

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



ITEM: 3.7
(ID # 16731)

MEETING DATE:
Tuesday, July 27, 2021

FROM : ENVIRONMENTAL HEALTH:

SUBJECT: ENVIRONMENTAL HEALTH: Introduction of Ordinance 682.6 Regulating the Construction, Reconstruction, Abandonment and Destruction of Wells. Find the adoption of Ordinance 682.6 to be categorically exempt from the California Environmental Quality Act (CEQA), All Districts. [\$0] (Set for Public Hearing August 17, 2021) (Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title, and waive further reading of Ordinance 682.6 Regulating the Construction, Reconstruction, Abandonment and Destruction of Wells;
2. Find the adoption of Ordinance No. 682.6 to be categorically exempt from the California Environmental Quality Act (CEQA); and
3. Set a Public Hearing for the adoption of Ordinance No. 682.6 for August 17, 2021 (Clerk to Advertise).

ACTION:Policy, Set for Hearing

Keith Jones

Keith Jones, Director Environmental Health 7/8/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and that the above Ordinance 682.6 is approved as introduced with a waiver of reading, and is set for public hearing on Tuesday, August 17, 2021, at 9:30 a.m. or as soon as possible

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: July 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:	21/22

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 Board previously approved an update to the Ordinance 682 on May 11, 2021, Agenda item 19.1. The Current revision makes three changes to add further clarity to the well approval process.

- Section 2 - Added a definition for “Driven Wells” that clarifies that these well types are not allowed for use as a potable water source.
- Section 3 – Adds language that clarifies that temporary borings with the intent for environmental assessment do not require a permit from the Department.
- Attachment A – This map from the Water Board shows an area of the County with a known perched aquifer that requires seal depths different from standard depths, but would not require additional environmental review for deviating from the standards.

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 682.5
- Ordinance 682.6 Redline
- Ordinance 682.6 Attachment A
- Ordinance 682.6

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



Jason Farin, Principal Management Analyst 7/20/2021



Gregory L. Priamos, Director County Counsel 7/15/2021

- 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.

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2 unreasonably affects such water for beneficial uses, or facilities which serve such
3 beneficial uses "Pollution" may include "contamination".

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11 water supplier.

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13 connection with such system but are not under control of the water supplier.

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15 its production, replace defective casing, seal off certain strata or surface water, or
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25 purpose of extracting water from, or injecting water into the ground. This definition
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8 investigations for construction purposes, that are temporary and destroyed within
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17 approved. The term working day shall be defined to mean a day in which the County
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20 Department to be reasonably necessary to accomplish the purpose of this
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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
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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.

1 d. Monitoring wells for the purpose of site assessment and/or remediation
2 required by an appropriate oversight agency.

3 e. Lateral Wells shall also be placed in a location that does not bring any portion
4 of the well length within the distances noted in parts 2 and 3 of this section.

5
6 **C. Water Well Surface Features**

7 1. Well Base/Pad. A concrete base/pad shall be installed so that it extends a
8 minimum of two (2) feet laterally in all directions from the well casing. The
9 base/pad shall slope away from the well casing. The base/pad must have a
10 minimum thickness of four (4) inches.

11 2. Sample Tap. A non-threaded down-turned sampling tap shall be provided on any
12 community or IDW. The tap shall be in a location that is representative of the
13 source water.

14 3. Water Well Disinfection Pipe. All community water supply wells and IDWs shall
15 be provided with a pipe or other effective means through which chlorine or other
16 approved disinfecting agents may be introduced directly into the well, the pipe
17 shall be extended at least four inches (4") above the finished grade or base/pad,
18 whichever is higher, and shall have a threaded or equivalently secured cap on it.

19 4. Backflow Prevention Assembly. Wells shall be furnished with an approved
20 backflow prevention assembly or a sufficient air gap to insure that a cross-
21 connection with the well does not exist.

22 5. Water Well Flow Meter. All community water supply wells serving a public water
23 supply system shall have a flow meter or other suitable measuring device shall
24 be located at each source facility and shall accurately register the quantity of
25 water delivered to the distribution system.

26 6. Air-Relief Vent. An air-relief vent, when required, shall terminate downward, be
27 screened, and otherwise be protected from the entrance of contaminants.

28
29 **D. Wells Requiring Additional Review**

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

35
36 **SECTION 9 WELL DESTRUCTION**

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

40
41 **SECTION 10 REQUIRED INSPECTION OF WELL SITES PRIOR TO PERMIT**
42 **ISSUANCE**

1 A site inspection by the Department is required prior to issuance of a permit for a
2 community well that is to be part of a public water system, other wells that possess a high
3 potential for contamination, or as needed to determine that a well site meets minimum
4 setback requirements. In the event that the well is to serve a system under the direct
5 jurisdiction of the State Water Resources Control Board, then, that agency may perform
6 the site inspection and notify the Department of Environmental Health of its approval or
7 disapproval.
8

9 **SECTION 11 REQUIRED INSPECTIONS OF WELLS DURING CONSTRUCTION** 10 **OR DESTRUCTION**

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

13 **1. For all wells:**

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

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

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

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

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

24 **C.** Upon failure to schedule an inspection with the Department for the filling of the
25 annular space, approved geophysical tests including Sonic Log and Gamma Ray
26 Log may need to be conducted at the owner's expense, to substantiate that a
27 sanitary seal has been properly installed.
28

29 **SECTION 12 DISCHARGE OF DRILLING FLUIDS**

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

39 **SECTION 13 WELL LOGS**

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

1 the well's construction or destruction and where necessary to achieve the purposes of
2 this ordinance. The Department's review of the well logs may require modification of the
3 work as originally planned.
4
5

6 **SECTION 14 DISINFECTION OF WATER WELLS**

7 Every new, repaired, or reconstructed community water well or IDW, after
8 completion of construction, repair or reconstruction, and before being placed in service,
9 shall be thoroughly cleaned of all foreign substances. The well gravel used in packed
10 wells, pipes, pump, pump column, and all well water contact equipment surfaces, shall
11 be disinfected by a Department-approved method. The disinfectant shall remain in the
12 well and upon all relevant surfaces for at least twenty-four (24) hours. Disinfection
13 procedures shall be repeated until laboratory results show that coliforms are no longer
14 present.
15

