



**Groundwater Quantity Issues Workgroup  
Summary of 1<sup>st</sup> Workgroup Meeting, August 23, 2016**

**Attendance**

**Committee Co-Chairs:**

- Andy Johnson, Environmental Resources Coordinator, Marathon County
- Mike Carter, CEO Bushman's Inc.
- Skip Hansen, Lake Shore Owner, Central Sands Water Action Coalition

**Facilitator:** Don Last, Emeritus Professor of Natural Resources, UWSP and UWEX

**Recorder:** Wally Sedlar, County Conservationist, Adams County Land & Water Conservation Department

**Committee Members:**

- Adam Freihoefer, Section Chief, Division of Environmental Management, DNR
- Allison Werner, Local Groups Director at River Alliance of Wisconsin
- Andy Diercks, Potato farmer, WI ATCP Board
- Carl Sinderbrand, Attorney in environmental law, regulation and permitting
- George Kraft, Professor of Water Resources and Director of the Center for Watershed Science and Education, UW Stevens Point
- Jakes Barnes, Friends of Tomorrow River & Waupaca River
- Jim Wysocki, CFO of Wysocki Family of Companies
- Justin Isherwood, Potato farmer
- Ken Bradbury, Director, Wisconsin Geological and Natural History Survey
- Lawrie J Kobza, Municipal Water Utility
- Tamas Houlihan, Wisconsin Potato Vegetable Growers Association
- James Drought, Principal Hydrogeologist/VP of GZA GeoEnvironmental, Inc.
- Elizabeth Wheeler, Staff Attorney - Clean Wisconsin
- Darin Von Ruden – President, Wisconsin Farmers Union
- Eric Giordano – WI Institute for Public Policy and Service.
- Christine Thomas – UW Stevens Point, Dean of College of Natural Resources
- Mike Koles, Executive Director, Wisconsin Towns Association.
- Bob Martini, Retired DNR, River Alliance & other conservation groups
- John Ramsden – USDA-NRCS State Engineer
- Jim Wysocki – Wysocki Produce farm, potato and veg grower, CAFO in central sands

- Absent:
  - Amber Meyer-Smith, Director of Programs and Govt Relations, Clean Wisconsin
  - Andrew Aslesen, Source Water Specialist, Wisconsin Rural Water Association
  - Jim Krohelski, USGS retired
  - Jordan Lamb, Wisconsin Government Relations Attorney

### **Workgroup Member Comments**

*Note: Following some initial comments, the workgroup elected to break out into smaller discussion groups, after which individuals again offered comments to the entire group. Some of the following are based on workgroup discussions, and others are responding to previous comments.*

**Ken Bradbury:** Director, Wisconsin Geological and Natural History Survey

What is missing is a larger, long-range vision of what we want our state to look like. We focus too often on isolated, short-range issues that keep us from moving forward. I hope we can arrive at a common vision of where the state should be, some metrics to measure success, and an implementation process with adequate follow-up. This process may take decades but it needs to get started.

**Carl Sinderbrand:** Attorney in environmental law, regulation and permitting

I think there is a wide understanding gap between agricultural and conservation communities – almost as if they speak different languages. We need to come to a common language and understanding of the facts. Our interests are not mutually exclusive, we have many common interests. We need each other. We need to think beyond the conflicts of the current moment, and try to forge a common, long-range vision. How can we have an agriculture in the Central Sands that is economically and environmentally sustainable?

We have failed to consider the environmental costs of water use in agricultural production, and who should bear those costs. That is also true of commercial, industrial, and community water uses. We are currently externalizing environmental costs, to the detriment of the environment and the public at large. In reality, water isn't "free", yet people don't pay to take it. I think that is a problem.

**Jim Wysocki:** Wysocki Produce farm, potato and vegetable grower, CAFO in Central Sands

The public needs to know that this is a complicated issue involving forestry, agriculture, recreation, development, climate, etc. For example, are trees "straws" or are wells "straws"? Land and water uses are also changing constantly. Just addressing agricultural issues ignores many other impacts on the groundwater resource. We need to take a systematic, not piecemeal approach. The ideal would be to resolve issues, not create issues, for the benefit of everyone. We should try to resolve issues based on clear principles without lawsuits.

**Skip Hansen:** Lake Shore Owner, Central Sands Water Action Coalition

There are many different perspectives in the room on these issues. Hopefully we can come up with solutions that carry weight with public officials.

**Mike Carter:** CEO Bushman's Inc.

We should look for ways to solve problems outside the judicial and political process where possible. Solving the problem is not always the same as passing legislation. We should try to identify areas of agreement and disagreement. We need to restore the process of civil discussion that at times prevailed in the past. We need to keep an open mind and respect each other's point of view.

