

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



1.1

On motion of Supervisor Washington, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED, FOUND AND DETERMINED that the following ordinances were duly published:

<u>ORDINANCE</u>	<u>DATE</u>	<u>NEWSPAPER</u>
No. 861.2	May 07, 2021	The Press-Enterprise
No. 682	May 22, 2021	Desert Sun

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full, true and correct copy of an order made and entered on September 21, 2021, of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors
Dated: September 21, 2021
Kecia R. Harper, Clerk of the Board of Supervisors, in and for
the County of Riverside, State of California.

By: , Deputy

AGENDA NO.

1.1

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Notice of Adoption - Ordinance No. 861.2 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

05/07/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: May 07, 2021
At: Riverside, California


Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011460192-01

P.O. Number:

Facilities Mgmt
April 27, 2021

Item 3.10

Ad Copy:

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

ORDINANCE NO. 861.2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 861.1 ESTABLISHING PROCEDURES AND LIMITED DELEGATION OF AUTHORITY FOR LEASES AND LICENSES OF REAL PROPERTY

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Section 1 of Ordinance No. 861 is amended to read as follows:

"Section 1. PURPOSE. To establish alternative procedures for the leasing and licensing of real property by or for the County of Riverside and to delegate to an appropriate county officer, such as the County Chief Administrative Officer over the Department of Facilities Management (DOFM); the Director of DOFM; Assistant Director of DOFM, Real Estate Division; Assistant County Executive Officer for the Transportation and Land Management Agency (TLMA); the Airport Manager of TLMA, Aviation Division or any other county officer charged by the Board with responsibilities and duties of managing any County property, the authority with limitations to negotiate and execute leases and licenses on behalf of the County of Riverside for real property belonging to, leased by, or licensed by the County of Riverside or for the use of the County, including airport property. The delegation of authorities established in this ordinance shall transfer to any equivalent successor county officer positions to the positions named herein."

Section 2. Section 3.d. of Ordinance No. 861 is amended to read as follows:

"d. Delegate. A county officer working as an County Chief Administrative Officer over the DOFM; the Director of DOFM; Assistant Director of DOFM, Real Estate Division; Assistant County Executive Officer over TLMA; the Airport Manager of TLMA, Aviation Division or a county officer charged by the Board with the responsibility and duties of managing County property."

Section 3. Section 5 of Ordinance No. 861 is amended to read as follows:

"Section 5. LEASES OR LICENSES OF COUNTY PROPERTY EXCLUDED FROM BIDDING PROCEDURES. Notwithstanding Section 4 of this ordinance, a lease or license of County property not exceeding ten (10) years in duration nor exceeding an estimated monthly rental rate of fifty thousand dollars (\$50,000) may be excluded from the bidding procedures prescribed in Section 4, except that notice shall be given pursuant to Government Code section 6061, posted in the office of the Clerk of the Board. Any such leases or licenses excluded from bidding procedures shall not have an actual monthly rental that exceeds fifty thousand dollars (\$50,000), the term shall not exceed 10 years and the lease or license is not renewable. Any notice for such leases or licenses shall be given pursuant to Government Code section 25537(b)-(d). The Board hereby authorizes the Delegate to execute in the name of the County as lessor in a lease or licensor in a license of County property without any advertised call for bids provided the lease or license conforms to the limitations provided in this Section 5 and is done in compliance with all applicable laws."

a. For licenses, notice shall be given to the supervisorial district office in which the property is located, at least five (5) working days prior to execution of the license, with a description of the property, the terms and conditions of the license and the name of proposed licensee.

- 1) If no written objection to the proposed license is received within five working days after the notice has been provided, it shall be deemed approved by the district office.
- 2) If written objection to the proposed license is received within the five working days, the license may be submitted for approval by the Board at a regular meeting.

b. The delegation of authority granted in this Section 5 shall expire five years from the effective date of Ordinance No. 861.2."

