

Tulare County Environmental Health

Well Construction Application Guide



March 2024

INTRODUCTION

This document is intended to assist Well Contractors in completing the **Application to Construct, Deepen, or Reconstruct a Well**. Due to recent changes this document is being updated to include the Executive Order N-7-22 process implemented by Tulare County, the California Environmental Quality Act (CEQA) process, and the Non-Groundwater Basin process. Please refer to this guide when filling out the application form.

New Procedures Implementing Requirements Under Executive Order N-7-22

On March 28, 2022, Governor Gavin Newsom signed Executive Order N-7-22 (Executive Order) in response to extreme and expanding drought conditions which effective immediately prohibits Tulare County Environmental Health Services (EHS) from issuing a construction permit for a new groundwater well pursuant to Chapter 13 of the Tulare County Code unless certain requirements are met or the permit falls within the limited exception to the requirements. A complete copy of the Executive Order is available here: <https://www.gov.ca.gov/wp-content/uploads/2022/03/March-2022-Drought-EO.pdf>

(See paragraph 9).

Limited Exception

Paragraph 9 of the Executive Order does not apply to permits for wells that will provide less than two (2) acre-feet per year of groundwater for individual domestic users or that will exclusively provide groundwater to public water supply systems as defined in Health and Safety Code Section 116275.

Well Application Process (Option 1) for Agricultural, Dairy and Industrial Wells

1. Well application must start by submission to Tulare County Environmental Health Department (TCEHD)
 - Submissions can be made electronically or hard copy to the department
 - Fees are due at the time of submission

Upon Paid submission to TCEHD

- Application is reviewed by Staff for accuracy, completeness, and regulatory compliance
 - Application is assigned a WWA number (This number must be used on **ALL** forms going forward for tracking of well application)
 - Application is scanned and emailed to GSA for review
2. Executive Order N-7-22 Compliance Form Requirements and process for GSA
 - Tulare County Compliance Form preferred. If using GSA Form, it must be approved by Tulare County, County Counsel prior to submission to TCEHD
 - Any forms in correlation to a well application **MUST** have WWA number, APN, Driller information, and Property Owner information on **ALL** correspondence to TCEHD
 - GSA modification requests to well applications can potentially trigger a CEQA review
 - GSA Compliance Form will be reviewed; if well is deemed consistent with GSP and adheres to all other regulatory requirements well application is processed and well permit issued by TCEHD within the 10-day period allowed by the Tulare County Well Ordinance.

- 10-day review period for TCEHD starts **AFTER** the department receives an approved form completed and signed by the GSA

Well Application Process (Option 2) for Agricultural, Dairy and Industrial Wells

This option is for GSAs that do not use approved forms

Note: The only GSAs without approved forms are Central Kings GSA and El Rico GSA

1. Well applications can only be submitted to Tulare County Environmental Health Department (TCEHD) if the following documents are included:
 - A report signed by ***a California licensed Professional Geologist with a Certified Hydrogeologist specialty certification*** that concludes both that extraction of groundwater from the well (1) "is not likely to interfere with the production and functioning of existing nearby wells" and (2) "is not likely to cause subsidence that would adversely impact or damage nearby infrastructure. (See paragraph 9(b) of the Executive Order).
 - Groundwater Sustainability Agency (GSA) verification required by Paragraph 9(a) of the Executive Order
 - Payment is due at the time of submission of completed package

Upon Paid submission to TCEHD

- Application is reviewed by Staff for accuracy, completeness, and regulatory compliance
- Review of GSA verification that the proposed well is consistent with the GSP
- Report from Hydrogeologist confirms requirements of 9(b) of the Executive Order
- Tulare County Well Ordinance allows for a 10-day review period to approve, deny, or request additional information for the processing of the received well application.

Licensed Professional Geologist Report Required for ALL Non-Exempt Wells

Regardless of the well's location, the water well construction permit application for a non-exempt new or altered groundwater well must be accompanied by a report signed by a California licensed Professional Geologist with a Certified Hydrogeologist specialty certification that concludes both that extraction of groundwater from the well (1) "is not likely to interfere with the production and functioning of existing nearby wells" and (2) "is not likely to cause subsidence that would adversely impact or damage nearby infrastructure. (See paragraph 9(b) of the Executive Order).

