

Groundwater Advisory Committee (GAC) Meeting Minutes
Thursday, November 1, 2007
Department of Natural Resources Conference Room G09
101 South Webster, Madison

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

1. Co-Chair McCartney called the meeting to order at 9:40. Ambs was unable attend the meeting because he was attending the funeral of an employee.
2. The agenda was modified to include Kobza's options submitted Tuesday October 30.
3. The [October 4 meeting minutes](#) were approved as written. A quorum was not present at the October 19 work session so no minutes were written. A [summary](#) is available on the internet.
4. Jonas provided a revised draft outline of the [2007 Report to the Legislature](#). Draft language will be provided for consideration at the November 9 meeting.
5. Jonas introduced [Ambs' springs alternative](#) as an attempt to find balance between opinions expressed at the working meeting. It provides an opportunity to provide protection to springs after verification, additional information-gathering, and formation of an advisory committee. Kobza presented [her proposed changes](#) which would require a report to the Legislature rather than DNR. Jonas indicated that DNR is continuing to explore options for funding a springs study and will provide an update at the next meeting.

The GAC was unable to reach consensus about springs. The following amendment by Dantoin failed by a vote of 7 to 4:

'Two years after funding for the study is in place, the committee will make a report to the legislature based on the study conducted by the DNR. If the study doesn't take place, the current NR 820 definition of a spring will be unchanged. If the study does take place and a report is not forthcoming, then the definition of a spring would be modified to a flow rate of 0.25 CFS.'

Kobza's springs alternative was favored by 9 GAC members present and opposed by 3.

Kuehn summarized his option memo regarding the [ambiguity of "near"](#) a spring. He asked for consideration of his language on page 3 of the memo:

"High capacity well applicants have the right to construct and operate a well on their property. However, in this application process, both the high capacity well water needs of the applicant and the potential for impact of withdrawal of that well water on an adjacent spring will be considered by the Wisconsin DNR in determining the reasonable location and depth of such well at a site on the applicant's property in a manner that allows the applicant the opportunity to secure the necessary water at a reasonable cost, not to exceed 50% of the cost that would have been incurred at the site and depth requested in the original application."

Meyers explained that relocating a well would likely result in expenses far outweighing the 50% ratio Kuehn proposed. No vote was taken on this option.

After briefly summarizing his memo on the [definition of spring and need for a springs study](#), Kuehn withdrew his memo from consideration. Jonas clarified that a wetland review is conducted for public water supply wells that are high capacity wells but is it not part of the review for privately owned high capacity wells unless the wetland is associated with a protected water.

6. Jonas introduced [Ambs' Groundwater Protection Area \(GPA\) Alternative](#) as an attempt to provide additional flexibility, maintain the existing screening criteria in NR 820, allow well construction, and maintain mitigation as currently defined. DNR must fund any required mitigation (abandonment, replacement and/or management strategies) of wells constructed prior to May 7, 2004 that are located in a GPA. Consensus was not reached on this alternative but the GAC did ask for additional information. DNR will report on the number of wells affected by the proposed setback increase combined with the ratio of pump size over distance to protected trout stream, ORW or ERW.

Habush Sinykin briefly discussed her memos on replacing the current 1200-foot setback for GPAs with a [decision tree method](#) for all waters and [extending GPA protection](#) to additional resources.

After a brief discussion of his memo to [retain the 1200-foot setback](#), Kuehn withdrew it.

No vote was taken on the GPA options.

7. Kobza led a discussion of the [need for a statewide water supply policy](#) to be used as an umbrella for decision-making. Based on the discussion of current laws and Great Lakes Compact requirements, she will rewrite the proposal for consideration at the November 9 meeting.
8. McCartney led a discussion of her options memo regarding [adaptive management in GPAs](#). She proposed that applicants for wells would provide information and a demonstration of no impact to the resource. DNR would review and approve the application and develop and maintain a database of information that would be publicly available. No vote was taken on this option and McCartney will rewrite it, in response to member comments. In particular, references to the 10-year approval limit will be removed and she will separate the “specific” section from the “general”.
9. Items for the November 9 meeting:
 - Written documents must be e-mailed to DNR (Barb Hennings) by 4 pm Tuesday Nov. 6 for distribution on Wednesday Nov. 7.
 - DNR will revise the Springs consensus document for another vote.
 - DNR will provide additional information about the GPA setback to 4000 feet.
 - In order to meet the December 31 deadline for the 2007 Report to the Legislature, the document must be completed no later than December 10.
10. The meeting adjourned at 1:40.

Next meeting – Friday November 9, 2007 in Conference Room G09, GEF 2, Madison