

**Legislative Water Commission**  
**March 22, 2016**

Testimony of Steve Woods regarding:  
DNR's Definitions and Thresholds for Negative Impacts to Surface Waters

- 1. The process was well run.** They came at the legislative charge from multiple perspectives. They were flexible enough to accommodate many questions and requests for more information our stakeholder group threw at them.
- 2. This is a statewide issue.** With 55 percent of the observation wells in the Metro area drinking water formations show declining levels, and the case studies discussed during the process, we know this methodology will be applied in a wide range of geographic settings.
- 3. Case by case customization makes sense.** Data availability varies greatly and it is in communities' interests to act without complete information. The quantitative approach of using changes to the hydrologic regime is well-grounded and an improvement on a single minimum instream flow number. The complexity of geologic formations and spotty groundwater level data means this is an inexact approximation for now. The effect on the permit process was beyond the scope of this study and left many questions with stakeholders.
- 4. Aquifer recharge techniques should increase the amount of water available.** We advocated for acknowledging *additional* water volumes that are be made available due to groundwater enhancement projects. Done correctly, these tools enlarge the "pie" of available water that is allocated between competing uses. DNR seems agreeable to incorporating these increases in local water budgeting while noting the needs to subtract diversion of sub-surface drainage (i.e. to surface waters and from groundwater recharge).
- 5. The method can reduce risk if it is funded.** The methodology helps define much of the risk. It will help people drawing from a shared and shrinking resource understand what they can count on for future supplies. Unaddressed is the risk of whether the DNR will have sufficiently stable funding to follow through on the implied promises. Relying on a patchwork of General Funds, temporary Clean Water Funds, and appropriation fees does not give us confidence that the intense number crunching and technical support all parties anticipate will be fiscally possible.

