



## Cannabis Operation Planning Permit Applications Water Source Requirements to Obtain a Complete Status

Proposed cannabis operations are unique from many other planning permit applications because they are limited to sites with existing development. It is important to note that new development that will require a public water system permit will be required to incorporate a centralized water treatment system when water quality standards cannot be met. When a local or state small water system permit will be required for new development, the water source must meet water quality standards without treatment. Point of use (POU) and Point of Entry (POE) devices may be considered to bring existing water systems that do not meet water quality standards into compliance.

**104 – Local Small Water System** – Serves drinking water to 2-4 connections and does not regularly serve drinking water to more than an average of 25 individuals daily for more than 60 days out of the year.

**105- State Small Water System** - Serves drinking water to 5-14 connections and does not regularly serve drinking water to more than an average of 25 individuals daily for more than 60 days out of the year.

**Public Water System** – (California Health and Safety Code (CH&SC), Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), Article 1, Section 116275(h)) -a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year.

Public Water Systems include the following water system sub-classifications:

**112 – Community Water System** – Serves drinking water to at least 15 connections used by yearlong residents or regularly serves at least 25 yearlong residents.

**1030 – Transient Noncommunity** – Serves drinking water to at least 25 individuals daily at least 60 days out of the year, but does not meet the requirements of a community or nontransient noncommunity water system.

**1130 – Nontransient Noncommunity** – Serves drinking water to at least the same 25 persons over 6 months per

### Existing Connection on a Permitted Public Water System

When the project is served by a water system that the project applicant does not solely own and the project will increase water demand:

- Evidence that the water system has adequate capacity to serve the proposed use, which may include a letter from water system acknowledging that the system has adequate capacity to serve the proposed use.

When the water system is not in compliance with water quality standards, the following information must be submitted to the EHB for review and acceptance prior to considering the Planning Permit (PLN) application to be complete:

- Point of Use (POU)/ Point of Entry (POE) Management Program proposal
  - Mutual Water Companies shall provide evidence that at least 50% of the parcels served by the water system are supportive of pursuing a POU/POE program
- POU/POE Pilot Study Proposal
- Evidence indicating that the Pilot Study has commenced

Once all above requirements are completed and approved, the EHB will be able to consider the water requirements for a Use Permit application (PLN) to be complete. Please note the water system must be permitted and in compliance, with any required treatment system in place and demonstrated to produce potable water, prior to EHB approval of a subsequent Cannabis Business Permit (CNB).

## **Unpermitted Public Water Systems that Serves Existing Development**

The following information must be submitted to the EHB for review and acceptance prior to considering the Planning Permit (PLN) application to be complete:

- Water Quality analysis:
  - Coliform Bacteria Analysis
  - Inorganic Chemical Analysis: Aluminum, antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate (NO<sub>3</sub>), nitrite, (NO<sub>2</sub>), perchlorate, selenium, and thallium. Asbestos and cyanide may be waived if determined to not be vulnerable.
  - Secondary Standards: Total dissolved solids, specific conductance, chloride, sulfate, calcium, magnesium, potassium, sodium, iron, manganese, carbonate, bicarbonate, hydroxide alkalinity, total hardness, MBAS, copper, zinc, silver, color, odor, turbidity, pH. MTBE and thiobencarb are also required, but may be waived if determined to not be vulnerable.
  - Volatile Organic Chemical Analysis (community and nontransient-noncommunity systems only)
  - Synthetic Organic Chemical Analysis: Atrazine, Alachlor, Bentazon, Carbofuran, Diquat, Simazine, 2,4-D, and 1,2,3-Trichloropropane. (community and nontransient-noncommunity systems only).
  - Gross Alpha (community and nontransient-noncommunity systems only). Uranium and radium testing may also be required depending on gross alpha results.
  - Radium 228 (community systems only)
- Documentation of Source Capacity, when determined necessary
- Water System Application with applicable fees
  - Includes preliminary Technical, Managerial, and Financial Capacity Assessment, which includes:
    - Consolidation feasibility assessment
    - Service area of system (parcels served and type of use/number of buildings)
    - Users description: Number of proposed employees, residents, visitors (including any seasonal variations)
    - Proof of Water Rights
    - Preliminary Source Water Assessment
- Signed, notarized declaration from property owner and cannabis operator indicating:
  - When water quality standards cannot be met without treatment:
    - Bottled water will be provided to all residents, employees and visitors
    - Signs will be posted at all publicly available taps to notify of potential health risks posed by drinking the water
  - Monthly bacteriological monitoring in compliance with Total Coliform Rule in Title 22, California Code of Regulations and ongoing until water system permit issuance
  - Reimbursement to the EHB for costs associated with staff time to review ongoing monitoring and for enforcement as necessary
- When water quality standards cannot be met without treatment:
  - POU/POE Management Program proposal
  - POU/POE Pilot Study Proposal
  - Evidence indicating that the Pilot Study has commenced
  - Evidence indicating that the water system has submitted a Preliminary Technical Report in conformance with SB 1263 requirements to the State Water Resources Control Board

Once all above requirements are completed and approved, the EHB will be able to consider the water requirements for a Use Permit application (PLN) to be complete. Please note the water system must be permitted and in compliance, with any required treatment system in place and demonstrated to produce potable water, prior to EHB approval of a subsequent Cannabis Business Permit (CNB).

## **Unpermitted Local or State Small Water Systems that Serves Existing Development**

- Water Quality analysis, including
  - Coliform Bacteria Analysis
  - Inorganic Chemical Analysis: Aluminum, antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate (NO<sub>3</sub>), nitrite, (NO<sub>2</sub>), perchlorate, selenium, and thallium. Asbestos and cyanide may be waived if determined to not be vulnerable.
  - Secondary Standards: Total dissolved solids, specific conductance, chloride, sulfate, calcium, magnesium, potassium, sodium, iron, manganese, carbonate, bicarbonate, hydroxide alkalinity, total hardness, MBAS, copper, zinc, silver, color, odor, turbidity, pH. MTBE and thiobencarb are also required, but may be waived if determined to not be vulnerable.
  - Volatile Organic Chemical Analysis (if determined to be vulnerable)
  - Synthetic Organic Chemical Analysis: Atrazine, Alachlor, Bentazon, Carbofuran, Diquat, Simazine, 2,4-D, and 1,2,3-Trichloropropane. (if determined to be vulnerable).
- Documentation of Source Capacity, when determined necessary
- Water System Application with applicable fees
- When water quality standards cannot be met without treatment:
  - Currently, a centralized water treatment system for all domestic use is required. (Irrigation water does not need to be treated). Preliminary water treatment system design plan, including proper waste disposal plan prepared by a qualified professional with experience in water treatment system design
  - Bottled water shall be provided to all residents, employees and visitors
  - Signs shall be posted at all available taps to notify of potential health risks posed by drinking the water

Once all above requirements are completed and approved, the EHB will be able to consider the water requirements for a Use Permit application (PLN) to be complete. Please note the water system must be permitted and in compliance, with any required treatment system in place and demonstrated to produce potable water, prior to EHB approval of a subsequent Cannabis Business Permit (CNB).

Please visit [www.mtyhd.org/cannabisoperations](http://www.mtyhd.org/cannabisoperations) for additional information. You may also contact Ms. Cheryl Sandoval, Supervisor of EHB's Drinking Water Protection Services at (831) 755-4552.