

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.6  
(ID # 13669)

**MEETING DATE:**  
Tuesday, October 27, 2020

**FROM :** ENVIRONMENTAL HEALTH:

**SUBJECT:** ENVIRONMENTAL HEALTH: Initiation of Revision of Ordinance No. 682.4  
Regulating the Construction, Reconstruction, Abandonment and Destruction of  
Wells. All Districts. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Pursuant to Board Policy A-67, adopt an order initiating a revision to Ordinance No. 682.4 Regulating the Construction, Reconstruction, Abandonment and Destruction of Wells; and
2. Direct the Department of Environmental Health to prepare and process the amendment to Riverside County Ordinance No. 682.4.

**ACTION:**Policy


  
Keith Jones, Director Environmental Health 10/9/2020

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: October 27, 2020  
xc: Environmental Health

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

| <b>FINANCIAL DATA</b>   | <b>Current Fiscal Year:</b> | <b>Next Fiscal Year:</b> | <b>Total Cost:</b>            | <b>Ongoing Cost</b> |
|-------------------------|-----------------------------|--------------------------|-------------------------------|---------------------|
| <b>COST</b>             | \$ 0                        | \$ 0                     | \$ 0                          | \$ 0                |
| <b>NET COUNTY COST</b>  | \$ 0                        | \$ 0                     | \$ 0                          | \$ 0                |
| <b>SOURCE OF FUNDS:</b> |                             |                          | <b>Budget Adjustment:</b> No  |                     |
|                         |                             |                          | <b>For Fiscal Year:</b> 20/21 |                     |

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

In August 2020, the Supreme Court of the State of California rendered a decision in the case of Protecting Our Water and Environmental Resources v. County of Stanislaus on the question of California Environmental Quality Act (CEQA) reviews in relation to the issuance of permits for wells. The Supreme Court's decision stated that some but not all well permits are subject to CEQA review.

The Department of Environmental Health (DEH) is requesting approval to revise Ordinance 682.4 to incorporate the decision of the Supreme Court and further delineate the well permits that do and do not require a CEQA review prior to issuance. DEH will also clean up outdated and/or confusing language in the ordinance.

**Impact on Residents and Businesses**

Wells needing a review under CEQA will require additional time to review and approve. The permittee will bear the cost of any extra level of review by DEH and/or the creation of additional environmental reports needed to process and subsequently approve the permit. Costs will vary based on the complexity of each project.

**Attachment**

Ordinance 682.4



Jason Farin, Principal Management Analyst 10/20/2020



Gregory L. Priamos, Director County Counsel 10/9/2020



ORDINANCE NO. 682  
(AS AMENDED THROUGH 682.4)  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING  
THE CONSTRUCTION, RECONSTRUCTION, ABANDONMENT  
AND DESTRUCTION OF WELLS AND INCORPORATING BY REFERENCE  
ORDINANCE NO. 725

The Board of Supervisors of the County of Riverside, Ordains that Ordinance No. 682 is amended in its entirety to read as follows:

**Section 1. PURPOSE, AUTHORITY AND IMPLEMENTATION.** The purpose of this ordinance is to provide minimum standards for construction, reconstruction, abandonment, and destruction of all wells in order to: (a) protect underground water resources, and (b) provide safe water to persons within Riverside County. Pursuant to the authority cited in Chapter 13801(c) of the California Water Code, the Riverside County Department of Environmental Health shall enforce the provisions of this ordinance within its jurisdiction.

**Section 2. DEFINITIONS.** Whenever in this ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section:

- A. **"Abandoned Wells" and "Abandonment"**, shall apply to a well whose original or functional purpose and use has been discontinued for a period of one (1) year and which has not been declared for reuse with the Department by the legal owner, or a well in such a state of disrepair that it cannot be functional for its original purpose or any other function regulated under this ordinance. Exploration holes shall be considered abandoned twenty-four (24) hours after construction and testing work has been completed.
- B. **"Agriculture Well"** shall mean any water well used to supply water for irrigation or other agricultural purposes, including so-called "Stock Wells".
- C. **"Annular Seal" or "Sanitary Seal"** shall mean the approved material placed in the space between the well casing and the wall of the drilled hole (the annular space).
- D. **"Boring"** shall mean a temporary hole for immediate exploration drilled or driven into the ground to determine underground conditions.
- E. **"Cathodic Protection Well"** shall mean any artificial excavation in excess of fifty (50') feet constructed by any method for the purpose of installing equipment or facilities for the protection electrically of metallic equipment in contact with the ground, commonly referred to as cathodic protection.
- F. **"Community Water Supply Well"** shall mean any well which provides water for public water supply systems.