**Andy Johnson:** Environmental Resources Coordinator, Marathon County

We need to come to terms with the fact that the groundwater resource has limits and figure out what that means, including policy. Agriculture is important for everyone's prosperity, but involves increasingly complex land use decisions. How do we produce more for the growing population in an environmentally sustainable way? Agricultural producers must make decisions every day that affect others.

**Bob Martini:** Retired DNR, River Alliance & other conservation groups

Resource demands exceed availability, so there will always be conflicts. We must balance uses so that legitimate commercial uses do not interfere with the public interest in the resource. It is possible to resolve conflicts, but it takes a great deal of communication. We have a process that can help resolve conflicts constructively. The current legislative and judicial processes often aggravate, rather than resolve conflicts. We should avoid a "Western Water Law" type of water allocation system which would not serve Wisconsin well. It may be useful to explore local or regional solutions.

**Adam Freihoefer:** Section Chief, Division of Environmental Management, DNR

DNR has to make water use decisions based on data every day. We need to identify key information to clarify the relevant land and water use issues, and to make the best possible decisions. What data would help bridge the gap between resource users?

**Christine Thomas:** UW Stevens Point, Dean of College of Natural Resources

I love living in Wisconsin - we all do. We all value a great environment and vibrant economy. Agriculture, Forestry and Tourism are three of the four largest drivers of our state economy, and they are all connected. Farms and natural resources are important for tourism and quality of life. No one is going to Gary for tourism. We all love what we have here, and we should try to save it. We should go forward in the spirit of "figuring it out" rather than "battling it out".

**Justin Isherwood:** Potato farmer

We seem to be at an impasse in our dialog. Both farmers and environmentalists have data that "proves" their point. So, who's math is screwed up? We've been stuck in this place for a while. How do we break out of this pattern?

**Jake Barns:** Retired business person, involved in conservation non-profits

I agree with other speakers who have highlighted the need for a common understanding of the basic facts. Stakeholders on all sides claim to have "facts" that prove their position. We need to arrive at a balance, and a solution, but I am not sure how we do it. We have all been at it for a long time.

**Scott Froehlke:** Contract lobbyist, WIPPS conservation fellow

In our small group discussion, we talked about the need for farmers to play a role in devising, as well as implementing solutions. Farmers have to be engaged and empowered to help fix the problem. There was some acknowledgement that certain wells may be causing problems. Some also felt that “not all lakes are created equal,” but that is a controversial notion.

**John Ramsden:** USDA-NRCS State Engineer

We are all water users, and we all bear some responsibility for the problems that confront us. The problems are complex and multi-faceted. We should be careful about just blaming farmers, or the legislature, or the judicial system. What are all of us going to contribute to the solution?

**Carl Sinderbrand:** Attorney in environmental law, regulation and permitting

We can acknowledge that these problems are complex, and that there are many causative factors. We can also acknowledge that some of the causative factors may be beyond our control. But that should not prevent us from working on the causes that we can control.

**Justin Isherwood:** Potato farmer

We in agriculture sometimes overstate our role in “feeding the world.” We produce for those who can pay. Sometimes, lower production may be adequate, environmentally responsible, and even advantageous to producers.

**Unidentified grass livestock farmer:**

Consumers play a role in driving demand for farm products, often in wasteful and unhealthy ways, but potentially in constructive and environmentally beneficial ways. Our choices shape the responses of others.

**Mike Carter:** CEO Bushman’s Inc.

We farmers do make a living by selling to the market, and don’t necessarily “feed the world,” but I do think that we are a very generous industry. For example, our operation donates truckloads of produce to food banks, and we raised \$100,000 over the past 4 years to send food to people who need it. So I don’t think we should sell ourselves short.

**Bob Martini:** Further comment in response to group discussion

Although our discussion group had very different perspectives, we agreed that some optimization of water use is still possible. It is theoretically possible to calculate the aggregate pumping reduction (from agricultural, commercial, municipal and private wells) that would be needed to maintain adequate surface water flow. One can also imagine allocation systems that might achieve at least part of that reduction, without causing undue hardship to any user, and without having to deny new well permits or completely shut off any existing users.

**Tamas Houlihan:** Wis. Potato and Vegetable Growers Assn.

Growers are already working to optimize water use. They work hard to measure and manage real water needs, and avoid over-application. I don’t know any grower who wants to over-pump. If we can figure out how much recharge is actually going on under irrigated vegetable fields, that will help us work toward practical solutions.

Although Wisconsin producers are not necessarily “feeding the world,” we are growing healthy and nutritious vegetable products. And Wisconsin is in a position to be an important world center of food production – partly because of our water resources – if we manage our resource wisely.

