

December 8, 2003

To: Honorable Chair and Members
Nevada Legislative Committee for the Review and Oversight
of the Tahoe Regional Planning Agency and the Marlette Lake Water System

Fr: Steve Teshara, Member, Board of Trustees
Round Hill General Improvement District

Re: Submitted Testimony - Water Treatment Options for RHGID
Request for Direction & Assistance

Good afternoon Mr. Chairman and Members of the Committee. For the record, my name is Steve Teshara, a resident of Round Hill (Zephyr Cove) Lake Tahoe, in Douglas County. I am an elected member of the Board of Trustees of the Round Hill General Improvement District (RHGID). RHGID was organized pursuant to NRS Chapter 318 to "promote the health, safety, prosperity, security, and general welfare of the inhabitants thereof and the State of Nevada." RHGID provides water service, sewer collection service, and street maintenance within the District. We provide municipal water service to approximately 480 residential and commercial connections.

RHGID is proud to be a cooperator in the efforts to protect and restore Lake Tahoe by supporting TRPA approved Environmental Improvement Projects in our area. We are currently in the planning stages for Phase 2 of a major drainage and erosion control project in the District. Such projects are costly, but we have worked hard to obtain grant funds from various state and federal agencies to help do our part as a local agency to support the Lake Tahoe EIP.

As our Board and staff plan for future capital improvements and develop appropriate financial plans, we must consider needed improvements to our water intake system, which draws from the relatively clean waters of Lake Tahoe. Such improvements are needed to provide for required redundancy and for reasonable capacity and reliability. According to the engineering studies we have done, the most cost-effective technology for RHGID may be the use of ultra-violet treatment, which is less expensive to both install and maintain.

EXHIBIT <u>3</u>	Tahoe	Document consists of <u>4</u> pages
<input checked="" type="checkbox"/> Entire document provided.		
<input type="checkbox"/> Due to size limitations, pages ____ through ____ provided.		
A copy of the complete document is available through the Research Library (775-684-6827 or e-mail library@icb.state.nv.us).		
		Meeting Date <u>12-8-03</u>

However, we are told by staff at the Nevada Bureau of Health Protection Services that RHGID cannot use UV technology. Back in 1991, all water systems had the opportunity to decide whether to filter drinking water sources, or to pursue "filtration avoidance," that is, change to a different method of treatment. At the time, as a relatively small district, RHGID was not in a position, from a technical or financial perspective, to change its method of treatment. UV was not an approved treatment for drinking water at that time.

At RHGID, we are concerned that a "decision point in time" twelve years ago now apparently prevents us from pursuing a method of drinking water treatment that would be more cost-effective for our rate payers. No one at the Bureau of Health Protection Services, or any other water regulatory agency - state or federal - has told us of any health or safety caveat to the use of UV technology for the treatment of drinking water. We are only told that because RHGID did not pursue the opportunity for "filtration avoidance" twelve years ago, we are precluded from ever studying or pursuing the benefits for our District and customers. Health officials cite Title 40 of the Code of Federal Regulations, Section 141.71 as the foundation for their position.

The North Tahoe Public Utility District, a district similar in many ways to RHGID, is now using UV technology for drinking water treatment here at Lake Tahoe. NTPUD's use of UV technology has been approved by the State of California and the U.S. Environmental Protection Agency.

It does not seem right that RHGID is being told that we cannot pursue UV technology. It does not seem right that taxpayers - rate payers - cannot seek to take advantage of improvements in technology and efficiency as time goes on and technology clearly improves. Why should we be stuck in the past?

On behalf of our rate payers, and the rate payers of other drinking water districts which may be in a similar situation, we respectfully request the members of this Committee to provide us with an opportunity to present further information and to further explore and discuss this matter. It may be before the Members of this Committee at one of your future meetings. Or you may direct us to another Committee of the Nevada Legislature. In either case, consistent with RHGID's mission under NRS Chapter 318 "to promote the health, safety, prosperity, security, and general welfare of the inhabitants thereof and the State of Nevada," we believe it is our duty to bring this issue forward to your attention. A legislative solution to this situation of being stuck in the past may be required and appropriate. With your help, we intend to find out.

cc: Members, Round Hill GID Board of Trustees
Mr. Cameron McKay, General Manager, RHGID
Mr. Brien Walters, Walters Engineering, Engineer for RHGID

Attachment:

October 28, 2002 letter from Galen Denio, Nevada Bureau of Health Protection Services, to Brien Walters, Walters Engineering (Engineer for RHGID)

Governor

MICHAEL J. WILLEN
Director



YVONNE SYLVA
Administrator

VACANT
State Health Officer

STATE OF NEVADA
DEPARTMENT OF HUMAN RESOURCES
HEALTH DIVISION
BUREAU OF HEALTH PROTECTION SERVICES

October 28, 2002

Brien Walters
Walters Engineering
1575 Delucchi Ln., Suite 115
Reno, NV 89502

Dear Mr. Walters:

During a recent phone call, you made clear that Round Hill General Improvement District (RHGID) would like to know if they would be allowed to "avoid filtration" by utilizing a UV disinfection system.

RHGID had the opportunity to apply for "filtration avoidance" status prior to December 31, 1991 pursuant to Title 40 Code of Federal Regulations, Section 141.71. It did not do so, opting at the time to provide filtration. Once this status was determined, the opportunity to avoid filtration was no longer available and RHGID was locked into being a filtered system. "Avoiding filtration" is no longer an option for RHGID. A UV disinfection system could be used, but only in conjunction with a filtration system.

Please let us know if you have any questions regarding this issue. You may contact me at (775) 687-4750, ext. 229, or Andrea Squatrito Seifert at ext. 236.

Sincerely,

A handwritten signature in cursive script, appearing to read "Galen Denio".

Galen Denio, P.E.
Manager, Public Health Engineering

GDD/als

cc. Cameron McKay

"Building and Strengthening Public Health through Communication and Partnerships"