Link to assist in locating Certified Hydrogeologist: <https://search.dca.ca.gov/>

Verification from Groundwater Sustainability Agency for Certain Non-Exempt Wells

Additionally, EHS will not issue a water well construction permit for a non-exempt new groundwater well or alteration of an existing groundwater well located within a Groundwater Sustainability Agency without first obtaining from the relevant Groundwater Sustainability Agency the verification required by Paragraph 9(a) of the Executive Order (in addition to the report described above).

Here is a link to assist in determining which Groundwater sustainability Agency the proposed well is located (Find My GSA):

<https://iportal.tularecounty.ca.gov/iportal/apps/webappviewer/index.html?id=e3e4fc3ab9174da1ad751619bae29291>

Well Application Process for Domestic Wells

When the County receives domestic well applications, the applications are forwarded in real time to the GSAs prior to any review process and assignment of a WWA number. The County will continue to process and approve well applications once compliance with well standards is achieved.

GSA Contact Information

GSA	Phone Number
Alpaugh GSA	559-949-8323
Central Kings GSA	559-896-1660
Delano Earlimart Irrigation District GSA	661-725-2526; 661-725-2527
East Kaweah GSA	559-562-2534
Eastern Tule GSA	559-791-8880
El Rico GSA	626-583-3000
Greater Kaweah GSA	559-302-9987; 559-909-8105; 559-731-6965
Kings River East GSA	559-305-1183
Lower Tule Irrigation District GSA	559-686-4716
Mid Kaweah GSA	559-686-3425; 559-909-8105; 559-631-0650
Pixley Irrigation District GSA	559-686-4717
Tri Counties Water Agency GSA	559-762-7240

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The California Supreme Court issued a ruling in the case of *Protecting Our Water and Environmental Resources (P.O.W.E.R.) v. County of Stanislaus*. Historically, the issuance of well permits in California has been treated as a ministerial (or administrative) process and approved if all State and local regulations and ordinances were satisfied. These ministerial decisions were not subject to the California Environmental Quality Act (CEQA).

However, the California Supreme Court stated that some decisions regarding well permit applications required a city or county to use independent judgment. The court specifically noted the use of variances, and the placement of wells in areas of known groundwater contamination required cities and counties to use independent judgment. Therefore, the California Supreme Court said that these types of decisions require CEQA analysis.

Analysis may be required for those well permits to site wells in areas near known groundwater contamination, and for those well permit applications that require variance or alteration of standard design criteria. Regarding variances, the most common variances approved by the County of Tulare are:

1. Requiring a deeper annular seal, due to the inability to meet the setbacks from a potential contaminating source (septic system, animal enclosure, etc.)
2. Approving a shallower annular seal due to a high groundwater table that would be sealed off with the placement of the minimum 50' annular seal required by County ordinance
3. Domestic wells that will serve a state-regulated drinking water system
4. Certain proposed well sites fall within the one-mile buffer zone of a refuse site (landfill, burn dump, etc.) and a deeper seal is required by the County Solid Waste Department.

CEQA Review Process

1. Contractor/Applicant completes the RMA Discretionary Application and Indemnification Agreement. Any non-relevant questions can be responded to with an n/a.

<https://tularecounty.ca.gov/rma/planning-building/planning-and-land-use-applications-and-forms/indemnification-and-cost-recovery-agreement/>

<https://tularecounty.ca.gov/rma/planning-building/planning-and-land-use-applications-and-forms/major-discretionary-projects-application/>

2. Submit a copy of the well application to accompany the above documents.

3. Contractor/Applicant submits applications to RMA counter and pays the filing fee (notify our office when the application is submitted to RMA and provide a copy of the receipt of payment). RMA Staff will assign a CEQA project number for tracking.

4. Project will be referred to the RMA Environmental planning division for processing. Once the environmental document has been posted with the County Clerk, a copy will be provided to the Environmental Health Department.

