

Testimony to the House Committee on Rules

SB 1154-B

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Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. OEC works at the intersection of human health and the environment.

On behalf of its thousands of members throughout the state, Oregon Environmental Council writes to express our support for SB 1154-B as well as our appreciation for the Governor's leadership in crafting this bill and the Committee's sponsorship of this legislation.

For decades, Oregon's 1989 Groundwater Quality Management Act has needed updates to ensure that the good intentions of the law are made real for Oregonians. I have worked with agency staff and local stakeholders as well as industry and agricultural producers in the Lower Umatilla Basin Groundwater Management Area for over eight years. I have seen up close and personal how the vague language of the 1989 Groundwater Quality Management Act has hampered progress towards identifying, reducing and eliminating groundwater pollution from all sources in the basin. Agency coordination and accountability have fallen short of what was needed in the basin to successfully work with local folks to address the problems. We finally are making progress after over 30 years of ineffective efforts, but those 30 years have taken a toll on everyone involved, particularly those whose drinking water wells have been polluted.

The changes proposed in SB 1154-B will prevent this from happening again, somewhere else in Oregon. That's why OEC has worked with the Governor's office for many months on SB 1154-3, and why we support its passage.

This bill clarifies the intent of the existing statute, making explicit four important issues:

1. **Early detection of groundwater contamination.** Oregon needs a program to catch potential problem areas before an aquifer becomes too polluted for drinking water use. SB 1154-B's **coordinated, two-step approach** provides that. The Groundwater Quality Concern Area designation enables proactive efforts by the agencies and local stakeholders when possible non-point source contamination is detected in groundwater. The Groundwater Quality Concern Area designation enables proactive efforts, before the aquifer becomes too polluted for drinking water use. Agencies will be responsible for including outreach and education to well owners, industries, municipalities and agricultural producers. If those efforts are unsuccessful in curbing or eliminating groundwater pollution and contaminant levels pose a danger to human health, a Groundwater Quality Management Area can be declared. Once that happens, agencies can identify and require compliance with mandatory actions to reduce nonpoint source contributions to groundwater contamination, while ramping up on outreach and education efforts.
2. **Improved agency coordination.** State agencies need better coordination to identify, manage and regulate (where necessary) sources of groundwater pollution. By requiring an

interagency task force for both Groundwater Quality Concern Areas and Groundwater Quality Management Areas, SB 1154-B ensures that the agencies are well-aware of each other's efforts and goals, so they can be more efficient and effective in achieving those goals.

3. **Clearly identified roles for each state agency.** Oregon needs **clearly identified roles for each state agency** responsible for implementing the Groundwater Quality Management Act. SB 1154-B lays out agency responsibilities for both Groundwater Quality Concern Areas and Groundwater Quality Management Areas, making it clear what tasks and deliverables are assigned to each agency.
4. **Agency accountability. State agencies need to be accountable** for implementing the Groundwater Quality Management Act in a timely and effective manner. SB 1154-B requires the lead agency on the interagency task force to report to its respective board or commission on the inter-agency team's progress. Additionally, during even-numbered years the lead agency of the interagency task force will report to the Interim Joint Committee on Ways and Means.

We appreciate the Governor's leadership in crafting this bill, as well as the time and effort various stakeholders have contributed. That work has made this bill stronger and more responsive. For example, concerns raised during conversations with the Governor's office related to ensuring process transparency is addressed in the bill's amendments. Additional public process requirements have been added to give folks a better chance to comment on draft plans. Additionally, the supporting information used by the agencies in making designation decisions will be made available to the public during that process.

Groundwater contamination is increasing, and the consequent threats to human health and the environment are increasing as well. People depend on groundwater for their drinking water, and while water providers can remove most groundwater contaminants thereby protecting their clients, people who depend on domestic wells are not so protected. And eventually almost all groundwater becomes surface water, emerging as wetlands or feeding into rivers and lakes populated by fish and relied upon by other wildlife. We must protect people, ecosystems and wildlife from groundwater pollution by identifying polluted aquifers and working with all land uses to identify, reduce and eliminate sources of that pollution. SB 1154-B does just that.

We urge the committee to move this bill to the Senate Committee on Rules for further refinement to address stakeholder concerns. Thank you for considering our testimony on this important legislation.