



## PATRICK TESTIN

STATE SENATOR

DATE: February 5, 2020

RE: **Testimony on Senate Bill 724**

TO: The Senate Committee on Natural Resources and Energy

FROM: Senator Patrick Testin

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I would like to thank Chairman Cowles and members of the committee for accepting my testimony on Senate Bill 724 (SB 724).

As many of you know, nitrates are one of the most common groundwater contaminants in Wisconsin. Unfortunately, the Department of Health Services estimates that at least 10% of private wells in Wisconsin have high nitrate levels. The Federal Centers for Disease Control and Prevention has warned that high nitrate levels in water can be especially dangerous for pregnant women and infants. Clean water isn't just an environmental problem, it is a public health problem.

Senate Bill 724 aims to help private well owners have access to clean drinking water. The current well compensation program is only for nitrate contaminated wells that are the water supply of livestock. SB 724 will expand the program and eliminate the livestock requirement. It also creates a priority system for contaminated wells, with wells having over 40 mg/L being given the highest priority, on down to 10 mg/L. Also important, this bill recognizes that nitrate contamination can be treated by filtration methods and reserves funding for reverse osmosis systems for wells with nitrate concentrations between 10-25 mg/L.

While this bill will not serve to remediate all nitrate contaminated wells in Wisconsin, it is a start. It will provide relief to some people who currently can't drink, cook or bathe with the water their well is producing. Thank you again, and I hope you will join me in supporting Senate Bill 724.



**Testimony in Support of Senate Bill 724**  
**Senate Committee on Natural Resources and Energy**  
*February 5, 2020*

Chair Cowles, Vice-Chair Olsen, and members of the committee, I appreciate the opportunity to testify in support of Senate Bill 724, legislation to increase support for and access to the state Well Compensation Grant Program.

We can all agree that everyone deserves access to clean and safe drinking water. About four in ten households in Wisconsin rely on private wells as their primary source for their drinking water. In communities across Wisconsin, we've seen up to half of residents in towns and villages are unable to drink their water from the tap due to nitrate contamination especially. Some homeowners are forced to buy bottled water to drink and cook with because they can't afford to spend thousands of dollars to replace their contaminated well.

As we traveled the state over the past year on the Water Quality Task Force, folks in every corner of the state asked us to reform the Well Compensation Grant Program, an existing program that helps homeowners to replace, reconstruct, or treat their contaminated wells. The program also supplies bottled water to those who need it for a short time, and it supports assistance for those who need to hook up to a public utility in some cases. This program has been drastically underutilized for years due to its archaic requirements and restrictions, and it is long overdue for an update. I've introduced legislation two sessions in a row to reform this program so it can be more accessible, and I am pleased that the task force is prioritizing this issue.

Under current law, homeowners with serious nitrate contamination only qualify for well compensation grants if their well is used as a source of drinking water for both residents and livestock, causing many families to be barred from eligibility. Senate Bill 724 eliminates the requirement that a homeowner must own livestock to qualify for grants for nitrate contamination, ensuring homeowners can remediate their contaminated well instead of having to purchase bottled water. Another prohibitive parameter is the requirement that your well must test above 40 mg/L for nitrate contamination to qualify for the program. This bill changes the requirements so that homeowners above 40 mg/L receive first priority, those who test above 30 mg/L receive second priority, those who test above 25 mg/L receive third priority, and those who test between 10 mg/L and 25 mg/L receive assistance from a separate pot of money newly created under the program specifically to help with treatment, unless another solution that meets the needs of their specific situation is warranted. Most importantly, the language in the bill prioritizes the health and welfare of the applicant for the solution that best meets their needs.

The bill also expands state funding for the Well Compensation Grant Program to a total of \$1 million annually, with the maximum grant amount per person at \$12,000. This will ensure more people are eligible for the program to connect to a public or private source of water or replace, reconstruct, and treat their wells, granting them access to drinkable water.