Section 4. The first paragraph of Section 7 of Ordinance No. 861 is amended to read as follows:

"Section 7. LEASE OR LICENSE OF REAL PROPERTY FOR USE BY COUNTY. The Delegate is hereby authorized to negotiate and execute a lease or license for use by the County for a term not to exceed five (5) years and for a monthly rental amount not to exceed ten thousand dollars (\$10,000) pursuant to Government Code section 25350.51 and provided that:"

Section 5. Section 7.c. of Ordinance No. 861 is amended to read as follows:

"c. The Delegate may amend a lease or license to provide for property improvements or alterations, or both, provided the total cost in each amendment does not exceed ten thousand dollars (\$10,000), the amendment does not extend the term of the lease or license and no more than two amendments, not to exceed ten thousand dollars (\$10,000) each, are made within a twelve (12) month period."

Section 6. Section 8 of Ordinance No. 861 is amended to read as follows:

"Section 8. CHANGES TO EXISTING LEASES OR LICENSES. Matters concerning termination of leases or licenses on real property shall be submitted to the Board for approval by and with the recommendation of a Delegate. Matters concerning extension, amendment or renewal of leases or licenses on real property shall be submitted to the Board for approval by and with the recommendation of the Delegate except for the following:

- a. Those leases or licenses of County property that may be executed by a Delegate pursuant to Section 5 of this ordinance; provided the lease or license, as amended, including the monthly rental rate and total term, conforms to the limitations provided in Section 5 of this ordinance; or
- b. Those leases or licenses for use by the County that may be ne-

negotiated and executed by the Delegate pursuant to Section 7 of this ordinance; provided the lease or license, as amended, including the monthly rental rate and total term, conforms to the limitations provided in Section 7.c of this ordinance.
For purposes of this Section 8, a total term shall mean the sum of the original term plus any prior or proposed extensions or renewals thereof.”
Section 7. This ordinance shall take effect thirty (30) days after its adoption.

K. Spiegel, Chair of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **April 27, 2021**, the foregoing Ordinance consisting of seven (7) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
ABSENT: None

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

Press-Enterprise: 5/07



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PART OF THE USA TODAY NETWORK

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**PROOF OF
PUBLICATION**

**STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE**

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST

RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non paniel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

05/22/2021

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.. Executed on this 24th of May 2021 in Green Bay, WI, County of Brown.

DECLARANT

Ad#:0004740293
P O : 4740293

This is not an invoice

of Affidavits: 1

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

The Board of Supervisors of the County of Riverside, Ordains that Ordinance No. 682 is amended
SECTION 1. PURPOSE, AUTHORITY AND IMPLEMENTATION

The purpose of this ordinance is to provide minimum standards for construction, reconstruction County. Pursuant to the authority cited in Chapter 13801(c) of the California Water Code, the Riv Standards for the construction, reconstruction, abandonment, or destruction of wells shall be t 74-90 (Supplement to Bulletin 74-81) and as these Bulletins may be amended by the State of Calif

SECTION 2. DEFINITIONS

Whenever in this ordinance the following terms are used, they shall have the meanings respective
A. "Abandoned Wells" and "Abandonment", shall apply to a well whose original or functional
a well in such a state of disrepair that it cannot be functional for its original purpose or any other
B. "Agriculture Well" shall mean any water well used to supply water for irrigation or other agric
C. "Cathodic Protection Well" shall mean any artificial excavation in excess of fifty (50') feet
ground, commonly referred to as cathodic protection.

D. "Community Water Supply Well" shall mean any well which provides water for public water su
E. "Contamination" shall mean an impairment of the quality of the waters of the state by waste
F. "Cross-Connection" shall mean any unprotected connection between any part of a water s
approved as safe, pure, wholesome, and potable for human consumption.

G. "Department" shall mean the Riverside County Department of Environmental Health.

H. "Director" shall mean the Director of Environmental Health or their duly authorized represent

I. "Distribution System" shall include the facilities, conduits, or any other means used for the deli

J. "Geothermal Heat Exchange Well" shall mean any uncased excavation by any method for th
Celsius) or less and which uses a closed loop fluid system to prevent the discharge or escape
(California Water Code Section 13713). Such wells or boreholes are not intended to produce wat

K. "Exploration Hole" (or "Boring") shall mean an uncased excavation for the purpose of immed

L. "Extraction Well" shall mean any well used to extract water for treatment, dewatering or othe

M. "Individual Domestic Well" (IDW) shall mean any well used to supply water for domestic need

N. "Industrial Well" shall mean any well used primarily to supply water for industrial processes a

O. "Injection Well" (or "Recharge Well") shall mean any well used to inject water of approved q

P. "Lateral (horizontal) Well" shall mean a well drilled or constructed horizontally or at an an
from hillside, cuts, or fills.

