CITIZENS (WOOD COUNTY) GROUNDWATER GROUP MEETING

DATE: Monday, October 21, 2019
TIME: 2:00 p.m.
LOCATION: Wood County Riverblock Building, Conference Room 206

Present: Joe Ancel, Rick Antin, Rhonda Carrell, Bill Clendenning, Kenneth Curry, Bruce Dimick, Nancy Eggleston, Gordon Gottbeheut, Tamas Houlihan, Kim Keech, Bill Leichtnam, Logan Manthe, Doug Passineau, Rick Potter, Robert Sorenson, Cecile Stelzer Johnson, Senator Patrick Testin, Rachael Whitehair and Shane Wucherpfennig.

1. **Call Meeting to Order:** Bill Leichtnam called the meeting to order at 2:00 p.m.

2. **Public Comment:** None

3. **Correspondence/Updates:**
Bill Leichtnam shared the following correspondence and updates at the meeting:
   A. Bill Leichtnam introduced Rachael Whitehair as the new Regional Natural Resources Educator for Wood County. Rachael Whitehair is originally from Minnesota. She completed her bachelor and master's degree from Iowa State. Her major was Agriculture Education specializing in Agricultural Extension Education.
   B. Wisconsin Natural Resources Board is meeting in Madison on October 23rd. Members are to consider rules related to Wisconsin's Water Quality criteria for pathogens.
   C. Three Wisconsin state agencies have made recommendations to Speaker Vos's Task Force on Groundwater Quality. The agencies are: DNR (Preston Cole, Secretary), DATCP (Bradley Pfaff, Secretary) and Health Services (Andrea Palm, Secretary).
   D. Letter from Douglas Reinemann, Associate Dean for Extension and Outreach from College of Agricultural & Life Sciences from UW–Madison – The letter was in response to the request from Wood County Board of Supervisors regarding an April resolution to develop a nitrogen application rate guideline for groundwater protection. In September, they assembled a substantial group of nutrient management and water quality experts from the College of Agricultural and Life Sciences, Division of Extension and UW-Stevens Point to plan a coordinated response to the resolution. They are appointing a Special Water Quality Project Coordinator partnering with state agencies DNR, DATCP and NRCS.
   E. "DNR Confirms Manure Spill near Colby" – Manure spill occurred northeast of Colby flowed overland to Elm Creek near a Colby municipality well. DNR is still investigating.
   F. 2019 LWCD Nitrate Testing map (as of 9/18/2019) – Rural testing in Wood County is 40% complete. Nitrates are a concern in Northern Wood County as well as the Central Sands. Southern Wood County needs more residents to participate.
   G. WisPolitics.com 10/17/2019 update – Governor Tony Evers established a Task Force on Climate Change through an executive order.
   H. Governor Evers action on groundwater area includes nitrates, nonpoint source pollution, PFA's, lead and pathogens.

4. **SPEAKER – Senator Patrick Testin (24th Senate District) "Nitrate Pollution & Water Quality in the Central Sands"**
Bill Leichtnam introduced Senator Patrick Testin who serves the Wisconsin 24th Senate District. Senator Patrick Testin is a member of Speaker Vos's Task Force on Groundwater Quality. Speaker Vos's Task Force traveled throughout Wisconsin to 13 different locations. Common themes: nitrate contamination, bacteria contamination and PFA's. Need to abandon this one size fits all approach to how water is managed. Water does not abide by political boundaries. These imaginary lines that government makes up. Water flows where it flows. Regional watershed specific approach.

<u>Issues/possible funding ideas from Speaker Vos's Task Force on Groundwater Quality:</u>
   A. Fully fund county conservationists.

B. Creation of Manage Grazing Specialist at DATCP/Creation of Manage Grazing Grant – Position would serve as a coordinator for manage grazing initiatives. Funding for the grant would be provided by a reallocation of the dairy promotion grants which lapsed in the last budget.
C. Increase soil and water resource bonding authority.
D. UWSP Center for Watershed Science and Education assistance and resources.
E. Producer Led Watershed grant funding.
F. Updates to POWTS grant program for private septic systems.
G. Additional funding for DATCP Clean Sweep Program to collect PFA's.
H. Use of bio manipulation in waterways.
I. Creation of a Hydrologist Position with the Wisconsin Geological and Natural History Survey.
J. Crop Insurance subsidy for the use of cover crops modeled after Iowa.
K. May see bills outside of Speaker Vos's Task Force that are more regional specific. One example is the bill that Senator Testin/Representative Krug introduced to fully fund the Central Sands water study that was incorporated in Act 10 last session which is the High Capacity Well Bill. Additional funding for the Little Plover River Study.

The Wisconsin Natural Resources Board directed the Department of Natural Resources to expand public input regarding the department's process in developing rules relating to the state's water quality standards. The effort is to decrease nitrate pollution with highly permeable soils. Public Hearings have been approved to be held after fall harvest. Public Hearings will be scheduled after November 1st in Fond du Lac, Hancock Research Center and Blackhawk Technical College in Janesville. A possible fourth public hearing may be scheduled.

Discussion followed.

Senator Patrick Testin will be invited back in January or February with an update on Wisconsin legislation.

5. **Report on Speaker Vos's Task Force on Groundwater Quality**
(Vice Chair Dimick/Chair Leichtnam/Others)
Public Hearings Conclude/Task Force recommendations
A possible NR151 public meeting/listening session may be scheduled for November 4th in Stevens Point. Speaker Mark Borchardt.

