

Groups Challenge DNR on Wells

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"Agency must assess effects on nearby waterways, they claim"

<http://www.jsonline.com/story/index.aspx?id=648488>

Excerpt:

Two Waukesha County lake districts and four residents on Lake Beulah in neighboring Walworth County are filing a notice of claim that indicates their desire to pursue a judicial ruling on the issue.

Dan Bach, a Madison attorney for the lake groups, said his clients wanted to force a change in how the Department of Natural Resources regulates new high-volume wells that withdraw millions of gallons a day.

The DNR is violating "its duties and obligations as the steward of the state's natural resources" by not evaluating the environmental impacts of groundwater withdrawals near lakes, wetlands, streams and rivers, according to the claim.

That obligation is clearly stated in the Wisconsin Constitution and Public Trust Doctrine, the claim says. But the DNR operates under recent legislation that requires it to conduct environmental assessments only when new wells are near highly sensitive groundwater protection areas, such as fragile cold-water trout streams."