



Response to Public Comments on the Use of Hauled Water

In November 2009, the Los Angeles County Board of Supervisors considered the Chief Executive Office's September 17, 2009, report entitled, "*Report on the Feasibility of Using Hauled Water for New Residential Construction in Select Areas of the County.*" The report included a proposed change in the County's current policy on the use of hauled water. The Board directed the County Hauled Water Task Force to conduct community meetings to receive input on the report. The public meetings were held in the communities of Juniper Hills, Lancaster and Acton on June 2nd, 10th and 15th, 2010, respectively to solicit comments on the report. Responses to the comments and questions received during the meetings are categorized below under five headings: *Existing Homeowners Using Hauled Water; Proposed Use of Hauled Water for New Development; State Approved Potable Water Haulers; Miscellaneous; and Process and Timeline for Change in Policy.* Based on the input received from residents at the community outreach meetings in the summer of 2010 as well as further consideration of potential impacts of the use of hauled water, several updates and modifications are now being proposed to the Chief Executive Office's September 17, 2009, report.

Existing Homeowners Using Hauled Water

- 1. Will homeowners who are now utilizing hauled water be affected by the proposed "hauled water policy" under consideration by the County Board of Supervisors?**

No. Based on community input, the proposed policy has been revised to apply only to the use of hauled water for new development.

- 2. When an existing homeowner proposes to remodel, renovate, or expand their existing home, will they be allowed to continue to use hauled water?**

In the case of a remodel or renovation, a homeowner can continue to utilize hauled water unless a municipal water source has become available. The continued use of hauled water is also permissible in the case of room/home additions which cumulatively increase square footage no more than 50 percent of the home's square footage existing on the date when the County issues a Notice of Preparation for an Environmental Impact Report (EIR) or if no EIR is prepared on the date the County either issues the draft Negative Declaration or Notice of Exemption from the California Environmental Quality Act (CEQA). However, a review by the County Departments of Regional Planning, Public Works, Fire and Public Health will be required to identify any necessary zoning approvals and any necessary increases in water storage capacity or other water system upgrades.

- 3. Does an existing homeowner need a "hauled water permit" if hauled water is only used to temporarily or intermittently supplement an onsite well?**

No. Based on input from the communities, the proposal was revised, and no longer applies to existing homeowners utilizing hauled water. The Department does, however, recommend that existing homeowners utilize State certified potable water haulers.



4. **How will the proposed policy affect current homeowners with low-yield wells and/or will the intermittent use of hauled water be allowed to supplement the existing low-yield wells?**

The County recognizes that the use of hauled water is often necessary following an emergency when municipal or private potable water supplies have been interrupted (e.g. fires, earthquakes or other natural disasters) or when private wells go dry or seasonally dry. Under these circumstances, hauled water will be allowed. However, the Department recommends that property owners implement the following measures to mitigate the risks associated with the use of hauled water:

- *The property owner should contract with a State-licensed potable water hauler;*
- *The property should be equipped with a storage tank, plumbing connections and method of disinfection, which have been approved by the Department; and*
- *The property owner is to ensure proper operation and maintenance of the system.*

5. **Will the proposed policy affect the continued use of hauled water for an existing property upon sale of property or transfer of ownership?**

No, as long as the existing tank and water distribution system complies with applicable codes.

6. **What will happen to existing users of hauled water in the event of a fire or other natural disaster?**

Please see response to question #4.

Proposed Use of Hauled Water for New Development

7. **What are the specific requirements that will be imposed upon a property owner who wishes to utilize hauled water for new development?**

The property owner is required to demonstrate that there is no feasible, potential source of municipal or onsite well water available to the property. In order to ensure hauled water is potable in such cases, the Health Officer has specified the following conditions:

- *The property owner must contract with a State-licensed potable water hauler;*
- *The property must be equipped with a storage tank, plumbing connections and method of disinfection, which have been approved by the Department;*
- *The property owner acknowledges receipt of the Department's recommended methods to minimize the risks associated with the use of hauled water, and the possible reduction in the future availability of hauled water due to water shortages or rising costs, and agrees to comply with the Department's requirement for operation and maintenance of the system; and*
- *The property owner must record a Covenant to ensure that any future owners, encumbrances, their successors, heirs or assignees are aware that hauled water is the primary source of potable water for the property.*