- 1 **G. "Contamination"** shall mean an impairment of the quality of the waters of the  
2 state by waste to a degree which creates a hazard to the public health through  
3 poisoning or through the spread of disease.
- 4 **H. "Cross-Connection"** shall mean any unprotected connection between any part of  
5 a water system used or intended to supply water for domestic purposes and any  
6 source or system containing water or other substances that are not or cannot be  
7 approved as safe, pure, wholesome, and potable for human consumption.
- 8 **I. "Department"** shall mean the Riverside County Department of Environmental  
9 Health.
- 10 **J. "Director"** shall mean the Director of Environmental Health or his duly authorized  
11 representative.
- 12 **K. "Distribution System"** shall include the facilities, conduits, or any other means  
13 used for the delivery of water from the source facilities to the customer's system.
- 14 **L. "Geothermal Heat Exchange Well"** shall mean any uncased excavation by any  
15 method for the purpose of using the heat exchange capacity of the earth for  
16 heating and cooling and in which the ambient ground temperature is 860  
17 Fahrenheit (300 Celsius) or less and which uses a closed loop fluid system to  
18 prevent the discharge or escape of its fluid into the surrounding aquifers or  
19 geologic formations. Geothermal Heat Exchange Wells are also know as ground  
20 source heat pump wells (California Water Code § 13713). Such wells or boreholes  
21 are not intended to produce water or steam.
- 22 **M. "Exploration Hole"** shall mean an uncased excavation for the purpose of  
23 immediately determining the existing geological and/or hydrological conditions at  
24 the site either by direct observation or other means.
- 25 **N. "Extraction Well"** shall mean any well used to extract water for treatment,  
26 dewatering or other processes but not to include domestic or agricultural uses.
- 27 **O. "Individual Domestic Well"** shall mean any well used to supply water for  
28 domestic needs other than a public water supply system.
- 29 **P. "Industrial Well"** shall mean any well used primarily to supply water for industrial  
30 processes and may supply water intentionally or incidentally for domestic  
31 purposes.
- 32 **Q. "Injection or Recharge Well"** shall mean any well used to inject water of  
33 approved quality into groundwater basins (Special approval required).
- 34 **R. "Lateral (horizontal) Well"** shall mean a well drilled or constructed horizontally or  
35 at an angle with the horizon as contrasted with the common vertical well and does  
36 not include horizontal drains or "wells" constructed to remove subsurface water  
37 from hillside, cuts, or fills.
- 38 **S. "Monitoring Well"** shall mean an artificial excavation by any method for the  
39 purpose of observing, monitoring, or supplying the conditions of a water bearing  
40 Aquifer, such as fluctuations in groundwater levels, quality of ground waters, or the  
41 concentration of contaminants in underground waters.



- 1 **T. "Person"** shall mean any individual, firm, corporation, association, profit or non-  
2 profit organization, trust, partnership, special district, or governmental agency to  
3 the extent authorized by law.
- 4 **U. "Pollution"** shall mean an alteration of water by waste to a degree which  
5 unreasonably affects such water for beneficial uses, or facilities which serve such  
6 beneficial uses "Pollution" may include "contamination".
- 7 **V. "Public Water System"** shall mean:
- 8 1. A system, regardless of type of ownership, for the provision of piped water to  
9 the public for domestic use, if such system has at least five (5) service  
10 connections or regularly serves an average of at least twenty-five (25)  
11 individuals daily at least sixty (60) days of the year. A public water system  
12 includes:
- 13 a. Any collection, treatment, storage, and distribution facilities which  
14 are used primarily in connection with such system and which are  
15 under control of the water supplier.
- 16 b. Any collection or pretreatment storage facilities which are used  
17 primarily in connection with such system but are not under control  
18 of the water supplier.
- 19 2. A Labor Camp as defined by the California Code of Regulations, Title 25,  
20 Housing.
- 21 **W. "Reconstruction"** means certain work done to an existing well in order to restore  
22 its production, replace defective casing, seal off certain strata or surface water, or  
23 similar work, not to include the cleaning out of sediments, surging, or maintenance  
24 to the pump or appurtenances where the integrity of the annular seal or water  
25 bearing strata are not violated.
- 26 **X. "Source Facilities"** shall include wells, stream, diversion works, infiltration  
27 galleries, springs, reservoirs tanks, and all other facilities used in the production,  
28 treatment, disinfection, storage, or delivery of water to the distribution system.
- 29 **Y. "Vapor Extraction Well"** shall be a hole drilled and cased to extract vapor from  
30 underground.
- 31 **Z. "Water Well"** shall mean any artificial excavation constructed by any method for  
32 the purpose of extracting water from, or injecting water into the ground. This  
33 definition shall not include:
- 34 1. Oil and gas wells, or geothermal wells constructed under the jurisdiction of the  
35 California State Department of Conservation, except those wells converted to  
36 use as water wells; or
- 37 2. Wells used for the purpose of:
- 38 a. Dewatering excavation during construction; or  
39 b. Stabilizing hillsides or earth embankments, unless located within 500 feet  
40 of a potential source of groundwater contamination.

