

STATE REPRESENTATIVE Katrina Shankland

71st ASSEMBLY DISTRICT

Testimony in Support of Assembly Bill 800 Assembly Committee on Colleges & Universities January 30, 2020

Chairman Murphy, Vice-Chair Tranel, and members of the committee, I appreciate the opportunity to testify in support of Assembly Bill 800, legislation supporting the Center for Watershed Science and Education, creating a hydrogeologist position, funding research on phosphorus recovery and reuse, and creating grant programs for counties to test wells and provide outreach and education.

As the Speaker's Task Force on Water Quality traveled around the state, we heard about the need to invest in solutions to remediate water contamination, prevent future contamination, and support the existing work being done in communities across Wisconsin. Many entities within the University of Wisconsin System and Extension conduct some of the most cutting-edge research on groundwater contamination, land use, and agriculture in the state. Assembly Bill 800 supports existing and new research within our world-class UW System and invests in ways that will help people throughout Wisconsin become more informed about their private wells and water quality.

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

When the Task Force held a hearing in Stevens Point, representatives from the Center for Watershed Science and Education at UW-Stevens Point provided a tour of their Water and Environmental Analysis Lab in the College of Natural Resources and underscored how they serve communities grappling with contaminated water across the state. Assembly Bill 800 allocates \$900,000 in funding in the biennium for the Center for Watershed Science and Education to provide outreach to private well owners and develop and maintain the database on private well water quality. With this legislation, they will be able to help communities better understand their contamination, make more informed and data-driven decisions, and more quickly create a nitrate "risk assessment" map for the DNR and the public to utilize while ensuring people's privacy is protected.

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

€ 30% post-consumer fiber

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

Assembly Bill 800 creates a new grant program funded at \$250,000 and administered by the DNR to provide matching funds to counties to test and map private wells, as well as notify the public of the results. This increase in resources will significantly help incentivize counties to improve the testing rates for those with private wells. The bill provides matching grant funding of up to \$10,000 per county for testing and mapping and up to \$2,500 per county for education and outreach. The bill also includes a requirement for all municipalities in which private wells exist that the local government recommend to its residents to test private wells regularly. This education and outreach could be as simple as including an additional note on the tax bill, or including notices at the town hall, on the village website, or any other creative way to notify community members about this important public health issue. This will empower residents to know what's in their water and take an interest in water quality.

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

Finally, AB 800 includes \$200,000 to help support the research for Phase I of the Market-Based North American Phosphorus Recovery and Reuse Policy study at UW-Extension. Phosphorus is an important nutrient for agriculture, but is a limiting nutrient in our water bodies which causes excessive algal growth. While the focus of this project is first on phosphorus, it will also reveal important information on nitrogen, which appears whenever and wherever phosphorus is found and aggregated. This project proposes to research and develop a market-based recovery and reuse program to recover nutrients on the front end and prevent excess phosphorus and nitrogen loading into our waters altogether.

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



PATRICK TESTIN STATE SENATOR

DATE:	January 30 th , 2020
RE:	Testimony on 2019 Assembly Bill 800
TO:	The Assembly Committee on Colleges and Universities
FROM:	Senator Patrick Testin

Thank you to Chairman Murphy and members of the Assembly Committee on Colleges and Universities for accepting my testimony on Assembly Bill 800 (AB 800).

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

AB 800 provides supplementary funding of \$900,000 over two years to the Center for Watershed Science and Education for them to do this as well as provide outreach to private well owners. This enables them to utilize new data to complement their current research of groundwater quality in the state and provide tools for the Department of Natural Resources (DNR) and the public.

In addition, AB 800 allocates \$250,000 for a DNR program to help counties improve testing rates of private wells and provide education and outreach. A \$200,000 one-time allocation will fund UW-Extension's Phase 1 policy research proposal under the market-based North American Phosphorus Recovery and Reuse Policy.

