

# The Lake Connection: Implementing 2017 Wisconsin Act 10

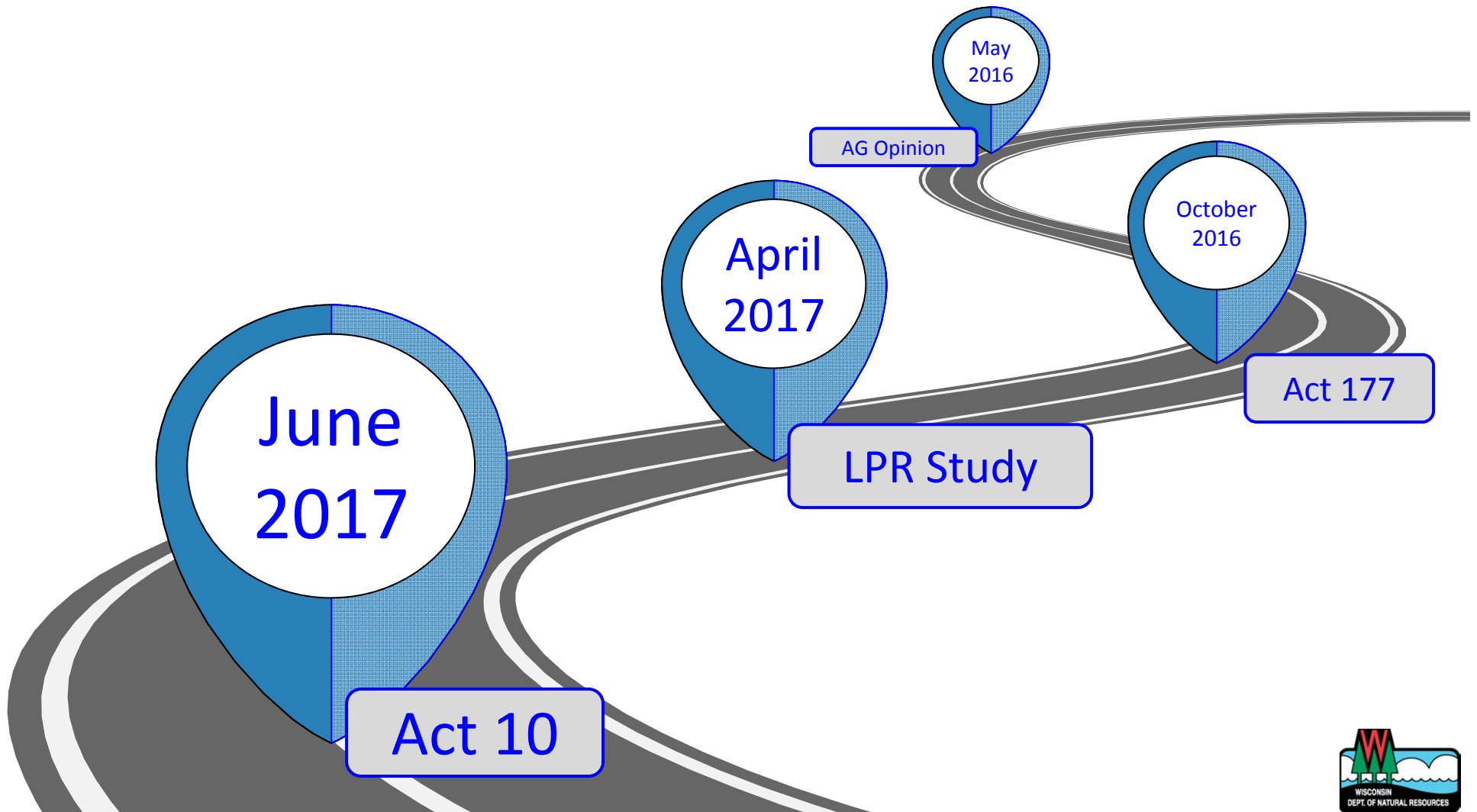


*Long Lake*

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Food, Land, & Water Conference  
October 16, 2017