5. Once Environmental Health receives the copy from RMA, the well permit will be processed and issued.

HOW TO USE THIS GUIDE

This guide will go through each section of the **Application to Construct, Deepen, Reconstruct or Destroy a Well**, and provide instruction on what information is being requested. This is so that submitted applications are as complete as possible in order to avoid delays in processing.

As always, should there be questions, the Tulare County Environmental Health Well Permitting Program can be reached at:

Paul Charpentier: (559)624-7416
Soux Lee: (559)624-7418

Or by Email at:
tularecountyehwells@tularecounty.ca.gov

PAGE 1; SECTION 1: APPLICANT INFORMATION

This section is for information related to the client of the drilling contractor. Provide the:

- Applicant's Name
- Applicant's Telephone Number
- Mailing Address to send the issued permit
- Email Address for contact with applicant

Check the appropriate box if the applicant is the Property Owner or an Authorized Agent of the Property Owner. If the Applicant is not the Property Owner, provide the Name and Telephone Number. Written authorization **must** be attached to the application form in the case of an Authorized Agent of the Property Owner. An Authorized Agent is an employee of a C-57 licensed water well drilling contractor working under the license of the well contractor, the property owner, or any individual duly authorized in writing by the property owner as the agent thereof. When a company name is listed as the Applicant Name, an Authorized Agent letter is also needed.

PAGE 1; SECTION 2: CONTRACTOR INFORMATION

Provide the following:

- Company Name
- Email Address
- Mailing Address to send the issued permit
- C-57 License Number
- Office Telephone Number
- Cellphone Number

Initial the statement certifying that the C-57 Contractor's License identified in this section is current and active, and that Workers' Compensation Insurance is provided if the Drilling Company has employees.

PAGE 1; SECTION 3: CONSULTANT INFORMATION

This section is only required as part of a project where a consultant has been hired. Provide the following:

- Name of the Consulting Firm
- Consultant's Name
- Mailing Address
- Email Address
- Telephone number

PAGE 1; SECTION 4: PARCEL INFORMATION

Provide the following:

- Location of the well site. Either an address, or measured distances from cross streets or property lines.
Examples:
 - If an address exists: 33700 Road 156 – 86' S & 85' E/PLS, Ivanhoe
 - If no address exists: N/Ave 424 & W/Rd 120 – 170' S & 68' W/PLS, Sultana
- Nearest City – Provide closest city where the proposed well is located
- Parcel Size in Acres
- Assessor's Parcel Number (APN) (Example: 021-060-001)
- Township, Range and Section (Example: 16-24-1)
- GPS Data using decimal degrees (Example: 36.249886; -119.155854)
- Indicate whether the well is located in the Valley or Foothills/Mountain region of the County
- Project Start Date – The application must be submitted at least ten (10) working days prior to the proposed starting date
- Groundwater Basin – Select the Groundwater Basin and the Groundwater Sustainability Agency (GSA) that has jurisdiction where the well is located.
 - Each Groundwater Basin in the Valley has GSAs that were established to monitor and protect the sustainability of the groundwater within their jurisdictions. These agencies will be reviewing all well construction and deepening permit applications for their areas, and have the authority to add conditions above and beyond those of Tulare County Environmental Health. Indicate the GSA where the well to be constructed or deepened is located. Please note that the Foothill/Mountain region of the County is not subject to GSA review but will have to follow the Non-Groundwater Basin process
 - Use this link to determine the correction GSA:
<https://iportal.tularecounty.ca.gov/iportal/apps/webappviewer/index.html?id=e3e4fc3ab9174da1ad751619bae29291>

Please note that due to possible review of the permit application by agencies outside Tulare County Environmental Health, the application form must be submitted a minimum of ten (10) days prior to the Project Start Date.

PAGE 2; SECTION 5: TYPE OF WORK

In this section, indicate if the work to be done is:

- New – First or additional well
- Replacement – A destruction application is required to be submitted
- Deepening – Increase Depth of Well
- Reconstruct - Installation of a Casing Liner

Please note the definitions of each work type and select the appropriate one.

