

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



ITEM: 3.36
(ID # 15096)

MEETING DATE:
Tuesday, April 27, 2021

FROM : ENVIRONMENTAL HEALTH:

SUBJECT: ENVIRONMENTAL HEALTH: Introduction of Ordinance 682.5 Regulating the Construction, Reconstruction, Abandonment and Destruction of Wells. Find the adoption of Ordinance 682.5 to be categorically exempt from the California Environmental Quality Act (CEQA), All Districts. [\$0] (Set for Public Hearing May 11, 2021) (Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title, and waive further reading of Ordinance 682.5 Regulating the Construction, Reconstruction, Abandonment and Destruction of Wells;
2. Find the adoption of Ordinance No. 682.5 to be categorically exempt from the California Environmental Quality Act (CEQA); and
3. Set a Public Hearing for the adoption of Ordinance No. 682.5 for May 11, 2021 (Clerk to Advertise).

ACTION: Policy, Set for Hearing

Keith Jones

Keith Jones, Director Environmental Health 4/20/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and that Ordinance 682.5 is approved as introduced, and is set for public hearing on Tuesday, May 11, 2021, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: April 27, 2021
xc: Environmental Health, COB

Kecia R. Harper
Clerk of the Board

By: *[Signature]*
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			Budget Adjustment:	No
			For Fiscal Year:	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 well construction. The Supreme Court's decision stated that some, but not all well construction permits are subject to CEQA review.

The Department of Environmental Health (DEH) has updated Ordinance 682 to clarify its process for issuing such permits and clearly delineate what actions and standards that may cause a project to require additional environmental review prior to consideration of a permit. Additional changes have been made to make the ordinance easier to understand and update language to current terminology.

Impact on Residents and Businesses

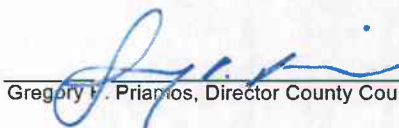
Wells needing a review under CEQA will require additional time to review and approve. The permittee will bear the cost of any extra level of review by DEH and/or the creation of additional environmental reports needed to process and subsequently approve the permit. Costs will vary based on the complexity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

Attachment

- Ordinance 682.4
- Ordinance 682.5 Redline
- Ordinance 682.5



Jason Farin, Principal Management Analyst 4/22/2021



Gregory E. Priamos, Director County Counsel 4/22/2021

- 1 E. **“Contamination”** shall mean an impairment of the quality of the waters of the state
2 by waste to a degree which creates a hazard to the public health through poisoning
3 or through the spread of disease.
- 4 F. **“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 G. **“Department”** shall mean the Riverside County Department of Environmental
9 Health.
- 10 H. **“Director”** shall mean the Director of Environmental Health or their duly authorized
11 representative.
- 12 I. **“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 J. **“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 heating
16 and cooling and in which the ambient ground temperature is 860 Fahrenheit (300
17 Celsius) or less and which uses a closed loop fluid system to prevent the discharge
18 or escape of its fluid into the surrounding aquifers or geologic formations.
19 Geothermal Heat Exchange Wells are also known as ground source heat pump wells
20 (California Water Code Section 13713). Such wells or boreholes are not intended to
21 produce water or steam.
- 22 K. **“Exploration Hole” (or “Boring”)** shall mean an uncased excavation for the
23 purpose of immediately determining the existing geological and/or hydrological
24 conditions at the site either by direct observation or other means.
- 25 L. **“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 M. **“Individual Domestic Well” (IDW)** shall mean any well used to supply water for
28 domestic needs other than a public water supply system.
- 29 N. **“Industrial Well”** shall mean any well used primarily to supply water for industrial
30 processes and may supply water intentionally or incidentally for domestic purposes.
- 31 O. **“Injection Well” (or “Recharge Well”)** shall mean any well used to inject water of
32 approved quality into groundwater basins (Special approval required).
- 33 P. **“Lateral (horizontal) Well”** shall mean a well drilled or constructed horizontally or
34 at an angle with the horizon as contrasted with the common vertical well and does
35 not include horizontal drains or wells constructed to remove subsurface water from
36 hillside, cuts, or fills.
- 37 Q. **“Monitoring Well”** shall mean an artificial excavation by any method for the purpose
38 of observing, monitoring, or supplying the conditions of a water bearing Aquifer, such
39 as fluctuations in groundwater levels, quality of ground waters, or the concentration
40 of contaminants in underground waters.
- 41 R. **“Person”** shall mean any individual, firm, corporation, association, profit or non-
42 profit organization, trust, partnership, special district, or governmental agency to the
43 extent authorized by law.

1 **S. "Pollution"** shall mean an alteration of water by waste to a degree which
2 unreasonably affects such water for beneficial uses, or facilities which serve such
3 beneficial uses "Pollution" may include "contamination".

4 **T. "Public Water System"** shall mean:

5 1. A system, regardless of type of ownership, for the provision of piped water to the
6 public for domestic use, if such system has at least fifteen (15) service
7 connections or regularly serves an average of at least twenty-five (25) individuals
8 daily at least sixty (60) days of the year. A public water system includes:

9 a. Any collection, treatment, storage, and distribution facilities which are used
10 primarily in connection with such system and which are under control of the
11 water supplier.

12 b. Any collection or pretreatment storage facilities which are used primarily in
13 connection with such system but are not under control of the water supplier.

14 **U. "Reconstruction"** means certain work done to an existing well in order to restore
15 its production, replace defective casing, seal off certain strata or surface water, or
16 similar work, not to include the cleaning out of sediments, surging, or maintenance
17 to the pump or appurtenances where the integrity of the sanitary seal or water
18 bearing strata are not violated.

19 **V. "Sanitary Seal"** shall mean the approved material placed in the upper portion of the
20 space between the well casing and the wall of the drilled hole.

21 **W. "Source Facilities"** shall include wells, stream, diversion works, infiltration
22 galleries, springs, reservoirs tanks, and all other facilities used in the production,
23 treatment, disinfection, storage, or delivery of water to the distribution system.

24 **X. "Water Well"** shall mean any artificial excavation constructed by any method for the
25 purpose of extracting water from, or injecting water into the ground. This definition
26 shall not include:

27 1. Oil and gas wells, or geothermal wells constructed under the jurisdiction of the
28 California State Department of Conservation, except those wells converted to
29 use as water wells; or

30 2. Wells used for the purpose of:

31 a. Dewatering excavation during construction; or

32 b. Stabilizing hillsides or earth embankments, unless located within 500 feet of
33 a potential source of groundwater contamination.

34 35 **SECTION 3 PERMIT REQUIREMENTS**

36 **A.** No person or entity shall construct, reconstruct or destroy a well that requires a
37 permit from the Department as noted in this section.

38 **B.** The following well types require a permit:

39 1. Water well

40 2. Cathodic protection well

41 3. Monitoring well

42 4. Geothermal heat exchange well

43 5. Injection or recharge wells

1 **6. Extraction wells**

2 **C.** The following activities do not require a permit:

- 3 1. Exploration holes or borings used for the purposes of determining immediate
4 geological or hydrological information relating to onsite wastewater treatment
5 systems.
6 2. Exploration holes or borings used for the purposes of determining geological or
7 hydrological information relating to liquefaction studies or geotechnical
8 investigations for construction purposes, that are temporary and destroyed within
9 24 hours.

10 **D.** Any person or entity seeking a permit for the construction, reconstruction or
11 destruction of a well shall apply for a permit on an application supplied by the
12 Department and submit the applicable fee(s) as noted in Ordinance 640. The
13 application shall conform with all applicable sections of this ordinance related to
14 construction, reconstruction or destruction of a well.

15 **E.** All complete and accurate permit applications shall be approved or denied within
16 fifteen (15) working days after the date of filing of the application or shall be deemed
17 approved. The term working day shall be defined to mean a day in which the County
18 of Riverside is open to members of the public for regular business.

- 19 1. Approved permits may include conditions and requirements found by the
20 Department to be reasonably necessary to accomplish the purpose of this
21 ordinance.
22 2. If the application is denied, the applicant shall be informed of any deficiencies
23 contained in the application at the time of being notified of such denial. The
24 applicant, after initial denial, may resubmit a corrected application that addresses
25 the deficiencies that were identified as part of the application denial. The
26 applicant shall resubmit a corrected application within thirty (30) days after being
27 notified of the application denial or thereafter a new permit application will need
28 to be submitted.

29 **F.** Any person or entity who commences any work for which a permit is required by this
30 Department without obtaining a permit, shall pay double the permit fee for such work.

- 31 1. No penalty shall apply to emergency work when it has been established in writing
32 to the satisfaction of the Director that such work was urgently necessary and that
33 it was not practical to obtain a permit before commencement of the work. In all
34 cases in which emergency work is necessary, a permit shall be applied for within
35 three (3) working days after commencement of the work. The applicant for a
36 permit for any such emergency work shall, in any case, demonstrate that all work
37 performed is in compliance with the technical standards of Section 8 of this
38 ordinance.

39
40 **SECTION 4 EXPIRATION OF PERMIT**

41 **A.** Each permit issued pursuant to this ordinance shall expire and become null and void
42 if the work authorized in the approved application has not been completed within
43 twelve (12) months following the issuance of the permit.