# Recent Activity Associated with High Capacity Wells



# Senate Bill 76




Committee Public Hearing on Senate Bill 76 – March 15, 2017

*(credit WSJ)*

# Act 10 Overview

State of Wisconsin



Date of enactment: June 1, 2017  
Date of publication\*: June 2, 2017

2017 Senate Bill 76

## 2017 WISCONSIN ACT 10

AN ACT to amend 281.34 (2); and to create 281.34 (1) (ek), 281.34 (2g) and 281.34 (7m) of the statutes; relating to: replacement, reconstruction, and transfer of an approved high capacity well, recommendation of special groundwater measures by the Department of Natural Resources, and metering requirements and grants for certain high capacity wells.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 281.34 (1) (ek) of the statutes is created to read:

281.34 (1) (ek) "Reconstruct" means to modify original construction including deepening, lining, installing or replacing a screen, and underreaming.

SECTION 2. 281.34 (2) of the statutes is amended to read:

281.34 (2) APPROVAL REQUIRED FOR HIGH CAPACITY WELLS. Except as provided under sub. (2g), an owner shall apply to the department for approval before construction of a high capacity well begins. No Except as provided under sub. (2g), no person may construct or withdraw water from a high capacity well without the approval of the department under this section or under s. 281.17 (1), 2001 stats. An owner applying for approval under this subsection shall pay a fee of \$500.

SECTION 3. 281.34 (2g) of the statutes is created to read:

281.34 (2g) REPAIR, REPLACEMENT, RECONSTRUCTION, AND TRANSFER OF OWNERSHIP OF AN APPROVED HIGH CAPACITY WELL. (a) Except as provided in par. (e), if a high capacity well has been approved under this section or under s. 281.17 (1), 2001 stats., the owner of that well may take any of the following actions without obtaining an additional approval under this section:

1. Repair and maintain the high capacity well.
2. Construct a new high capacity well to replace the existing high capacity well if the new high capacity well will be constructed in accordance with department standards that apply to the construction of new high capacity wells on the date that construction of the replacement high capacity well begins, if the existing high capacity well is filled and sealed as provided in rules promulgated by the department, and if any of the following applies:
  - a. The purpose of replacement is to remedy or prevent contamination. The owner of the well shall submit documentation of the contamination to the department in the manner and form required by the department.
  - b. The replacement high capacity well will be drilled to substantially the same depth as the existing high capacity well and either will be located within a 75-foot radius of the existing high capacity well or will be located farther from the nearest groundwater protection area than the existing high capacity well and not be located within any other groundwater protection area.
3. Reconstruct the high capacity well, if the reconstructed high capacity well is constructed to substantially

\* Section 991.11, WISCONSIN STATUTES: Effective date of act. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

Replacement, reconstruction, and transfer of high capacity wells

Model and evaluate hydrology of specified water bodies to determine whether existing and potential groundwater withdrawals are causing significant impacts to water bodies

