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To: Carol McCartney, Ron Kuehn

From: Jodi Habush Sinykin

Cc: Groundwater Advisory Committee, Technical Advisory Committee, DNR

Re: Recommendations and Rationales for the GWAC Draft Report regarding the 1200' GPA Parameter

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#### I. RECOMMENDATION:

Designation of GPAs should not be limited to 1,200 feet from a protected surface water body as is currently provided under the statute.

In place of the 1200' distance provided under the statute, the Department shall utilize a scientifically-based, rational process based upon a hydrogeologic analysis to evaluate the potential impact of a proposed high-capacity well on local surface water resources and to identify opportunities for mitigation.

#### RATIONALE:

A pre-defined distance, like the 1200 feet currently provided under the statute, fails to take into account hydrologic and scientific parameters critical to the protection of groundwater resources. In some cases this pre-defined distance fails to protect resources, while in other cases it can be unnecessarily restrictive.

Without hydrologic information as a guide, the extent and degree of the proposed high-capacity well's impact cannot be predicted. The distance of a well from a protected resource is just one of

many parameters that affect its impact on water resources, such as hydraulic conductivity and the connection between groundwater and the protected water resource. Indeed, even the simplest of models include parameters other than mere distance. As such, an arbitrary, pre-defined distance like the 1200 foot distance provided under the statute is not an appropriate regulatory means to ensure the protection of designated water resources.

A more appropriate, rational and science-based regulatory approach would enable a detailed hydrogeologic review process, as outlined by Jill Jonas in her September 11<sup>th</sup> GWAC presentation and by Ken Bradbury in his July 10<sup>th</sup> GWAC presentation, which would allow the DNR to take into account key factors beyond mere distance, such as aquifer parameters, estimated drawdown, and other estimated surface water impacts. [*see* <http://www.dnr.state.wi.us/org/water/dwg/gac/meetings.htm>]