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Representative Witt, Chair
House Committee on Natural Resources
900 Court Street NE, HR C
Salem, Oregon 97301

RE: HB 2331 – Well construction standards and enforcement

Dear Chair Witt and Members of the Committee,

Thank you for the opportunity to comment on HB 2331 and the -2 amendments. The City of Portland supports a robust well construction program that results in timely inspections and protects groundwater resources and public health. The City supports the efforts to address this issue but has concerns regarding the proposed approach.

The Columbia South Shore Well Field, which is located along the Columbia River and spans from just west of the I-205 bridge in the west to Troutdale in the east, is a drinking water source for over 800,000 Oregonians. The Cities of Portland, Gresham and Fairview have implemented a groundwater protection program to protect the Columbia South Shore Well Field from contamination. The core of this collaborative resource protection strategy is the prevention of groundwater degradation through managing both current risks and legacy situations. Grandfathered, non-conforming facilities pose a substantial risk to groundwater, including drinking water sources.

In addition to local wellhead protection regulations, Portland relies on the authority of the Water Resources Department (WRD) to compel action in situations where groundwater is impacted or at risk because existing wells do not meet protective standards for construction. HB 2331, with the -2 amendments, would place the burden of remediating such wells on the well owners, without considering the responsibility of well installers for correcting potential errors, and creating a barrier to effective groundwater protection.

A statute of limitations on WRD's enforcement authority will not address the underlying issue of the lack of resources in the agency's well construction program. Limiting WRD's enforcement authority to three years will not address older, potentially higher risk wells, and could ultimately result in less scrutiny of legacy risks.

The City of Portland is committed to the protection of groundwater resources and welcomes further conversations to work toward a solution to this issue. Thank you for your consideration.

Respectfully,


Michael Stuhr, P.E.
Administrator, Portland Water Bureau
City of Portland