

RECESS to March 15, 1973 at 4:15 P.M.:

THALIA DONDERO: The Greater Las Vegas Chamber of Commerce having long been a leader in community affairs, have two study groups to effectively consider vital issues that are currently under consideration in the State Legislature. The Impact Priority Committee, under the direction of Mr. James Cashman Jr., and the Legislative study group under the chairmanship of General Zack Taylor. The Impact priority committee heard a presentation by all of the entities included in water control in Southern Nevada and we studied the results of these presentations for four weeks and from this we reached a decision that is the following Resolution:

Be it resolved that the Greater Las Vegas Chamber of Commerce Board of Directors on February 6th, after presentation by the Impact Priority Committee, make the following recommendations regarding the water control situation of Southern Nevada:

We wholeheartedly support the concept of a Master Water Agency and recommend this Agency should be administered by an appointed commission excluding elected officials and selected from qualified persons within the Master Water Agency boundaries. These appointments should be lengthy enough to give good continuity to the commission so that experience and knowledgability would be forever present on the Agency Board.

It is recommended that the initial appointments be made by the Board of County Commissioners and they endeavor to obtain the most knowledgable and experienced persons to serve.

It is further recommended that the Legislature create a State Department of Water Resources to work hand in hand with this Agency or any other proposed agency throughout the State dealing primarily with Water Resources, and that this Department of Water Resources report directly to the Governor.

We believe that the seven water commissioners of this Master Water Agency be qualified and knowledgeable individuals and that they be appointed by the County Commissioners. The make up of these seven members be thus: 1 Attorney -Water Law; 1 Finance - Bonding background; 1 Water Engineer; 1 Hydrologist; 3 citizens that will have the interest and willingness to serve.

That there be an advisory board of Technical Advisors from each political entity to coordinate local planning and development.

These Water Board Commissioners to serve staggered terms of office. That the term of office be long enough to allow continuity to the Commission. That there not be elected officials serving on a Master Water Agency Board.

It was felt the county commissioners, and City Commissioners have a record number of major boards and commissions to be a part of. That the amount of time to devote to an agency that is managing the Regional Water resources is by far too time consuming to have a divided effort. The Water Board should be free from day to day pressures of political nature. Time for long term planning and research is imperative.

The Master Water Agency must have a single board of directors, a single staff to manage a single water agency.

Their duties would be to coordinate the consolidation of the separate water districts.

Establish rates.

Establish a distribution schedule and handle the affairs of the water board for the benefit of the entire population that they are serving. Have Bonding powers according to the existing state statutes.

The public needs to be educated of the availability of water in the Southern Nevada Region. Have protected the water supplies and water sheds in this region and throughout the state. Hopefully this citizen board of directors for a Master Water Agency could do just this.

DON DAWSON: Mr. Chairman, members of both the Assembly and the Senate, it's a pleasure to be here and have the opportunity to be heard at this time. First I'd like to introduce, if I may, representation from the City of Henderson, Estes McDoniel, Mayor. Mr. McDoniel served on the local governments study committee and will later testify on legislative action by the City of Henderson regarding water and sewer utility consolidation.

I would also like to introduce Lauren Williams, Councilman of the City of Henderson, members of regional streets and highway

commission. Jack Jeffrey, Councilman, member of the Clark County Convention Authority. Mr. Jerry Franklin, Councilman, Chairman Regional Planning Commission of Clark County. I would like to introduce the Director of Public Works, Mr. Robert Whitney. I would like to introduce Mr. Henry Greenville, consultant for the City of Henderson. I would like to introduce Mr. Glen Taylor, B.M.I., they supply approximately 98 per cent of the domestic water in the City of Henderson.

I will be brief. Mr. Whitney will make remarks and will introduce some conclusions from technical data, not previously introduced. Mr. McDoniel and Mr. Whitney will be the only other speakers.

The City of Henderson acquired its water and sewer, water distribution and sewage collection system 20 years ago. It is paid for. We have a bonded debt of approximately \$200,000 on both water and sewer. We've established service fees that will provide operation and maintenance, capital equipment, reserve or replacement and debt reserve. We return to our general fund moneys for administrative costs, sufficient funds to operate a solid waste disposal site and allow fee reductions to our senior citizens and provide a special reduced service fee for irrigation purposes.

Gentlemen, I won't belabor this at all. I think the points that are going to be made by Mr. Whitney and by Mayor McDoniel will conclude our presentation. Thank you.

ESTES McDONIEL: Chairman Gibson, members of the Senate, members of the Assembly, my name is Estes McDoniel, Mayor of the City of Henderson and on February 5, 1973, the city council went on record with a resolution opposing the enactment of legislation creating the regional utility district of Southern Nevada. At this time this was the only information we had. We knew of other bills that were possibly going to be introduced and for this reason I would like to take the opportunity for a few minutes to read you a part of this resolution. Our opposition to this enactment of the regional utility district does not mean that we are for or against other possible enactments. We, as many of you have not, have not had the time to study many of these so we are not at this time ready for any other commitment.

"The city council, the City of Henderson,, is opposed to the creation of a regional district as proposed and whereas the city council, the City of Henderson, feels that to permit the creation of such a district would be a disservice to the citizens of the City of Henderson for the following and enumerated reasons:

1. The local governing body of the City of Henderson would lose its right to establish utility rates for customers within the city.
2. The local governing body of the citizens of Henderson would lose its control over the development and growth of the City of Henderson by depriving its present rights to determine how, when, and in what amount funds are to be made available for system improvements and the rights to determine which and what incentives can be given to developers and customers through the policy of refunds for certain system extensions.
3. The local governing body of the City of Henderson would not be able to control the ad valorem tax to be levied on the citizens of Henderson or be able to control the per capita utility debt of the citizens of the City of Henderson.

Now, therefore, be it resolved that the city council, the City of Henderson shall and by these presents does oppose the creation of any regional utility district that would include in its boundaries any of the land areas within the corporate limits of the City of Henderson or any logical extension thereof. And does oppose the creation of any district or legislation which would provide state guaranteed bonds or other funding powers to be used for the export of water from the Las Vegas Valley until such a time as exhausted research, investigations and studies have satisfactorily proven that to do otherwise would lead to eminent disaster."

We'll put here, as far as the reading of the resolution, and present these to members of the committee for further reading and as I say I did not read all of the resolutions. The City of Henderson, some 20,000 people, in Southern Nevada, has had a water district of its own for many years. It does belong to the Southern Nevada Water District. We are paid and are in the process of paying our fair share of the bonds for the Southern Nevada Water District development. We feel that we represent our people.

From time to time, and most of you know, we are a community, a laboring community of blue collar workers. From time to time we have small disasters in our community. Small disasters meaning that we have a strike or a labor shortage and at one time in the past two years it was greater than anywhere else in the state. We as citizens, we as a council, make certain adjustments under these situations. We do not pressure the people unable to come up on the spot with their water or sewage fees. We give them time and we have no trouble in doing this. We feel that we are close to the people and we are in the best position to make this adjustment.

As Mr. Dawson says, we have very little bonded indebtedness to our water and sewer system. Somewhere in the neighborhood of \$6 million we could be bonded. We have only about five per cent of that debt now, as mentioned roughly around \$250,000 to \$270,000. We we are in good financial shape. We have not had to ask for a great amount of help. We don't need to ask for a great amount of help. Two years ago through initiative petition, the citizens in the City of Henderson overwhelmingly voted not to consolidate in part of the City of Henderson unless there was a vote by the people. This was put on the ballot by initiative petition.

We feel we have very reasonable water rates and until recently the water rates were extremely reasonable. We feel that some six months ago we increased the rates similar to those of the Las Vegas Valley Water District, but again with the feelings of the people of our city. The elderly, if they had lived in our city for three years, they were head of the family and had paid water bills. These people are actually today paying less water and getting water for cheaper rates than they did two years ago.

We have a "do pass" from committee meetings of the council that will make for a cheaper water rate for the people of Henderson, especially during summer months when we like to encourage a nicer looking city, more shrubs, more grass, more trees, and after a certain amount of thousands of gallons used these people will be able to purchase water for 10¢ a thousand instead of 23¢ a thousand gllons. This will help our city become a more attractive city. It will help our people to be more proud with their homes and with their investments.

We need legislative protection from you gentlemen to preserve our city operated water system, our city operated sewage system. We operate it now and we operate it well we feel, as well as anyone in the county, as well as anyone in the state at very reasonable rates. We need your protection because we are a small city of some 125 or 130 employees and if we could possibly segregate the number of people that were working in water and the number of people that were working in sewage, it would be some 15 to 18 people approximately. If we lose our water we lose our sewers operations. Each of these individuals that work in water and in sewage in our city have many more duties and by having water and sewage in our city, when we operate it we can give our people better services all around and if we were to have to pick out 15 to 18 people

and say no longer to dyou work for the City of Henderson, this would handicap us greatly and we don't know at this time if we can recoop and go ahead and operate our city as efficiently as we are doing presently.

So ladies and gentlemen of the Senate committee, ladies and gentlemen of the legislative committee, we solicit your help in preserving our water and sewage system. Thank you very much.

MR. R. T. WHITNEY: Mr. Chairman, members of the joint committee, I am passing out what we call Addendum N-. 2 to our status report. You will recall that last week we appeared before you and we had a first addendum. We have been continuing to work on this problem in the weeks recess between these hearings and have some additional information for you which I will cover later.

First, however, I would like to raise a point that I believe yesterday some questions may have been asked that were not fully answered. The fact that I believe that you may have been left with the impression that if this legislature does not create a master water agency in Clark County that federal E.P.A. funds would not be available to the Clark County region. This we feel is not a fact. Public Law No. 92500 which is commonly known as the federal water pollution control act amendments of 1972, its declaration of goals and policies states: "It is the national policy that areawide waste treatment management planning processes be developed and implemented to assure adequate control of sources of pollutants in each state."

The law further states in Title 2, Secion 208A2: "The governor of each state shall identify such area within the state which has substantial water quality control problems."

And further on in the same section states: "The governor shall designate (a) the boundaries of each such area and (b) a single representative organization including elected officials from local governments or their designess capable of developing effective areawide waste treatment management plans for such area."

The governor has designated the Clark County Regional Planning Council as the areawide planning organization for the Clark County areawide planning jurisdiction. Therefore, we have the

master agency. This agency is active. A planning and engineering consultant namely NECON, Nevada Environmental Consultants, is presently engaged in the task of preparing a master water quality management plan for Las Vegas Valley region and Clark County.

As far as the EPA and the law is concerned, we could have ten or twenty more entities within the region, each with its own utility system and each would be eligible for EPA assistance if it were a member of the regional planning council and its plans were a part of the adopted master water quality management plan.

Therefore, I do not feel that you should let the possible idea that a master water utility is necessary at this time influence your thinking in that regard.

Another question that was asked, and we don't feel was properly answered, was what would happen if the export plan did not become a reality as a result of this legislature's activities. It is our opinion from study and analysis of Public Law 92500 that we will be able to continue our cooperation with EPA to arrive at a plan that will satisfy the policies and goals of public law. The law Section 304.a1 provides that the administrator is directed to publish regulations by October 18, 1973. Now this is yet this fall that these regulations will be out, establishing guidelines for effluent limitations the law further provides that domestic waste water plants must meet effluent limitations based on secondary treatment by July 1, 1977. Three out of the four plants operating within the valley now are of secondary effluent standard. We have tried to work together within the regional planning council and in concert with EPA to solve our problems in the Wash.

Regarding the additional information we handed out here, I will read portions of this. I don't want to bore you with the entire addendum, you can read it at your leisure.

"Heretofore, information defining the physical and biological capacity of Lake Mead as a receiving body has not been available. Because such data is necessary to the establishment of standards relative to the quality of the discharge waters, a review was made of the study to determine 'Interrelationships between Chemical, Physical, and Biological Conditions of the Waters of Las Vegas Bay of Lake Mead' conducted by Dr. James E. Deacon, Professor of Biology, University of Nevada. Conclusions resulting from this review and obtained through discussions with the author are presented below. I will list

merely a few of these conclusions. A condition of eutrophication does not exist in Las Vegas Bay.

The occasional algae growth we see in isolated portions of the bay are due primarily to the poor circulation within the bay, due to the small amount of effluent entering the bay and not being properly mixed but rather segregated into pockets.

