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On Behalf Of:
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Wildfire
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Action Alert: The Next SB 762? SB 1154 Raises Major Questions For Rural Oregon, REMOVE Section 17 and Section 19 from the -1 version of the bill

It's important for folks to know that Oregon has an existing framework and program to identify areas of groundwater contamination. Under existing law, a "Groundwater Management Area" (GWMA) is a region designated by DEQ due to concerns about groundwater contamination, particularly from nitrates or other pollutants.

These areas are identified based on studies showing that groundwater quality fails to meet standards or is at risk of degradation. The purpose of a GWMA is to coordinate efforts among local communities, agencies, and stakeholders to address water quality issues and develop strategies for improvement.

In a GWMA, activities such as agricultural practices, waste management, and residential uses are closely monitored, guided, and sometimes regulated to mitigate groundwater contamination. However, public education, best practices, and voluntary community involvement are emphasized to ensure long-term protection of water resources, without causing unintended consequences for property owners in GWMA's.

A GWMA is created by DEQ when nitrate levels above 70% of the safety limit or other pollutants over 50% of the safety limit in a certain area. The results are double-checked by a second lab to make sure the findings are accurate. Once a GWMA is declared, DEQ works with local communities to create a plan to fix the issue. They also monitor the area over time to check progress and reduce pollution levels.

As of today, there are only three GWMA's in Oregon: the Lower Umatilla Basin GWMA, the Northern Malheur County GWMA, and the Southern Willamette Valley GWMA.

As talked about already, Oregon already has a framework in place for addressing groundwater contamination through GWMA's. SB 1154 with the -1 amendment purports to enhance this process and protect rural communities, but includes three heavy-handed sections that undermine this effort:

Section 17 – Empowers counties to bar residential dwelling (which includes replacement dwellings, farmworker housing, etc.) or accessory dwellings in GWMA's

unless connected to public water, effectively freezing development in areas with limited public infrastructure.

Section 17 – Grants DLCDC unfettered authority to create sweeping rules dictating where counties MUST ban new residential structures, even outside of GWMA's.

Section 19 – Section Authorizes DEQ to enter private properties for underground sewer system inspections with minimal limitations, and no clarity on the consequences for property owners if their sewage system fails the inspection or they cannot afford to make repairs.

SB 1154's overreach is the definition of adding insult to injury. Instead of narrowly targeting polluters, this bill punishes homeowners and communities who had no hand in the contamination. Destroying property values, restricting land use, and denying compensation isn't just shortsighted— it's unjust.