- 1 **B.** The permit fee shall be non-refundable.
2 **C.** Upon expiration of any permit issued pursuant hereto, no further work may be done
3 in connection with construction, repair, reconstruction, or abandonment of a well
4 unless and until a new permit for such purpose is secured in accordance with the
5 provisions of this ordinance.
6

7 **SECTION 5 PERMIT REVOCATION OR SUSPENSION**

- 8 **A.** The Director may revoke or suspend a permit issued pursuant to this ordinance upon
9 a finding that:
10 1. A permit violation exists where any of the following conditions are present:
11 a. The permit was issued in error.
12 b. The permit was issued on the basis of incorrect information supplied by the
13 permittee.
14 c. The permittee violated any of the provisions of this ordinance or the conditions
15 and requirements attached to the permit.
16 2. A Notice of Violation has been sent to the permittee by first class mail in the form
17 of a written notice specifying the violation(s).
18 3. The permittee has failed or neglected to correct the violation within twenty (20)
19 days from the date the written notice is mailed.
20 **B.** A permit may be revoked or suspended by the Director as provided for herein after
21 the permittee is afforded an opportunity for a hearing pursuant to Section 6 of this
22 ordinance.
23 **C.** Notwithstanding the foregoing, a permit may be summarily revoked or suspended in
24 the event that the Director determines that exigent circumstances exist which
25 demonstrate an immediate threat to the public health or safety. Upon a determination
26 that exigent circumstances exist, a permittee shall be sent a written notice of
27 violation pursuant to part 5.A.2 of this section and alternatively afforded an
28 opportunity for a hearing pursuant to Section 6 of this ordinance.
29

30 **SECTION 6 HEARINGS**

- 31 **A.** Hearings.
32 Any person requesting a hearing shall file with the Department a written petition
33 requesting the hearing and setting forth a brief statement of the grounds for the request
34 within ten (10) days from the date the permit application was denied, revoked or from the
35 date the written notice of violation was mailed pursuant to Section 5.A.2 of this ordinance.
36 The failure to timely submit a written request for a hearing shall be deemed a waiver of
37 the right to such hearing.
38
39 **B.** Hearing Procedure.
40 The Hearing Officer shall be the Director or the Director's designee. The hearing
41 shall be set for a date within ten (10) days from the date the written request is received
42 by the Department unless extended at the request of the petitioner. At the time and place
43 set for the hearing, the Hearing Officer shall give the petitioner and other interested

1 persons, adequate opportunity to present any facts pertinent to the matter at hand. The
2 Hearing Officer may, when deemed necessary, continue any hearing by setting a new
3 time and place and by giving notice to the petitioner of such action. At the close of the
4 hearing, or within twenty (20) business days thereafter, the Hearing Officer shall order
5 such disposition of the permit application or permit as determined to be proper, and shall,
6 by postage prepaid, certified mail, notify the petitioner of the Hearing Officer's final
7 determination.

8
9 **SECTION 7 LICENSING AND REGISTRATION OF WATER WELL DRILLER'S**
10 **AND CONTRACTORS**

11 No persons shall engage in any activity listed in Section 3 of this ordinance unless
12 they are in compliance with the Provisions herein and possesses a valid C57 license in
13 accordance with the California Contractor's State License Law (Chapter 9, Division 3 of
14 the Business and Professions Code), or possesses a license appropriate to the activity
15 to be engaged in. Such person shall register annually with the Department thereto prior
16 to commencing any activity regulated by this ordinance. The Driller's Registration may be
17 suspended if there are any Well Driller's Reports outstanding and due or for other just
18 cause. All well drilling rigs are to be identified as specified in the Contractor's License Law
19 Section 7029.5 1990.

20
21 **SECTION 8 CONSTRUCTION STANDARDS**

22 Any standards not addressed in this section shall default to the standards noted in
23 Bulletin NO 74-81 Chapter II Water Wells, and Bulletin NO 74-90 (Supplement to Bulletin
24 74-81) and as these Bulletins may be amended by the State of California from time to
25 time.

26
27 **A. Sanitary Seals**

28 The space between the well casing and the wall of the drilled hole, often referred to
29 as the annular space, shall be effectively sealed to prevent it from being a preferential
30 pathway for movement of poor-quality water, pollutants, or contaminants.

31
32 **Minimum Depth of Sanitary Seals:**

- | | | |
|----|--|--------------|
| 33 | 1. Community Water Supply Wells | 50 ft |
| 34 | 2. Individual Domestic Wells | 20 ft |
| 35 | 3. Agricultural Wells | 20 ft |
| 36 | 4. Industrial Wells | 50 ft |
| 37 | 5. Monitoring Wells | 20 ft |

38
39 **Sanitary Seal Exceptions:**

- 40 **1.** The area designated in Attachment A contains a semi perched aquifer that
41 requires 200 ft sanitary seals for all well types to prevent the entrance of poor
42 quality water or its migration into other aquifers.

- 1 **2.** Monitoring wells may have depths less than 20 ft when required by the oversight
2 agency.
3 **3.** Driven wells.

4
5 **B.** Well Location

- 6 **1.** It shall be unlawful for any person or entity to drill, dig, excavate, or bore any
7 water well at any location where sources of pollution or contamination are known
8 to exist, have existed, or otherwise substantial risk exists that water from that
9 location may become contaminated or polluted even though the well may be
10 properly constructed and maintained.
11
12 **2.** Community Water Supply Wells shall be located an adequate distance from all
13 potential sources of contamination and pollution as follows:
14 **a.** Sewer - 50-foot minimum
15 **b.** Watertight septic tank - 150-foot minimum
16 **c.** Subsurface sewage leach line or leach field - 150-foot minimum
17 **d.** Cesspool or seepage pit - 200-foot minimum
18 **e.** Animal enclosures - 100-foot minimum
19 **f.** Any surface sewage disposal system discharging 2,000 gal/day or more 200-
20 foot minimum
21
22 **3.** All other wells shall be located an adequate distance from all potential sources
23 of contamination and pollution as follows:
24 **a.** Sewer - 50-foot minimum
25 **b.** Watertight septic tank - 100-foot minimum
26 **c.** Subsurface sewage leach line or leach field - 100-foot minimum
27 **d.** Cesspool or seepage pit - 150-foot minimum
28 **e.** Animal enclosures - 100-foot minimum
29 **f.** Any surface sewage disposal system discharging 2,000 gal/day or more 200-
30 foot minimum
31
32 **4.** All newly drilled water wells shall have a minimum 50 ft setback from the property
33 line(s).
34
35 **5.** Exceptions to the well location requirements include the following:
36 **a.** Extraction wells used for the purpose of extracting and treating water from a
37 contaminated aquifer.
38 **b.** Wells from which water is to be treated to meet all State Department of Public
39 Health standards and requirements.
40 **c.** Wells from which water will be blended with other water sources resulting in
41 water that meets all State Department of Public Health standards and
42 requirements.

- d. Monitoring wells for the purpose of site assessment and/or remediation required by an appropriate oversight agency.
- e. Lateral Wells shall also be placed in a location that does not bring any portion of the well length within the distances noted in parts 2 and 3 of this section.

C. Water Well Surface Features

1. Well Base/Pad. A concrete base/pad shall be installed so that it extends a minimum of two (2) feet laterally in all directions from the well casing. The base/pad shall slope away from the well casing. The base/pad must have a minimum thickness of four (4) inches.
2. Sample Tap. A non-threaded down-turned sampling tap shall be provided on any community or IDW. The tap shall be in a location that is representative of the source water.
3. Water Well Disinfection Pipe. All community water supply wells and IDWs shall be provided with a pipe or other effective means through which chlorine or other approved disinfecting agents may be introduced directly into the well, the pipe shall be extended at least four inches (4") above the finished grade or base/pad, whichever is higher, and shall have a threaded or equivalently secured cap on it.
4. Backflow Prevention Assembly. Wells shall be furnished with an approved backflow prevention assembly or a sufficient air gap to insure that a cross-connection with the well does not exist.
5. Water Well Flow Meter. All community water supply wells serving a public water supply system shall have a flow meter or other suitable measuring device shall be located at each source facility and shall accurately register the quantity of water delivered to the distribution system.
6. Air-Relief Vent. An air-relief vent, when required, shall terminate downward, be screened, and otherwise be protected from the entrance of contaminants.

D. Wells Requiring Additional Review

Wells that cannot meet the standard set forth in this section or that may require variances from the standards within this ordinance, Bulletin 74-81, or Bulletin 74-90 shall require additional environmental review, up to, and including, review under the California Environmental Quality Act, as determined by the Department prior to consideration of approval.

SECTION 9 WELL DESTRUCTION

Destruction of wells shall default to the standards noted in Bulletin 74-81 Chapter II Water Wells and Bulletin 74-90 (Supplement to Bulletin 74-81) and as these Bulletins may be amended by the State of California from time to time.

SECTION 10 REQUIRED INSPECTION OF WELL SITES PRIOR TO PERMIT ISSUANCE

A site inspection by the Department is required prior to issuance of a permit for a community well that is to be part of a public water system, other wells that possess a high

1 potential for contamination, or as needed to determine that a well site meets minimum
2 setback requirements. In the event that the well is to serve a system under the direct
3 jurisdiction of the State Water Resources Control Board, then, that agency may perform
4 the site inspection and notify the Department of Environmental Health of its approval or
5 disapproval.

6
7 **SECTION 11 REQUIRED INSPECTIONS OF WELLS DURING CONSTRUCTION**
8 **OR DESTRUCTION**

9 **A.** A well inspection shall be scheduled with the Department at least two (2) working
10 days in advance of the following activities:

11 **1. For all wells:**

12 **a.** The filling of the Sanitary Seal.

13 **b.** Any other operation or condition for which a special inspection is stipulated
14 on the well permit.

15 **2. For IDWs.** After the installation of all surface equipment and after the well has
16 been disinfected and purged.

17 **3. For well destruction.** During the destruction process.

18 **B.** If the enforcement agency fails to appear at the well site within 30 minutes of the
19 scheduled day and time designated for sealing, the well may be sealed without the
20 presence of the enforcement agency. However, the driller shall seal the well in
21 accordance with the standards of this ordinance and the permit.

22 **C.** Upon failure to schedule an inspection with the Department for the filling of the
23 annular space, approved geophysical tests including Sonic Log and Gamma Ray
24 Log may need to be conducted at the owner's expense, to substantiate that a
25 sanitary seal has been properly installed.