6. **DATCP/DNR Hearings on "Livestock siting" revisions AND possible NR151 Extension to areas with sensitive soils** Nothing to report.

7. **CGG "Action Items"** What action should we take? What could we do? Where do we go from here? What do we demand? Accountability? Keep thinking of ideas.

8. **Update on Wood/Juneau County MOU w/AGC**
Monthly teleconference call is scheduled for Thursday, October 24th. The AGC has completed a list of remaining homes that have not yet been tested. There will be another sweep of water sampling the week of November 4th to be conducted by Wood County personnel. A letter will be mailed this week to those homes that have not yet been tested. Homeowners are asked to sign-up for a morning or afternoon timeslot and are encouraged to sample their water. Good data is essential to know exactly what is happening with the groundwater. Farmer led initiatives will be part of the discussion at the teleconference call on October 24th.

9. **"Outreach Activities" (Planning for Pittsville "Water" meeting in evening in the fall, possible water testing on site & hiring of "Natural Resources Educator" who could facilitate)**
A possible first project for the Natural Resources Educator might be an outreach into the rural parts of Wood County to talk with farmers about best practices.

10. **Future Speakers-Green Fire? Others?**
Possible public speakers: Senator Patrick Testin, Green Fire, Lieutenant Governor Mandela Barnes, North end legislatures (i.e. Representative Nancy VanderMeer, Representative Bob Kulp), DNR, UW-Madison College of Agricultural & Life Sciences, Matt Krueger (Wis Land & Water Conservation Executive Director), NRCS.

11. **Roundtable**
A. Bruce Dimick – Town of Saratoga water issues this year is high groundwater.
B. Gordon Gottbeheut – Senator Patrick Testin responded to his Speaker Vos's Task Force letter.
C. Cecile Stelzer Johnson – Delighted that Senator Patrick Testin was the speaker. Happy to see that legislation has to have teeth to get ahead of the problem versus catching up.
D. Rhonda Carrell – Can the 2019 LWCD Nitrate Testing map be shared with other citizen groups? Would it be worth contacting the press?
E. Rachael Whitehair – Glad to be here. Please feel free to reach out for any questions or concerns that anyone may have.
F. Rick Antin – Represents the 14-Mile Creek Watershed Committee from Rome. Plans to implement the 9 Key Element Plan.
G. Tamas Houlihan – Agrees with prevention and accountability. Don't dismiss reverse osmosis systems. We have a problem right now. There is an immediate need for reverse osmosis systems. A long-term solution is needed.
H. Kenneth Curry – LWCD water testing is 40% complete. Goal was to test 10 wells in every town. Better data is needed before map distribution. LWCD wrote Mill Creek 9 Key Element Plan. Drastic change in funding to LWCD.
I. Rick Potter – Will Speaker Vos's Task Force on Groundwater Quality follow through? Skeptical?
J. Nancy Eggleston – RO Systems help now but not a long-term solution. Upkeep can be difficult. Attended N-efficient Corn Field Day in Pepin County on October 3rd.

CEED Committee is working on a resolution to return of local control on sensitive soils.

12. **Announcements of members / visitors (upcoming parallel events / meetings)**
Upcoming events announced throughout the meeting.

13. **Next Meeting**
Monday, November 18, 2019. 2:00-4:00 p.m. @ Wood Co Riverblock Building, Room 206

14. **Adjourn Groundwater Group Meeting** Bill Leichtnam declared the meeting adjourned @ 3:48 p.m.

Notes by Kim Keech, Planning & Zoning Office

State of Wisconsin – Governor Tony Evers

October 15, 2019

Dear Governor Evers,

In January, you declared 2019 the "Year of Clean Drinking Water." Throughout the year, our agencies have focused on what we can do to ensure the right of every Wisconsinite to have safe, clean drinking water when they turn on their taps.

The Speaker's Task Force on Water Quality was created this spring and held public hearings throughout the state, concluding in September 2019. At your direction, senior staff from each of our agencies have attended these hearings, testified before the Task Force, and listened to the concerns voiced by the people of Wisconsin. The most extensive feedback the Task Force received focused on five areas: 1) nitrate in groundwater; 2) nonpoint pollution; 3) PFAS; 4) lead in drinking water; and 5) pathogens in groundwater.

The attached summaries and recommendations from each of our agencies respond to these concerns and lay out what we believe should be done. We must adapt, adjust our approaches, and continue investing state resources to reach a day when all water is safe to drink.

You will see parts of your 2019-21 budget proposal, as well as current legislation, in whole or in part, throughout our agency recommendations. There is no single solution to the drinking water crisis in Wisconsin. But collectively, we can work toward providing clean drinking water to people now, cleaning up polluted waters and preventing future pollution.

We are hopeful that the Speaker's Task Force on Water Quality will suggest meaningful measures that will begin to address the water quality challenges identified at the

hearings. We look forward to working constructively with the Legislature to pursue the clean water goals that you have set for your administration so that everyone has access to safe, clean drinking water.

Sincerely,

Preston D. Cole
Secretary
Dept of Natural Resources

Bradley Pfaff
Secretary
Dept of Agriculture, Trade & Consumer Protection

Andrea Palm
Secretary
Dept of Health Services

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

2019 Legislative Water Quality Task Force Hearings: WDNR Summary and Recommendations

Two Department of Natural Resources (department) Deputy Division Administrators and additional department staff attended 13 Water Quality Task Force (WQTF) hearings held across the state from March through September 2019. The department delivered testimony and recommendations to the WQTF at its opening hearing in March 2019. There was direct correlation between what the WQTF heard at the 13 hearings from invited subject matter experts and the public and the recommendations the department made to the WQTF in March.

