

Capitol LINK

CURRENT ISSUES AFFECTING WISCONSIN AGRICULTURE & AGRI-BUSINESS

August 28, 2009

Groundwater in the Legislative Spotlight

By Jordan Lamb

On July 28, 2009, the Senate Environment Committee and the Assembly Natural Resources Committee held a joint informational hearing regarding the status of groundwater regulation in Wisconsin. Testimony was provided by invited speakers only, who included former DNR Groundwater Advisory Committee members, consultants and DNR staff from the Groundwater Advisory Committee, which was chaired by Ron Kuehn of DeWitt Ross & Stevens.

The legislature appears to be considering additional regulation of high capacity wells. Although no legislative proposal has been introduced, it is expected that a proposal might provide additional regulation of wells near springs and near “protected waters” (i.e., waters classified as outstanding or exceptional resource waters in Wisconsin.)

Under Current law, there is a 1,200 foot setback (with exceptions) for wells constructed near “exceptional” or “outstanding” resource waters and from class I, class II, or class III trout streams. This setback requirement is likely to be reconsidered. In addition, it is expected that new regulations could focus more on the connection between groundwater withdrawals and any surface water body (i.e., stream, river, lake, pond or wetland.)

The Department of Natural Resources stressed the connection between groundwater *quantity* with groundwater *quality* and pointed to specific instances of problems with groundwater quality that are occurring throughout the state that may relate to aquifer drawdowns.

DNR is Talkin' TMDL's

By Jordan Lamb

As always, there is lots of discussion by Wisconsin regulators about improving the quality of Wisconsin's impaired waters. Much of this discussion is now focused on the development of TMDL's for specific watersheds. A “TMDL” refers to “Total Maximum Daily Load.” It is the maximum amount of a particular pollutant that waterway can tolerate before it becomes “impaired.”

The United States Environmental Protection Agency (EPA) requires the State of Wisconsin to develop a list of impaired waters. This is sometimes referred to as the “303(d) list” because it is required under section 303(d) of the Clean Water Act.

When the state designates a waterbody as “impaired” the DNR is required to produce a report on the TMDL for that waterbody. A TMDL calculates the allowable amount of a pollutant that the waterbody can tolerate and then allocates that allowable amount between pollutant sources including nonpoint sources, like farmland, and point sources, such as industrial dischargers. If the EPA approves the DNR’s TMDL, then the DNR implements the TMDL by attempting to reduce pollutant loads, improve water quality, and, eventually, remove the impairment to the water.

The DNR is currently developing a TMDL for the Lower Fox River and Green Bay. According to the DNR’s web page, “The TMDLs developed for the Lower Fox River Basin and Green Bay will identify sediment and phosphorus reductions needed from both nonpoint and point sources to achieve water quality standards.”

For more information about the Lower Fox TMDL process, go to <http://dnr.wi.gov/org/water/nm/wqs/303d/FoxRiverTMDL/> .

For more information about TMDL’s in general, go to <http://dnr.wi.gov/org/water/nm/wqs/303d/faqs.html> .

UW’s “Go Big Read” Initiative: Read It as an *Opportunity* for Wisconsin Agriculture

Earlier this year, new University of Wisconsin-Madison Chancellor, Biddy Martin, initiated the “Go Big Read” program for the 2009-2010 academic year. As a part of this program, Chancellor Martin and a campus committee selected the book, *In Defense of Food*, by Michael Pollan, from almost 400 nominated titles to be shared by students, staff and the community and to be used as a catalyst for discussion. According to the Go Big Read web site, the program is centered around the goal of integrating the book into classes and events across campus and across disciplines. It is anticipated that some classes will use the book as required reading, while others will offer optional assignments with themes that connect to the topics presented in the book.

The book is, admittedly, an unusual choice for the Chancellor of a land grant university in a state with a \$59 billion annual agricultural economy because it is quite controversially critical of food and nutritional science. In addition, Mr. Pollan is the author of another book that is extremely critical of modern production agriculture.

However, the selection of *In Defense of Food* also presents a great opportunity for Wisconsin farmers to talk about food production in this State, to dispel myths associated with modern agriculture, and to show support for the research and development that takes place with regard to agriculture at the University of Wisconsin College of Agriculture and Life Sciences. It appears that the selection of a book that, perhaps, farmers wouldn’t have chosen, is presenting Wisconsin farmers with the opportunity to share what they know and have learned by growing food for generations in this State.

Mr. Pollan will visit the University of Wisconsin-Madison campus in September and will deliver a public lecture about the book at the Kohl Center at 7:00 p.m. on September 24. There are many other book-related events surrounding the date of his lecture that are being posted on the Go Big Read web site. For more information about Go Big Read and events that you can attend, go to <http://www.gobigread.wisc.edu/> .

Capitol Link Details

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