

# COUNTY OF MONTEREY HEALTH DEPARTMENT

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## MEMORANDUM

ENVIRONMENTAL HEALTH BUREAU

**TO:** Cannabis Standing Committee Members

**FROM:** John Ramirez, Director, Environmental Health Bureau

**CC:** Elsa Jimenez, Director of Health  
Ezequiel Vega, Assistant Director of Health

**DATE:** April 13, 2018

**SUBJECT:** Presentation by Jan Sweigert, District Engineer, Monterey Office, State Water Resources Control Board Regarding Senate Bill 1263

The Environmental Health Bureau (EHB) regulates and permits water systems in Monterey County under Monterey County Code Chapter (MCC) 15.08 and as the Local Primacy Agency (LPA) for the State Water Resources Control Board (SWRCB). Applicants for water system permits must meet requirements that ensure safe, wholesome, potable drinking water is provided. The EHB Drinking Water Protection Services reviews all applications for compliance with state LPA and local MCC standards prior to issuance of permits to operate water systems.

The EHB's Environmental Health Review Services, coordinates with the County Resource Management Agency (RMA) for review of planning permits. Before the EHB will recommend approval of a planning permit (PLN) application, also referred to as 'considering an application complete', water system permit application materials must first be submitted. The EHB reviews each project for conformance with a variety of requirements related to health and safety, including foundational information that is used to assess the adequacy of a project's proposed water supply, specifically water quality and quantity. Active, operational public water systems that do not have a permit in place will not be eligible to defer certain requirements because the ongoing operation of an unpermitted water system represents violation of MCC.

When a water source does not meet minimum quality standards, a water treatment system may be required. In some cases, treatment is not a viable option and it will be necessary to obtain an alternate source of supply that meets water quality and quantity standards.

The EHB anticipates there will be three scenarios when a water system permit is required:

1. Project Proposes to Serve Existing Development via an Available Connection on a Permitted Public Water System
2. Project Proposes to Serve Existing Development via a Currently Unpermitted Public Water System
3. Project Proposes to Serve Existing Development via a Currently Unpermitted Local or State Small Water System

Guidance to address each of these scenarios and the specific EHB requirements are provided in detail in the accompanying attachments. When the applicant has completed all requirements to the satisfaction of the EHB, the EHB will then deem the PLN application to be complete. When the facility(ies) proposed to be served is not currently operational, the PLN will be conditioned to obtain the water system permit prior to commencement of operation. When the facility(ies) proposed to be served is currently in operation, the water system permit must be issued prior to considering the PLN application to be complete.

All project proposals that will serve an existing development via a new or currently unpermitted Public Water System will require SWRCB review and approval for a water system permit under Senate Bill (SB) 1263. As of January 1, 2017, SB 1263 requires new (public water system applicants to prepare a Preliminary Technical Report for review and acceptance by the SWRCB prior to any water related construction and prior to EHB issuance of a water system permit. The proposed water system is not allowed to operate until a permit is approved for issuance by the SWRCB.

The EHB has arranged to have Ms. Jan Sweigert, District Engineer, Monterey Office, SWRCB Division of Drinking Water to provide a presentation explaining the requirements of SB 1263, Technical Report requirements, their review process, requirements for issuance of a water system permit and to answer questions.