PAGE 2; SECTION 6: WELL TYPE

For this section, indicate the type of well to be constructed, deepened or reconstructed. The options are:

- **Domestic** – A well that serves 1-4 homes
- **Dairy Supply** - Exclusively used by a Dairy Farm for the milk production process
- **Test Well** - A well with or without a casing constructed for the purpose of gathering information regarding subterranean conditions preparatory to commencement of a well construction project
- **Community** - A water well used to supply water for domestic purposes in systems subject to Chapter 7, Part 1, Division 5 of the California Health and Safety Code. Included are wells supplying public water systems classified by the Department of Public Health or its successor as Non-Community, Transient Non-Community and State Small water systems (California Waterworks Standards, Title 22, California Administrative Code). Such wells are variously referred to as “Municipal Wells,” “City Wells” or “Public Water Supply Wells.”
- **Industrial** - Exclusively used by a Business for the processes related to producing goods or services
- **Cathodic Protection** - Any artificial excavation in excess of fifty (50) feet deep constructed by any means for the purpose of installing equipment or facilities for the electrical protection of metallic equipment that is in contact with the ground
- **Agricultural** - Exclusively used to supply water for irrigation or other agricultural purposes
- **Soil Boring(s) (Exploratory or Geotechnical borings)** - No permit is required for exploratory borings less than 45 feet unless groundwater is encountered. If groundwater is encountered, work must stop and an application for a permit must be filed
 - Number of Soil Boring(s) - Indicate the number of them in the space provided.
 - Application submittal requirements: Only one application submittal is required if one or more soil borings are all located on the same Assessor’s Parcel Number (APN). Fee charges are based on the number APNs and Township, Range, and Sections (if soil borings is located in a Right of Way) and not the number being drilled.
 - Contractor will have to complete duplicate pages of the well construction information page if information varies.
- **Monitoring Well(s)** - Any artificial excavation made by any method for the purpose of monitoring fluctuations in groundwater levels, quality of underground waters or the concentration of contaminants in underground waters
 - Number of Monitoring Well(s) - Indicate the number of them in the space provided.
 - Application submittal requirements: Only one application submittal is required if one or more monitoring wells are all located on the same Assessor’s Parcel Number (APN). Fee charges are

- based on the number APNs and Township, Range, and Sections (if monitoring well is located in a Right of Way) and not the number of monitoring wells being constructed.
 - Contractor will have to complete duplicate pages of the well construction information page if information varies.
- **Other** – Use the provided space to describe the well if it does not meet the other descriptions.

PAGE 2; SECTION 7: INTENDED USE INFORMATION

This section was added to gather more information about Community and Agricultural wells.

For Community (5+ Connections) wells indicate:

- If the well serves a regulated Water System

If the well **will or does** serve a regulated Water System, provide:

- The name of the Water System as well as the Public Water System ID number
- The name of the Water System’s Contact
- The Water System Contact’s Telephone Number

If the well **will not or does not** serve a regulated Water System, provide:

- The number of people served by the well
- The number of days per year that the well serves water

For Agricultural wells, indicate:

- All the APNs to be irrigated by the well
- The total acreage of the listed APNs

PAGE 2; SECTION 8: WELL CONSTRUCTION INFORMATION

This section is for technical information pertaining to the construction of a new or replacement well. Provide the following:

Drilling Method:

- Rotary
- Reverse Rotary
- Cable Tool
- Air Rotary
- Auger
- Casing Driven
- Other – Use the provided space to describe the drilling method if it does not meet the other descriptions.

Proposed Borehole:

- Diameter in inches

- Depth in feet

Conductor Casing (if applicable – added twice for those wells that require multiple conductors):

- Yes; No
- PVC or Steel
- Diameter in inches
- Depth in feet

Well Casing information:

- PVC
- Steel
- Diameter in inches
- Gauge or Thickness
- Slot Size
- Perforations – Additional fields are available if there are multiple perforation zones.

Annular Seal:

- Depth – Additional fields are available if there are multiple annular seal zones.
- Thickness – Indicate the thickness of the annular seal based on the Well Type

Material:

- Neat Cement
- Concrete
- Sand Slurry – Use the provided field to indicate the Sack Sand Slurry mix
- Bentonite
- Other – Use the provided space to describe the sealing material if it does not meet the other descriptions.