Experts and the public provided comments and recommendations to the WQTF at the hearings. The most extensive feedback at the hearings was regarding five areas:

- nitrate in groundwater
- nonpoint pollution
- PFAS
- lead in drinking water, and
- pathogens in groundwater.

These five topic areas are outlined below, including a reiteration of the department's March 2019 recommendations to the WQTF as well as additional recommendations based on themes the department heard at the hearings.

Nitrate in Groundwater

Feedback provided at WQTF Hearings:

- Fund improved mapping capabilities relating to land use, geology and hydrogeology.
- Increase awareness and incentivize private well testing.
- Improve and increase well compensation funding.
- Strengthen environmental laws to protect drinking water.
- Fully fund the DNR to protect groundwater and drinking water.
- Expand Private Onsite Wastewater Treatment System (POWTS) grant program and update income eligibility.
- Reestablish DSPS POWTS performance monitoring and inspection relative to groundwater standards.

Department March 2019 Recommendations:

- Identify sensitive areas based on geology and soils where nitrate is present in groundwater.
- Implement Wisconsin Nitrate Initiative pilot recommendations, including developing a nitrate fertilizer decision support tool for nutrient management protective of groundwater quality.

Department Additional Recommendations:

- Develop NR 151 targeted performance standards in areas of the state susceptible to nitrate contamination (rule scope statement will go to the Natural Resources Board).

- Explore developing additional NR 151 targeted performance standards related to additional substances in sensitive areas.
- Grant the DNR explicit authority to require groundwater monitoring at all agricultural operations and land application sites.
- Increase CAFO permit fees to fund the department's Agricultural Runoff program to support permitting and oversight of CAFOs. (Governor's budget proposed increase in annual CAFO fee to $650 and increased 5-year permit fee to $3,270)
- Modify well compensation program to allow for funding private well replacement for low-income well owners where nitrates exceed 10 mg/L. (Governor's budget proposed increase of $800,000; increased max. household income to $100,000; expanded to arsenic contaminated wells and removed requirement that well used for livestock.)
- Provide funding to county health departments for testing of privately-owned wells.
- Increase funding to complete statewide mapping and investigation of geology and groundwater resources in each county, including the groundwater quality, quantity, and sensitivity to contamination.
- Funding to establish routine statewide nitrate groundwater monitoring (and reporting to DNR's database) using the network of private wells periodically sampled by DATCP to generate maps, trends, and 5-year report on nitrate in groundwater.
- Funding and staff upgrade/overhaul of existing DNR geospatial groundwater data system (current system design/infrastructure dates from the early 1990s). Capabilities to incorporate: well construction, groundwater age data, aquifer characteristics info, area soils/geology info, area land use information.
- Revise NR 812 to expand well construction requirements to better protect groundwater in sensitive geologic formations.
- Additional funding for essential research through the Wisconsin Groundwater Coordinating Council (GCC) joint solicitation.

Nonpoint Pollution

Feedback provided at WQTF Hearings:

- Provide additional funding to the County Land Conservation Departments.
- Fund producer-led watershed grant protection program.
- Fund UW-Freshwater Collaborative.
- Fund managed grazing program for those incorporating grazing into their farming operation.
- Increase CAFO monitoring and oversight by DNR.
- Produce comprehensive report on conservation water-related programs and align all programs on efforts to reduce contamination.
- Require development of Nutrient Management Plans to ensure manure and fertilizer is applied at right time to maximize crop uptake and minimize loss of nutrients.
- Target landowner cost-sharing toward implementing performance standards with goal of statewide compliance.
- Require counties to monitor compliance status via periodic site visits.
- Provide continuing education for landowners to include soil health, agronomy and conservation management.
- Update SnapPlus and UW nutrient management recommendations to account for nutrient loss.

Department March 2019 Recommendations:

- Farmers, counties, DATCP and DNR partner to fully implement NR 151 statewide and targeted performance standards and prohibitions.
- Consider developing additional targeted performance standards in NR 151.
- Expand the department's partnerships with DATCP, county governments, and municipalities on outreach efforts and the development of innovative practices.

Department Additional Recommendations:

- Foster accountability for compliance with NPS pollution related requirements. Evaluate additional enforcement tools to address agricultural NPS pollution violations.
- Evaluate existing partnerships between DNR, DATCP, county governments, UW Extension and municipalities on outreach efforts and NP pollution reduction efforts and identify opportunities to develop innovative nonpoint pollution production practices and initiatives.
- Increase funding to counties for assessing and tracking conservation compliance, including an NR 151 compliance inventory of non-CAFO farms by the end of 2025. Support DNR and DATCP to develop a tracking database for all partners to track NR 151 compliance and evaluate ways to incentivize full county participation in NR 151 compliance tracking.
- Ensure enough cost share is provided to implement statewide and targeted performance standards by 2030.
- Work with farmers and agricultural industry partners to establish mechanisms to assess the degree of nutrient management planning implementation across the state.

