

PRESENT: Ronzone, Bryan, Lowman and Getto

ABSENT: None

OTHERS: Howard Gray, Reno Attorney; Mary Kozlowski, Open Spaces Council; Bob Grayson, Carson City Attorney; James Lambert, Department of Motor Vehicles.

Chairman Ronzone called this meeting of the subcommittee to order at 8:15 A.M. for the purpose of amending A.B. 482 which "Enacts new water pollution control law.

Howard Gray was present to speak. He felt doubt for any need of A.B. 482. He said the law we have on the books at the present time puts in the hands of the State Board of Health the power and jurisdiction that encompasses the same thing.

Mr. Gray felt Section 11, Subsections 1 and 3 should be together because they both deal with the same thing and both define "wastes". He felt there were a lot of uncertainties in these subsections. Who is going to determine "unnecessary siltation"? He wondered if we weren't getting into the jurisdiction of the water law we have right now when we start to talk about underground water. When you talk about quarries and gravel pits, he wondered if that should come under the State Mine Safety Code. It would be in the mining end of it, not water. In referring to "gross neglect of land erosion", he wondered what land, whose land, etc.

He said he did not believe A.B. 482 is necessary legislation. He feels what is on the books right now is under the control of the State Board of Health and he hasn't heard any situations where they have not been able to handle it.

Mary Kozlowski then spoke. She said she thought this was necessary legislation and said she had talked to many people, including the District Officer of Clark County, and Ernie Gregory and Roland Westergard, and they felt it was necessary. She said there have been instances when the present water control has been on very shaky ground. Mr. Gray asked her where development of land for subdivisions comes in with water control. She said if they provide gross land erosion or cause certain substances to enter into the water while subdividing, they could come under this control. Mr. Lowman asked her what she thought the relationship was between the agency set up and and the Board of Health. She said she had heard that a board - which would be directly under the State Board of Health - will be put in charge of this. Then Mr. Getto questioned her as to whether she felt the same board should be in charge of both air and water. She did.

She went on to say that it had been suggested in regard to Section 27 on Page 8, that the Nevada Highway Patrol be omitted. But, she said, it has also been suggested to leave them in and have them issue citations for environmental violations which could be handled in the same manner as traffic citations in that if the person decided to plead guilty, he could just mail the fine in. The money could go to the State Treasury or to the General Fund. Mr. Getto commented that the funds would have to be earmarked or there could be problems.

Bob Grayson, a Carson City attorney, then spoke. He had been requested by Dr. Otto Ravenholt to be present at the subcommittee meeting. Grayson spent $3\frac{1}{2}$ years as legal counsel to the State Board of Health.

Mr. Grayson felt that the present laws are inadequate. Many of the provisions of A.B. 482 are needed for effective control of water pollution. He was concerned that effective transition may be difficult. He said it will take time for such a board to operate efficiently and effectively. He would like to see something more in this bill to say the existing programs will continue until something as effective can take over.

In Section 24, he said the first sentence is not clear. These are lines 37 and 38.

In Section 28, he felt something more was needed to grant specific authority to the State officials to take action. He said a local authority could take a lot of the burden off the State authority. He would like to see specific authority given to local authorities to carry out some of these things.

Mr. Gray then commented again. He said he would ask the committee very seriously to exclude from the act anything dealing with mining drainage or there could be a conflict with the mining inspector.

Mr. Lambert of the Department of Motor Vehicles commented briefly on the enforcement of A.B. 482. He felt that one of the most obvious and logical answers is the State Forest Service. Mr. Ronzone asked if these people were peace officers at the present time. They are not. Mr. Getto mentioned to Mr. Lambert the suggestion of paying fines just as in the case of traffic violations. Mr. Lambert did not think this was good because he thought it would disrupt the court procedure. He said if a violation is a misdemeanor, you must go to the court of jurisdiction.

Mr. Lowman asked Mary Kozlowski what was the rationale for having a \$10,000 a day fine for air pollution and \$2,500 a day for water pollution. She said the high penalty for air pollution would be a great deterrent to continued pollution because some companies would rather pay a fine than go to the effort of trying to research and find a solution for the pollution source. Mr. Lowman added that he did think the penalty for air pollution was exceedingly high and then he didn't see any penalty in the bill for solid wastes. He said it seemed to him that if you are going to have one board handling three areas of pollution that your provisions should be as near uniform as possible.

Mr. Lowman added that the Government Affairs Committee was working on a statewide water control bill and he wondered if the Chairman of that committee should be present to help this committee along. Mr. Lowman said he did not want to undo the State laws we already have dealing with water. He also wondered if anyone was going to try to get these three acts dealing with pollution together.

This subcommittee meeting was adjourned at 9:10 A.M. It will continue tomorrow, March 30, at 9:00 A.M.

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