There is essentially no directed circulation pattern between the Bay and the main body of the Lake. Slow diffusion type of mixing is occurring at all times, except in the periods from December to March when Lake currents apparently sweep the Bay clean of all nutrients.

Current levels of nitrogen and phosphorous entering the Bay from the Wash are too low to cause algae growths large enough to produce growth-decay cycles that would result in accumulated decay products from season to season. In other words, the Lake when it does get algae growth will clear up. We will not get an accumulation. Algae growth is apparently limited most severely by nitrate, with little influence by phosphorous and other nutrients.

If the discharge from all the domestic waste water treatment plants (71% of current Wash flow volume) was transported through sealed lines to the main body of the Lake, (a) the dilution effect by the Lake would be so large that detection of the discharge effect could not be measured; (b) with the elimination of BMI industrial waste discharges (approximately 8% by volume), the remaining stream flow volume (approximately 21%) would be of natural origin and sufficient to support a green park area if the present phraetophyte growth was eliminated.

This would then be in preservation of the Wash. If we could fight the effluent across the Wash and into the main body of the Lake where it would be undetectable.

Some of the recommendations we might make following that would be, and these are directed more at ourselves rather than at this legislative body, but there is an answer as we mentioned the last time. We didn't want to come out against something without providing an alternative solution.

We feel we should repeal or have the State Health Department issue a moratorium on the enforcement of the 1973 standards for the Las Vegas sewer plant and the Clark County sewer plant and adopt as an interim the presently state accepted standard for discharge to Las Vegas Wash which is the narrative standard that I think you have had before you before.

That we should continue to study the Bay and Lake to arrive at reasonable standards in accordance with EPA guidelines which will be forthcoming.

And whereas, quoting from the public law, "it is the national goal that the discharge of pollutants into the navigable waters be eliminated by 1985, we would recommend that the state, through the governor, and through our regional planning council, accept the Henderson plan as part of the state plan for developing and research and demonstration facility to arrive at a technology to produce a treated waste water that would not be a pollutant.

And whereas, again quoting from the law, "it is the national policy that areawide waste treatment management planning process be developed and implemented to assure adequate control of sources of pollutants in each state," it is further recommended the Clark County Regional Planning Council establish a permanent water quality management technical committee to perform this planning process. There are other considerations that would have to be involved there, but again I think it would be a local problem and that would be of getting the power to the planning council to allow it to contract and do other items necessary to clear this up.

Another recommendation would be to consider as an alternative to the export plan the transport of all domestic waste water through an out-flow closed system to the main body of the Lake after effective or further secondary treatment, as required by EPA or the state. The cost of a sealed collection conduit for all three domestic waste water treatment plants to the Lake would be approximately \$10 million, this is opposed to some \$64 million initial cost we're talking about in an export plan.

The operation and maintenance cost would be considerably less than that of an export system which would have pumping and much mechanical maintenance costs.

Another recommendation would be to stop the discharge of all industrial wastes to the Wash area.

To establish a state park green area in the lower Wash area, this could be rather than a state park possibly a regional park, but it should be something set aside as recommended in yesterdays discussion by the Audobon Society, including the acquisition of additional land if necessary to provide environmental protection and flood plain management.

And lastly we would recommend the establishment of a sludge disposal facility capable of meeting the requirements of the entire area. We have mentioned in this brief report that the present export system made no provision for disposal of sludge, apparently leaving it up to each entity. But at 100 million gallons per day of total sewage which is what they are talking about for the export system the sludge accumulation would amount to about 2-1/2 million pounds dry weight per day and this is something that would have to be taken into consideration in the planning.

We feel that the consolidation of utilities, if at all or to any extent, should be something that should come through the Clark County Regional Planning Council. I don't believe that there has been very much discussion of it. They have a couple of times on a smaller basis attempted to talk about it, but I think that whatever it is it must be acceptable to the people of the area and all of the people of the area.

The recommendations in the addendum which I have just read to you are not intended to imply that any action need be taken by the legislature. These recommendations are for study and action at the local regional planning level. Your alternative to passage of any of the bills under consideration today is to do nothing and we feel that under the present conditions that this is the best alternative. We feel we need more guidelines from EPA. We need to perfect our regional waste water quality management plan which is not yet completed. We need to continue to investigate alternatives to the present proposals based on guidelines yet to be established and based on local acceptance. Gentlemen, I thank you.

LIZ VLAMING: Mr. Chairman, members of the committee, I'm Liz Vlaming from Las Vegas representing Junior League. This is the first time the Junior League of Las Vegas has given testimony before a legislative committee and for this reason some of you may be unfamiliar with our organization.

Junior League is an educational, charitable organization whose purpose is to train its members to be effective

volunteers in the community. Our group was formed in 1946 and has a membership of over 200 women. Over the years Junior League has provided thousands of hours of volunteer work and has raised over \$250,000 in its attempt to fulfill unmet needs in the Las Vegas area. While we are identified by our support of many projects and programs, one example is Junior Leagues' long standing assistance to the University of Nevada in Las Vegas which began back in 1955 with a donation for the very first wells on campus. Since that time we've raised more than \$45,000 for their library and building funds. We've established a student loan fund and have a library endowment fund also. Most recently we provided an \$18,000 donation for the university's museum of natural history.

The obvious question at this point is how did Junior League get involved in a political issue? Junior League has a public affairs committee which keeps the membership informed on local and state issues and for the past eight months this committee has been studying local water management. Our membership responded to the studies with tremendous concern. They requested follow-up research and wanted ideas for a plan of action. Ultimately they went so far as to change Junior League's by-laws so that a public position could be taken on the water issue, which incidentally was passed by a more than 80 per cent affirmative vote.

Thus, our being here today to give testimony represents a break in precedent in our 27 year history. The printed report prepared by this committee entitled "Las Vegas Valley Water" was mailed to each Clark County legislator and to members of the two government committees along with the Junior League's position paper and I would like to request that both of these items be included in the minutes of this hearing. (Aforesaid report is attached hereto as Exhibit "B".)

Junior League's concern in this issue stems from the fact that the entire Las Vegas Valley receives water from only two major sources: from boiled water which is tapped by wells and from the Colorado River and that water is transported by the Lake Mead Water Project. The water from these two sources is distributed to consumers and then collected as sewage and treated by seven separate municipal or semi-municipal agencies. Right now we are overdrafting our ground water resource, that is, we're taking out greater amounts of water than the quantity of water recharged into the system. Annually, we're also increasing our use of

Colorado River water. With a present population of well over 300,000 people in the valley, we are half way to the point of needing reclaimed water for domestic use. This is because our present water supplies will support a population of about 770,000 people, a figure we anticipate reaching in 27 years. In other words, based on present water consumption levels, by the year 2000 we will need either to find new water sources or to treat extensively and reuse the water we have. Obviously the supplies are not only limited but fragile. Misuse or mismanagement can only mean less resource.

Because water is of fundamental importance to the Las Vegas Valley, Junior League believes the answer lies in consolidating local municipal and semi-municipal agencies under one regional water agency. Since all of you have copies of our position paper, the following is a summarization of our ideas:

Junior League of Las Vegas recommends that the 1973 Nevada State Legislature create a single regional agency, responsible for all water distribution, effluent collection and treatment services, and water conservation programs in the Las Vegas, Boulder City area, and legislate a program of consolidative transition to such a regional authority. Our reference to effluent collection and treatment should be interpreted literally to mean not only sewage collection and treatment but all effluent which would include the planning and implementation of any pollution abatement program.

We believe that the regional water agency should be independent from any political district or entity and that it should be governed by an intro-board from 1973 to 1978 as follows: That a seven person board be appointed by the Clark County Commissioners for staggered terms of three people serving for 3-year terms and four serving for 5-year terms. That five of these seven appointees shall be qualified in one or more of the following areas: water law, bonds, finance, civil engineering, health or sanitary engineering, and in scientific studies related to water. We include these details as an expression of how knowledgeable we believe this board should be and to emphasize that such expertise must be the basis of any appointment. That two of the seven appointees should be public representatives for consumers and should be appointed from Clark County at large. That no appointee shall hold political office and that following

these appointed terms the regional water agency board members should be elected by public ballot.

Junior League recommends that those state agencies responsible for water resources and for water quality enforcement should be excluded from the jurisdiction of the regional water agency. We also think an advisory committee should be formed and it also should include technical people as well as public works and planning personnel.

It is recommended that the duties of the regional water agency should include the planning and coordination of the transfer of the public water systems to the agency under a time schedule. That the establishment of rates be done for water services and the creation of operational methods should make maximum use of existing facilities and trained water personnel.

Junior League believes the consolidation of water services will help to stabilize management priorities, water rates, water quality, and water availability. It would also provide the efficiency of a single billing agency, a central purchasing department, and a major engineering staff, all of which should in the long run save money for the consumer.

We support an independent water agency with its own board establishing policy for the following reasons: There is much talking and planning going on to consolidate public services under either city or county government and the arguments supporting this concept are logical in the sense of providing for efficient operation, saving money and in making available equal public services to all people in the area. But we believe water is not just another public service. Its significance to life on the Nevada desert puts it in a class by itself demanding special attention. We believe a qualified water board, a board which has no other purpose except providing water services, will succeed in making the caliber of judgments we need from it.

Our opposition to SB 286, 287, and 288 revolves around the control of the water agency and it results not from a frustration of our elected officials, but from a frustration over the structure of our government. The various control boards and committees which our county commissioners must govern are numerous and demanding on their time and energy. Some attention should be given to a few of the major boards on which one or more of the county commissioners sit, such as the Clark County Convention Authority, the McCarren Airport

Authority, the Southern Nevada Memorial Hospital, the Clark County Board of Health, the General Obligation Bond Commission, the Clark County Economic Development Board, the Clark County Sanitation Board, the Clark County Flood Control District Board, the Clark County Disaster Board, and most recently the Las Vegas Valley Water District Board.

In addition to these authorities and boards the commissioners also sit on many special committees associated with the above mentioned. Many of these men also volunteer their time and efforts to various civic groups in the community and because they are elected officials, they also must make public appearances and must campaign for office. Whatever time is left over must be devoted to earning a living and maintaining family life. With this type of government structure we are making heavy demands on an overburdened board of county commissioners. The amount of time and energy they would be able to devote to water decisions is questionable.

In addition, the time factor there is another consideration. When there are one or more of the same public officials sitting on a great many control boards, there exists the possibility of voting exchanges or trades. We would hope that water judgments would be the result of concern for the resource and for the consumer, not the result of political pressure.

In coming up with this proposal we attempted to answer three major responsibilities of a water utility and that is what the regional agency is essentially a water utility.

We considered (1) that the water resource should be conserved and administered in an efficient manner in order to protect the supplies and we believe consolidation of water services can achieve this; and (2) that the regional water agency or utility cooperate intimately with land planning decisions. This can be done if it is written into the legislation that the water agency respond to a comprehensive regional master plan and respond to the decisions of an effective regional planning council which has representatives of each political entity. We put planning people on our advisory committee with this intention.

The point is that land planning decisions should be made by the regional planning council with the water agency responding to those decisions. This is not meant to be interpreted, however, that the regional planning council should set policy for the water utility.

The third consideration was that every consumer and each political entity should be insured proper water services and supplies. This can be achieved by the board responding to a master plan and to the regional planning council. It also can be strengthened by giving consumers a communities recourse through the public service commission. If necessary within the boundaries of smaller cities the actual planning of mains and pipelines could be left to those entities with a master water agency or the regional water agency still remaining in charge of the resource itself.

We agree with SB 289 in its support of an independent water agency. While we came up with our own proposal this bill has good points too. However, we would suggest that the board of claimants for RUDSN be confined to qualified persons. We also recommend that the present duties of the Colorado River Commission be excluded from the jurisdiction of RUDSN. We believe Boulder City could be included in the Southern Nevada Water system to be absorbed by RUDSN since this community shares the same water source as the Las Vegas Valley-

Article 9, Section 9.130 on page 18 of the RUDSN bill is too strict in our committee's opinion. (end of tape)

WENDELL WAITE: Mr. Chairman, members of the Joint Committee, I am Wendell Waite, City Councilman of North Las Vegas. I am also Chairman of the Clark County Regional Planning Council (Areawide Clearinghouse, Federal Water Pollution Control Funds), the entity designated by the Governor as the planning agency to develop the Clark County Regional Water Quality Management Plan. It is in this capacity I address you.