8. **The proposed policy indicates that hauled water will only be permitted if "no on-site potable water is available". Could hauled water be used to supplement a low yield well in support of new development? How will this determination be made?**



First, the property owner must provide evidence that the subject property does not lie within the service boundaries of a municipal water district and/or a public/community water purveyor, as of the date when the County issues a Notice of Preparation for an EIR or if no EIR is prepared on the date the County either issues the draft Negative Declaration or Notice of Exemption from the CEQA. The applicant must also demonstrate that a good faith effort has been made to determine that insufficient ground water / well water is available, which may include: a report from a hydrologist, hydro geologist or other State-registered earth science professional indicating the subject property does not have ground water available; OR submit other evidence to the Health Officer for approval confirming that water is not available on the subject property.

When it is determined that insufficient onsite water is available; OR the well yield does not provide a minimum of 3 gallons per minute or 2 gallons per minute with the construction of a 1500 gallon storage tank; AND when the property lies outside of the boundaries of a municipal water district and/or public/community water purveyor, the property owner may be approved to use hauled water to supplement the low yield well for the purpose of obtaining a building permit. If the well meets the yield threshold, property owners will be required to use well water as the sole source of potable water.

- 9. Can you explain what constitutes the "Fire Hazard Area" and will the pending State legislation that requires sprinklers for all new construction affect the use of hauled water?**

The prohibition on the use of hauled water for new development in the most problematic high fire severity zones where sprinklers are required, based on that criterion alone, has been removed from the revised Report. Accordingly, the new State legislation that requires sprinklers for all new construction, regardless of whether the new construction is located in a high fire severity zone, has no bearing on the potential use of hauled water in the revised Report.

- 10. What constitutes an "approved tank"? Is the storage tank and disinfection device required to be National Sanitation Foundation (NSF) approved or simply meet NSF or equivalent standard?**

For new development, the use of hauled water would require the use of a water storage tank that meets the requirements of the Los Angeles County Health and Safety Code, section 11.38.370. (see addendum). The water volume requirements of Public Health and Fire must also be met in order for the water storage tank to be approved. Disinfection devices will be required to meet NSF and American National Standards Institute (ANSI) standards (see question 12 for more details on disinfection equipment requirements).

- 11. Would you accept an NSF approved coating on the inside of tanks?**

Hauled water storage tanks will not be required to have an NSF approved interior coating, but the Department of Public Health will accept tanks with such coatings if the tanks meet the requirements of the Los Angeles County Health and Safety Code, section 11.38.370 (see addendum for question 10).



12. What disinfection methods will be approved for use with hauled water?

There are various technologies available for disinfection of hauled water that is stored in a residential water storage tank. The Department is willing to evaluate and consider most proposed disinfection methods. Departmental approval will be based on compliance with the established NSF/ANSI standards and the requirement that the water produced by the disinfection system meets the biological requirements of the California Code of Regulations, Title 22, which requires drinking water to be free of total coliform bacteria. (see addendum). Examples of water disinfection technologies are: ultra-violet disinfection, chlorination, the use of bromine, reverse osmosis, or a combination thereof.

13. What would be required in the "Covenant" to be recorded on a property using hauled water?

The covenant would include the following terms: Owner acknowledges that proper operation and maintenance of the disinfection system is essential to ensuring the potability of the stored water; owner relinquishes any right to future subdivision of the property as long as hauled water is the only source of water to the property; owner agrees to obtain hauled water from a licensed potable water hauler; owner acknowledges that hauled water may not be available in the future; owner agrees to connect to a municipal water system if or when a connection to that system becomes available, as long as making the connection is reasonable under the circumstances and can be accomplished without undue expense; and owner assumes all risks arising from or connected with the use of hauled water on the property and shall hold the County harmless for any claims for damages arising from or connected with the use of hauled water at this property.

14. Will the process of recording a covenant for the use of hauled water require an extended period of time? Past experience of homeowners in obtaining a shared well approval required two years.

No. The hauled water covenant will consist of standard terms, generally prepared in advance. The covenant will be recorded with the Registrar-Recorder/County by the property owner upon acceptance.