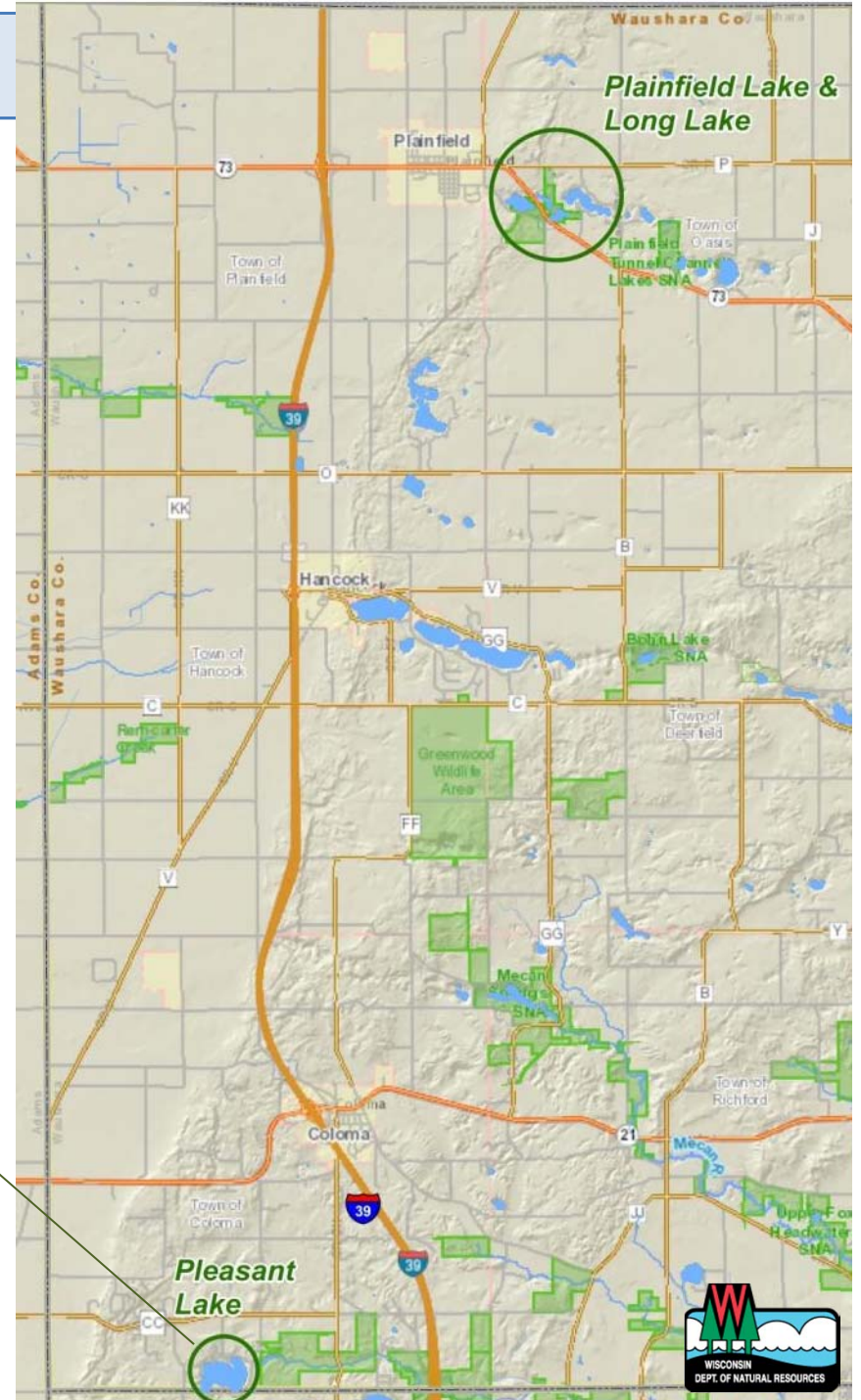
High capacity wells within the study area must submit metered water use to DNR

Lake associations allowed to obtain a high capacity well to assist in study of lake within study area



# Central Sands Lakes Study (CSLS)

Evaluate and model hydrology of Pleasant Lake, Plainfield Lake, Long Lake “to determine whether existing and potential groundwater withdrawals are causing or are likely to cause a significant reduction of the lake's water level below its average seasonal levels”



# CSLS Components

- Quantitative & geographic extent of cumulative impacts
- Using field work / field study verify connection and causal relationship between lake level and pumping
- Determine if pumping causing significant reduction of lakes' water level below its average seasonal levels
- Mitigation recommendations to prevent significant reductions below the average seasonal level



**Significant impacts are identified, special measures required? If yes...**



Study findings, identify potential special measures, and economic impact analysis