In all of the hundreds of thousands of dollars worth of engineering reports and studies that exist on the subject of water and waste water for Las Vegas and Clark County there is not one fact presented that supports any master utility agency such as the ones being proposed to the 1973 Legislature. It should be further pointed out that there is no federal, state or local legislation (including the state's mandate to the Las Vegas Valley Water District) requiring, recommending or suggesting any consolidation of water supply and distribution systems as contained in SB-287 and SB-289.

There is presently being prepared a detailed study and report entitled Clark County Water Quality Management Plan at a cost

of \$100,000. This will be the first time a master utility agency arrangement for Clark County has been studied and analyzed in detail. This water quality management plan is scheduled to be completed in July 1973. However, the company preparing the plan has already asked for, and been granted, a 75-day extension for the draft copy. Public hearings will be scheduled by the Clark County Regional Planning Council so that the interest of all the people in the area can be given due consideration.

After the report is completed due time should be expended in study so that the best decision may be reached. We urge that the Legislature not jump the gun and enact legislation creating any master utility agency without the benefit of having first studied and considered the Clark County Water Quality Management Plan.

MAYOR E. C. "BUD" CLELAND: Mr. Chairman, members of the joint committee, North Las Vegas has only prepared very short responses to the two Senate bills that have been presented so far. I'm going to respond to Senate Bill 289 as to the reaction we think it would have on the City of North Las Vegas.

To create a master utility agency such as proposed in Senate Bill 289 would be to create a bureaucratic monster to hold a monopolistic control over a valuable and scarce commodity that everyone must have. From this position a power of the master utility agency can at its pleasure strike down and stifle the efforts towards expansion or improvement of any entity in their jurisdiction.

The history of the Las Vegas Valley Water District performance as viewed from North Las Vegas perspective, is not as good as other accounts seem to indicate. Out of 235 miles of pipeline shown in the Las Vegas Valley Water District master plan dated August 1960 of which I have a copy of the map here, North Las Vegas was scheduled to get only one and two-tenths pipe miles of pipeline in the first phase and would have had to wait as long as five years for that. We remind you at that time North Las Vegas was included was getting their water from the water district. The fact that no pipes were ever constructed in North Las Vegas by the water district. Had the Las Vegas Valley Water District master plan been followed we would not have only 10 and 6-tenths miles of pipeline. However, under municipal management North Las Vegas now has 182.7 miles of pipeline, that excludes service

lines and operation. Under their master plan it would have taken us until the year 2101 to have the system we have today. This represents a 1,623 per cent increase in lines over what we would have had under the Las Vegas Valley Water District.

This is uncontradicted evidence of what a master utility agency can hold over a municipality. Therefore, North Las Vegas is violently opposed to SB-289. We would not like to comment on the ones that have not been heard yet. I understand from talking to Senator Wilson that possibly an agency that is talking about wholesale water would be more palatable to a lot of the districts that have their own water systems.

Now that concludes my comments on SB-289. I would like to call on Councilman Goynes to present North Las Vegas' views on SB-288.

THERON GOYNES: Mr. Chairman, members of the Joint Committee, I am Theron Goynes, member of the City Council, City of North Las Vegas. I am commenting on Senate Bill No. 288, only Senate Bill 288, as redrafted, with minor revisions, appears to comply with the requirements and recommendations in Section 203, "Areawide Waste Treatment Management" of the Federal Water Pollution Control Act while showing sound judgment in avoiding areas such as water supply which is already controlled by existing agencies of our state.

Although we support Senate Bill 288, we would like to again point out the study that is now being prepared by NECON analyzing the total Regional Water Quality Management Plan Issue, will not be completed in final adoptive form until July of 1973, and areawide waste treatment management plans are not required by the Federal Water Pollution Control Act until July of 1976.

Hasty action at this time may not be justified.

We favor pollution abatement for Las Vegas Bay and Wash and believe that Clark County's approach (Revised Standards) to this problem as expressed by Mr. Broadbent yesterday, and previously by the Clark County Regional Planning Council is realistic and is an approach that can fully utilize all the studies and reports that have been directed toward this goal.

Again, we wish to point out that the Federal Water Pollution Control Act of 1972 addresses itself to the issue of waste water and waste treatment, not potable water management.

MORGAN J. SWEENEY: Mr. Chairman, members of the legislative committee, I'm Morgan J. Sweeney, the Mayor of Boulder City, and for four years together with Assemblyman Hal Smith served as a member of the Clark County General Obligation Bond Commission.

Initially, I would like to address myself to the subject of bonds and indebtedness as contained in Article 9 of SB-289. Yesterday there seemed to be some indecision on the part of one witness as to the composition and manner of selection of the members of the General Obligation Bond Commission. To clarify this point, I will simply say the authority of the commission and its composition are derived from you, the legislature, and the Nevada Revised Statutes. Pursuant to law the commission is made responsible to the people by being composed of four elected officials and one member who is elected at large by the four elected officials serving on the commission. The commission is made up of one county commissioner; one mayor or commissioner from the City of Las Vegas; one mayor or commissioner from the City of North Las Vegas, Henderson, and Boulder City; one person who serves and represents these three cities alternately on a rotating basis; one board member of the Clark County School District; and one member elected at large by the representatives of the four entities already mentioned.

Yesterday reference was made to the manner in which the City of North Las Vegas has been issuing general obligation bonds and that a similar procedure is recommended for inclusion in SB-289. What was not mentioned is the fact that the City of North Las Vegas, as every other entity in Southern Nevada, has already appeared before the Clark County General Obligation Commission to present its case and justification for the issuance of general obligation bonds before any action is taken on the sale of general obligation bonds.

The Clark County General Obligation Bond Commission like the Clark County Regional Planning Council serve a necessary and useful purpose in coordinating the efforts of its affiliate members. The housing and urban development arm of the government requires that all requests and plans for participating funds in the field of its endeavor must be channeled through the Clark County Regional Planning Council to eliminate duplication of effort when the Clark County Regional Planning Council and HUD both approve of these plans or the plans of an entity, then to raise the necessary money to complete its

project the entity will normally direct its attention to revenue bonds or general obligation bonds. And that is where the Clark County General Obligation Bond Commission must exercise its power to coordinate the plans and efforts of its affiliate members.

As an example, back about 1968 the Clark County School District came before the Bond Commission for approval to sell \$59 million worth of general obligation bonds. This came at a time when the City of Las Vegas was in line to sell \$13 million worth of general obligation bonds for erection of the City Hall. An airport expansion that eventually resulted in the sale of \$23 million worth of general obligation bonds and improvement to the county building. All of this scheduled.

It must be realized that the sale of general obligation bonds affects every taxpayer in the political entity that sells such bonds. And here the people of Las Vegas are responsible for the interest and principle payment for their city hall, they are also in effect responsible for the improvements on the county building, the airport, convention center, or any other project backed by general obligation bonds within the county, including the district health court. In consideration of the request for the \$59 million by the Clark County School District, through negotiations, the commission was able to apread the \$59 million over a period of five years and the school district also agreed to meet with the bond commission each year thereafter to outline our program and show justification for sale of that years allotment of bonds before the bonds were to be placed on sale and incidentally there appeared before the bond commission just before the new year and the last issue of bonds is to hit the market very shortly.

Just a word on the ad valorem tax which forms the cities from the city's standpoint is gradually being eroded. The school board is now privileged by action of the legislature to receive \$1.50 for general operational maintenance and it also requires another some 70¢ to retire bonds amounting to approximately \$2.20 of the five dollar ad valorem tax which is the legal limit. SB-289, Section 8.110 on page 14 on the ad valorem tax states that in the event the district revenues are or probably will be deficient to pay all amounts set forth in Section 8.110 in any fiscal year in addition to other means for providing revenues for such district, the board shall have the power and authority to limit, levy, and collect general ad valorem taxes on and against all taxable property

within the district. And the district we're talking about apparently is all of Clark County, such levy and collection to be made by the board in conjunction with the county and its officers as set forth in this article.

Now, on page 18 without submitting the question of the issuance of bonds to a vote of the electorates, it says that without submitting the question of the bonds to a vote of the electors of the district there shall be three methods pursued. One, of course, is that the board would pass a resolution in favor of selling the bonds and this would be advertised in the paper four weeks in a paper of general circulation within the county. Where this would be advertised, I do not know, but normally it comes you might say, in the legal section on the advertising page of the paper and many people are not cognizant of the fact that it is there. Then if within the period of four weeks ten per cent of the people come forward and object and they have an initiative petition, then they have an election to see whether or not the resolution shall be approved or disproved. Then following that apparently, it's not too clear to me, they can have another election to see whether or not they're going to sell the bonds in the amount requested.

I would say that if the people have no voice in the sale of general obligation bonds except as proposed in the bill which appears to be rather cumbersome and not easily understood, any bond election safeguards the interest of the electorate. Without submitting the question of issuing of bonds for vote of the electors of the district would be like giving the board the keys to the elector's strongbox wherein are kept all their signed blank checks.

Now, if I may say a few words, just a few words about Boulder City. Yesterday Senator Wilson stated that he and his committee have been working with among others various people in the Las Vegas Valley Water District. Today I've got a copy of the report of the Nevada Legislative Commission by a subcommittee on Nevada's environmental problems. I didn't realize at that time, of course, that we were an environmental problem, but nevertheless I was very much disturbed to find the wording in this thing as "Las Vegas Valley and the Boulder City area."

The other day one of your members asked me if I was ready to repeat my "Hold them at the pass" speech and in truth I am.

This comes about because geographically Boulder City is situated some 25 miles from Las Vegas and separated from the Las Vegas Valley by a chain of mountains that makes it necessary to use a mountain pass to travel from Boulder City and El Dorado Valley to Las Vegas Valley. As I explained last week, the State of Nevada required us to spend in excess of \$350,000 to move, pump, or otherwise transport effluent waters and waste from the area in Hemingway Valley to our sewage ponds in El Dorado Valley which with the addition of ariation pumps are capable of handling waste waters generated by a city of 20,000 people. All we have to do is add ariation pumps.

Now, when you come into clean, green Boulder City, you notice that it is green because we have used a lot of water in the pass and we do not contribute any waste water to Lake Mead because of the fact that the State of Nevada required us to transport the waste and because of our geographic location it is impossible for us to use the sewage disposal plants in Las Vegas Valley and Las Vegas Wash is completely beyond our reach.

Some twelve years ago, historically speaking, Boulder City which was built on reserve land by the United States government for the construction of Hoover Dam, passed from government control to the people through the passage of Public Law 85900 -- the Boulder Act of 1958. In that act Boulder City, among other things which I'll not enumerate, was given a water system, the privilege of receiving 3650 gallons of potable water per minute, 24 hours a day, 365 days out of the year, a water subsidy initially \$150,000 a year because providing water to Boulder City was quite a problem in the desert area and also because there were so many governmental institutions in Boulder City and that has now been cut down to \$90,000 because of our participation in the Southern Nevada Water Project. But the water supplies system from Hoover Dam to Boulder City, including two supply lines, one a twelve inch line, another a fourteen inch line, each some 7 miles long, 20 pumps, a 30,000 gallon receiving tank, and a water treatment plant all of which requires approximately 10 men to operate was retained by the United States Government. However, Boulder City is required to pay for the operational maintenance of the government system, together with the replacement, the amortization, the sick and annual leave, the holiday pay and retirement and the hourly wages and overtime of those persons working on the system. But these people are employees of the government.

Looking over the bills under consideration of your august body, I wonder how this facility and its employees and its financial roadblocks can be assimilated into any master water agency. Also, what happens to the contracts we have with the government? And the \$90,000 subsidy? There is much contained in the Boulder Bill that is to the distinct advantage of Boulder City and this bill is non-transferable such as obtaining assistance from the Secretary of the Interior and obtaining additional water capacity and additional storage facilities and the money for these purposes will be provided Boulder City by this bill at three per cent interest. How can we transfer that money?

Without belaboring the point, Boulder City would like to hold onto what it has which may not be of any benefit to anyone else or any other entity. And looking into the future, we believe more or greater emphasis should be placed on the reclamation of waste water and tertiary treatment as I pointed out last week and the bill for a master water agency that grants to Boulder City the privilege of self-determination such as that contained in SB-288, and safeguards the interest of future enactments of Boulder City and Nevada certainly would be satisfactory to the people of Boulder City. Thank you very much.