15. What are the estimated costs to property owners, if they wish to utilize hauled water for new development on existing lots? (Include lab sampling costs).

It is estimated that a homeowner wishing to utilize hauled water for new development may incur initial start up costs between \$8,000 and \$30,000, depending on the extent of geological assessment or if drilling is required. These costs could be considerably higher. Annual maintenance costs are estimated at \$300 to \$500. This estimate does not include the ongoing cost of purchasing hauled water.

16. How many test holes must be drilled on a property to demonstrate there is no source of onsite water available? Would the Department be willing to put a cap on the total cost incurred by the homeowner?



The Department does not require a minimum number of test holes to be drilled on a residential lot for the purpose of determining that sufficient ground water is not available. The applicant must also demonstrate that a good faith effort has been made to determine that sufficient ground water / well water is not available, which may include: a report from a hydrologist, hydro geologist or other State-registered earth science professional indicating the subject property does not have ground water available; OR submit other evidence to the health officer for approval confirming that sufficient water is not available on the subject property.

17. Will fines be imposed on property owners who do not “file routine water quality sampling results” with the health department?

No. Based upon input from the community a property owner utilizing hauled water for new development will only be required to submit an initial water test upon installation of the disinfection system and water tank.

18. If a property falls within the service area of a public or private community water system, is the use of hauled water precluded?

Yes. All properties located within the service area/boundaries of a municipal water district and/or a public/community water purveyor, as of the date when the County issues a Notice of Preparation for an EIR or if no EIR is prepared on the date the County either issues the draft Negative Declaration or Notice of Exemption from CEQA are required to obtain water directly from them.

19. Does the use of hauled water represent a significant health risk that warrants the County’s imposition of the proposed requirements?

The risks associated with the use of hauled water could be significant and, include the potential that the source water might be contaminated, or that the water may become contaminated during pickup, transportation, delivery or onsite storage. These risks are discussed in detail in the “Report on Feasibility of Using Hauled Water for New Residential Construction in Select Areas of the County” dated September 17, 2009.

20. Isn’t a \$500 annual permit for using hauled water excessive?

Based on input from the community meetings, the proposed annual permit for users of hauled water has been deleted.

21. Does the County have a minimum required size for water storage tanks on property where hauled water is used?

Currently, Fire Department has a requirement of 2,500 gallons for a 2,000 square foot house. The tank size will increase as the size of the house increases.

In the County’s proposal for new development, the minimum water storage tank capacity for a 2,000 square foot house would be 7,500 gallons (5,000 gallons required by Public Health and 2,500 gallons required by Fire). As the square footage of the house increases, the tank size will also increase. Public Works/Public Health will be willing to discuss it’s requirement with the Technical Advisory Committee.



The only requirement that the Fire Department oversees related to the use of hauled water is when residential fire sprinklers are chosen as an alternate means of fire protection. When using hauled water to supply residential fire sprinklers an additional 500 gallons shall be added to the stored water requirements.

- 22. Why would it be necessary to disinfect all the hauled water that is delivered in lieu of only the water that is to be consumed? Why would we have to disinfect the water used for outdoor use?**

Only water entering the house requires disinfection. Water for irrigation does not need to be disinfected.

- 23. Why are the estimated fees for hauled water utilization and approval so high? Are these fee schedules going to be modified?**

Currently the County has not established a schedule of fees associated with the use of hauled water. Any such fees would be submitted to the Board of Supervisors for consideration and approval prior to becoming effective.

- 24. Why would an adjacent property to mine be evaluated to establish the absence of water on my property?**

Property owners are not required to utilize information from adjacent properties, although the Department is willing to consider such information when provided by an applicant.

- 25. What if a municipal water company were located 2 miles from my home? Would I be required to connect even if the costs were prohibitive?**

If the property is located outside the service boundaries of a municipal water district and/or public/water purveyor, the property owner is not required to connect to the water system. However, if the property is located within the service boundaries of an existing municipal water district and/or public/water purveyor, as of the date when the County issues a Notice of Preparation for an EIR or if no EIR is prepared on the date the County either issues the draft Negative Declaration or Notice of Exemption from CEQA the property owner will not be eligible to use hauled water as a source of potable water for new development.

