



## OREGON GROUND WATER ASSOCIATION

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**SB 1154  
Testimony in Opposition  
Before the  
Senate Committee On Natural Resources and Wildfire  
April 8, 2025**

Chair Golden, Vice-Chair Nash, and members of the Committee, thank you for the opportunity to provide testimony in opposition to SB 1154 and the -1 amendment.

The mission of the Oregon Ground Water Association is to promote sustainable groundwater development and management for maximum beneficial use without waste or contamination. Organized in 1949, the Association has sought to encourage responsible stewardship of the groundwater resource with its leadership in industry education and legislation.

The Oregon Ground Water Association (OGWA) is a nonprofit membership organization composed of water well constructors, well pump and water treatment contractors, hydrogeologists and engineers, manufacturers and suppliers of equipment, and other various trades engaged with the groundwater resource. From these various disciplines, we have the benefit of receiving many perspectives on proposed legislation.

While the OGWA supports the concept of addressing areas with groundwater contamination as outlined in ORS 468B, SB 1154 is a significant overreach and erodes private property rights and proposes to remove land from buildable housing stock rather than prescribe remedies. Specifically, the OGWA opposes the bill for the following reasons:

1. **Trespass on Private Property** We are opposed to giving the state unrestricted access to enter private property to inspect residential subsurface sewage disposal systems (septic systems). We understand that, currently, the State may not enter private property without a warrant for a lawful purpose unless they have been given permission to do so by the property owner. Anything less is a serious transgression and erosion of private property rights.
2. **Housing Prohibition** The OGWA has grave concerns regarding granting counties the authority to deny building in a ground water quality management area. In most cases, there are advanced purification processes available to address contamination; however, there should be a requirement for full disclosure prior to the transfer of property which would allow an owner to install the necessary treatment system. This is a better alternative than removing otherwise buildable land.

Further, counties should not be granted the authority to determine if a well can be installed for domestic uses. This is not within the counties' scope of expertise. Rather, counties should be able to report any issues and problems to the Oregon Water Resources Department.

3. **Backflow Prevention Device Costs** SB 1154 with the -1 amendment does not address the cost of the backflow prevention device. Should a declaration of a ground water quality management area result in a requirement to install a backflow prevention device in an area where it would otherwise not be required, we recommend that a process for cost sharing or other financial assistance for the homeowners be put in place to help offset the cost of installation of the devices. The OGWA would also like to see clarification as to whether a double check backflow is sufficient and whether it should be regularly inspected and maintained.
4. **Standing** Section 4 of the -1 amendment states that *“Within a reasonable time after completion of the draft agency assessment and outreach plan under ORS 468B.177, the lead agency, in consultation with the interagency team, shall appoint a ground water management committee. The ground water management committee shall be composed of at least seven members representing a balance of interests in the area affected by the declaration, including at least one homeowner or tenant that relies on a domestic well for drinking water that has been affected by the contaminant of concern.”*

While homeowners and tenants who rely on the well for drinking water should be included, the OGWA believes that failure to narrow the groundwater management committee to legitimately affected parties opens the gates for outside influencers to drive the process that is counter to groundwater protection and equitable access. Choosing the committee should not be an arbitrary decision but rather, specifically include expertise in groundwater issues.

**Other Issues** The OGWA is opposed to the 5,000 gallons per day (gpd) limit as expressed in Section 20, as it may be unnecessarily restrictive for group systems that have historically used more than 5,000 gpd.

With regard to addressing commingling wells, the OGWA believes it is something that should be encouraged; however, the problem is largely a result of historical State well construction management practices. For this reason, it does not seem fair or reasonable to expect well owners to bear the full cost of replacing their commingling wells.

In conclusion, the OGWA opposes SB 1154 and the -1 amendment as written but stands ready to assist the Committee with addressing these serious issues. Again, thank you for the opportunity to comment.

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