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WATER WELL PERMITTING 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 San Luis Obispo County Environmental Health Services (“EHS”) from issuing a construction permit for a new (or replacement) groundwater well or for alteration / modification of an existing groundwater well pursuant to Chapter 8.40 of the San Luis Obispo 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).

The following requirements will be in place until the Executive Order is lifted.

Domestic Private and Public Wells
(declaration only)

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.

If a water well construction permit application for a new groundwater well or for alteration of an existing groundwater well identifies the “intended use” in the “well proposal details” as “domestic,” EHS will treat the permit as exempt from the requirements of the Executive Order if and only if the **owner of the well** signs and submits the declaration (“Exhibit A” in Well Permit package).

If a water well construction permit application for a new groundwater well or for alteration of an existing groundwater well identifies the “intended use” in the “well proposal details” as “public / community water system,” EHS will treat the permit as exempt from the requirements of the Executive Order if and only if an authorized representative of the public water system provides the identification number and submits the declaration (“Exhibit B” in Well Permit package).

Irrigation/Ag
Wells Countywide

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).

**Irrigation/Ag Wells
in SGMA Basins**

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 the Salinas Valley-Paso Robles Area Subbasin (Subbasin Number 3-004.06), within the San Luis Obispo Valley Basin (Basin Number 3-009) or within the Cuyama Valley Basin (Basin Number 3-013) as identified by the Department of Water Resources 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**).

Permitting Process while Executive Order is in place:

