

Well Chapters and Priorities for TAC

The table below illustrates all of the sections in Chapters 7.70 and 7.73 of the County Code. The sections highlighted in ORANGE are the sections Staff believe will be of interest to the TAC to discuss. The other sections will be reviewed and updated at the staff level and brought to the TAC at Meeting 4. If you feel that one of the items in GREEN should be discussed by the TAC before staff proposes changes, please be prepared to discuss it at the meeting.

Current Section (7.70)	Comments
<p>7.70.010 Purpose of provisions.</p> <p>It is the purpose of this chapter to provide for the location, construction, repair, and reconstruction of all wells, including geothermal heat exchange wells, cathodic protection wells, test wells and monitoring wells, to the end that the groundwater of this County will not be polluted or contaminated and that water obtained from such wells will be suitable for the purpose for which used and will not jeopardize the health, safety or welfare of the people of this County. It is also the purpose of this chapter to provide for the destruction of any abandoned wells, monitoring wells, test wells, geothermal heat exchange wells, or cathodic protection wells which may serve as a conduit for movement of contaminants, or which are found to be a public nuisance, to the end that such a well will not cause pollution or contamination of groundwater or otherwise jeopardize the health, safety or welfare of the people of this County. It is also the purpose of this chapter to implement policies of the County General Plan and the Local Coastal Program Land Use Plan. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].</p>	
<p>7.70.020 Definitions.</p>	
<p>7.70.030 Permit—Required—Issuance.</p> <p>(A) No person shall, within the unincorporated area of the County, construct, repair, reconstruct or destroy any well, abandoned well, cathodic protection well, geothermal heat exchange well, monitoring well, or test well unless a written permit has first been obtained from the Health Officer as provided in this chapter, and the work conforms to the conditions of such permit and this chapter. Applications for such permits shall be made on the forms provided for that purpose and in accordance with procedures established by the Health Officer.</p> <p><u>(B) A coastal development permit shall be required for any well proposed to be drilled in the Coastal Zone unless exempt or excluded as provided in Chapter 13.20 SCCC.</u></p> <p>(C) Well permits are ministerial unless the proposed well will serve a water system that is regulated by the State Department of Health Services or issuance of the well permit requires one or more discretionary approvals pursuant to Chapter 13.20, 16.20, 16.30, 16.32, or 16.42 SCCC.</p>	

(D) Each such application shall be accompanied by a filing fee set by resolution of the Board of Supervisors. No part of the fee shall be refundable.

(E) Within 10 business days after receipt of a complete application including all studies or additional information requested by the Health Officer, the County Health Officer shall either grant or deny the permit. Well permits shall be issued only if the proposed well is in compliance with all applicable County codes and will be located on a legal lot of record. Well permits may be approved with specific requirements to comply with this chapter.

(F) At the discretion of the Health Officer and prior to the commencement of any work, an emergency approval may be granted for any work for which a permit is required by this chapter if the Health Officer determines that a sudden, unexpected occurrence demands immediate action to prevent loss of or damage to life, health, property or essential public services, and it is not practical to obtain a permit before the commencement of the work. The Health Officer may request, at the applicant's expense, verification by a qualified professional of the nature of and solutions to the emergency situation. In all cases in which emergency work is necessary, a permit shall be applied for within three working days after commencement of the work. If emergency approval by the Health Officer is not requested or an application is not submitted within the specified time, the work shall be considered a violation of this chapter. The applicant for a permit for any such emergency work shall demonstrate that all work performed is in compliance with the technical standards of SCCC 7.70.090. [Ord. 5182 § 2, 2014; Ord. 5022 § 1, 2008; Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].

7.70.040 Permit—Expiration.

(A) Each permit issued pursuant to this chapter shall expire and become null and void if the work authorized thereby has not been completed within one year following the issuance of the permit.

(B) Upon expiration of any permit issued pursuant thereto, no further work may be done in connection with construction, repair, reconstruction or destruction of a well, monitoring well, test well, geothermal heat exchange well, or cathodic protection well unless and until a new permit for such purpose is secured in accordance with the provisions of this chapter.

(C) The Health Officer may authorize renewal of a permit for an additional year upon payment of 20 percent of the application fee within 180 days after the date of permit expiration. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].