PFAS

Feedback provided at WQTF Hearings:

- Fund improved mapping capabilities relating to land use, geology and hydrogeology
- Increase awareness and incentivize private well testing
- Strengthen environmental laws to protect drinking water
- Fully fund the DNR to protect groundwater and drinking water
- Establish groundwater standards

Department March 2019 Recommendations:

- Research staff and funding (Governor's budget included 5.0 research scientists, at least 2.0 would be assigned work on per- and polyfluoroalkyl substances (PFAS) contamination of water resources.)
    - develop a model to identify and prioritize PFAS contamination sites (The 2019-21 budget included $150,000 to develop a departmentwide model to identify and prioritize sites with likely PFAS contamination)
    - conduct fire-fighting foam survey and develop best management practices (The 2019-21 budget included $50,000 to conduct a survey of local and state emergency responders to determine the level of use of PFAS-containing firefighting foam.)
    - Establish multi-media clean-up standards
- Evaluate what other states are doing to identify PFAS sources, impacted citizens and the environment

Department Additional Recommendations:

- Legislative support of DNR establishing regulatory standards for safe levels of PFAS allowed in air, land and waters of the state.
- Increased funding for additional DHS staff to develop recommendations for groundwater enforcement standards.
- Legislative support of DNR establishing PFAS regulatory standards for the safe management of materials (e.g., contaminated soil or biosolids).
- Legislative action to prohibit, regulate training, testing and designated use of PFAS-containing firefighting foam.
- Funding to inventory and conduct "clean-sweep" style program to collect PFAS-containing firefighting foam from fire departments.
- Legislative action requiring product labeling and reporting on safety data sheets for all products containing PFAS, to include specific compounds and percent by weight in product.
- Funding to sample public water supplies deemed vulnerable to PFAS contamination.
- Funding for DNR and DHS rapid response testing of public and private wells near areas of known PFAS contamination.
- Funding for increased lab capacity at the State Laboratory of Hygiene to ensure rapid turn-around time on sample analyses to allow prompt public health response to water contamination by emerging contaminants, such as PFAS.
- Funding for DNR to assist municipalities and industry to identify PFAS sources and establish best practices to reduce use and discharge.
- Funding to sample publicly-owned treatment works with identified significant industrial users that have PFAS categorical industrial use discharging to the sewer system.
- Additional funding to expand baseline surface water monitoring for contaminants of emerging interest, such as PFAS, to assess occurrence and evaluate public health and environmental concerns.
- Funding for technical support and community engagement on PFAS. Develop communication and outreach plan.
- Funding for additional DNR staff to assist municipalities and the public with PFAS-contaminated sites in their community.
- Funding for field work and research needed to further understand fate and transport of persistent bioaccumulative contaminants of emerging concern, such as PFAS.

Lead in Drinking Water

Feedback provided at WQTF Hearings:

- Strengthen environmental laws to protect drinking water.
- Fully fund the DNR to protect groundwater and drinking water.
- Lead testing in schools and day care centers.

Department March 2019 Recommendations:

- Provide additional funds to water utilities specifically for lead service line (LSL) replacements beyond what is currently available in the federal safe drinking water loan program. (Governor's budget included $40 million bonding authority to fund up to 50% of LSL replacement costs.)
- Provide funding for lead removal in schools and daycares to supplement the new U.S. EPA grant program funding for lead testing.
- Leverage the safe drinking water loan program to provide increased capacity for funding of all project types, including LSL replacements.

Department Additional Recommendations:

- Additional funding for LSL replacement, specifically for privately owned portion of piping.
- Principal forgiveness for LSL loans in disadvantaged communities.
- Funding for routine lead drinking water testing in schools and daycares.
- Require public water supplies to inventory LSLs and develop LSL replacement plan.
- Additional DNR field staff to provide technical assistance to public water utilities to help them implement revised federal lead and copper regulation.

Bacteria, viruses and other pathogens

Feedback provided at WQTF Hearings:

- Revise well construction code to include region-specific standards.
- Expand private well testing and inspections of septic systems.

Department March 2019 Recommendations:

- Implement NR 151 targeted performance standards.
- Expand well compensation program by increasing income eligibility and increasing cost-share allowance.

Department Additional or Amended Recommendations:

- Conduct monitoring in NE Wisconsin Silurian Dolomite area and provide annual reporting on efficacy of the 2018 targeted performance standards.
- Require continuous disinfection of public water supply systems.

Speaker's Task Force on Water Quality Hearing Summary and DATCP Recommendations
October 2019

Department of Agriculture, Trade and Consumer Protection (DATCP) staff attended 14 Speaker's Task Force on Water Quality hearings held across the state from March through September of 2019. Agricultural Resources Management Division Administrator Sara Walling delivered department testimony to the Speaker's Task Force on Water Quality at their opening hearing on March 20, 2019 which included department recommendations. There were many similarities between what the Speaker's Task Force on Water Quality heard at its hearings from invited subject matter experts and members of the public, and the recommendations DATCP made at the March public hearing. Below is a reiteration of some topical themes DATCP has heard throughout the public hearings and our recommendations to address many of the issues highlighted through the hearing process. Information provided below does not fully encompass all perspectives or potential options voiced at the public hearings, but instead focuses on the public input given that has a direct connection with the mission and work of DATCP.

