities and all people through educational opportunities, cooperative endeavors and civic engagement. Learn more at www.wisconsinfarmersunion.com.

High-capacity well use on the rise

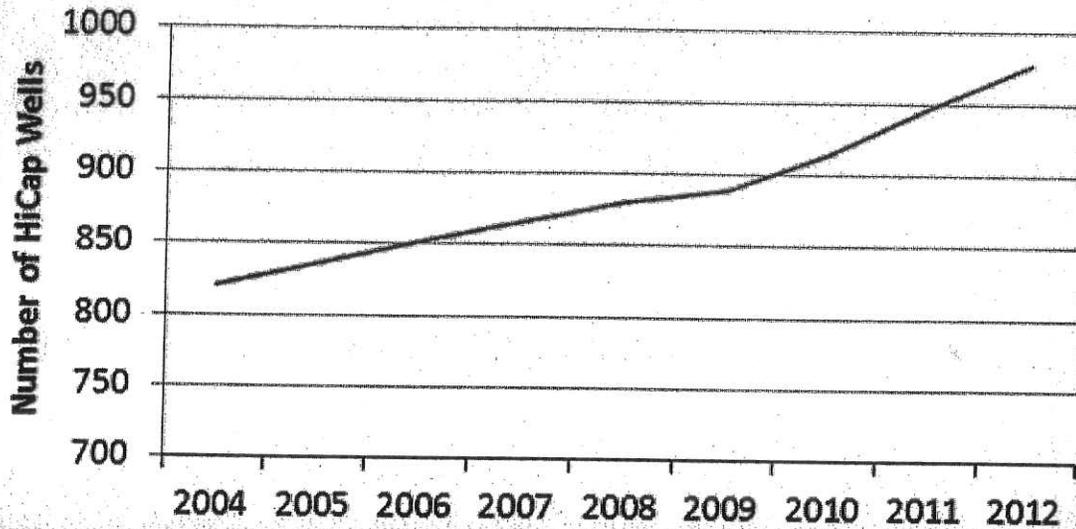
The number of high-capacity wells used for irrigation far outpaces other uses in Wisconsin.

Number of high capacity state wells

(A high-capacity well is defined in Wisconsin as withdrawing more than 100,000 gallons a day from a single property.)

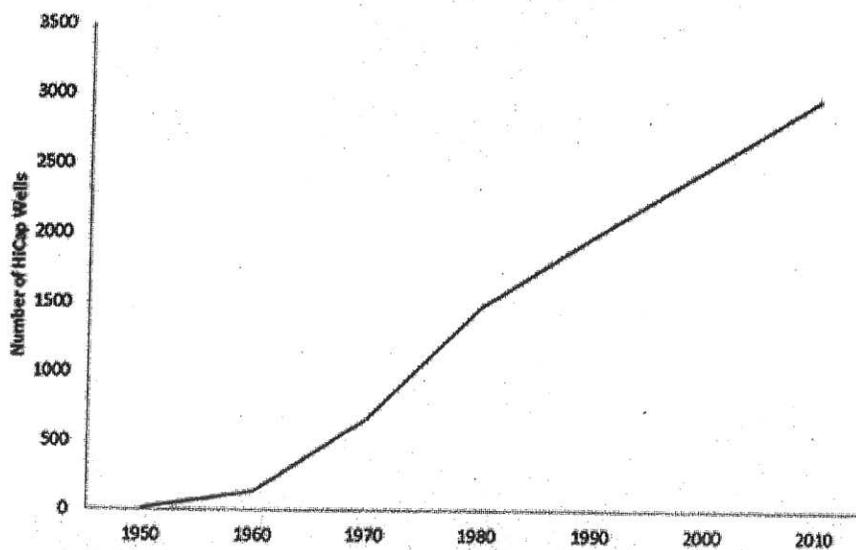


HiCap Wells in Portage County



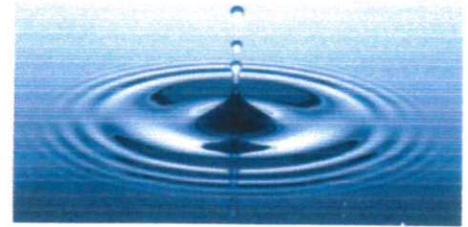
Data Supplied by Portage County and Wisconsin DNR

Growth of HiCap Wells in the Central Sands



Data Supplied by Center for Land Use Education and Wisconsin DNR

High capacity well pumping in Wisconsin

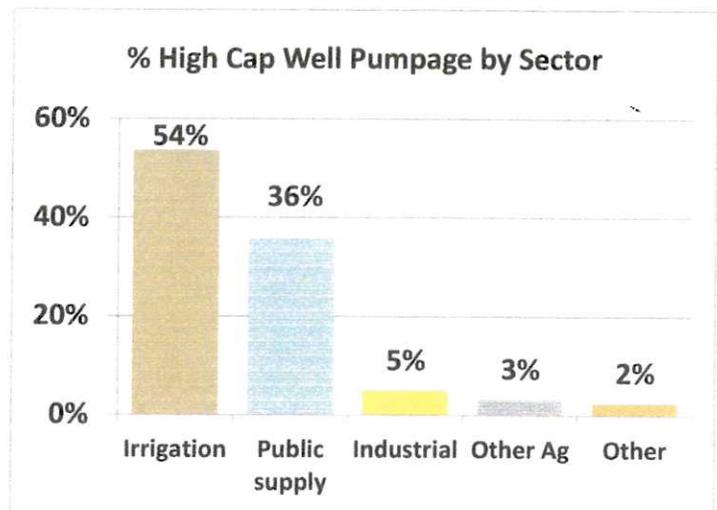
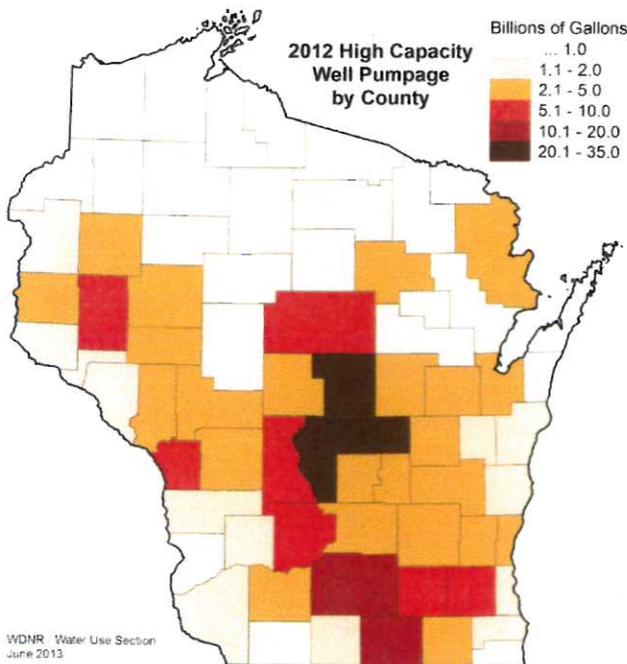
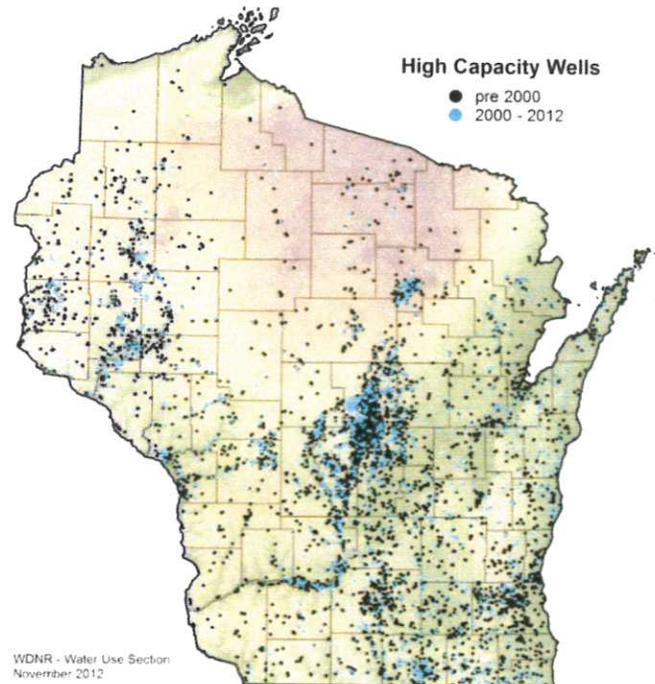


2012

Some 278 billion gallons of water were reportedly pumped from Wisconsin's 7500 high capacity wells in 2012.¹ Pumpage from other wells (mainly residential) was an added 32 billion gallons.² Irrigation was the dominant high capacity well use (54% of total, including 2.4% from golf courses), followed by public supplies, mainly municipal.

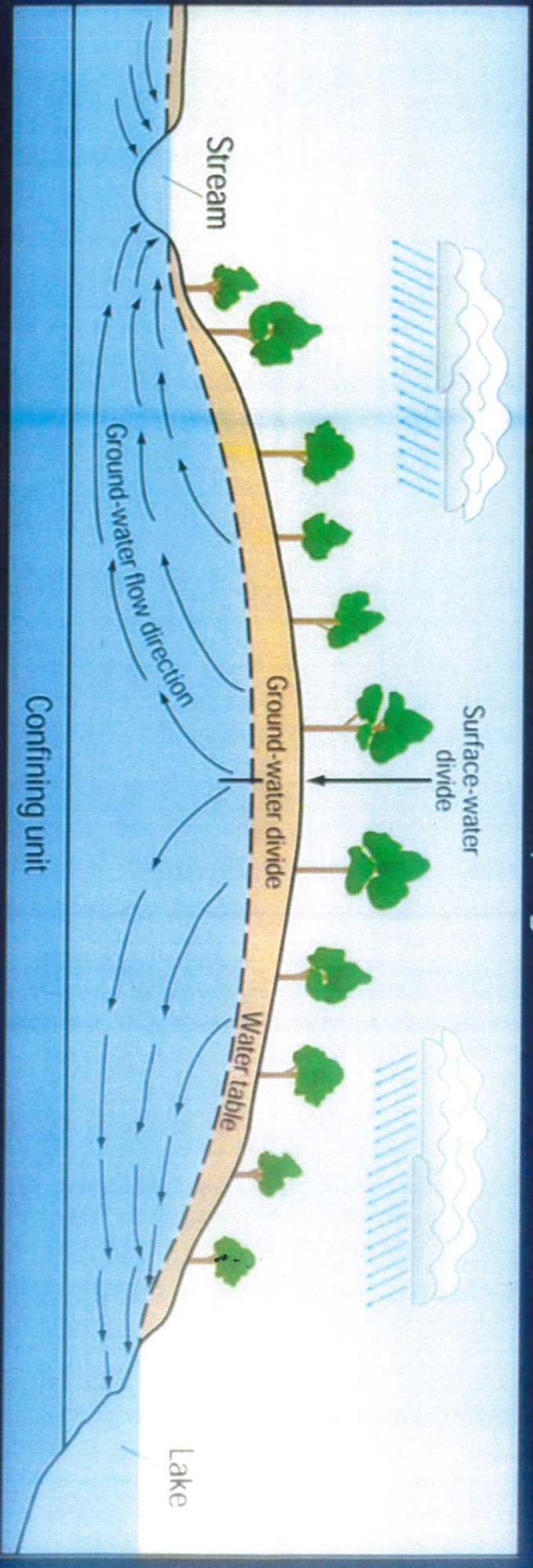
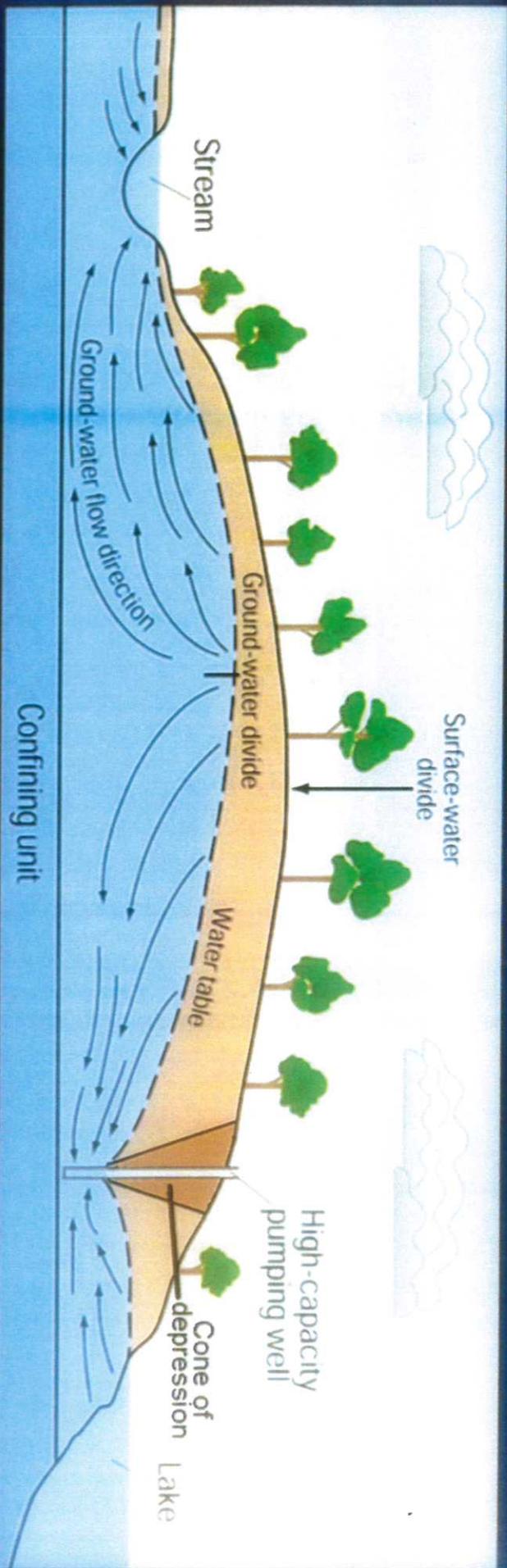
About one-third of the high cap well pumpage occurred in (by order of amount) Portage, Adams, and Waushara Counties. The remaining top ten counties were Dane, Rock, Dunn, Marathon, Waukesha, LaCrosse, and Sauk.

Groundwater pumping has become a concern in places due to the drying of lakes, wetlands, and streams; and in the southeast and northeast where water levels in the deep aquifer have been dramatically lowered.



¹ Wisconsin Department of Natural Resources.

² USGS 2009 <http://pubs.usgs.gov/circ/1344/pdf/c1344.pdf>



Environmental / Human Health Impacts of Agriculture

With its vast acreage, agriculture affects environmental and human health. While some government programs and farmers have worked for decades to minimize agricultural externalities such as soil loss, pesticide exposure, and nutrient loading to lakes, rivers and groundwater, much remains to be done.

Agricultural Irrigation

Approximately 377,000 acres, or four percent of all cropland in Wisconsin is irrigated.⁵ This is a 70 percent increase from the late 1970s.³⁶ Figure 18 shows agricultural irrigation by county. Portage, Waushara, and Adams counties, each located within central Wisconsin, account for almost one-half of total agricultural irrigation. These counties also lead the state in the production of potatoes, sweet corn and other assorted vegetables.³⁶

Studies in the 1960s and 1970s, and more recent work since 2000, warned that the growth in groundwater pumping for agricultural irrigation in the Wisconsin Central Sands could substantially lower regional water levels and stream flows.³⁷ Since 2000, water levels and stream flows in this region have been notably depressed, at least in areas that contain large densities



Photo 4
Central pivot irrigation system

of high capacity wells. High capacity wells are wells on a property where total pumping is more than 100,000 gallons per day.³⁸ As shown in Figure 19, areas with large densities of approved high-capacity wells appear to be associated with sandy glacial sediments.