Method:

- Tremie Pipe

PAGE 2; SECTION 9: WELL DEEPENING INFORMATION

This section is for technical information pertaining to the deepening of an existing well. Provide the following:

Drilling Method:

- In space provided indicate the drilling method

Original Well:

- PVC or Steel casing
- Diameter in inches
- Depth in feet
- Depth to water in feet

Deepened Well:

- PVC or Steel casing

- Diameter in inches
- Gauge or Thickness
- Slot Size
- Perforations – Additional fields are available if there are multiple perforation zones.
- Proposed Well Depth in feet

Annular Seal:

- Depth – Additional fields are available if there are multiple annular seal zones.

Seal Material:

- Neat Cement
- Concrete
- Sack Sand Slurry – Use the provided field to indicate the Sack Sand Slurry mix
- Bentonite
- Other – Use the provided space to describe the sealing material if it does not meet the other descriptions.

Method:

- Tremie Pipe

PAGE 2; SECTION 10: WELL RECONSTRUCTION INFORMATION

This section is to be used to describe the work to Reconstruct an existing well. Well Reconstruction does not require a permit fee and does not change the physical aspects of the well, but a Well Completion Report (WCR) is required within 30 days of the completion of work.

PAGE 2; SECTION 11: ENVIRONMENTAL HEALTH SERVICES DIVISION USE ONLY

Environmental Health uses this section to process the application.

PAGE 3; SECTION 12: NON-GROUNDWATER BASIN PARCELS

This section applies to agricultural and industrial wells. The following documentation is required along with application submission:

1. A hydrogeology report conducted and submitted to ensure that the new well will not impact existing infrastructure in the surrounding area.
2. California Environmental Quality Act (CEQA): [Water Wells - Environmental Health \(tularecountyeh.org\)](http://www.tularecountyeh.org)
3. Indemnification Covenant: [Water Wells - Environmental Health \(tularecountyeh.org\)](http://www.tularecountyeh.org)
4. Levine Act: [Water Wells - Environmental Health \(tularecountyeh.org\)](http://www.tularecountyeh.org)

PAGE 3; SECTION 13: CONTRACTOR DISCLAIMERS

The Contractor should read the disclaimers in this section and indicate that they've read and understood them by initialing in the space provided.

PAGE 3; SECTION 14: DRILLING CONTRACTOR CERTIFICATION STATEMENT

The Contractor should read the statement in this section and certify their agreement to the statements with their initials in the space provided.

PAGE 3; SECTION 15: APPLICANT DISCLAIMERS

The Applicant should read the disclaimers in this section and indicate that they've read and understood them by initialing in the space provided.

PAGE 3; SECTION 16: INDEMNIFICATION

The Contactor and Applicant should read the statement in this section and certify their agreement to the statements with their signatures in the Contractor and Applicant sections.

PAGE 3; SECTION 17: CONTRACTOR

The Contractor is to read this section, print name, sign, and date.

PAGE 3; SECTION 18: APPLICANT

The Applicant is to read this section, print name, sign, and date.

PAGE 4; SECTION 19: WELL SETBACKS INFORMATION

This section is self-explanatory. Notes to remember:

- Setbacks from surrounding properties must be taken into consideration when selecting a well site location.
- Setbacks requirements may be increased by Tulare County if dangers of pollution, contamination or other adverse conditions are known to be present.
- If the well site is within one-mile radius of a landfill, there may be additional requirements.
- Should a site visit be needed to verify the proposed well location, mark all well sites with a surveyor's stake labeled "Well Site".

PAGE 5; SECTION 20: SITE MAP INFORMATION

Use the space provided to draw a map of the property which includes the following:

- Nearest cross-streets to the parcel
- Existing and proposed structures on the parcel
- Setbacks as reported in Section 18, with the measurements included
- Property lines and measurements
- Surface water (ponds, lakes, streams and canals)
- All wells and septic systems on the parcel, and any neighboring parcel(s)

A compass arrow pointing North has been added to the map section.

Use the spaces beneath the map section to provide written directions to the well site.

PAGE 6; SECTION 21: SURVEY TO BE COMPLETED BY APPLICANT

Applicant must review and answer the eleven (11) questions.