7.70.050 Permit—Suspension or revocation.

(A) A permit issued under this chapter may be revoked or suspended by the Health Officer as provided in this section if he/she determines that a violation of this chapter exists, that written notice has been directed to the permittee specifying the violation and that the permittee has failed or neglected to make necessary adjustments within 30 days after receiving such notice.

(B) A permit may be revoked or suspended by the Health Officer if he/she determines at a hearing held by the Health Officer for such purpose that the person to whom any permit was issued pursuant to this chapter has obtained the same by fraud or misrepresentation; provided, that notice of the time, place and purpose of such hearing is given to the permittee at least five days prior thereto.

(C) The suspension or revocation of any permit shall not be effective until notice thereof in writing is mailed to the permittee. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].

7.70.060 Licensed contractor required.

Construction, reconstruction, repair and destruction of all wells, including cathodic protection wells, geothermal heat exchange wells, test wells and monitoring wells, shall be performed by a contractor with a C-57 contracting license, or an equivalent license issued by the Department of Professional and Vocational Standards. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].

7.70.070 State and Federal reporting regulations.

Nothing contained in this chapter shall be deemed to release any person from compliance with the provisions of Article 3, Chapter 10, Division 7 of the Water Code of the State or any other State or Federal reporting regulations. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].

7.70.080 Inspections.

(A) Upon receipt of an application, an inspection of the location of the well, test well, geothermal heat exchange well, or cathodic protection well shall be made by the Health Officer prior to issuance of a well permit. Inspection of monitoring well locations prior to permit issuance may be made by the Health Officer.

(B) The person responsible for construction, reconstruction or destruction of any well shall notify the Health Officer at least 48 hours prior to commencement of work. All work shall be subject to inspection by the Health Officer to ensure compliance with all the requirements of this chapter.

(C) After work has been completed, the person performing the work shall file with the Health Officer a notice of completed work or a copy of the California Department of Water Resources well report. The Health Officer shall make final inspection of the completed work to determine compliance with the well standards. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].

7.70.090 Technical standards.

Standards for the construction, repair, reconstruction of or destruction of wells, abandoned wells, monitoring wells, test wells, geothermal heat exchange wells, and cathodic protection wells shall be as set forth in Chapter II of the Department of Water Resources Bulletin No. 74-81, "Water Well Standards" (December 1981), the Department of Water Resources Bulletin No. 74-90, "Water Well Standards" (June 1991), and Chapter II of the Department of Water Resources Bulletin No. 74-1, "Cathodic Protection Well Standards" (March 1973), or as subsequently revised or supplemented, which are incorporated by reference in this chapter, with the following modifications:

- (A) The minimum distance between all wells and subsurface sewage leaching fields, septic tanks, or animal enclosures shall be 100 feet. If the property is already developed and served by a well that is less than 100 feet from the septic system, and if no other alternative water source is available, a replacement well may be drilled less than 100 feet from the septic system if a sanitary seal at least 100 feet deep is installed and the existing well is destroyed.
- (B) No well shall be constructed within 50 feet from the property line of the property owner authorizing construction of the well. This setback may be reduced to not less than five feet if the owner of the adjacent property authorizes a reduction in setback, or if the Health Officer determines area on the adjacent property within 100 feet of the proposed well is unsuitable for installation of an onsite sewage disposal system.
- (C) All wells shall be constructed so that the well seal shall be a minimum of 50 feet below the surface of the ground. If usable water is only available less than 50 feet from the surface, the Health Officer may allow the seal depth to be reduced to not less than 20 feet if the well construction, site conditions, and the characteristics of the underlying geology will preclude the downward movement of contaminants into the aquifer.
- (D) Drilling fluids and other drilling materials used in connection with well construction shall not be allowed to discharge onto streets or into waterways; and shall not be allowed to discharge off the parcel on which the well is constructed onto adjacent properties; provided, that adjacent property may be used temporarily for the discharge of such fluids and materials pursuant to written agreement with the owner(s) of the adjacent property; and provided, that such fluids and materials are removed and cleaned up within 30 days of completion of the well drilling.
- (E) Water generated during test pumping of wells shall be dispersed or disposed of in a manner which will not cause excessive erosion or turbidity, in violation of Chapter [16.22](#) or [16.24](#) SCCC.
- (F) Subsections (A), (B) and (C) of this section do not apply to monitoring wells.