41  
42 **Section 3. PERMIT REQUIREMENTS.**



1 **A.** No person or entity, or agent, contractor, subcontractor, representative, or employee  
2 thereof, shall dig, drill, bore, drive, reconstruct or destroy (1) a well that is to be, or  
3 has been, used to produce or inject water, (2) a cathodic protection well, (3) a  
4 monitoring well or (4) geothermal heat exchange well, without first filing a written  
5 application to do so with the Department, and receiving and retaining a valid permit  
6 as provided herein. Said written application shall contain a statement which is  
7 substantially in the following form: I declare under penalty of perjury under the laws  
8 of the State of California that the information furnished as part of this application is  
9 true and correct. I also understand that I am legally obligated to obey all  
10 requirements of state law and Riverside County ordinances in connection with the  
11 approval of this application.

12  
13 Property Owner's Signature \_\_\_\_\_

14  
15 Date \_\_\_\_\_

16  
17 **B.** No person or entity shall engage in any activity subject to the jurisdiction of this  
18 ordinance without first paying all applicable fees to the Department of Environmental  
19 Health for each activity in the amounts set forth in Riverside County Ordinance No.  
20 671 and any subsequent amendments thereto. Such fees may be waived in cases  
21 where corrective or replacement work is being undertaken to replace property  
22 damaged or destroyed in a disaster recognized in a resolution adopted by the Board  
23 of Supervisors.

24 **C.** Any person who shall commence any work for which a permit is required by this  
25 Department without having obtained a permit therefore, shall, if subsequently  
26 granted a permit, pay double the permit fee for such work; provided, however, that  
27 this provision shall not apply to emergency work when it shall be established in  
28 writing to the satisfaction of the Director that such work was urgently necessary and  
29 that it was not practical to obtain a permit before commencement of the work. In all  
30 cases in which emergency work is necessary, a permit shall be applied for within  
31 three (3) working days after commencement of the work. The applicant for a permit  
32 for any such emergency work shall, in any case, demonstrate that all work  
33 performed is in compliance with the technical standards of Section 10. of this  
34 ordinance.

35 **D.** An application for a permit to construct a water well, monitoring well, cathodic  
36 protection well, or geothermal heat exchange well shall be submitted to the  
37 Department on a form and in a manner prescribed by the Department, and shall  
38 include the following information:

- 39 1. A Plot Plan showing the proposed well location with respect to the following items  
40 within a radius of five hundred feet (500') from the well:  
41 a. Property lines, including ownership.  
42 b. Sewage or waste disposal systems (including reserved waste disposal  
43 expansion areas), or works for carrying or containing sewage or waste.



- c. All intermittent or perennial, natural, or artificial bodies of water or watercourses.
  - d. The approximate drainage pattern of the property.
  - e. Other wells, including abandoned wells.
  - f. Access road(s) to the well site.
  - g. Structures.
2. Location of the property with a vicinity map including the legal description of the property (Assessor Parcel Map/Tract Map Number, Township, Range and Section).
  3. The C-57 license number and signature of the person responsible for constructing the well.
  4. For a monitoring well the name and telephone number of the consultant.
  5. The proposed well depth, including casing size and zones of perforations and strata to be sealed off if such data can be reasonably projected.
  6. The proposed use of the well.
  7. Location of underground storage tank(s) within five hundred feet (500') of the proposed well.
  8. Location and classification by visual inspection of any solid, liquid, or hazardous waste disposal sites to include municipal and individual package sewage treatment plants within two thousand feet (2,000') of the proposed well.
  9. Where proposed work is reconstruction or destruction of a water well, monitoring well, cathodic protection well or geothermal heat exchange well, provide the following information, if available:
    - a. Method of reconstruction or destruction of well.
    - b. Total depth.
    - c. Depth and type of casing used.
    - d. Depth of perforation.
    - e. Well log.
    - f. Any other pertinent information.
  10. Other information as may be deemed necessary for the Department to determine if the underground waters will be adequately protected.
- E.** As a condition of a construction or reconstruction permit, any abandoned wells on the property shall be destroyed in accordance with standards provided in this ordinance.
- F.** All complete and accurate permit applications shall be approved or denied within six (6) working days after the date of filing of the application or shall be deemed approved. The term working day shall be defined to mean a day in which the County of Riverside is open to members of the public for the regular conduct of business. In the event that the application is denied, the applicant shall be informed of any deficiencies contained in the application at the time of being notified of such denial. The applicant, after initial denial, may resubmit a corrected application that addresses the deficiencies that were identified as part of the application denial. The applicant shall resubmit a corrected application within thirty (30) days after being



1 notified of the application denial or thereafter a new permit application will need to be  
2 submitted.

3  
4 **Section 4. CONDITIONS OF APPROVALS.** Permits shall be issued after  
5 compliance with the standards provided and incorporated by reference in this  
6 ordinance. Plans shall be submitted to the Department demonstrating compliance with  
7 such standards. Permits may include conditions and requirements found by the  
8 Department to be reasonably necessary to accomplish the purpose of this ordinance.  
9 Completion bonds, contractor's bonds, cash deposits, or other adequate security may  
10 be required to insure that all projects are performed completely and properly to protect  
11 the public's health and safety and the integrity of underground water resources.