16 **SECTION 15 WATER QUALITY STANDARDS**

- 17 **A.** Water from all new, repaired, and reconstructed community water wells, shall be
18 tested for and meet the standards for constituents required in the California Code of
19 Regulations, Title 22, Domestic Water Quality and Monitoring.
- 20 **B.** All IDWs shall be sampled for total coliform, nitrate, fluoride, total filterable residue
21 (or total dissolved solids) and any other constituent determined to be necessary by
22 the Department to meet the standards set forth in California Code of Regulations,
23 Title 22, Domestic Water Quality and Monitoring.
- 24 **C.** At the discretion of the Director, for the purpose of protecting the health and safety
25 of the public, any new, repaired, or reconstructed water well shall be tested for and
26 must meet, any or all additionally specified Water Quality Standards in accordance
27 with the California Code of Regulations, Title 22, Domestic Water Quality and
28 Monitoring. Exceptions would be community well water to be either treated or
29 blended with other water sources to meet State Department of Public Health
30 standards and requirements. Said treatment or blending must be approved by the
31 State Department of Public Health.
- 32 **D.** Notwithstanding part B, an IDW failing to meet the fluoride and/or nitrate standard
33 will require recordation of this fact on the grant deed of property.
- 34 **E.** Water well samples shall be evaluated by an Environmental Laboratory
35 Accreditation Program (ELAP) accredited laboratory.
- 36 **F.** Initial water quality samples on an IDW shall be collected by the Department.
37

38 **SECTION 16 MINIMUM WATER WELL PRODUCTION**

- 39 **A.** All IDWs providing drinking water must be tested for the purpose of achieving a
40 minimum level of water production capability.
- 41 **B.** Water production testing shall be performed under the direct supervision of a
42 California licensed C-57 well driller, C-61 pump contractor, D-21 pump contractor or
43 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 ORDINANCE NO. 682.6
2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE
3 AMENDING ORDINANCE NO. 682
4 AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING
5 THE CONSTRUCTION, RECONSTRUCTION, ABANDONMENT
6 AND DESTRUCTION OF WELLS AND INCORPORATING BY REFERENCE
7 ORDINANCE NO. 725

8 SECTION 1. Ordinance 745 is amended in its entirety to read as follows:
9

10 ORDINANCE NO. 682
11 (~~AS AMENDED THROUGH 682.5~~)
12 AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING
13 THE CONSTRUCTION, RECONSTRUCTION, ABANDONMENT
14 AND DESTRUCTION OF WELLS AND INCORPORATING BY REFERENCE
15 ORDINANCE NO. 725
16

17 The Board of Supervisors of the County of Riverside, Ordains that Ordinance No.
18 682 is amended in its entirety to read as follows:
19

20 **SECTION 1 PURPOSE, AUTHORITY AND IMPLEMENTATION**

21 The purpose of this ordinance is to provide minimum standards for construction,
22 reconstruction, abandonment, and destruction of all wells in order to: (a) protect
23 underground water resources, and (b) provide safe water to persons within Riverside
24 County. Pursuant to the authority cited in Chapter 13801(c) of the California Water Code,
25 the Riverside County Department of Environmental Health shall enforce the provisions of
26 this ordinance within its jurisdiction.
27

28 Standards for the construction, reconstruction, abandonment, or destruction of wells
29 shall be the standards recommended in the Bulletins of the California Department of
30 Water Resources as follows: Bulletin 74-81 Chapter II Water Wells, and Bulletin 74-90
31 (Supplement to Bulletin 74-81) and as these Bulletins may be amended by the State of
32 California from time to time. The content of said Bulletins are hereby incorporated by
33 reference.
34

35 **SECTION 2 DEFINITIONS**

36 Whenever in this ordinance the following terms are used, they shall have the
37 meanings respectively ascribed to them in this section:
38

- 39 A. **“Abandoned Wells” and “Abandonment”**, shall apply to a well whose original or
40 functional purpose and use has been discontinued for a period of one (1) year and
41 which has not been declared for reuse with the Department by the legal owner, or a
42 well in such a state of disrepair that it cannot be functional for its original purpose or
43 any other function regulated under this ordinance.

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

1 **O.P.** “Injection Well” (or “Recharge Well”) shall mean any well used to inject water of
2 approved quality into groundwater basins (Special approval required).

3 **P.Q.** “Lateral (horizontal) Well” shall mean a well drilled or constructed horizontally or
4 at an angle with the horizon as contrasted with the common vertical well and does
5 not include horizontal drains or wells constructed to remove subsurface water from
6 hillside, cuts, or fills.

7 **Q.R.** “Monitoring Well” shall mean an artificial excavation by any method for the purpose
8 of observing, monitoring, or supplying the conditions of a water bearing Aquifer, such
9 as fluctuations in groundwater levels, quality of ground waters, or the concentration
10 of contaminants in underground waters.

11 **R.S.** “Person” shall mean any individual, firm, corporation, association, profit or non-
12 profit organization, trust, partnership, special district, or governmental agency to the
13 extent authorized by law.

14 **S.T.** “Pollution” shall mean an alteration of water by waste to a degree which
15 unreasonably affects such water for beneficial uses, or facilities which serve such
16 beneficial uses "Pollution" may include "contamination".

17 **T.U.** “Public Water System” shall mean:

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

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

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

27 **U.V.** “Reconstruction” means certain work done to an existing well in order to restore
28 its production, replace defective casing, seal off certain strata or surface water, or
29 similar work, not to include the cleaning out of sediments, surging, or maintenance
30 to the pump or appurtenances where the integrity of the sanitary seal or water
31 bearing strata are not violated.

32 **V.W.** “Sanitary Seal” shall mean the approved material placed in the upper portion of the
33 space between the well casing and the wall of the drilled hole.

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

37 **X.Y.** “Water Well” shall mean any artificial excavation constructed by any method for the
38 purpose of extracting water from, or injecting water into the ground. This definition
39 shall not include:

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

43 2. Wells used for the purpose of:

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

4

5 **SECTION 3 PERMIT REQUIREMENTS**

- 6 **A.** No person or entity shall construct, reconstruct or destroy a well that requires a
- 7 permit from the Department as noted in this section.
- 8 **B.** The following well types require a permit:
 - 9 1. Water well
 - 10 2. Cathodic protection well
 - 11 3. Monitoring well
 - 12 4. Geothermal heat exchange well
 - 13 5. Injection or recharge wells
 - 14 6. Extraction wells
- 15 **C.** The following activities do not require a permit:
 - 16 1. Exploration holes or borings used for the purposes of determining immediate
 - 17 geological or hydrological information relating to onsite wastewater treatment
 - 18 systems.
 - 19 2. Exploration holes or borings used for the purposes of determining geological or
 - 20 hydrological information relating to environmental assessments, liquefaction
 - 21 studies or geotechnical investigations for construction purposes, that are
 - 22 temporary and destroyed within 24 hours.
- 23 **D.** Any person or entity seeking a permit for the construction, reconstruction or
- 24 destruction of a well shall apply for a permit on an application supplied by the
- 25 Department and submit the applicable fee(s) as noted in Ordinance 640. The
- 26 application shall conform with all applicable sections of this ordinance related to
- 27 construction, reconstruction or destruction of a well.
- 28 **E.** All complete and accurate permit applications shall be approved or denied within
- 29 fifteen (15) working days after the date of filing of the application or shall be deemed
- 30 approved. The term working day shall be defined to mean a day in which the County
- 31 of Riverside is open to members of the public for regular business.
 - 32 1. Approved permits may include conditions and requirements found by the
 - 33 Department to be reasonably necessary to accomplish the purpose of this
 - 34 ordinance.
 - 35 2. If the application is denied, the applicant shall be informed of any deficiencies
 - 36 contained in the application at the time of being notified of such denial. The
 - 37 applicant, after initial denial, may resubmit a corrected application that addresses
 - 38 the deficiencies that were identified as part of the application denial. The
 - 39 applicant shall resubmit a corrected application within thirty (30) days after being
 - 40 notified of the application denial or thereafter a new permit application will need
 - 41 to be submitted.
- 42 **F.** Any person or entity who commences any work for which a permit is required by this
- 43 Department without obtaining a permit, shall pay double the permit fee for such work.