Areas of the Central Sands with large densities of high capacity wells experienced record low water levels in 2000-2008.³⁷ This stands in sharp contrast to regions with few high capacity wells. The Little Plover River, a former high-quality trout stream in this area has dried annually in stretches since 2005. Long Lake near Plainfield, which formerly covered 45 acres has been dry to near dry since 2005. Declines of around four feet or more in water levels by pumping are possible beyond climatic influences.³⁷

In 2004, Wisconsin passed its first law to address groundwater quantity and high capacity wells.³⁹ In 2009, additional state groundwater quantity legislation was proposed, but did not pass.

For full document see www.uwsp.edu/cnr/landcenter/megatrends/agriculture.aspx

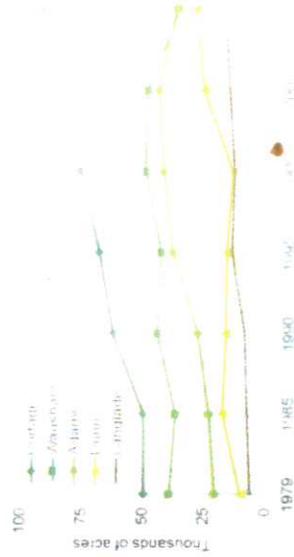
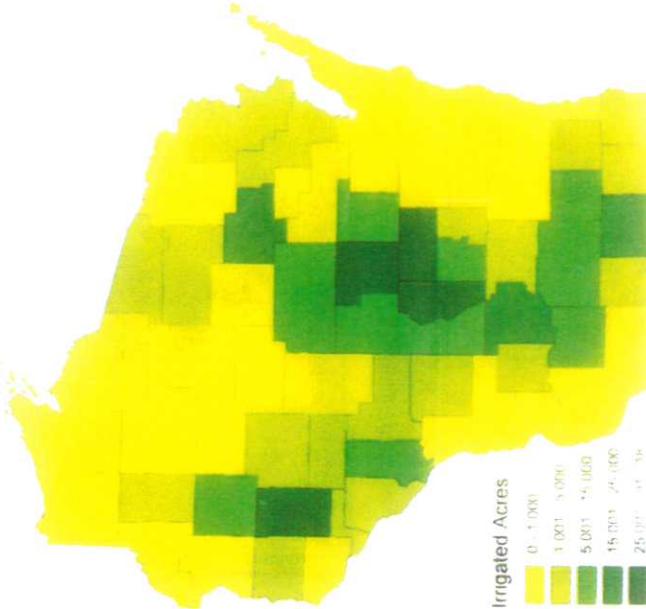


Photo 5
Dry streambed at the site of the Little Plover River

Figure 18

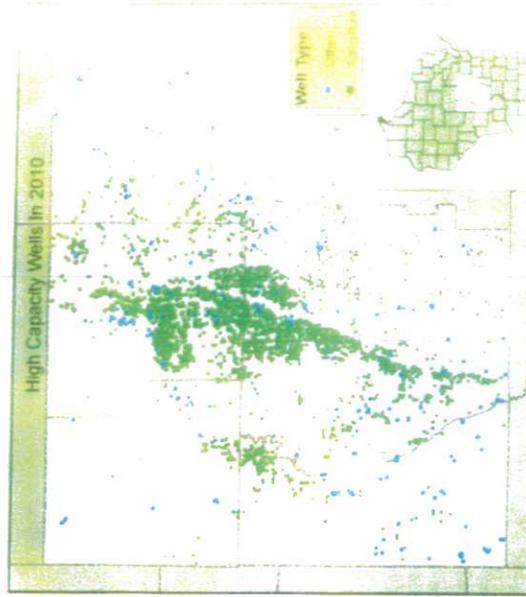
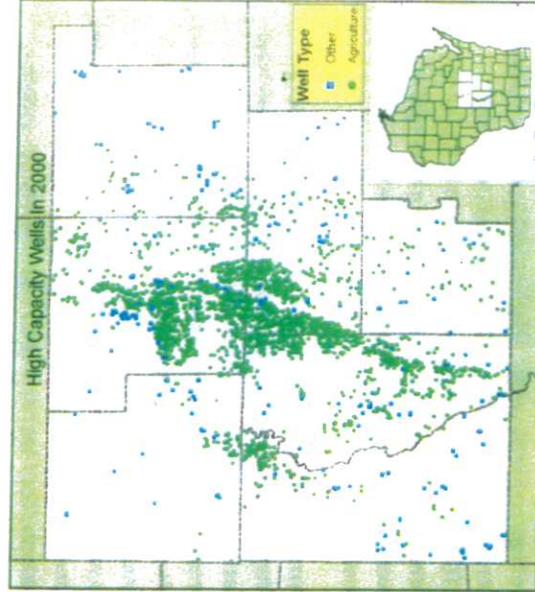
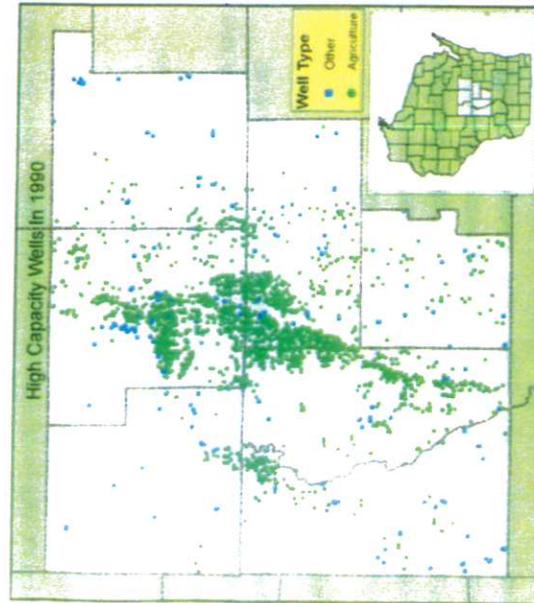
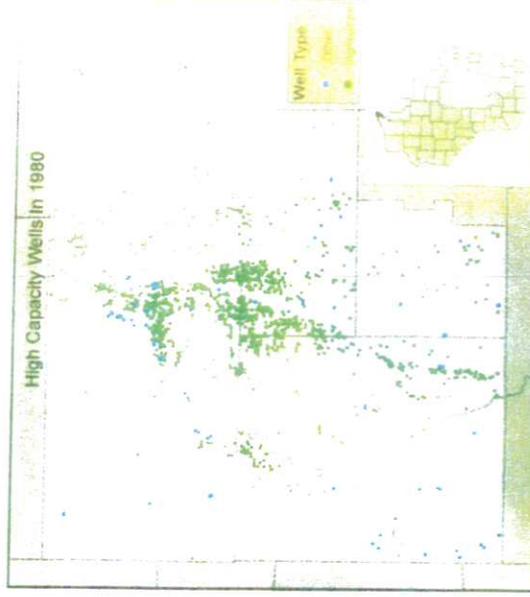
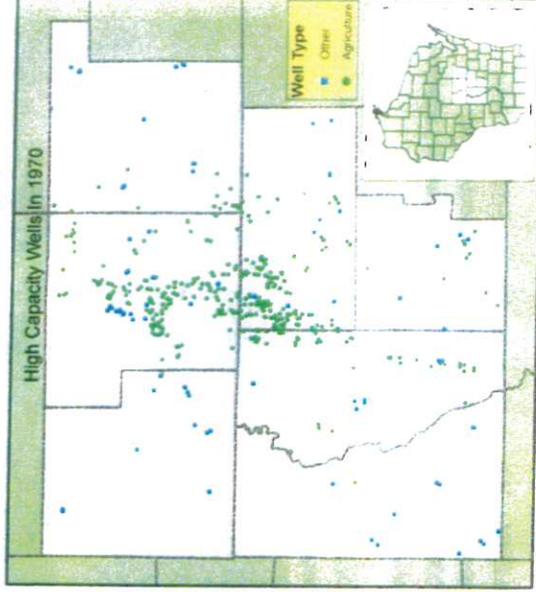
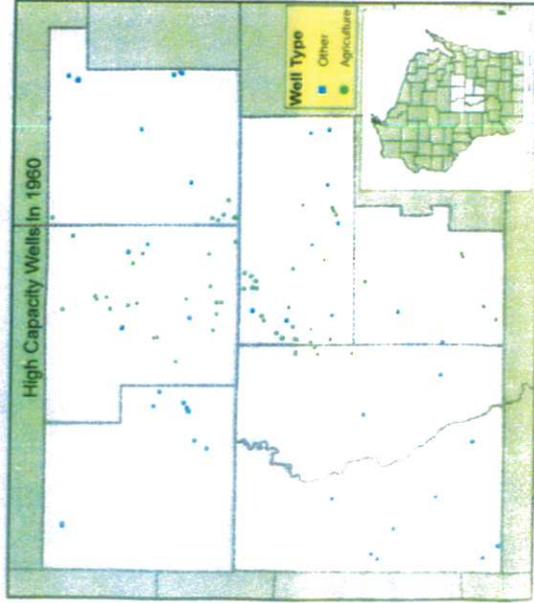
Agricultural Irrigation