Q. "Monitoring Well" shall mean an artificial excavation by any method for the purpose of o
concentration of contaminants in underground waters.

R. "Person" shall mean any individual, firm, corporation, association, profit or non-profit organiz

S. "Pollution" shall mean an alteration of water by waste to a degree which unreasonably affect

T. "Public Water System" shall mean:

1. A system, regardless of type of ownership, for the provision of piped water to the public fo
sixty (60) days of the year. A public water system includes:

a. Any collection, treatment, storage, and distribution facilities which are used primarily in conne

b. Any collection or pretreatment storage facilities which are used primarily in connection with s

U. "Reconstruction" means certain work done to an existing well in order to restore its produc

V. "Sanitary Seal" shall mean the approved material placed in the upper portion of the space be

W. "Source Facilities" shall include wells, stream, diversion works, infiltration galleries, springs, n

X. "Water Well" shall mean any artificial excavation constructed by any method for the purpose

1. Oil and gas wells, or geothermal wells constructed under the jurisdiction of the California Stat

2. Wells used for the purpose of:

a. Dewatering excavation during construction; or

b. Stabilizing hillsides or earth embankments, unless located within 500 feet of a potential sourc

SECTION 3. PERMIT REQUIREMENTS

A. No person or entity shall construct, reconstruct or destroy a well that requires a permit from t

B. The following well types require a permit:

1. Water well

2. Cathodic protection well

3. Monitoring well

4. Geothermal heat exchange well

5. Injection or recharge wells

6. Extraction wells

C. The following activities do not require a permit:

1. Exploration holes or borings used for the purposes of determining immediate geological or h

2. Exploration holes or borings used for the purposes of determining geological or hydrological fir

D. Any person or entity seeking a permit for the construction, reconstruction or destruction o

shall conform with all applicable sections of this ordinance related to construction, reconstruction

E. All complete and accurate permit applications shall be approved or denied within fifteen (15)

County of Riverside is open to members of the public for regular business.

1. Approved permits may include conditions and requirements found by the Department to be r

2. If the application is denied, the applicant shall be informed of any deficiencies contained re

deficiencies that were identified as part of the application denial. The applicant shall resubmit

F. Any person or entity who commences any work for which a permit is required by this Departm

1. No penalty shall apply to emergency work when it has been established in writing to the s

cases in which emergency work is necessary, a permit shall be applied for within three (3) work

is in compliance with the technical standards of Section 8 of this ordinance.

SECTION 4. EXPIRATION OF PERMIT

A. Each permit issued pursuant to this ordinance shall expire and become null and void if the wor

B. The permit fee shall be non-refundable.

C. Upon expiration of any permit issued pursuant hereto, no further work may be done in conli

provisions of this ordinance.

SECTION 5. PERMIT REVOCATION OR SUSPENSION

A. The Director may revoke or suspend a permit issued pursuant to this ordinance upon a findin

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

a. The permit was issued in error.

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

c. The permittee violated any of the provisions of this ordinance or the conditions and requireme

2. A Notice of Violation has been sent to the permittee by first class mail in the form of a writte

3. The permittee has failed or neglected to correct the violation within twenty (20) days from t

B. A permit may be revoked or suspended by the Director as provided for herein after the permor

C. Notwithstanding the foregoing, a permit may be summarily revoked or suspended in t

determination that exigent circumstances exist, a permittee shall be sent a written notice of vio

SECTION 6. HEARINGS

A. Hearings.

Any person requesting a hearing shall file with the Department a written petition requesting

80-101 MA 01 JUL 1958
OFFICE OF THE BOARD OF SUPERVISORS
SAN FRANCISCO, CALIF.