26
27 **SECTION 12 DISCHARGE OF DRILLING FLUIDS**

28 Drilling fluids and other drilling materials shall not be allowed to discharge onto
29 streets or into waterways, and shall not be allowed to discharge to the adjacent property
30 unless a written agreement with the owner(s) of the adjacent property is obtained;
31 provided, however, that such fluids and materials are discharged off- site with permission
32 and are removed within thirty (30) days after completion of the well drilling and there is
33 no violation of waste discharge regulations. This section shall not operate to prohibit the
34 surface discharge of contaminated groundwater provided such discharge is carried out in
35 compliance with a lawful order of a regional water quality control board.

36
37 **SECTION 13 WELL LOGS**

38 Any person who has drilled, dug, excavated, bored or destroyed a well subject to
39 this ordinance shall within sixty (60) days after completion to furnish the Department with
40 a complete log of such well on a standard form provided by the State Department of Water
41 Resources. The Department may require inspection of the well log during any phase of
42 the well's construction or destruction and where necessary to achieve the purposes of

1 this ordinance. The Department's review of the well logs may require modification of the
2 work as originally planned.
3
4

5 **SECTION 14 DISINFECTION OF WATER WELLS**

6 Every new, repaired, or reconstructed community water well or IDW, after
7 completion of construction, repair or reconstruction, and before being placed in service,
8 shall be thoroughly cleaned of all foreign substances. The well gravel used in packed
9 wells, pipes, pump, pump column, and all well water contact equipment surfaces, shall
10 be disinfected by a Department-approved method. The disinfectant shall remain in the
11 well and upon all relevant surfaces for at least twenty-four (24) hours. Disinfection
12 procedures shall be repeated until laboratory results show that coliforms are no longer
13 present.
14

15 **SECTION 15 WATER QUALITY STANDARDS**

- 16 **A.** Water from all new, repaired, and reconstructed community water wells, shall be
17 tested for and meet the standards for constituents required in the California Code of
18 Regulations, Title 22, Domestic Water Quality and Monitoring.
- 19 **B.** All IDWs shall be sampled for total coliform, nitrate, fluoride, total filterable residue
20 (or total dissolved solids) and any other constituent determined to be necessary by
21 the Department to meet the standards set forth in California Code of Regulations,
22 Title 22, Domestic Water Quality and Monitoring.
- 23 **C.** At the discretion of the Director, for the purpose of protecting the health and safety
24 of the public, any new, repaired, or reconstructed water well shall be tested for and
25 must meet, any or all additionally specified Water Quality Standards in accordance
26 with the California Code of Regulations, Title 22, Domestic Water Quality and
27 Monitoring. Exceptions would be community well water to be either treated or
28 blended with other water sources to meet State Department of Public Health
29 standards and requirements. Said treatment or blending must be approved by the
30 State Department of Public Health.
- 31 **D.** Notwithstanding part B, an IDW failing to meet the fluoride and/or nitrate standard
32 will require recordation of this fact on the grant deed of property.
- 33 **E.** Water well samples shall be evaluated by an Environmental Laboratory
34 Accreditation Program (ELAP) accredited laboratory.
- 35 **F.** Initial water quality samples on an IDW shall be collected by the Department.
36

37 **SECTION 16 MINIMUM WATER WELL PRODUCTION**

- 38 **A.** All IDWs providing drinking water must be tested for the purpose of achieving a
39 minimum level of water production capability.
- 40 **B.** Water production testing shall be performed under the direct supervision of a
41 California licensed C-57 well driller, C-61 pump contractor, D-21 pump contractor or
42 a certified hydrogeologist. Said testing shall include the following requirements:

- 1 1. Water production shall be kept at a constant rate of no less than 1 gallon per
2 minute per single family dwelling for a minimum of four hours. Higher production
3 rates may be required based upon the proposed water usage and as determined
4 by the Department. This level of production applies to new water wells used for
5 domestic purposes and existing water sources on property being improved. The
6 well shall not pump dry during the test.
- 7 2. Water discharged from the water well during the production test shall be
8 restricted so that it does not re-enter the water well that is the subject of the test.

9 10 **SECTION 17 WELL EVALUATIONS**

11 A well evaluation is required for all water wells that do not have approved water
12 sample results from the Department in the last 12 months and are to be utilized as a
13 potable water supply for a proposed development or improvement of property that does
14 not meet the definition of a public water system. A well evaluation may be requested by
15 the applicant or otherwise required by this Department.

16
17 The Department shall perform a well-site inspection and conduct the water sampling
18 portion of the evaluation to confirm compliance with applicable sections of this ordinance.

19 20 **SECTION 18 WELL ABANDONMENT**

21 Where an abandoned or unused well is identified, the Department shall require the
22 owner of the well to apply in writing, their intention to reuse the well or to destroy the well.

- 23
24 **A.** An owner proposing reuse shall certify the following:
 - 25 1. The well has no defects which will allow the impairment of the quality of water in
26 the well.
 - 27 2. The well is covered such that the cover is watertight and cannot be removed
28 except with the aid of equipment, the use of tools or is otherwise secured.
 - 29 3. The well is marked so it can be located easily.
 - 30 4. The area surrounding the well is kept clear of bush and/or debris.
 - 31 5. The well is maintained in a manner that does not create a hazard or nuisance as
32 determined by the Department.
- 33
34 **B.** If the owner chooses not to apply for a proposed reuse of the well, they shall apply
35 for a well destruction in accordance with this ordinance.
- 36
37 **C.** If the owner has not applied to the Department for a proposed reuse of the well or
38 its destruction, and the well has been found by the Department to be a hazard,
39 whereby its continued existence is likely to cause damage to ground water and/or a
40 threat to public health and safety, the Department shall direct the owner to destroy
41 the well, in accordance with Section 3 of this ordinance.

1 **D.** When an owner fails to comply with the Department's order to destroy a well, such
2 well may be declared a public nuisance pursuant to Government Code Section
3 50231, and thereafter abated pursuant to Title 5, Division 1, Article 9 of the California
4 Government Code. Where abatement is undertaken at the expense of the County,
5 such cost shall constitute a special assessment against the parcel and shall be
6 added to the next regular tax bill as enumerated under Government Code Section
7 50244 et seq.
8

9 **SECTION 19 VIOLATIONS**

10 Any violation of this ordinance shall be subject to legal remedy up to and including
11 permit suspension, revocation, administrative citations, as noted in Ordinance 725, and
12 /or criminal citations. Those remedies may also include recovery of abatement costs, as
13 defined in Ordinance 725, at the sole discretion of the Director.
14

15 **SECTION 20 PUBLIC NUISANCE DECLARATION**

16 In addition, any violation of this ordinance is hereby deemed to be a public nuisance
17 and may be abated by the Director or his designee, irrespective of any other remedy
18 hereinabove provided.
19

20 **SECTION 21 SEVERABILITY**

21 If any part or provision of this Ordinance, or application thereof, to any person or
22 circumstance is held invalid, the remainder of this Ordinance, including the application of
23 such part or provision to other persons or circumstances shall not be affected thereby
24 and shall continue in full force and effect. To this end, the provisions of this Ordinance
25 are severable.
26

27 **SECTION 22 CONFLICT WITH EXISTING LAWS**

28 The provisions of any existing ordinance or State or Federal law affording greater
29 protection to the public health or safety shall prevail within this jurisdiction over the
30 provisions of this ordinance and the standards adopted or incorporated by reference there
31 under.
32

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

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

35 682.2 Item 3.1b of 12/07/1993 (Eff: 12/07/1993)

36 682.3 Item 3.12 of 05/25/1999 (Eff: 06/24/1999)

37 682.4 Item 15.11 of 05/22/2007 (Eff: 06/21/2007)

- 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 **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.

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

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	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,

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

14
15 **Section 20. MINIMUM WATER WELL PRODUCTION.**
16

- 17 **A.** All individual domestic water wells providing drinking water to a residence must be
18 tested for the purpose of achieving a minimum level of water production capability.
- 19 **B.** Water production testing shall be performed under the direct supervision of a
20 California licensed C-57 well driller, C-61 pump contractor, D-21 pump contractor or
21 a certified hydro-geologist. Said testing shall include the following requirements:
- 22 1. Standing water level measurements in the individual domestic water well shall be
23 made immediately prior to the start of pumping. The standing water level shall be
24 measured to an accuracy of at least 0.1 foot.
 - 25 2. Timing of the test shall commence from the start of pumping or when an air lift is
26 started. Pumping shall continue on an uninterrupted basis for a minimum two
27 hour period until three or more wetted bore volumes of water have been
28 discharged from the well. The term "wetted bore volume" shall be defined to
29 mean the volume of the well hole below the standing water level measurement.
30 In those cases that involve screened and filter packed wells, the volume of water
31 contained in the filter pack shall also be included in the bore volume calculation.
 - 32 3. Water production shall be kept at a constant rate of no less than 1 gallon per
33 minute per residence or unit. Higher production rates may be required based
34 upon the proposed water usage and as determined by the Department. This level
35 of production applies to new water wells used for domestic purposes and existing
36 water sources on property being improved.
 - 37 4. Water discharged from the water well during the production test shall be
38 restricted so that it does not re-enter the water well that is the subject of the test.
 - 39 5. The standing water level in the individual domestic water well shall be
40 remeasured immediately at the conclusion of pumping. The standing water level
41 shall be measured to an accuracy of at least 0.1 foot. The well shall not pump dry
42 during the test.
- 43

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)

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7

**ORDINANCE NO. 682
(AS AMENDED THROUGH 682.54)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING
THE CONSTRUCTION, RECONSTRUCTION, ABANDONMENT
AND DESTRUCTION OF WELLS AND INCORPORATING BY REFERENCE
ORDINANCE NO. 725**

8 The Board of Supervisors of the County of Riverside, Ordains that Ordinance No.
9 682 is amended in its entirety to read as follows:

10
11 **SECTIONection 1. __—PURPOSE, AUTHORITY AND IMPLEMENTATION.**

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

18
19 Standards for the construction, reconstruction, abandonment, or destruction of wells
20 shall be the standards recommended in the Bulletins of the California Department of
21 Water Resources as follows: Bulletin 74-81 Chapter II Water Wells, and Bulletin 74-90
22 (Supplement to Bulletin 74-81) and as these Bulletins may be amended by the State of
23 California from time to time. The content of said Bulletins are hereby incorporated by
24 reference.