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

9
10 **SECTION 4 EXPIRATION OF PERMIT**

- 11 **A.** Each permit issued pursuant to this ordinance shall expire and become null and void
12 if the work authorized in the approved application has not been completed within
13 twelve (12) months following the issuance of the permit.
14 **B.** The permit fee shall be non-refundable.
15 **C.** Upon expiration of any permit issued pursuant hereto, no further work may be done
16 in connection with construction, repair, reconstruction, or abandonment of a well
17 unless and until a new permit for such purpose is secured in accordance with the
18 provisions of this ordinance.

19
20 **SECTION 5 PERMIT REVOCATION OR SUSPENSION**

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

42
43 **SECTION 6 HEARINGS**

1 **A. Hearings.**

2 Any person requesting a hearing shall file with the Department a written petition
3 requesting the hearing and setting forth a brief statement of the grounds for the request
4 within ten (10) days from the date the permit application was denied, revoked or from the
5 date the written notice of violation was mailed pursuant to Section 5.A.2 of this ordinance.
6 The failure to timely submit a written request for a hearing shall be deemed a waiver of
7 the right to such hearing.

8
9 **B. Hearing Procedure.**

10 The Hearing Officer shall be the Director or the Director's designee. The hearing
11 shall be set for a date within ten (10) days from the date the written request is received
12 by the Department unless extended at the request of the petitioner. At the time and place
13 set for the hearing, the Hearing Officer shall give the petitioner and other interested
14 persons, adequate opportunity to present any facts pertinent to the matter at hand. The
15 Hearing Officer may, when deemed necessary, continue any hearing by setting a new
16 time and place and by giving notice to the petitioner of such action. At the close of the
17 hearing, or within twenty (20) business days thereafter, the Hearing Officer shall order
18 such disposition of the permit application or permit as determined to be proper, and shall,
19 by postage prepaid, certified mail, notify the petitioner of the Hearing Officer's final
20 determination.

21
22 **SECTION 7 LICENSING AND REGISTRATION OF WATER WELL DRILLER'S**
23 **AND CONTRACTORS**

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

33
34 **SECTION 8 CONSTRUCTION STANDARDS**

35 Any standards not addressed in this section shall default to the standards noted in
36 Bulletin NO 74-81 Chapter II Water Wells, and Bulletin NO 74-90 (Supplement to Bulletin
37 74-81) and as these Bulletins may be amended by the State of California from time to
38 time.

39
40 **A. Sanitary Seals**

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

1
2 **Minimum Depth of Sanitary Seals:**

- 3 **1. Community Water Supply Wells** 50 ft
4 **2. Individual Domestic Wells** 20 ft
5 **3. Agricultural Wells** 20 ft
6 **4. Industrial Wells** 50 ft
7 **5. Monitoring Wells** 20 ft

8
9 **Sanitary Seal Exceptions:**

- 10 **1.** The area designated in Attachment A contains a semi perched aquifer that
11 requires 200 ft sanitary seals for all well types to prevent the entrance of poor
12 quality water or its migration into other aquifers.
13 **2.** Monitoring wells may have depths less than 20 ft when required by the oversight
14 agency.
15 **3.** Driven wells.

16
17 **B. Well Location**

- 18 **1.** It shall be unlawful for any person or entity to drill, dig, excavate, or bore any
19 water well at any location where sources of pollution or contamination are known
20 to exist, have existed, or otherwise substantial risk exists that water from that
21 location may become contaminated or polluted even though the well may be
22 properly constructed and maintained.
23
24 **2.** Community Water Supply Wells shall be located an adequate distance from all
25 potential sources of contamination and pollution as follows:
26 **a.** Sewer - 50-foot minimum
27 **b.** Watertight septic tank - 150-foot minimum
28 **c.** Subsurface sewage leach line or leach field - 150-foot minimum
29 **d.** Cesspool or seepage pit - 200-foot minimum
30 **e.** Animal enclosures - 100-foot minimum
31 **f.** Any surface sewage disposal system discharging 2,000 gal/day or more 200-
32 foot minimum
33
34 **3.** All other wells shall be located an adequate distance from all potential sources
35 of contamination and pollution as follows:
36 **a.** Sewer - 50-foot minimum
37 **b.** Watertight septic tank - 100-foot minimum
38 **c.** Subsurface sewage leach line or leach field - 100-foot minimum
39 **d.** Cesspool or seepage pit - 150-foot minimum
40 **e.** Animal enclosures - 100-foot minimum
41 **f.** Any surface sewage disposal system discharging 2,000 gal/day or more 200-
42 foot minimum
43

1 4. All newly drilled water wells shall have a minimum 50 ft setback from the property
2 line(s).

3
4 5. Exceptions to the well location requirements include the following:

5 a. Extraction wells used for the purpose of extracting and treating water from a
6 contaminated aquifer.

7 b. Wells from which water is to be treated to meet all State Department of Public
8 Health standards and requirements.

9 c. Wells from which water will be blended with other water sources resulting in
10 water that meets all State Department of Public Health standards and
11 requirements.

12 d. Monitoring wells for the purpose of site assessment and/or remediation
13 required by an appropriate oversight agency.

14 e. Lateral Wells shall also be placed in a location that does not bring any portion
15 of the well length within the distances noted in parts 2 and 3 of this section.
16

17 **C. Water Well Surface Features**

18 1. Well Base/Pad. A concrete base/pad shall be installed so that it extends a
19 minimum of two (2) feet laterally in all directions from the well casing. The
20 base/pad shall slope away from the well casing. The base/pad must have a
21 minimum thickness of four (4) inches.

22 2. Sample Tap. A non-threaded down-turned sampling tap shall be provided on any
23 community or IDW. The tap shall be in a location that is representative of the
24 source water.

25 3. Water Well Disinfection Pipe. All community water supply wells and IDWs shall
26 be provided with a pipe or other effective means through which chlorine or other
27 approved disinfecting agents may be introduced directly into the well, the pipe
28 shall be extended at least four inches (4") above the finished grade or base/pad,
29 whichever is higher, and shall have a threaded or equivalently secured cap on it.

30 4. Backflow Prevention Assembly. Wells shall be furnished with an approved
31 backflow prevention assembly or a sufficient air gap to insure that a cross-
32 connection with the well does not exist.