This map shows irrigated acres by county. Most agricultural irrigation is focused on the counties in the central part of the state largely due to more permeable, sandy soils. The graph below shows agricultural irrigation for selected counties.



Groundwater use trend data for each county is available at <http://wi.water.usgs.gov/gwcomp/flind>

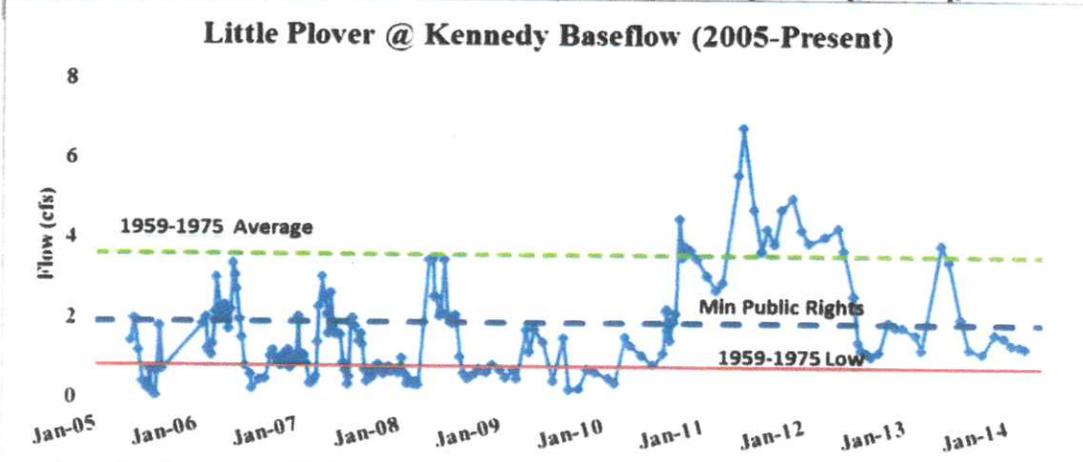
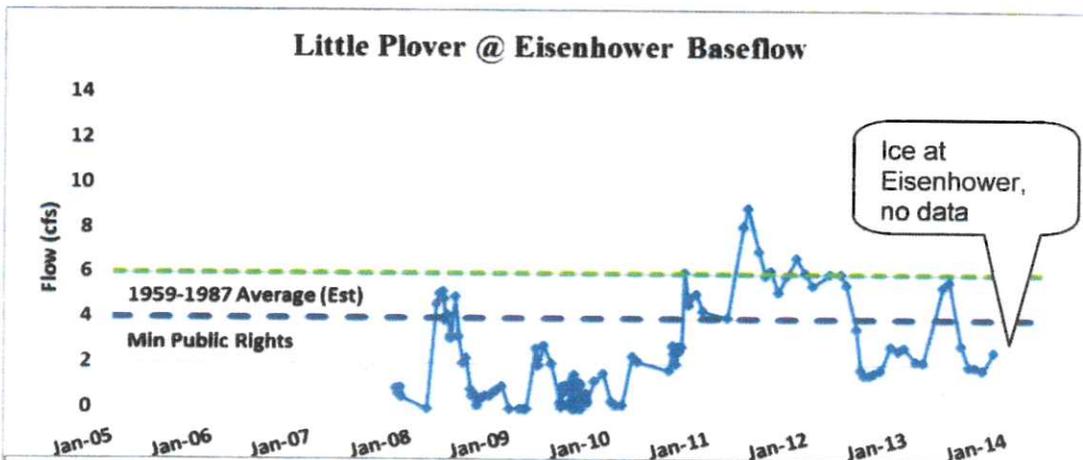
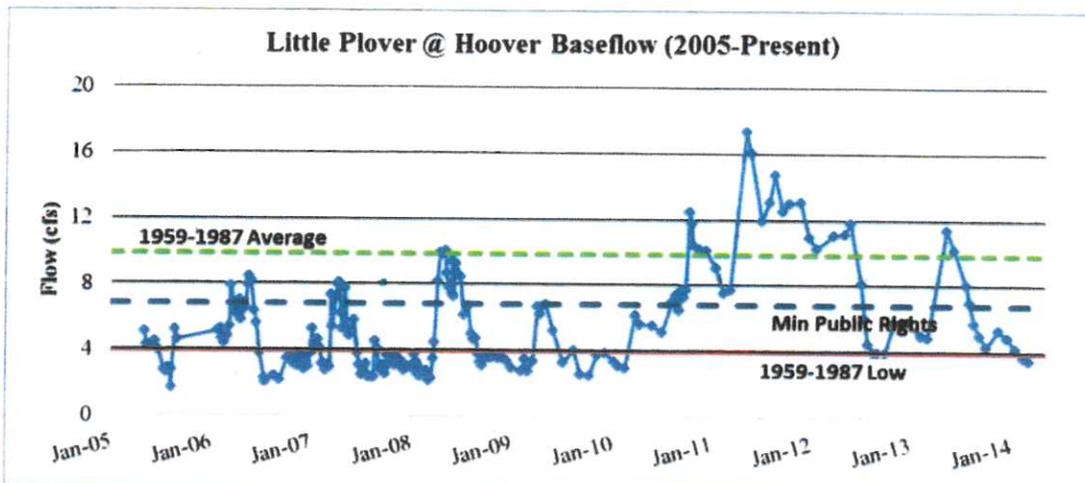
Growth in Approved High Capacity Wells in the Central Sands



Maps Created by Dan McFarlane, Center for Land Use Education, 2010. Data Source: Wisconsin Department of Natural Resources, High Capacity Well Information: <http://dnr.wi.gov/org/water/dwg/hicap.html>. Accessed May, 2011.



LITTLE PLOVER FLOW REPORT – MARCH 2014; SINCE 2005





10th Annual Little Plover River Appreciation Day

May 6, 2016

Join us as we celebrate one of Wisconsin's unique natural treasures. The Little Plover River Appreciation Day brings 140 4th grade students from Plover/Whiting and Roosevelt Schools to this Class 1 trout stream to learn about the different aspects of water in their lives. Students not only learn about the things that live in the river and by the river, but also about the fun they can have with the River. Students will learn how to cast with fly rods and how to tie flies to use as lures. They will be able to see the fish and invertebrates that live in the River. They will test their knowledge of water conservation and water quality and learn about aquatic invasive species.

