



**WHATCOM COUNTY  
HEALTH DEPARTMENT**  
509 Girard Street  
Bellingham, WA 98225  
Phone (360) 676-6724

**1**

**WATER AVAILABILITY NOTIFICATION  
TO OBTAIN A BUILDING PERMIT  
PRIVATE – 1 HOME WELL**

**SECTION ONE – APPLICABILITY:**

Environmental Health approval of this form is NOT required if your building project:

- ❖ Does not include plumbing for potable water, or;
- ❖ Is a residential remodel or addition, which does not add additional bedroom(s) or results in an increase in floor space of more than 50% or;
- ❖ Whatcom County Planning & Development Services determines that the building will replace a demolished or removed building and the building will not have more bedrooms or more than 50% greater floor space than the previous building.

**SECTION TWO – INSTRUCTIONS:**

Please read the attached information carefully for full instructions on how to proceed with obtaining private well approval. Please submit this **original** (photocopies will not be accepted) form and one copy of each document required below, to Whatcom County Health Department for review and approval. **Please allow at least 1 week for the approval process.** This information will be kept on file at the Environmental Health Division. **The documents required are:**

1. Water Availability Notification (this form).
2. Satisfactory bacteriological test results less than 3 years old.
3. Satisfactory inorganic chemical test results less than 3 years old.
4. Water well report (well log) signed by driller, including yield test.
5. Current site plan, using 8 ½ x 11 paper, (**drawn to scale**) showing well location, 100' sanitary control area around the well, and distances from the well to the property lines, underground fuel storage tanks, drainfields, chemical application areas, creeks and any other potential source of contamination, including those on neighboring properties.
6. Declaration of covenant and/or restrictive covenant, if applicable, for sanitary control area around well. (See instructions). These documents must be *signed, notarized and recorded prior to submittal.*

**SECTION THREE – APPLICATION:**

Building Permit Applicant's Name: \_\_\_\_\_

Current Mailing address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

Project Type (check one):  Single Family Residence  ADU  Commercial  Plat

Tax Parcel Number (proposed home) \_\_\_\_\_ Well Tag Number \_\_\_\_\_

Address (Proposed Home): \_\_\_\_\_ Building Permit # \_\_\_\_\_

✓ Is the well located on a different lot? If yes, Tax Parcel Number: \_\_\_\_\_

✓ Was this lot created by a subdivision? If yes, Subdivision name: \_\_\_\_\_ Lot \_\_\_\_\_

✓ Is application for plat approval? If yes, plat name and lot # : \_\_\_\_\_ Lot \_\_\_\_\_

I certify that the attached water sample analyses and water yield results were obtained from the proposed source.

Signature \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_

**APPROVAL:**

Confined:  Yes  No  Unknown

Sanitary Control Area:  50' Radius  100' Radius

Approved

Denied Date \_\_\_\_\_

See attached information on:

Arsenic  EDB/1,2-DCP  Fluoride

Nitrate  Sodium/Chloride  Other \_\_\_\_\_

Mail to: \_\_\_\_\_

By: \_\_\_\_\_

Whatcom County Health Department

Approval Expires: \_\_\_\_\_

Call when ready: \_\_\_\_\_

Comments: \_\_\_\_\_

**WHATCOM COUNTY WATER AVAILABILITY CHECKLIST  
FOR A PRIVATE SINGLE FAMILY RESIDENCE  
USING A WELL**

**ALTERNATIVE SOURCE EVALUATION**

- (1) The applicant must determine if their property can be served by a Public Water System (PWS). If a PWS has connections available and is willing to provide water, the applicant must connect to that public water system when any one or more of the following apply:
- (a) The applicant proposes to use spring water or contaminated ground water or,
  - (b) The applicant proposes to build on a lot located in a short subdivision or long subdivision that Whatcom County approved based on the availability of public water or,
  - (c) The existing Public Water System has transmission lines adjacent to the property line of the applicant or,
  - (d) The existing Public Water System has defined a "Service Area Boundary" in accordance with the Whatcom County Coordinated Water System Plan, which includes the property of the applicant.

**WATER RIGHT PERMIT**

A water right permit is required from the State Department of Ecology for groundwater withdrawals of more than 5000 gallons per day OR irrigation of more than 1/2 acre of lawn or non-commercial garden.

