

EXHIBIT 4
DATE 2-1-05
HB 342

Chairman Noennig and members of the Committee my name is Gerard Berens of Missoula. I rise in support HB 342.

Special Improvement Districts for Sewer dramatically and unfairly shift power from the property owner, who will pay its costs, to the governing body. There is no public vote. By requiring a 75% protest, SID procedures are set far apart from other forms of improvement bonds and general revenue bonds which have far low thresholds for denial.

The premise behind sewer is sanitation. However, in its failure to demonstrate sanitation problems as a result of illness, the City of Missoula's sewer expansion has relied on the premise of algae growth in the river from nutrients commonly found in nature. It has falsely label septics as the cause of river algae. However, the largest polluter of the Clark Fork River is the city's sewer plant. In its volumes of studies the city does not credit septics with proven 21-25% removal of nitrogen nutrients. Well documents advance treatment systems which will treat sewerage equal to or better than the sewer plant are ignore. Instead the city pushes for greatly expanding sewer systems.

Sewer SID's protest should be placed on the same footing as for other types of governmental decisions.