



TESTIMONY AGAINST SB 76/AB 105

by

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As Chair of the Goose Lake Watershed District (GLWD), I submit this testimony against SB 76/AB 105. Goose Lake is a pristine lake located in the Town of Jackson in Adams County. The watershed contains abundant wetlands, which support both aquatic and land based wildlife. The aquifer produces water so clean and delicious that a number of years ago, Perrier wanted to bottle it. Fortunately, local government, at the urging of the citizens of the area acted to protect the aquifer, and despite DNR approval, Perrier was forced to look elsewhere for its bottled water. Nobody in Adams County regrets the successful battle to keep Perrier from depleting our most precious asset-clean water. Rather, those of us who enjoy plentiful, clean drinking water every day are glad that Perrier is gone.

Now, however, the bills before you today threaten our drinking water once again. Simply put, high capacity well permits should never be permanent. No other entity in the state is granted a permanent permit or license for anything. High capacity wells should not be treated any differently. They should be periodically reviewed to ensure that our precious water is clean, healthy and plentiful for all to enjoy. The reasons for rejecting these bills are clear:

- SB 76/AB105 do not solve the growing water crisis in the state. Rather, they will exacerbate the problem by depleting our precious clean water. Depletion of our precious clean water is a road to environmental disaster.
- While there is merit with the replace or repair options in these bills, (with periodic review in place) the transfer element needs to be removed from these bills. The Public Trust Doctrine says that the waters of the State belong to all of us. Transferring water rights with the sale of property is diametrically opposed to that doctrine.
- By threatening Wisconsin's plentiful clean water, SB 76/AB 105 also threaten land values, tourism, and tax revenue for local municipalities and counties. The economic benefit from water-related tourism for Central Sands region (Adams, Marquette, Portage, Waupaca, Waushara & Wood counties) for 2014 is estimated at \$1.5 billion.
- The Designated Study Areas in these bills do not include the areas that have the greatest impact to surface waters. A study of the entire Central Sands region which includes Goose Lake in Adams County is a better option and more cost effective. Goose Lake has already been designated as a sensitive habitat for the myriad of wildlife it supports. The GLWD urges the legislature not to pass

these bills, which would harm our precious aquifer, which supports our watershed.

- As an attorney, it stuns me that the legislature is even considering the provisions of SB 76/AB105, which remove the right to contest a DNR decision under Wis. Statutes 227.42(1) and 227.52. This means that regardless of how bad the DNR's decision is, if this bill passes, **no person may request a Contested Case Hearing or a Judicial Review** of a DNR decision regarding a high capacity well or an "average seasonal " water level on a lake.

If the legislature passes these bills, thereby permanently permitting high capacity wells, instead of protecting Wisconsin's most precious resource, it will ensure:

- more dry and/or contaminated private and municipal wells;
- continued decline of surface water (lakes, rivers, streams, ponds, wetlands);
- continued decline of groundwater (wells will have to be drilled deeper and deeper);
- continued decline of lake property values;
- continued decline of lake property taxes; and
- continued decline of tax money for schools and roads.

Simply put, there are no good reasons for the legislature to pass SB 76/AB 105 and many good reasons to vote against these bills. On behalf of the Goose Lake Watershed District, as its Chair, I urge you to vote against these bills.

Thank you for your attention to this important matter. I will be glad to answer any questions which you may have.