- 26. Why couldn't hauled water be used for new subdivisions if we are willing to accept hauled water for existing subdivisions?**

The proposal is for new development of a single-family residence on an existing legal lot. The purpose for allowing the use of hauled water would be to make it possible for a property owner to build and live in a home on their property; subdivisions are a commercial venture not appropriately supported through allowing the use of hauled water.

- 27. Why does the County insist upon a disinfection method? (Some members of the communities do not want to add chemicals to the water).**

Dysentery, cholera and pathogenic coliform, for example, have contributed to high mortality rates for users of non-disinfected water. Human longevity has greatly increased



through the use of disinfection for drinking water. Please note that the use of ultraviolet treatment and other non-chemical disinfection methods may provide adequate protection without introducing chemicals to the drinking water.

- 28. If a covenant were recorded against the property for the use of hauled water, and the property owner subsequently drilled a well and found water, what happens to the covenant?**

If the covenant is no longer necessary due to development of an onsite well, it can be expunged from the record.

- 29. Are developers precluded from using hauled water for dust-control during construction activity?**

No. Hauled water for dust control is allowable.

State-Approved Potable Water Haulers

- 30. What constitutes a State Approved Potable Water Hauler?**

The California Health and Safety Code Section 111120 (see addendum) requires that a water hauler obtain a license issued by the California Department of Public Health – Food and Drug Branch (CDPH) to haul water in bulk for drinking, culinary or other purposes involving the likelihood of being ingested by humans. A State Approved Water Hauler is subject to strict requirements including: water may only be obtained from a licensed private source; must comply with all equipment standards; must comply with all truck labeling requirements; water must be sampled and analyzed for organic and/or inorganic chemicals by a laboratory certified by CDPH, EPA or other lab acceptable to the Department; the sampled test results must be provided to CDPH at least once every thirty days during months when water is being hauled; and a log must be kept on the hauler's vehicle indicating dates of cleaning, water sources used, delivery points, copies of licenses and water sample test results.

- 31. How can I find a State Approved Potable Water Hauler?**

Contact the CDPH - Food and Drug Branch - Food Safety Inspection Unit for the Southern Region for a complete listing of the licensed water haulers in your area:

*605 West Santa Ana Blvd.
Building 28, Room 324
Santa Ana, CA 92701
Phone: (714) 558-4595; Fax: (916) 440-5817
Email: Jane.Reick@cdph.ca.gov*

- 32. The County has referred to non-compliance amongst water haulers based on a study in San Bernardino. Why doesn't the County consider the current rate of compliance amongst water haulers within Los Angeles County?**

The study in San Bernardino was conducted by the California Department of Public Health - Food and Drug Branch as they regulate both the water source and water haulers



in the State including Los Angeles County. This is the only study currently available on compliance rates amongst the potable water haulers in California.

33. Is there a State or local agency that currently regulates water haulers?

The California Department of Public Health Food and Drug Branch pursuant to California Health and Safety Code 111120 (see addendum for question 30) provides a license for approved water haulers to haul water in bulk that is to be used for drinking, culinary, or other purposes involving a likelihood of the water being ingested by humans.

34. Will the County be liable for problematic hauled water?

As proposed, the hauled water policy includes a requirement that any user of hauled water accept all potential liability associated with the use of hauled water, and indemnify the County in the event that the County is sued due to allowing hauled water to be used by the property owner. These liability and indemnification requirements will be included in the required Covenant.

35. Why isn't the prohibition against hauled water focused on illegal haulers instead of on the water itself?

Current State regulations do not allow non-conforming haulers.

Miscellaneous

36. What led to the County's change in policy during the period 2001-2003 regarding the use of hauled water?

Effective January 1, 2003 the Los Angeles County Department of Public Health, developed "Water Availability Requirements" for residential and commercial development. This document effectively precluded the use of hauled water for new development and was in response to an advisory from the CDPH to all local building and planning agencies indicating that the State does not "... support the use of hauled water as a source of domestic water for new residential development".

37. Will the County consider ways to minimize costs to homeowners while at the same time ensure that development associated with the use of hauled water is ecologically friendly?