25
26 **SECTIONection 2. __—DEFINITIONS.**

27 Whenever in this ordinance the following terms are used, they shall have the
28 meanings respectively ascribed to them in this section:

- 29
30 **A. ““Abandoned Wells”” and ““Abandonment”**, shall apply to a well whose original
31 or functional purpose and use has been discontinued for a period of one (1) year
32 and which has not been declared for reuse with the Department by the legal owner,
33 or a well in such a state of disrepair that it cannot be functional for its original purpose
34 or any other function regulated under this ordinance. ~~Exploration holes shall be~~
35 ~~considered abandoned twenty-four (24) hours after construction and testing work~~
36 ~~has been completed.~~
37 **B. “Agriculture Well”** shall mean any water well used to supply water for irrigation or
38 other agricultural purposes, ~~including so-called “Stock Wells”.~~
39 **C. “Annular Seal” or “Sanitary Seal”** shall mean the approved material placed in the
40 space between the well casing and the wall of the drilled hole ~~(the annular space).~~
41 **D. “Boring”** shall mean a temporary hole for immediate exploration drilled or driven
42 into the ground to determine underground conditions.

- 1 **E.C. "Cathodic Protection Well"** shall mean any artificial excavation in excess of fifty
2 (50') feet constructed by any method for the purpose of installing equipment or
3 facilities for the protection electrically of metallic equipment in contact with the
4 ground, commonly referred to as cathodic protection.
- 5 **F.D. "Community Water Supply Well"** shall mean any well which provides water for
6 public water supply systems.
- 7 **G.E. "Contamination"** shall mean an impairment of the quality of the waters of the
8 state by waste to a degree which creates a hazard to the public health through
9 poisoning or through the spread of disease.
- 10 **H.F. "Cross-Connection"** shall mean any unprotected connection between any part
11 of a water system used or intended to supply water for domestic purposes and any
12 source or system containing water or other substances that are not or cannot be
13 approved as safe, pure, wholesome, and potable for human consumption.
- 14 **I.G. "Department"** shall mean the Riverside County Department of Environmental
15 Health.
- 16 **J.H. "Director"** shall mean the Director of Environmental Health or ~~his~~their duly
17 authorized representative.
- 18 **K.I. "Distribution System"** shall include the facilities, conduits, or any other means
19 used for the delivery of water from the source facilities to the customer's system.
- 20 **L.J. "Geothermal Heat Exchange Well"** shall mean any uncased excavation by any
21 method for the purpose of using the heat exchange capacity of the earth for heating
22 and cooling and in which the ambient ground temperature is 860 Fahrenheit (300
23 Celsius) or less and which uses a closed loop fluid system to prevent the discharge
24 or escape of its fluid into the surrounding aquifers or geologic formations.
25 Geothermal Heat Exchange Wells are also known as ground source heat pump wells
26 (California Water Code ~~Section~~ Section 13713). Such wells or boreholes are not intended
27 to produce water or steam.
- 28 **M.K. "Exploration Hole" (or "Boring")** shall mean an uncased excavation for the
29 purpose of immediately determining the existing geological and/or hydrological
30 conditions at the site either by direct observation or other means.
- 31 **N.L. "Extraction Well"** shall mean any well used to extract water for treatment,
32 dewatering or other processes but not to include domestic or agricultural uses.
- 33 **O.M. "Individual Domestic Well" (IDW)** shall mean any well used to supply water for
34 domestic needs other than a public water supply system.
- 35 **P.N. "Industrial Well"** shall mean any well used primarily to supply water for industrial
36 processes and may supply water intentionally or incidentally for domestic purposes.
- 37 **Q.O. "Injection Well" (or "Recharge Well")** shall mean any well used to inject water
38 of approved quality into groundwater basins (Special approval required).
- 39 **R.P. "Lateral (horizontal) Well"** shall mean a well drilled or constructed horizontally
40 or at an angle with the horizon as contrasted with the common vertical well and does
41 not include horizontal drains or "wells" constructed to remove subsurface water from
42 hillside, cuts, or fills.

1 **S.Q. "Monitoring Well"** shall mean an artificial excavation by any method for the
2 purpose of observing, monitoring, or supplying the conditions of a water bearing
3 Aquifer, such as fluctuations in groundwater levels, quality of ground waters, or the
4 concentration of contaminants in underground waters.

5 **T.R. "Person"** shall mean any individual, firm, corporation, association, profit or non-
6 profit organization, trust, partnership, special district, or governmental agency to the
7 extent authorized by law.

8 **U.S. "Pollution"** shall mean an alteration of water by waste to a degree which
9 unreasonably affects such water for beneficial uses, or facilities which serve such
10 beneficial uses "Pollution" may include "contamination".

11 **V.T. "Public Water System"** shall mean:

- 12 1. A system, regardless of type of ownership, for the provision of piped water to the
13 public for domestic use, if such system has at least ~~five-fifteen~~ (15) service
14 connections or regularly serves an average of at least twenty-five (25) individuals
15 daily at least sixty (60) days of the year. A public water system includes:
 - 16 a. Any collection, treatment, storage, and distribution facilities which are used
17 primarily in connection with such system and which are under control of the
18 water supplier.
 - 19 b. Any collection or pretreatment storage facilities which are used primarily in
20 connection with such system but are not under control of the water supplier.

21 ~~2. A Labor Camp as defined by the California Code of Regulations, Title 25,
22 Housing.~~

23 **W.U. "Reconstruction"** means certain work done to an existing well in order to restore
24 its production, replace defective casing, seal off certain strata or surface water, or
25 similar work, not to include the cleaning out of sediments, surging, or maintenance
26 to the pump or appurtenances where the integrity of the ~~annular-sanitary~~ seal or
27 water bearing strata are not violated.

28 **V. "Sanitary Seal"** shall mean the approved material placed in the upper portion of the
29 space between the well casing and the wall of the drilled hole.

30 **X.W. "Source Facilities"** shall include wells, stream, diversion works, infiltration
31 galleries, springs, reservoirs tanks, and all other facilities used in the production,
32 treatment, disinfection, storage, or delivery of water to the distribution system.

33 ~~**Y. "Vapor Extraction Well"** shall be a hole drilled and cased to extract vapor from~~
34 ~~underground.~~

35 **Z.X. "Water Well"** shall mean any artificial excavation constructed by any method for
36 the purpose of extracting water from, or injecting water into the ground. This
37 definition shall not include:

- 38 1. Oil and gas wells, or geothermal wells constructed under the jurisdiction of the
39 California State Department of Conservation, except those wells converted to
40 use as water wells; or
- 41 2. Wells used for the purpose of:
 - 42 a. Dewatering excavation during construction; or

- 1 b. Stabilizing hillsides or earth embankments, unless located within 500 feet of
2 a potential source of groundwater contamination.
3

4 **SECTION 3. PERMIT REQUIREMENTS.**
5

6 ~~A. No person or entity, or agent, contractor, subcontractor, representative, or employee~~
7 ~~thereof, shall dig, drill, bore, drive, reconstruct or destroy (1) a well that is to be, or has~~
8 ~~been, used to produce or inject water, (2) a cathodic protection well, (3) a monitoring~~
9 ~~well or (4) geothermal heat exchange well, without first filing a written application to~~
10 ~~do so with the Department, and receiving and retaining a valid permit as provided~~
11 ~~herein. Said written application shall contain a statement which is substantially in the~~
12 ~~following form: I declare under penalty of perjury under the laws of the State of~~
13 ~~California that the information furnished as part of this application is true and correct.~~
14 ~~I also understand that I am legally obligated to obey all requirements of state law and~~
15 ~~Riverside County ordinances in connection with the approval of this application.~~
16

17 ~~Property Owner's Signature —~~
18

19 ~~Date —~~
20

21 A. No person or entity shall construct, reconstruct or destroy a well that requires a
22 permit from the Department as noted in this section.

23 B. The following well types require a permit:

24 1. Water well

25 2. Cathodic protection well

26 3. Monitoring well

27 4. Geothermal heat exchange well

28 5. Injection or recharge wells

29 6. Extraction wells

30 C. The following activities do not require a permit:

31 1. Exploration holes or borings used for the purposes of determining immediate
32 geological or hydrological information relating to onsite waste-water treatment
33 systems.

34 2. Exploration holes or borings used for the purposes of determining geological or
35 hydrological information relating to liquefaction studies or geotechnical
36 investigations for construction purposes, that are temporary and destroyed within
37 24 hours.

38 ~~B.D. No person or entity shall engage in any activity subject to the jurisdiction of this~~
39 ~~ordinance without first paying all applicable fees to the Department of Environmental~~
40 ~~Health for each activity in the amounts set forth in Riverside County Ordinance No.~~
41 ~~671 and any subsequent amendments thereto. Such fees may be waived in cases~~

1 where corrective or replacement work is being undertaken to replace property
2 damaged or destroyed in a disaster recognized in a resolution adopted by the Board
3 of Supervisors. Any person or entity seeking a permit for the construction,
4 reconstruction or destruction of a well shall apply for a permit on an application
5 supplied by the Department and submit the applicable fee(s) as noted in Ordinance
6 640. The application shall conform with all applicable sections of this ordinance
7 related to construction, reconstruction or destruction of a well.

