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March 12, 2003

To: Senate Committee on Government , State of Nevada

From: Lois Avery, Chairman of the Spanish Springs Citizen Advisory Board

Re: Testimony on Senate Bill 200

Madam Chairman and members of the Committee, I am Lois Avery, Chairman of the Spanish Springs Citizen Advisory Board. I appreciate the opportunity to testify in support of Senate Bill 200.

Steve Bradhurst, Director of Washoe County Department of Water Resources, has presented the history of the septic to sewer requirement for about 2000 residents of the Spanish Springs Valley. Speaking from experience of numerous meetings on this issue, I would say that no community should have to endure the upset and expense that this project has brought to Spanish Springs. However we all agree, it is absolutely crucial to protect the quality of the water in our precious aquifers.

I have two points to make.

1. If the Nevada Division of Environmental Protection requires parcels in an area to switch from septic to sewer for health reasons, then funding from general obligation bonds should be made available to help finance the part on an individual's property. Why? Because the original system was installed according to state and county rules. The rules proved to be inadequate, through no fault of the property owner.
2. It is absolutely crucial that these problems be avoided in the future by changing county and state rules. I am pleased to report that Washoe county now has in place regulations that allow septic only on 5 acre minimum. A recent development in Palomino Valley was required to put in a local sewage treatment plant since they were too far from the sewer line to the main plant. However, state rules for the 15 less dense counties still allow 1 per acre.

In Washoe County we are lucky to have the Truckee River as well as ground water. Some rural counties do not have this luxury. If their ground water is contaminated, what will they use? It does not take a crystal ball to see that the state will be asked to cover remediation costs.

In Spanish Springs, the problem was aggravated by the fact that some developments had been approved when the state sent a letter in the mid-nineties. One developer immediately stopped using septic and switched to sewer. However other developers continued to build what they already had permits for. You should check with legal staff, but there must be some way when there is a health issue to stop even approved developments.

From all the meetings, I now know much more about septic systems than I ever wanted to know. The key issue is that it takes several years for the septic to percolate down to the water table. When an increase in contaminants is found, if you stop immediately, the contaminants will still increase in the water table as the backlog between the surface and water table continues to come on down.

In summary: Senate Bill 200 will help residents who are being required to go back and change what was previously legal. But you must also make certain that we immediately shut the door on future developments throughout the state that are using the inadequate 1 acre minimum. This will save taxpayer dollars by keeping more people from needing help under Senate Bill 200 and by preventing the need for costly remediation measures.