(G) New wells that supply water to a public water system must use the methodology, as required by the State of California Department of Health Services Drinking Water Source Assessment and Protection Program, to determine the 10-year time-of-travel groundwater protection zone. For other wells, e.g., individual domestic wells, the default groundwater protection zone minimum radius of 1,000 feet for a five-year time-of-travel shall be used to protect the drinking water source from chemical contamination. If sites with existing soil and/or groundwater contamination are present within the 10-year zone for public water systems, or five-year zones for other wells such as domestic wells, and the Health Officer determines that there is a potential for a contamination hazard to be created, the Health Officer may require that a report evaluating the potential for contamination or pollution of the well from existing nearby activities be prepared prior to issuance of a well permit. The report shall be prepared by a professional geologist, engineering geologist or professional engineer and shall at a minimum include conclusions and data supporting the conclusions, including a description of site and regional geology, subsurface conditions, strata, direction and rate of groundwater flow, locations of vicinity water wells, and construction details for those wells as can be determined based on existing data. The report shall describe proposed well construction methods and other measures to be taken to prevent contamination or pollution of the well and surrounding aquifers. The Health Officer shall deny a well permit or require specific construction requirements in order to prevent contamination or pollution of the well or surrounding aquifers.

(H) The Health Officer shall have the power to allow minor variances from the standards set forth in this section so as to prevent unnecessary hardship or injustice and at the same time accomplish the general purpose and intent of the standards and the resource protection policies of the County's General Plan and Local Coastal Program Land Use Plan. In no case may a variance be granted that constitutes a special privilege.

(I) The Health Officer may establish standards and procedures for the construction and destruction of wells to be used for monitoring or remediation of sites with known or threatened contamination. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].

7.70.100 Well abandonment and destruction—Inactive well.

(A) A well is considered abandoned when it has not been used for a period of one year and it is not being maintained as a monitoring well or an inactive well.

(B) The owner of an inactive well shall properly maintain the well in such a way that:

- (1) The well is covered such that the cover is watertight and cannot be removed, except with the aid of equipment or the use of a tool.
- (2) The well is marked so it can clearly be seen.
- (3) The area surrounding the well is kept clear of brush or debris.

(4) The pump shall be maintained in the well, with an approved power supply, except for temporary removal for repair or replacement.

(C) On abandonment of a well, or on the order of the Health Officer, a well shall be destroyed under permit by methods described in Bulletin Nos. 74-81 and 74-90, which are incorporated by reference in this chapter with the following modifications.

(1) All open wells shall be immediately capped with a fixed cover until the well is properly destroyed.

(2) The well shall be completely sealed with acceptable sealing material from the true bottom of the well up to five feet of the surface. The casing should be cut off five feet below the surface, with the excavation backfilled by compacted native material.

(3) Acceptable sealing materials are 23 sack neat cement, 10 sack cement grout, hydrated high solids 20 percent bentonite slurry, or any other compound approved by the Health Officer.

(4) A tremie pipe or other method approved by the Health Officer shall be used to pump the sealing material into the well under pressure if the well is over 30 feet deep or more than three feet of standing water is present in the well.

(5) Where there is potential for movement of contaminants between the outside of the well casing and the borehole, the Health Officer shall require perforation of the casing at certain depths, overdrilling, and/or other techniques which will seal the annular space outside the well casing as needed to prevent the migration of contaminants.

(6) For destruction of wells where groundwater quality problems are known to exist, the Health Officer may require that destruction be designed and supervised by a professional geologist, professional engineer or other qualified person. The proposed method of destruction shall be subject to approval by the Health Officer prior to performance of the work.

(D) A well which has any defects which will allow the impairment of quality of water in the well or in the water-bearing formations penetrated shall be destroyed and may not be designated inactive. In areas where groundwater problems are known to exist, abandoned wells that penetrate and/or are perforated in two or more aquifers shall be destroyed and may not be designated inactive.

(E) To prevent the contamination of underground water supplies through open wells, no person shall knowingly permit the existence on premises in his or her ownership or possession or control of any well opening or entrance which is not sealed or secured in such a way as to prevent the introduction of contaminants.

