

TO: ASSEMBLY NATURAL RESOURCES COMMITTEE

FROM : KEN M. BLOMBERG – WRWA EXECUTIVE DIRECTOR

DATE: MARCH 31, 2010

RE: COMMENTS ON AB 844 – GROUNDWATER BILL

Thank you, Chairman Black and Committee Members for the opportunity to testify on this important bill. My name is Ken Blomberg and I am the Executive Director of the Wisconsin Rural Water Association (WRWA), whose membership includes 661 public water supply systems across the state.

Last week, during the Senate hearing on SB 620, I was in the city of Green Bay, where over 1,300 members of the public water supply family gathered to celebrate a long history of water conservation and sustainability at the 22<sup>nd</sup> annual Rural Water Technical Conference. The professionals that are responsible for the health and safety of their communities asked me to appear here today and respectfully stand opposed to AB 844 and its companion bill SB 620.

Please do not interpret that opposition as a lack of commitment towards groundwater quantity and quality protection. On the contrary, the public water supply industry has a long, rich record of water conservation and sustainability - by providing its customers with safe, dependable, quality water on tap – a product that meets and exceeds all state and federal water standards, is metered and sold at affordable prices. Well-intended supporters of these bills do not fully comprehend the public water suppliers' role in protecting our state's groundwater resources. Ever since the first tap was turned on more than a century ago and the first well was drilled, public water suppliers have practiced what many around this table now preach. To do otherwise would have cost communities valuable resources and dollars - that in today's economic climate are found in short supply.

What we do oppose is legislation that fails to adequately protect both the natural and human resource it was meant to sustain. This proposed legislation is long on recognizing problems, yet short on providing solutions. WRWA stands by comments "Providing Solutions" which were submitted to the Groundwater Workgroup on 11/10/09 as they drafted these bills. While we appreciated the invitation and the opportunity to participate in the workgroup process, the bills as drafted, fail to address any of our comments.

The proposed legislation fails to address the uniqueness of each watershed and a water budget for each.

The proposed legislation fails to recognize public water supplies as a priority for public health and safety reasons.

The proposed legislation takes aim at, and perhaps singles out, the very industry that has the most to lose, should this precious resource be threatened. It fails to recognize the approximately 800,000 un-metered low capacity private wells that pump up to 200 million gallons per day. All water users; both public and private, must share in the commitment towards groundwater quantity & quality protection and the cost of any new unfunded mandates.

The proposed legislation fails to address groundwater monitoring and USGS stream flow gauging stations that must be monitored, maintained and in many cases restored to working condition. In addition, it lacks an equitable funding mechanism to accomplish this. Earlier this month, I began discussions with our elected officials and Congressional staffers in Washington DC as they work to secure funding to inventory and in some cases, activate or replace dormant USGS gauging stations and associated monitoring wells in northwest Wisconsin and elsewhere in the state. Of the 321 original stations, only 221 are currently active and 100 of those only on a temporary basis. In the final analysis, the burden of proof will be in the hands of the state before pumping restrictions are applied to protect the resource.

This proposed legislation unfortunately adds another unnecessary layer of bureaucracy by adding county control under a new groundwater management council. WRWA believes that putting counties in charge of local water use decisions is ill-advised, as local control should be left to qualified public water supply professionals and the elected community officials they answer to directly.

WRWA is also concerned over language in this proposed legislation that allows citizens the right to file "a petition with DNR requesting environmental review of a proposed high capacity well that does not meet any of the criteria for which environmental review is specifically required, on the grounds that the well is reasonably probable to result in significant adverse environmental impact to surface waters." With an average of 260 high capacity well applications a year, the potential cost of such environment reviews alone could exceed \$7.8 million per year.

WRWA supports the testimony submitted by the Municipal Environmental Group (MEG) and that which was submitted by three of our member communities, the Village of Plover, the City of Stevens Point and the Village of Whiting.

Thank you again for the opportunity to share my member's thoughts on this important subject. We are ready to work with you in the future to strengthen groundwater legislation that will provide solutions and work in the state of Wisconsin.