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

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

of getting their well tested. AB 800 leaves the type of notice up to the local government to decide what will be most effective for their community, whether it is on the municipality's website or a notice at the local governmental body's hall.

AB 800 works in a variety of ways to ensure that water quality is taken seriously as a public health issue and that the public is notified about potential hazards and the importance of well testing. The funding provided will ensure that useful data that can be utilized by the public will continue.

Thank you again Chairman and committee members for accepting my testimony, and I would ask that you support AB 800.

State of Wisconsin DEPARTMENT OF NATURAL RESOURCES 101 S. Webster Street Box 7921 Madison WI 53707-7921 Tony Evers, Governor Preston D. Cole, Secretary Telephone 608-266-2621 Toll Free 1-888-936-7463 TTY Access via relay - 711



Assembly Committee on Colleges and Universities

2019 Assembly Bill 800 Grant program for counties to test private wells January 30, 2020

Good morning Chairman Murphy and members of the Committee. My name is Liesa Lehmann, and I am the Private Water Supply Section Chief in the Bureau of Drinking Water and Groundwater, with the Wisconsin Department of Natural Resources. Thank you for the opportunity to testify, for informational purposes, on Assembly Bill 800 (AB 800). My comments today will be focused on the bill language relating to the proposed Private Well Testing grant program for counties.

AB 800 creates a new grant program to provide funding for counties to gather and assess data about private wells in Wisconsin. Two grant options are available - a \$10,000 grant per county is available for private well testing and related study of geology and well construction practices, and a follow-up \$2,500 grant per county for notifications to well owners. Counties may apply individually or as a group, and counties must provide equal matching funds.

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

As the agency charged with managing the state's groundwater resource, the Department of Natural Resources collects and analyzes groundwater data and maintains a database of well test results for public use. AB 800 requires counties to submit private well test results to the Center for Watershed Science and Education rather than the Department, which means that some private well test results would not be available to the general public through the Department's database. The DNR would welcome a discussion on possibilities for the Department receiving private well test results from any grant-funded county study as a condition of the grants. The Department would manage the data to ensure that any personally identifiable information is handled appropriately.

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



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

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

WI Land+Water Testimony on AB 800

Assembly Committee on Colleges and Universities 1/30/20

Good morning Chair Murphy, Vice Chair Tranel, and committee members.

My name is Matt Krueger, and I am the executive director of WI Land+Water. We are a nonprofit, nonpartisan membership organization that represents 800 county conservation department staff and elected county board supervisors across the state. I am here today, on behalf of our members, to speak in favor of AB 800.

Our members were present at every hearing of the Water Quality Task Force last year, providing a professional assessment of local water quality opportunities and challenges that is uniquely theirs. And as an aside, I thank reps Tranel, Shankland, Summerfield, and Krug for their commitment, engagement, and patience as members of the Task Force.

County conservation professionals engage with their communities in every county in the state. We often say "boots on the ground" when describing their work, but it's absolutely true they're out on farms working as technical advisors to help farmers with nutrient management planning, or aiding waterfront property owners in preventing shoreland erosion, or responding to emergency situations, like flooding. They are trusted leaders in their community, and their work is relied upon to protect Wisconsin's resources, including groundwater.

The trouble is, groundwater is abstract. It's not easily understood, but understanding it is vitally important, especially for communities that rely on it as a drinking water source. And increasingly, communities are asking our county conservation professionals whether their well water is safe to drink, or how they can better protect it; and in most cases, our members can't answer those questions with certainty. And that's where, and why, our members turn to experts at WGNHS and UWSP CWSE.

The Survey is our state leader for creating geologic maps. They maintain a database for all maps they create, which can be accessed for free. Some of these maps show water table levels, groundwater susceptibility to contamination, and bedrock. While all of these maps are important to understanding the connection between the surface of the land and groundwater below, water table maps are a simple tool to assess where water is flowing, and they are very useful. For example, if a homeowner has a well with high nitrate, a water table map would help a land manager identify the direction that the contamination is coming from—a small, but important first step to solving the problem.

