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Washoe County
Department of
Water Resources
4930 Energy Way
Reno, NV 89502-4106
Tel: (775) 954-4600
Fax: (775) 954-4610

TESTIMONY OF

Steve Bradhurst, Director
Washoe County Department of Water Resources

Before the
Senate Committee on Government Affairs
State of Nevada

Presented on Behalf of the
Washoe County Board of Commissioners

March 12, 2003

INTRODUCTION

Good afternoon, Madam Chairman and members of the Committee, for the record my name is Steve Bradhurst. I am the Director of the Washoe County Department of Water Resources. My testimony is provided on behalf of the Washoe County Board of Commissioners. Washoe County appreciates the opportunity to testify in support of Senate Bill 200.

WHY SENATE BILL 200?

Senate Bill 200 is an effort to respond to the following question: What should a property owner and its local government do when confronted with a state directive to abandon the property owner's septic system (ISDS, or Individual Sewage Disposal System) and connect the property to a community sewer system? I can tell you that since April 7, 2000, Washoe County and many of its residents have spent considerable time and money trying to address that question.

On April 7, 2000, the Nevada Division of Environmental Protection sent a letter to the Washoe County Department of Water Resources containing the following directive:

Because there is evidence linking ISDS to elevated levels of nitrate in drinking water in the Spanish Springs area, and there is the potential public health threat to infants and the environment, the Nevada Division of Environmental Protection directs your agency to immediately begin planning to expand community sewer service to the area. A schedule must be submitted to our office for review and approval by August 1, 2000, and a plan in place in eighteen months following that.

As you are aware, nitrates are considered a pollutant and continued release to the groundwater via ISDS is not allowable where the water supply is impacted. Because continued use of ISDS in the area of Spanish Springs will further degrade the groundwater supply, relocating the drinking water supply wells will not be an option. The area must be sewerred to remove the public health and environmental threat which has emerged.

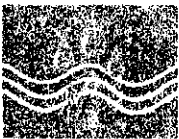
Department of

Water Resources

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That directive affects 2,000 homeowners in central Spanish Springs Valley – the valley immediately north of the City of Sparks. The estimated cost to comply with the directive is approximately \$20,000 per home, or \$40 million. To date, Washoe County has spent \$550,000 to address the directive.

The Nevada Division of Environmental Protection feels there are a number of places in Nevada where septic systems are causing elevated levels of nitrate in ground water. Ground water is an important source of drinking water in Nevada. Nationally, ground water accounts for the drinking water supply of about half the U.S. population, providing 35 percent of the drinking water supply in urban areas and 95 percent of the drinking water supply in rural areas. In 1995 ground water provided 25 percent of Nevada's public drinking water supply.

The purpose of Senate Bill 200 is to provide a partial solution to protecting Nevada's priceless ground water resource from nitrate contamination, and in doing so, remove a public health threat and prevent a violation of the Safe Drinking Water Act and the Clean Water Act. The question that begs an answer is whether or not the solution to a state directive that homeowners abandon their septic system and connect to a community sewer system is reasonable and economically feasible without government assistance, particularly financial assistance. In Spanish Springs Valley it is clear that the cost of the solution is not financially feasible for the property owner and/or the local government.

The Spanish Springs Valley case shows that the solution requires a partnership involving the property owner and the different levels of government – local, state and federal. I might add that Washoe County has worked very hard over the last two years to secure federal funds to help cover a portion of the cost to convert homes with septic systems to a community sewer system. Thanks to the excellent work of Nevada's congressional delegation, federal funds will be available starting this year to help address the problem. This bill is a step in the right direction since it has the State of Nevada participating with the property owner and other levels of government in the solution.

WHAT DOES SENATE BILL 200 DO?

Senate Bill 200 amends specific provisions in Nevada law that provide grants for water conservation and capital improvements to certain water systems. The main elements of the bill do the following:

1. The bill authorizes grants to pay certain costs associated with abandoning a septic system and connecting the property formerly served by the septic system to a community sewer system – if the Nevada Division of Environmental Protection requires such a conversion.
2. The bill increases the amount of general obligation bonds that the State Board of Finance may issue to support the Fund for Grants for Water Conservation and Capital Improvements to Certain Water Systems by \$4 million.

CONCLUDING REMARKS

In conclusion, Madam Chairman and members of the Committee, this bill will have a direct and positive impact on Nevadans. It will help protect Nevada's priceless ground water resource and also the health of current and future Nevadans.

Madam Chairman, I would be happy to address any questions that you and members of the Committee may have.