<p>(F) No person shall knowingly permit on premises in his or her ownership or possession or control the existence of any abandoned well that constitutes a known or probable pathway for the vertical movement of contaminants. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].</p>	
<p>7.70.110 Groundwater protection.</p> <p>(A) Within the Pajaro groundwater protection zone, and in other areas where water contains constituents in excess of the applicable standards currently promulgated by the California Department of Health or where a monitoring agency has determined that seawater intrusion is threatened, all new wells shall be constructed in such a manner that the well does not provide a conduit for contamination or pollution between aquifers.</p> <p style="padding-left: 40px;">(1) In such areas the Health Officer shall impose a requirement for new wells which penetrate more than one aquifer that an electric log device measuring spontaneous potential and resistivity be run in the uncased well borehole by a certified hydrologist, geohydrologist or other qualified person. Based on the data obtained from the electric log and the geologic log of the well, the hydrologist, geohydrologist or other qualified person approved by the Health Officer shall identify strata containing poor water quality and recommend to the well driller the location and specifications of the seal or seals needed to prevent the entrance of poor-quality water or its migration into other aquifers.</p> <p style="padding-left: 40px;">(2) The well shall be completed with the seal or seals specified by the hydrologist, geohydrologist or other such qualified person. The person performing and evaluating the electric log shall submit a written report to the Health Officer.</p> <p>(B) Prior to completion of a well, a water sample shall be collected and tested for total dissolved solids, chloride, nitrate, and any other constituent which the Health Officer has reason to believe could be present in the well. The sample results shall be submitted to the Health Officer. If any constituent exceeds drinking water standards, the Health Officer shall require testing and sealing of the well pursuant to subsection (A) of this section. If drinking water standards cannot be met or the aquifer cannot be adequately protected from contamination or pollution, the Health Officer shall require that the well be destroyed. The Health Officer may require additional water quality testing upon completion of the well.</p> <p>(C) Each application for a new or replacement well shall accurately specify the parcels proposed to be served, the type of land uses to be served, the estimated annual water use, and the presence of any existing wells which also serve those uses. The Health Officer may require documentation to support the water use estimates provided.</p>	<p>Are the protections still relevant or should it be replaced by something SGMA focused?</p> <p>Do we want to add any additional water quality constituents?</p> <p>Consideration of metering of non de-minimis wells.</p> <p>New section on SGMA?</p> <p>New section on well Intereference?</p>

(D) For wells which will serve more than four residential connections or which will serve nonresidential uses which can be expected to utilize more than two acre-feet of water per year, the following measures will be taken to ensure that groundwater is put to beneficial use and is not wasted:

(1) A water use efficiency audit shall be completed, with recommendations for increased efficiency of use identified. The Health Officer shall require that all reasonable measures be implemented.

(2) In lieu of performing an efficiency audit as required by subsection (D)(1) of this section, the property owner may provide verification that conservation measures to achieve efficient interior and exterior water use have been taken.

(3) For new uses that will be developed after the well is completed, the property owner shall provide certification that conservation measures will be implemented as a part of the new use.

(4) Requirements for water efficiency audits and acceptable conservation measures shall be established by resolution of the Board of Supervisors and updated as appropriate at least every three years to reflect advanced technology that is readily available locally. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].

7.70.120 Soquel Creek service area restrictions.

(A) Findings. The Board of Supervisors finds and determines that:

(1) Several reports have been prepared which indicate the potential for seawater intrusion into the Soquel-Aptos Groundwater Basin; and

(2) There is need for careful monitoring and management of the groundwater basin; and

(3) Careful management is greatly facilitated by restricting the number of new wells and requiring that new development be supplied by Soquel Creek Water District, a public agency empowered to carry out monitoring and management efforts; and

(4) Construction of new wells within the water district service area increases the potential public health hazard of cross-connection between public and private water systems;

(5) Current County General Plan policies require that new development within the urban services line be served by a public water system.

Improve exemptions to ensure it doesn't create a loophole.

(B) Well Construction within the Soquel Creek Water District Service Area. The construction of new wells shall be prohibited on parcels that are both within the area designated as the “Soquel-Aptos Groundwater Basin” (as adopted by separate Board Resolution 233-81) and within 200 feet of a water distribution line of the Soquel Creek Water District.