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Not all counties have a water table map, though. Many haven't been updated in decades. And even fewer are available digitally, so practically, they're unable to inform development of a land use, or other planning efforts.

Providing the Survey with funding for a hydrogeologist position would help this, and is critically important to communities looking to ensure safe drinking water for their residents. In our opinion, this is a pretty cheap investment with a huge return for county conservation departments, and the communities they serve.

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Similarly, the UWSP CWSE has been a vital resource for county staff, private well owners, farmers, and community members. The Center specializes in applied science and are truly the leading resource for connecting land use and groundwater trends. They provide much-needed assistance to communities in translating well testing results and groundwater information.

They provide technical support to county conservation departments in designing well sampling plans, testing the effectiveness of land use practices with farmers, and explaining options for well owners that are struggling to understand how to find safe drinking water for their families. Through all of this, they take complicated data on groundwater and translate it into understandable information that communities can use to make important public health decisions.

We are excited about the proposed upgrade to their program that funding from AB 800 would provide to the Center, and are fully supportive of it. We further support the provision of the bill that ensures all data collected through this bill will be added to the Center's significant dataset, to better assist with our understanding of groundwater across the state.

The bill defines funding endpoints for both the Survey and the Center, though—for the Survey funds, a three-year project position, and for the Center funds, a sunset in 2024. We'd like to see funding for both continue in some capacity, as groundwater is a dynamic and ever-changing area of study, and there is considerable work we have to do yet to ensure Wisconsinites have certainty about their drinking water.

Lastly, we are grateful that the bill's authors acknowledge the important role counties play in improving drinking water in communities, and have proposed providing funding for well testing and public education, through grants to counties. From a practical standpoint, any amount of funding will help offset the costs that struggling counties incur as they try to support private well testing. However, we have two main concerns with this proposal—first, that the proposed

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grant amount per county is insufficient, and second, that there is a one-time restriction on the funding for each county.

The bill proposes a cap of \$10,000 per county for well testing and study, which would be doubled to \$20,000 once county matching funds are provided. This is sufficient for roughly one year of well testing at the county level. It is not a sufficient amount to test all county wells that need testing, nor to understand the year-to-year fluctuations in water quality that affect the safety of drinking water. Imagine the difference in water quality from a record wet year such as we had last year, compared to a drought year. One year of testing does not adequately capture these fluctuations, and provides an incomplete picture. As such, we think the bill would be greatly improved by increasing the per-county grant amount for testing beyond the proposed \$10,000 cap, and/or by removing the one-time funding restriction.

In closing, over the past year, the Legislature has initiated conversations on how we can as a state better understand and protect water quality for all Wisconsinites. Over the past several years, WI Land+Water has been diligently working better coordinate and align efforts between county conservation professionals, state experts at the WGNHS and the CWSE, with the very goal of better understanding and protecting water quality. This bill is a great first step in that direction.

Thank you.

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Office of the President 1700 Van Hise Hall 1220 Linden Drive Madison, Wisconsin 53706-1559 608-262-2321 rcross@uwsa.edu www.wisconsin.edu

January 30, 2020

TO: Honorable Members of the Assembly Committee on Colleges and Universities

FROM: Ray Cross, UW System President Rey Crace

RE: Assembly Bill 800 Testimony - In Favor

Thank you, Chairman Murphy and committee members, for holding this public hearing on AB 800. Thank you to Senators Testin and Olsen and Representatives Shankland and Krug as well as the members of the Speaker's Task Force on Water Quality for supporting this proposal.

AB 800 will improve Wisconsin's capacity to better understand our groundwater resource quality and quantity while focusing on sharing and conveying that information to our residents. To accomplish this, the bill invests \$150,000 to fund a hydrogeologist position to focus on developing groundwater resources information as well as \$200,000 to fund research on phosphorus within the Division of Extension at UW-Madison. The bill also invests \$450,000 in each year of the biennium to support the Center for Watershed Science and Education based at UW-Stevens Point.

