

**Testimony to the House Committee on Agriculture, Land Use, Natural
Resources and Water
On HB 3207**

March 7, 2023

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Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. We advance innovative, collaborative and equitable solutions to Oregon's environmental challenges for today and future generations.

Oregon Environmental Council strongly supports HB 3207.

Over 20% of people living in Oregon depend on domestic wells for their potable water needs, including drinking water. The majority of those wells are in rural areas, where there are no water delivery systems like the ones we depend on in towns and cities. Water utilities are required to regularly check for and report on a variety of water contaminants, thus protecting their patrons. No such requirements exist to protect domestic well users from possible drinking water contaminants outside of the Domestic Well Testing Act.

According to OAR 333-061-0305, the Domestic Well Testing Act of 1989 “establishes a program to provide water quality monitoring of underground aquifers that are used for domestic purposes.”

The Domestic Well Testing Act (DWTa) addresses the need to capture groundwater quality data that can help alert state and local public health and natural resource management agencies about areas or regions of the state may be at risk of compromised groundwater quality. We all know that resources for groundwater quality testing are limited. By requiring that well water test results associated with real estate transactions be 1) shared with the buyer, and 2) reported to the state, the legislature intended to supplement the state's limited data collection abilities.

Unfortunately, all too often the sellers are not reporting to the state. In fact, the EPA estimates that less than 10% of the relevant test results are being reported to the agency. HB 3207 aims to rectify that by changing the entity responsible for reporting the test results to the state.

By requiring the well water test results associated with real estate transactions to be reported to the state by the labs and not the seller, we can help address this problem. The only change HB 3207 makes to the DWTa is to require well water test results associated with real estate transactions be reported by the lab doing the testing rather than by the seller. Other states have similar provisions that require labs to report real estate transaction-related well test results to a state agency. Those programs can serve

as resources as DEQ develops a lab-based reporting system. We trust that DEQ will work with the labs to implement a reporting system that is efficient, easy to implement, protects confidentiality, and, most importantly, ensures that this important data is delivered to the agency in a timely and accurate manner.

HB 3207 will benefit rural residents, planners, public health officials, property owners, and potential property buyers. State agencies charge with managing and protecting water quality and public health will be able to more clearly understand where there are potential groundwater challenges as well as where there are none.

OEC urges the committee to support HB 3207, and by doing so help ensure clean and safe drinking water for rural Oregonians.