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

ORDINANCE NO. 682
(AS AMENDED THROUGH 682.5)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING
THE CONSTRUCTION, RECONSTRUCTION, ABANDONMENT
AND DESTRUCTION OF WELLS AND INCORPORATING BY REFERENCE
ORDINANCE NO. 725

The Board of Supervisors of the County of Riverside, Ordains that Ordinance No. 682 is amended in its entirety to read as follows:
SECTION 1 PURPOSE, AUTHORITY AND IMPLEMENTATION
The purpose of this ordinance is to provide minimum standards for construction, reconstruction, abandonment, and destruction of all wells in order to: (a) protect underground water resources, and (b) provide safe water to persons within the 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, ar 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 of the well in such a state of disrepair that it cannot be functional for its original purpose or any other function regulated under this ordinance.
B. "Agriculture Well" shall mean any water well used to supply water for irrigation or other agricultural purposes.
C. "Cathodic Protection Well" shall mean any artificial excavation in excess of fifty (50') feet constructed by any method for the purpose of installing equipment or facilities for the protection electrically of metallic equipment in contact with the ground, commonly referred to as cathodic protection.
D. "Community Water Supply Well" shall mean any well which provides water for public water supply systems.
E. "Contamination" shall mean an impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease.
F. "Cross-Connection" shall mean any unprotected connection between any part of a water system used or intended to supply water for domestic purposes and any source or system containing water or other substances that are not or may become contaminated.
G. "Department" shall mean the Riverside County Department of Environmental Health.
H. "Director" shall mean the Director of Environmental Health or their duly authorized representative.
I. "Distribution System" shall include the facilities, conduits, or any other means used for the delivery of water from the source facilities to the customer's system.
J. "Geothermal Heat Exchange Well" shall mean any uncased excavation by any method for the purpose of using the heat exchange capacity of the earth for heating and cooling and in which the ambient ground temperature is 860 Fahre (California Water Code Section 13713). Such wells or boreholes are not intended to produce water or steam.
K. "Exploration Hole" (or "Boring") shall mean an uncased excavation for the purpose of immediately determining the existing geological and/or hydrological conditions at the site either by direct observation or other means.
L. "Extraction Well" shall mean any well used to extract water for treatment, dewatering or other processes but not to include domestic or agricultural uses.
M. "Individual Domestic Well" (IDW) shall mean any well used to supply water for domestic needs other than a public water supply system.
N. "Industrial Well" shall mean any well used primarily to supply water for industrial processes and may supply water intentionally or incidentally for domestic purposes.
O. "Injection Well" (or "Recharge Well") shall mean any well used to inject water of approved quality into groundwater basins (Special approval required).
P. "Lateral (horizontal) Well" shall mean a well drilled or constructed horizontally or at an angle with the horizon as contrasted with the common vertical well and does not include horizontal drains or wells constructed to remove subsurface contaminants from hillside, cuts, or fills.
Q. "Monitoring Well" shall mean an artificial excavation by any method for the purpose of observing, monitoring, or supplying the conditions of a water bearing Aquifer, such as fluctuations in groundwater levels, quality of groundwater, or concentration of contaminants in underground waters.
R. "Person" shall mean any individual, firm, corporation, association, profit or non-profit organization, trust, partnership, special district, or governmental agency to the extent authorized by law.
S. "Pollution" shall mean an alteration of water by waste to a degree which unreasonably affects such water for beneficial uses, or facilities which serve such beneficial uses "Pollution" may include "contamination".
T. "Public Water System" shall mean:
1. A system, regardless of type of ownership, for the provision of piped water to the public for domestic use, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals during sixty (60) days of the year. A public water system includes:
a. Any collection, treatment, storage, and distribution facilities which are used primarily in connection with such system and which are under control of the water supplier.
b. Any collection or pretreatment storage facilities which are used primarily in connection with such system but are not under control of the water supplier.
U. "Reconstruction" means certain work done to an existing well in order to restore its production, replace defective casing, seal off certain strata or surface water, or similar work, not to include the cleaning out of sediments, surging, or maintenance to the pump or appurtenances where the integrity of the sanitary seal or water bearing strata are not violated.
V. "Sanitary Seal" shall mean the approved material placed in the upper portion of the space between the well casing and the wall of the drilled hole.
W. "Source Facilities" shall include wells, stream, diversion works, infiltration galleries, springs, reservoirs tanks, and all other facilities used in the production, treatment, disinfection, storage, or delivery of water to the distribution system.
X. "Water Well" shall mean any artificial excavation constructed by any method for the purpose of extracting water from, or injecting water into the ground. This definition shall not include:
1. Oil and gas wells, or geothermal wells constructed under the jurisdiction of the California State Department of Conservation, except those wells converted to use as water wells; or
2. Wells used for the purpose of:
a. Dewatering excavation during construction; or
b. Stabilizing hillsides or earth embankments, unless located within 500 feet of a potential source of groundwater contamination.
SECTION 3 PERMIT REQUIREMENTS
A. No person or entity shall construct, reconstruct or destroy a well that requires a permit from the Department as noted in this section.
B. The following well types require a permit:
1. Water well
2. Cathodic protection well
3. Monitoring well
4. Geothermal heat exchange well
5. Injection or recharge wells
6. Extraction wells
C. The following activities do not require a permit:
1. Exploration holes or borings used for the purposes of determining immediate geological or hydrological information relating to onsite wastewater treatment systems.