33 5. Water Well Flow Meter. All community water supply wells serving a public water
34 supply system shall have a flow meter or other suitable measuring device shall
35 be located at each source facility and shall accurately register the quantity of
36 water delivered to the distribution system.

37 6. Air-Relief Vent. An air-relief vent, when required, shall terminate downward, be
38 screened, and otherwise be protected from the entrance of contaminants.
39

40 **D. Wells Requiring Additional Review**

41 Wells that cannot meet the standard set forth in this section or that may require
42 variances from the standards within this ordinance, Bulletin 74-81, or Bulletin 74-90 shall
43 require additional environmental review, up to, and including, review under the California

1 Environmental Quality Act, as determined by the Department prior to consideration of
2 approval.

3
4 **SECTION 9 WELL DESTRUCTION**

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

8
9 **SECTION 10 REQUIRED INSPECTION OF WELL SITES PRIOR TO PERMIT**
10 **ISSUANCE**

11 A site inspection by the Department is required prior to issuance of a permit for a
12 community well that is to be part of a public water system, other wells that possess a high
13 potential for contamination, or as needed to determine that a well site meets minimum
14 setback requirements. In the event that the well is to serve a system under the direct
15 jurisdiction of the State Water Resources Control Board, then, that agency may perform
16 the site inspection and notify the Department of Environmental Health of its approval or
17 disapproval.

18
19 **SECTION 11 REQUIRED INSPECTIONS OF WELLS DURING CONSTRUCTION**
20 **OR DESTRUCTION**

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

23 **1. For all wells:**

- 24 **a.** The filling of the Sanitary Seal.
25 **b.** Any other operation or condition for which a special inspection is stipulated
26 on the well permit.

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

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

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

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

38
39 **SECTION 12 DISCHARGE OF DRILLING FLUIDS**

40 Drilling fluids and other drilling materials shall not be allowed to discharge onto
41 streets or into waterways, and shall not be allowed to discharge to the adjacent property
42 unless a written agreement with the owner(s) of the adjacent property is obtained;
43 provided, however, that such fluids and materials are discharged off- site with permission

1 and are removed within thirty (30) days after completion of the well drilling and there is
2 no violation of waste discharge regulations. This section shall not operate to prohibit the
3 surface discharge of contaminated groundwater provided such discharge is carried out in
4 compliance with a lawful order of a regional water quality control board.

5 6 **SECTION 13 WELL LOGS**

7 Any person who has drilled, dug, excavated, bored or destroyed a well subject to
8 this ordinance shall within sixty (60) days after completion to furnish the Department with
9 a complete log of such well on a standard form provided by the State Department of Water
10 Resources. The Department may require inspection of the well log during any phase of
11 the well's construction or destruction and where necessary to achieve the purposes of
12 this ordinance. The Department's review of the well logs may require modification of the
13 work as originally planned.

14 15 16 **SECTION 14 DISINFECTION OF WATER WELLS**

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

25 26 **SECTION 15 WATER QUALITY STANDARDS**

- 27 **A.** Water from all new, repaired, and reconstructed community water wells, shall be
28 tested for and meet the standards for constituents required in the California Code of
29 Regulations, Title 22, Domestic Water Quality and Monitoring.
- 30 **B.** All IDWs shall be sampled for total coliform, nitrate, fluoride, total filterable residue
31 (or total dissolved solids) and any other constituent determined to be necessary by
32 the Department to meet the standards set forth in California Code of Regulations,
33 Title 22, Domestic Water Quality and Monitoring.
- 34 **C.** At the discretion of the Director, for the purpose of protecting the health and safety
35 of the public, any new, repaired, or reconstructed water well shall be tested for and
36 must meet, any or all additionally specified Water Quality Standards in accordance
37 with the California Code of Regulations, Title 22, Domestic Water Quality and
38 Monitoring. Exceptions would be community well water to be either treated or
39 blended with other water sources to meet State Department of Public Health
40 standards and requirements. Said treatment or blending must be approved by the
41 State Department of Public Health.
- 42 **D.** Notwithstanding part B, an IDW failing to meet the fluoride and/or nitrate standard
43 will require recordation of this fact on the grant deed of property.

- 1 E. Water well samples shall be evaluated by an Environmental Laboratory
- 2 Accreditation Program (ELAP) accredited laboratory.
- 3 F. Initial water quality samples on an IDW shall be collected by the Department.

4

5 **SECTION 16 MINIMUM WATER WELL PRODUCTION**

- 6 A. All IDWs providing drinking water must be tested for the purpose of achieving a
- 7 minimum level of water production capability.
- 8 B. Water production testing shall be performed under the direct supervision of a
- 9 California licensed C-57 well driller, C-61 pump contractor, D-21 pump contractor or
- 10 a certified hydrogeologist. Said testing shall include the following requirements:
- 11 1. Water production shall be kept at a constant rate of no less than 1 gallon per
- 12 minute per single family dwelling for a minimum of four hours. Higher production
- 13 rates may be required based upon the proposed water usage and as determined
- 14 by the Department. This level of production applies to new water wells used for
- 15 domestic purposes and existing water sources on property being improved. The
- 16 well shall not pump dry during the test.
- 17 2. Water discharged from the water well during the production test shall be
- 18 restricted so that it does not re-enter the water well that is the subject of the test.

19

20 **SECTION 17 WELL EVALUATIONS**

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

26

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

29

30 **SECTION 18 WELL ABANDONMENT**

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

- 33
- 34 A. An owner proposing reuse shall certify the following:
 - 35 1. The well has no defects which will allow the impairment of the quality of water in
 - 36 the well.
 - 37 2. The well is covered such that the cover is watertight and cannot be removed
 - 38 except with the aid of equipment, the use of tools or is otherwise secured.
 - 39 3. The well is marked so it can be located easily.
 - 40 4. The area surrounding the well is kept clear of bush and/or debris.
 - 41 5. The well is maintained in a manner that does not create a hazard or nuisance as
 - 42 determined by the Department.
- 43

1 B. If the owner chooses not to apply for a proposed reuse of the well, they shall apply
2 for a well destruction in accordance with this ordinance.

3
4 C. If the owner has not applied to the Department for a proposed reuse of the well or
5 its destruction, and the well has been found by the Department to be a hazard,
6 whereby its continued existence is likely to cause damage to ground water and/or a
7 threat to public health and safety, the Department shall direct the owner to destroy
8 the well, in accordance with Section 3 of this ordinance.

9
10 D. When an owner fails to comply with the Department's order to destroy a well, such
11 well may be declared a public nuisance pursuant to Government Code Section
12 50231, and thereafter abated pursuant to Title 5, Division 1, Article 9 of the California
13 Government Code. Where abatement is undertaken at the expense of the County,
14 such cost shall constitute a special assessment against the parcel and shall be
15 added to the next regular tax bill as enumerated under Government Code Section
16 50244 et seq.

