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## **WHAT STAKEHOLDERS NOW NEED TO KNOW ABOUT REGULATORY COMPLIANCE WITH DISTRICT RULES**

### **I. GUIDANCE CONCERNING USE OF SPECIFIC SWTCGCD APPLICATION FORMS**

#### **General**

At this time, all applications must be downloaded from the website, printed out, filled out by hand, signed (and notarized, in some instances), and either snail-mailed or scanned and e-mailed as an attachment to the District office.

If an application has an accompanying application fee, as prescribed in the District's Fee Schedule, that fee must accompany the application form before the District staff will begin processing the information. At this time, payment of application or other fees must be made by check; no credit or bank cards and no cash payments will be accepted.

The application forms are authorized by and conform to the District's adopted Rules, which should be consulted before any form is filled out and submitted to the District. If there are any differences perceived between the Rules and the application form, the Rules take precedence.

If you have a question about the information requested on any form, please contact the District office by email (only, at this time) for a prompt reply.

#### **Well Registration Form**

The Well Registration Form is not an application to be approved, but a vehicle for transferring information on a particular well that is required for the District to make a determination of what else, if any, must be provided by the well owner for installing and/or operating a well.

All individual wells, whether existing wells, i.e., already installed wells, or prospective new wells, i.e., wells that are not yet installed, must be registered. For Existing Wells that were already installed before October 1, 2020, the Well Registration Form is to be used. (For prospective new wells, registration of the future well may be accomplished at the same time as completing a Well Drilling/Modification Application Form, since some of the information to register a prospective well may not be known until the time the WDA form is able to be completed.)

The well driller and/or pump installer for the well may be able to provide the required information on well characteristics if it is not otherwise available to the current owner.

Latitude and longitude location data should be expressed in degree-decimal form, not in degree/minute/second. Accuracy provided by a smartphone's GPS is adequate, but location should be provided as latitude/longitude, not GPS coordinates.

If use of the well(s) is "Other (specify)", list one or more of the following: Public Water Supply, Industrial, Golf Course Irrigation, Commercial/Retail/Service, Agricultural Crop Irrigation, Fire Suppression (only); or contact the District if unable to select one of the choices.

If there are more than two wells on the property, please use additional application form(s) to complete Sections III, IV, and V of the additional sheets, provided the same information submitted in Sections I and II of the original form applies to the additional wells.

District staff will review each Registration form for completeness and, as necessary, follow up with the well owner for any missing or additional information needed to determine what kind of Production Authorization, if any, might then need to be applied for.

All Existing Wells should be registered with the District as soon as possible but must be registered no later than September 30, 2021.

### **Well Drilling/Modification Authorization Application Form**

The Well Drilling/Modification Authorization (WDA) Application Form is used as a precursor for the District to authorize initiation of multiple activities: drilling a new well for any purpose, physically modifying an existing well or well-system components, and sealing/capping/plugging an unused well. Regardless of purpose, once the WDA application is administratively complete, including payment of the appropriate application fee, the District will provide the applicant further instructions as to what else, if anything, is required to be furnished by the well owner for taking the proposed action.

The WDA Application Form is typically submitted in advance of a new well being installed, so the WDA application also will serve as the Registration form for the new well if it has not been previously registered. While the WDA itself has an application fee, per the District Fee Schedule, there is no additional fee for registering the prospective well. If modifications to an existing well are requested, the well must be a registered well, or alternatively registered separately before the WDA application may be processed.

The well driller and/or pump installer for the well may be able to provide the required specified information on well characteristics if it is not otherwise available to the current owner. This includes the current and prospective classification of the well's status as being exempt or non-exempt under District Rule 3, and the type of Production Authorization (permit), if any, likely to be required. The District can provide any needed guidance in this regard in advance, upon written request.