8 ~~C.A.~~ Any person who shall commence any work for which a permit is required by this
9 Department without having obtained a permit therofore, shall, if subsequently
10 granted a permit, pay double the permit fee for such work; provided, however, that
11 this provision shall not apply to emergency work when it shall be established in
12 writing to the satisfaction of the Director that such work was urgently necessary and
13 that it was not practical to obtain a permit before commencement of the work. In all
14 cases in which emergency work is necessary, a permit shall be applied for within
15 three (3) working days after commencement of the work. The applicant for a permit
16 for any such emergency work shall, in any case, demonstrate that all work performed
17 is in compliance with the technical standards of Section 10. of this ordinance.

18 ~~D.~~ An application for a permit to construct a water well, monitoring well, cathodic
19 protection well, or geothermal heat exchange well shall be submitted to the
20 Department on a form and in a manner prescribed by the Department, and shall
21 include the following information:

- 22 ~~1.~~ A Plot Plan showing the proposed well location with respect to the following items
23 within a radius of five hundred feet (500') from the well:
 - 24 ~~a.~~ Property lines, including ownership.
 - 25 ~~b.~~ Sewage or waste disposal systems (including reserved waste disposal expansion
26 areas), or works for carrying or containing sewage or waste.
 - 27 ~~c.~~ All intermittent or perennial, natural, or artificial bodies of water or watercourses.
 - 28 ~~d.~~ The approximate drainage pattern of the property.
 - 29 ~~e.~~ Other wells, including abandoned wells.
 - 30 ~~f.~~ Access road(s) to the well site.
 - 31 ~~g.~~ Structures.
- 32 ~~2.~~ Location of the property with a vicinity map including the legal description of the
33 property (Assessor Parcel Map/Tract Map Number, Township, Range and Section).
- 34 ~~3.~~ The C-57 license number and signature of the person responsible for constructing
35 the well.
- 36 ~~4.~~ For a monitoring well the name and telephone number of the consultant.
- 37 ~~5.~~ The proposed well depth, including casing size and zones of perforations and strata
38 to be sealed off if such data can be reasonably projected.
- 39 ~~6.~~ The proposed use of the well.
- 40 ~~7.~~ Location of underground storage tank(s) within five hundred feet (500') of the
41 proposed well.

1 ~~8. Location and classification by visual inspection of any solid, liquid, or hazardous~~
2 ~~waste disposal sites to include municipal and individual package sewage treatment~~
3 ~~plants within two thousand feet (2,000') of the proposed well.~~

4 ~~9. Where proposed work is reconstruction or destruction of a water well, monitoring~~
5 ~~well, cathodic protection well or geothermal heat exchange well, provide the~~
6 ~~following information, if available:~~

7 ~~a. Method of reconstruction or destruction of well.~~

8 ~~b. Total depth.~~

9 ~~c. Depth and type of casing used.~~

10 ~~d. Depth of perforation.~~

11 ~~e. Well log.~~

12 ~~f. Any other pertinent information.~~

13 ~~10. Other information as may be deemed necessary for the Department to determine if~~
14 ~~the underground waters will be adequately protected.~~

15 ~~E. As a condition of a construction or reconstruction permit, any abandoned wells on~~
16 ~~the property shall be destroyed in accordance with standards provided in this~~
17 ~~ordinance.~~

18 ~~E.~~ All complete and accurate permit applications shall be approved or denied within ~~six~~
19 ~~(6) fifteen (15)~~ working days after the date of filing of the application or shall be
20 deemed approved. The term working day shall be defined to mean a day in which
21 the County of Riverside is open to members of the public for ~~the regular conduct of~~
22 business.

23 ~~1. Approved permits may include conditions and requirements found by the~~
24 ~~Department to be reasonably necessary to accomplish the purpose of this~~
25 ~~ordinance.~~

26 ~~F.2. In the event that~~ if the application is denied, the applicant shall be informed
27 of any deficiencies contained in the application at the time of being notified of
28 such denial. The applicant, after initial denial, may resubmit a corrected
29 application that addresses the deficiencies that were identified as part of the
30 application denial. The applicant shall resubmit a corrected application within
31 thirty (30) days after being notified of the application denial or thereafter a new
32 permit application will need to be submitted.

33 ~~F. Any person or entity who shall commences any work for which a permit is required~~
34 ~~by this Department without having obtained a permit therefore, shall, if~~
35 ~~subsequently granted a permit, pay double the permit fee for such work.;~~

36 ~~1. N~~provided, however, that this provision shall ~~penalty shall not apply to~~
37 ~~emergency work when it shall~~has been established in writing to the satisfaction
38 ~~of the Director that such work was urgently necessary and that it was not practical~~
39 ~~to obtain a permit before commencement of the work. In all cases in which~~
40 ~~emergency work is necessary, a permit shall be applied for within three (3)~~
41 ~~working days after commencement of the work. The applicant for a permit for any~~
42 ~~such emergency work shall, in any case, demonstrate that all work performed is~~
43 ~~in compliance with the technical standards of Section 810, of this ordinance.~~

1
2 ~~**Section 4. CONDITIONS OF APPROVALS.** Permits shall be issued after~~
3 ~~compliance with the standards provided and incorporated by reference in this ordinance.~~
4 ~~Plans shall be submitted to the Department demonstrating compliance with such~~
5 ~~standards. Permits may include conditions and requirements found by the Department to~~
6 ~~the be reasonably necessary to accomplish the purpose of this ordinance. Completion~~
7 ~~bonds, contractor's bonds, cash deposits, or other adequate security may be required to~~
8 ~~insure that all projects are performed completely and properly to protect the public's health~~
9 ~~and safety and the integrity of underground water resources.~~

10
11 ~~**Section 5. CONDITIONS OF DENIAL.**~~

12 ~~Where the Department determines that the standards of this ordinance have not~~
13 ~~been met, it shall deny the application.~~

14
15 ~~**SECTION 46. EXPIRATION OR EXTENSION OF PERMIT.**~~

16
17 **A.** Each permit issued pursuant to this ordinance shall expire and become null and void
18 if the work authorized thereby in the approved application has not been completed
19 within ~~six~~twelve (612) months following the issuance of the permit.

20 **B.** The permit fee shall be non-refundable.

21 ~~**C.** Any permit issued pursuant to this ordinance may be extended at the option of the~~
22 ~~Department. Each individual extension granted by the Department shall be for not~~
23 ~~longer than one hundred twenty (120) days. In no event shall the Department grant~~
24 ~~an extension which would make the total term of the permit exceed one (1) year.~~
25 ~~Application for extension shall be made on a form provided by the Department.~~

26 ~~**D.C.** Upon expiration of any permit issued pursuant hereto, no further work may be done~~
27 ~~in connection with construction, repair, reconstruction, or abandonment of a well~~
28 ~~unless and until a new permit for such purpose is secured in accordance with the~~
29 ~~provisions of this ordinance. If, the permit has expired before the final inspection is~~
30 ~~conducted, the permittee must pay a renewal fee for the final inspection to take~~
31 ~~place.~~

32
33 ~~**SECTION 57. PERMIT REVOCATION OR SUSPENSION.**~~

34
35 **A.** The Director may revoke or suspend a permit issued pursuant to this ordinance upon
36 a finding that:

37 ~~**1.** A determination of violation exists.~~

38 ~~**2.a)** Said determination has been sent to the permittee by first class mail in the~~
39 ~~form of a written notice specifying the violation.~~

40 ~~**3.1.** The permittee has failed or neglected to correct the violation within twenty~~
41 ~~(20) days from the date the written notice is mailed.~~

42 **B.1.** A permit violation exists where any of the following conditions are present:

43 ~~**1.a.** The permit was issued in error.~~

1 **2.b.** The permit was issued on the basis of incorrect information supplied by the
2 permittee.

3 **3.c.** The permittee violated any of the provisions of this ordinance or the
4 conditions and requirements attached to the permit.

5 ~~—A determination of violation exists.~~

6 ~~2. Said determination Notice of Violation has been sent to the permittee by first class~~
7 ~~mail in the form of a written notice specifying the violation(s).~~

8 ~~3. The permittee has failed or neglected to correct the violation within twenty (20)~~
9 ~~days from the date the written notice is mailed.~~

10 **B.** A permit may be revoked or suspended by the Director as provided for herein after
11 the permittee is afforded an ~~an pre-deprivation~~ opportunity for a hearing pursuant to
12 Section ~~68~~ of this ordinance.

13 **C.** Notwithstanding the foregoing, a permit may be summarily revoked or suspended in
14 the event that the Director determines that exigent circumstances exist which
15 demonstrate an immediate threat to the public health or safety. Upon a determination
16 that exigent circumstances exist, a permittee shall be sent a written notice of
17 violation pursuant to ~~part Section 57.A.2.2.~~ of this ~~ordinance section~~ and
18 alternatively afforded an ~~an post-deprivation~~ opportunity for a hearing pursuant to
19 Section ~~68~~ of this ordinance.

20
21 **SECTION ~~ection 68.~~ —HEARINGS.**

22
23 **A. ~~Pre-deprivation~~ Hearings.**

24 Any person ~~whose application for a permit has been denied or whose permit faces~~
25 ~~revocation or suspension after having first been sent a written notice of violation pursuant~~
26 ~~to Section 7.A.2. of this ordinance shall be entitled to request a pre-deprivation~~
27 ~~hearing requesting a hearing.~~ ~~The person~~ shall file with the Department a written petition
28 requesting the hearing and setting forth a brief statement of the grounds for the request
29 within ten (10) days from the date the permit application was denied, ~~revoked~~ or from the
30 date the written notice of violation was mailed pursuant to Section ~~57.A.2.~~ of this
31 ordinance. The failure to timely submit a written request for a hearing shall be deemed a
32 waiver of the right to such hearing.