**George Kraft:** Professor of Water Resources and Director of the Center for Watershed Science and Education, UW Stevens Point

I don't think that anyone has said we should quit pumping groundwater, or that we should not allow additional irrigation. It is easier to talk about how we open new land for irrigation in a way that preserves healthy lakes and streams. It is much harder to figure out how we “put the genie back in the bottle” in places like the Little Plover, Long Lake or Wolf Lake where currently permitted wells are already having an aggregate impact on water levels. Our group discussed the potential use of economic or market approaches to achieve needed savings, while offering flexibility for individual management decisions.

We can always gather more data, and we should. But we do have a reasonable record of 50-60 years of groundwater and lake water levels in the Central Sands and elsewhere. There are enough data to identify causes and effects. We know that the Little Plover has never dried up before, because we have its history going back 100 years, including 58 dry or relatively dry years. We can always use better data on stream flow, water levels, etc., but we have enough good data to identify causes and effects in a lot of places.

**Elizabeth Wheeler:** Staff attorney, Clean Wisconsin

Many in this room have expressed frustration with the legislature, and expressed doubts whether the legislature would consider a recommendation from this group. There have been a lot of false starts in the legislature; but the issues are not going away, and are likely to come up again in one way or another. I haven't heard enough concern about the public interest in preserving the waters of the state. All of us – not just farmers – have an impact on the water resource. But the vast majority of high capacity wells are for irrigated agriculture, and progress will depend those high users accepting their share of responsibility for the problem. There are some examples of that in other areas, but I am not sure I have heard it here. I hope that we can get to that point.

**James Drought:** Principal Hydrogeologist / Vice President, GZA GeoEnvironmental Inc.

We have some tremendous groundwater professionals here, and they have done some excellent groundwater modeling work that will help to inform future decisions. But I am not sure that we yet have enough empirical data to support well-informed decisions. Do we have enough monitoring wells in the right locations to look at potential draw-down of aquifers? Do we have stream gauges in the right locations to look at potential impairment to base flow? It is important to have robust data to verify and calibrate the models, so that we make well-informed decisions over the long term.

**Unidentified Speaker:**

Our group also talked about the need for more data. We need to do more monitoring now, so that future generations have better data to use. We have “past and present” pictures of lakes and rivers, but we don't really have good data on water levels and flow volumes. I think we can all agree that we should try to gather more and better data to help future generations.

**Skip Hansen:**

We have some disagreements over the science. But I hope that this process will help us move toward a better, common understanding. We are not going to agree on everything, but I hope we can get to a point where we can take some positive changes to protect the public interest now and in the future.

**Mike Koles:** Executive Director, Wisconsin Towns Assn.

I worry about taking extreme, uncompromising positions that do not consider the broad public interest. One can gain a temporary advantage, but the pendulum inevitably swings, and extreme positions can provoke extreme reactions. Our water resource is incredibly important to agriculture, tourism, resource-based businesses, communities and the public at large, and we must manage it in the best interests of everyone. The share of the rural population engaged in agriculture is declining; and if agriculture does not acknowledge the legitimate concerns of its rural neighbors, the public could turn it. I think that is a very real concern; and, if it happens, it will not be good for the state or for any of the constituencies that we represent.

**Information Needs (group)**

- Minnesota and Michigan have been doing research on groundwater pumping. Can we find out more about what they are doing?
- Who do we need to add to the conversation?
  - Realtors?
  - Industrial/mining groundwater users?
  - Wetland expert (e.g., Tracy Hames)?
  - Regional Planning Commission representative (e.g., Mike Hahn)?
- Expert Hydrogeology Presentations
- Wisconsin Climate Change Study (WICCI Report)?

**Questions for Next Time (group)**

- What are the current groundwater quantity issues of concerns in central WI (group)?
- What is the current regulatory scheme (Expert presentation)?
- Who has “rights” relative to groundwater in Wisconsin? How is that determined (Expert presentation)?
- What are the long-term trends and projections for wells, groundwater levels, surface water levels (Hydrogeology experts and group)?
- How do farmers and others use and conserve groundwater (Farm and municipal expert presentation)?
- Is the situation getting better or worse? How do we know (Hydrogeology experts and group)?
- What are key current and projected uses of groundwater in the Central Sands? What is their relative magnitude and growth? (Hydrogeology experts and group)
- Are all water use needs equal? Who decides priority needs and how (group)?
- What are our long-range “bottom-line” water quantity goals (group)?
- What are the potential allocation systems and will they get us to our “bottom-line” goals (group)?
- What are the measures of success (group)?
- To what extent is this a state issue vs. a regional issue (group)?