The WDA Application Form also has a supplemental information sheet that requires submittal of technical details, some or all of which the well owner may want to have provided by the well driller or pump installer and/or by a technical consultant. The required info is a routine part of their business practices, but the District can provide additional guidance upon request.

Latitude and longitude location data should be expressed in degree-decimal form, not in degree/minute/second. Accuracy provided by a smartphone's GPS is adequate, but location should be provided as latitude/longitude, not GPS coordinates.

While the well driller/pump installer and technical consultant may complete some or all of this form on behalf of the well owner, the landowner or grantee will be the applicant and is responsible for the validity of the information and must sign the form. If someone else is designated as the applicant's legal Authorized Agent, that agent's signature must be notarized.

Anticipated Timeframe for District Action: The Rules do not describe any specific timing for the Board to respond to new applications for WDAs. The District will be expeditious in reviewing applications and once a WDA application is declared administratively complete, approval to initiate drilling or well modification will be given within no more than 30 days, but if there is no issue that needs to be presented to the Board for action as would typically be the case, almost immediately following administrative completeness determination.

### **Production Authorization Application Form**

The District uses a single application form to apply for either an Operating Permit or one of the two types of General Permits by Rule, and that same form is used for both previously installed Wells and prospective new wells. Further, the same application form is used for authorizing initial production by a well under its original permit or modified production by a well seeking an amendment to its Production Authorization. Application for each of these purposes is accompanied by different application fees, per the District Fee Schedule.

The Production Authorization application may only be submitted after the well has been installed and the well and aquifer characteristics specified in District Rule 3 have been ascertained and are able to be confidently described.

The Production Authorization Application Form also has a supplemental information sheet that requires submittal of technical details, some or all of which the well owner may want to have provided by the well driller or pump installer and/or by a technical consultant. The required info is a routine part of their business practices, but the District can provide additional guidance upon request. The supplemental information required also includes detailed documentation and operational details that the well owner must research, document, and provide with the application. The supplemental info requirements are described in detail but if additional information is needed, contact the District by email for further guidance.

Certain sections of the application pertaining to previously permitted wells and/or to existing permits that are not proposed to be changed may simply be noted as “No Change” in those sections.

Anticipated Timeframe for District Action: By Rule, the District will take action on an administratively complete application for a Production Authorization not longer than 95 days after determination of administrative completeness, unless such action is postponed by properly noticed Board action. For uncontested Operating Permit applications, a public hearing will be scheduled expeditiously after notice requirements are satisfied, and not longer than 60 days after determination of administrative completeness. The Board will take action on an application for an Operating Permit as soon as feasible but not longer than 60 days following conclusion of the public hearing on the application. The applicant has 20 days to contest the Board decision and request a contested-case hearing. For General Permits by Rule, no public hearing is required and the District will issue certificates with applicable permit provisions within 30 days of an administratively complete application for the General Permit.

### **Application for Change in Well Operation, Condition, or Status**

This application form should be considered a portal for getting planned actions modifying or otherwise affecting an existing well to be approved by the District. It is used to notify the District of a well owner’s intent to undertake voluntary action with respect to a particular well, to describe the intended action in summary fashion, and to request any necessary District approval. The properly completed form may be all that is required for the District to authorize certain actions, but more typically it may trigger consultations between the well owner and the District to provide other regulatory information and offer other commitments before the intended action can be authorized by the District, including submittal of information via other application forms, payment of required fees for such applications, and notices for Board actions under District Rules.

Under the approved Schedule of Fees, there is no application fee associated with this form *per se*. Depending on the circumstances and the type of changes proposed, additional fees associated with other application processes may be incurred as part of the change approval process.

### **Other Notification and Application Forms**

Several other forms have been created for various specific purposes. The forms are fairly self-explanatory and are to be made available upon request to and by the District staff. That is, they will not be put on the website for downloading, at least for now.