Joint Meeting of the Senate Committee on Federal, State, and Local Governments
Assembly Committee on Government Affairs

IAN ROSS: Mr. Chairman, members of the joint committee, my name is Ian Ross, I'm the Assistant City Attorney with the City of Las Vegas. The city appreciates the courtesy of hearing the city today as opposed to yesterday when other presentations were made. The city was involved yesterday in commission meetings and previously noticed public hearings. Since I was present yesterday, the city has had the benefit to be aware of the comments and presentations that have already been made, and consequently the city will attempt to avoid duplications in discussions.

I would like to introduce to you the representatives of the City of Las Vegas that are present today. I would like to introduce Mayor Oran Gregson, Commissioner and Mayor pro-tem Hank Thornley, Commissioner Hal Morreli, Director of Public Works, Richard Sauer.

At this time there will be an explanation of the proposal of the City of Las Vegas which will be presented by Mr. Sauer. I will then attempt to answer any questions that the committee may have and subsequently Mayor Gregson will then make some comments.

DICK SAUER: Thank you Mr. Ross, Thank you gentlemen. I will be brief.

The City of Las Vegas supports the master water agency and it is our belief that the interest of the people would be served best by having a board that is representative of and answerable to all of the people in the valley. This, we believe, can be best accomplished by an administrative organization such as the regional streets and highway commission. I would like to mention that since the gas tax legislation was passed in 1965 this board has expended some \$15 million and has another \$14 million on the drawing boards committed throughout the county. These streets and roads are not only intra-city, but form a network of inter-connected roads throughout the Las Vegas Valley. The success of this board I think speaks for itself.

This chart illustrates one method of how the regional streets and highway-type organization could be incorporated into a master water agency which shall be called the Regional Water Resources Control Board.

The Board of County Commissioners has been named as the approving policy authority, however, having veto power only without authority to initiate. One reason for the county to be the approving authority is that the county commissioners administer the entire county and as the need arises could provide water and sewer to any other township in the entire county.

The Regional Water Resources Control Board members, which is directly under the Board of County Commissioners, would be composed of elected representatives of each of the political entities on a population basis which at present would be two from the county, two from the city, one from North Las Vegas, one from Henderson, and one from Boulder City. These members would be appointed from the city commission or the county commission of each of the political entities. In this concept we have the same type of organization where each and every one of its members is answerable to the commissions of each of the political entities and, therefore, very close and sensitive to the feelings of the people they represent. Acting in concert with the Regional Water Resources Control Board would be members of the Board of Reclamation, the Division of Water Resources, the Department of Conservation and Natural Resources, the Colorado River Commission, and the Clark County Regional Planning Commission. These members, although acting in an advisory capacity and not being voting members of the commission, would be very important in that they govern, and that government funds are involved as well as government lands, water, and other important functions.

As an advisory arm to the Regional Water Resources Control Board, would be the technical committee answerable to the water resources control board, composed of the engineers and public works directors of the various entities in the same proportion as the Board itself. This organization would have a managing engineer with the appropriate staff to guide and administer the operating organization as well as serve with the technical committee and the Regional Water Resources Control Board managing engineer answerable to the various entities to the Clark County Commission.

In this concept we again have the same type of organization where each and every one of its members is answerable to the commissions of each of the political entities. The responsibility of the Regional Water Resources Control Agency would be as follows:

All of the waste water treatment plants -- these are the functions that would be under this particular board -- would be under the control of this board whereby processing of the sewage from each of the political entities is on a contract basis at so much per million gallons. This method of organization has been very successful in Orange County where many entities are served by one or more treatment plants. Each of the entities funnel their sewage to a point of collection where it is in turn meted to the treatment plant for processing.

The operation and administration of the dry lake exportation program as well as the control of all other waste water in Clark County, including the sale of effluent for such project as irrigation both civic and private.

The coordination of ground water control within state authority.

Water management wholesaling of all potable waters from the wells, fields, Lake Mead, and other sources to the various entities distributing this water to the public.

It is to be noted that one of the most important aspects of this plan is that the political entities will retain control of the sewage collection systems within their boundaries. In other words, these are the permissible functions that the entities, the political entities, would retain or acquire. They will maintain these lines, expand these lines, will develop them and make collection for sewer service charges in accordance with the cost of the treatment as imposed by the Regional Water Resources Control Board.

Furthermore, it is noted that they have the option to distribute water to the users within their political boundaries.

This program is presently carried on mainly by the Las Vegas Valley Water District, but under the new concept could become the responsibility of each of the political entities. This is a permissive function. By having the distribution of water as the responsibility of the entities, a coordination between the construction of streets, water lines, and other utilities would be greatly improved in planning and coordination for orderly expansion of the entities where related to water and sewer lines could be accomplished in an efficient manner rather than by crises.

The sewage collection lines have been left under the control and responsibility of each of the entities. In addition, the billing for water and sewer service would be more efficient with better service to the public. The City of Las Vegas fully believes that the largest entity in the state, representation from the city should be involved in the administration of this agency as we have so pointed out by having all members on the board from the various entities. Thank you gentlemen.

MAYOR GREGSON: Mr. Chairman, members of the committee, I believe I would like to first point out that our proposal covers a master water agency and it does not propose to shut out the other political entities that is interested in the same problem we are. We believe it is absolutely mandatory that we at the political level of the local government that is charged with all of the other duties and responsibilities of the expansion of the facilities of a fast growing community must also have a voice in the expansion of our sewer system, our water system, because gentlemen they go hand in hand with the expansion of our streets, our fire protection, police protection, planning, subdivisions, and all of the other matters we are charged with to provide the citizens of our community and for that reason I believe that we must have a master water agency.

We are only asking for a voice in the overall master water agency equal only to the other political entities that are involved. We want them to have an equal voice with us in the overall development of this facility, but we too feel that we must have an equal voice at the police level, equal to any other political entity in our community.

I would like to answer just briefly the Chamber of Commerce proposal that all members of this board be appointed by any given board be it the recommendation of the Chamber of Commerce that the county commissioners Because you voted for him the next thing you know the Chamber of Commerce will be the one to make recommendations to appoint the legislative body of this state. They already have a recommendation up as you know, that the Chamber of Commerce make the selections of any members that served on the Las Vegas Convention Authority.

I would like to say to you and the Chamber of Commerce that they can best express their interest by putting their name on the ballot and serve the community in a way that they could

be of a benefit and further carry their ideas through. In essence I'm slightly opposed and I believe you will be, to any appointed board here, but again, I believe this is so important to all of us that the county must have a representative on the policy-making board, that the City of North Las Vegas must have a representative on the policy making board, and we the City of Las Vegas must also have a representative on the policy making board. If it must change to any degree the fundamental operations of the master water agency. Again, to give each political entity that is involved and is responsible to the citizens in all of the other functions and operations, a voice at the policy level and not only at the technical level as is recommended in the bill proposed.

With that gentlemen, we know you've had a hard evening, a hard afternoon. I don't know how you sit and listen to all of us, but I want you to know that we of Las Vegas appreciate your interest and appreciate the opportunity of being here and we would appreciate any consideration that you will give to our proposal.

(Chairman Gibson then explained that the committee is still in contact with the federal people. Mr. DeFalco from EPA would be here sometime next week prepared to answer any questions the committee might have on these proposals, with particular reference to the overall picture on the Colorado River -- standards, quality problems and inter-related financial aspects of these major projects.)

URBAN SCHREINER: Yes, Mr. Chairman, members of the two committees, I'll just take a few minutes to sum up the position of the water district and perhaps answer a couple of questions that weren't fully answered yesterday.

Since the hearing yesterday, I have had an opportunity of reviewing the expanded bill submitted by the county and I think just a few comments are in order in connection with that bill because I think it's important for us to keep in mind that SB-288 in its expanded form does provide, in fact, for a master sewer agency which would have great power and great jurisdiction over the sewer function in Clark County. A brief rundown of this bill indicates to me, anyway, -- let me preface my remarks by saying that I do have great respect for the authors of this bill -- from the technical standpoint it's a very fine piece of work, but I think it's important to keep in mind that this

really is a master sewer bill. It involves incorporated and unincorporated territory and it covers all phases of the sewage process, including collection of sewage locally, disposal, treatment and other applications of it.

The bill provides for various means by which the county acting as the master sewer controlling entity may take over facilities of other entities, and I think this is important to the cities who are concerned over the possible assimilation of sewer and/or water facilities.

Sections 11, 14, 19, and 22 really give the county great control over the facilities of other entities within Clark County and under certain conditions do permit the take-over of the systems by the county. There are protective devices built in here which Mr. Oglivie identified for you, being that the county cannot commence service to someone who is receiving service through another public agency nor can the county condemn facilities which are used and being used by another public entity for sewer purposes. However, the county is given the authority to shut down standards which are of county-wide application, both as to the nature of the construction of improvements which are acceptable for sewer facilities, presumably the quality for regulation over the types of effluent which may be treated and dispensed into the public sewer systems within the jurisdiction of the county.

I might also mention that we've had considerable comment over the provisions in 289 which would authorize the issuance of bonds without a vote subject to the referendum petition of 10% of the electors within the district. SB-288 has a provision for the issuance of bonds without a vote as well. I think the same concerns that you people might have over this as an abstract principle would be equally applicable to SB-288, and the provisions for the issuance of bonds there. Under the bill the county may build facilities within cities which are not now receiving sewer service. As I said, it could set standards, it may acquire systems under Section 26; it does have the condemnation limitation which I indicated; it provides for collection of charges on an advance payment from cities which have facilities which do drain into the facilities of the county. It requires that these payments be made in advance and various remedial measures are set up in the bill for enforcement of that obligation.

In other words, it does impose a general obligation on the cities which would be making use of the treatment facilities, and basically it does grant the county great autonomy in dealing with all matters of sewage. And just two provisions here in Section 39, I think, more or less cast the tone of this bill. "The provisions of no other law, either special, general or local, except as provided herein shall apply to the doing of the things herein authorized to be done, and neither the state nor any public body shall have authority or jurisdiction over the doing of any of the acts herein authorized to be done except as herein otherwise provided. No notice, consent, or approval by the state or any public body or officer thereof shall be required as a prerequisite to the sale or issuance of any county securities for the amking of any contract or the exercise of any other power hereunder except as herein provided."

So from my reading of the bill, I think the same concern over assimilation of city facilities in the sewer area are relevant to this bill as were relevant to the concerns of SB-289, and in my opinion, the bill does go somewhat further than the regional utility district approach in granting more cleaner authority over the sewer function to the county than would be the case with the master sewer and water agency of the other bill.

With respect to the issuance of bonds without a vote in Nevada, I think we can keep in mind the fact that the legislature has authorized the issuance of bonds without an election in the past. Chapter 268 of the 1967 statutes gave the state the authority to issue bonds for the Southern Nevada Water Project -- I believe two years ago the legislature authorized the issuance of bonds to fund improvements to the Clark County Sanitation District Sewage Treatment Plant when an emergency arose which apparently had not been foreseen by the county and it was necessary to expand the capacity of that plant and no bond funds were available at that time so direct legislative authorization was given to the issuance of bonds for that purpose and the needed improvements I understand, have been made. In addition to that the state has authorized bonds for state purposes, libraries, court buildings, I believe this building as well.

One further point on the question of special district as opposed to the board of county commissioners as the board of the master sewer and water agency or a master agency -- I think it might be helpful to keep in mind that the two largest

water projects in California -- the state water plan and the metropolitan water district plan by which Colorado River water is taken over on a supplemental basis into Southern California for sale to water distributing agencies. In connection with the Metropolitan Water District program, originally as it was set up, the Metropolitan Water District was able to bring water from the Colorado River and sell to its member agencies. Originally there were 13 cities in Southern California which were the member agencies of the Metropolitan Water District.

Since that time, the Metropolitan Water District has taken the position that it will not permit membership in the Met of cities, counties or anything other than municipal water districts which are formed under Provision 20 of our state water code. These are special districts which have as their function either the wholesaling of water to other retail, public or private companies, or in many cases the actual retailing of water to their own customers.

The state water plan -- the 2-1/2 million dollar plan by which Feather River water is carried four hundred miles from Northern California down to Southern California, also is one by which the state has entered into contracts. Here again, those contracts are with separate autonomous independent water distributing agencies. So I think the approach being taken by the water district here in the 289 approach is one which would certainly be consistent with major water efforts which are being made in California.