With your help we can make this day a fun, educational opportunity for the students and continue our community educational outreach.

Sponsorship Opportunities

YES!! I would like to sponsor the Little Plover River Appreciation Day

Print out this form and mail to the address below

- | | | | | | |
|--------------------------|-----------------|----------|--------------------------|--------|----------|
| <input type="checkbox"/> | Benefactor | \$100.00 | <input type="checkbox"/> | Friend | \$ 25.00 |
| <input type="checkbox"/> | Station Sponsor | \$50.00 | <input type="checkbox"/> | Other | _____ |

Donations are tax deductible

Company Name _____

Contact Name _____

Address _____

City, State, Zip Code _____

Phone _____ E-mail _____

I wish my support to be anonymous

Return form & donation to
Friends of the Little Plover River
c/o Golden Sands RC&D Council, Inc

1100 Main Street, Suite 150, Stevens Point, WI 54481

Make Checks Payable to:
Golden Sands RC&D
with FLPR in the memo line

For more information contact
Barb Gifford
715-344-3539
barbaragifford@charter.net

Event Organizers

www.friendsofthelittleploverriver.org



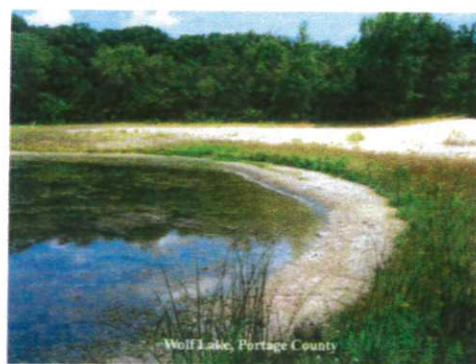
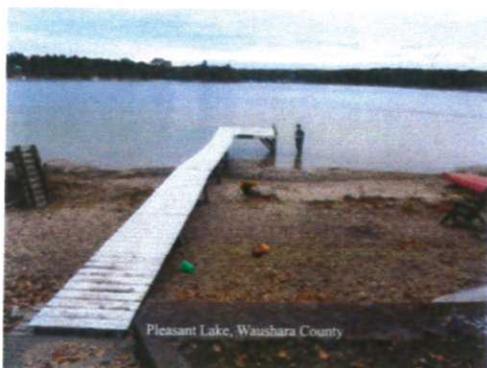
Golden Sands
Resource Conservation
& Development Council, Inc.



It's Not Just the
Little Plover River
**These are the Faces of
Lakes in Peril**

VIEW: Other troubled Lakes and Rivers

<http://www.friendsofthelittleploverriver.org/about-the-river/photos/lakes-in-peril-in-the-central-sands-region/?stage=Live>



**Are these the Faces of Lost Property Values?
Are these the Faces of Lost Wildlife Habitat?
Are these the Faces of Devastated Ecosystems?
Are these the Faces of Cumulative HCW Pumping?**

**A Few of the Troubled Lakes and Streams
in Central Wisconsin**

- Adams Lake
- Bass Lake
- Bear Lake
- Boetter Lake
- Crooked Lake
- Deer Lake
- Fenner Lake
- Fiddle Lake
- Fish Lake
- Hancock Lake
- Huron Lake
- Long Lake
- Patrick Lake
- Peters Lake
- Pickerel Lake
- Pine Lake
- Plainfield Lake
- Pleasant Lake
- Pumpkinseed Lake
- Riley Lake
- Second Lake
- Washburn Lake
- Weymouth Lake
- Wolf Lake
- Little Plover River
- Stoltenberg Creek

What Lake or River Will Be Next?

Visit our website: <http://www.friendsofthelittleploverriver.org>

**Central Sands lakes and rivers affected by
excessive groundwater pumping**



This former trophy bass lake never dried in anyone's memory. It used to be up to 14 feet deep. It now has about 3 feet of water, in it at the deep spot, not enough to support waterskiing and fish.



This is the view from the boat landing, now 100 feet from water. The lake now winterkills regularly, and the camp for indigent children (at left) is losing its water front.



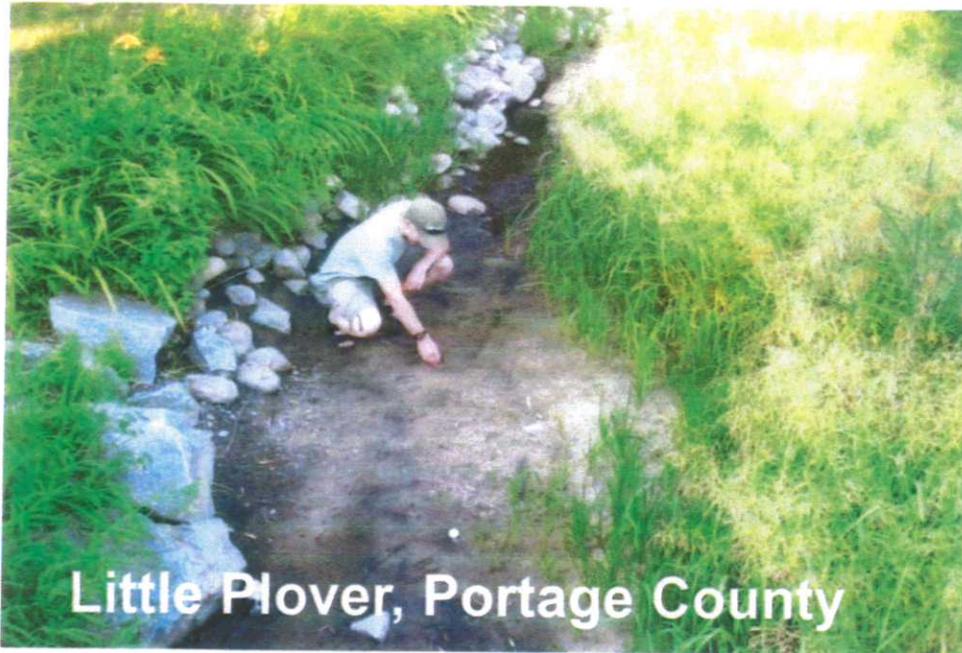
Wolf Lake, SW Portage County

This used to be a county beach where hundreds would recreate on weekends. Water levels are too low for swimming and the county has lost use of its park since 2003.



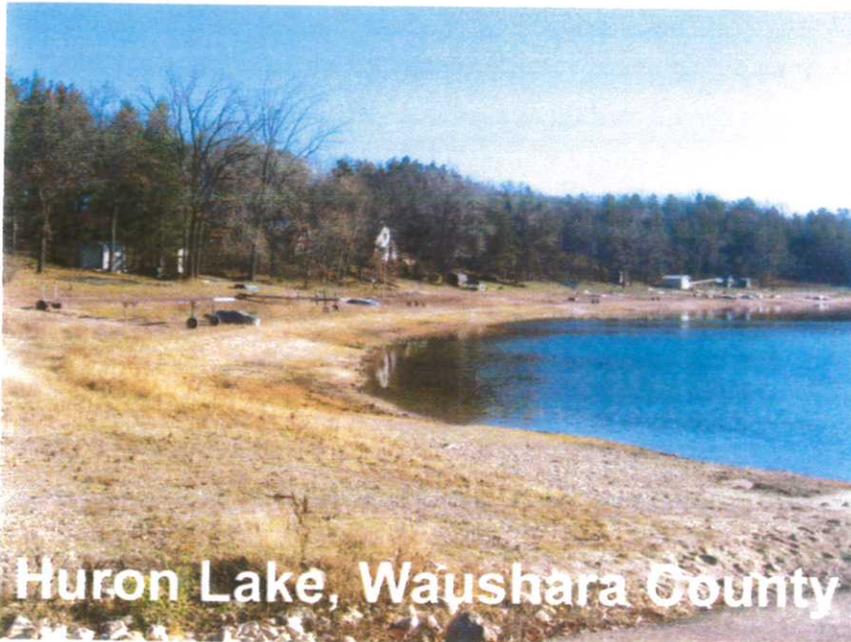
Stoltenberg Cr., Portage Co

This trout stream west of Nelsonville gets shorter and shorter every year as more irrigation wells go in. And it dries in whole reaches as well.



