



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT

Michael Hill *Health Agency Director*

Penny Borenstein, MD, MPH *Health Officer/Public Health Director*

Frequently Asked Questions

PUBLIC WATER SYSTEMS

- *What is a public water system?*

A public water system is defined as a system that provides water for human consumption to 15 or more connections or regularly serves 25 or more individuals on a daily basis for at least 60 days out of the year – including employees, residents, and visitors/guests. The individuals do not have to be the same individuals. Human consumption includes activities such as drinking, bathing, hand washing, cooking, food preparation, dishwashing, and other similar uses. A public water system is not necessarily a public entity, and most public water systems are privately owned. There are three legal distinctions between the types of public water systems: community, non-transient non-community, and transient non-community. The type of water system is based on how often people consume the water. Drinking water regulations impose the most stringent monitoring requirements on community (e.g. subdivisions) and non-transient noncommunity (e.g. businesses) water systems because the people they serve obtain all or much of their water from that system each day.

- *Why do public water systems need permits?*

The water supply permit obligates the water system to provide affordable, safe drinking water to consumers. The permit requirements ensure that the water system will comply with State and Federal drinking water standards and regulations, which protect the health of consumers. In order to receive a permit, a public water system must demonstrate that it can meet regulatory requirements to ensure the delivery of safe drinking water to consumers.

- *Who regulates public water systems?*

The California State Water Resources Control Board, Division of Drinking Water enforces drinking water regulations and directly regulates large public water systems, such as municipal water utilities. In 30 of the 58 California counties, the SWRCB has delegated its authority to regulate small public water systems—those with fewer than 200 service

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connections—to county Environmental Health departments, also known as Local Primacy Agencies (LPAs), within their jurisdictions. The County of San Luis Obispo Environmental Health Services is a Local Primacy Agency, meaning it regulates small water systems on behalf of SWRCB to ensure that these systems deliver safe drinking water. Environmental Health Services works closely with the District 6 Office of the Division of Drinking Water, including when reviewing and approving public water system permit applications.

EXISTING PUBLIC WATER SYSTEMS

- *My facility was previously allowed to operate without a domestic water supply permit. Why am I required to apply for a permit now?*

Water systems which serve fewer than 25 people daily are not considered public water systems. Therefore, public water system regulations do not apply, and domestic water supply permits are not required. Some existing public water systems currently operating without permits may have previously served fewer than 25 people, which does not require a permit. Over time, the populations served by these water systems may have grown to 25 or more due to, for example, an increase in the number of employees or addition of a tasting room. Once the daily population served has reached 25 individuals for at least 60 days out of the year, the water system is considered a public water system and is required to have a permit. The 25 individuals *do not have to be the same* 25 individuals each day to meet this threshold.

- *How did Environmental Health Services identify my facility as a public water system?*
If your business includes a food facility, Environmental Health Services determined that your food facility is located outside of a public water system service boundary. Most food facilities employ and serve 25 or more individuals on a daily basis for at least 60 days out of the year. Environmental Health Services has also identified tasting rooms and other large commercial/retail/recreational facilities located outside of a public water system service area boundary. If you think you have been identified as a public water system in error, please contact us at EnvironmentalHealth.Water@co.slo.ca.us.
- *Can I use my existing water system, including my well and tanks?*

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In most cases, yes, existing facilities meet State drinking water requirements. If your system or a part of your system do not meet State standards, you may be required to bring your facilities up to code. It is always best to consult with Environmental Health before modifying or formalizing construction plans. If your project requires a building permit, you will be required to obtain Environmental Health approval prior to issuance.

APPLICATION PROCESS AND MATERIALS

- *How long is the public water system domestic water supply permit application and review process?*

The public water system domestic water supply permit application and review process can vary in length. Timely review depends upon the applicant completing and submitting all required domestic water system information. The enclosed "Permit Application Supplement" describes the documents required to initiate review, which includes the SB 1263 Technical Report and the TMF Capacity Report. The SB 1263 Technical Report and the TMF Capacity Report cannot be reviewed concurrently. Environmental Health Services will not begin reviewing the TMF Capacity Report until SB 1263 Technical Report approval or exemption has been obtained. Allow six months for SB 1263 review and a minimum six months for TMF Report review. The "Permit Application Supplement" also lists the other documents required for approval, which may be submitted after Environmental Health Services has begun its review.

