

**TRI-COUNTY WATER AUTHORITY**  
**GROUNDWATER WELL MITIGATION PROGRAM**  
**January 5, 2023**

I. Introduction

The revised Tule Subbasin Coordination Agreement and the Tri-County Water Authority 2022 Groundwater Sustainability Plan (TCWA 2022 GSP) included a Mitigation Program Framework which outlined the general standards that each GSA would commit to in developing their own mitigation programs. The purpose of this document is to present the TCWA groundwater well mitigation program (the “Program”) to address impacts to domestic and municipal wells during GSP implementation. As set forth in more detail below, the Program identifies the specific criteria and process for addressing claim applications made by certain qualified stakeholders residing within the TCWA boundaries of the Tule Subbasin.

II. Eligibility

A. Domestic Wells

Eligible applicants are owners of individual households located within a certain geographic area (see Figure 1) serviced by a “domestic well”. A domestic well is any well primarily used for household activities which pumps less than 2 acre-feet per year. The following criteria must additionally be met before a household will potentially qualify for assistance under the Program:

- The domestic well must be located within the TCWA boundaries of the Tule Subbasin as shown on Figure 1.
- Applicants must be the owner of the subject property when the claim application is submitted to TCWA.
- A well located on the same property or adjacent property with an operating agricultural well(s) owned by the same owner will not qualify.
- Any domestic well listed on a claim application must have been in regular operation since January 1, 2015, and experienced measurable impacts after that date.
- Any domestic well installed after 1990 must be operating under an approved permit from the Tulare County Environmental Health Division.
- An applicant must provide available domestic well assessment information from Self-Help Enterprises (SHE) documenting the impacts to the domestic well and need for rehabilitation or replacement (see instructions for SHE under Claim Process, below).
- Applicants claiming an adverse effect to a domestic well located outside the boundaries depicted in Figure 1 resulting from TCWA’s implementation of its GSP must first obtain sufficient documentation and support from the non-TCWA GSA within which the domestic well is located showing that such impact was due to TCWA’s implementation of its GSP. In this circumstance, TCWA will review this documentation and contact the non-TCWA GSA to discuss what mitigation efforts might be available to the applicant.

## B. Municipal Wells

Eligible applicants are operators of small water systems, as defined by the State of California, or of municipal wells located in Underrepresented Communities (URC), severely disadvantaged communities (SDAC) or Tribal areas. The following criteria must additionally be met before a small water system, URC, SDAC or Tribal area will potentially qualify for assistance under the Program:

- The municipal well(s) must be located within the TCWA boundaries of the Tule Subbasin as shown on Figure 1.
- The municipal well(s) have been operating since January 1, 2015, and experienced measurable impacts after that date.
- Municipal wells installed after 1990 must be operating under an approved permit from the Tulare County Environmental Health Division.
- The applicant must be able to provide available maintenance and well assessment records as discussed under Claim Process (below).

## III. Claims Process

Subject to the claims evaluation procedure set forth in Article IV below, the Program may cover costs for drilling deeper wells, lowering pumps, and/or upsizing pumps as may be required to promote continued access of eligible domestic and municipal water wells located within the GSA that have been impacted by TCWA's GSP implementation. For eligible domestic wells, a well assessment report from SHE is required before submitting a claim to TCWA. SHE can be contacted at 559.802.1685 or at <https://www.selfhelpenterprises.org/>. Additional lists of resources to assist domestic well owners can be found at [www.mywellwentdry.org](http://www.mywellwentdry.org). For domestic wells located outside of the TCWA boundary (Figure 1), the claim must be accompanied by documentation from the non-TCWA GSA in which the well is located documenting that the adverse impact to the domestic well was due to TCWA's GSP operations.

### A. Filing a Claim

The claims process for any benefit afforded by the Program begins with the affected party (the "claimant") filing a claim in compliance with the procedure described in this document. As part of the claim application process, domestic well owners will need to provide TCWA a copy of the SHE well assessment report and a copy of the TCWA Well Registration Form (Attachment 1). For eligible municipal wells, a signed and notarized Claim Form (Attachment 2) and well registration form are required. To ensure the best possible chance of success in receiving benefits under the Program, the Claim Form should be completed with as much information as possible regarding the impacted well, including, if available and as applicable, any driller's reports or other documentation regarding the physical specifications of the well. The Well Registration Form will allow TCWA to add the well to its database and allow TCWA to make sure that ownership and well data is correct. Completed claim applications may be submitted electronically through the TCWA website at [www.TCWA.org](http://www.TCWA.org), mailed in hardcopy to the TCWA office at 944 Whitley Ave., Suite E, Corcoran CA , 93212 or dropped off in hardcopy at the TCWA offices during regular business hours.

Please note, for claimants pumping groundwater in a manner that contributes to the impacts for which the claimant seeks mitigation, the claim will be denied.