I think as we listen to the debates to the possible control over the water resource in Clark County, certain questions come to mind, and I think from the water district standpoint they ask what evidence is there that the independent water district hasn't really fulfilled its mission since it was started some 30 years ago? In 1947 the original law was passed. It was not activated until 1954, following an emergency water crises which caused the city commission of Las Vegas to request the city council to impose restrictions on the use of water to meet a very severe emergency which was in effect at that time due to water problems. In 1954 the water district became operational and I believe since that time there has never been a water emergency which required the shutting down of mains, the elimination of water uses within the area served by the water district. The water district feels that it has a good record, it has filed its mission, it has a master plan, its capital improvements program has been leading the way for

progress in the Southern Nevada area; its assessment district programs are responsive to the needs of local areas within its boundaries; it has worked with the Colorado River Commission to obtain federal approval for the Southern Nevada Water Project. Mr. Rice was the administrator of the Colorado River Commission prior to coming to the water district.

(Chairman Gibson then requested that anyone wishing to submit further information to the committees do so in writing.)

Also attached herewith as Exhibit "C" is a copy of a Resolution submitted by the City of Henderson, and as Exhibit "D", a copy of a Resolution submitted by the Las Vegas Chamber of Commerce Board of Directors.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi
Committee Secretary

POSITION PAPER

from

JUNIOR LEAGUE OF LAS VEGAS

February, 1973

RECOMMENDATION

That the 1973 Nevada State Legislature create a single, regional agency responsible for all water distribution, effluent collection and treatment services, and water conservation programs in the Las Vegas-Boulder City area; and legislate a program of consolidative transition to such a regional authority.

INTRODUCTION

Because the Junior League of Las Vegas has, for the past 26 years, been concerned with the development of the Southern Nevada area, and as a charitable organization represents no "special interest" groups, we urge your consideration of the following comments and recommendations.

The Junior League Community Study and Action Committee for the past 8 months has researched local water management and pollution abatement plans, seeking information from many facets of the community. The subject was discovered to be tremendously complex, and in order to better educate our 200 members and interested persons in the community, the committee, in October, 1972, wrote the enclosed report, "Las Vegas Valley Water"---an elementary introduction to local water management.

Presently, there are some 70 separate water systems in the Las Vegas Valley. By "water systems", we mean groups concerned with distributing, collecting, and treating water. These water systems are located in Las Vegas, North Las Vegas, Nellis Air Force Base, Henderson, B.M.I., Boulder City, and unincorporated areas of Clark County. They range in size from those serving individual hotels and subdivisions, to large municipal systems. For the most part, these water systems resulted from demand situations, and are located in a patchwork pattern paralling the population growth of the Las Vegas Valley.

Two major water resources supply the valley with water: groundwater, from which we draw approximately 60,000 acre feet annually; and Lake Mead, from which Southern Nevada may legally draw up to 300,000 acre feet of water annually.

Because our water resources are limited, our growth projections are sizeable, and water services are duplicated; because within the Valley water rates differ, administrative priorities and reliability differ; and because cooperation among water management systems could be improved ---a regional water management authority is mandatory.

Exhibit "B"

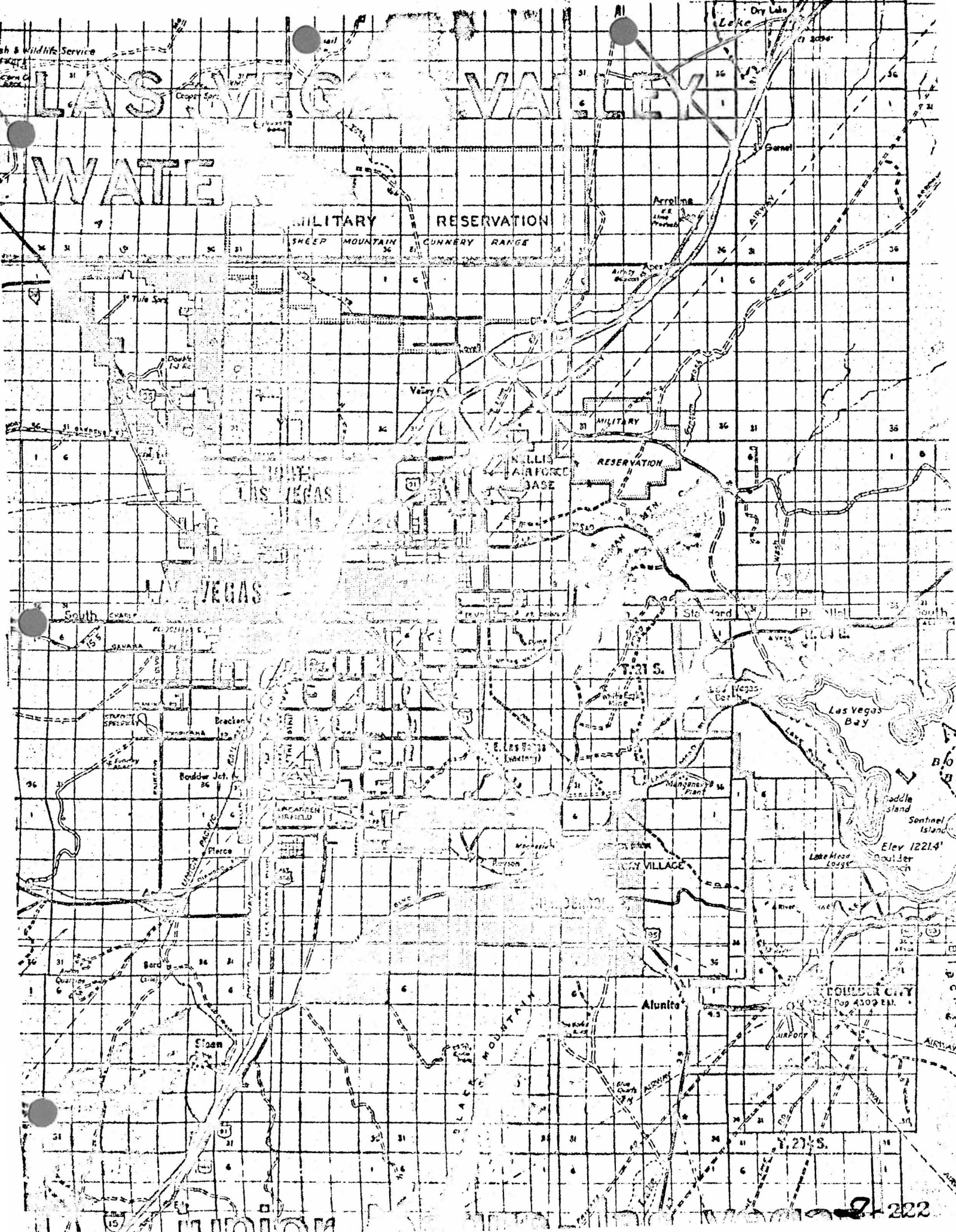
PROPOSAL

1. That the Nevada State Legislature create a single Regional Water Agency to administer all water services---distribution, effluent collection and treatment; and conservation programs---for the Las Vegas-Boulder City area; and legislate a program of consolidative transition to such regional authority.
2. That state agencies responsible for water resources and water quality enforcement be excluded from the jurisdiction of the Regional Water Agency.
3. That the Regional Water Agency be independent from any political district or entity.
4. That the Regional Water Agency be governed by a 7 man Commission for the interim of 1973-78 as follows:
 - a. That appointees shall all be respected, concerned citizens of Clark County.
 - b. That 5 appointees shall have expertise in one or more of the following: water law, bonds, finance, civil engineering, health or sanitary engineering, and scientific studies related to water.
 - c. That 2 appointees shall be public representatives for consumers.
 - d. The Interim Commissioners shall be appointed by the Clark County Board of Commissioners, and shall have staggered terms, with three serving a 3-year-term, and four serving a 5-year-term.
 - e. Following their respective appointive terms, Regional Water Agency Commissioners shall be elected by public ballot. (in 1976 and 1978)
 - f. No Commissioner, at the time of his appointment, may hold political office.
5. That an Advisory Committee be appointed by the Regional Water Agency Commissioners, which shall include technical personnel, public works, and planning personnel.
6. That duties of the Regional Water Agency shall include:
 - a. Planning and coordinating the transfer of existing water systems to the Agency, and setting a time schedule for such transfers.
 - b. Establishing rates for water distribution and effluent services, but taking care to minimize financial inequities among systems to be transferred.
 - c. Employing operations and methods which will make maximum use of existing facilities and trained water personnel.

The members of Junior League of Las Vegas believe that the quality of water management will directly effect the development of the Las Vegas area. Therefore, this organization concludes that Water Agency Commissioners must be committed specifically to the resource, be free from political pressures, be able to devote considerable time and energy to water decisions, and be directly answerable to the public.

LAS VEGAS VALLEY

WATER



INTRODUCTION

The publication of this water report is the culmination of a 5 month water study by the Community Study & Action Committee of Junior League of Las Vegas.

The purpose of the report is to acquaint local residents with the administration, uses and problems of water in the Las Vegas Valley. Certain instances of over-simplification and the minimum use of technical terminology were deliberate, in the hope of facilitating understanding. A glossary of terms appears at the end of the report; a list of pollutants also is included. A bibliography has been provided for those persons wishing to study the subject more thoroughly.

Water administration and pollution in the Las Vegas Valley follows a pattern similar to many communities across the country: population and industrial growth causing pollution of water resources which in turn are under the fragmented control of multiple water agencies.

Two major resources provide water for the Las Vegas Valley: ground-water traveling through aquifers beneath the Valley, and Lake Mead water, which is transported to the Valley by the Lake Mead Water Project.

While local groundwater quality meets Federal Drinking Water Standards and is considered of a generally superior quality to the Lake Water, Valley population growth has required increased use of the Lake Mead water resource. Nevada, by law, is allocated 300,000 acre feet of water, annually, from Lake Mead--a water resource which is deteriorating in quality. The deterioration is caused not only by pollution occurring in the Colorado River System above Lake Mead, but also from municipal, industrial and agricultural wastewaters of the Valley entering the Lake through the Las Vegas Wash.

Section I deals primarily with pollutants appearing in the Wash and Lake Mead. A rather complete list of polluting substances and factors which are measured by enforcing agencies has been compiled; however, the most serious problems--salts, nitrates, phosphates and industrial chemicals--are more thoroughly discussed. Water quality standards are in a state of flux; standards which were established in 1967 are soon to be changed before the 1980 standards take effect. An attempt has been made to clarify which Federal and State agencies are responsible for establishing and enforcing water quality standards in southern Nevada.

Recognition of the Lake Mead and Las Vegas Wash pollution problems led the Nevada Legislature to designate the Las Vegas Valley Water District as the agency responsible for providing a pollution abatement plan for the Wash. In late 1971 the (Federal) Environmental Protection Agency (E.P.A.) also issued a 180-day time limit to the Water District for creating the abatement plans. Section II deals with the abatement plan.

In September, 1972, the Water District, after months of research and public hearings, chose a combination plan as its "interim basin plan". It is regional in concept, and will not only abate most of the Wash pollution, but will also provide initial plans for tertiary treatment facilities and for a pilot groundwater injection program. The immediate method for pollution abatement will be effluent exportation by pipeline to a dry lake area for evaporation.

Although the Water District was designated as the single agency responsible for stopping pollution in the Wash, local data indicate it is only one of 79 local agencies involved with water distribution, collection or treatment. Each of these 79 agencies is independent, establishing its own services, policies and rates. Efficiency and priorities vary among the agencies, and it is conceivable that conflicts occur between the agencies. Ideas for consolidation of water agencies occur in Section III.

With population projections for the Valley indicating ~~1 million~~ ^{750,000 to 800,000} residents in 25 years, additional water will be necessary to support that growth-- either by transporting water from distant resources or by recycling the present water supplies. Either method will require coordinated regional planning for water uses and protection of this vital resource. There have been recommendations for consolidation of all water services under one regional "Master Water Agency" for the Valley; however, disagreement abounds over the composition of such an Agency, as well as over creation of an Agency with regional control.

Whether a new system of water administration and protection will be devised is not known at this time. But the fact that many local and state leaders are considering such changes indicates a knowledgeable and concerned public attitude is needed. Whatever future uses and controls are decided for this natural resource will directly effect all the residents of the Las Vegas Valley; it is hoped that the public will take part in these decisions.