33 ~~A.~~

34 **B. ~~Post-Deprivation Hearing.~~** Any person ~~whose permit has been summarily revoked~~
35 ~~or suspended shall be entitled to request a post-deprivation hearing. The person~~
36 ~~shall file with the Department a written petition requesting the hearing and setting~~
37 ~~forth a brief statement of the grounds for the request within ten (10) days from the~~
38 ~~date the written notice of violation was mailed pursuant to Section 7.A.2. of this~~
39 ~~ordinance. The failure to timely submit a written request shall be deemed a waiver~~
40 ~~of the right to such hearing.~~

41 **B.** Hearing Procedure.

42 **C.** The Hearing Officer shall be the Director or the Director's designee. The hearing
43 shall be set for a date within ten (10) days from the date the written request is received

1 by the Department unless extended at the request of the petitioner. At the time and place
2 set for the hearing, the Hearing Officer shall give the petitioner and other interested
3 persons, adequate opportunity to present any facts pertinent to the matter at hand. The
4 Hearing Officer may, when deemed necessary, continue any hearing by setting a new
5 time and place and by giving notice to the petitioner of such action. At the close of the
6 hearing, or within twenty (20) ~~normal~~-business days thereafter, the Hearing Officer shall
7 order such disposition of the permit application or permit as determined to be proper, and
8 shall, by postage prepaid, certified mail, notify the petitioner of the Hearing Officer's final
9 determination.

10
11 **SECTIONection 79. —LICENSING AND REGISTRATION OF WATER WELL**
12 **DRILLER'S AND CONTRACTORS.**

13 No persons shall engage in any activity listed in Section 3. of this ordinance unless
14 ~~he they isare~~ in compliance with the Provisions herein and possesses a valid C57 license
15 in accordance with the California Contractor's State License Law (Chapter 9. Division 3
16 of the Business and Professions Code), or possesses a license appropriate to the activity
17 to be engaged in. Such person shall register annually with the Department thereto prior
18 to commencing any activity regulated by this ordinance. The Driller's Registration may be
19 suspended if there are any Well Driller's Reports outstanding and due or for other just
20 cause. All well drilling rigs are to be identified as specified in the Contractor's License Law
21 Section 7029.5 1990.

22
23 **SECTIONection 108. —CONSTRUCTION STANDARDS.** ~~Standards for the~~
24 ~~construction, reconstruction, abandonment, or destruction of wells shall be the standards~~
25 ~~recommended in the Bulletins of the California Department of Water Resources as~~
26 ~~follows: Bulletin NO 74-81 Chapter II Water Wells, and Bulletin NO 74-90 (Supplement to~~
27 ~~Bulletin 74-81) and as these Bulletins may be amended by the State of California from~~
28 ~~time to time. The content of said Bulletins is hereby incorporated by reference with the~~
29 ~~following additions or modifications:~~

30 Any standards not addressed in this section shall default to the standards noted in
31 Bulletin NO 74-81 Chapter II Water Wells, and Bulletin NO 74-90 (Supplement to Bulletin
32 74-81) and as these Bulletins may be amended by the State of California from time to
33 time.

34
35 **A. Sanitary Seals**

36 The space between the well casing and the wall of the drilled hole, often referred to
37 as the annular space, shall be effectively sealed to prevent it from being a preferential
38 pathway for movement of poor-quality water, pollutants, or contaminants.

39
40 Minimum Depth of Sanitary Seals:

- | | |
|---|--------------|
| 41 <u>1. Community Water Supply Wells</u> | <u>50 ft</u> |
| 42 <u>2. Individual Domestic Wells</u> | <u>20 ft</u> |
| 43 <u>3. Agricultural Wells</u> | <u>20 ft</u> |

- 1 a. Extraction wells used for the purpose of extracting and treating water from a
2 contaminated aquifer.
- 3 b. Wells from which water is to be treated to meet all State Department of Public
4 Health standards and requirements.
- 5 c. Wells from which water will be blended with other water sources resulting in
6 water that meets all State Department of Public Health standards and
7 requirements.
- 8 d. Monitoring wells for the purpose of site assessment and/or remediation
9 required by an appropriate oversight agency.
- 10 e. Lateral Wells shall also be placed in a location that does not bring any portion
11 of the well length within the distances noted in parts 2 and 3 of this section.

12 13 C. Water Well Surface Features

- 14 1. Well Base/Pad. A concrete base/pad shall be installed so that it extends a
15 minimum of two (2) feet laterally in all directions from the well casing. The
16 base/pad shall slope away from the well casing. The base/pad must have a
17 minimum thickness of four (4) inches.
- 18 2. Sample Tap. A non-threaded down-turned sampling tap shall be provided on any
19 community or IDW. The tap shall be in a location that is representative of the
20 source water.
- 21 3. Water Well Disinfection Pipe. All community water supply wells and IDWs shall
22 be provided with a pipe or other effective means through which chlorine or other
23 approved disinfecting agents may be introduced directly into the well, the pipe
24 shall be extended at least four inches (4") above the finished grade or base/pad,
25 whichever is higher, and shall have a threaded or equivalently secured cap on it.
- 26 4. Backflow Prevention Assembly. Wells shall be furnished with an approved
27 backflow prevention assembly or a sufficient air gap to insure that a cross-
28 connection with the well does not exist.
- 29 5. Water Well Flow Meter. All community water supply wells serving a public water
30 supply system shall have a flow meter or other suitable measuring device shall
31 be located at each source facility and shall accurately register the quantity of
32 water delivered to the distribution system.
- 33 6. Air-Relief Vent. An air-relief vent, when required, shall terminate downward, be
34 screened, and otherwise be protected from the entrance of contaminants.

35 36 D. Wells Requiring Additional Review

37 Wells that cannot meet the standard set forth in this section or that may require
38 variances from the standards within this ordinance, Bulletin 74-81, or Bulletin 74-90 shall
39 require additional environmental review, up to, and including, review under the California
40 Environmental Quality Act, as determined by the Department prior to consideration of
41 approval.

42 Exploration holes used for determining immediate geological or hydrological information
43 relating to onsite sewage disposal systems, liquefaction studies, or geotechnical

1 investigations for construction purposes, such as foundation studies, are exempt from the
2 monitoring well destruction standards of Part III Bulletin 74-90, provided that a zone of
3 low permeability overlying sediments with water bearing capabilities has not been
4 penetrated. For the above listed cases, the excavation or boring shall be backfilled with
5 native soils immediately after the investigatory work has been completed. Where a zone
6 of low permeability has been penetrated, the hole shall be abandoned as specified in
7 Bulletin 74-90, Part III. When the excavation is to be left open and unattended (such as
8 at the end of a work shift), the person in charge of the construction shall take necessary
9 precautions to insure that the excavation has not created a public health or safety hazard.
10 All excavations under this section shall be properly destroyed with approved sealant
11 material within 24 hours.

12
13 Section 11. LATERAL (HORIZONTAL) WELL STANDARDS. The location and
14 design of lateral wells shall be in accordance with the standards recommended in the
15 State of California, Department of Health Services' Publication: Requirements for The
16 Use of Lateral Wells in Domestic Water Systems as such publication may be amended
17 by the State of California from time to time. The content of said publication is hereby
18 incorporated herein by reference.

19
20 **SECTION 9 WELL DESTRUCTION**

21 Destruction of wells shall default to the standards noted in Bulletin 74-81 Chapter II
22 Water Wells and Bulletin 74-90 (Supplement to Bulletin 74-81) and as these Bulletins may
23 be amended by the State of California from time to time.

24
25 **SECTION 1012. REQUIRED INSPECTION OF WELL SITES PRIOR**
26 **TO PERMIT ISSUANCE.**

27 A site inspection by the Department is required prior to issuance of a permit for a
28 community well that is to be part of a public water system or other wells that possess a
29 high potential for contamination as determined by the Director, or as needed to determine
30 that a well site meets minimum setback requirements. In the event that the well is to
31 serve a system under the direct jurisdiction of the State Department of Health
32 Services State Water Resources Control Board, then, that agency may perform the site
33 inspection and notify the Department of Environmental Health of its approval or
34 disapproval.

35
36 **SECTION 1113. REQUIRED INSPECTIONS OF WELLS DURING**
37 **CONSTRUCTION OR DESTRUCTION.**

38
39 A. A well inspection shall be requested-scheduled of-with the Department at least two
40 (2) working days in advance of the following activities:

41 1. **For individual domestic wells, agricultural wells, cathodic protection wells,**
42 **extraction wells, injection wells, and monitoring all wells:**

43 **a. The filling of the of the annular space or conductor casing Sanitary Seal.**

1 —Any other operation or condition for which a special inspection is stipulated
2 on the well permit.

3 a.b.

4 ~~b.a. Immediately after the installation of all surface equipment and (for individual~~
5 ~~domestic wells) after the well has been disinfected and purged.~~

6 ~~2. For community IDWswells.:~~

7 ~~2. Immediately aAfter the installation of all surface equipment and (for individual~~
8 ~~domestic wells) after the well has been disinfected and purged.~~

9 ~~a. All community water wells shall be inspected at the frequencies stated in~~
10 ~~subsection 1. of this section for individual domestic water wells. In~~
11 ~~addition, a site inspection prior to issuance of a permit is required in~~
12 ~~accordance with Section 12. of this ordinance.~~

13 ~~3. For all wells:~~

14 ~~a. Any other operation or condition for which a special inspection is~~
15 ~~stipulated on the well permit.~~

16 ~~4. For well and boring destruction.:~~

17 ~~a. During the actual sealing of the well,~~

18 ~~b.3. Immediately after all well destruction work has been completed. destruction~~
19 ~~process.~~

20 ~~B.A. Upon failure to notify the Department of the filling of the annular space, approved~~
21 ~~geophysical tests including Sonic Log and Gamma Ray Log shall be conducted at~~
22 ~~the owner's expense, to substantiate that an annular seal has been properly~~
23 ~~installed.~~

24 ~~C.B.~~ If the enforcement agency fails to appear at the well site within 30 minutes of the
25 scheduled day and time designated for sealing, the well may be sealed without the
26 presence of the enforcement agency. However, the driller shall seal the well in
27 accordance with the standards of this ordinance and the permit.

