

NEW WATER SYSTEM APPROVAL FACT SHEET

Considerations for Elected Officials

APPROVAL OF A WATER SYSTEM HAS BROAD IMPLICATIONS

● Long-Term Housing Affordability

Lower up-front costs for a small water system may seem attractive, but long-term maintenance and operation costs can impact housing affordability through possible future assessments. Addressing the stability of a water system in advance can help ensure long-term housing affordability for your constituents and shift long-term cost burdens from residents to developers.

● Upholding Public Trust

Inherent in approving a new water system are: 1) an accountability to your constituents, 2) the responsibility of ensuring you uphold the public trust by providing an adequate, safe, and affordable water supply, and 3) protection of local jurisdictions from the legal liability of developing an unsustainable water system.

● Access to Clean and Affordable Drinking Water

Small water systems often face similar challenges, such as: water quality, regulatory compliance, rising water costs, operations and maintenance needs, and an over-reliance on a single source of groundwater or surface water supply.

● Public Health and Safety in Emergencies

Small water systems face extensive difficulties in rebuilding after a natural disaster. Water systems that are adequately resourced can better respond and coordinate in emergencies, such as: fire, drought, earthquakes, and other natural disasters.

● Potential for Litigation

Approval authority of a new water system ultimately rests with the State Water Resources Control Board (State Water Board). If your jurisdiction approves a system that is later denied by the State Water Board, there could be legal challenges over entitlements to the developer.

EXISTING LAW

REQUIREMENTS FOR NEW WATER SYSTEMS

APPLICATION

When applying for approval with the State Water Board, a new system must submit an application at least six months before initiating any water-related development; the application must include a technical report that provides analyses of:

- Existing public water systems within three miles of the proposed new system, and the ability to connect to or utilize the resources from those public water systems; and,
- All water supplies for the proposed new public water system, and the ability to meet 20-year water demands under a variety of hydrologic conditions.

LOCAL PRIMACY AGENCIES

For counties with a Local Primacy Agency (LPA), previously these decisions were made with no outside input, but that is no longer the case due to recent regulatory changes.

QUESTIONS TO CONSIDER



Housing Affordability

Will this water system be affordable for the residents of this area long-term? Will it impact overall housing affordability and, if so, how?



Sustainability

Historically, systems with less than 500 connections have had more water quality violations, in part, due to lack of economies of scale. Will this system sustainably provide safe and affordable water without external resources in 30 years?



Future Development Potential

Could this system support additional development through future expansion? Or would residents be better served by connecting to an existing water system?



Contamination

Does the region have challenges with contaminants in the water, and will this system adequately address those challenges?



Long-Term Water Financial Stability

Should your local government require this system to establish and maintain a reserve account to ensure it can pay for reliable water infrastructure?

INFORMATION AND RESOURCES

Depending on your local conditions, there are a number of credible resources to consult:

Regional Resources

- 💧 [State Water Board, Division of Drinking Water Contacts by County](#)
- 💧 The technical report that the new system must submit to the State Water Board
- 💧 Your existing local public water agencies
- 💧 [Your local health officials](#)
- 💧 Your local Urban Water Management Plan or Agricultural Management Water Plan
- 💧 Consult with your [local Integrated Regional Water Management organization](#)
- 💧 If your region is in a priority overdraft basin, consult with your local [Groundwater Sustainability Agency](#)

Local Government Planner Tools

- 💧 [What is a Public Water System?](#)
- 💧 [Number of Public Water Systems by County](#)
- 💧 [System Area Boundary Layer Look-up Tool \(boundaries of existing water systems\)](#)
- 💧 [GeoTracker Website \(information about potential sources of contamination due to remediation sites\)](#)
- 💧 [Aquifer Risk Map for Domestic Wells and State Small Systems](#)

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