The County is considering how to minimize the risk associated with the use of hauled water without unnecessary cost to the homeowner. Any decision by the Board of Supervisors to approve the use of hauled water for new development would require a thorough review of the potential ecological / environmental impacts.

38. Would the current proposal allow a builder to install one large water tank for the purpose of hauled water serving a group of homes on adjoining legal lots?

No. The proposal is for single legal lots and does not allow for the sharing of tanks amongst neighboring parcels.

39. What does the Department mean by the term "sustainable water supply"?



When the Department uses this term "sustainable water supply", it is referring to an "adequate supply of potable running water" as referenced in the Los Angeles County Code – Title 28, Section 601.1 (see addendum).

- 40. Does a proposed subdivision establishing parcels of 5 acres or greater require water or wastewater approval from the Department of Public Health?**

No. Water and wastewater approval from the County is not required for the establishment of subdivisions involving lots which are 5 acres or greater in size. However, upon completion of the sub-division, a property owner would be required to obtain water availability approval from the Department of Public Health before issuance of a building permit.

- 41. If hauled water can be a safe alternative in certain situations, why can't its use be approved whenever it is requested by the property owner?**

The Task Force has indicated there is a risk in utilizing hauled water, including quality and sustainability of source water as well as a potential for contamination during pickup, transportation and delivery and onsite storage. However in the proposal, property owners who wish to utilize hauled water for new development are subject to specified conditions to minimize the risk including: contract with State-licensed-water hauler; utilize approved storage and disinfection system; and record a covenant to ensure that current/future owners are aware of requirements for continued safe use.

- 42. Will the County be developing engineering geological requirements?**

No. The local availability of groundwater can vary significantly from site to site. Therefore, the determination of the availability of groundwater requires a site-specific investigation. The County would accept an independent assessment by a licensed professional.

- 43. Will the County accept sonar testing (or the use of a "sounder") as an adequate demonstration of the absence of water on a property?**

The County will evaluate all methods utilized by a licensed professional in the determination of water availability.

- 44. Is the County willing to reduce its minimum production yield requirement of 3 gallons per minute? Can the required yield be related to "number of fixtures"?**

The Department will confer with its Technical Advisory Committee on these questions.

- 45. Is it possible that banks may be reluctant to finance improvements on a lot where hauled water is to be utilized? Would the use of hauled water also affect insurability of a property?**

It is uncertain how banks would react to the financing of improvements at locations where hauled water is utilized; however, homeowners who have water approval could build if they provide their own funds.



It is unknown how the use of hauled water would affect the insurability of a property; however, in addition to the hauled water policy, additional water storage for fire suppression would be required.

- 46. Will the County Assessor's Office reduce the assessed value of a parcel of land that has neither a source of onsite water nor the option of utilizing hauled water?**

For single-family residences, the Assessor typically uses the purchase price to establish the base year for property tax purposes. Thus, if the use of hauled water affects a property's fair market value, it will likely affect its purchase price. This will then have an impact on the Assessor's assessed value for the property.

- 47. Has the County received any reports of illnesses that have been confirmed as being associated with hauled water?**

There have been no reports of illness specifically associated with the use of hauled water.

- 48. Why can't we just elect to use hauled water without proving anything?**

In order to obtain a building permit for construction County Code requires the property owner to demonstrate an approved source of potable water which currently is either through a municipal source or onsite well water.

- 49. Do you approve the findings of a "witcher"?**

No. Although it is possible for someone to have a common knowledge approach in finding water, all water decisions must be based on technically documented data.

- 50. Why does the County feel the need to be national "leaders"?**

The County is not looking to be a "national leader" in the area of hauled water. The County is addressing this issue in a manner that protects public health and safety.

- 51. When ground water is found to contain unacceptable levels of arsenic, could hauled water be used to replace the contaminated well water?**

There are technologies for mitigation of arsenic along with other strategies which must first be considered.

- 52. What is the definition of a "legal lot"?**

A "legal lot" is a lot that, at the time of its creation, was legally created under the California Subdivision Map Act, Section 66410, et seq. of the California Government Code.

- 53. What is the definition of a "subdivision"?**

A "subdivision" is the division of land into two or more legal lots in accordance with the California Subdivision Map Act, Section 66410, et seq. of the California Government Code.



