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“FAQ” Sheet for Groundwater Appropriations Permits (GAP)

Why do I need this approval?

In order to conserve, protect, and use water resources of the State in the best interests of the people of Maryland, it is necessary to control the appropriation or use of surface and underground waters. This permit is required for any activity that withdraws water from the State's surface and/or underground waters unless exempt.

What uses are exempt from permitting?

Uses exempt from the water appropriation and use permit process are:

- 1) Extinguishing a fire;
- 2) Agricultural use under 10,000 gallons/day;
- 3) Individual domestic use except withdrawals for heating and cooling;
- 4) Temporary dewatering during construction if:
 - a) The duration of the dewatering including intermittent non-pumping periods is expected to be less than 30 days; and
 - b) The average water use does not exceed 10,000 gallons/day.
- 5) Other users of ground water less than 5,000 GPD as an annual average:
 - a. that is not for a community water system, as defined by the Safe Drinking Water Act; or;
 - b. that is not within a water management strategy area; and
 - c. the user files a notice of exemption with MDE at least 30 days prior to the beginning of the use or prior to the expiration date for an existing permitted use.

How much will this approval cost?

No fee for the GAP. The Howard County well drilling permit fee is \$160.

When will Maryland Department of the Environment (MDE), Water Management Administration (WMA) place a special condition in the GAP to maintain 100 foot spacing between all wells in the subdivision and from existing wells on neighboring properties?

Recently, MDE has exercised its administrative authority to specify well separation distances in the GAP. The decision to specify a well separation distance is based on a number of factors, including:

- the proposed layout of wells to each other within the proposed subdivision and/or existing wells on contiguous properties
- the size of the lots being less than 1 acre
- topography, i.e., area of recharge

What do the two expiration dates mean?

Code of Maryland Regulations 26.17.06.06A(1) The permit period shall be 12 years unless Maryland Department of the Environment, Water Management Administration determines that a shorter period is appropriate.

Annotated Code of Maryland Environment Article 5-510

Except for permits issued for the appropriation or use of water for agricultural purposes, the Department shall prescribe a time limit not exceeding 2 years from the grant of a permit, during which construction, reconstruction, or repair shall begin or appropriation or use of water shall be completed. The Department may extend a permit time limit for good cause shown.

If wells are drilled within 2 years does that keep the permit active or do the homes have to be occupied in 2 years?

The initiation of water has to have commenced; this could be from a single home. WMA suggests that the permittee request an extension until the use has been initiated.

Can you anticipate where a permit would not be renewed?

Examples: The land has not been subdivided. An extended period of time has elapsed, since the initial permit issuance, and we do not think it is likely that the use will be initiated. In the event that a permit was not renewed, it may be necessary to obtain a new permit when it appears that the project will proceed.

How long should I expect it to take to get this approval from MDE once I submit a complete application?

Appropriation Requested	Turnaround Time
Under 10,000 gallons per day	90 days
10,000 gallons per day or more	18 months

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