28 ~~C.~~ Upon failure to notify ~~schedule an inspection with the Department for~~ the filling of
29 the annular space, approved geophysical tests including Sonic Log and Gamma Ray
30 Log shall ~~may need to be conducted at the owner's expense, to substantiate that an~~
31 annularsanitary seal has been properly installed.

32
33 **SECTIONection 124. —DISCHARGE OF DRILLING FLUIDS.**

34 Drilling fluids and other drilling materials ~~used in connection with cathodic protection,~~
35 ~~monitoring, or water well construction~~ shall not be allowed to discharge onto streets or
36 into waterways, and shall not be allowed to discharge to the adjacent property unless a
37 written agreement with the owner(s) of the adjacent property is obtained; provided,
38 however, that such fluids and materials are discharged off- site with permission and are
39 removed within thirty (30) days after completion of the well drilling and there is no violation
40 of waste discharge regulations. This section shall not operate to prohibit the surface
41 discharge of contaminated groundwater provided such discharge is carried out in
42 compliance with a lawful order of a regional water quality control board.

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

7 ~~A. Extraction wells used for the purpose of extracting and treating water from a~~
8 ~~contaminated aquifer.~~

9 ~~B. Wells from which water is to be treated to meet all State Department of Health~~
10 ~~standards and requirements.~~

11 ~~C. Wells from which water will be blended with other water sources resulting in water~~
12 ~~that meets all State Department of Health standards and requirements.~~

13
14 ~~Every well shall be located an adequate distance from all potential sources of~~
15 ~~contamination and pollution as follows:~~

16	— Sewer	50-foot minimum
17	— Watertight septic tank	100-foot minimum
18	— Subsurface sewage leach line or leach field	100-foot minimum
19	— Cesspool or seepage pit	150-foot minimum
20	— Animal or fowl enclosures	100-foot minimum

21 ~~Any surface sewage disposal system discharging 2,000 gal/day or more 200-foot~~
22 ~~minimum~~

23
24 ~~Minimum distances from other sources of pollution or contamination shall be as~~
25 ~~determined by the Department upon investigation and analysis of the probable risks~~
26 ~~involved. Where particularly adverse or special hazards are involved as determined by~~
27 ~~the Department of Environmental Health, the foregoing distances may be increased or~~
28 ~~specially approved means of protection, particularly in the construction of the well, may~~
29 ~~be required as determined by the Department.~~

30
31 ~~**SECTION**~~ ~~**ection 136.**~~ ~~**—WELL LOGS.**~~

32 ~~Any person who has drilled, dug, excavated, or bored or destroyed a well subject to~~
33 ~~this ordinance shall within sixty (60) days after completion to of the drilling, digging,~~
34 ~~excavation, or boring of such well, furnish the Department with a complete log of such~~
35 ~~well on a standard form provided by the State Department of Water Resources. This log~~
36 ~~shall include depths of formations, character, size distribution, i.e., clay, sand, gravel,~~
37 ~~rocks and boulders, and color for all litho-logical units penetrated, the type of casing,~~
38 ~~pump test results when applicable, and any other data required by the Department. The~~
39 ~~Department may require inspection of the well log during any phase of the well's~~
40 ~~construction or destruction and where necessary to achieve the purposes of this~~
41 ~~ordinance. The Department's review of the well logs, may require modification of the~~
42 ~~work as originally planned.~~

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

5
6 **Section 17. WATER WELL SURFACE CONSTRUCTION FEATURES.**

- 7
8 **A. Check Valve.** A check valve shall be provided on the pump discharge line adjacent to
9 the pump for all water wells.
10 **B. Sample Spigot.** An unthreaded sample spigot shall be provided on any community or
11 individual domestic water well. The sample spigot is to be installed on the pump
12 discharge line adjacent to the pump and on the distribution side of the check valve.
13 **C. Water Well Disinfection Pipe.** All community water supply wells and individual
14 domestic wells shall be provided with a pipe or other effective means through which
15 chlorine or other approved disinfecting agents may be introduced directly into the well,
16 The pipe shall be extended at least four inches (4") above the finished grade and shall
17 have a threaded or equivalently secured cap on it.
18 **D. Water Well Flow Meter.** A flow meter or other suitable measuring device shall be
19 located at each source facility and shall accurately register the quantity of water
20 delivered to the distribution system from all community water supply wells serving a
21 public water supply system.
22 **E. Air-Relief Vent.** An air-relief vent, when required, shall terminate downward, be
23 screened, and otherwise be protected from the entrance of contaminants.
24 **F. Backflow Prevention Assembly.** Wells equipped with chemical feeder devices for
25 fertilizers, pesticides or other non-potable water treatment, including connections to
26 reclaimed water systems, shall be furnished with an approved backflow prevention
27 assembly or a sufficient air gap to insure that a cross-connection with the well does
28 not exist.

29
30 **SECTIONection 148. DISINFECTION OF WATER WELLS.**

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

39
40 **SECTIONection 159. WATER QUALITY STANDARDS.**

- 41 **A.** ~~A.~~ Water from all new, repaired, and reconstructed community water ~~supply~~ wells,
42 shall be tested for and meet the standards for constituents required in the California
43 Code of Regulations, Title 22, Domestic Water Quality and Monitoring.

1 ~~B.~~ ~~B.~~ In addition to the microbiological standards required in Section 18. of this
2 ordinance, ~~A~~ all individual domestic water wells ~~IDWs~~ shall be sampled for total
3 coliform, nitrate, fluoride, total filterable residue (or total dissolved solids) and any
4 other constituent determined to be necessary by the Department to meet the
5 standards set forth in California Code of Regulations, Title 22, Domestic Water
6 Quality and Monitoring.

7 ~~C.~~ ~~tested for and meet the nitrate, fluoride, and total dissolved solids (or total filterable~~
8 ~~residue) standards in accordance with the California Code of Regulations, Title 22,~~
9 ~~Domestic Water Quality and Monitoring. C.~~ At the discretion of the Director, for the
10 purpose of protecting the health and safety of the public, any new, repaired, or
11 reconstructed ~~individual domestic water well~~ water, or community well, shall be
12 tested for and must meet, any or all additionally specified Water Quality Standards
13 in accordance with the California Code of Regulations, Title 22, Domestic Water
14 Quality and Monitoring. Exceptions would be community well water to be either
15 treated or blended with other water sources to meet State Department of Public
16 ~~Health Services~~ standards and requirements. Said treatment or blending must be
17 approved by the State Department of Public Health ~~Services~~.

18 ~~D.~~ Notwithstanding part B, an IDW ~~failureing to meet the fluoride and/or nitrate~~
19 standard will require recordation of this fact on the grant deed of property.

20 ~~E.~~ Water well samples shall be evaluated by an Environmental Laboratory
21 Accreditation Program (ELAP) accredited laboratory.

22 ~~F.~~ Initial water quality samples on an IDW shall be collected by the Department.

23
24 **SECTION ~~ection~~ 1620. _____ — MINIMUM WATER WELL PRODUCTION.**

25
26 ~~A.~~ All ~~individual domestic water wells~~ IDWs providing drinking water ~~to a residence~~ must
27 be tested for the purpose of achieving a minimum level of water production
28 capability.

29 ~~B.~~ Water production testing shall be performed under the direct supervision of a
30 California licensed C-57 well driller, C-61 pump contractor, D-21 pump contractor or
31 a certified hydro-geologist. Said testing shall include the following requirements:

32 ~~1. Standing water level measurements in the individual domestic water well shall~~
33 ~~be made immediately prior to the start of pumping. The standing water level shall~~
34 ~~be measured to an accuracy of at least 0.1 foot.~~

35 ~~2. Timing of the test shall commence from the start of pumping or when an air lift is~~
36 ~~started. Pumping shall continue on an uninterrupted basis for a minimum two~~
37 ~~hour period until three or more wetted bore volumes of water have been~~
38 ~~discharged from the well. The term "wetted bore volume" shall be defined to~~
39 ~~mean the volume of the well hole below the standing water level measurement.~~
40 ~~In those cases that involve screened and filter packed wells, the volume of water~~
41 ~~contained in the filter pack shall also be included in the bore volume calculation.~~

42 Water production shall be kept at a constant rate of no less than 1 gallon per
43 minute per single family residence or unit dwelling for a minimum of four hours.

1 Higher production rates may be required based upon the proposed water usage
2 and as determined by the Department. This level of production applies to new
3 water wells used for domestic purposes and existing water sources on property
4 being improved. The well shall not pump dry during the test.

5 ~~3.1.~~

6 4.2. Water discharged from the water well during the production test shall be
7 restricted so that it does not re-enter the water well that is the subject of the test.

8 ~~5. The standing water level in the individual domestic water well shall be remeasured
9 immediately at the conclusion of pumping. The standing water level shall be measured to
10 an accuracy of at least 0.1 foot. The well shall not pump dry during the test.~~

11
12
13 **SECTION ~~1721.~~ PRIVATE WELL EVALUATIONS.**

14 A well evaluation is required for all individual domestic water wells that do not have
15 approved water sample results from the Department in the last 12 months have been in
16 existence for more than one year and are to be utilized as a potable water supply for a
17 proposed development or improvement of property that does not meet the definition of a
18 public water system. This evaluation is required when application is made to this
19 Department for waste disposal. A well evaluation may be requested by the applicant or
20 otherwise required by this Department.