Section I

WATER QUALITY

The Las Vegas Wash, a marsh area east of Las Vegas between the city and Lake Mead, exists as a natural drain for waters in the Las Vegas Valley. Human settlement in the Valley has altered the quality of water in the wash to such an extent that there is now concern over the resulting damage to Lake Mead water quality.

Factors such as population and industrial growth in the Valley, technological developments, changing land uses, and general public unawareness have all contributed to pollution of the Wash.

As noted in Figure 1,¹ there are 7 major facilities which are sources of wastewaters that end up in the Las Vegas Wash. Three of these facilities provide secondary treatment for their wastewaters (chemically treated water, but not drinkable)--the City of Las Vegas, Clark County and Henderson Sewage Treatment Plants. Basic Management, Inc. (BMI) provides secondary treatment and evaporative ponds for their wastewaters. Nevada Rock and Sand has a settling pond; Nevada Power Company provides no treatment.¹ Tertiary treatment, or the third phases of wastewater treatment, which cleans the water to a drinkable degree, is non-existent in the Valley at the present time.

Wastewater treatment is a response to the types of pollution in the water, and Table I is a list of the various substances and factors which are measured in public water supplies.² While salinity (salt load) appears to be a serious problem in Lake Mead water, nitrogen, phosphorus, and industrial chemicals in the Wash are cause for concern. Brief descriptions of the effects and/or harm of pollutants follows.³

1. PHYSICAL

Heated wastewaters, while not considered a critical problem in the Wash, are a potential threat to aquatic life of any body of water. While summer temperatures can naturally heat surface waters of a lake, power plants and other industries which use water for cooling purposes discharge heated wastewater. Heat reduces the capacity of water to absorb oxygen; because oxygen is vital to fish and other aquatic life, abnormally hot water upsets the ecological balance in the water.

2. INORGANIC CHEMICALS

Nitrogen and Phosphorus are plant nutrients present in natural water; however, large amounts of these substances are produced by sewage, certain industrial wastes and drainage from fertilized land. Biological waste treatment processes do not remove these nutrients to any substantial extent--in fact, they convert the organic forms of these substances into mineral form, making them more usable by plant life. When an excess of these nutrients over-stimulate plant life (algae), interference with treatment processes, disagreeable water tastes and odors, and unsightly conditions occur. Salts also are a problem. Reaching water from mining and manufacturing processes, agricultural areas, and natural sources, salinity levels in Lake Mead and the whole Colorado River System are rising. Salts interfere with natural stream purification destroy aquatic life, cause excessive hardness of water supplies, corrode expensive water treatment equipment (boosting the cost of such treatment), and increase boat maintenance costs.

3. ORGANIC CHEMICALS

Included in this category are chemicals from household aids, pesticides, industrial chemicals, and wastes from their manufacture. Many of these substances are toxic to fish and other aquatic life, and possibly are harmful to humans. Some are known to be highly poisonous at low concentrations; however, the long-term effects of small doses of toxic substances are not yet known.

Because Lake Mead is a major water resource for the Las Vegas Valley, water quality standards are of tremendous importance to local residents. Establishment and enforcement of water standards rest with both the Federal and the State Governments. The (Federal) Environmental Protection Agency (EPA) and the U.S. Department of Health oversee national standards set by the Water Quality Act of 1965. The Nevada Environmental Commission and Nevada Department of Health also have jurisdiction over local water quality. The Federal Standards are considered minimum, and every state has the option of raising those standards. Nevada will have a new set of interim standards before the 1980 Federal water quality standards take effect.

Water quality standards can be an effective method of controlling pollution, as these standards effect not only wastewaters from industry, but also municipal wastewaters. Individual industries must be responsible for the quality of their effluent, bearing research and treatment costs themselves. Communities using several sewage treatment facilities often are forced to create a more regional type abatement plan. Efforts of the Federal and Nevada State Governments have resulted in such development of a basin-wide plan to control water pollution in the Las Vegas Valley, and these actions are discussed in the following chapter.

Section II

POLLUTION ABATEMENT IN THE LAS VEGAS WASH

While the Colorado River provides water for the municipal and industrial needs of 10 million people, Lake Mead is a major water resource for the Las Vegas Valley. Presently, nutrient-rich wastewaters are combining with saline power plant cooling waters, industrial wastes, and irrigation return water--totaling about 47 million gallons daily--to flow down the Wash into the Las Vegas Bay of Lake Mead. The wastewaters are causing algae blooms, lower water quality and some increase in the salt load of the lake.

The problem became obvious after studies were made by the local Inter-Agency Water Pollution Control Task Force and by the Colorado River Commission. In 1971 a bill was passed by the Nevada Legislature designating the Las Vegas Valley Water District as the agency responsible for developing and implementing a pollution abatement plan for the Wash. Additionally, in December of 1971, the United States Environmental Protection Agency (EPA) instituted a 180-day enforcement against the major polluting governmental agencies and industries.

Nine individual plans were presented by the combined efforts of two consulting engineering firms hired by the Water District, Boyle Engineering, and Cornell, Howland, Hayes & Merryfield. An environmental assessment of each plan was provided by VTN Nevada and Jones & Stokes Associates, Inc., two additional engineering firms hired by the Water District. Funds for these studies came from the Colorado River Commission. The nine alternative plans were:

1. Groundwater Recharge
2. Complete Treatment
3. Colorado River Return
4. Export to Dry Lake
5. Export to Eldorado Valley
6. Export to Hidden Valley and Jean Lake
7. Combination Alternative
8. Deep Well Disposal
9. No Action

The Environmental Assessment publication also summarized the following conclusions concerning the environmental impact of these alternative plans:

1. "None of the alternatives as planned will completely meet the project goal of eliminating the pollution of Lake Mead. Highly saline groundwater will continue to surface in Las Vegas Wash and flow into Lake Mead when direct discharges are stopped. Construction of a dam or collection device near Lake Mead would intercept this water except during times when storm water flows in the Wash."
2. "Las Vegas Wash will continue to exist as a permanent riparian environment, even if direct discharges are stopped. An unknown amount of groundwater surfaces and flows in the Wash now, and will continue to flow. The amount of vegetation and wildlife this water will support is not known, but it would be less than at present."
3. "In-valley irrigation of existing and new greenbelt areas may create offsetting environmental impacts. Irrigation will raise the water table of the new surface aquifer. This water will flow downslope and surface in Las Vegas Wash, contributing to the pollution of Lake Mead." (increase the salt load)
4. "Dry Lake is best suited for the evaporation of effluent. The alluvium adjacent to Eldorado Lake and the alluvium and lake beds of Jean Lake and Hidden Valley are pervious and will allow wastewater to pollute regional water resources. This will not occur in Dry Lake to any detectable degree."

5. "Application of wastewater for agriculture evaporation, or percolation in the regional area will probably adversely affect regional groundwater quality unless it is applied in an area where deep percolation is not possible."

In September, 1972, the Las Vegas Valley Water District, following months of research and public hearings, chose the Combination Plan (#7) as its "interim basin plan". Regional in concept, it will not only abate most of the Wash pollution, but will also provide initial plans for tertiary treatment facilities and for a pilot groundwater injection program. Immediate implementation will involve exporting Wash effluent by pipeline to a dry lake area for evaporation; other objectives--tertiary treatment plans, a desalinization plant, groundwater injection, and an in-Valley irrigation system--are tentative scheduled for operation over a period of 28 years.

The task of actually implementing a regional plan appears to be an ambitious undertaking for the Las Vegas Valley Water District, not only in terms of technology and cost, but also in dealing with the multiple local water agencies whose cooperation will be needed.

Section III

CONSOLIDATION OF WATER AGENCIES

Based on data from the Las Vegas Valley Water District, there are presently 79 municipal and private water agencies in the Valley. Each of these independent agencies establishes its own policies, services, and rates, with efficiency and priorities varying in each one. This means that water (distribution) and sanitation rates, hook-up rates and availability of services for the Las Vegas Valley resident will vary, depending on the location of his home or business. Although all agencies must draw water from wells (groundwater) or from the Lake Mead Water Project, water supply needs differ considerably. Some systems are quite small; Paradis Spa, for example, has its own water agency. Municipal sewage treatment plants, on the other hand, vary in efficiency, so effluent (treated wastewater) reaches the Wash at different levels of quality. Every municipal water agency is responsible for raising its own bonds to expand or improve services. Private agencies must raise rates or lower profits to absorb these costs.

Coordination and cooperation among local water agencies are the responsibility of the State Water Engineer in Carson City, and of the Colorado River Commission (local 5-man Board; appointive; State funded).

Valley residents numbered about 275,000 in 1970, but conservative population projections raise that number to 1 million by the year 2000. Although Nevada is legally entitled to 300,000 acre feet of Lake Mead water, annually, that allotment will not support a population of one million. Therefore, additional water supplies will be needed. Recycling local water by means of tertiary treatment appears to be the likely solution.

Boyle Engineering, and Cornell, Howland, Hayes & Merryfield (CH2M), both consulting engineering firms, state that "The complexity of the water quality control problem and the close inter-relation of the various elements of the problem make it mandatory that a singly agency have responsibility and authority for basin-wide management of the total water resource. This resource includes the groundwater, the imported Colorado River supply, and reclaimed wastewaters; all of which have an area-wide significance."⁶

Dr. George B. Maxey, Director, Water Resources Division, for the Desert Research Institute, and Dr. G. William Fiero, Hydrogeologist for the Desert Research Institute and the University of Nevada, Las Vegas, were Co-chairmen of a 1972 Advisory Committee on Water Pollution and Conservation for the State. Included in the Committee's recommendations were statements concerning consolidation of water services: "Historically the development of municipal and industrial water supplies and the care of effluents produced have, for the most part, been the result of a demand situation rather than any comprehensive plan.---The several governmental, quasi-governmental and private water systems and the facilities to collect and handle the effluents---generated in the Las Vegas Valley follow the historical trend.---The Las Vegas Valley area affords an opportunity consolidate water and effluent services which would not only eliminate existing inequities, but would also allow for a more efficient management and use of the limited water supply, allow for the initiation of broad conservation practice programs, provide a higher degree of service reliability to all users now and in the future, and eliminate possible overlapping or duplication of service facilities."⁷

Concerning the composition of a regional water agency, the Committee states that "The final organization could be formed from an existing or several existing agencies, or could be unique to any present structure. It is essential that any basic organization be allowed to mature during the consolidation phase using and including the appropriate physical facilities and trained human resources to the maximum degree practicable. Positive legislative direction calling for an orderly transition is necessary."⁸

Consolidation summary and recommendations of the Boyle Engineering and CH2M report (Phase I) state also that water resource management and water quality control should be the responsibility of a basin-wide authority. The report goes on to remark that, "In reviewing the existing local agencies having the broad powers and capabilities to perform the management function, the choice is between the Clark County Government and the Las Vegas Valley Water District, both of which have the necessary qualifications. It appears that Clark County, through its Health District, has a role as a regulatory and enforcement agency regarding water quality control. The (Water District) has, under its legislative authorization, adequate authority to manage the program. In addition, the District is well staffed with competent personal, has suitable quarters, finances its operations without depending on taxes, and appears to be willing to accept responsibility for the program.---It is recommended, therefore, that the Las Vegas Valley Water District be designated as the agency responsible for the management of water resources and water quality control."⁹

Opposition to such ideas of consolidation is outspoken and lively by many of the remaining 78 water agencies. Smaller agencies tend to feel they can give personal, more responsive services to their customers. There is some fear that many water agency employees would lose their jobs, should consolidation take place. Municipal agencies, such as in North Las Vegas, feel that the steady source of revenues from water would be diverted from that city. Such arguments deserve attention, and are indicative of the difficulties which will occur with any plans for consolidation.

While the Water District plans to request that the 1973 session of the Nevada Legislature create a "Master Water Agency" for the Las Vegas Valley, a point of interest remains.