Public Hearing



Reports to Legislature

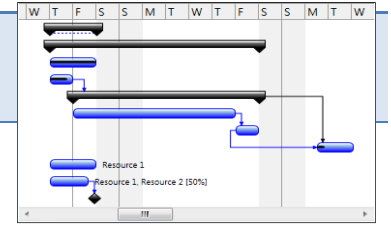
# CSLS Deliverables



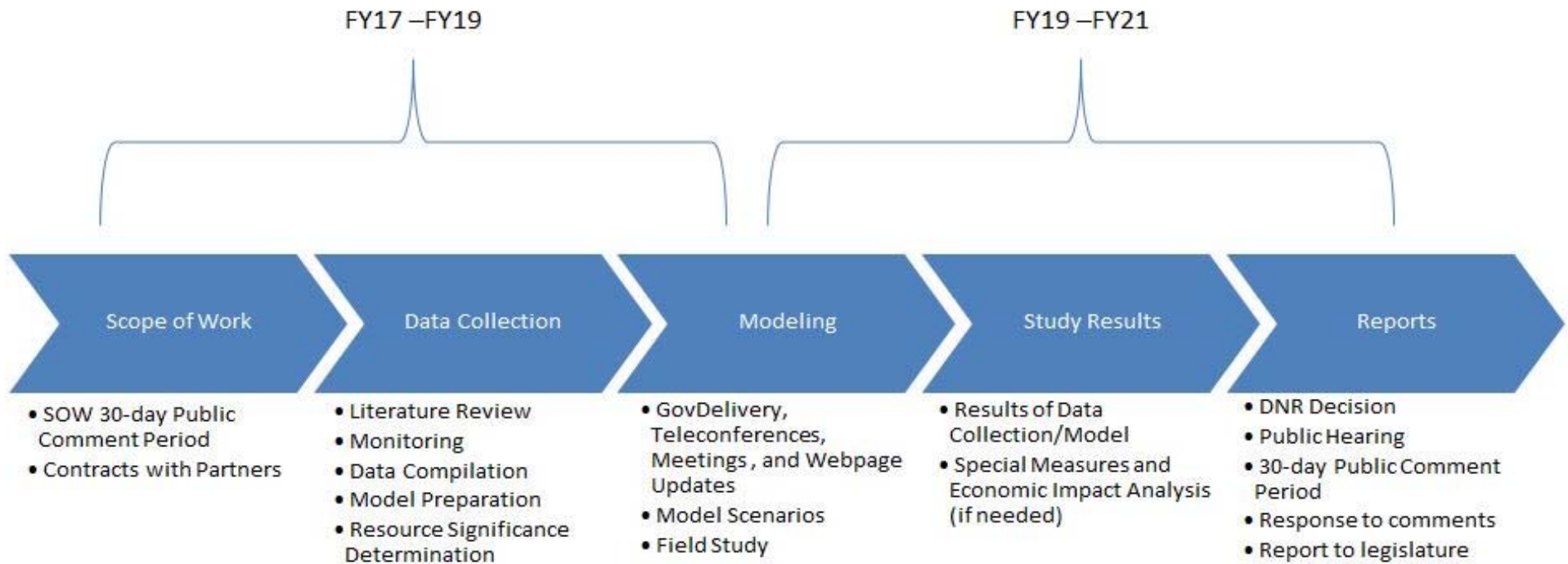
- **Scope of Work** (*documents, presentation, public comment*)
- **Technical Memos** (*documents, presentation, public comment*)
- **Groundwater Modeling Report**
- **Special Measures Recommendation Report** (*documents, presentation, public comment*)  
Findings, scientific information used to establish GW/SW connection, list & geographical extent of special measures, economic impact analysis
- **Two reports to Legislature**  
Only required if special measures recommended, identifies special measures via statutory changes



# CSLS Timeline



- Act 10 effective as of June 3, 2017
- Scope of Work (November 2017)
- Deadline for the DNR to submit deliverables to Legislature is June 3, 2021





# Central Sands Lakes Study

Email [DNRDGCentralSands@wisconsin.gov](mailto:DNRDGCentralSands@wisconsin.gov)

Visit <http://dnr.wi.gov> and search “High Capacity Wells”