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THE BOARD OF GOVERNORS
AND THE PEOPLE OF THE

2. Exploration holes or borings used for the purposes of determining geological or hydrological information relating to liquefaction studies or geotechnical investigations for construction purposes, that are temporary and destroyed within 24 hours shall conform with all applicable sections of this ordinance related to construction, reconstruction or destruction of a well shall apply for a permit on an application supplied by the Department and submit the applicable fee(s) as noted in Ordinance 640. The fee for a permit shall be \$100.00.

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

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

2. If the application is denied, the applicant shall be informed of any deficiencies contained in the application at the time of being notified of such denial. The applicant, after initial denial, may resubmit a corrected application that addressees deficiencies that were identified as part of the application denial. The applicant shall resubmit a corrected application within thirty (30) days after being notified of the application denial or thereafter a new permit application will not be considered.

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

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

SECTION 4. EXPIRATION OF PERMIT

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

B. The permit fee shall be non-refundable.

C. Upon expiration of any permit issued pursuant hereto, no further work may be done in connection with construction, repair, reconstruction, or abandonment of a well unless and until a new permit for such purpose is secured in accordance with the provisions of this ordinance.

SECTION 5. PERMIT REVOCATION OR SUSPENSION

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

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

a. The permit was issued in error.

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

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

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

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

B. A permit may be revoked or suspended by the Director as provided for herein after the permittee is afforded an opportunity for a hearing pursuant to Section 6 of this ordinance.

C. Notwithstanding the foregoing, a permit may be summarily revoked or suspended in the event that the Director determines that exigent circumstances exist which demonstrate an immediate threat to the public health or safety. In such event, the Director shall determine that exigent circumstances exist, a permittee shall be sent a written notice of violation pursuant to part 5.A.2 of this section and alternatively afforded an opportunity for a hearing pursuant to Section 6 of this ordinance.

SECTION 6. HEARINGS

A. Hearings.

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

B. Hearing Procedure.

The Hearing Officer shall be the Director or the Director's designee. The hearing shall be set for a date within ten (10) days from the date the written request is received by the Department unless extended at the request of the petitioner. A hearing shall be held at the place set for the hearing, the Hearing Officer shall give the petitioner and other interested persons, adequate opportunity to present any facts pertinent to the matter at hand. The Hearing Officer may, when deemed necessary, correct or modify the hearing by setting a new time and place and by giving notice to the petitioner of such action. At the close of the hearing, or within twenty (20) business days thereafter, the Hearing Officer shall order such disposition of the permit application as he or she deems appropriate.

SECTION 7. LICENSING AND REGISTRATION OF WATER WELL DRILLERS AND CONTRACTORS

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

SECTION 8. CONSTRUCTION STANDARDS

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

A. Sanitary Seals

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

Minimum Depth of Sanitary Seals:

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

Sanitary Seal Exceptions:

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

3. Driven wells.

B. Well Location

1. It shall be unlawful for any person or entity to drill, dig, excavate, or bore any water well at any location where sources of pollution or contamination are known to exist, have existed, or otherwise substantial risk exists that water from the well may become contaminated or polluted even though the well may be properly constructed and maintained.