- ***Notification of Change in Well Ownership***
- ***Reporting of Monthly Meter Readings***
- ***Application to Renew Production Authorization***

## II. SOME IMPORTANT REGULATORY MILESTONES

October 1, 2020 – Effective Date for District Rules; first day of registration for existing wells as defined under the Rules

December 31, 2020 -- All existing *non-residential* wells (except livestock wells) must be registered, and their owners must have submitted their initial applications and application fees for appropriate Production Authorizations (generally, all Operating Permits)

January 1, 2021 -- Temporary Operating Permits issued for pending applications; production fees begin accruing on actual use after this date for Temporary Operating Permit holders

March 31, 2021 -- Administratively complete applications and supplemental info for those Existing Wells under Operating Permits must be received by District; the initial quarterly payment of production fees for all Operating Permittees (and new service connection fees for certain Operating Permittees) are due, as applicable

June 30, 2021 – Due date for second quarterly payment of actual groundwater use under Operating Permits, as metered and reported monthly by well owner

September 30, 2021 – Last date for all wells in District, including those used a) for domestic purposes, including lawn irrigation, in single residences and b) for livestock purposes, to be registered with District; administratively complete applications, including application fee payment, for all NDU General Permits, as applicable for certain Existing Wells including lawn irrigation wells at residences, must have been submitted and initiated the General Permitting process.

### III. HOW DISTRICT FORMS ARE USED FOR VARIOUS PURPOSES

Ref ID	Situation	What Well Owner Needs to Do	District Form Required	What District Will Then Do	What's Next
1	Well already installed, but no paperwork	Register well with District	<i>Registration Form</i>	Enter info in database, review for potential additional authorizations	Nothing, if exempt; otherwise go to 2
2	Well registered but (may) need additional authorization(s)	Consult with District as to likely requirements and provide additional info on well to District	<i>Production Authorization Application (Initial)</i>	Confirm well is non-exempt, inform owner whether Op Permit or NDU General Permit is required	Owner completes and submits appropriate application (see 3)
3	Well registered but needs a permit (or an amended permit)	Provide District with prescribed info to complete application	<i>Production Authorization Application (Final)</i>	Review info, oversee hydrogeological testing, assess impacts, hold public hearing if required, determine if/what special permit conditions are needed, issue permit	Operate well in accordance with permit; renew permit when required
4	Well registered and appropriately permitted, but changes to well are desired	Consult with District as to likely requirements, and provide info on type of well and what changes are intended	<i>Application to Change Well Operation, Condition, or Status</i>	Review info, confirm whether minor or major modification, or repair/replacement, and inform owner if a permit amendment is required	After notice, Owner either takes intended action if approved as minor amendment, or submits appropriate additional application and supporting info (See 7)
5	New well proposed	Consult with District as to likely well status, type, regulatory requirements and schedule of activities	<i>Well Drilling/Modification Authorization Application</i> (which includes its Registration)	Review application info including supporting plan vis a vis reg requirements, and if all requirements are met, give go-ahead for drilling well	After notice, Owner drills new well, conducts appropriate aquifer tests, and submits appropriate permit application and supporting info (See 3)
6	Property with existing well is sold	New Owner informs District of new ownership	<i>Notification of Change in Well Ownership</i>	District will update well registration information and, if non-exempt well, prepare and send out new permit certificate	Nothing, if exempt; otherwise new owner reviews permit certificate and conditions

7	Existing well has major modifications proposed	Consult with District and provide District with completed Application information	<i>Well Drilling/Modification Authorization Application</i>	Review application info including supporting plan vis a vis reg requirements, determine if permit or amended permit is required, and apprise owner accordingly	If required, owner completes and submits appropriate permit application (see 3)
8	Non-exempt well under Operating Permit	Report metered use monthly to District, and pay production fees based on aggregated actual use quarterly	<i>Standard Monthly Use Meter-Reading Form</i>	Enter use in permit database and compare to authorized monthly allotment, including drought curtailed volumes	Adjust water use as necessary to comply with authorized amount