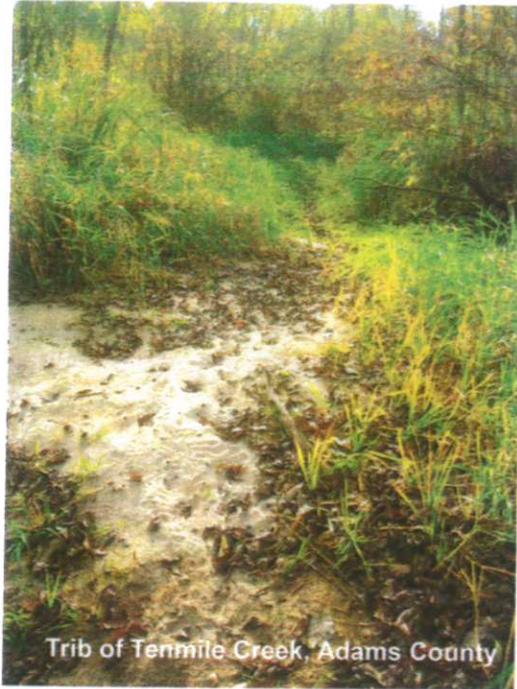
Little Plover, Portage County

The Little Plover River, a class I trout stream. It dried in sections every year from 2005-2009 due to pumping. It flowed below "healthy levels" (public rights flow) 80% of the time in 2012 and 2013.



Huron Lake, Waushara County

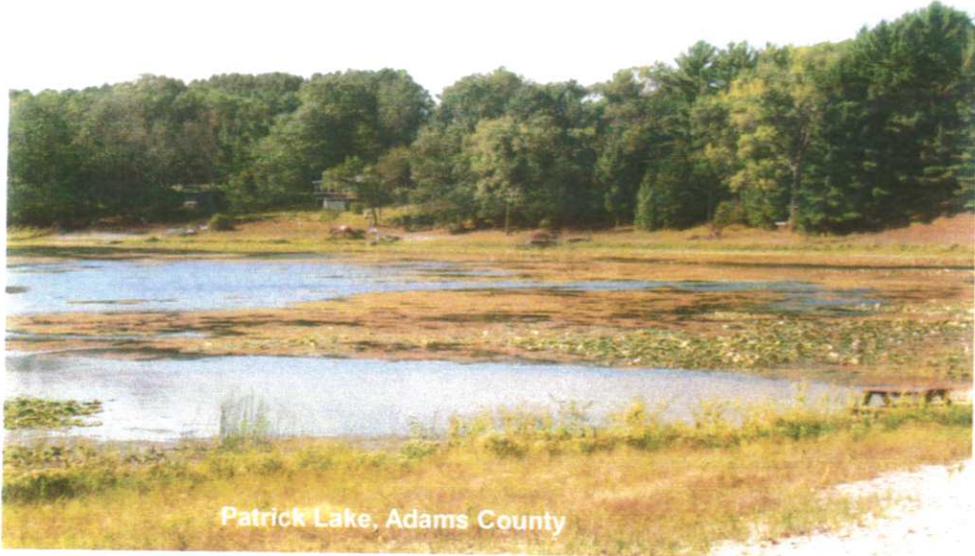
Huron Lake near Plainfield. Note where the trees and docks are showing where water levels used to be. This lake supports the cottages of visitors from out of the area who support the tourist economy and tax base. The cottages around this lake supply the same amount of property tax as 40,000 acres of ag land.



Formerly robust stream stretches of trout waters are now regularly going dry during irrigation season. 2013 photo.

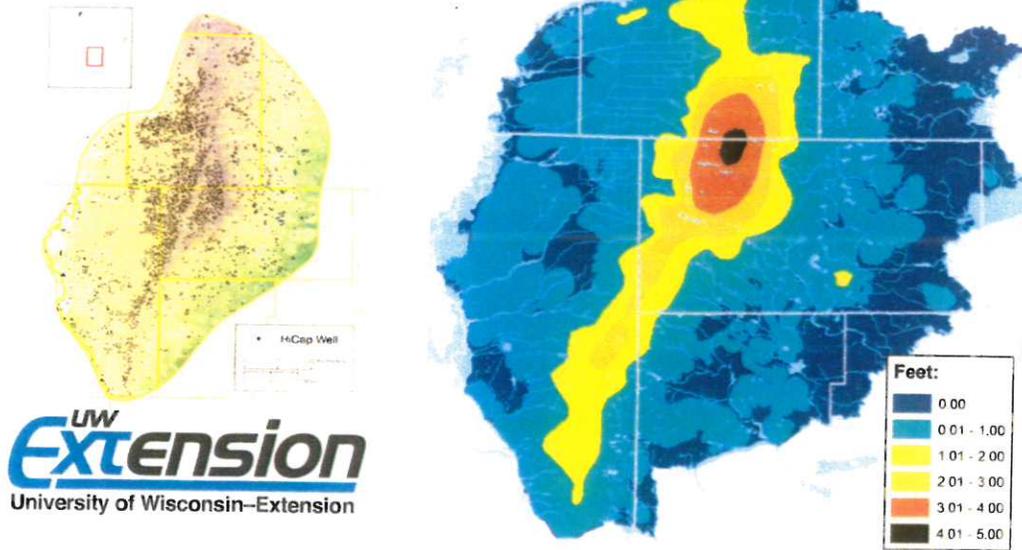


Near Hancock. Note that the dock is high and dry. The weather has gotten wetter, pumping is the only cause..



Note tree line where water levels were historically.

**Average Water Level Declines
from Pumping in the central
sands**



Little Plover River Listed 4th Most Endangered River in America 2013



April 17 . . . American Rivers announced its 2013 listing of AMERICA'S 10 MOST ENDANGERED RIVERS (MER.) The Little Plover River (LPR), 4th on the list, flows through Portage County at the heart of Wisconsin's Central Sands.

The common thread . . . of the top 4 MER is that they have either outdated or, more alarmingly, NO water/groundwater management plans in place.

Historically . . . the LPR has never gone dry, even in past drought periods of greater magnitude . . . until 2005 when sections of the river dried up—and this has continued to happen since then.

What has changed . . . to make this happen? Portage County has the highest number of High Capacity Wells (HCW) in the state. Based on groundwater modeling, the growth of HCW and the depletion of river flow have coincided.

The time has come . . . to embrace the science and establish an enforceable groundwater management plan for the LPR, the 6 counties of the Central Sands and Wisconsin.

How will this end? . . . We look at this river and wonder if this will be the final chapter in the story of the LPR? Will it end as a lifeless, empty shadow of what once was? Perhaps a different chapter in this river's story can be written. The choice is ours and yours . . . help us save the Little Plover River—it can be done if we start today.



Photo: Amy Thorstenson, Friends of the Little Plover (1997)

Little Plover River

#4

Wisconsin

Threat: Outdated water management
At Risk: Fish habitat and water supply

Summary

The Little Plover River flows six miles from clear, cold headwater springs before joining the Wisconsin River. However, dramatic increases in groundwater withdrawals have reduced river flows. Once prized for native brook trout and popular with anglers, the river's flow has decreased to levels that threaten the persistence of fish populations. In the past decade, portions of the Little Plover River were repeatedly sucked dry, making the river the unfortunate poster child for Wisconsin's inadequate groundwater management. The Wisconsin Department of Natural Resources must adequately manage High Capacity Water Wells to safeguard the Little Plover and other rivers and lakes across the state.

