



Policy No: NKGSA – 2020-003  
Policy Title: New Well Review Policy  
Board Approval Date: November XX, 2020

## **1.0 Purpose**

There are three purposes for the New Well Review Policy;

1. To provide the NKGSA up to five (5) business days for review and comment on all well permitting activities for wells within the NKGSA boundary. This review allows the GSA to comment on undesirable results (as defined in the GSP) any new well activity may cause;
2. Allows the NKGSA to gather data about new wells being constructed and to register all new wells so the GSA can best reach sustainability (Section 6.3.2 of the NKGSA GSP); and
3. Establishes the framework for potential new requirements for any new well construction approved in the NKGSA boundary in accordance with the NKGSA GSP. The routing, review and comment of new well permit applications will be coordinated with the well permitting agencies for the location where the well construction is occurring.

## **2.0 Background**

The NKGSA covers the northeast portion of the Kings Groundwater Sub-basin in Fresno County. It is one of seven groundwater sustainability agencies within the Kings Sub-basin.

A Joint Powers Agreement (JPA) establishes the NKGSA governance and the North Kings Groundwater Sustainability Plan (NKGSA GSP) provides the roadmap for how the NKGSA will reach long-term sustainability. Combined, the two documents provide the framework and management strategies for achieving and maintaining groundwater sustainability within the NKGSA plan area.

The NKGSA has worked with Fresno County Public Health Department (FCPHD) to revise the County's well permit application. The County well permit application is required to be submitted by applicants prior to any well construction activities including new well construction of any type, deepening and rehabilitating any well of any type, construction of replacement wells of any type and destruction of wells of any type. The revised well application will allow the County to gather additional information needed by the groundwater sustainability agencies within the Fresno County boundary. The additional information required on the well permit application includes: well location information, anticipated depth of the well; and anticipated screened interval of the proposed well. For well destruction permits, the reason for destruction has been added as a required field on the well permit application.

FCPHD maintains a database for tracking well activity within Fresno County and has indicated the well tracking database, will be made available to the GSA for viewing. The database tracks well permit activity using the permit application number allowing tracking of all well application

information, well construction and water quality information and ultimately the destruction of the well. Currently, the NKGSA does not have access to the database and its contents.

### **3.0 Rationale for Policy**

Additional well requirements may be required to more effectively manage and understand the dynamic groundwater conditions within the NKGSA boundary. The Fresno County Public Health Department (FCPHD) permits well construction and the remaining member agencies manage new well construction within their respective city boundaries and do not allow new, private wells, to be constructed. Obtaining a well permit through FCPHD is currently a process not requiring discretionary action or compliance with the California Environmental Quality Act (CEQA). The NKGSA has worked cooperatively with the FCPHD to modify the well permit application without disrupting the current permit process.

Since January 2020, well permit applications have been routed to the NKGSA by FCPHD and the NKGSA has typically been afforded 24-hours to provide comment on potential water quality contamination concerns. Additional time is granted if there are specific requests from the NKGSA. To increase data collection, reporting, ongoing groundwater management efforts, and to provide additional time for the review and comment on new well permit applications, this new well review policy is needed.

The NKGSA GSP Section 6.3.2 specifies the following may be requested by the NKGSA in separate new well policy(ies):

- Registration of extraction facilities within the NKGSA.
- Require the installation of wellhead meters, sounding tubes, and water quality sample ports.
- Require well owners to self-report groundwater extraction volumes, static water levels, and water quality data.

Further, the NKGSA GSP specifies the NKGSA may consider separating the additional well requirements management actions into multiple policies or be silent on various bulleted components until the NKGSA deems them necessary. This New Well Review Policy is addressing the registration of extraction facilities (new wells) within the NKGSA which includes provisions for up to five (5) business days to review all permit applications received from FCPHD and other permitting agencies.

### **4.0 Scope and Applicability**

This Policy specifically applies to:

- a. That portion of the Kings Subbasin located in Fresno County lying and situate within NKGSA boundaries (as depicted in Exhibit A, attached and incorporated herein);
- b. Any and all well permit applications for well construction activities within the NKGSA boundary;

- c. Any and all data collected by NKGSA and/or its consultants and other partners pursuant to the well construction activities within NKGSA; and
- d. All property owners at locations where well construction activities are taking place within the NKGSA boundary.

## **5.0 Authority**

As a Groundwater Sustainability Agency (GSA) properly organized pursuant to the Sustainable Groundwater Management Act of 2014 (Water Code 10720 et. Seq.) (SGMA), NKGSA is authorized to adopt rules, regulations, ordinances, and resolutions for purposes of fulfilling its obligations as a GSA (Water Code 10725.2 (b)), and NKGSA adopts this Policy pursuant to this authority.

## **6.0 Data Collection and Monitoring**

NKGSA has determined that to have the ability to monitor groundwater extractions requires an accurate accounting of all extraction facilities within the NKGSA boundary. The NKGSA has greatly benefited from the current exchange of well information and use of the online Department of Water Resources Well Completion Report Map Application tool. However, through previous research efforts, the NKGSA understands many existing wells do not have well completion reports or have not been entered into the DWR database and may be absent from the existing records. The intent of requiring extraction facilities permit applications routing through the NKGSA is to complement the existing well recordkeeping and ensure the NKGSA can fully understand and quantify the potential impacts of groundwater decline. As such, NKGSA finds that routing of all well permit applications and supplemental materials accompanying the well permit application is an anticipated and necessary aspect of groundwater management activities within the NKGSA boundary.

## **7.0 Policy Statement**

With acknowledgement of the information set forth herein above, until further modified as set forth hereafter, the following shall serve as the NKGSA Policy for Well Construction Activity within the NKGSA boundary:

- a. All well permit applications submitted to the Fresno County Public Health Department (FCPHD) and cities with permitting authority, shall be routed to the NKGSA;

- b. Well permit applications shall be defined as an application to the permitting agency for a permit to allow the construction of a new well of any type, construction of a replacement well of any type, reconstruction or deepening of a well of any type; destruction of a well of any type, including monitoring wells;
- c. The permitting agency shall provide a minimum of five business days for the review and commenting on all well permitting applications with the exception of those permit applications for projects where there are health and safety concerns requiring an expedited review by the NKGSA;
- d. The permitting agency shall notify the NKGSA and specially designate any permit applications requiring expedited review by the NKGSA;
- e. Well Completion Reports and Well Destruction Reports for activities occurring after the effective date of this policy, described hereafter, shall be submitted to the NKGSA for creation of the NKGSA Extraction Facilities Registry;
- f. The NKGSA shall review and provide information on each permit application for location, proposed depth, and other construction details related to the monitoring and quantity and quality of groundwater for the proposed well permit activities.
- g. The NKGSA shall work directly with well owners on any request to maintain wells proposed for destruction for monitoring purposes by the NKGSA;
- h. NKGSA shall seek coordination, cooperation, collaboration with the permitting agencies and landowners of well construction activities for implementation of this Policy;

## **8.0 Effective Date and Modification**

- a. This Policy shall become effective upon its passage and adoption.
- b. NKGSA's Board of Directors may modify this Policy at any time, at its sole discretion, pursuant to the applicable procedures described in NKGSA's bylaws.

The foregoing New Well Policy was passed and adopted by the Board of Directors for the North Kings Groundwater Sustainability Agency, at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chairperson, Board of Directors

Mr. Jerry Prieto

North Kings Groundwater Sustainability Agency

ATTEST:

\_\_\_\_\_  
Kassy D. Chauhan, P.E.

Approved as to legal form and effect:

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Kevin R. Dale, Esq. AALRR