

Feb. 7, 2007

Clinton Cain
2551 Magenta
Bozeman, Mt. 59718

Mr. Chairman & Committee Members
of HB 304

I have driven 100 miles today to testify on this bill with my reasons why. First I went to a DNRC hearing in Bozeman and the results were not pleasing. The DNRC seemed to favor the developer's lawyers rather than listen to the concerns of the citizens on the subjects of water quality, quantity and disposal into a chosen infiltration bed. This bed lies right next to my property where the ground water is only 4' to 12' from the developer's infiltration beds.

The citizens were trying to tell the DNRC that this was a disaster in the making because the developer's sewer plant was not taking out the pharmaceuticals and other caustics, which will be extracted back into our ground waters. I have two wells within 200' of where the infiltration will happen.

The DEQ has approved, according to the 1972 Constitution, that so much degradation is OK. This in common sense is a disaster in the making.

The DEQ and their microbiologists and the DNRC and their hydrologists and the modeling experts for developments, should be required to decide together the outcome of a project. If this coming together isn't possible then a committee will have to be adopted to referee.

Thank You...

A handwritten signature in cursive script that reads "Clinton Cain". The signature is written in dark ink and is positioned below the typed name "Clinton Cain".

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Helena Valley water quality worsens in last three decades

By LARRY KLINE - IR Staff Writer - 12/13/06

Lewis and Clark County's top water-quality official said groundwater contamination in the Helena Valley has significantly worsened in the last three decades.

Water Quality Protection District Administrator Kathy Moore on Tuesday gave a presentation to county commissioners, who later passed interim zoning regulations for the valley by a 2-1 vote. (See related story on Page 1A)

Moore said nitrate levels, which are an indicator of other disease-causing contaminants, increased eightfold between 1973 and 2000. She said evidence suggests those pollutants are coming from septic systems in the valley.

A study of 38 wells last year in the Helena Valley and northern Jefferson County found pharmaceuticals, personal care products like shampoo and lotion, ibuprofen, Prozac, hormones, viruses and fecal bacteria. Some of the pollutants were found in only a few wells, but most of the wells tested showed some contamination.

Similar pollutants, in similar concentrations, have been found across the country, Moore said.

She said the state Department of Environmental Quality's one-acre minimum lot requirement for septic systems "is clearly not working." The county's new interim regulations allow septic systems on lots no smaller than five acres.

"Two to five acres is probably not adequate," she said, noting the studies of nitrates in well water included samples from two- to five-acre lots.

She said a water-quality district in northern Idaho has adopted a five-acre standard, and said the U.S. Environmental Protection Agency once considered a 16-acre minimum lot size.

The valley has a wide variety of loose soils and a high water table in some areas.

"Without the proper type and depth of soil for adequate treatment, it is not surprising that water quality is deteriorating when a one-size, one-acre-fits-all approach is taken," Moore said.

She said many septic systems were installed as a temporary solution — valley residents expected to eventually hook into a centralized sewer system. The on-side systems weren't properly planned and maintained, she said, as a result of the perception.

Moore estimated the number of septic systems in the valley to increase by about 5,400 by 2025, adding that the increase could add more than a million gallons of sewage generated by valley residents per day.

"We will not be able to maintain the status quo, much less improve water quality," she said.

Commission Chair Anita Varone, citing an EPA report Moore used as evidence, noted the federal agency wants to decrease the amount of nitrates added by sewer systems by just 0.5 percent.

Moore said she believes a problem exists in the Lake Helena watershed.

“As I was writing this, I became more and more concerned,” Moore said. “I believe we need to do something. We have a problem.”

She noted the county only reviews subdivisions on a case-by-case basis and doesn't look at the larger picture.

“We spend time looking at the smaller chunks rather than the bigger whole,” Moore said.

“Water-quality issues do not respect property lines, county lines or any other arbitrary political or economic lines we care to draw,” she added. “If we do not act to control our wastewater discharges, we will exceed the treatment capacity of our ground- and surface-water systems.

“The question is not if, but when.”

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