17
18 **SECTION 19 VIOLATIONS**

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

23
24 **SECTION 20 PUBLIC NUISANCE DECLARATION**

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

28
29 **SECTION 21 SEVERABILITY**

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

35
36 **SECTION 22 CONFLICT WITH EXISTING LAWS**

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

41
42 **SECTION 2. This Ordinance shall take effect 30 days after adoption**

43 _____
BOARD OF SUPERVISORS OF THE COUNTY

1 OF RIVERSIDE, STATE OF CALIFORNIA

2

3 By:

4 Chairman

5

6 ATTEST:

7 CLERK OF THE BOARD

8

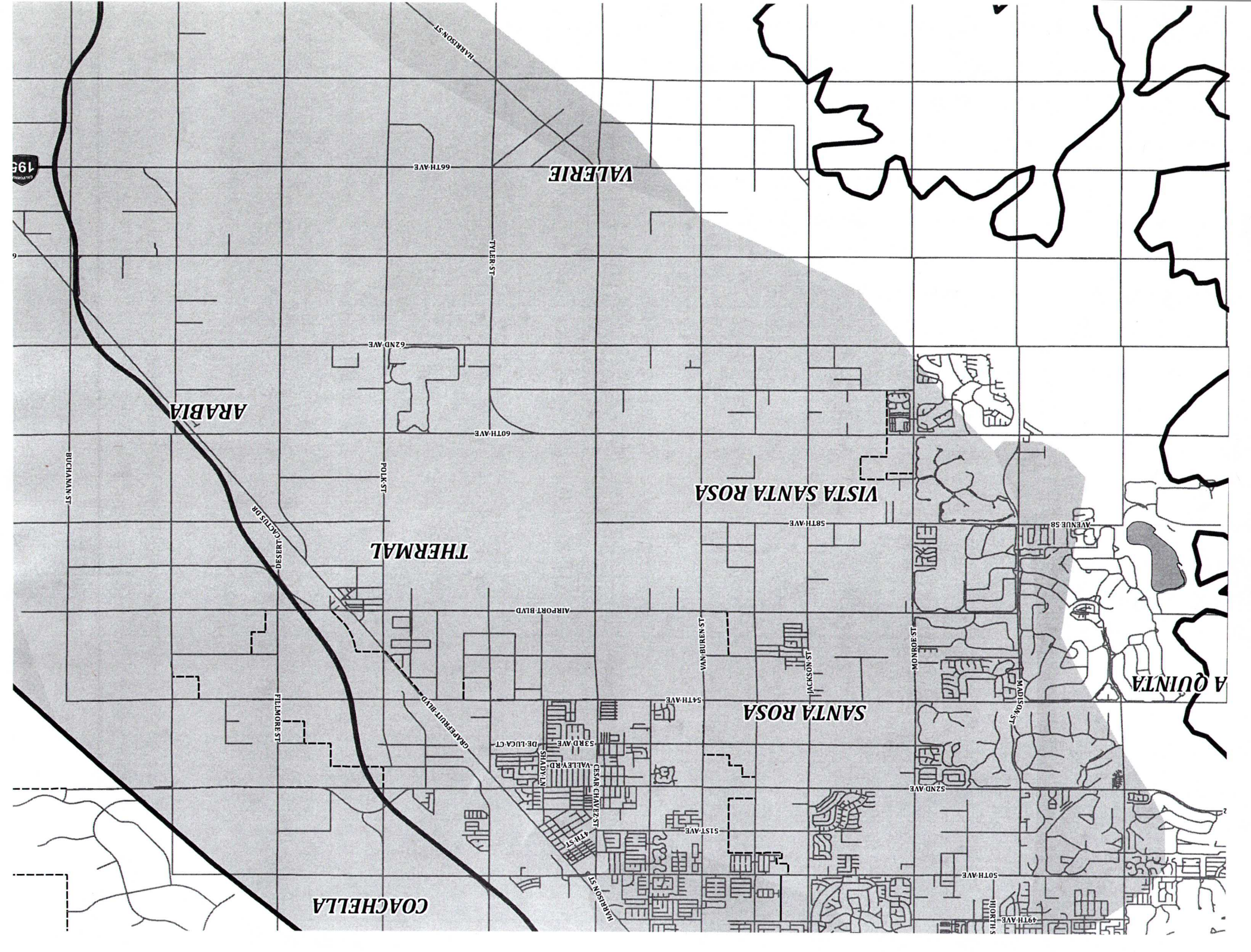
9 By:

10 Deputy

11 (SEAL)

12

13



199
CALIFORNIA

6

VALERIE

66TH AVE

TYLER ST

62ND AVE

60TH AVE

ARABIA

BUCHANAN ST

POLK ST

THERMAL

VISTA SANTA ROSA

58TH AVE

AVENUE 58

AIRPORT BLVD

VAN BUREN ST

JACKSON ST

MONROE ST

MADISON ST

AQUINTA

SANTA ROSA

54TH AVE

DE LUCA CT

SARD AVE

VALLEY RD

SHADY LN

CESAR CHAVEZ ST

47TH ST

51ST AVE

52ND AVE

COACHELLA

HARRISON ST

50TH AVE

HOARTH ST

49TH AVE

1
2
3
4
5
6
7

**ORDINANCE NO. 682.6
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 682
AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING
THE CONSTRUCTION, RECONSTRUCTION, ABANDONMENT
AND DESTRUCTION OF WELLS AND INCORPORATING BY REFERENCE
ORDINANCE NO. 725**

8 **SECTION 1.** Ordinance 745 is amended in its entirety to read as follows:
9

10
11
12
13
14
15

**ORDINANCE NO. 682
AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING
THE CONSTRUCTION, RECONSTRUCTION, ABANDONMENT
AND DESTRUCTION OF WELLS AND INCORPORATING BY REFERENCE
ORDINANCE NO. 725**

16 The Board of Supervisors of the County of Riverside, Ordains that Ordinance No.
17 682 is amended in its entirety to read as follows:
18

19 **SECTION 1 PURPOSE, AUTHORITY AND IMPLEMENTATION**

20 The purpose of this ordinance is to provide minimum standards for construction,
21 reconstruction, abandonment, and destruction of all wells in order to: (a) protect
22 underground water resources, and (b) provide safe water to persons within Riverside
23 County. Pursuant to the authority cited in Chapter 13801(c) of the California Water Code,
24 the Riverside County Department of Environmental Health shall enforce the provisions of
25 this ordinance within its jurisdiction.
26

27 Standards for the construction, reconstruction, abandonment, or destruction of wells
28 shall be the standards recommended in the Bulletins of the California Department of
29 Water Resources as follows: Bulletin 74-81 Chapter II Water Wells, and Bulletin 74-90
30 (Supplement to Bulletin 74-81) and as these Bulletins may be amended by the State of
31 California from time to time. The content of said Bulletins are hereby incorporated by
32 reference.
33

34 **SECTION 2 DEFINITIONS**

35 Whenever in this ordinance the following terms are used, they shall have the
36 meanings respectively ascribed to them in this section:
37

- 38 **A. “Abandoned Wells” and “Abandonment”**, shall apply to a well whose original or
39 functional purpose and use has been discontinued for a period of one (1) year and
40 which has not been declared for reuse with the Department by the legal owner, or a
41 well in such a state of disrepair that it cannot be functional for its original purpose or
42 any other function regulated under this ordinance.

