

Citizens' Water Coalition Calls GOP High Capacity Well Bills "Death by 1,000 Straws"

Written by Criste Greening
Thursday, 09 March 2017 16:48

<http://newiprogressive.com/images/stories/S5/clean-drinking-water-s5.jpg>



Newly proposed Wisconsin Senate SB76 and Assembly AB105 are Republican sponsored bills both relating to replacement, reconstruction, and transfer of an approved high capacity well, recommendation of special groundwater measures by the DNR, and metering requirements and grants for certain high capacity wells.

MADISON - Citizens Water Coalition of Wisconsin opposes [SB76](#) / [AB105](#) . We believe this bill will cause irreparable damage to our existing lakes, rivers, wetlands, and streams as well as intensify existing conditions in sensitive resource areas that have been critically damaged due to the over pumping of high capacity wells.

Not only do members of the coalition find it appalling that these bills are not being sent through appropriate Legislative committees within our Legislature but we find it inexcusable that the dual hearing planned will further limit citizen participation on such a crucial bill that will affect thousands of residents and waterways across the state.

Our biggest areas of concern are:

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Existing high capacity wells in the Central Sands and around the state would be given permission to pump without any limitations or review indefinitely.

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No additional approval is needed for the owner of a high capacity well when a transfer of the well occurs with the sale of property. DNR does not have periodic review to assess or condition the well further in the future even if its use has changed from a minimal pumping well to high level pumping.

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The transfer provision allows elected officials to purposefully and directly ignore the state's Public Trust Doctrine, which requires the state to protect citizen's rights to the waters of Wisconsin. Transferring water rights with the sale of a property is in direct conflict with that doctrine outlined within our state's Constitution. Transfer wording should be removed from this bill

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The bill creates a designated study area, but still does not allow the DNR to assess the cumulative impacts of well withdrawals when issuing or conditioning well permits.

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The sensitive resource study area designated in this bill is studying areas of the Central Sands that are currently showing minimal impact due to high capacity wells and ignoring areas already showing extreme drawdown of water resources. (See attached map)

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The bill expressly states that "Neither a decision of the department under par. c nor a recommendation of the department under par. e are final decisions. Notwithstanding 227.42 (1) and 227.52, no person is entitled to administrative or judicial review of a department recommendation under par. e."

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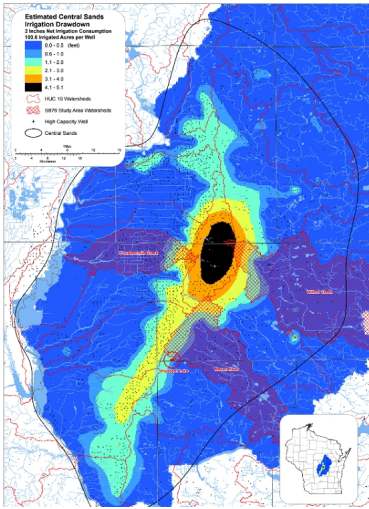
Essentially, this says that a citizen cannot have a contested case hearing on the DNR's recommendations under the study. This itself is another attempt to shut down citizen participation in the governing process and should be removed completely from the bill.

As Wisconsin residents, we demand our elected officials to enact legislation that will ensure our surface and groundwater will be here for generations to come. We hold our representatives to the expectation that they will protect *citizen interests over big industry donors* who are attempting to buy preferential legislation.

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Citizens' Water Coalition of Wisconsin is a statewide coalition of thousands of individuals and hundreds of grassroots organizations dedicated to preserving and protecting our water resources. We are concerned about Wisconsin's water resources and support sustainable water use. We cannot support legislation that gives Wisconsin's water to the highest bidder at the detriment of the citizens and communities impacted by these poor legislative decisions.



SB76/AB105 Sensitive resource areas of study are not addressing areas of impact already identified from high capacity wells and thus allows for the exponential damage to those regions to continue unchecked with this legislation.

Learn more about The Citizens Water Coalition of Wisconsin at www.cwcwi.org