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Testimony on Bill 447

AAC Public Trust Components of the State Water Plan

By John C. Hall

Executive Director

I am very concerned about the intention of Bill 447 and its potential effect in limiting the scope of the state's proposed Water Plan. I strongly oppose any effort to define *private drinking wells* as lying outside the realm of the public trust.

I recognize that private drinking water wells enjoy different levels of protection than water supplied by public utilities. I also believe that individual, residential private well owners tend to want more protection from groundwater pollution, not less.

I am troubled by Bill 447 especially because I cannot see what public purpose is to be found in declaring that private wells are outside the area of public trust, since the groundwater those wells draw from is a communal resource and should not be exploited or overused without necessary public safeguards related to drought and pollution. The term "public trust" refers to all members of the public. Why would we carve out exceptions for those members of the public who happen to rely on water from private wells? Why should water extracted by one method—private drinking wells—be declared to be out of bounds from the public conversation and regulatory framework to protect water that cannot be subdivided below ground? Why would the legislature wish to declare that the state has no place in protecting private drinking wells from "*pollution, impairment, and destruction*"? "The only purpose I can imagine for Bill 447 is that it is intended to prevent regulation of industrial-scale wells owned by private corporations that use large volumes of water.

I would point out that the State Water Plan is a restrained document concerning broad principles and goals regarding the resource of water in our state. It is not a list of regulations in itself. Private drinking wells have the potential to draw large quantities of water from underground aquifers. The effect of the overuse of private wells can be witnessed in California where the ground is sinking from depletion of the aquifer.

I believe I speak for the constituents of the Jonah Center in this testimony. I hope that the Environment Committee will vote NO on Bill 447.

Our mission: to foster sustainable relationships among people, other creatures, energy resources, and the environment and to promote interdisciplinary community partnerships in scientific, artistic, and other cultural endeavors.