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ENVIRONMENTAL HEALTH SERVICES DIVISION  
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**THIS COPY IS AN EXAMPLE OF A HISTORICAL PROCEDURE  
AND FOR REFERENCE PURPOSES ONLY:**

**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 San Luis Obispo County Environmental Health Services (“EHS”) from issuing a construction permit for a new groundwater well or for alteration 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). On February 13, 2023 via Executive Order N-3-23 and on March 10, 2023 via Executive Order N-4-23, Governor Newsom reaffirmed the provisions of the Executive Order except as modified therein (the only modification to Paragraph 9 is the inclusion of an additional exception identified below).

**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. In addition, as modified by Executive Order N-3-23, Paragraph 9 also does not apply to permits for wells that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced **when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation**. A complete copy of Executive Order N-3-23 is available here: <https://www.gov.ca.gov/wp-content/uploads/2023/02/Feb-13-2023-Executive-Order.pdf?emrc=b12708> (see Paragraph 4).

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 attached as **Exhibit A**.

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 attached as **Exhibit B**.

If a water well construction permit application for a new groundwater well or for alteration of an existing groundwater well identifies the well as a “replacement well,” EHS will treat the permit as exempt from the requirements of the Executive Order if and only if the **owner of the well or an authorized representative therefrom** signs and submits the declaration attached as **Exhibit C** and submits the referenced supporting written documentation.

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**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).

**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).

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OFFICE USE
Permit No. _____
WP No. _____

**EXHIBIT A**

**Well for Individual Domestic Use**

As the owner of the proposed well or existing well to be altered and as a necessary condition on the issuance of a water well construction permit for a new groundwater well or alteration of an existing groundwater well, I hereby declare for myself, successors and assigns, that no more than two (2) acre feet per year will be pumped from the well **AND** that all water pumped from the well will be used only to supply water for the **domestic needs of an individual residence**. Without limiting the foregoing, I acknowledge that such needs **do not include** any commercial use regardless of scale, including, without limitation, use for the growing of food or other crops for sale in any venue, including, without limitation, at a local farmer's market.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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**EXHIBIT B**

**Well for a Public Water Supply System**

The public water system name is: \_\_\_\_\_.

The public water system identification number is: \_\_\_\_\_.

As an authorized representative for the water system identified above, I hereby declare that the proposed well or existing well to be altered will be exclusively used to provide groundwater to the public water supply system for human consumption as defined in Health and Safety Code Section 116275. I further declare that a previously constructed public water supply system well will not be replaced by the proposed well such that the previously constructed well can be used for purposes other than human consumption.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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**EXHIBIT C**

**Well Replacing Existing Well due to Eminent Domain**

As the owner of the proposed well or existing well to be altered or as an authorized representative therefrom and as a necessary condition on the issuance of a water well construction permit for a new groundwater well or alteration of an existing groundwater well, I hereby declare for myself, successors and assigns, that the well is replacing an existing, currently permitted well and will produce an equivalent quantity of water as the well being replaced **AND** that the existing well is being replaced because it has been acquired by eminent domain or has been acquired while under threat of condemnation as evidenced by the written documentation attached hereto.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_