Task Force Themes:

Support County Land and Water Conservation Departments

County land conservation departments (LCDs) serve as the "boots on the ground" resource for implementing our state's agricultural programs through the direct relationships they cultivate with producers and their operations. At each Task Force hearing, broad backing was voiced for increasing the funding and resource support to the LCDs so they are better positioned to address the nonpoint pollutions issues faced in their counties and can prioritize the implementation of existing and future agricultural performance programs and efforts. Increasing staffing and other programmatic resources described below will generate significant new capacity to identify resource concerns in their geographies, work with willing and motivated producers who are seeking new ways to reduce their environmental impacts, and address issues on agricultural operations which have not benefiting from previous nonpoint mitigation support.

DATCP Recommendations:

- Increase funding for LCD staffing to fully fund each county's first position at 100%, 70% funding for their second position, and 50% funding for their third position. Tie additional funding to efforts focused on meeting the agricultural performance standards and/or other programs identified or created as a part of the Speaker's Task Force legislative recommendations.
- Increase funding for LCDs to assess and track conservation compliance, including a NR 151 compliance inventory of non-CAFO farms by the end of 2025. Support DNR and DATCP to develop a tracking database for all partners to track NR 151 compliance, conservation practices installations, cost-share contracts, and evaluate ways to incentivize full county participation in compliance tracking.
- Expand eligibility for the Conservation Reserve Enhancement Program to additional counties, so CREP conservation tools may be utilized to help address resource concerns across additional geographies. Continue to fund CREP, including providing additional bonding authority so Wisconsin may continue to provide incentive and cost-share payments to landowners.
- Increase the Farmland Preservation Program's income tax credit incentives to increase program participation at the county or township level and to better offset participation costs for landowners.

Improve Nutrient Management Implementation and Compliance with the Agricultural Performance Standards

Nutrient management planning is step one for producers when trying to assess if they are applying the right amount of nutrients to the right location and crop at the right time of the year to ensure crop productivity while minimizing the impact to water and soil quality. Many of the task force hearings included ideas about how to

improve the use of nutrient management plans to ensure they are in fact being used to reduce the impacts of crop production, fertilizer, and manure use on our state's water resources.

DATCP Recommendations:

- Ensure sufficient cost share is provided to implement statewide and targeted performance standards by 2030.
- Increase Soil and Water Resource Management (SWRM) funding for nutrient management plan cost-sharing and related support or research efforts, including:
    1) Funding for DATCP's Nutrient Management Farmer Education grants to counties and other organizations that help farmers develop their own nutrient management plans,
    2) Financial support to update SnapPlus nutrient management software to expedite development of a more farmer-friendly interface, and
    3) Updates to UW nutrient recommendations to reflect additional considerations including water quality protection, regional variation in soils or geology, and changes in precipitation or weather patterns.
- Increase general obligation bonding authority to support cost share grants under the soil and water resource management program for engineered practices such as grassed waterways, manure storage structures, and clean water diversions.
- In addition, DATCP has noted the following steps it will be taking under its existing authority and resources, based on feedback received during public hearings:
    - Evaluate existing partnerships between DNR, DATCP, county governments, UW Extension and municipalities on outreach efforts and nonpoint pollution reduction efforts and identify opportunities to develop innovative nonpoint pollution production practices and initiatives.
    - Initiate a work group of industry partners, local, state and federal agencies, UW system, and agriculture industry groups to identify effective mechanisms for increasing implementation of the agricultural performance standards, especially nutrient management planning and farmer nutrient management plan development training.
    - Work with farmers and agricultural industry partners to establish mechanisms to assess the current level of nutrient management plan implementation across the state.
    - Engage all member organizations of Wisconsin's Ag Coalition to endorse and support the implementation of NR 151 performance standards through DATCP's development of sound technical standards, and the adoption, maintenance and implementation of compliant nutrient management plans by their farmers.
    - Commence ATCP 50 rulemaking process to develop technical standards to implement targeted performance standards adopted in NR 151 by sending a scope statement to the Governor for approval in late 2019, or early 2020.

Provide Increased Technical and Financial Support for Farmers to Engage in Conservation Cropping that Aids in Water Quality Protection

As with the testimony provided by farmers involved in the Producer Led Watershed Groups, both public and invited speakers have highlighted the benefits – as well as the challenges – faced by farmers in working with new cropping systems such as rotational grazing, no till, continuous living cover, or transition to new crops, regenerative agriculture, or organic production. DATCP has long been charged with providing technical assistance to farmers, but does not currently have staff focused exclusively on providing specialized technical assistance to farmers seeking opportunities to transition to these types of farming practices that may provide additional benefits to water quality. To provide this support and outreach, DATCP proposes to expand our expertise within the Division of Agricultural Resource Management, Bureau of Land and Water focused on consolidating and enhancing access to technical expertise and incentive programs aimed at helping Wisconsin farmers ensure that their practices are both economically and environmentally sustainable into the future.