2. Community Water Supply Wells shall be located an adequate distance from all potential sources of contamination and pollution as follows:

- a. Sewer - 50-foot minimum
- b. Watertight septic tank - 150-foot minimum
- c. Subsurface sewage leach line or leach field - 150-foot minimum
- d. Cesspool or seepage pit - 200-foot minimum
- e. Animal enclosures - 100-foot minimum

- f. Any surface sewage disposal system discharging 2,000 gal/day or more 200-foot minimum
3. All other wells shall be located an adequate distance from all potential sources of contamination and pollution as follows:
 - a. Sewer - 50-foot minimum
 - b. Watertight septic tank - 100-foot minimum
 - c. Subsurface sewage leach line or leach field - 100-foot minimum
 - d. Cesspool or seepage pit - 150-foot minimum
 - e. Animal enclosures - 100-foot minimum
- f. Any surface sewage disposal system discharging 2,000 gal/day or more 200-foot minimum
4. All newly drilled water wells shall have a minimum 50 ft setback from the property line(s).
5. Exceptions to the well location requirements include the following:
 - a. Extraction wells used for the purpose of extracting and treating water from a contaminated aquifer.
 - b. Wells from which water is to be treated to meet all State Department of Public Health standards and requirements.
 - c. Wells from which water will be blended with other water sources resulting in water that meets all State Department of Public Health standards and requirements.
 - d. Monitoring wells for the purpose of site assessment and/or remediation required by an appropriate oversight agency.
 - e. Lateral Wells shall also be placed in a location that does not bring any portion of the well length within the distances noted in parts 2 and 3 of this section.
- C. Water Well Surface Features
 1. Well Base/Pad. A concrete base/pad shall be installed so that it extends a minimum of two (2) feet laterally in all directions from the well casing. The base/pad shall slope away from the well casing. The base/pad must have a minimum thickness of four (4) inches.
 2. Sample Tap. A non-threaded down-turned sampling tap shall be provided on any community or IDW. The tap shall be in a location that is representative of the source water.
 3. Water Well Disinfection Pipe. All community water supply wells and IDWs shall be provided with a pipe or other effective means through which chlorine or other approved disinfecting agents may be introduced directly into the well, the pipe shall be extended at least four inches (4") above the finished grade or base/pad, whichever is higher, and shall have a threaded or equivalently secured cap on it.
 4. Backflow Prevention Assembly. Wells shall be furnished with an approved backflow prevention assembly or a sufficient air gap to insure that a cross-connection with the well does not exist.
 5. Water Well Flow Meter. All community water supply wells serving a public water supply system shall have a flow meter or other suitable measuring device shall be located at each source facility and shall accurately register the quantity of water delivered to the distribution system.
 6. Air-Relief Vent. An air-relief vent, when required, shall terminate downward, be screened, and otherwise be protected from the entrance of contaminants.
- D. Wells Requiring Additional Review
Wells that cannot meet the standard set forth in this section or that may require variances from the standards within this ordinance, Bulletin 74-81, or Bulletin 74-90 shall require additional environmental review, up to, and including, review under the California Environmental Quality Act, as determined by the Department prior to consideration of approval.
- SECTION 9 WELL DESTRUCTION
Destruction of wells shall default to the standards noted in Bulletin 74-81 Chapter II Water Wells and Bulletin 74-90 (Supplement to Bulletin 74-81) and as these Bulletins may be amended by the State of California from time to time.
- SECTION 10 REQUIRED INSPECTION OF WELL SITES PRIOR TO PERMIT ISSUANCE
A site inspection by the Department is required prior to issuance of a permit for a community well that is to be part of a public water system, other wells that possess a high potential for contamination, or as needed to determine that a well meets the minimum setback requirements. In the event that the well is to serve a system under the direct jurisdiction of the State Water Resources Control Board, then, that agency may perform the site inspection and notify the Department of Environmental Health of its approval or disapproval.
- SECTION 11 REQUIRED INSPECTIONS OF WELLS DURING CONSTRUCTION OR DESTRUCTION
A. A well inspection shall be scheduled with the Department at least two (2) working days in advance of the following activities:
 1. For all wells:
 - a. The filling of the Sanitary Seal.
 2. For IDWs. After the installation of all surface equipment and after the well has been disinfected and purged.
 3. For well destruction. During the destruction process.
- B. If the enforcement agency fails to appear at the well site within 30 minutes of the scheduled day and time designated for sealing, the well may be sealed without the presence of the enforcement agency. However, the driller shall seal the well in accordance with the standards of this ordinance and the permit.
- C. Upon failure to schedule an inspection with the Department for the filling of the annular space, approved geophysical tests including Sonic Log and Gamma Ray Log may need to be conducted at the owner's expense, to substantiate that the well seal has been properly installed.
- SECTION 12 DISCHARGE OF DRILLING FLUIDS
Drilling fluids and other drilling materials shall not be allowed to discharge onto streets or into waterways, and shall not be allowed to discharge to the adjacent property unless a written agreement with the owner(s) of the adjacent property is obtained; provided, however, that such fluids and materials are discharged off-site with permission and are removed within thirty (30) days after completion of the well drilling and there is no violation of waste discharge regulations. This section shall not operate to prohibit the surface discharge of contaminated groundwater provided such discharge is carried out in compliance with a lawful order of a regional water quality control board.
- SECTION 13 WELL LOGS
Any person who has drilled, dug, excavated, bored or destroyed a well subject to this ordinance shall within sixty (60) days after completion to furnish the Department with a complete log of such well on a standard form provided by the Department of Water Resources. The Department may require inspection of the well log during any phase of the well's construction or destruction and where necessary to achieve the purposes of this ordinance. The Department's review of the log may require modification of the work as originally planned.
- SECTION 14 DISINFECTION OF WATER WELLS
Every new, repaired, or reconstructed community water well or IDW, after completion of construction, repair or reconstruction, and before being placed in service, shall be thoroughly cleaned of all foreign substances. The well gravel used in the well, pipes, pump, pump column, and all well water contact equipment surfaces, shall be disinfected by a Department-approved method. The disinfectant shall remain in the well and upon all relevant surfaces for at least twenty-four (24) hours. Disinfection procedures shall be repeated until laboratory results show that coliforms are no longer present.
- SECTION 15 WATER QUALITY STANDARDS
 - A. Water from all new, repaired, and reconstructed community water wells, shall be tested for and meet the standards for constituents required in the California Code of Regulations, Title 22, Domestic Water Quality and Monitoring.
 - B. All IDWs shall be sampled for total coliform, nitrate, fluoride, total filterable residue (or total dissolved solids) and any other constituent determined to be necessary by the Department to meet the standards set forth in California Code of Regulations, Title 22, Domestic Water Quality and Monitoring.
 - C. At the discretion of the Director, for the purpose of protecting the health and safety of the public, any new, repaired, or reconstructed water well shall be tested for and must meet, any or all additionally specified Water Quality Standards in accordance with the California Code of Regulations, Title 22, Domestic Water Quality and Monitoring. Exceptions would be community well water to be either treated or blended with other water sources to meet State Department of Public Health standards and requirements. Said treatment or blending must be approved by the State Department of Public Health.
 - D. Notwithstanding part B, an IDW failing to meet the fluoride and/or nitrate standard will require recordation of this fact on the grant deed of property.
 - E. Water well samples shall be evaluated by an Environmental Laboratory Accreditation Program (ELAP) accredited laboratory.