The River

The Little Plover River has always been a magnet for anglers. In the early 1900's, local newspaper archives report trout catches in excess of 100 fish in one day. Today, the Little Plover remains a destination for anglers as a Class I trout stream, retaining a smaller population of its native brook trout. Designated a Wisconsin Legacy Place, the Little Plover River's historical importance to indigenous people is evident by the density of arrow heads that have been found along its banks.

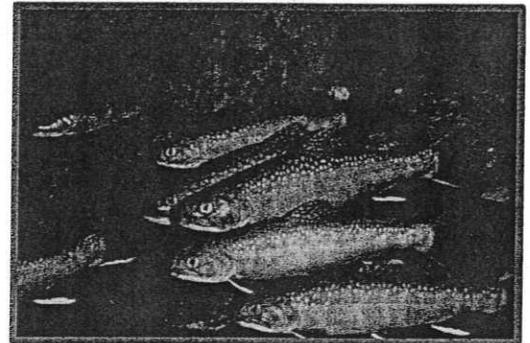


Photo: USFWS

Demands on the groundwater that feeds the Little Plover River include the drinking water for a population of 14,000, as well as 5500 acres of irrigated crops, a vegetable processing plant, and a paper mill— all water-intensive uses. Located in the central sands of Wisconsin, immortalized by Aldo Leopold's Sand County Almanac, the soil requires heavy irrigation. The value of agricultural products grown in the county tops \$145 million, but at the cost of area rivers and lakes.

The Threat

Today the Little Plover River is under great stress and its story has become a sad cautionary tale. Since shallow groundwater sources often provide water to rivers, High Capacity Wells (with a pump capacity of 100,000 or more gallons per day) can have as much or more impact on river flow than surface pipes directly drawing water from the river. Taking water from all directions can cause rivers to run dry if enough water is withdrawn. Models based on 60 years of data show reductions in flow in the Little Plover River beginning in the mid-1970's, with more than half the historic flow missing by 2006. This reduction mirrors the more than doubling of the number of irrigation wells, which now account for about 85% of water withdrawals in the Little Plover Basin since 1980; it is compounded by municipal and industrial wells pulling from the same source.



American Rivers

Rivers Count! US

2013 America's Most Endangered Rivers®

www.americanrivers.org

1101 14th Street NW, Suite 1400, Washington, DC 20005

(202) 347-7550

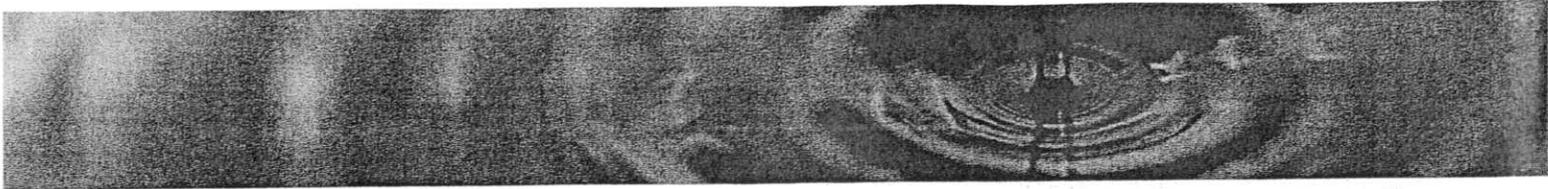


Photo: Barb Feltz, Friends of the Little Plover River (2005)

The Little Plover River, along with several lakes in the Central Sands region, has been the most visible victim of poor groundwater management, but the problem is statewide. Wisconsin is a water-rich state, but groundwater, the water source for 70% of the population and over 90% of water used for farming and industry, is limited. Wisconsin law leaves streams, lakes, and wetlands unprotected from excessive groundwater pumping, and does not require consideration of the impacts of High Capacity Wells and their cumulative effects on groundwater supply or groundwater-dependent surface waters except in limited circumstances. Nearly all water resources are left high and dry by current law, and there is no mechanism to restore water to clearly impacted resources such as the Little Plover River.

What Must Be Done

The Wisconsin Department of Natural Resources (DNR) must enforce public flow orders for the Little Plover River. In 2006, a task force of stakeholders facilitated by the DNR was formed to address excessive groundwater pumping that was causing low stream flows and ultimately drying up the river and impacting the ability to sustain healthy fish populations. The establishment of public rights flows (PRF) for the Little Plover was a direct byproduct of the deliberations of the task force. The PRF, or water level necessary to protect public rights and interests, may not be lowered. This means that lower flows, where they can be attributed to excessive groundwater pumping, must be restored by better managing that pumping. Without enforcement, however, the PRF is ignored, pumping is not regulated and managed, and the river is in danger of running dry, while High Capacity Well permitting continues unabated with little, if any, oversight.

Wisconsin DNR needs to develop and implement management plans for maintaining adequate water flows and regulate High Capacity Wells throughout the state in order to protect other water users and the environment from overuse. The state has ignored the impact of High Capacity Wells for long enough. It is time to take the interests of local residents, fish, and wildlife into account and find a balance between development of High Capacity Wells and healthy river flows, before Wisconsin loses its waters and its natural heritage.

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pairs4life@aol.com

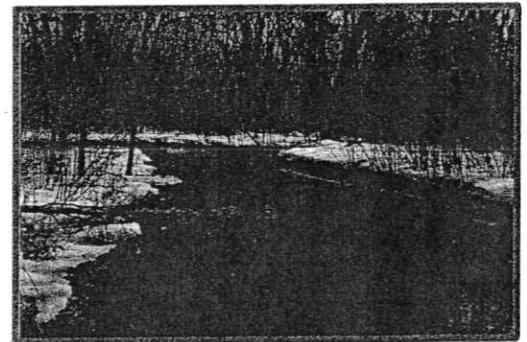


Photo: Jim Gifford, Friends of the Little Plover River (2011)

How You Can Help

- Go to www.americanrivers.org/LittlePlover and TAKE ACTION!
- Retweet from @americanrivers on Twitter and use the hashtags #MER2013
- Share Little Plover River posts on our Facebook page and share our posts on yours
- Keep talking about the Little Plover River to decision-makers and with your friends!

America's Most
Endangered
Rivers

THE SEVEN ACTIVITY STATIONS--2011 APPRECIATION DAY

MAY 6, 2011

(CONT. FROM PAGE 1)

WOULD YOU DRINK THIS WATER?

Students performed an experiment on a glass of "contaminated" water. The experiment consisted of looking, smelling, and tasting the liquid. After answering all three criteria, students had to answer "Would you drink this?" Many of the answers were "No." Some ingredients in the water included food coloring, onion powder, and coffee creamer. The lesson learned from this activity is there are many pollutants in the water and many of them can be tested by looking, smelling, and tasting, but many cannot be seen and have to be tested by scientists.



INCREDIBLE JOURNEY

The life of a water drop... Students had the opportunity to learn how the water cycle works by pretending they are water drops. They were able to virtually move through the water cycle collecting beads that represent places they would travel in the water cycle like soil, plants, clouds, groundwater, lakes, rivers, oceans, animals or glaciers.

FLY TYING

Al Kunst conducted demonstrations at the Fly Tying station. This activity taught students about the different types of flies and how to understand the environment one is fishing in to be able to fish well. Students were able to watch Al tie the flies they would use when fishing. Donated LPR fishing lures were given to each student.



WATER CONSERVATION

Conserving water is always an important topic to discuss. Even with students in grade school. Duane Groshek (Village of Plover) and Andrew Aslensen (Rural Water Association) presented the water conservation station. Duane brought handouts about how to conserve water to give to the students.

FLY CASTING

Fly casting taught students how to properly use a fly rod, along with fly fishing techniques. Stu Grimstad, from Trout Unlimited, brought 20 youth fly rods with him. Bill Ebert and Dan Bogg helped out. It was a windy day which made this activity exciting.



TROUT SHOCKING/VIEWING

This is a student favorite! Tom Meronek, Dale Kufalk and Matt Jacobson of the DNR explained that the river is a valuable resource to be preserved. They demonstrated how to shock fish to do a census and students saw fish from the river up close. Students asked many questions.