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

There is much work to be done to accomplish the goals of this bill, and the investments in both the Division of Extension and UW-Stevens Point will go a long way to enhancing our ability to achieve our mutual goals. Thank you again for your consideration of this bill and the opportunity to submit testimony on AB 800.



Assembly Committee on Colleges and Universities

2019 Assembly Bill 800 Creating a Hydrogeologist Position at WGNHS January 30, 2020

Good morning Chairman Murphy and members of the Assembly Committee on Colleges and Universities. My name is Ben Van Pelt and I am the Assistant Director of State Relations for the University of Wisconsin-Madison. Today I am joined by Ken Bradbury who is the State Geologist and Director of the Wisconsin Geological and Natural History Survey (WGNHS) which is located within the UW-Madison Division of Extension. Thank you for the opportunity to testify in support of Assembly Bill 800 (AB 800), which, amongst other things, creates a hydrogeologist position at WGNHS.

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

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

hydrogeologist, with supporting funding, to our staff will significantly add to the Survey's capacity to address groundwater questions and produce local groundwater inventories and models. This individual will focus on applied hydrogeologic studies at the county and local scale. It is important to note that providing this base capacity will allow the Survey to leverage other federal, state and local funds in developing cooperative groundwater studies.

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



Rami Reddy Director, School of Agriculture

Testimony is support of 2019 Assembly Bill 800 Date: 1/30/2020

Good morning. My name is Rami Reddy and I am the director of the School of Agriculture at UW-Platteville. I am here today to testify in support of the proposed Assembly Bill 800.

Multiple scientists, faculty and staff at UWP are involved in studies that address the problems, provide researched based solutions to many issues that pertain to watershed management, nutrient loss and recovery, water quality and are engaged in public education & outreach efforts.

Particularly, in southwest Wisconsin, I read a report with the title: 'Hazardous drinking water found in 42% of southwest Wisconsin wells'. It is quite alarming and a great concern for public health and safety. We strongly support the creation of grant programs for counties to test wells and provide public education.

Hiring the required talent by binging in a hydrogeologist position, building necessary resources and providing funds to support the center for Watershed science and education in the state of Wisconsin is much needed. I fully support the assembly bill 800.

Thank you!



Dennis Busch Senior Scientist, Pioneer Farm, UW-Platteville

Testimony is support of 2019 Assembly Bill 800 Date:1/30/2020

Good morning. My name is Dennis Busch and I am a Senior Scientist at UW-Platteville Pioneer Farm, and I am here today to testify in support of the proposed Assembly Bill 800 providing funding to support the Center for Watershed Science and Education, create a hydrogeologist position, and funding research on phosphorus recovery and reuse.

The research program that I direct at Pioneer Farm was established in 2001 as part of the Wisconsin Agricultural Stewardship Initiative and its' primary focus has been quantifying the relationship between water quality and agricultural farming practices.

A major component that we have attempted to focus on has been the impact of farming practices on groundwater quality. To that end Pioneer Farm has installed a network of 12 groundwater monitoring wells. The installation of the infrastructure was led by Dr. George Kraft from UW-Stevens Point.

Since installation of the monitoring wells we have conducted several sampling campaigns where samples were collected periodically (monthly or quarterly) from the wells. Unfortunately, while we have the infrastructure in place and have data collected, we have lacked the resources needed to take full advantage of the monitoring infrastructure. Primarily we don't have enough scientists in the state that are focusing on hydrogeology. This expertise is needed throughout the state. Moreover, as results of the SWIGG study are illustrating, there are groundwater quality issues in the karst area of southwest Wisconsin that require greater scrutiny.