Process and Timeline for Proposed Change in Policy

54. Following the community meetings, what are the next steps?

Upon conclusion of all community meetings, the comments received will be considered and a "Response to Comments" will be prepared and distributed to the communities. In addition, based on the comments and further analysis by County staff, the proposal will be revised and submitted to the Board of Supervisors for consideration.

55. When will the revised recommendations for the use of hauled water be resubmitted to the Board of Supervisors for further consideration?

The Hauled Water Task Force considered all comments received from the public following the last community meeting on June 15, 2010, and prepared this "Response to Comments". The Task Force is presently preparing a report to the Board of Supervisors with revised recommendations. It is expected that this report will be submitted to the Board of Supervisors in the first or second quarter of 2012.

56. Will the proposed recommendations require adoption of a new ordinance or amendment of an existing County code?

The proposed recommendations will likely be achieved through adoption of an ordinance, and would likely be incorporated into one of the County Code's Health and Safety Titles. It would not likely be incorporated into either Title 21 or 22 dealing with zoning and land use.

57. Is there an e-mail address where questions and comments on the proposed hauled water report may be directed?

Yes, direct your e-mail to the attention of Richard Lavin, Chief of the Drinking Water Program, at: waterquality@ph.lacounty.gov

58. If the proposed hauled water recommendations are accepted by the Board of Supervisors, when would they likely to take effect?

If the Board of Supervisors accepts the recommendations and elects to move forward with the use of hauled water, an EIR may be required under CEQA. The EIR process usually takes 18 to 24 months to complete. Upon completion of the EIR, an ordinance would likely be required. A drafted ordinance would also require submission and adoption by the Board of Supervisors. Upon adoption of the ordinance, the hauled water policy could be implemented.

59. Before the proposed recommendations are resubmitted to the Board of Supervisors, will the communities be provided with answers to the questions raised, as well as the revised "Report on the Feasibility...." and any recommended changes based on input from community meetings?

The Task Force will combine all of the questions/comments received as well as responses to those comments, in this written "Response to Comments" document. The revised report will be made available/distributed to the communities at the same time it is sent to the Board of Supervisors for its consideration.



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60. **Will an Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) be required in order to adopt the proposed policy on the use of hauled water for new development on existing legal lots?**

Since the revision of the proposed policy has only just concluded, at this time neither an assessment of CEQA exemption nor an Initial Study as required under CEQA to determine whether there may be any significant adverse environmental impacts from the adoption of the proposed policy have been conducted.

61. **Does the County have the authority to enforce regulations for hauled water or even well water since the Plumbing Code only requires potable water on the property?**

Yes, under the California Constitution, the County has the police power authority to adopt health and safety ordinances and regulations, and also to enforce such ordinance and regulations. This authority would include the power to adopt an ordinance and/or regulations regarding the use of hauled water in the unincorporated areas of the County.

LA County Code, Title 28, Plumbing, Section 100 adopts the California Plumbing Code each time it is updated. Section 218.0 of this code defines potable water as: "water which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Health Authority having jurisdiction". Currently the Health Officer recognizes municipal or public water and onsite well water as approved water sources.

LA County Code, Title 11, Health and Safety, Section 11.38.165 indicates: "When the well yield test has been completed to the satisfaction of the Director and documentation of laboratory analysis showing that the water quality meets the primary bacteriological and chemical requirements of the Safe Drinking Standards, is provided to the Department, a water availability approval shall be issued by the Director for the purpose of obtaining a building permit"; Section 11.38.270 indicates "No well water from a new or reconstructed well shall be used for domestic purposes until the water meets such bacteriological and chemical requirements".



Response to Public Comments on the Use of Hauled Water ADDENDUM

The following code sections are mentioned in this document and referenced by the corresponding numbered question. Each code section is followed by a summary statement that is provided in **bold font** to explain the essential requirement of the code section as it relates to hauled water.

