**APPLICATION FOR A**

**REPLENISHMENT ASSESSMENT EXEMPTION AND/OR**

**WEST COAST BASIN NON-CONSUMPTIVE WATER USE PERMIT FOR A**

**GROUNDWATER CLEAN-UP PROJECT**

Application made pursuant to California Water Code, Section 60318 (reprinted on page 4 of 6)

and

West Coast Basin Amended Judgment, Exhibit B (reprinted on page 5 of 6)

**Section A: Application Type** (Check all that apply)

Replenishment Assessment Exemption **Yes** **No**

West Coast Basin Non-Consumptive Water Use Permit**Yes** **No**

**Section B: Applicant Information**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Entity/Firm Name: |  |  | Contact Person: |  |
| Address: |  |  | Title: |  |
|  |  |  | Telephone: |  |
|  |  |  | Email: |  |
|  |  |  |  |  |

**Section C: General Information**

|  |  |
| --- | --- |
| 1. Address of proposed extraction: |  |
|  | |
| 1. Description of groundwater contamination: |  |
|  | |
| 1. Description of clean-up activities: |  |
|  | |
| 1. Description of extraction wells: |  |
|  | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Owner No.** | **State Well No.** | **Screened Depth in Feet** | **Pump Capacity (GPM)** | **Est. Annual Pumping**  **(acre-feet)** |
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| --- | --- |
| 1. Method of determining quantity of extraction (meter, estimate, etc.): |  |
|  | |
| 1. Which Aquifer Systems are being pumped by the wells (using DWR Bulletin 104, 1961 terminology): |  |
|  | |
| 1. Expected quality of extracted groundwater before and after treatment (describe – provide copies of analyses if available): |  |
|  | |
| 1. Method of disposal of extracted groundwater: |  |
|  | |
| 1. Can the extracted groundwater be used for beneficial purposes? If no, why?: |  |
| 1. Is clean-up activity (remediation) required by a regulatory agency? | **Yes** **No** |
|  |  |
|  |  |
|  |  |
|  |  |
| If yes, please provide agency name  and Case No. / Order No.: |  |
|  |  |
| 1. Timeframe requested (not to exceed 5 Years): | From       To |
|  |  |
| 1. Amount of extraction expected during period of exemption (in acre feet): |  |
| Any other information to provide? |  |

**If under regulatory agency order (Regional Water Board, Department of Toxic Substances Control, Environmental Protection Agency), include copy of cleanup order, remediation plan, and latest progress report. Hard copies, electronic versions (PDF) or links to websites acceptable. Attach any additional reports, maps, and information to substantiate the application as appropriate.**

**APPLICANT:**

|  |  |  |
| --- | --- | --- |
|  | | |
| Name: |  |
| Title: |  |
| Date: |  |
| Signature: |  |
|  |  |

**CALIFORNIA WATER CODE**

**SECTION 60318**

**§ 60318 Groundwater contamination; programs to remedy; exemption from replenishment assessment; resolution by board; rescission or modification.**

(a) If the board determines, by resolution, that there is a problem of groundwater contamination that a proposed program will remedy or ameliorate, an operator may make extractions of groundwater to remedy or ameliorate that problem exempt from any replenishment assessment if the water is not applied to beneficial surface use, its extractions are made in compliance with all the terms and conditions of the board resolution, and the board has determined in the resolution either of the following:

(1) The groundwater to be extracted is unusable and cannot be economically blended for use with other water.

(2) The proposed program involves extraction of usable water in the same quantity as will be returned to the underground without degradation of quality.

(b) The resolution may provide those terms and conditions the board deems appropriate, including, but not limited to, restrictions on the quantity of extractions to be so exempted, limitations on time, periodic reviews, requirement of submission of test results from a laboratory holding a valid certification or accreditation as required by Section 13176, and any other relevant terms or conditions. Upon written notice to the operator involved, the board may rescind or modify its resolution. The rescission or modification of the resolution shall apply to groundwater extractions occurring more than 10 days after the rescission or modification. Notice of rescission or modification shall be either mailed first-class mail, postage prepaid, at least two weeks prior to the meeting of the board at which the rescission or modification will be made to the address of record of the operator or personally delivered two weeks prior to the meeting. All board determinations shall be final. (Added by Stats. 1985, c. 537, § 1. Amended by Stats. 1000, c. 727 (A.B.2886), § 7.)

On February 3, 2022, WRD Board updated the Replenishment Assessment (RA) Exemption and Non-Consumptive Water Use Permits (NCWUP) policy via Resolution No. 22-1169, see attachment.

**WEST COAST BASIN AMENDED JUDGMENT**

**EXHIBIT B**

***California Water Service Company, et al., vs. City of Compton, et al. Case No. 506,806***

***Amended Judgment, December 5, 2014***

**EXHIBIT B. Nonconsumptive Use**

***2.* Nonconsumptive Use Practices**

1. Any party herein may petition the Watermaster for a non-consumptive water use permit as part of a project to recover old, refined oil or other pollutants that has leaked into the underground aquifers of the Basin. If the petition is granted as set forth in this part, the petitioner may extract the groundwater covered by the petition without the production counting against the petitioner’s production rights.
2. If the Watermaster determines that there is a problem of groundwater contamination which the proposed project will remedy or ameliorate, an operator may make extractions of groundwater to remedy or ameliorate that problem if the water is not applied to beneficial surface use, its extractions are made in compliance with terms and conditions established by the Watermaster, and the Watermaster has determined either of the following:
   1. The groundwater to be extracted is unusable and cannot be economically blended for use with other water.
   2. The proposed program involves extraction of usable water in the same quantity as will be returned to the underground without degradation of quality.
3. The Watermaster may provide those terms and conditions the Watermaster deems appropriate, including, but not limited to, restrictions on the quantity of extractions to be so exempted, limitations on time, periodic reviews, requirement of submission of test results from a Watermaster-approved laboratory, and any other relevant terms or conditions.
4. The Watermaster shall conduct a public hearing on the petition and all parties herein and their representatives shall have an opportunity to be heard concerning the same.
5. The Watermaster shall, in its discretion, grant or deny the petition and fix a reasonable annual administrative fee to be paid to the Watermaster by the permittee. Within fifteen (15) days after the rendition of its decision, the Watet 'aster shall give written notice thereof to the designees of all parties herein.
6. After a noticed, public hearing, the Watermaster may, on the motion of any party herein or on its own motion, interrupt or stop a project for non-compliance with the terms of its permit or rescind or modify the terms of a permit to protect the integrity of the Basin of the Judgment herein. An order to interrupt or stop a project or to rescind or modify the terms of a permit shall apply to groundwater extractions occurring more than 10 days after the date of the order. The permit holder and the designees of all parties herein shall be given two weeks written notice of any hearing to consider interrupting or stopping a permitted project or the rescission or modification of the terms of a permit. Notice will be deemed given when mailed by first-class mail or when personally delivered.
7. The Watermaster's decision to grant, deny, modify or revoke a permit or to interrupt or stop a permitted project may be appealed to this court within thirty (30) days of the notice thereof and upon thirty (30) days notice to the designees of all parties herein.
8. The Watermaster shall monitor and periodically inspect the project for compliance with the terms and conditions of the permit hereunder.
9. No party shall recover costs from any other party herein.