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

- 1 P. **“Injection Well” (or “Recharge Well”)** shall mean any well used to inject water of
2 approved quality into groundwater basins (Special approval required).
- 3 Q. **“Lateral (horizontal) Well”** shall mean a well drilled or constructed horizontally or
4 at an angle with the horizon as contrasted with the common vertical well and does
5 not include horizontal drains or wells constructed to remove subsurface water from
6 hillside, cuts, or fills.
- 7 R. **“Monitoring Well”** shall mean an artificial excavation by any method for the purpose
8 of observing, monitoring, or supplying the conditions of a water bearing Aquifer, such
9 as fluctuations in groundwater levels, quality of ground waters, or the concentration
10 of contaminants in underground waters.
- 11 S. **“Person”** shall mean any individual, firm, corporation, association, profit or non-
12 profit organization, trust, partnership, special district, or governmental agency to the
13 extent authorized by law.
- 14 T. **“Pollution”** shall mean an alteration of water by waste to a degree which
15 unreasonably affects such water for beneficial uses, or facilities which serve such
16 beneficial uses "Pollution" may include "contamination".
- 17 U. **“Public Water System”** shall mean:
18 1. A system, regardless of type of ownership, for the provision of piped water to the
19 public for domestic use, if such system has at least fifteen (15) service
20 connections or regularly serves an average of at least twenty-five (25) individuals
21 daily at least sixty (60) days of the year. A public water system includes:
22 a. Any collection, treatment, storage, and distribution facilities which are used
23 primarily in connection with such system and which are under control of the
24 water supplier.
25 b. Any collection or pretreatment storage facilities which are used primarily in
26 connection with such system but are not under control of the water supplier.
- 27 V. **“Reconstruction”** means certain work done to an existing well in order to restore
28 its production, replace defective casing, seal off certain strata or surface water, or
29 similar work, not to include the cleaning out of sediments, surging, or maintenance
30 to the pump or appurtenances where the integrity of the sanitary seal or water
31 bearing strata are not violated.
- 32 W. **“Sanitary Seal”** shall mean the approved material placed in the upper portion of the
33 space between the well casing and the wall of the drilled hole.
- 34 X. **“Source Facilities”** shall include wells, stream, diversion works, infiltration
35 galleries, springs, reservoirs tanks, and all other facilities used in the production,
36 treatment, disinfection, storage, or delivery of water to the distribution system.
- 37 Y. **“Water Well”** shall mean any artificial excavation constructed by any method for the
38 purpose of extracting water from, or injecting water into the ground. This definition
39 shall not include:
40 1. Oil and gas wells, or geothermal wells constructed under the jurisdiction of the
41 California State Department of Conservation, except those wells converted to
42 use as water wells; or
43 2. Wells used for the purpose of:

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

4

5 **SECTION 3 PERMIT REQUIREMENTS**

- 6 **A.** No person or entity shall construct, reconstruct or destroy a well that requires a
- 7 permit from the Department as noted in this section.
- 8 **B.** The following well types require a permit:
 - 9 1. Water well
 - 10 2. Cathodic protection well
 - 11 3. Monitoring well
 - 12 4. Geothermal heat exchange well
 - 13 5. Injection or recharge wells
 - 14 6. Extraction wells
- 15 **C.** The following activities do not require a permit:
 - 16 1. Exploration holes or borings used for the purposes of determining immediate
 - 17 geological or hydrological information relating to onsite wastewater treatment
 - 18 systems.
 - 19 2. Exploration holes or borings used for the purposes of determining geological or
 - 20 hydrological information relating to environmental assessments, liquefaction
 - 21 studies or geotechnical investigations for construction purposes, that are
 - 22 temporary and destroyed within 24 hours.
- 23 **D.** Any person or entity seeking a permit for the construction, reconstruction or
- 24 destruction of a well shall apply for a permit on an application supplied by the
- 25 Department and submit the applicable fee(s) as noted in Ordinance 640. The
- 26 application shall conform with all applicable sections of this ordinance related to
- 27 construction, reconstruction or destruction of a well.
- 28 **E.** All complete and accurate permit applications shall be approved or denied within
- 29 fifteen (15) working days after the date of filing of the application or shall be deemed
- 30 approved. The term working day shall be defined to mean a day in which the County
- 31 of Riverside is open to members of the public for regular business.
 - 32 1. Approved permits may include conditions and requirements found by the
 - 33 Department to be reasonably necessary to accomplish the purpose of this
 - 34 ordinance.
 - 35 2. If the application is denied, the applicant shall be informed of any deficiencies
 - 36 contained in the application at the time of being notified of such denial. The
 - 37 applicant, after initial denial, may resubmit a corrected application that addresses
 - 38 the deficiencies that were identified as part of the application denial. The
 - 39 applicant shall resubmit a corrected application within thirty (30) days after being
 - 40 notified of the application denial or thereafter a new permit application will need
 - 41 to be submitted.
- 42 **F.** Any person or entity who commences any work for which a permit is required by this
- 43 Department without obtaining a permit, shall pay double the permit fee for such work.

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

9
10 **SECTION 4 EXPIRATION OF PERMIT**

- 11 **A.** Each permit issued pursuant to this ordinance shall expire and become null and void
12 if the work authorized in the approved application has not been completed within
13 twelve (12) months following the issuance of the permit.
14 **B.** The permit fee shall be non-refundable.
15 **C.** Upon expiration of any permit issued pursuant hereto, no further work may be done
16 in connection with construction, repair, reconstruction, or abandonment of a well
17 unless and until a new permit for such purpose is secured in accordance with the
18 provisions of this ordinance.

19
20 **SECTION 5 PERMIT REVOCATION OR SUSPENSION**

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

42
43 **SECTION 6 HEARINGS**

1 **A. Hearings.**

2 Any person requesting a hearing shall file with the Department a written petition
3 requesting the hearing and setting forth a brief statement of the grounds for the request
4 within ten (10) days from the date the permit application was denied, revoked or from the
5 date the written notice of violation was mailed pursuant to Section 5.A.2 of this ordinance.
6 The failure to timely submit a written request for a hearing shall be deemed a waiver of
7 the right to such hearing.