- Provide DATCP 1.0 FTE water quality specialist tasked with coordinating DATCP efforts to link farmers with the cutting edge science and technologies in development with the University of Wisconsin, private sector companies, and other agricultural partners to ensure that farmers have access to the best tools available for addressing water quality concerns in modern farming systems.
- Provide DATCP 1.0 FTE organic transition specialist tasked with providing direct, technical assistance to farmers wishing to explore the requirements, documentation, and practices necessary for obtaining certification as an organic operation. These operations are able to capitalize on value-added markets and supply chain opportunities that may not be available to conventional products, while also limiting the chemical inputs that may be present in conventional farming. Wisconsin already ranks #2 nationally in organic farming, and this specialist would promote organic practices, assist those farmers wishing to make this transition, and administer the organic transition cost-share program.
- Provide DATCP 1.0 FTE grazing technical specialist tasked with providing direct technical assistance to farmers wishing to explore grazing systems for dairy, beef cattle, goats or sheep. Grazing operations require lower capital investment, and offer an opportunity for beginning farmers who may not have sufficient capital to invest in a new operation. Grazing may offer an alternate farming approach in parts of the state unable to sustainable support other conventional agricultural land uses, including those areas of state with water resources vulnerable to contamination from agricultural sources.
    - Re-establish and fund the **Grazing Lands Conservation Initiative** program which can provide education and technical assistance to grazers or those considering or well-positioned to transition to grazing as a part of their farming operations.
- Provide DATCP 2.0 FTE soil health specialists tasked with developing technical resources to assist farmers in prioritizing soil health economically, working with non-operating landowners to understand the economic and environmental benefits of soil health practices to increase productivity, and administer the following programs to support the expansion of soil health practices across the state.
    - Provide soil health specialist trainings for private sector agronomists and related ag professionals to increase statewide soil health educational capacity
    - Establish a **4R certification program** for agricultural cooperatives, fertilizer dealers and other ag businesses to increase the understanding of the role those entities play in influencing the use or soil health and nutrient management principles with their farm customers.
    - Create a **Conservation Cropping Equipment Assistance Grant Program** for farmers to purchase new or innovative equipment necessary to decrease surface runoff of agricultural fertilizer and manure from farm fields to ground and surface waters. Eligible equipment would include manure injectors, conservation tillage equipment such as no till drills, Precision Agriculture Equipment such as Flow Meters and Data Loggers, and Phosphorus Removal Equipment/Technology such as solid separators for manure.

Increase Support for the Producer-led Watershed Protection Grant Program

DATCP's Producer-led Watershed Protection Grant program (PLWPG) enjoys broad support from agricultural, environmental and citizen groups due to its unique approach to supporting the best management practice trials and implementation efforts that are the cornerstone of each producer-led group. Since the program's inception, DATCP has been conducting ongoing evaluation of this popular program through internal reviews and routine requests for participant feedback. DATCP has identified a number of key ways to make the program more effective in achieving and tracking water quality improvements and to ensure the long-term support and sustainability of these farmer-led groups. At each hearing, invited and public testimony spoke to the value of and need to increase support for this program.

DATCP Recommendations:

- Increase overall annual program grant funding to match current program interest and requests for funding. For the 2020 funding year, DATCP has received requests for just over $1 million dollars as new groups form and previously-funded groups expand their efforts.
- Provide funding for the PLWPG as a continuing appropriation and allow DATCP to provide funding to grants recipients on a multi-year basis. Evaluate the sustainability of the Environmental SEG account for use in funding these programs.
- Provide DATCP 2.0 FTE ongoing in appropriation 20.115 (7)(qf) to address the farmer-identified need for additional staff to provide technical and administrative support to PLWPG groups to assist with tracking water quality metrics, documenting successful practices, and coordinating the expansive, and complex projects undertaken by these groups. Farmers have identified the need one-on-one assistance to the groups for activities such as coordinating workshops, farm tours, field days and conferences, developing demonstration sites, supporting and developing watershed planning efforts, providing crop management technical assistance, creating educational and outreach documents, including newsletters, webinars and presentations, and increasing each group's connections through partnership buildings and sponsorship searching. These positions would include: 1.0 FTE Environmental Analysis and Review Specialist – Advanced (EARS-Advanced) position 1.0 FTE Operations Program Associate to provide groups assistance with general administrative tasks, including mailings, document organization, meeting minutes and managing grant deliverables.
- Retain a maximum annual award level for producer-led projects to ensure financial support is available to as many groups as possible. Capping per group funding also ensures that producer-led group efforts are prioritized and encourages frugal use of funds.
- Modify the program's statutory language in s. 93.59, Wis. Stats., to allow a group to operate in more than one watershed as long as they are adjacent to one another, and remove state agencies from the list of potential collaborators. This will decrease potential for conflicts of interest by DNR or DATCP, but will still allow each agency to partner with the groups in a number of capacities without serving in the fiscal or project collaborator role.

Increase Groundwater Mapping, Monitoring and Protection Efforts

Throughout the hearings, both invited and public testimony posed questions about the extent to which we understand how our groundwater has been impacted by human activities, including agriculture. DATCP currently maintains extensive data on agrichemical impacts to groundwater, and already shares this data with the Wisconsin Department of Natural Resources. However, this monitoring network and collaboration effort could be expanded with additional staffing and resources. This section outlines a proposal to expand our monitoring network, and includes a breakdown in how additional staffing could be applied to these efforts.

DATCP Recommendations:

- Expand DATCP's Agrichemical Management groundwater monitoring efforts
  - Maintain, repair and expand the groundwater monitoring well network associated with the Field-Edge Groundwater Monitoring Program
    - DATCP recommends installation of six (6) replacement wells, seven (7) wells at existing monitoring locations, and 12 new wells to enhance the monitoring network for the Field-Edge Groundwater Monitoring Program. Proposed improvements will include replacing previously abandoned wells (damaged beyond repair) and relocating wells to accommodate field expansion. New wells installed at existing monitoring locations are recommended to further evaluate pesticide migration at depth.
    - Provide DATCP 1.25 FTE hydrogeologist positions, including equipment and supplies needed for the position
    - Provide DATCP funding to hire outside contractors for drilling of well replacements and new installations
  - Conduct fate and transport, flow, and aquifer-to-surface-water modeling to predict and better understand agrichemical movement within groundwater
  - Initiate a high-capacity irrigation well sampling project
    - Since 1985, groundwater sampling of monitoring wells and private drinking water wells has been an important part of the EQ Section groundwater monitoring program. We are proposing to expand this sampling to include high-capacity irrigation wells. The purposes of the project would be to:
      1. Characterize the presence of pesticides and nitrate in high-capacity irrigation wells,
      2. Provide a service to high-capacity well owners by informing them of the water quality in the aquifers that supply groundwater for irrigation (information that could be used to improve nutrient management plans);
      3. Evaluate the relationship between pesticide impacts to shallow groundwater from field use (as done with the Field-Edge Groundwater Sampling Program), and potential migration of contaminants to deeper parts of the aquifer from high capacity well use; and
      4. Evaluate potential cumulative effects of pesticide application through irrigation, in particular impacts from irrigation wells containing neonicotinoids.
    - Provide DATCP 2.0 FTE chemist positions, including equipment and supplies needed for the position
  - Expand the Surface Water Monitoring Program to include additional sampling locations
    - DATCP has been managing a surface water monitoring program since 2008. The goal of the ongoing program is to document affects pesticide use has on surface water quality in Wisconsin. Based on our groundwater monitoring data, we are observing groundwater base flow affected by pesticides and nitrate. This affected base flow is discharging to nearby streams and rivers. DATCP is currently monitoring only ten surface water locations across the entire State. It would be prudent to expand the Surface Water Sampling Program to further monitor water quality in additional areas, and to build a robust database to establish concentrations trends and seasonal variations. The expansion of the Surface Water Monitoring Program will require additional laboratory capacity by an estimated 240 samples, annually (an additional 20 samples for each month).

- Provide DATCP 1.0 FTE Lab Supervisor position, including equipment, and supplies needed for the position.

- Provide funding for research conducted through the Wisconsin Groundwater Coordinating Council (GCC) joint solicitation, including:
    - a study of the effectiveness of the 2015 590 Nutrient Management standard to protect groundwater contamination by nitrates and pathogens, and
    - establishment of a long-term groundwater monitoring program that utilizes existing DNR, DATCP or other agency's monitoring wells where available and appropriate to evaluate groundwater quality trends over time for nitrate, pesticides and other contaminants.
- Increase funding to complete statewide groundwater mapping and investigation of geology (bedrock type, depth to bedrock, bedrock/geologic features) and groundwater resources in each county, including groundwater quality, quantity, and sensitivity to contamination
- Support revision of relevant administrative rules or statutes to establish region-specific standards for well construction and septic system design and installation requirements.
- Support revision of all administrative codes that regulate the land application of nutrients, biosolids, industrial waste and other byproducts to ensure proper application rates, locations and timing are followed to decrease impacts to water resources.
- Support creation of Cycle 10 and Cycle 11 groundwater quality standards development.

Other Notable Feedback

Testimony also supported several important priorities for DATCP including the Clean Sweep program, livestock facility siting and cooperative research efforts.

DATCP Recommendations:

Creation of a DATCP Harvestable Buffer Program

- Goal: To create a statewide offering for agricultural landowners to establish harvestable grass buffers on existing cropland in order to reduce runoff into streams and lakes. The buffers would maintain the environmental benefits of the traditional grass filter strips offered through CREP, but would allow producers to harvest the perennial grass cover. In addition, landowners would receive an incentive payment based on soil type and the number of acres enrolled, while also taking into account the value of the harvested hay. Like CREP conservation practices, the harvestable buffers would help reduce phosphorus, nitrogen, and sediment runoff while keeping valuable land in production. This offering would fill a niche that is currently not being met by other programs and has potential to use existing authority and funding through ATCP 50.

Clean Sweep – The goal of the Clean Sweep program is to reduce the health and environmental risks posed by hazardous wastes, unwanted chemicals, and unwanted prescription drugs. However, the program consistently receives financial requests greater than what is available.

- Provide the Clean Sweep Program with an additional $750,000 annually for a total annual budget of $1.5 million to fulfill all of the qualified/eligible requests. The Legislative Audit Bureau is planning to audit this program in the coming months.

- Provide funding to inventory and conduct clean-sweep program to collect PFAS-containing firefighting foam from fire departments.

Livestock Siting

- Support ATCP 51 revisions to livestock facility siting rules that will encourage sensible expansion and siting of large livestock facilities through setbacks for odor-creating livestock structures from property lines and roads and provide additional opportunities for manure storage structure.

PFAS

- Consider legislative action requiring product labeling and reporting on safety data sheets for all products containing PFAS, to include specific compounds and percent by weight in product
- Provide funding for technical support and community engagement on PFAS. Develop communication and outreach plan

Additional Research Needs

- Work with UW CALS, UW System, DSPS, DHS, and DNR to study impacts of human waste from septic systems on water quality

State of Wisconsin
Department of Health Services
Tony Evers, Governor
Andrea Palm, Secretary

Speaker's Task Force on Water Quality
Summary and Recommendations

October 2019

As part of their efforts to develop a legislative agenda to address water quality issues in Wisconsin, the Assembly formed the Speaker's Task Force on Water Quality in early 2019 and held a series of hearings in Madison and across the state from March through September. DHS staff attended all of the hearings and offered presentations at hearings in Madison, Milwaukee, Marinette, and Superior. In addition to the DHS presentations, information presented at all of the hearings by invited speakers, other state agencies, and the public has consistently emphasized that water quality matters for the health of Wisconsin. At the Madison hearing, DHS presented a brief list of recommendations for legislative action and the Department has since identified additional recommendations for consideration. The full list of DHS recommendations is presented below.

