



Public Health Department

Environmental Health

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buttecounty.net/publichealth

Importance of Parcel Review Prior to Issuance of Water Well Construction Permit

Dear Valued Customer:

Before Environmental Health can issue a Water Well Construction Permit for a parcel that has not yet been previously developed, the parcel needs to be reviewed and cleared by the Department of Development Services and the Department of Public Works, Land Development Division.

- ✓ The Development Services portion of the *Parcel Review* costs \$93.72 at the time of the application to our office and generally takes less than a week to complete, but may take up to two weeks depending on that department's workload.
- ✓ The Public Works, Land Development Division portion of the review takes place concurrently with the Department of Development Services review and is performed without a fee ***unless a creation deed review is required***. In that case, the fee must be paid directly to the Land Development Division (minimum deposit \$93.72). These reviews identify the creation status of the parcel, compliance with regulations in effect at the time the parcel was created, and any recorded constraints on its development at the time of parcel creation.

These reviews are extremely important prior to Water Well Construction Permit issuance because they provide information affecting how the parcel can be developed and the viability of a selected well site.

However, the applicant may choose to defer the parcel review by signing the *Non-Development (Exploratory) Water Well Permit Disclaimer/Acknowledgment*. Our offices recommend against this deferral, but allows it if the applicant agrees to not use or develop the well in any way until the parcel review has been completed. If you choose to go this route, please review our Exploratory Wells Frequently Asked Questions and sign the attached Disclaimer/Acknowledgment document verifying you have been informed of potential risks and wish to proceed without the benefit of a *Parcel Review*.

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Exploratory Wells -Frequently Asked Questions-

Introduction

The Butte County Board of Supervisors adopted a revision of the Water Well Ordinance (BCC 23B) on April 22, 2014. Any Exploratory Well with a permit issued by Environmental Health on or after the effective date of the ordinance revision (May 22, 2014) will need to be capped and remain unused for any purpose until a Parcel Review has been completed and the parcel is approved for development by the Departments of Public Works and Development Services.

This document is intended to provide additional information about Exploratory Wells and the requirements of the Water Well Ordinance.

1. What is an Exploratory Well?

An Exploratory Well is a water well used only for the limited purpose of determining the presence of sufficient potable water on parcels not verified as having been created in compliance with state and local laws. The use of Exploratory Wells began in the early 2000s to allow developers and potential purchasers of land to verify the presence of an adequate supply of groundwater prior to making significant investments in their projects or purchases.

2. What is the difference between an Exploratory Well and other types of domestic drinking water wells?

Exploratory Wells are permitted, inspected, and constructed similar to domestic water wells. However, the difference is that permits for Exploratory Wells are issued without the recommended legal lot determination by the Department of Public Works and without an assessment by the Department of Development Services of the regulations and restrictions applying to the parcel. Therefore, the applicant for an Exploratory Well assumes the risk that the parcel on which the Exploratory Well is located might not be developable in the future or that the well site might later be determined to be unacceptable, requiring replacement of the well.

3. Are there special requirements and/or restrictions applying to Exploratory Wells that do not apply to other domestic drinking water wells?

Yes. The requirements and restrictions that apply to Exploratory Wells, but not to other domestic drinking water wells, include the following:

- Property owners applying for Exploratory Wells will need to sign a **“Non-Development (Exploratory) Water Well Permit Disclaimer/Acknowledgment”** in which the property owner:
(a) Agrees that the Exploratory Well will not be further developed or used for any purpose other than for determining the availability of an adequate water supply, and (b) Acknowledging that issuance of the Exploratory Well’s Construction Permit will not convey an entitlement for any further development of the parcel.

Exploratory Well Frequently Asked Questions

Page 3

- After the Exploratory Well has been drilled and availability of water has been determined, it will need to be capped and remain undeveloped (no pump, pressure tank, or electrical service) and unused in any way until the parcel is approved for development by the Departments of Public Works and Development Services.

4. Why is there so much concern about legal lot determination in Butte County?

Prior to the 1972 revision of the State Subdivision Map Act, there were many parcels created by deed in Butte County that did not conform to county standards at the time of the parcel creation.

Issuance of development permits, such as septic, building, or well permits, allows parcels to further develop, even though the parcels might not have met county standards at the time of the parcel creation. Inadvertently allowing parcels to develop in this manner can have negative implications for orderly and safe development, such as allowing residences to be constructed on parcels that do not have proper legal and traversable access.

To prevent development permits from being issued and thereby giving development rights to parcels that did not meet county standards at the time of their creation, the **Parcel Review** process was established in the 1980s and has been administered by the Butte County Public Works Department since 2005.

5. What is the Parcel Review process?

The Parcel Review process is an interdepartmental review whereby the Department of Public Works establishes whether the parcel meets all state and local standards that were in place at the time of parcel creation and the Department of Development Services identifies any conditions or restrictions on the parcel that might affect future placement of improvements such as wells, septic systems, roads, and buildings.

6. What happens to an Exploratory Well after legal lot determination?

When a parcel with an Exploratory Well is approved for development by the Departments of Public Works and Development Services, Environmental Health will re-designate the Exploratory Well as a domestic water well and the well can then be put to full use by the property owner.

7. How can I get more information about Exploratory Wells and the Parcel Review process?

Exploratory Wells: For more information about Exploratory Wells, contact Environmental Health, located at 202 Mira Loma Drive, Oroville, CA, 95965, (530) 538-7281. In addition, the Water Well Ordinance (Butte County Code 23B) can be found on the Environmental Health website at this address: <http://www.buttecounty.net/publichealth/environmental/environmental.html>

Parcel Review Process: For more information about the Parcel Review process, contact the Department of Public Works, located at 7 County Center Drive, Oroville, CA, 95965, (530) 538-7681 or the Department of Development Services, also located at 7 County Center Drive, (530) 538-7601.



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Non-Development (Exploratory) Water Well Permit Disclaimer/Acknowledgment

Property Owner Name: _____

Address: _____

Trakit Project #: _____ APN: _____

I have elected to proceed with applying for a permit for a Non-Development (Exploratory Well). An exploratory well is a well eight (8) inches or less in diameter, constructed for the purpose of verifying the availability of potable water on a property.

I am electing NOT to proceed with the Water Well Permit application procedure, which incorporates a legal lot determination and a determination of applicable regulations and restrictions that could prohibit or restrict development of my property.

I hereby acknowledge that an exploratory well cannot be developed in any way (such as by the installation of a pump or by supplying electricity)¹ and cannot be used in any way or for any purpose (such as for providing water to future development or for irrigation) until such time as a parcel review has been completed that verifies parcel legality, legal access, and compliance with all subdivision or parcel map conditions of development as applicable.

I hereby acknowledge that the issuance of this permit does not constitute "the issuance of a permit or grant of approval for development" as set forth in Government Code Section 66499.34, and further, that I have been informed that the County of Butte has made no determination of whether or not the property on which the proposed water well is to be located is considered to be a legal lot of record as defined by the Subdivision Map Act and/or the Butte County Subdivision Ordinance. Finally, I have been informed that no legal lot status is being conferred or created by issuance of said permit.

I also hereby acknowledge that the County has not reviewed all existing regulations or restrictions that may prohibit or restrict further development of my property. Regulations and restrictions include but are not limited to land use restrictions and well setback requirements.

This form must be signed by the owner of the property on which the well is proposed for construction after direct communication between the property owner and Environmental Health staff.

Property Owner (Please Print) Date

Property Owner Signature Date

¹ It is a violation of Butte County Code 23B for any person, including a licensed contractor, to install a pump or supply electricity to an Exploratory Well.