12  
13 **Section 5. CONDITIONS OF DENIAL.** Where the Department determines that  
14 the standards of this ordinance have not been met, it shall deny the application.

15  
16 **Section 6. EXPIRATION OR EXTENSION OF PERMIT.**

- 17  
18 **A.** Each permit issued pursuant to this ordinance shall expire and become null and void  
19 if the work authorized thereby has not been completed within six (6) months  
20 following the issuance of the permit.  
21 **B.** The permit fee shall be non-refundable.  
22 **C.** Any permit issued pursuant to this ordinance may be extended at the option of the  
23 Department. Each individual extension granted by the Department shall be for not  
24 longer than one hundred twenty (120) days. In no event shall the Department grant  
25 an extension which would make the total term of the permit exceed one (1) year.  
26 Application for extension shall be made on a form provided by the Department.  
27 **D.** Upon expiration of any permit issued pursuant hereto, no further work may be done  
28 in connection with construction, repair, reconstruction, or abandonment of a well  
29 unless and until a new permit for such purpose is secured in accordance with the  
30 provisions of this ordinance. If, the permit has expired before the final inspection is  
31 conducted, the permittee must pay a renewal fee for the final inspection to take  
32 place.

33  
34 **Section 7. PERMIT REVOCATION OR SUSPENSION.**

- 35  
36 **A.** The Director may revoke or suspend a permit issued pursuant to this ordinance  
37 upon a finding that:  
38 1. A determination of violation exists.  
39 2. Said determination has been sent to the permittee by first class mail in the form  
40 of a written notice specifying the violation.  
41 3. The permittee has failed or neglected to correct the violation within twenty (20)  
42 days from the date the written notice is mailed.  
43 **B.** A permit violation exists where any of the following conditions are present:



- 1       1. The permit was issued in error.
- 2       2. The permit was issued on the basis of incorrect information supplied by the
- 3       permittee.
- 4       3. The permittee violated any of the provisions of this ordinance or the conditions
- 5       and requirements attached to the permit.
- 6    **C.** A permit may be revoked or suspended by the Director as provided for herein after
- 7       the permittee is afforded a pre-deprivation opportunity for a hearing pursuant to
- 8       Section 8 of this ordinance. Notwithstanding the foregoing, a permit may be
- 9       summarily revoked or suspended in the event that the Director determines that
- 10      exigent circumstances exist which demonstrate an immediate threat to the public
- 11      health or safety. Upon a determination that exigent circumstances exist, a permittee
- 12      shall be sent a written notice of violation pursuant to Section 7.A.2. of this ordinance
- 13      and alternatively afforded a post-deprivation opportunity for a hearing pursuant to
- 14      Section 8 of this ordinance.

## 15                   **Section 8. HEARINGS.**

- 16
- 17
- 18    **A.** Pre-deprivation Hearing. Any person whose application for a permit has been denied
- 19       or whose permit faces revocation or suspension after having first been sent a written
- 20       notice of violation pursuant to Section 7.A.2. of this ordinance shall be entitled to
- 21       request a pre-deprivation hearing. The person shall file with the Department a
- 22       written petition requesting the hearing and setting forth a brief statement of the
- 23       grounds for the request within ten (10) days from the date the permit application was
- 24       denied or from the date the written notice of violation was mailed pursuant to Section
- 25       7.A.2. of this ordinance. The failure to timely submit a written request for a hearing
- 26       shall be deemed a waiver of the right to such hearing.
- 27    **B.** Post-Deprivation Hearing. Any person whose permit has been summarily revoked or
- 28       suspended shall be entitled to request a post-deprivation hearing. The person shall
- 29       file with the Department a written petition requesting the hearing and setting forth a
- 30       brief statement of the grounds for the request within ten (10) days from the date the
- 31       written notice of violation was mailed pursuant to Section 7.A.2. of this ordinance.
- 32       The failure to timely submit a written request shall be deemed a waiver of the right to
- 33       such hearing.
- 34    **C.** Hearing Procedure. The Hearing Officer shall be the Director or the Director's
- 35       designee. The hearing shall be set for a date within ten (10) days from the date the
- 36       written request is received by the Department unless extended at the request of the
- 37       petitioner. At the time and place set for the hearing, the Hearing Officer shall give the
- 38       petitioner and other interested persons, adequate opportunity to present any facts
- 39       pertinent to the matter at hand. The Hearing Officer may, when deemed necessary,
- 40       continue any hearing by setting a new time and place and by giving notice to the
- 41       petitioner of such action. At the close of the hearing, or within twenty (20) normal
- 42       business days thereafter, the Hearing Officer shall order such disposition of the
- 43       permit application or permit as determined to be proper, and shall, by postage



1 prepaid, certified mail, notify the petitioner of the Hearing Officer's final  
2 determination.