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

SECTION 16 MINIMUM WATER WELL PRODUCTION

A. All IDWs providing drinking water must be tested for the purpose of achieving a minimum level of water production capability.

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

1. Water production shall be kept at a constant rate of no less than 1 gallon per minute per single family dwelling for a minimum of four hours. Higher production rates may be required based upon the proposed water usage and as determined by the Department. This level of production applies to new water wells used for domestic purposes and existing water sources on property being improved. The well shall not pump dry during the test.

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

SECTION 17 WELL EVALUATIONS

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

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

SECTION 18 WELL ABANDONMENT

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

A. An owner proposing reuse shall certify the following:

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

2. The well is covered such that the cover is watertight and cannot be removed except with the aid of equipment, the use of tools or is otherwise secured.

3. The well is marked so it can be located easily.

4. The area surrounding the well is kept clear of brush and/or debris.

5. The well is maintained in a manner that does not create a hazard or nuisance as determined by the Department.

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

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

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

SECTION 19 VIOLATIONS

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

SECTION 20 PUBLIC NUISANCE DECLARATION

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

SECTION 21 SEVERABILITY

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

SECTION 22 CONFLICT WITH EXISTING LAWS

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

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

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

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

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

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

K. Spiegel, Chair of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on May 11, 2021 the foregoing Ordinance consisting of twenty-two (22) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt

NAYS: None

ABSENT: None

Kecia R. Harper, Clerk of the Board

By: Hannah Lumanauw, Board Assistant

Pub: 5/22/2021