10. Los Angeles County Health and Safety Code

11.38.370 Domestic water--Reservoirs and tanks--Protection from contamination.

A. Durable protection and substantial covers shall be provided and maintained for each reservoir, tank, cistern, standpipe or other structure used for distribution or storage of domestic water. Covers shall be watertight, and shall be constructed so as to provide drainage away from the structure. All openings for ventilation shall be screened with corrosion-resistant screen not coarser than one-fourth-inch mesh to exclude rodents and birds, or with 16-mesh screen when such screen is necessary to control mosquito or insect breeding in such reservoir. All manholes shall be constructed with curbs raised above the surrounding surface, and installed in a manner to prevent roof or surface drainage from entering the structure. When it is determined by the director that it is impractical, due to size, shape or other unusual conditions, to provide and maintain a cover as provided for in this section, adequate treatment and protection of the water shall be provided as required and approved by the director.

B. Any reservoir, standpipe, cistern, forebay, tank, weir box, receptacle, or any other form of installation used for the production, distribution or storage of any domestic water supply or water used for human consumption, shall be securely protected against pollution or contamination. (Ord. 9375 § 1 (part), 1967; Ord. 7583 Part 3 Ch. 5 § 514, 1959.)

Summary: This code section explains the structural requirements for the water storage tanks at the residence to protect the stored water from contamination.

12. California Code of Regulations, Title 22, Division 4 (Environmental Health), Chapter 14 (Water Permits), Article 3 (State Small Water Systems), Section 64212 (Bacteriological Quality Monitoring):

§64212. Bacteriological Quality Monitoring.

(a) Each water supplier operating a state small water system shall collect a minimum of one routine sample from the distribution system at least once every three months. The sample shall be analyzed for the presence of total coliform bacteria by a laboratory certified by the Department for bacteriological analyses pursuant to Section 4025¹ of the



Health and Safety Code. The results of the analyses shall be reported to the local health officer no later than the 10th day of the month following receipt of the results by the state small water system.

(b) If any routine sample is total coliform-positive, the water supplier shall collect a repeat sample from the same location within 48 hours of being notified of the positive result. If the repeat sample is also total coliform-positive, the sample shall also be analyzed for the presence of fecal coliforms or *Escherichia coli* (E. Coli). The water supplier shall notify the local health officer within 48 hours from the time the results are received and shall take corrective actions as directed by the local health officer to eliminate the cause of the positive samples.

(1) Section 4025 has been recodified to 116390 as follows:

(a) No laboratory, other than a laboratory operated by the department, shall perform tests required pursuant to this chapter for any public water system without first obtaining a certificate issued by the department pursuant to Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101.

(b) No person or public entity of the state shall contract with a laboratory for environmental analyses for which the state department requires certification pursuant to this section, unless the laboratory holds a valid certificate.

Summary: This code section is cited as one example (of which there are many in the California Health and Safety Code) that requires the absence of total coliform bacteria in drinking water. Section 116390 requires that the total coliform analysis of the drinking water sample be performed by a state certified laboratory. The disinfection system at the water storage tank or at the point of entry into the hauled water residence will be required to provide water that is free of total coliform bacteria. Private wells have the same total coliform free requirement.

30. California Health and Safety Code

§111120. Requirement for Obtaining a Water Hauler License.

(c) It shall be unlawful for any person to bottle, collect, treat, hold, distribute, haul, vend, or sell bottled water, vended water, operate a retail water facility, or operate a private water source without the license as required by this article. Any bottled water or vended water dispensed by a retail water facility or a private water source that is not licensed in compliance with this article is misbranded and may be embargoed pursuant to subdivision (e) of Section 111120.

Summary: This code section states the requirement that a water hauler be licensed by the State of California. The procedure to obtain a water hauler license from the California Food and Drug Branch can be found at:

<http://www.cdph.ca.gov/pubsforms/Documents/fdbBVWgde07.pdf>



39. Los Angeles County Health and Safety Code

Title 28, Plumbing Code, Chapter 6, 601.1, Water Supply and Distribution

Except where not deemed necessary for safety or sanitation by the Authority Having Jurisdiction, each plumbing fixture shall be provided with an adequate supply of potable running water piped thereto in an approved manner, so arranged as to flush and keep it in a clean and sanitary condition without danger of backflow or cross-connection. Water closets and urinals shall be flushed by means of an approved flush tank or flushometer valve.

Summary: A sustainable water supply is one that is also adequate enough to supply potable water to plumbing fixtures in a manner that keeps them clean and sanitary.