Legislation was passed by the State in 1971 which will place the Las Vegas Valley Water District under the control of the Clark County Government (Board of Commissioners) in 1975. Presently, there are 7 Directors on the Board of the Water District, ~~one of which is a Clark County Commissioner~~. The terms of 3 other Directors will expire in January, 1973, and these seats will be filled by three Commissioners (of 4) elected in November, 1972. The remaining 3⁴ seats on the Board of Directors will be filled by Commission members in ~~July, 1973~~.¹⁰
Jan. 1975

Opinions vary as to why Legislative action placed the Water District under the control of the Clark County Government, and whether action should be taken to repeal the act. One Legislator indicated that this action was an initial step toward the long-range goal of establishing a wholly consolidated metropolitan government for the Valley; another felt that the act should be repealed, for several reasons, one of which was shared by the Boyle Report. "Boards of Commissioners---are traditionally more involved with problems relating to planning and zoning, social welfare, police protection, crime prevention and other elements of their work load which are more pressing at a given point in time. Utility operations, unless they are very badly managed, tend to get very little attention from an overworked Board."¹¹

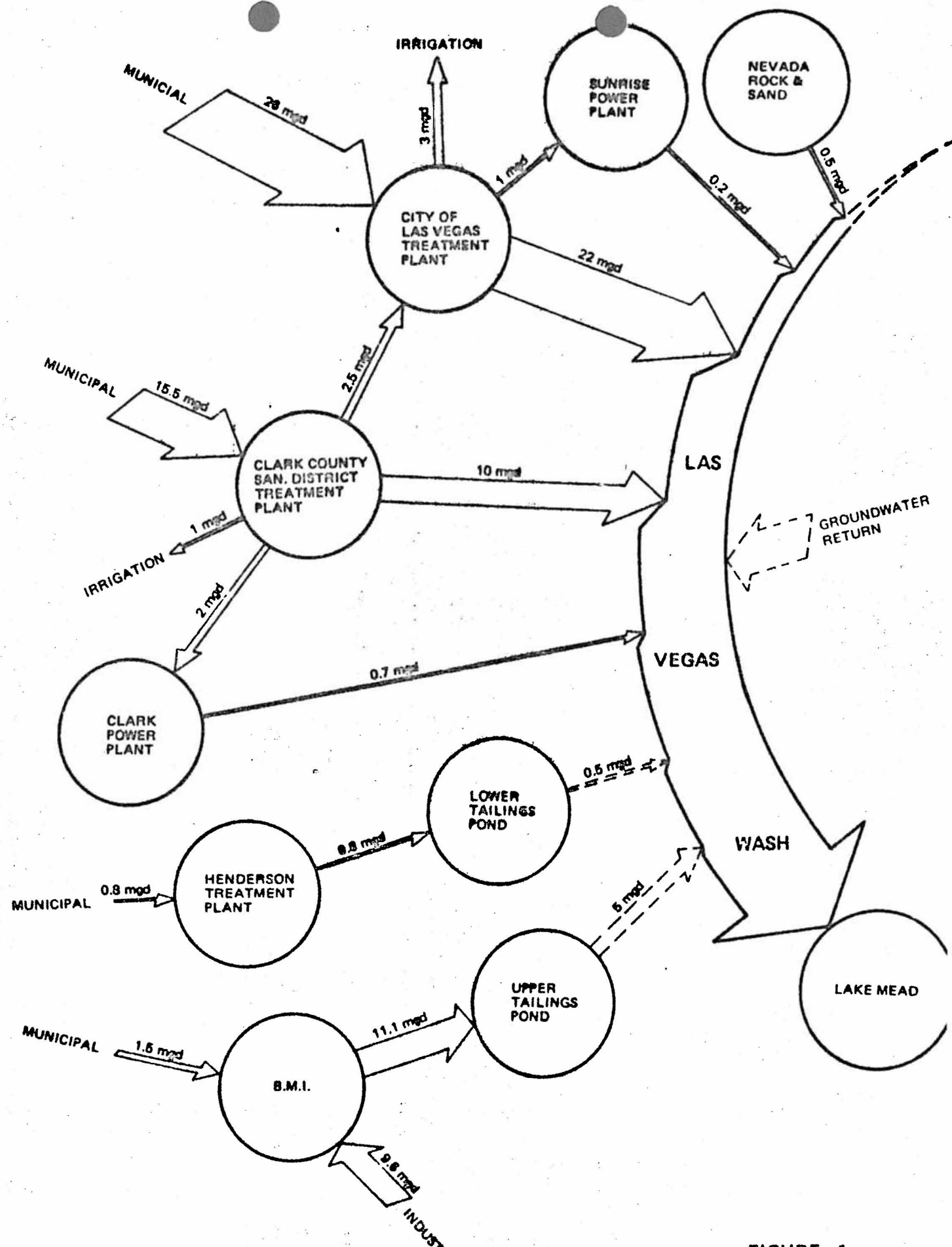
Another area for thought is revenue generated from water services, which is considerable. With expensive water services and wastewater treatment facilities known to be needed during the next 25 years, water revenues will be sorely needed to help foot the bill. If the County Government is to control the regional water agency, care might be taken that water revenues don't fall into a general fund, financing other areas of County Government.

Whether a regional water agency will be created by the Nevada Legislature is not known at this time. The fact that Legislators and water officials are discussing these ideas makes it a distinct possibility, however. Knowledge of Las Vegas Valley water and a serious concern for the future of this vital natural resource by local residents will make a difference in the decisions of local and state officials.

The members of this reporting committee urge all Las Vegas Valley residents to stay abreast of local water developments, to study the subject further and attend public water hearings, and to make individual opinions known to local Legislators.

- 1 Environmental Assessment for the Las Vegas Valley Water District; VTN Nevada and Jones & Stokes Associates, Inc., 1972; p.10.
2. A Comprehensive Water Quality Control Program for the Las Vegas Drainage Basin (Phase I); Boyle Engineering and CH2M; 1969; p.175.
- 3 A Primer on Wastewater Treatment; Environmental Protection Agency; March, 1971; Washington, D.C.
- 4 Environmental Assessment; p.9.
- 5 Environmental Assessment; pp. 7-8.
- 6 Water Quality Program; p.167.
- 7 Advisory Committee Report on Water Pollution & Conservation, Supportive Material; p. 9.
- 8 Ibid; p.10.
- 9 Comprehensive Water Program; p.167.
- 10 Las Vegas Valley Water District; interview.
- 11 Comp. Water Program; p.166.

ALL THESE TREATMENTS ARE NOW BEING... WITH...



ENVIRONMENTAL ASSESSMENT FOR THE LAS VEGAS VALLEY WATER DISTRICT

FIGURE 1 1972 WASTEWATER FLOWS

LIST OF POLLUTANTS 12

Physical

Color (color units)
Odor
Temperature*
Turbidity (sediments)

Microbiological

Coliform organisms
Fecal coliforms

Inorganic chemicals

Alkalinity
Ammonia
Arsenic*
Barium*
Boron*
Cadmium*
Chloride*
Chromium,* hexavalent
Copper*
Dissolved oxygen
Fluoride*
Hardness*
Iron (filterable)
Lead*
Manganese* (filterable)
Nitrates plus nitrites*
pH (range)
Phosphorus*
Selenium*
Silver*
Sulfate*
Total dissolved solids* (filterable residue)
Uranyl ion*
Zinc*

Organic chemicals

Carbon chloroform extract* (CCE)
Cyanide*
Methylene blue active substances*
Oil and grease*
Pesticides:
Aldrin*
Chlordane*
DDT*
Dieldrin*
Endrin*
Heptachlor*
Heptachlor epoxide*
Lindane*
Methoxychlor*
Organic phosphates plus carbamates*
Toxaphene*
Herbicides
Phenois*

Radioactivity

Gross beta*
Radium-226
Strontium-90*

*The defined treatment process has little effect on this constituent

GLOSSARY

AQUIFER - underground supply of water
EFFLUENT - wastewater which has been treated to some degree
GROUNDWATER - water under ground
DESALINIZATION - treatment of water which withdraws salt
POLLUTION - the addition of things to water which change its quality
POTABLE - water suitable for drinking
SECONDARY TREATMENT - water purification process, but below potable level
TERTIARY TREATMENT - 3rd water purification process, meets potable levels
"GROUNDWATER RECHARGE" - tertiary treatment and desalinization of wastewater, followed by injection through wells to recharge groundwater basin beneath Las Vegas Valley

GLOSSARY (Continued)

- "COMPLETE TREATMENT" - wastewater undergoes tertiary treatment, then is discharged into the Wash or Lake Mead; by 1980 desalinization is added, with either same discharge method or added to domestic water supply for reuse.
- "COLORADO RIVER RETURN" - wastewater receives tertiary treatment, desalinization, and possibly refrigeration, then is discharged to Colorado River below Hoover Dam.
- "EXPORT TO DRY LAKE" - secondary wastewater used for industrial, agricultural purposes, with remainder exported by pipeline to Dry Lake Valley for evaporation. Future population growth to indicate when desalinization will be started to insure adequate water supplies. Brine wastes also exported by pipeline to Dry Lake Valley for evaporation.
- "EXPORT TO ELDORADO VALLEY" - same plan as "Dry Lake Valley" with Eldorado Valley location.
- "EXPORT TO HIDDEN VALLEY & JEAN LAKE" - same plan as "Dry Lake Valley" with Hidden Valley & Jean Lake location.
- "DEEP WELL DISPOSAL" - wastewater filtered and injected thousands of feet underground below presently developed aquifers for permanent disposal, through deep wells.

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Publications:

- A COMPREHENSIVE WATER QUALITY CONTROL PROGRAM FOR THE LAS VEGAS DRAINAGE BASIN; Boyle Engineering and Cornell, Howland, Hayes & Merryfield (CHSM); (Phase I) February, 1969; Las Vegas, Nevada.
- ENVIRONMENTAL ASSESSMENT OF POLLUTION ABATEMENT PROJECT FOR LAS VEGAS WASH AND BAY; VTN Nevada and Jones & Stokes Associates, Inc., August, 1972; Las Vegas, Nevada.
- ENVIRONMENTAL QUALITY; REPORT: Council on Environmental Quality; August, 1972; U.S. Government Printing Office; Washington, D.C.
- QUALITY OF WATER-COLORADO RIVER BASIN (report); U.S. Department of Interior; January, 1969; Washington, D.C.
- SENATE BILLS # 108; 644; Nevada State Legislature; 1971; Carson City, Nevada.
- ASSEMBLY BILLS #728; #811; Nevada State Legislature; 1971; Carson City, Nevada.

Interviews:

- Dr. G. William Fiero, Hydrogeologist; Desert Research Institute and University of Nevada, Las Vegas
- Mr. David Finne, Asst. to General Manager, Las Vegas Valley Water District
- Mr. Myron Welsh, Engineer, Las Vegas Valley Water District
- Mr. Jim Wren-Jarvis, Clark County District Health Office
- The Honorable John Foley, State Senator, Clark County (member, Senate Ecology Committee)
- The Honorable Thomas R. C. "Spike" Wilson, State Senator, Washoe County (Chairman, Senate Ecology Committee)
- The Honorable Richard Bryan, Nevada State Assembly, Clark County (Environment & Public Resources Committee)
- City of Las Vegas Sewage Treatment Plant, Las Vegas, Nevada
- Clark County Sanitation, Las Vegas, Nevada
- City of North Las Vegas, Utilities Division, North Las Vegas, Nevada
- Colorado River Commission, Las Vegas, Nevada
- Blue Diamond Utilities, Blue Diamond, Nevada
- Boulder City, Utilities Division, Boulder City, Nevada
- Henderson Sewer Treatment Plant, Henderson, Nevada
- Basic Management Industries, Henderson, Nevada

RESOLUTION NO. 359

A RESOLUTION OPPOSING THE ENACTMENT OF LEGISLATION CREATING THE REGIONAL UTILITY DISTRICT OF SOUTHERN NEVADA.