MACROINVERTEBRATES/STREAM FLOW

UWSP student volunteers captured macroinvertebrates that live in the stream and students were able to see them up close and were amazed at the immense diversity of the river ecosystem. They also learned the importance of measuring river flow and what flow rates and stream levels mean to animals living in the stream.



Little Plover River on Exhibit at the MREA Energy Fair

Volunteers from the Friends of the Little Plover River, Barb Feltz, Barb Gifford, Jim Gifford, Jennifer Glad and Jerry Knuth, staffed an informational exhibit at the 22nd Annual Energy Fair in Custer, WI on June 17-19, 2011.

Sponsored by the Midwest Renewable Energy Association, the Energy Fair is the nation's longest running energy and sustainability education event of its kind. Members of the Friends answered questions from Fair attendees on the status of the Little Plover River and other groundwater issues. We were thanked by many for our groundwater education efforts.

Submitted by Barb Gifford



Jerry Knuth at the FLPR booth at 2011 MREA Energy Fair

Good and Worrisome Legislative News Good News

Can the DNR Regulate Groundwater Withdrawal ?
YES! The Wisconsin Supreme Court ruled unanimously YES in the Lake Beulah Management District v. Wisconsin Department of Natural Resources case.

To the surprise of many water conservation groups, the July 6, 2011 ruling of the Wisconsin Supreme Court affirmed that the State has an obligation to protect surface waters from the negative impact of excessive groundwater withdrawal. The Court found:

"... the DNR has authority and a general duty to consider potential environmental harm to waters of the State when reviewing a high capacity well permit application... The DNR should use both its expertise in water resources management and its discretion to determine whether its duty as trustee of public trust resources management and it is implicated by a proposed high capacity well permit application such that it has an obligation to consider environmental concerns."

For the full text of the Court's ruling visit www.wicourts.gov/sc/opinion/DisplayDocument.pdf?content=pdf&seqNo=67354

Worrisome News Water Under Assault

Polluters Over People Bill—SB24/AB24

These bills are "nothing but fast-tracking permits for a range of activities, especially the mining industry, that damage rivers, lakes, groundwater and air quality" says Denny Caneff of the River Alliance of Wisconsin.

FLPR board members traveled to Madison to speak with Senators and testify at a committee hearing in opposition to these bills.

Oct. 13: Barb Gifford was part of the Wisconsin League of Conservation Voters Special Lobby Day and met with Senators.

Oct. 26: Jerry Knuth was part of 200 plus citizens officially registering opposition to these bills.

Protect Our Wisconsin Heritage

Please contact the Chairs of the Natural Resource Committee and your State Senator and Representative.

Submitted by Barb Gifford

Thank you Contributors!

Troy and Debra Aeby
Wendy Allen
Todd Amba

Jake and Kristen Barnes
James and Linda Kasukonis
Emily Kurzewski

Mike Mitchell/Mitchell's Hilltop Pub & Grill

Robert and Jean Morris
Tom and Jane Parker

David and Roseann Rosin
Lynn Seifert

Mark and Jan Seiler
Mark and Kristen Wentzel

2011 Appreciation Day Sponsors

Stevens Point Women's Club
Dr. Michael and Becky Schmidt
Barb and Jim Gifford

The Friends of the Little Plover River have created a great, informative website

Please share this website link with others:
www.friendsofthelittleploverriver.org

Water Saving Tips = Fewer \$\$

(Do you receive a water bill?)

- Water efficient shower heads are inexpensive and can save a family of four up to 17,000 gallons per year.
- Need a new clothes washer? Consider buying Energy Star models which can save up to 20 gallons per load.

Friends of the Little Plover River

Your support will help the Friends of the Little Plover River continue their efforts to:

- ◆ Raise awareness of the Little Plover River
- ◆ Promote water quality and quantity issues
- ◆ Promote wise management of water and land resources
- ◆ Increase education of water resources through the Little Plover River Appreciation Day
- ◆ Protect the groundwater that recharges the Little Plover River and that residents drink every day



Select donation amount (Donations are tax deductible)

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 Leader \$50.00 Benefactor \$75.00 Other: \$ _____
 I wish my support to be anonymous

Name: _____

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Please print Friends of the Little Plover River or FLPR in the memo line

Please send this form and checks to:

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c/o Golden Sands RC&D
1462 Strongs Avenue
Stevens Point, WI 54481

*All donors will have their names published in the next edition

JOIN US!

Improving the health of the Little Plover River is a community project. The Friends of the Little Plover River have come together to work towards the goal of protecting and educating the community about this gem of a stream for future generations.

Contact us:

Barb Gifford Barb Feltz
 715-344-3539 715-344-6319
 barbaragifford@charter.net barbfeltz@charter.net

Little Plover River Community Currents



Fabulous 5th Event—700 Students Served To Date Appreciation Day

We are proud to tell you that on May 6, 2011, the Friends of the Little Plover River held the 5th Annual Appreciation Day Event. Yes, it was 5 years ago that we first welcomed to the river approximately 140 fourth grade students from Roosevelt and Plover/Whiting Elementary Schools. The educational hands on event was an immediate success and continues to be a much anticipated event for the fourth grade students.

To date we have seen approximately 700 students become engaged in water conservation, educational and recreational themes . . . We're planning for 1,000 students by 2013.

Mark your calendars for next year's Appreciation Day—May 4, 2012

A Special Thanks to Our Teachers



This Annual Appreciation Day Event continues to be so very successful because of these enthusiastic and supportive teachers. For this and your dedication **We Thank You!** Through rain and shine you have come.

This Year's Volunteers . . . an integral part of this annual event . . . **Thank You** for all your time and expertise:

Nathan Anschutz 1 st yr	Dan Bogg 1 st yr	Steve Bradley 4 th yr
Bill Ebert 3 rd yr	Barb Feltz 5 th yr	Barb Gifford 5 th yr
Jim Gifford 5 th yr	Jennifer Glad 1 st yr	Stu Grimstad 5 th yr
Duane Groshek 1 st yr	Tyler Groh 4 th yr	Lynn Holborn 2 nd yr
Matt Jacobson 5 th yr	Jerry Knuth 5 th yr	Dale Kufalk 5 th yr
Al Kunst 5 th yr	Tom Meronek 5 th yr	Hayley Templar 1 st yr

Education Student Volunteers: Kathleen Rimer, Megan Utecht, Christina Hoppe;
Roosevelt Teachers: Faye Miller, Karen Wiltzius, Jean Hayder;
Plover/Whiting Teachers: Betsy Wiberg, Rebeca Radtke, Betsy Weinkauf

(Continued on Page 2)

Aerial Mapping of Little Plover River Provided by Bob Bowen

On April 29, 2011, Bob Bowen carried out an aerial mapping of the River. You can view the photos he took on our website at <http://www.friendsofthelittleploverriver.org/about-the-river/aerial-mapping-of-the-little-plover/aerial-mapping-images/>. Bob has been flying since 1967, 44 years, and accumulated over 3000 hours of personal flying and Civil Air Patrol service. Bob's aircraft is a 1947 Luscombe that stays in very good condition through required annual inspections. It's a factory model aircraft and not a home built. Age is not a factor and Bob says he's sure the plane will outlast its owner. Bob has shared aerial photos with the City of Stevens Point, Department of Planning and Zoning, in regard to the Wisconsin River and Plover River draw down and the Portage County Planning and Zoning departments. He also provides an aerial platform for the UWSP Schmeckle Reserve project that is used to maintain an ongoing overview of the reserve's improvements. Occasionally Bob does courtesy photos for individuals who want shots of their residence. The Friends of the Little Plover River wish to thank Bob for the many volunteer hours he devoted to the mapping of the Little Plover River.

Submitted by Barb Gifford



Bob Bowen stands next to his 1947 Luscombe

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