**WATER QUALITY REQUIREMENTS**

**NOTE: It may be advisable, especially if a water well report signed by a licensed driller is not available, that you determine whether the well meets the well construction standards referenced below, before proceeding with water quality testing, in order to avoid unnecessary expenses.**

The following test results must be obtained and submitted to the Whatcom County Health Department for approval. All testing must be conducted by a laboratory certified by the Washington State Department of Health. A list of laboratories in this area is attached.

- [ ] **Bacteriological:** A water sample must be taken and analyzed for total coliform bacteria within three years of the application date. Samples must be collected prior to any treatment device that includes a disinfectant such as chlorine, UV light, or ozone.

Water must have no detectable chlorine residual when collected for analysis. Satisfactory results require that no coliform bacteria be present. Contact the Whatcom County Health Department concerning unsatisfactory results.

- [ ] **Inorganic:** A water sample must be taken within 3 years of the application date and analyzed for arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver, fluoride and nitrate. Samples must be collected prior to any treatment device. If water sample analyses indicates that any Maximum Contaminant Level (MCL) is exceeded, please submit the results and our office will contact you.

- [ ] **Pesticides:** Sources located within the State Department of Ecology Study Sites A and B (roughly the Bertrand Creek and Northwood Road areas) shall submit water test results for ethylene dibromide (EPA method 504) and 1,2 dichloropropane (EPA method 524.2). A map of these areas is available at the Health Department.

- [ ] **Other Contaminants:** The Health Department also recommends that the applicant test the water for chloride, iron, manganese, sodium, sulfate, copper, and zinc which may cause corrosion or staining of fixtures or clogging of water pipes. In addition, some of these chemicals may be of significance to individuals with known medical problems.

If a Maximum Contaminant Level is exceeded please contact the Whatcom County Health Department for information regarding recommended action or treatment system approval.

The Director may require additional water sampling deemed significant based on local trends in water quality and the vulnerability of the source to known or suspected water quality problems.

## **CONSTRUCTION OF WELL**

- [ ] Submit a copy of the driller's Water Well Report (well log). The well construction must be in compliance with the State Department of Ecology's Minimum Well Construction Standards WAC 173-160. You can contact the well drillers directly or the State Department of Ecology at (360) 715-5200. You may also search for well logs at the State Department of Ecology's web site: [apps.ecy.gov/wa/welllog](https://apps.ecy.gov/wa/welllog).
- [ ] If no original Water Well Report can be obtained and the well is a "drilled" 6" or 8" diameter steel casing, then the owner or a licensed driller must complete a Water Well Report form, (blank attached), to the best of their ability.
- [ ] If no original Water Well Report form can be located **AND** the well is driven, jetted, or dug (as defined in WAC 173-160) then a licensed well driller must inspect the well and make a report to the Whatcom County Health Department addressing to what extent the well is in compliance with WAC 173-160.

## **WATER QUANTITY REQUIREMENTS**

- [ ] Well yield test results must be conducted for a minimum of one-hour using a bailer, air lift, or pump. If the yield is less than 7 gallons per minute, a longer test is required. The test duration must be the length of time necessary to produce 400 gallons per day for a single-family residence. Yield test results are typically listed on the Water Well Report (well log).
- [ ] Plans for a reservoir must be submitted to the Whatcom County Health Department for approval if the source cannot provide for peak household flows. A reservoir is required for a single residence when the well yield is less than 4 gpm and there is substantial drawdown. Dry season test will be required if yield test results are less than 1 gpm.

Reservoir plans must include location, size, materials, and a schematic drawing of the installation. Reservoir materials, other than concrete and steel, must be approved by EPA, FDA, or NSF for contact with potable water. All reservoirs must be installed with at least the upper portion of the tank above grade so that inspection ports and lid seams are not subject to surface water infiltration. All inspection ports, seams and pipe inlets and outlets must be sealed to prevent debris from entering the reservoir.

## **LOCATION OF WELL AND SANITARY CONTROL AREA**

- [ ] Submit a plot plan showing well location and distances from the well to property lines and potential sources of contamination within a 100' radius of the well. Potential contamination sources include, but are not limited to: property you do not control, septic drainfields, underground fuel tanks, pesticide and herbicide storage and application areas, surface water such as lakes and streams, and roads. Well setback from the above items may be reduced to 50' for wells that obtain water from underneath a poorly permeable layer at least 6' thick. However, no wells shall be located within 1,000' from the property line surrounding any active or closed solid waste landfill or within 100' of a septic drainfield or within 200' of a manure lagoon or sewage lagoon.

This drawing must be to scale and show the location of the well and the location of the house it is to serve. Also include to-scale, a circle defining the sanitary control area.