3 **Section 9. LICENSING AND REGISTRATION OF WATER WELL DRILLER'S**  
4 **AND CONTRACTORS.** No persons shall engage in any activity listed in Section 3. of  
5 this ordinance unless he is in compliance with the Provisions herein and possesses a  
6 valid C57 license in accordance with the California Contractor's State License Law  
7 (Chapter 9. Division 3 of the Business and Professions Code), or possesses a license  
8 appropriate to the activity to be engaged in. Such person shall register annually with the  
9 Department thereto prior to commencing any activity regulated by this ordinance. The  
10 Driller's Registration may be suspended if there are any Well Driller's Reports  
11 outstanding and due or for other just cause. All well drilling rigs are to be identified as  
12 specified in the Contractor's License Law Section 7029.5 1990.

13  
14 **Section 10. STANDARDS.** Standards for the construction, reconstruction,  
15 abandonment, or destruction of wells shall be the standards recommended in the  
16 Bulletins of the California Department of Water Resources as follows: Bulletin NO 74-81  
17 Chapter II Water Wells, and Bulletin NO 74-90 (Supplement to Bulletin 74-81) and as  
18 these Bulletins may be amended by the State of California from time to time. The  
19 content of said Bulletins is hereby incorporated by reference with the following additions  
20 or modifications:

21  
22 A. Exploration holes used for determining immediate geological or hydrological  
23 information relating to onsite sewage disposal systems, liquefaction studies, or  
24 geotechnical investigations for construction purposes, such as foundation studies,  
25 are exempt from the monitoring well destruction standards of Part III Bulletin 74-90,  
26 provided that a zone of low permeability overlying sediments with water bearing  
27 capabilities has not been penetrated. For the above-listed cases, the excavation or  
28 boring shall be backfilled with native soils immediately after the investigatory work  
29 has been completed. Where a zone of low permeability has been penetrated, the  
30 hole shall be abandoned as specified in Bulletin 74-90, Part III. When the excavation  
31 is to be left open and unattended (such as at the end of a work shift), the person in  
32 charge of the construction shall take necessary precautions to insure that the  
33 excavation has not created a public health or safety hazard. All excavations under  
34 this section shall be properly destroyed with approved sealant material within 24  
35 hours.

36  
37 **Section 11. LATERAL (HORIZONTAL) WELL STANDARDS.** The location and  
38 design of lateral wells shall be in accordance with the standards recommended in the  
39 State of California, Department of Health Services' Publication: Requirements for The  
40 Use of Lateral Wells in Domestic Water Systems as such publication may be amended  
41 by the State of California from time to time. The content of said publication is hereby  
42 incorporated herein by reference.  
43



1        **Section 12. REQUIRED INSPECTION OF WELL SITES.** A site inspection by the  
2 Department is required prior to issuance of a permit for a well that is to be part of a  
3 public water system or other wells that possess a high potential for contamination as  
4 determined by the Director. In the event that the well is to serve a system under the  
5 direct jurisdiction of the State Department of Health Services, then, that agency may  
6 perform the site inspection and notify the Department of Environmental Health of its  
7 approval or disapproval.  
8

9        **Section 13. REQUIRED INSPECTIONS OF WELLS.**

- 10  
11    **A.** A well inspection shall be requested of the Department at least two (2) working days  
12 in advance of the following activities:  
13        **1. For individual domestic wells, agricultural wells, cathodic protection wells,**  
14        **extraction wells, injection wells, and monitoring wells:**  
15            a. The filling of the annular space or conductor casing.  
16            b. Immediately after the installation of all surface equipment and (for individual  
17 domestic wells) after the well has been disinfected and purged.  
18        **2. For community wells:**  
19            a. All community water wells shall be inspected at the frequencies stated in  
20 subsection 1. of this section for individual domestic water wells. In addition, a  
21 site inspection prior to issuance of a permit is required in accordance with  
22 Section 12. of this ordinance.  
23        **3. For all wells:**  
24            a. Any other operation or condition for which a special inspection is stipulated on  
25 the well permit.  
26        **4. For well and boring destruction:**  
27            a. During the actual sealing of the well,  
28            b. Immediately after all well destruction work has been completed.  
29    **B.** Upon failure to notify the Department of the filling of the annular space, approved  
30 geophysical tests including Sonic Log and Gamma Ray Log shall be conducted at  
31 the owner's expense, to substantiate that an annular seal has been properly  
32 installed.  
33    **C.** If the enforcement agency fails to appear at the well site within 30 minutes of the  
34 scheduled time designated for sealing, the well may be sealed without the presence  
35 of the enforcement agency. However, the driller shall seal the well in accordance  
36 with the standards of this ordinance and the permit.  
37

38        **Section 14. DISCHARGE OF DRILLING FLUIDS.** Drilling fluids and other drilling  
39 materials used in connection with cathodic protection, monitoring, or water well  
40 construction shall not be allowed to discharge onto streets or into waterways, and shall  
41 not be allowed to discharge to the adjacent property unless a written agreement with the  
42 owner(s) of the adjacent property is obtained; provided, however, that such fluids and  
43 materials are discharged off- site with permission and are removed within thirty (30)



1 days after completion of the well drilling and there is no violation of waste discharge  
2 regulations. This section shall not operate to prohibit the surface discharge of  
3 contaminated groundwater provided such discharge is carried out in compliance with a  
4 lawful order of a regional water quality control board.