The DHS recommendations are focused on **enhancing community and statewide capacity to protect and promote public health by addressing water quality issues**. These recommendations are consistent with the department's perspective that water quality issues are public health issues. They also reflect the need for multidisciplinary approaches to make meaningful progress toward improving water quality.

Recommendations

Enhance our collective ability to develop timely and relevant guidelines, standards, and policies that inform public health advice and assure water quality-related policies protect public health.

- Increase funding for additional staff positions at DHS to develop recommendations for groundwater enforcement standards.
    - Increased support will enable DHS to produce groundwater standard recommendations more efficiently, promoting timely responses to emerging contaminants statewide.

Build public awareness and knowledge of water quality issues to empower individuals and communities to make informed decisions.

- Increase staffing and financial support for DHS to provide technical support and carry out community engagement on drinking water and groundwater issues to support local and tribal health agencies.

- Increased support will enable DHS to anticipate and respond to urgent public health requests throughout the state, better support local and tribal public health partners with addressing expected or real community health risks, and significantly reduce bottlenecks when faced with competing time-critical water-related priorities.

- Address challenges with shipping samples from northern and western Wisconsin to the State Lab within the required timeframe to ensure that disadvantaged households with sensitive populations are able to protect themselves from bacterial contamination.
  - This will enable eligible households, regardless of where they reside in the state, to fully participate in the fee-exempt testing service offered through a partnership between DHS, DNR, the State Lab, and local public health agencies.
  - Example of eligible households:
    - Those that contain a susceptible individual (e.g., pregnant woman, infant) and for whom the cost of testing would be a hardship.
    - Those whose wells are affected by flooding.

Promote better understanding of the occurrence of water quality-related human health hazards.

- Support increased laboratory capacity, including rapid testing capacity, at the Wisconsin State Laboratory of Hygiene to ensure prompt public health response to urgent situations involving environmental contamination by emerging contaminants such as PFAS.
  - This support will ensure that the State has the critical laboratory analytical capacity to work with local partners to rapidly investigate and implement necessary interventions for preventing or interrupting harmful exposures to emerging contaminants.

- Provide additional funding for essential research projects through the joint solicitation from the Wisconsin Groundwater Coordinating Council (GCC).
  - This will enable the State to address a long trend of flat or decreasing funding for groundwater research projects by increasing our investment in research that has immediate impact and is directly relevant to the State. The Groundwater Coordinating Council's proven track record of multi-agency coordination on groundwater research funding can be leveraged to assure allocated research funds are directed to Wisconsin's priorities.

- Provide additional funding to maintain two full-time positions to conduct surveillance, investigation and outreach on public health issues related to waterborne disease outbreaks and harmful algal blooms.
  - Wisconsin has unique characteristics that lead to elevated risk for waterborne diseases and harmful algal blooms. Increased support will allow the State to have full-time staff specifically dedicated to working with state and local partners on surveillance, investigation, and outreach on these topics.

- Support implementation of a state water quality monitoring strategy to assess for the occurrence of emerging contaminants.
    - Systematically assessing for the presence of emerging contaminants in the environment will aid state and local partners in priority setting and resource allocation by building our understanding of the extent of contamination by these substances.
- Ensure adequate support for lead in water testing in child care facilities and schools.
    - Support in this area will facilitate testing to equip child care facilities, schools, and the communities they serve with information to identify where lead in water is a concern and what are appropriate remediation options. While DHS will be receiving EPA funding that will support lead in water testing at a subset of high priority child care facilities, additional, more stable funding is needed in order to ensure that valuable water testing data are widely available at our at-risk schools and child care facilities.
- Provide funding for projects focused on addressing health assessment and public health communication challenges associated with microbial source tracking data interpretation.
    - This will promote better understanding of the health implications of investigations that rely on data from newer molecular biology-based tests for identifying sources of fecal/microbial contamination of water.

Take action to address water quality issues for which there are known solutions.
The Department of Health Services supports the following DNR-based recommendations:

- Implement policies to promote and accelerate full lead service line replacement (perhaps as part of a broader lead reduction initiative).
    - Lead poisoning is 100% preventable and the best way to address lead contamination is to remove the lead hazard. Lead service lines likely contribute the greatest amount of lead to the drinking water of water customers.
- Adjust funding and revise eligibility criteria of the DNR-managed Well Compensation Program to align with current knowledge of groundwater contamination-related health risks.
    - This will ensure that well compensation program funding will be available to low-income households based on human health-based guidelines (e.g., the nitrate drinking water or groundwater standards).
- Explore and promote innovative management strategies to reduce nitrate contamination of groundwater, such as nitrate groundwater monitoring networks, nitrate fertilizer decision support tools, and other recommendations identified through Wisconsin's Nitrate Initiative.
    - A holistic approach will be important in reversing the trend of worsening nitrate contamination in our groundwater. The identification and implementation of

innovative management strategies to address nitrate contamination at the source is an important component of an overall nitrate reduction strategy.

- Wisconsin's ongoing Nitrate Initiative is a multi-stakeholder effort designed to do just this: Evaluating strategies to reduce effects from non-point sources of nutrient pollution on groundwater used for drinking water.