8
9 **B. Hearing Procedure.**

10 The Hearing Officer shall be the Director or the Director's designee. The hearing
11 shall be set for a date within ten (10) days from the date the written request is received
12 by the Department unless extended at the request of the petitioner. At the time and place
13 set for the hearing, the Hearing Officer shall give the petitioner and other interested
14 persons, adequate opportunity to present any facts pertinent to the matter at hand. The
15 Hearing Officer may, when deemed necessary, continue any hearing by setting a new
16 time and place and by giving notice to the petitioner of such action. At the close of the
17 hearing, or within twenty (20) business days thereafter, the Hearing Officer shall order
18 such disposition of the permit application or permit as determined to be proper, and shall,
19 by postage prepaid, certified mail, notify the petitioner of the Hearing Officer's final
20 determination.

21
22 **SECTION 7 LICENSING AND REGISTRATION OF WATER WELL DRILLER'S**
23 **AND CONTRACTORS**

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

33
34 **SECTION 8 CONSTRUCTION STANDARDS**

35 Any standards not addressed in this section shall default to the standards noted in
36 Bulletin NO 74-81 Chapter II Water Wells, and Bulletin NO 74-90 (Supplement to Bulletin
37 74-81) and as these Bulletins may be amended by the State of California from time to
38 time.

39
40 **A. Sanitary Seals**

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

1
2 **Minimum Depth of Sanitary Seals:**

- 3 **1. Community Water Supply Wells** 50 ft
4 **2. Individual Domestic Wells** 20 ft
5 **3. Agricultural Wells** 20 ft
6 **4. Industrial Wells** 50 ft
7 **5. Monitoring Wells** 20 ft

8
9 **Sanitary Seal Exceptions:**

- 10 **1.** The area designated in Attachment A contains a semi perched aquifer that
11 requires 200 ft sanitary seals for all well types to prevent the entrance of poor
12 quality water or its migration into other aquifers.
13 **2.** Monitoring wells may have depths less than 20 ft when required by the oversight
14 agency.
15 **3.** Driven wells.

16
17 **B. Well Location**

- 18 **1.** It shall be unlawful for any person or entity to drill, dig, excavate, or bore any
19 water well at any location where sources of pollution or contamination are known
20 to exist, have existed, or otherwise substantial risk exists that water from that
21 location may become contaminated or polluted even though the well may be
22 properly constructed and maintained.
23
24 **2.** Community Water Supply Wells shall be located an adequate distance from all
25 potential sources of contamination and pollution as follows:
26 **a.** Sewer - 50-foot minimum
27 **b.** Watertight septic tank - 150-foot minimum
28 **c.** Subsurface sewage leach line or leach field - 150-foot minimum
29 **d.** Cesspool or seepage pit - 200-foot minimum
30 **e.** Animal enclosures - 100-foot minimum
31 **f.** Any surface sewage disposal system discharging 2,000 gal/day or more 200-
32 foot minimum
33
34 **3.** All other wells shall be located an adequate distance from all potential sources
35 of contamination and pollution as follows:
36 **a.** Sewer - 50-foot minimum
37 **b.** Watertight septic tank - 100-foot minimum
38 **c.** Subsurface sewage leach line or leach field - 100-foot minimum
39 **d.** Cesspool or seepage pit - 150-foot minimum
40 **e.** Animal enclosures - 100-foot minimum
41 **f.** Any surface sewage disposal system discharging 2,000 gal/day or more 200-
42 foot minimum
43

1 4. All newly drilled water wells shall have a minimum 50 ft setback from the property
2 line(s).

3
4 5. Exceptions to the well location requirements include the following:

5 a. Extraction wells used for the purpose of extracting and treating water from a
6 contaminated aquifer.

7 b. Wells from which water is to be treated to meet all State Department of Public
8 Health standards and requirements.

9 c. Wells from which water will be blended with other water sources resulting in
10 water that meets all State Department of Public Health standards and
11 requirements.

12 d. Monitoring wells for the purpose of site assessment and/or remediation
13 required by an appropriate oversight agency.

14 e. Lateral Wells shall also be placed in a location that does not bring any portion
15 of the well length within the distances noted in parts 2 and 3 of this section.

16
17 **C. Water Well Surface Features**

18 1. Well Base/Pad. A concrete base/pad shall be installed so that it extends a
19 minimum of two (2) feet laterally in all directions from the well casing. The
20 base/pad shall slope away from the well casing. The base/pad must have a
21 minimum thickness of four (4) inches.

22 2. Sample Tap. A non-threaded down-turned sampling tap shall be provided on any
23 community or IDW. The tap shall be in a location that is representative of the
24 source water.

25 3. Water Well Disinfection Pipe. All community water supply wells and IDWs shall
26 be provided with a pipe or other effective means through which chlorine or other
27 approved disinfecting agents may be introduced directly into the well, the pipe
28 shall be extended at least four inches (4") above the finished grade or base/pad,
29 whichever is higher, and shall have a threaded or equivalently secured cap on it.

30 4. Backflow Prevention Assembly. Wells shall be furnished with an approved
31 backflow prevention assembly or a sufficient air gap to insure that a cross-
32 connection with the well does not exist.

33 5. Water Well Flow Meter. All community water supply wells serving a public water
34 supply system shall have a flow meter or other suitable measuring device shall
35 be located at each source facility and shall accurately register the quantity of
36 water delivered to the distribution system.

37 6. Air-Relief Vent. An air-relief vent, when required, shall terminate downward, be
38 screened, and otherwise be protected from the entrance of contaminants.

39
40 **D. Wells Requiring Additional Review**

41 Wells that cannot meet the standard set forth in this section or that may require
42 variances from the standards within this ordinance, Bulletin 74-81, or Bulletin 74-90 shall
43 require additional environmental review, up to, and including, review under the California

1 Environmental Quality Act, as determined by the Department prior to consideration of
2 approval.

3
4 **SECTION 9 WELL DESTRUCTION**

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

8
9 **SECTION 10 REQUIRED INSPECTION OF WELL SITES PRIOR TO PERMIT**
10 **ISSUANCE**

11 A site inspection by the Department is required prior to issuance of a permit for a
12 community well that is to be part of a public water system, other wells that possess a high
13 potential for contamination, or as needed to determine that a well site meets minimum
14 setback requirements. In the event that the well is to serve a system under the direct
15 jurisdiction of the State Water Resources Control Board, then, that agency may perform
16 the site inspection and notify the Department of Environmental Health of its approval or
17 disapproval.

18
19 **SECTION 11 REQUIRED INSPECTIONS OF WELLS DURING CONSTRUCTION**
20 **OR DESTRUCTION**

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

23 **1. For all wells:**

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

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

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

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

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

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

38
39 **SECTION 12 DISCHARGE OF DRILLING FLUIDS**

40 Drilling fluids and other drilling materials shall not be allowed to discharge onto
41 streets or into waterways, and shall not be allowed to discharge to the adjacent property
42 unless a written agreement with the owner(s) of the adjacent property is obtained;
43 provided, however, that such fluids and materials are discharged off- site with permission

1 and are removed within thirty (30) days after completion of the well drilling and there is
2 no violation of waste discharge regulations. This section shall not operate to prohibit the
3 surface discharge of contaminated groundwater provided such discharge is carried out in
4 compliance with a lawful order of a regional water quality control board.