5  
6 **Section 15. GENERAL LOCATION OF WATER WELLS.** It shall be unlawful for  
7 any person or entity to drill, dig, excavate, or bore any water well at any location where  
8 sources of pollution or contamination are known to exist, have existed, or otherwise  
9 substantial risk exists that water from that location may become contaminated or  
10 polluted even though the well may be properly constructed and maintained. Exceptions  
11 to the above include the following:

- 12 **A.** Extraction wells used for the purpose of extracting and treating water from a  
13 contaminated aquifer.  
14 **B.** Wells from which water is to be treated to meet all State Department of Health  
15 standards and requirements.  
16 **C.** Wells from which water will be blended with other water sources resulting in water  
17 that meets all State Department of Health standards and requirements.

18  
19 Every well shall be located an adequate distance from all potential sources of  
20 contamination and pollution as follows:

|   |                  |
|---|------------------|
| 21 Sewer  | 50-foot minimum  |
| 22 Watertight septic tank   | 100-foot minimum |
| 23 Subsurface sewage leach line or leach field                          | 100-foot minimum |
| 24 Cesspool or seepage pit  | 150-foot minimum |
| 25 Animal or fowl enclosures  | 100-foot minimum |
| 26 Any surface sewage disposal system discharging 2,000 gal/day or more | 200-foot         |
| 27 minimum  |                  |

28  
29 Minimum distances from other sources of pollution or contamination shall be as  
30 determined by the Department upon investigation and analysis of the probable risks  
31 involved. Where particularly adverse or special hazards are involved as determined  
32 by the Department of Environmental Health, the foregoing distances may be  
33 increased or specially approved means of protection, particularly in the construction  
34 of the well, may be required as determined by the Department.

35  
36 **Section 16. WELL LOGS.** Any person who has drilled, dug, excavated, or bored  
37 a well subject to this ordinance shall within sixty (60) days after completion of the  
38 drilling, digging, excavation, or boring of such well, furnish the Department with a  
39 complete log of such well on a standard form provided by the State Department of  
40 Water Resources. This log shall include depths of formations, character, size  
41 distribution, i.e., clay, sand, gravel, rocks and boulders, and color for all litho-logical  
42 units penetrated, the type of casing, pump test results when applicable, and any other  
43 data required by the Department. The Department may require inspection of the well log



1 during any phase of the well's construction and where necessary to achieve the  
2 purposes of this ordinance, may require modification of the work as originally planned.

3 Well logs furnished pursuant to this ordinance shall not be made available for  
4 inspection by the public, but shall be made available to governmental agencies for use  
5 in making studies; provided, that any report be made available to any person who  
6 obtains written authorization from the owner of the well.

7  
8 **Section 17. WATER WELL SURFACE CONSTRUCTION FEATURES.**  
9

- 10 **A.** Check Valve. A check valve shall be provided on the pump discharge line adjacent  
11 to the pump for all water wells.
- 12 **B.** Sample Spigot. An unthreaded sample spigot shall be provided on any community or  
13 individual domestic water well. The sample spigot is to be installed on the pump  
14 discharge line adjacent to the pump and on the distribution side of the check valve.
- 15 **C.** Water Well Disinfection Pipe. All community water supply wells and individual  
16 domestic wells shall be provided with a pipe or other effective means through which  
17 chlorine or other approved disinfecting agents may be introduced directly into the  
18 well, The pipe shall be extended at least four inches (4") above the finished grade  
19 and shall have a threaded or equivalently secured cap on it.
- 20 **D.** Water Well Flow Meter. A flow meter or other suitable measuring device shall be  
21 located at each source facility and shall accurately register the quantity of water  
22 delivered to the distribution system from all community water supply wells serving a  
23 public water supply system.
- 24 **E.** Air-Relief Vent. An air-relief vent, when required, shall terminate downward, be  
25 screened, and otherwise be protected from the entrance of contaminants.
- 26 **F.** Backflow Prevention Assembly. Wells equipped with chemical feeder devices for  
27 fertilizers, pesticides or other non-potable water treatment, including connections to  
28 reclaimed water systems, shall be furnished with an approved backflow prevention  
29 assembly or a sufficient air gap to insure that a cross-connection with the well does  
30 not exist.

31  
32 **Section 18. DISINFECTION OF WATER WELLS.** Every new, repaired, or  
33 reconstructed community water supply well or individual domestic well, after completion  
34 of construction, repair or reconstruction, and before being placed in service, shall be  
35 thoroughly cleaned of all foreign substances. The well gravel used in packed wells,  
36 pipes, pump, pump column, and all well water contact equipment surfaces, shall be  
37 disinfected by a Department-approved method. The disinfectant shall remain in the well  
38 and upon all relevant surfaces for at least twenty-four (24) hours. Disinfection  
39 procedures shall be repeated until coli-forms organisms are no longer present.