A copy of signed and recorded Restrictive Covenants (blank attached) are required from the adjacent property owner if the full 50' or 100' radius around the well is not all on your property **AND** the well was drilled after October 1, 1990.

## **DECLARATION OF COVENANT OR RESTRICTIVE COVENANT**

For wells constructed after October 1, 1990, a Declaration of Covenant or Restrictive Covenant must be signed, notarized, and recorded at the County Auditor's office establishing a sanitary control area around the well on any adjacent parcel. A **Declaration of Covenant** is a document, which establishes a Sanitary Control Area (SCA) around the well on property owned by the user of the well. A **Restrictive Covenant** establishes that portion of a Sanitary Control Area on property that is owned by someone other than the user of the well.



Whatcom County Health Department Policy on Well Protective Zones and Roads  
**For Single Family Residences and Two Party Wells**

For the purpose of this policy, our office defines a road as a public or private, gravel or paved, primary designated access route that serves more than one parcel. A driveway is an access route from an arterial or road to serve only one parcel. Driveways are not prohibited within the well protective zone.

Roads can be potential sources of contamination due to petroleum products typically found in road runoff, herbicidal weed control practices on shoulders, and the possibility of vehicle spills. Setbacks from roads are to be measured from the well casing to the nearest edge of the road easement.

The Whatcom County Drinking Water Ordinance (April 23, 2002) describes two sizes of well protective zones for wells serving one single-family dwelling. The purpose of establishing the well protective zone is to prohibit all potential sources of contamination that are not addressed in other regulations, such as the County's on-site septic system regulations and Ecology's minimum well construction standards.

A 100 ft. radius well protective zone is required for wells that do not have a minimum 6 ft. thick poorly permeable layer above the water bearing layer. Our office will permit a 50 ft. protective radius reduction if a poorly permeable layer greater than or equal to 6 feet is identified in the driller's log.

Road easements shall not be allowed within the 50 ft. or 100 ft. radius private well protective zone **UNLESS:**

- Topography or other site constraints make it unfeasible to maintain adequate setbacks between the proposed road location and well site.

**OR**

- The result of the following calculation is greater than +20 ft.:

Depth to bottom of highest confining layer: \_\_\_\_\_ ft.

Subtract (-)

Depth to static water level: \_\_\_\_\_ ft.

Result (=) \_\_\_\_\_ ft.

**AND**

- Mitigation measures such as ditching with culverts to divert road runoff outside the well protective zone and a road users agreement prohibiting herbicides for vegetation control along the road.
- **Include language on the face of the plat which does not allow the road to serve additional parcels in the future.**

Whatcom County Health Department  
509 Girard Street • Bellingham, WA 98225  
Phone (360) 676-6724 • Fax (360) 676-6771

**WELL SITE INSPECTION APPLICATION FOR NON-PUBLIC WATER SYSTEMS**

*The purpose of this inspection is to determine compliance with setback requirements as outlined in applicable codes.*

**SITE INSPECTION FEE: \$150.00**

**IMPORTANT!** Do not begin drilling any well until you are sure that you can obtain signatures on all necessary forms and have contacted any other agencies (or tribal governments) that may need to approve your project. If you need to change the location of your well site, the new site must be approved by the Health Department. *Any wells that are not in a pre-approved location may be deemed inappropriate for use.*

**APPLICANT INFORMATION**

Name of Owner \_\_\_\_\_ Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Contact Person for Inspection \_\_\_\_\_ Phone \_\_\_\_\_

**SITE PLAN** You must attach a site plan, using 8 ½ x 11 paper, **drawn to scale** showing the following items: 1) well site, 2) all potential sources of contamination on the parcel of the well site. If the well is within 100 feet of another parcel, sources of contamination on the neighboring parcel must also be shown, and 3) a 100 foot radius around the well site identifying the sanitary control area. The well site must also be clearly staked and flagged prior to the site inspection.

**WELL & SITE INFORMATION**

N S E W Side of \_\_\_\_\_ Rd. \_\_\_\_\_ Miles N S E W of \_\_\_\_\_ Rd.