5 6 **SECTION 13 WELL LOGS**

7 Any person who has drilled, dug, excavated, bored or destroyed a well subject to
8 this ordinance shall within sixty (60) days after completion to furnish the Department with
9 a complete log of such well on a standard form provided by the State Department of Water
10 Resources. The Department may require inspection of the well log during any phase of
11 the well's construction or destruction and where necessary to achieve the purposes of
12 this ordinance. The Department's review of the well logs may require modification of the
13 work as originally planned.

14 15 16 **SECTION 14 DISINFECTION OF WATER WELLS**

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

25 26 **SECTION 15 WATER QUALITY STANDARDS**

- 27 **A.** Water from all new, repaired, and reconstructed community water wells, shall be
28 tested for and meet the standards for constituents required in the California Code of
29 Regulations, Title 22, Domestic Water Quality and Monitoring.
- 30 **B.** All IDWs shall be sampled for total coliform, nitrate, fluoride, total filterable residue
31 (or total dissolved solids) and any other constituent determined to be necessary by
32 the Department to meet the standards set forth in California Code of Regulations,
33 Title 22, Domestic Water Quality and Monitoring.
- 34 **C.** At the discretion of the Director, for the purpose of protecting the health and safety
35 of the public, any new, repaired, or reconstructed water well shall be tested for and
36 must meet, any or all additionally specified Water Quality Standards in accordance
37 with the California Code of Regulations, Title 22, Domestic Water Quality and
38 Monitoring. Exceptions would be community well water to be either treated or
39 blended with other water sources to meet State Department of Public Health
40 standards and requirements. Said treatment or blending must be approved by the
41 State Department of Public Health.
- 42 **D.** Notwithstanding part B, an IDW failing to meet the fluoride and/or nitrate standard
43 will require recordation of this fact on the grant deed of property.

- 1 E. Water well samples shall be evaluated by an Environmental Laboratory
- 2 Accreditation Program (ELAP) accredited laboratory.
- 3 F. Initial water quality samples on an IDW shall be collected by the Department.

4 **SECTION 16 MINIMUM WATER WELL PRODUCTION**

- 6 A. All IDWs providing drinking water must be tested for the purpose of achieving a
- 7 minimum level of water production capability.
- 8 B. Water production testing shall be performed under the direct supervision of a
- 9 California licensed C-57 well driller, C-61 pump contractor, D-21 pump contractor or
- 10 a certified hydrogeologist. Said testing shall include the following requirements:
- 11 1. Water production shall be kept at a constant rate of no less than 1 gallon per
- 12 minute per single family dwelling for a minimum of four hours. Higher production
- 13 rates may be required based upon the proposed water usage and as determined
- 14 by the Department. This level of production applies to new water wells used for
- 15 domestic purposes and existing water sources on property being improved. The
- 16 well shall not pump dry during the test.
- 17 2. Water discharged from the water well during the production test shall be
- 18 restricted so that it does not re-enter the water well that is the subject of the test.

19 **SECTION 17 WELL EVALUATIONS**

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

25
26
27 The Department shall perform a well-site inspection and conduct the water sampling
28 portion of the evaluation to confirm compliance with applicable sections of this ordinance.

29 **SECTION 18 WELL ABANDONMENT**

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

- 32 A. An owner proposing reuse shall certify the following:
- 33 1. The well has no defects which will allow the impairment of the quality of water in
- 34 the well.
- 35 2. The well is covered such that the cover is watertight and cannot be removed
- 36 except with the aid of equipment, the use of tools or is otherwise secured.
- 37 3. The well is marked so it can be located easily.
- 38 4. The area surrounding the well is kept clear of bush and/or debris.
- 39 5. The well is maintained in a manner that does not create a hazard or nuisance as
- 40 determined by the Department.
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- 43

- 1 B. If the owner chooses not to apply for a proposed reuse of the well, they shall apply
2 for a well destruction in accordance with this ordinance.
3
- 4 C. If the owner has not applied to the Department for a proposed reuse of the well or
5 its destruction, and the well has been found by the Department to be a hazard,
6 whereby its continued existence is likely to cause damage to ground water and/or a
7 threat to public health and safety, the Department shall direct the owner to destroy
8 the well, in accordance with Section 3 of this ordinance.
9
- 10 D. When an owner fails to comply with the Department's order to destroy a well, such
11 well may be declared a public nuisance pursuant to Government Code Section
12 50231, and thereafter abated pursuant to Title 5, Division 1, Article 9 of the California
13 Government Code. Where abatement is undertaken at the expense of the County,
14 such cost shall constitute a special assessment against the parcel and shall be
15 added to the next regular tax bill as enumerated under Government Code Section
16 50244 et seq.
17

18 **SECTION 19 VIOLATIONS**

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

24 **SECTION 20 PUBLIC NUISANCE DECLARATION**

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

29 **SECTION 21 SEVERABILITY**

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

36 **SECTION 22 CONFLICT WITH EXISTING LAWS**

37 The provisions of any existing ordinance or State or Federal law affording greater
38 protection to the public health or safety shall prevail within this jurisdiction over the
39 provisions of this ordinance and the standards adopted or incorporated by reference there
40 under.
41

42 **SECTION 2.** This Ordinance shall take effect 30 days after adoption

43 BOARD OF SUPERVISORS OF THE COUNTY

OF RIVERSIDE, STATE OF CALIFORNIA

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By: _____

Chairman

ATTEST:

CLERK OF THE BOARD

By: _____

Deputy

(SEAL)

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ORDINANCE NO. 682.6
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 682
AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING
THE CONSTRUCTION, RECONSTRUCTION, ABANDONMENT
AND DESTRUCTION OF WELLS AND INCORPORATING BY REFERENCE
ORDINANCE NO. 725

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SECTION 1. Ordinance 745 is amended in its entirety to read as follows:

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ORDINANCE NO. 682
AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING
THE CONSTRUCTION, RECONSTRUCTION, ABANDONMENT
AND DESTRUCTION OF WELLS AND INCORPORATING BY REFERENCE
ORDINANCE NO. 725

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

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SECTION 1 PURPOSE, AUTHORITY AND IMPLEMENTATION


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

Standards for the construction, reconstruction, abandonment, or destruction of wells shall be the standards recommended in the Bulletins of the California Department of Water Resources as follows: 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. The content of said Bulletins are hereby incorporated by reference.

SECTION 2 DEFINITIONS

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

- A. **“Abandoned Wells” and “Abandonment”**, shall apply to a well whose original or functional purpose and use has been discontinued for a period of one (1) year and which has not been declared for reuse with the Department by the legal owner, or a well in such a state of disrepair that it cannot be functional for its original purpose or any other function regulated under this ordinance.

FORM APPROVED COUNTY COUNSEL
BY:  ERIC STOPHER
DATE: 7/18/04