

Groundwater Advisory Committee (GAC) Meeting Minutes
Tuesday, September 11, 2007
Department of Natural Resources Conference Room G09
101 South Webster, Madison

Present: Ron Kuehn, Carol McCartney, Andrew Graham, Jodi Habush-Sinykin, Lawrie Kobza, Keith Meyers, Bob Nauta, David Holdener, Mike Carter, Valerie Dantoin, Todd Ambs, Doug Hahn, Stuart Gross

1. Co-Chair McCartney called the meeting to order at 9:35.
2. The [August 2 meeting minutes](#) were approved as written.
3. McCartney suggested a new format for the 2007 Report to the Legislature. Consensus is ideal and where consensus is reached, it would be reported. Recognizing that consensus is unlikely on some topics, she suggested that two or three position papers could be presented in the report. The GAC agreed to change the format of the report. It was suggested that the position papers be short, one to three pages but preferably as succinct as possible. Committee members were asked to send drafts of their written position papers to the entire committee no later than September 25 so they can be included in the agenda of the October meeting. These papers should still be viewed as discussion drafts with the hope that consensus could still be reached on all significant issues.
4. Carter introduced a recommendation from Task Group C stating the GAC agrees with the current definition of significant adverse environmental impact as specified in NR 820.12(19) and indicating that no revisions to the definition are necessary. The GAC unanimously approved the recommendation to leave the definition in NR 820.12(19) unchanged.
5. Jonas noted that the Task C work group discussed the “95 percent water loss” topic and although there was no recommendation, there was no objection. She explained that during the Act 310 negotiations, the DNR agreed to identify water bottling facilities as having 95 percent consumptive use and incorporate it into the next revision of NR 142. DNR will provide more information about NR 142 at the next GAC meeting. Because the committee as a whole had not previously discussed the topic, they agreed to wait until the October 4 meeting to vote on a recommendation to concur.
6. Jonas provided the [DNR Staff Report](#) describing the approval process for high capacity wells. She explained how staff uses existing resources, parts of the decision tree process where appropriate, and best professional judgment to work on a case-by-case basis with applicants for well approvals with groundwater protection areas or near springs. Using elements of the decision tree model highlighted the need for additional site-specific data for these regulatory decisions. To date, most of the necessary background and analytical work has been done by department staff because no cases needed an Environmental Assessment (EA). However, now that NR820 is in effect, Jonas estimates that 10 to 20 applicants annually will need to hire a consultant because additional information would be required to write an EA. Ken Bradbury provided a [handout](#) outlining the availability of hydrogeologic data in Wisconsin.
7. The committee agreed to table discussion of any proposed changes to the flow rate and duration portion of the springs definition until the next meeting. Prior to the meeting, Task A work group met and discussed eliminating the duration portion of the springs definition. The Task A work group will meet before the October meeting to discuss potential changes to duration and flow rate together.

8. McCartney reported that the Task B group met briefly and will meet again as needed to move the 2007 report forward.
9. Habush Sinykin reported that four issues of the Task D group include a) whether to retain the 1200 foot setback for GPAs, b) possible expansion of the list of protected waters, c) requiring additional information for all wells proposed within a GPA, and d) conservation considerations. She recommended that rather than expand the list of protected waters, the GAC consider eliminating the 1200-foot setback to protected waters and using some other review process.

Jonas reported that staff reviewed the representative subset of wells considering only Act 310 protected waters. Using technical resources and best professional judgment, staff identified two of thirteen well applications where additional site-specific information would have been required. In that case, a trout stream was located within the calculated 10,000 to 13,000 foot radius where the water table was calculated to be depressed by 0.5 foot due to drawdown by the proposed well. However, others might look at the same information and suggest that eight of the thirteen should provide additional information. A review process must be streamlined yet provide flexibility.

10. Items for the October meeting:
 - Prepare and circulate position papers to all members no later than September 25.
 - Consider flow rate and duration together for the definition of springs.
 - DNR staff provides information about consumptive use defined in NR 142.
11. Dates for two additional meetings are Thursday October 18 and Tuesday November 13.
12. The meeting adjourned at 1:30.

Next meeting – Thursday October 4, 2007 in Conference Room G09, GEF 2, Madison