WHEREAS, a certain bill has been proposed to the 1973 Nevada State Legislature which, if enacted, would create the Regional Utility District of Southern Nevada which would encompass all of Clark County and would provide said district with the authority to issue bonds for the construction of facilities and with the power to levy ad valorem taxes on the entire district to meet necessary fiscal demands; and

WHEREAS, the City of Henderson would be included in the district boundaries, subjecting the City to the threat of loss of its water and/or its sewer utility, under a right of eminent domain given to the district under the provisions of the bill; and

WHEREAS, the City Council of the City of Henderson is opposed to the creation of the Regional District as proposed; and

WHEREAS, the City Council of the City of Henderson feels that to permit the creation of such a district would be a disservice to the citizens of the City of Henderson for the following enumerated and other reasons:

1. The local governing body of the City of Henderson would lose its right to establish utility rates for customers within the City;
2. The local governing body of the City of Henderson would lose its control over the development and growth of the City of Henderson by being deprived of its present right to determine how, when and in what amounts funds are to be made available for system improvements, and the right to determine what incentives can be given to developers and customers through the policy of refunds for certain system extensions;
3. The local governing body of the City of Henderson would not be able to control the ad valorem tax to be levied on the citizens of Henderson, or be able to control the per capita utility bonded debt of the citizens of the City of Henderson;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Henderson shall, and be these presents does, oppose the creation of any Regional Utility District that would include in its boundaries any of the land area within the corporate limits of the City of Henderson or any logical extensions thereof; and does oppose the creation of any District or other legislation which would provide state guaranteed bonds or other funding powers to be used for the export of water from the

2. 233

Exhibit "C"

203
RESOLUTION NO. 359 (Cont'd) - Page 2

Las Vegas Valley until such time as exhaustive re-
search, investigations and studies have satisfactorily
proven that to do otherwise would lead to imminent
disaster, and

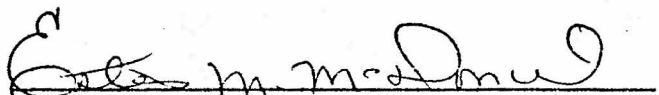
That the Administration shall convey this resolve to
all the members of the Nevada State Legislature
and such other pertinent materials, including reports
as may be necessary, to apprise the said Legislature
of the position of the City of Henderson in this
matter.

Passed and adopted this 5th day of February, 1973, by the
following roll call vote:

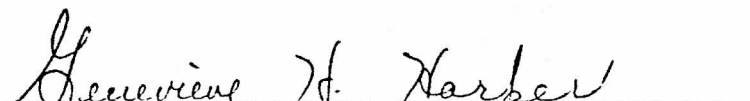
VOTING "AYE": Estes M. McDoniel, Lorin L. Williams,
John E. Jeffrey and Jerry Franklin.

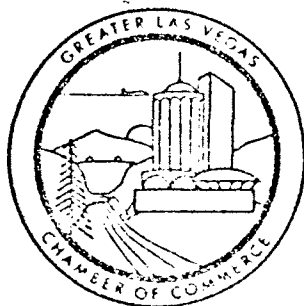
VOTING "NAY": None.

ABSENT: Cruz Olague.


ESTES M. MCDONIEL, MAYOR

ATTEST:


GENEVIEVE H. HARPER, CITY CLERK



KEN O'CONNELL
Executive Vice President

RESOLUTION

Be it resolved that the Greater Las Vegas Chamber of Commerce Board of Directors on February 6th, after presentation by the Impact Priority Committee, make the following recommendations regarding the water control situation of Southern Nevada:

We wholeheartedly support the concept of a Master Water Agency and recommend this Agency should be administered by an appointed commission excluding elected officials and selected from qualified persons within the Master Water Agency boundaries. These appointments should be lengthy enough to give good continuity to the Commission so that experience and knowledgability would be forever present on the Agency Board.

It is recommended that the initial appointments be made by the Board of County Commissioners and they endeavor to obtain the most knowledgable and experienced persons to serve.

It is further recommended that the Legislature create a State Department of Water Resources to work hand in hand with this Agency or any other proposed agency throughout the State dealing primarily with Water Resources, and that this Department of Water Resources report directly to the Governor.

Exhibit "D"

STATEMENT OF THE LEAGUE OF WOMEN VOTERS ON THE MASTER WATER AGENCY
BILLS by Mrs. Daisy Talvite, State Chairman of Environmental Quality

Before reading this statement, I want to insure that we do not have confusion with semantics and have a clear-cut understanding of what the League means when it speaks in terms of a "utility." We are not thinking in terms of the old-fashioned special purpose district. We are using the term to refer to a new type of concept that has become more and more popular in recent years. In the sense that we are speaking, a "utility" is more like a business operation and a public service utility in this sense would be an organizational structure of that type which was responsive to the general government.

The concept of the Master Water Agency falls within League consensus supporting consolidation of services in Clark County as well as our position on governmental planning. So let us say at the outset that we favor the basic idea. Water problems do not stop at jurisdictional boundaries and the multitude of agencies presently involved in water management has fragmented control of the resource, produced planning that doesn't mesh, and given little help to the unincorporated areas.

We felt it necessary, however, to set down some specific criteria by which to measure any particular master water agency proposal:

- 1) Its structure should promote true consolidation, minimizing conflicts between entities. It must, therefore, be representative of all sectors of the community with fair and equal treatment of all interests.

2) Since water is so clearly related to growth in the Las Vegas Valley, all services should be based on a comprehensive regional plan and not on the whim of any one entity or agency. This implies there should be a Regional Planning Agency, with power to create and enforce a master plan.

3) The Master Water Agency must be at a governmental level directly responsible to the people, which covers the geographical area, and which can most effectively accomplish its purpose.

4) The Master Water Agency must not be structured in such a fashion as to undercut the authority of the general government.

5) The Master Water Agency should have responsibility for the delivery of water, sanitation, and pollution control services. All these services must be included to meet the needs of the entire county, especially those of the smaller communities which are overwhelmed by the scope of their sanitation problems.

6) It must not take away the State Engineer's proper authority in matters of water resources.

7) It must have a strong technical staff and unified management as well as a policy advisory board which reflects the interests of the local entities and the general public.

With these objectives in mind, we have examined the water agency bills and do not find any one of them totally satisfactory.

SB 287 creating the Regional Water Resources Agency is much too brief in its outline and does not provide a real umbrella for consolidated services. Nor is there evidence of adequate concern for the outlying communities which will need assistance in sanitation services.

SB 286 and 288, along with 616 of the 1971 Legislative Session, must be looked at together since they are a combination dealing with the total water-sanitation problem. This approach would have the County Commissioners sitting as the Board for three separate agencies--water supply, water sanitation and pollution abatement. This unifies the governing jurisdiction, but these bodies are functioning as three separate governing boards, acting as governing board for the water supply, acting as another governing board for sanitation and as still another for pollution abatement, and therefore, it is a failure to unify the functions. We are still with three separate agencies, three separate managers and three different staffs. It would be more logical, and fare more direct and economical, to combine all three functions under one board with unified management and staff which can look at the total water picture in order to coordinate decisions and actions.

SB 289 creates the Southern Nevada Regional Utility District with an independent elected board. It is our feeling, that from the viewpoint of the average citizen, the only elections they really look at are those of general government offices (commissioners, legislators, etc.). Therefore, the separate elected board has rather low political visibility. This bill also goes far beyond the function of providing services. This makes it independent of the general government which has the responsibility for making decisions for the total welfare of the area. It creates problems by fractionalizing authority in crucial matters of growth and development.

League would like to recommend some ideas to be built into a new bill, and we would like to present our first choice and then a second choice in case certain things do not develop.

We wish to call your attention to the fact that there are bills in the drafting stage which will propose regional planning; we had hoped that these would be available prior to giving this testimony. Unfortunately, this is not the case, but League has been told by the sponsors that these bills should be introduced within the next week. It is the League's feeling that the main problem in structuring a water agency for Clark County lies in the problem of who is to control planning and development of Clark County. The lack of true regional planning creates a major problem, making it impossible for them to really structure what they should have. League feels that this is the crux of the problem, and we urge that the Legislature examine those bills very carefully and if possible incorporate them into the Master Agency plan. We must, of course, qualify this statement with the recognition that we have not had the opportunity to examine the bills and to determine whether or not they really reflect the needs that we see.

With these facts in mind, we present the following outline for a new bill:

- 1) A Regional Master Planning Body should be created with power to establish and enforce a master plan. This agency should represent all entities and all segments of the general public. All entities would be required to participate in and support the agency. Its essential function would be development of a comprehensive

regional master plan to which all local entities must conform, including the "utility" we propose. This master plan would be based on comprehensive planning for streets, zoning, transportation; in other words, an actual guide for Clark County development. Since growth and development would be in the direction of the master plan, it should be required that the water utility adhere to the adopted plan, regardless of who becomes the governing board.

2) The Master Water Agency should be a regional utility, providing water, sanitation, and pollution control services with County Commissioners acting as Board of Directors. Ideally, the utility should control supply and distribution of water as well as collection, treatment, and disposal of wastewaters in order to achieve uniform rates, service and management throughout the county. It should not be involved in planning, zoning or such policy-making matters. It is, however, possible to implement a slightly different approach, if the Legislature believes it necessary or desirable to achieve a more gradual changeover, phasing in a proposal.

The utility should be limited in the beginning to wholesaling water and sanitation services to the various entities while dealing on an individual-customer basis with those not otherwise served. The utility would control all works for production, treatment, and storage of water and all trunk distribution mains connected with them; also, all treatment works, trunk sewer systems, etc. Distribution would remain with the entities, but none could operate water or sewage systems or sell their water outside their own boundaries. They could not connect on to or extend trunk lines without compliance

with the regional master plan and also the approval of the Master Water Agency. The utility would be empowered to take over a distribution system upon the request of an entity or eventually through a mutually agreeable arrangement with the entity. If this approach of phasing in total control is chosen, the Legislature should direct that such agreements be defined within a specific deadline.

The utility should be able to set rates based on costs and the operation becoming self-supporting. Water conservation would be considered a valid factor in pricing (i.e. rates could be raised to discourage excess use of water). The entities could add other charges to cover their costs or for other purposes, but there should be a requirement that these charges be clearly spelled out on the consumer's bill.

Public hearings should be required in regard to rates, new facilities, etc., and the utility should also be required to consider environmental impacts of its actions. In order to assure all the other entities and cities of the county that they will have a hearing by an independent body in case there is a problem in delivery of services, rates, etc., there must be an appeal route. This could go in two directions: If the problem relates to the failure of the utility to follow the master plan, then the appeal would go to the Regional Planning Agency; if the problem is with rates or the denial of services, it should be heard by the Public Service Commission.

3) Since one of our primary goals is true consolidation of services, we believe the governing body of the regional utility

should be the Board of County Commissioners with a strong policy advisory committee and a highly-qualified technical staff. The county is the most comprehensive unit of government, the entire service area lies within its geographical and jurisdictional boundaries, and most importantly, this body is highly visible and directly responsible to the electorate.

A strong policy advisory committee could enable constructive input by entity representatives and public interest groups. Proportional representation from all entities, plus members from various public interest sectors would be desirable. Most of the so-called "technical" committees in reality respond to political necessity and actually function as policy committees. Technical advice should come from a competent, well-qualified staff required to explain and justify its proposals to both the policy advisory committee and the Board.

In summation, the League is recommending a new bill which would include first, a Regional Planning Agency with powers to draw up a comprehensive regional master plan as well as establish criteria for planning and zoning practices. Second, it would create a regional master water utility to provide water, sanitation, and pollution control services. This agency would be under the County Commissioners with a strong policy advisory committee composed of both entity representatives and public interest representatives. The utility would be required to follow the regional plan. It could wholesale services to the various entities, but it should have the ultimate goal of uniform distribution, rates, and services throughout the county. Meantime, any charges added to the basis rates by an entity must be so indicated on the customer's bills.

There should be an appeal route available to the Regional Planning Agency in matters relating to planning and to the Public Service Commission in matters relating to rates and denial of services. This, then, presents what is to the League the most desirable approach.

As a second choice, should the Legislature fail to establish a Regional Planning Body, then the League sees the second possibility, based upon the same principles and also placing ultimate responsibility in the hands of the County Commissioners.

The Water Agency would still be a regional utility with the Board of Directors appointed by the County Commissioners, with planning functions remaining in the hands of the various entities. However, the League feels that if this route is chosen, then there must be a procedure established by which the appointments will be made; and on this the League makes the following recommendation:

- 1) A Nominating Committee should be established. Its membership should be representative of the various entities and some members of the general public appointed by the nucleus group of entity representatives.
- 2) The Nominating Committee would be charged with actively seeking from the various segments of the community a list of nominees.
- 3) For a name to be added to the list of nominees, there must be approval by a majority of the Nominating Committee.
- 4) For each spot on the board, there must be more than one nominee.

5) The nominees must represent all segments of the community-- commerce, conservationists, consumers, etc.

6) Final selection should be made by the County Commissioners from the list of nominees.

7) In making the appointments, the County Commissioners should be required to appoint according to the commissioner districts with those appointed required to be residents of the district they represent.

The Board of Directors must then be responsible to the County Commission for the proper administration of the utility.