

State of California Executive Department Executive Order N-7-22

- Effective March 28, 2022
- Due to the duration and severity of the drought
- Necessary to protect public health and safety
- Emergency regulations meant to prevent, hinder or delay the effects of drought conditions.

Stanislaus County Well Permitting and Groundwater Ordinances

- Stanislaus County Ordinance Code Chapter 9.36
- Well construction requirements
 - Focused on water quality protection, specifies minimum setbacks, construction standards. Stanislaus County Groundwater Well Siting and Construction Guidelines approved by the Board of Supervisors on April 5, 2022.

Stanislaus County Groundwater Ordinance Code Chapter 9.37

- Unsustainable Groundwater Extraction is Prohibited to Prevent adverse environmental and economic impacts.
 - Increased groundwater overdraft
 - Land subsidence
 - Uncontrolled movement of inferior water quality through aquifers
 - Lowering of groundwater levels
 - Increased groundwater degradation

Executive Order N-7-22 numbers 9.a and 9.b includes additional requirements for County well permit evaluations

- Domestic Wells that provide less than two acre-feet per year and wells that provide groundwater exclusively to public water supply systems are not subject to the order.

Section 9. “To protect health, safety, and the environment during this drought emergency, a county, a city, or other public agency shall not:

- a. “Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as a medium or high-priority without first obtaining written verification from a Groundwater Sustainability Agency, managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability Agency and would not decrease the _____ likelihood of achieving a sustainability goal for the basin covered by such a plan;” or
- b. “Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

- The Department of Water Resources has provided clarification that all **new, replacement, reconstruction, and repair** well permits are **required to comply** with the provisions of the Order for as long as it is in effect.
- In order to comply with Section 9.a of the executive order, the Stanislaus County Department of Environmental Resources is sending a 30 day review request form to the Groundwater Sustainability Agency to request a written consistency determination pursuant to Section 9.a. **This was previously not required for replacement wells of the same capacity because they were allowed an exemption pursuant to Section 9.37.045 without further review.**
- The County is developing a screening procedure for staff to use to evaluate the well proposals likelihood to cause significant well interference of existing nearby wells and potential subsidence that would adversely impact or damage nearby infrastructure with the intent to facilitate expedited project review while lessening the applicant's burden and cost where possible.

In House Screening Procedure

- The screening procedure uses appropriate nomographs for specific aquifer areas and aquifer zones to identify a necessary minimum setback screening distance between the proposed well project and existing nearby wells.
- Significant subsidence has not been observed in Stanislaus County. It has been determined that only the evaluation of well projects in the lower aquifer in the Corcoran Clay Area will need to be completed to identify wells that would adversely impact or damage critical nearby infrastructure.
- If minimum setback screening distances can not be maintained, the applicant may provide an analysis from a qualified professional with acceptable criteria to determine if the well project would be likely to cause subsidence that would adversely impact or damage nearby infrastructure.
- If the screening procedure indicates that it is likely for the well project to cause likely significant well interference or subsidence of critical infrastructure prior to further review the applicant must submit a supplemental evaluation and application that meets the requirements of the County's Discretionary Well Permitting Program prior to further review.