



HOUSE OF REPRESENTATIVES

March 23, 2021

Chair Helm and Members of the Committee,

Thank you for allowing me to submit my testimony in support of House Bill 2470 and the -3 amendment. This bill has been in the works for multiple sessions and the stakeholders have worked to come to a consensus on the language of this bill.

Well owners and well constructors have historically assumed all well construction logs submitted were reviewed with scrutiny. Currently only 30% of newly constructed wells receive an inspection from the Water Resources Department. Wells not receiving an in-person inspection currently receive no level of technical review by the Department.

Well construction deficiencies can lead to groundwater contamination, aquifer commingling, and other groundwater issues. Often these deficiencies can be observed with a thorough technical review of the well construction log, coupled with the Department's expertise and knowledge with the geology of specific areas.

A lack of current timely technical review of the well log has also led to enforcement on some well constructors many years after the well construction. In some cases, the well constructor may not even be around to enforce on, leaving no one liable to correct the deficiencies. Additionally, often the current well owner left to deal with the results of the well deficiency may not even be the individual who had the well originally constructed. The irony of many of these enforcement events is a review of the well log is typically the evidence supporting the well construction deficiency.

The goal of HB 2470 is to ensure 100% of well construction logs submitted receive some form of inspection utilizing a technical review of the well construction log. A timely technical review of the well construction log is the most effective and efficient means to review the work of the well constructor to protect the resource, the consumer, and the public. Technical review can identify many of the construction deficiencies without the need to physically be on-site and observe construction with the well constructor.

Combined with the Department's current model of performing in-person inspections for 30% of newly constructed wells, the technical review of 100% of the well logs submitted will vastly improve the quality of well construction outcomes. A mandated technical review with this bill helps direct the Department to shift well construction regulation from a reactive approach, where problems created by construction deficiencies lead to corrections, to a more proactive enforcement approach, where these deficiencies may be addressed timelier and prior to the problem arising. The well owner, the public, and well constructor expect some sort of inspection to occur on all constructed wells in a timely manner so the groundwater resource may be protected to the best of our ability.

I urge your "yes" vote on House Bill 2470.

Sincerely,

Duane Stark
State Representative, House District 4