21
22 The Department shall perform a well-site inspection and conduct the water sampling
23 portion of the evaluation to confirm compliance with applicable sections of this ordinance.
24 The well shall be sampled for total coli form, nitrate, fluoride, total filterable residue (or
25 total dissolved solids) and any other constituent determined to be necessary for the
26 Department to evaluate the basic water quality. The well water shall meet the Water
27 Quality Standards in accordance with the California Code of Regulations, Title 22,
28 Domestic Water Quality and Monitoring. A water source can not be approved by this
29 Department if it does not meet the bacteriological standards. Failure to meet the fluoride
30 or nitrate standard will require recordation of this fact on the grant deed of property. Any
31 additional testing, including any pump test to determine the yield quantity of the well, shall
32 be performed under the direct supervision of a California licensed C-57 well driller, C-61
33 pump contractor, D-21 pump contractor or a certified hydro-geologist at the expense of
34 others.

35
36 **SECTION 18 WELL ABANDONMENT**

37 Where an abandoned or unused well is identified, the Department shall require the
38 owner of the well to apply in writing, their intention to reuse the well or to destroy the well.

39
40 **A. An owner proposing reuse shall certify the following:**

41 **1. The well has no defects which will allow the impairment of the quality of water in**
42 **the well.**

- 1 2. The well is covered such that the cover is watertight and cannot be removed
- 2 except with the aid of equipment, the use of tools or is otherwise secured.
- 3 3. The well is marked so it can be located easily.
- 4 4. The area surrounding the well is kept clear of bush and/or debris.
- 5 5. The well is maintained in a manner that does not create a hazard or nuisance as
- 6 determined by the Department.

7

8 B. If the owner chooses not to apply for a proposed reuse of the well, they shall apply

9 for a well destruction in accordance with this ordinance.

10

11 C. If the owner has not applied to the Department for a proposed reuse of the well or

12 its destruction, and the well has been found by the Department to be a hazard,

13 whereby its continued existence is likely to cause damage to ground water and/or a

14 threat to public health and safety, the Department shall direct the owner to destroy

15 the well, in accordance with Section 3 of this ordinance.

16

17 D. When an owner fails to comply with the Department's order to destroy a well, such

18 well may be declared a public nuisance pursuant to Government Code Section

19 50231, and thereafter abated pursuant to Title 5, Division 1, Article 9 of the California

20 Government Code. Where abatement is undertaken at the expense of the County,

21 such cost shall constitute a special assessment against the parcel and shall be

22 added to the next regular tax bill as enumerated under Government Code Section

23 50244 et seq.

24

25 ~~Section 22. WELL ABANDONMENT. If after thirty (30) days of abandonment, the owner~~

26 ~~has not declared to the Department a proposed reuse of the well per Section 24 of this~~

27 ~~ordinance, and the well has been found by the Department to be a hazard, whereby its~~

28 ~~continued existence is likely to cause damage to ground water or a threat to public health~~

29 ~~and safety, the Department shall direct the owner to destroy the well, in accordance with~~

30 ~~Section 10. of this ordinance. Upon removal of the pump, the casing shall be provided~~

31 ~~with a threaded or equivalently secured watertight cap. The well shall be maintained so~~

32 ~~that it will not be a hazard to public health and safety until such time as it is properly~~

33 ~~destroyed.~~

34

35 ~~Section 23. PUBLIC NUISANCE ABATEMENT. Where an abandoned well has been~~

36 ~~identified and the owner fails to comply with the Department's order to destroy the well,~~

37 ~~such well may be declared a public nuisance pursuant to Government Code Section~~

38 ~~50231, and thereafter abated pursuant to Title 5, Division 1, Article 9 of the California~~

39 ~~Government Code. Where abatement is undertaken at the expense of the County, such~~

40 ~~cost shall constitute a special assessment against the parcel and shall be added to the~~

41 ~~next regular tax bill as enumerated under Government Code Section 50244 et seq.~~

1 ~~**Section 24. DECLARATION OF PROPOSED REUSE.** Where a well is unused or~~
2 ~~its disuse is anticipated, the owner may apply to the Department, in writing, stating an~~
3 ~~intention to use the well again for its original or other approved purpose, The Department~~
4 ~~shall review such a declaration and may grant an exemption from certain of the provisions~~
5 ~~of Section 22 of this ordinance, provided no undue hazard to public health or safety is~~
6 ~~created by the continued existence of the well. Thereafter, an amended declaration shall~~
7 ~~be filed annually with the Department. The original or subsequent exemption may be~~
8 ~~terminated for cause by the Department at any time. Upon removal of the pump, the~~
9 ~~casing shall be provided with a threaded or equivalently secured watertight cap. The well~~
10 ~~shall be maintained so that it will not be a hazard to public health and safety until such~~
11 ~~time as it is properly destroyed.~~

12
13 ~~**Section 25. ADMINISTRATIVE VARIANCE.** Subject to approval by the State~~
14 ~~Department of Health Services, the Director may grant an administrative variance of the~~
15 ~~provisions of this ordinance where documentary evidence establishes that a modification~~
16 ~~of the standards as provided herein will not endanger the general public health and safety,~~
17 ~~and strict compliance would be unreasonable in view of all the circumstances.~~

18
19 ~~**SECTION 1913. -VIOLATIONS**~~

20 ~~Any violation of this ordinance shall be subject to legal remedy up to and including~~
21 ~~permit suspension, revocation, administrative citations, as noted in Ordinance 725, and~~
22 ~~/or criminal citations. Those remedies may also include recovery of abatement costs, as~~
23 ~~defined in Ordinance 725, at the sole discretion of the Director.~~

24
25 ~~**SECTION 2014. -Public Nuisance DeclarationPUBLIC NUISANCE**~~
26 ~~**DECLARATION**~~

27 ~~In addition, any violation of this ordinance is hereby deemed to be a public nuisance~~
28 ~~and may be abated by the Director or his designee, irrespective of any other remedy~~
29 ~~hereinabove provided.~~

30
31 ~~**SECTION 2115. -SEVERABILITY**~~

32 ~~If any part or provision of this Ordinance, or application thereof, to any person or~~
33 ~~circumstance is held invalid, the remainder of this Ordinance, including the application of~~
34 ~~such part or provision to other persons or circumstances shall not be affected thereby~~
35 ~~and shall continue in full force and effect. To this end, the provisions of this Ordinance~~
36 ~~are severable.~~

37
38
39
40 ~~**Section 26. VIOLATIONS AND PENALTIES.**~~

41
42 ~~**A.** The Director, or his designee, may at any and all reasonable times enter any and all~~
43 ~~places, property, enclosures, and structures for the purpose of conducting~~
44 ~~examinations and investigations to determine whether all provisions of this ordinance~~
45 ~~are being complied with.~~

1 ~~B. It shall be unlawful for any person, firm, corporation, or association of persons to~~
2 ~~violate any provision of this ordinance or to violate the provisions of any permit granted~~
3 ~~pursuant to this ordinance. Any person, firm, corporation or association of persons~~
4 ~~violating any provision of this ordinance or the provisions of any permit granted~~
5 ~~pursuant to this ordinance, shall be deemed guilty of an infraction or misdemeanor as~~
6 ~~herein specified. Such person, firm, corporation, or association of persons shall be~~
7 ~~deemed guilty of a separate offense for each and every day or portion thereof during~~
8 ~~which any violation of any of the provisions of this ordinance or the provisions of any~~
9 ~~permit granted pursuant to this ordinance is committed, continued, or permitted. Any~~
10 ~~person, firm, corporation, or association of persons so convicted shall be: (1) guilty of~~
11 ~~an infraction offense and punished by a fine not exceeding one hundred dollars~~
12 ~~(\$100.00) for a first violation, (2) guilty of an infraction offense and punished by a fine~~
13 ~~not exceeding two hundred dollars (\$200.00) for a second violation at the same site.~~
14 ~~The third and any additional violations on the same site shall constitute a~~
15 ~~misdemeanor offense and shall be punishable by a fine not exceeding one thousand~~
16 ~~dollars (\$1,000.00), or six (6) months in jail, or both. Notwithstanding the above, a first~~
17 ~~offense may be charged and prosecuted as a misdemeanor. Payment of any penalty~~
18 ~~herein shall not relieve a person, firm, corporation, or association of persons from the~~
19 ~~responsibility for correcting the violation.~~

20 ~~C. Anything done, maintained, or suffered in violation of any of the provisions of this~~
21 ~~ordinance is a public nuisance dangerous to the health and safety of the public and~~
22 ~~may be enjoined or summarily abated in the manner provided by law. Every public~~
23 ~~officer or body lawfully empowered to do so shall abate the nuisance immediately.~~

24 ~~D. The procedures, remedies and penalties for violation of this ordinance and for~~
25 ~~recovery of costs related to enforcement are provided for in Ordinance No. 725, which~~
26 ~~is incorporated herein by this reference.~~

27
28 ~~Section 27. SEVERABILITY.~~

29 ~~If any provision, clause, sentence, or paragraph of this ordinance, or the application~~
30 ~~thereof, to any person, establishment, or circumstances shall be held invalid, such~~
31 ~~invalidity shall not affect the other provisions of this ordinance which can be given effect~~
32 ~~without the invalid provision or application, and to this end, the provisions of the ordinance~~
33 ~~are hereby declared to be severable.~~

34
35 ~~SECTION 2228. CONFLICT WITH EXISTING LAWS.~~

36 ~~The provisions of any existing ordinance or State or Federal law affording greater~~
37 ~~protection to the public health or safety shall prevail within this jurisdiction over the~~
38 ~~provisions of this ordinance and the standards adopted or incorporated by reference there~~
39 ~~under.~~

40
41 ~~Section 29. REPEAL.~~

42 ~~Riverside County Ordinance No. 340, and all amendments thereto, shall be~~
43 ~~repealed and of no further force or effect upon the effective date of this ordinance.~~

44
45 ~~Section 30. EFFECTIVE DATE.~~

46 ~~This ordinance shall take effect sixty (60) days after its adoption.~~

1

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

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

4 682.2 Item 3.1b of 12/07/1993 (Eff: 12/07/1993)

5 682.3 Item 3.12 of 05/25/1999 (Eff: 06/24/1999)

6 682.4 Item 15.11 of 05/22/2007 (Eff: 06/21/2007)