

NEW WELL / REPLACEMENT WELL PERMIT POLICY

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

December 12, 2022

Policy Purpose

On March 28, 2022, Governor Gavin Newsom issued Executive Order N-7-22 (Executive Order) in response to ongoing drought conditions through the State. The Executive Order requires groundwater sustainability agencies (GSAs) in medium- and high-priority basins to evaluate and determine the impacts of new and replacement wells to the basin's sustainability goals prior to county approval of well permits.

Who Does this Policy Apply to?

The Executive Order applies to production wells. The Executive Order **does not** apply to:

- Permits for wells that will provide less than two acre-feet of groundwater per year for individual domestic users.
- Permits for wells that will exclusively provide groundwater to public water systems or state small water systems, as defined by Health and Safety Code section 116275.
- Permits for wells in adjudicated basins identified in Water Code section 10720.8.
- Maintenance of a groundwater well.
- Alterations, replacement, or maintenance to a well pump.

Policy for Replacement Wells & Modifications to Existing Wells

A well owner that wishes to replace or make modifications to an existing well must satisfy the following:

- The replacement well must not exceed the maximum historical capacity of the existing well.
- The replacement well must be located within a half mile of the existing well.
- The existing well must be properly abandoned following county procedures.

Process

1. The applicant will submit a **Replacement Well Form** (Form) and a \$1,200 deposit (Deposit) to CBGSA by mail at 500 Capitol Mall, Suite 2350, Sacramento, CA, 95814.
 - The purpose of the Deposit is to cover the direct costs incurred by CBGSA in connection to CBGSA's review of the submitted Form. The Deposit will not exceed \$1,200. Any unused funds will be reimbursed to the applicant.
2. CBGSA staff will review the submitted Form to determine if the requirements, set forth above, have been met.
 - a. If the requirements are met, CBGSA staff will sign the Form and return it to the applicant.
 - b. If the requirements are not met, CBGSA staff will communicate the reason(s) to the applicant.
3. If, after reviewing the Form, CBGSA staff determines the replacement well request is actually a *new well request* and the applicant disagrees, the applicant may appeal CBGSA staff's determination to the full Board.

Policy for Construction of New Wells

CBGSA landowners that wish to construct a new well are required to conduct a hydrogeologic analysis that demonstrates: (i) that the proposed well would not be inconsistent with CBGSA’s Groundwater Sustainability Plan (GSP); and (ii) that the proposed well would not decrease the likelihood of achieving a sustainability goal included in CBGSA’s GSP.

Process

1. The applicant will submit: (a) a **New Well Form** (Form); (b) hydrogeologic analysis documentation; and (c) a \$1,200 deposit (Deposit) to CBGSA by mail at 500 Capitol Mall, Suite 2350, Sacramento, CA, 95814.
 - The purpose of the Deposit is to cover the direct costs incurred by CBGSA in connection to CBGSA’s review of the submitted Form. The Deposit will not exceed \$1,200. Any unused funds will be reimbursed to the applicant.
2. GSA staff will review the submitted Form and hydrogeologic analysis to determine if the requirements, set forth above, have been met.
 - a. If the requirements are met, CBGSA staff will include the Form and hydrogeologic analysis on the consent agenda for the next regularly scheduled CBGSA Board meeting for consideration by the Board.
 - b. If the requirements are not met, CBGSA staff will communicate the reason(s) to the applicant.
3. If the Board approves the application, the GSA will sign and return the Form to the applicant.