The Groundwater Coordinating Council estimates that it could take up to \$440 million to remediate every nitrate-contaminated well in Wisconsin, which is why this bill prioritizes the most significantly contaminated wells, ensuring those who are not able to drink, brush their teeth, or cook with their water have first priority.

Increasing eligibility for well compensation grants is a significant yet simple step the legislature can take to recognize the problem we are facing with access to clean water in Wisconsin and provide homeowners with immediate relief. This bill enjoys broad bipartisan support from members of the Water Quality Task Force and our legislative colleagues, and I encourage the members of this committee to support and prioritize it to ensure that the bill continues to move forward through the legislature this session.

Thank you for your consideration, and I welcome any questions you may have.

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## Senate Committee on Natural Resources and Energy

### *2019 Senate Bill 724* *Well Compensation Grants* February 5, 2020

Good morning Chairman Cowles and members of the Committee. My name is Liesa Lehmann, and I am the Private Water Supply Section Chief in the Bureau of Drinking Water and Groundwater with the Wisconsin Department of Natural Resources. With me today is Sandy Chancellor, Environmental and Natural Resource Grants Specialist with the Department's Bureau of Community Financial Assistance. We thank you for the opportunity to testify, for informational purposes, on Senate Bill 724 (SB 724), related to Wisconsin's Well Compensation Grant program.

Wisconsin's existing well compensation program provides state cost-sharing funds for low-income private well owners to replace or remediate contaminated wells, but updates to the program would be welcome. Governor Evers recognized this need by including several updates to the program in his proposed budget. SB 724 makes several important changes to current law. First, it expands eligibility for well owners with nitrate contamination by eliminating the livestock watering requirement and 40 ppm nitrate threshold for a nitrate-contaminated well to be eligible. These long-standing requirements have disqualified many rural well owners who would otherwise be eligible. With these changes, income-eligible private well owners would be able to receive state funding assistance to address nitrate contamination.

Second, the bill directs the Department to prioritize claims for nitrate contamination based on the relative level of contamination, and to determine the most effective remediation method for the health and welfare of the well owner. We expect that we would apply this nitrate prioritization on a quarterly basis and provide personal technical assistance to each well owner to identify the best method for their situation and property.

Finally, SB 724 provides an additional \$1 million in state funds, which we estimate would provide cost-sharing for more than 200 well owners each year, and a Department position to implement the changes and respond to the expected high level of interest. We would promptly update procedures, forms, outreach materials, and administrative code to implement these changes and provide funding support to eligible well owners.

On behalf of the Department of Natural Resources, we would like to thank you for your time today. We would be happy to answer any questions you may have.





To: Senate Committee on Natural Resources and Energy

February 5, 2020

Wisconsin Farmers Union testifies today in favor of Senate Bill 724, relating to Well Compensation Grants. Our members see this bill as a first step toward ensuring clean drinking water for rural Wisconsin residents.

Wisconsin Farmers Union is an organization of farm and rural residents, and thus many or most of our members rely on private wells for drinking water. As we learn more about the unsafe levels of bacterial and nitrate contamination in our groundwater, our members are increasingly looking to the legislature to advance both short-term and long-term solutions for ensuring that they have clean water to drink.

Senate Bill 724 removes the requirement that a well must be used by livestock in order to qualify for the state Well Compensation Program. This is helpful, because even on farms that do have livestock, the well that serves the livestock and the well that serves the humans that care for the livestock may be different, but the aquifer that the wells tap into is the same. Making sure that both livestock and people have access to clean water is essential for Wisconsin farm families.

Making the well compensation program available for wells with less than 40 parts per million of Nitrates, as this bill provides, will also be helpful for our members.

Beyond the advancements made in this bill, the next change that we need to the state's well compensation program is to increase the income cap so that the program is available to more Wisconsin well owners. Wisconsin Farmers Union supports amending either amending this proposal or additional legislation that would raise the income cap from \$65,000 to \$100,000, with priority given to lower income households.

Kara O'Connor, Wisconsin Farmers Union

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