Is the well to serve vested (existing) lots or lots to be created by a new plat? (*check only one*)

**2 Party Well on an existing lot and NOT a new lot on a proposed plat**

Check one:  new well  existing well (provide well log, if available)

Well located on Tax Parcel # \_\_\_\_\_ Address \_\_\_\_\_

Well to Serve Tax Parcel # \_\_\_\_\_ and Tax Parcel # \_\_\_\_\_

**1 or 2 Party Well on a Proposed Plat**

Check one:  new well  existing well (provide well log, if available)

Have you submitted a Plat Application with Planning & Development Services?  Yes  No

Plat Name \_\_\_\_\_ Plat # \_\_\_\_\_

Parent Tax Parcel # (s) \_\_\_\_\_ Acreage of total area to be platted \_\_\_\_\_

Well located on lot # \_\_\_\_\_ of the proposed plat will serve lot # \_\_\_\_\_ (and lot # \_\_\_\_\_ if shared)

**HEALTH DEPARTMENT USE ONLY BELOW THIS LINE**

Inspection Date \_\_\_\_\_ Met on site with \_\_\_\_\_

Comments \_\_\_\_\_

**APPROVED WITH CONDITIONS: (ONLY THOSE ITEMS CHECKED WILL APPLY)**

\_\_\_\_ A **Restrictive Covenant** will be required to establish a Sanitary Control Area on the adjoining parcel. This document must be signed by the owner of the adjoining parcel and recorded at the Auditor's Office.

\_\_\_\_ Submit a completed **Water Availability** packet for each well (after wells are drilled & tested).

\_\_\_\_ The well must be drilled through a confining layer to get a reduction of the Sanitary Control Area radius from 100 feet to 50 feet. If the confining layer is not present, a licensed well driller must decommission the well. The setback to an on-site sewage system drainfield is always 100 feet.

\_\_\_\_ Submit **Denial of Service** forms from the following Public Water Systems in your area:

\_\_\_\_ Submit a **Variance Request** form addressing the following issues: \_\_\_\_\_

\_\_\_\_ *Other* \_\_\_\_\_

\_\_\_\_ **DENIED** - Reasons: \_\_\_\_\_

\_\_\_\_\_  
Environmental Health Specialist

\_\_\_\_\_  
Date

After Recording, Return to:  
Whatcom County Health Department  
509 Girard Street  
Bellingham, WA 98225

**RESTRICTIVE COVENANT  
PRIVATE OR 2 PARTY WATER SUPPLY**

GRANTOR: \_\_\_\_\_  
GRANTEE: \_\_\_\_\_  
LEGAL DESC.: \_\_\_\_\_  
\_\_\_\_\_  
TAX PARCEL #: \_\_\_\_\_  
TAX PARCEL # (IF 2 PARTY): \_\_\_\_\_

The grantor herein is (are) owner(s) of (an interest in) the following described real estate situated in Whatcom County, State of Washington, to-wit: **(NEIGHBOR'S LEGAL, PARCEL NUMBER AND ADDRESS)** \_\_\_\_\_

The grantee(s) herein, \_\_\_\_\_ is (are) the owner(s) in fee simple of (an interest in) the following real estate situated in Whatcom County, State of Washington, to-wit: **(WELL OWNER'S LEGAL, PARCEL NUMBER AND ADDRESS)** \_\_\_\_\_

on which the grantee owns and operates a well and waterworks supplying water for private use located on said real estate, to-wit: **(PINPOINT THE ACCURATE LOCATION OF THE WELL SITE, FOR EXAMPLE, 125 FEET NORTH OF THE SOUTH PROPERTY LINE AND 100 FEET EAST OF THE WEST PROPERTY LINE)** \_\_\_\_\_

\_\_\_\_\_ which well and waterworks is in close proximity to the land of the grantor, and said grantee is required to keep the water supplied from said well or waterworks potable.

It is the purpose of these grants and covenants to prevent certain practices hereinafter in the use of the said grantors land which might contaminate said water supply.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) in hand paid and other good and valuable consideration received by said grantor(s), the grantor(s) agree(s) and covenant(s) with the grantee, its successors and assigns, said covenants to run with land for the benefit of the land of the grantee, that said grantor, its (their) heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor and within

**Restrictive Covenant**

\_\_\_\_\_ feet (50 feet or 100 feet; if not filled out assumed to be 100 feet) of the well on the land of the grantee any potential source of contamination (per Whatcom County Drinking Water Ordinance 24.11 and WAC 173-160) including but not limited to any road, easements for ingress and egress, sewer main, privy, sewage or manure lagoon, railroad tracks, manure pile, drainfield or any other receptacle for the disposal of sewage, storm water facility, underground fuel tank, structure for the storage of liquid or dry chemicals, application or storage of herbicides or pesticides, ponds, lakes or any other item that may have the potential for adversely affecting the quality of the water.

