

From: Amy Rutledge <RutledgeA@kerncounty.com>

Sent: Friday, June 10, 2022 9:54 AM

To: jmuhar@aewsd.org; amartin@tejonrach.com; snicholas@wrnwdsd.com; amartin@tejonrach.com; Mario Gonzales <mgonzales@mcfarlandcity.org>; Candice Valdez <officeadmin@cawelowd.org>; amartin@tejonrach.com; Jason Gianquinto <jgianquinto@semitropic.com>; jwyrick@jgboswell.com; jsiemens@nflc.net; manderson@kcwa.com; achianel@bakersfieldcity.us; Mel Johnson <greenfieldwater@hotmail.com>; tim@bvh2o.com; jwyrick@jgboswell.com; cthomaskefer@rqs.ca.gov; Patricia Poire <ppoire@kerngwa.com>; ghammett@wkwd.org; tblakslee@hqcpm.com; dbrogan@deid.org

Cc: Brynn Carrigan <Brynn@kerncounty.com>; Jeffrey Marshall <MarshallJ@kerncounty.com>; Alan Christensen <achristensen@kerncounty.com>; Phillip W. Hall <phall@kerncounty.com>

Subject: RE: EO N-7-22 Well Permitting Changes

Dear GSA Managers,

Thank you for attending the virtual meeting held on May 25 to discuss the Environmental Health Division's process for implementing Executive Order N-7-22 (EO) as enacted by the Governor's office in late March. As you know, the EO placed additional requirements on GSAs as well as local well permitting agencies as they relate to approving water well permit applications. We appreciate the feedback you provided regarding the proposed process and verification form, specifically those you had around the provisions as they relate to 9b of the EO and findings regarding subsidence and well interference.

We have again consulted with county counsel regarding your concerns. It is counsel's final position that Environmental Health, as the local well permitting agency, cannot independently make the findings required in 9b of the EO. Those matters are now the exclusive purview of GSA's because the police power to regulate subsidence and well interference was exclusively given to GSAs by the Sustainable Groundwater Management Act. Furthermore, counsel has advised that the verification form as presented during the meeting must accompany every eligible well permit application. GSAs should add their letterhead to the form and return the signed form to the water well applicant for inclusion in the permit application package. We understand that GSAs may desire to issue additional letters to water well applicants regarding specific requirements of the GSAs but these additional letters will not be a substitution for the County's verification form. Moreover, because the matter in question is a ministerial permit, the County will not review these additional letters if any are provided.

Failure to make all the findings as listed on the verification form may delay a well application or result in the denial of a permit.

Attached to this email you will find the final process and verification form as presented during the May 25 meeting. The verification form has been modified so that each GSA

can add their letterhead. Should you have any questions regarding the permitting process, please contact Environmental Health at (661) 862-8740 or via email at eh@kerncounty.com.

Amy Rutledge, R.E.H.S

Assistant Director

Kern County Public Health Services Department

1800 Mt Vernon Ave

Bakersfield, CA 93306

Ph: (661) 868-0300

rutledgea@kerncounty.com