
**AN ACT** to renumber and amend 283.31 (8); and to create 20.285 (1) (ib), 20.370 (4) (ca), 20.370 (4) (cb), 20.435 (1) (d), 20.435 (1) (r), 280.11 (3), 281.16 (3) (em), 281.16 (3) (f) and 283.31 (5d) of the statutes; relating to: groundwater monitoring, CAFO fees, nutrient management plans, well construction rules, the SnapPlus program, and making an appropriation.

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**Analysis by the Legislative Reference Bureau**

The bill increases the annual fee for concentrated animal feeding operations from $345 to $650. Under the bill, once every five years a CAFO must pay a fee of $3,270 instead of the $650 fee.

In addition, the bill requires DNR to establish a plan to expand nutrient management planning and cost-sharing availability to meet the goal of having all farmers and all manure landspreading operations be covered by a nutrient management plan by 2030. The bill also allows DNR to require groundwater monitoring at any manure landspreading location in sensitive areas of the state if a public health risk exists.

The bill also requires DNR, as necessary, to establish rules and update existing rules relating to well construction and pump installation to provide enhanced requirements to protect groundwater in sensitive geologic formations.

Under the bill, DNR, the Department of Agriculture, Trade and Consumer Protection, the U.S. Department of Agriculture Natural Resources Conservation Service, the University of Wisconsin–Extension, and the University of Wisconsin–Madison will work together to implement the plan.
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Wisconsin–Madison Department of Soil Science must collaborate to update the SnapPlus program, to take into account nutrient loss. The UW–Extension must also update its nutrient application guidelines to take into account nutrient loss.

Finally, the bill creates several sum sufficient appropriations to ensure rapid response time for the State Laboratory of Hygiene to perform testing relating to water contamination; for DNR and the Department of Health Services to perform emergency testing of public and private water supplies near areas of known contamination from perfluoroalkyl or polyfluoroalkyl substances (PFAS); for DNR to assist municipalities and the public in addressing local sites that are contaminated with PFAS; and for DHS to make recommendations to DNR on groundwater standards.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SEC. 1. 20.285 (1) (ib) of the statutes is created to read:

20.285 (1) (ib) State laboratory of hygiene, water analyses. A sum sufficient to ensure rapid response times for testing relating to water contamination.

SEC. 2. 20.370 (4) (ca) of the statutes is created to read:

20.370 (4) (ca) PFAS rapid response. From the general fund, a sum sufficient for emergency testing of public and private water supplies near areas of known contamination from perfluoroalkyl or polyfluoroalkyl substances.

SEC. 3. 20.370 (4) (cb) of the statutes is created to read:

20.370 (4) (cb) PFAS assistance. From the general fund, a sum sufficient to assist municipalities and the public in addressing local sites that are contaminated from perfluoroalkyl or polyfluoroalkyl substances.

SEC. 4. 20.435 (1) (d) of the statutes is created to read:

20.435 (1) (d) PFAS rapid response. A sum sufficient for emergency testing of public and private water supplies near areas of known contamination from perfluoroalkyl or polyfluoroalkyl substances.
SECTION 5. 20.435 (1) (r) of the statutes is created to read:

20.435 (1) (r) Groundwater standards. From the environmental fund, a sum sufficient to make groundwater recommendations under s. 160.

SECTION 6. 280.11 (3) of the statutes is created to read:

280.11 (3) The department shall, as necessary, promulgate rules and update existing rules relating to well construction and pump installation to provide enhanced requirements to protect groundwater in sensitive geologic formations.

SECTION 7. 281.16 (3) (em) of the statutes is created to read:

281.16 (3) (em) The department shall establish a plan to expand nutrient management planning and cost-sharing availability with the goal of having every owner or operator of an agricultural practice in this state, and every person who applies manure to land in this state, develop a nutrient management plan by 2030.

SECTION 8. 281.16 (3) (f) of the statutes is created to read:

281.16 (3) (f) The department may require groundwater monitoring at any location of an agricultural practice and any location where manure is applied to land, if located in a sensitive area and if a public health risk exists.

SECTION 9. 283.31 (5d) of the statutes is created to read:

283.31 (5d) Each permit issued by the department under this section to an animal feeding operation or to a person who applies manure to land may, in addition to those criteria provided in subs. (3) and (4), require groundwater monitoring.

SECTION 10. 283.31 (8) of the statutes, as affected by 2019 Wisconsin Act 9, is renumbered 283.31 (8) (a) and amended to read:

283.31 (8) (a) The holder of a permit under this section for a concentrated animal feeding operation shall annually pay to the department a fee of $345, which
shall be credited to the appropriation account under s. 20.370 (9) (ag) $650, except in years in which the permit holder pays the fee under par. (b).

(b) The holder of a permit under this section for a concentrated animal feeding operation shall pay to the department a fee of $3,270 every 5 years.

(c) The fee paid under pars. (a) and (b) shall be credited to the appropriation account under s. 20.370 (9) (ag).

(d) The department shall annually submit a report to the joint committee on finance and, under s. 13.172 (3), to the standing committees of the legislature with jurisdiction over agricultural and environmental matters describing the use of the moneys credited to the appropriation account under s. 20.370 (9) (ag) under this subsection and the use of the moneys appropriated under s. 20.370 (9) (ap).


(1) Updating SnapPlus. The department of natural resources, department of agriculture, trade and consumer protection, U.S. Department of Agriculture Natural Resources Conservation Service, University of Wisconsin-Extension, and University of Wisconsin-Madison Department of Soil Science shall collaborate to update any nutrient management software program provided to the public, including the online SnapPlus program, to take into account nutrient loss.

(2) Updating nutrient recommendations. The University of Wisconsin-Extension shall update its nutrient application guidelines to take into account nutrient loss.