40  
41 **Section 19. WATER QUALITY STANDARDS.** A. Water from all new, repaired,  
42 and reconstructed community water supply wells, shall be tested for and meet the  
43 standards for constituents required in the California Code of Regulations, Title 22,



Domestic Water Quality and Monitoring. B. In addition to the microbiological standards required in Section 18. of this ordinance, all individual domestic water wells shall be tested for and meet the nitrate, fluoride, and total dissolved solids (or total filterable residue) standards in accordance with the California Code of Regulations, Title 22, Domestic Water Quality and Monitoring. C. At the discretion of the Director, for the purpose of protecting the health and safety of the public, any new, repaired, or reconstructed individual domestic water well, or community well, shall be tested for and must meet, any or all additionally specified Water Quality Standards in accordance with the California Code of Regulations, Title 22, Domestic Water Quality and Monitoring. Exceptions would be community well water to be either treated or blended with other water sources to meet State Department of Health Services standards and requirements. Said treatment or blending must be approved by the State Department of Health Services.

## **Section 20. MINIMUM WATER WELL PRODUCTION.**

- A. All individual domestic water wells providing drinking water to a residence must be tested for the purpose of achieving a minimum level of water production capability.
- B. Water production testing shall be performed under the direct supervision of a California licensed C-57 well driller, C-61 pump contractor, D-21 pump contractor or a certified hydro-geologist. Said testing shall include the following requirements:
1. Standing water level measurements in the individual domestic water well shall be made immediately prior to the start of pumping. The standing water level shall be measured to an accuracy of at least 0.1 foot.
  2. Timing of the test shall commence from the start of pumping or when an air lift is started. Pumping shall continue on an uninterrupted basis for a minimum two hour period until three or more wetted bore volumes of water have been discharged from the well. The term "wetted bore volume" shall be defined to mean the volume of the well hole below the standing water level measurement. In those cases that involve screened and filter packed wells, the volume of water contained in the filter pack shall also be included in the bore volume calculation.
  3. Water production shall be kept at a constant rate of no less than 1 gallon per minute per residence or unit. Higher production rates may be required based upon the proposed water usage and as determined by the Department. This level of production applies to new water wells used for domestic purposes and existing water sources on property being improved.
  4. Water discharged from the water well during the production test shall be restricted so that it does not re-enter the water well that is the subject of the test.
  5. The standing water level in the individual domestic water well shall be remeasured immediately at the conclusion of pumping. The standing water level shall be measured to an accuracy of at least 0.1 foot. The well shall not pump dry during the test.



1        **Section 21. PRIVATE WELL EVALUATIONS.** A well evaluation is required for all  
2 individual domestic wells that have been in existence for more than one year and are to  
3 be utilized as a potable water supply for a proposed development or improvement of  
4 property. This evaluation is required when application is made to this Department for  
5 waste disposal. A well evaluation may be requested by the applicant or otherwise  
6 required by this Department. The Department shall perform a well-site inspection and  
7 conduct the water sampling portion of the evaluation. The well shall be sampled for total  
8 coli form, nitrate, fluoride, total filterable residue (or total dissolved solids) and any other  
9 constituent determined to be necessary for the Department to evaluate the basic water  
10 quality. The well water shall meet the Water Quality Standards in accordance with the  
11 California Code of Regulations, Title 22, Domestic Water Quality and Monitoring. A  
12 water source can not be approved by this Department if it does not meet the  
13 bacteriological standards. Failure to meet the fluoride or nitrate standard will require  
14 recordation of this fact on the grant deed of property. Any additional testing, including  
15 any pump test to determine the yield quantity of the well, shall be performed under the  
16 direct supervision of a California licensed C-57 well driller, C-61 pump contractor, D-21  
17 pump contractor or a certified hydro-geologist at the expense of others.

18  
19        **Section 22. WELL ABANDONMENT.** If after thirty (30) days of abandonment,  
20 the owner has not declared to the Department a proposed reuse of the well per Section  
21 24 of this ordinance, and the well has been found by the Department to be a hazard,  
22 whereby its continued existence is likely to cause damage to ground water or a threat to  
23 public health and safety, the Department shall direct the owner to destroy the well, in  
24 accordance with Section 10. of this ordinance. Upon removal of the pump, the casing  
25 shall be provided with a threaded or equivalently secured watertight cap. The well shall  
26 be maintained so that it will not be a hazard to public health and safety until such time  
27 as it is properly destroyed.