#### B. Provision for Interim Water Supply

If requested by a claimant, the claims process allows for the provision of an interim water supply for domestic well users. An interim water supply provided under the Program is meant to provide water to the claimant while the claim is investigated. If the claim is denied, TCWA may cease providing an interim water supply and request reimbursement for the costs of the interim water supply. Each claimant will be required to acknowledge TCWA's reservation of these rights when filing a claim.

#### C. Evaluation for Potential for Municipal Water Supply Connection

If the impacted domestic well is located in close proximity to existing municipal water supply infrastructure, TCWA will contact the municipality to determine the feasibility of connecting the claimant's household to the existing municipal water supply system. If feasible, mitigation for eligible domestic wells may include costs to connect to this system.

#### D. Access to the Well for Inspection by TCWA

As a condition of qualifying for any Program benefit(s), each claimant will be required to provide TCWA with reasonable access to the impacted well in order for TCWA to verify the nature of the claim, verify information of the claim form, and obtain information potentially not known at the time of the claim.

TCWA will review all available information provided by the claimant for the impacted well prior to any field inspection. The data to be reviewed will include, but is not limited to:

- Drillers logs
- Well construction information
- Historical groundwater levels
- Pump type and intake depth
- Motor size
- Pump age
- Typical discharge rate
- Water quality testing
- Maintenance program and well rehabilitation

For eligible municipal wells, if the well has not been inspected by the municipality within the past 5 years, then a video inspection and water quality report must also be submitted with the application.

### IV. Evaluation of Claims

Many factors, independent of lowered groundwater levels, can cause a well to stop functioning, including, without limitation, pump mechanical failure due to age, poor maintenance or malfunction, holes in the well casing allowing sand into the pump intake, holes in the pump column associated with corrosion and wear, excessive plugging of screens due to lack of maintenance (e.g. well rehabilitation), among others. All these factors will be taken into consideration by TCWA when assessing the need for mitigation for a particular claim. For domestic wells, the Self-Help Enterprises well assessment will provide some of these types of data.

Claims will be investigated and evaluated on an individual basis within 45 days of receipt of the claim and required supporting documentation in accordance with the procedures described above. Based on the analysis of data for the impacted well, TCWA staff will provide a recommendation to the Board of Directors on whether the impacted well qualifies for mitigation under the Program. The Board of

Directors will make the final determination as to the Program benefit(s) available for each individual claim.

## V. Potential Options for Mitigation

Mitigation measures, if approved by the TCWA Board of Directors, could include one or more of the following:

- Providing a short-term emergency water supply to domestic well owners. Short-term emergency supplies shall be provided as soon as reasonably possible
- Providing funds to lower a well pump.
- Providing funds to complete a connection to a municipal water provider.
- Supplying an equivalent water supply from an alternate source.
- Providing funds to replace the affected well with a deeper well that meets state and local requirements.
- With the consent of the affected landowner, providing other acceptable mitigation.

## VI. Outreach Program

TCWA is committed to taking actions to ensure that residents are aware of the benefits of its well mitigation program and how to access the Program. This outreach will inform residents about the potential well impacts that could occur based on GSP implementation, describe potential options available for well mitigation, and include information regarding the claims application process and whom to contact if wells experience negative impacts.

Outreach will include pamphlets, mailers, and additional content added to the TCWA website. If a particular area within the GSA experiences significant claim submission, TCWA will also conduct door-to-door outreach (in partnership with other outreach experts as needed) to ensure that such communities are aware of the Program. TCWA will also work with local agencies, organizations such as SHE, and other associations to spread materials about the Program. This information will also be mentioned at regular TCWA public meetings for the benefit of those in attendance. To ensure that this program can benefit SDAC residents, information about the Program will be disseminated widely, and materials will be translated into multiple languages.

## VII. Schedule

The Program is expected to be active by January 1, 2023. However, funding may initially be limited until other funding sources are located, developed and fully implemented.

## VIII. Funding Source

Funding sources are expected to be a mixture of existing programs, grant monies, and potential fees. SHE currently administers funding for eligible domestic wells under the California State Water Resources Control Board Safe and Affordable Funding for Equity and Resilience (SAFER) program. Claims for domestic wells submitted under this program need to provide the amount of funding that will be provided from this fund. In addition, TCWA will evaluate the need to provide additional funding through pumping fees using the Proposition 26 assessments. Other funding will also be pursued from the following sources:

- Department of Water Resources funding programs for groundwater projects and technical assistance programs to aid SGMA implementation
- United States Department of Agriculture (USDA) Rural Development Utilities funding (if available).

Any well mitigation provided under the Program for domestic wells or small water systems will be coordinated with the SAFER program. The SAFER program provides a maximum amount of funding of \$50,000 for domestic wells and \$100,000 for small water systems.

Figure 1 - Green Section Only For Tule Subbasin