- *Who can complete the required materials?*

Anyone who is familiar with the water system may complete the SB 1263 Technical Report, although the assistance of a registered civil engineer is strongly recommended.

The technical component of the TMF Capacity Report is *required* to be completed by a registered civil engineer. Since the physical, technical description of the water system is required in both the SB 1263 Technical Report and the TMF Capacity Report, it may be more efficient to have a registered civil engineer do it once and use it for both reports.

- *How do I calculate the "population served" and number of "service connections"?*

The population served is the number of individuals served by a water system. The population served by a water system is the total number of individuals that consume



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water from, live in, are a customer of, or work in a place to which water is supplied from the system. The individuals do not have to be the same individuals and they do not have to drink the water (refer to definition of “human consumption”). The population served can include non-transient individuals, people that are served on a regular basis for at least six months per year, e.g. residents and employees, and transient individuals, people that are served on an irregular basis e.g. visitors and customers. The number of service connections corresponds to the number of residential units and/or commercial or industrial establishments to which drinking water is supplied.

- *Why does Environmental Health Services charge application and review fees for domestic public water supply permit applications?*

Environmental Health Services is a fee-based department, with very limited entitlement to County General Fund monies, as not all County residents directly benefit from water supplied by small drinking water systems. As such, only those water systems that are regulated are expected to bear the cost of the program. Permit and review fees are cost recovery fees, meant only to pay for staff time to provide these services. Review fees specifically prevent increases in annual permit fees. The EHS fee schedule can be found here: <https://www.slocounty.ca.gov/Departments/Health-Agency/Public-Health/Environmental-Health/Forms-Documents/FEES.aspx>.

- *Why does Environmental Health Services require several points of contact in the application?*

In the course of the water permit application process and once the system becomes permitted, Environmental Health Services and SWRCB will need to contact you. By providing contact information for the Owner, Operator, and Administrative, Financial, and Emergency Contacts, Environmental Health Services will be able to reach out to the relevant person. A description of each point of contact is in the table below. One person may perform several roles. It is critical that you provide email addresses for all points of contact in your application because the State Water Resources Control Board and Environmental Health Services delivers important information for water systems via email. It is the responsibility of the water system to maintain these contacts in order to receive important information. Drinking water regulations are updated frequently, and incomplete or outdated contact information will not grant a water system exemption from any regulatory standard.

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Please be advised that this contact information will be publicly available. While a personal email or phone number may not be ideal, please be sure to include an email or phone number where the person can be easily reached.

Contact	Role
Owner	The party that is legally responsible for the water system.
Administrative	The primary point of contact for the water system.
Financial	The point of contact for billing purposes.
Operator	The designated operator-in-charge of the water system.
Emergency	The emergency contact.

- *Do I have to complete the SB 1263 Technical Report?*

The SB 1263 Technical Report is required by California Health and Safety Code, Section 116527 for all new public water systems that are not subject to the exemptions specified in Section 116527(h). Section 116527(h) provides exemptions under the following conditions:

1. Domestic water supply applications deemed complete prior to January 1, 2017,
2. Extension of, or annexation to, an existing public water system, or
3. Applicants certify in writing that they will not rely on the establishment of a new public water system.

Please contact EHS to receive an SB 1263 Technical Report exemption. If none of the above exceptions apply, the SB 1263 Technical Report must be completed 6 months before any water-related construction for a new public water system.

- *Where can I find resources for...?*

The "Permit Application Supplement" describes the steps and materials needed to prepare and submit a complete domestic water supply permit application. Guidance for completing the SB 1263 Technical Report and the TMF Capacity Report. Please contact Environmental Health Services if you need additional resources.

- *Where can I find my well completion reports?*

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It is important to maintain a copy of the well completion report for each well because it proves the well was legally drilled and certifies the construction details. If you are having trouble locating the well completion reports for your wells, you can contact the driller, the California Department of Water Resources, or EHS at (805) 781-5544.

- *What CEQA documents are required?*

It is likely that a previously completed CEQA document would satisfy the CEQA requirement, such as the CEQA clearance for a conditional use permit or the Environmental Impact Report for a tract development, which would have considered the impact of the water system on the environment. Please provide a copy of previous CEQA review and determination. If there is no such documentation, a new determination may need to be made.