These covenants shall run with the land and shall be binding on all parties having or acquiring any right, title or interest in the land described herein or any part thereof, as long as said well or waterworks is used for the purpose of supplying potable water.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
Grantor  
Grantor

State of Washington )  
County of Whatcom County )

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared before me \_\_\_\_\_ to me known to be the individual described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as \_\_\_\_\_ free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

\_\_\_\_\_  
Notary Public in and for the State of Washington  
Residing at:\_\_\_\_\_

(SEAL or STAMP)

**FILING:**

Whatcom County Auditor (Recording Department)  
311 Grand Avenue  
Bellingham, WA 98225  
(360) 676-6740



After Recording, Return to:  
Whatcom County Health Department  
509 Girard Street  
Bellingham, WA 98225

**DECLARATION OF COVENANT  
PRIVATE OR 2 PARTY WATER SUPPLY**

GRANTOR: \_\_\_\_\_  
GRANTEE: \_\_\_\_\_  
LEGAL DESC.: \_\_\_\_\_  
TAX PARCEL #: \_\_\_\_\_  
TAX PARCEL # (IF 2 PARTY): \_\_\_\_\_

The grantor herein is (are) owner(s) of (an interest in) the following described real estate situated in Whatcom County, State of Washington, to-wit: \_\_\_\_\_

On which the grantor owns and operates a well and waterworks supplying water for private use located on said real estate, to-wit: **(PINPOINT THE ACCURATE LOCATION OF THE WELL SITE, FOR EXAMPLE, 125 FEET OF THE SOUTH PROPERTY LINE AND 100 FEET EAST OF THE WEST PROPERTY LINE)** \_\_\_\_\_

And said grantor is required to keep said well or waterworks potable.

It is the purpose of these grants and covenants to prevent certain practices hereinafter in the use of the said grantors land which might contaminate said water supply.

NOW, THEREFORE, the grantor(s) agree(s) and covenant(s) that said grantor its (their) heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor and within \_\_\_\_\_ feet (50 feet or 100 feet; if not filled out assumed to be 100 feet) of the well on the land of the grantor any potential source of contamination (per Whatcom County Drinking Water Ordinance 24.11 and WAC 173-160) including but not limited to any road, easements for ingress or egress, cesspool, sewer main, privy, septic tank, drainfield, manure pile, manure lagoon, garbage of any kind or description, barn, chicken house, rabbit hutch, pigeon, or other enclosure or structure for the keeping of fowl or animal, storage of liquid or dry chemical, application or storage of herbicides or pesticides,

**Declaration of Covenant**

ponds, lakes or any other item that may have the potential for adversely affecting the quality of the water.

These covenants shall run with the land and shall be binding on all parties having or acquiring the right, title or interest in the land described herein or any part thereof, as long as said well or waterworks is used for the purpose of supplying potable water.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Grantor  
\_\_\_\_\_  
Grantor

State of Washington )  
County of Whatcom County )

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared before me \_\_\_\_\_ to me known to be the individual described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as \_\_\_\_\_ free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

\_\_\_\_\_  
Notary Public in and for the State of Washington  
Residing at: \_\_\_\_\_

(SEAL or STAMP)

**FILING:**

Whatcom County Auditor (Recording Department)  
311 Grand Avenue  
Bellingham, WA 98225  
(360) 676-6740



WHATCOM COUNTY HEALTH DEPARTMENT  
**LABORATORIES IN WHATCOM COUNTY**  
**CERTIFIED BY THE STATE OF WASHINGTON**  
**February 2007**

509 Girard Street  
Bellingham, WA 98225  
Telephone: 360-676-6724  
Fax: 360-676-6771

The following laboratories are certified by the Washington State Department of Ecology. Please contact the laboratory to verify correct sampling processes and associated fees.

Avocet Environmental Testing  
1500 N. State Street, Suite 200  
Bellingham, WA 98225  
(360) 734-9033

Edge Analytical Inc. – Bellingham  
805 W. Orchard Street, Suite 4  
Bellingham, WA 98225  
(360) 715-1212  
(800) 755-9295

Exact Scientific Services, Inc.  
3929 Spur Ridge Lane, Suite 1  
Bellingham, WA 98226  
(360) 733-1205

Please note, this list of laboratories is for Whatcom County only.

A complete list of State Certified Laboratories is available on the Department of Ecology's website at: <http://www.ecy.wa.gov/programs/eap/labs/search.html>