We are currently collaborating with Drs. Ken Bradburry and Maureen Muldoon (Wisconsin Geological and Natural History Survey) and Dr. Paul McGinley (UW-Stevens Point) on research proposals that focus on agriculture groundwater quality in the driftless region.

I support Assembly Bill 800 as it brings to bear the additional resources in the form of subject matter experts and research support dollars that are required to address the groundwater concerns in Wisconsin.

Thank you!



Market-Based North American Phosphorus Recovery and Reuse Policy: Phase I Policy Research Proposal

Funding Request: \$400,000

Problem Statement: Phosphorus (P) is a strategic mineral resource, essential to the function of modern agriculture. The U.S., along with Canada and Mexico, have limited reserves of P. Phosphorus' presence in surface water is a significant contributing factor to water degradation, including the development of hypoxia zones in major coastal watersheds. Currently, P management policies are based upon command-and-control regulations representing "costs-of-doing-business" upon the obligated parties. Presently, no Federal or multi-lateral, market-based policy exists that would encourage and support the recovery and re-use of P from those facilities and practices that aggregate P.

Proposed Benefits: Foster the availability of recovered Phosphorus fertilizer products as alternative to conventional fertilizers with mined/extracted Phosphorus. A market-based, self-funded phosphorus management regime that fosters the development of both novel P recovery technologies and facilities will prompt widespread behavior change among P end-users. The intended results of such a market-based regime is that consumption of recovered P fertilizer products can be substituted for mined P, which will mitigate several types of negative externalities while giving users of P access to a differentiated product.

Proposed Policy Program: This policy project proposes to research and develop a market-based scenario that will foster the rapid expansion of nutrient recovery and reuse practices and facilities throughout North America. The concept draws upon previous environmental "public/private" success stories, including Investment Tax Credits (targeting solar and wind deployment), Federal/State Fuel Taxes for highway funding, Clean Air Act SOx trading:



The Concept

<u>Extension</u>

Research required to adequately determine the viability and pathways for execution include: A) Investigation of phosphorus recovery technologies and state-of-art practices; B) Economics (including efficacy and impact of "recovery fees") and consumer attitudes of adopting soil nutrient technology; C) Strategies and stakeholders best suited for initial roll-out (demonstration); and, D) Policy options for execution.

> 432 North Lake Street, UW-Madison/UW-Extension, Madison, WI 53706 Telephone 608/778.1885 e-mail: baye2@wisc.edu





Phosphorus Recovery Investigation

Key Stakeholders:

Stakeholders necessary to successful investigation, policy design and execution include:

- Grain, horticultural and turf users of fertilizers***
- Waste-water processors: Public and Private***
- Ethanol, food processing, livestock facility operators***
- Fertilizer suppliers and distributors***
- U.S. EPA, USDA, US DoD, State Regulatory Agencies and U.S. IRS
- Federal Legislators and Executive branch
- Land-grant Universities
- Environmental Advocacy Organizations
- Engineering and Project Developers/Finance

Note: ***Required

Research Budget: High-Level, 12-18 Month Timeframe (Phase I)

- State of Industry & Stakeholder Interviews: \$80K, initial Great Lakes/Midwest.
- State of Technology & "P" Facility Development "Roll-out:" \$150K
- Statute, regulation and legislative investigation: \$60K
- Econometric modeling: \$40K
- Recovered Phosphorus Fertilizer Efficacy: \$70K

Phase II

National stakeholder interviews (Phase 2): \$150-\$300K for comprehensive investigation



To: Assembly Committee on Colleges and Universities

January 30, 2020

Wisconsin Farmers Union is happy to testify in favor of Assembly Bill 800 today.

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

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

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

Assembly Bill 800 represents a step in the right direction with regard to providing the Center for Watershed Science and the Wisconsin Geological and Natural History Survey the resources they need to serve Wisconsin citizens, communities, and counties.

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

Kara O'Connor, Wisconsin Farmers Union

koconnor@wisconsinfarmersunion.com

608-514-4541