28  
29        **Section 23. PUBLIC NUISANCE ABATEMENT.** Where an abandoned well has  
30 been identified and the owner fails to comply with the Department's order to destroy the  
31 well, such well may be declared a public nuisance pursuant to Government Code  
32 Section 50231, and thereafter abated pursuant to Title 5, Division 1, Article 9 of the  
33 California Government Code. Where abatement is undertaken at the expense of the  
34 County, such cost shall constitute a special assessment against the parcel and shall be  
35 added to the next regular tax bill as enumerated under Government Code Section  
36 50244 et seq.

37  
38        **Section 24. DECLARATION OF PROPOSED REUSE.** Where a well is unused  
39 or its disuse is anticipated, the owner may apply to the Department, in writing, stating an  
40 intention to use the well again for its original or other approved purpose, The  
41 Department shall review such a declaration and may grant an exemption from certain of  
42 the provisions of Section 22 of this ordinance, provided no undue hazard to public  
43 health or safety is created by the continued existence of the well. Thereafter, an



1 amended declaration shall be filed annually with the Department. The original or  
2 subsequent exemption may be terminated for cause by the Department at any time.

3  
4 **Section 25. ADMINISTRATIVE VARIANCE.** Subject to approval by the State  
5 Department of Health Services, the Director may grant an administrative variance of the  
6 provisions of this ordinance where documentary evidence establishes that a  
7 modification of the standards as provided herein will not endanger the general public  
8 health and safety, and strict compliance would be unreasonable in view of all the  
9 circumstances.

10  
11 **Section 26. VIOLATIONS AND PENALTIES.**

- 12  
13 **A.** The Director, or his designee, may at any and all reasonable times enter any and all  
14 places, property, enclosures, and structures for the purpose of conducting  
15 examinations and investigations to determine whether all provisions of this  
16 ordinance are being complied with.
- 17 **B.** It shall be unlawful for any person, firm, corporation, or association of persons to  
18 violate any provision of this ordinance or to violate the provisions of any permit  
19 granted pursuant to this ordinance. Any person, firm, corporation or association of  
20 persons violating any provision of this ordinance or the provisions of any permit  
21 granted pursuant to this ordinance, shall be deemed guilty of an infraction or  
22 misdemeanor as herein specified. Such person, firm, corporation, or association of  
23 persons shall be deemed guilty of a separate offense for each and every day or  
24 portion thereof during which any violation of any of the provisions of this ordinance  
25 or the provisions of any permit granted pursuant to this ordinance is committed,  
26 continued, or permitted. Any person, firm, corporation, or association of persons so  
27 convicted shall be: (1) guilty of an infraction offense and punished by a fine not  
28 exceeding one hundred dollars (\$100.00) for a first violation, (2) guilty of an  
29 infraction offense and punished by a fine not exceeding two hundred dollars  
30 (\$200.00) for a second violation at the same site. The third and any additional  
31 violations on the same site shall constitute a misdemeanor offense and shall be  
32 punishable by a fine not exceeding one thousand dollars (\$1,000.00), or six (6)  
33 months in jail, or both. Notwithstanding the above, a first offense may be charged  
34 and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve  
35 a person, firm, corporation, or association of persons from the responsibility for  
36 correcting the violation.
- 37 **C.** Anything done, maintained, or suffered in violation of any of the provisions of this  
38 ordinance is a public nuisance dangerous to the health and safety of the public and  
39 may be enjoined or summarily abated in the manner provided by law. Every public  
40 officer or body lawfully empowered to do so shall abate the nuisance immediately.
- 41 **D.** The procedures, remedies and penalties for violation of this ordinance and for  
42 recovery of costs related to enforcement are provided for in Ordinance No. 725,  
43 which is incorporated herein by this reference.



1  
2       **Section 27. SEVERABILITY.** If any provision, clause, sentence, or paragraph of  
3 this ordinance, or the application thereof, to any person, establishment, or  
4 circumstances shall be held invalid, such invalidity shall not affect the other provisions  
5 of this ordinance which can be given effect without the invalid provision or application,  
6 and to this end, the provisions of the ordinance are hereby declared to be severable.  
7

8       **Section 28. CONFLICT WITH EXISTING LAWS.** The provisions of any existing  
9 ordinance or State or Federal law affording greater protection to the public health or  
10 safety shall prevail within this jurisdiction over the provisions of this ordinance and the  
11 standards adopted or incorporated by reference there under.  
12

13       **Section 29. REPEAL.** Riverside County Ordinance No. 340, and all amendments  
14 thereto, shall be repealed and of no further force or effect upon the effective date of this  
15 ordinance.  
16

17       **Section 30. EFFECTIVE DATE.** This ordinance shall take effect sixty (60) days  
18 after its adoption.  
19

20       **Adopted:** 682 Item 3.5 of 10/31/1989 (Eff: 12/30/1989)

21       **Amended:** 682.1 Item 3.35 of 07/09/1991 (Eff: 08/08/1991)

22               682.2 Item 3.1b of 12/07/1993 (Eff: 12/07/1993)

23               682.3 Item 3.12 of 05/25/1999 (Eff: 06/24/1999)

24               682.4 Item 15.11 of 05/22/2007 (Eff: 06/21/2007)