(C) New Well Construction—Exceptions. The following new well construction shall not be subject to the prohibition of this section:

- (1) Replacement of existing wells;
- (2) Construction of a well for agricultural use, monitoring and observation purposes, geothermal heat exchange or cathodic protection; and
- (3) Well construction on parcels which cannot be served by the Soquel Creek Water District, as determined by the Environmental Health Director based on a written statement from the District clearly demonstrating their inability to provide service.
- (4) Construction of a well by any public water purveyor. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].

7.70.130 Groundwater emergencies.

A groundwater emergency shall be declared in areas demonstrated to be experiencing a groundwater overdraft exceeding the safe yield in order to prevent further depletion and degradation of water resources where such degradation threatens the public health, safety and welfare of the community and where the Board of Supervisors finds that adequate measures are not already being taken to alleviate the overdraft situation. The emergency shall have no effect on drilling of monitoring geothermal heat exchange or cathodic protection wells.

(A) Declaration. A declaration of a groundwater emergency shall be made by the Board of Supervisors only after a public hearing. Such an emergency shall be declared by resolution of the Board after the public hearing to consider all relevant information such as, but not limited to, the most current groundwater study, recommendations of water purveyors and the Water Advisory Commission and only after the following findings can be made:

- (1) The designated area is experiencing a groundwater overdraft exceeding the long-term average annual recharge of groundwater resource;
- (2) The creation of new wells or the expansion of existing wells will significantly increase the demand on the affected aquifer and thereby increase the overdraft;
- (3) The continuation of the overdraft will result in further depletion and degradation of the water resource that can lead to, but is not limited to, impairment of the aquifer or allowing the ingress of low-quality or saline waters; and

<p>(4) Adequate measures are not being taken by water users and other responsible agencies to alleviate the overdraft situation.</p> <p>(B) Immediate Measure to Alleviate. In areas where a groundwater emergency is declared, the Board of Supervisors shall take action to establish water conservation measures, to limit construction of new wells, to regulate pumping from or expansion of existing wells, and in order to prevent further depletion and degradation of the affected aquifer. In taking these actions, the Board shall give consideration to the seasonal needs of agriculture including, but not limited to, the following factors.</p> <ul style="list-style-type: none"> (1) Agriculture’s need to repair, maintain and replace existing wells serving existing agricultural use acreage; (2) Well construction for agricultural use to serve existing agricultural acreage when new parcels are created due to change in legal ownership, split parcels or parcels created by change in zoning laws or other governmental regulations; and (3) The different water requirements of agricultural crops. <p>(C) Long-Term Measures to Alleviate. The Board shall initiate actions such as, but not limited to, joint power agreements with other agencies with the goal of finding permanent solutions to the groundwater problem.</p> <p>(D) Duration. A groundwater emergency and the measures enacted to alleviate the emergency shall remain in effect until rescinded as established in subsection (F) of this section.</p> <p>(E) Annual Review. The establishment of a groundwater emergency and all actions to alleviate the emergency shall be reviewed by the Board of Supervisors within one year of the date of enactment of the measures at a public hearing to decide whether the declaration of emergency shall remain in effect.</p> <p>(F) Rescinding. A groundwater emergency shall be rescinded by resolution of the Board of Supervisors after a public hearing when one of the following findings is made:</p> <ul style="list-style-type: none"> (1) Alternative water sources which compensate for the existing overdraft and supply the affected area are developed; (2) A groundwater management program is implemented which will allow for additional development without contribution to groundwater overdraft; or (3) The Board of Supervisors determines that new information is available which indicates that the technical data upon which the original findings were based is no longer valid. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000]. 	<p>Include GSAs and add criteria. Confirm that there is still utility in this.</p>
<p>NEW SECTION on Public Trust protection</p>	<p>Mitigate the potential for impacts to surface water resources</p>

NEW SECTION on soil borings	
<p>7.70.140 Abatement—Investigation.</p> <p>The Health Officer may, upon reasonable cause to believe that an abandoned well, a cathodic protection well, or any other well may potentially either contaminate or pollute groundwater, investigate the situation to determine whether such potential threat to groundwater quality or present nuisance does, in fact, exist. The Health Officer shall have the power upon presenting identification to any person apparently in control of the premises to enter upon any such premises between the hours of 8:00 a.m. and 6:00 p.m. to discover or inspect any thing or condition which may indicate such a nuisance or threat to groundwater quality. The Health Officer may examine such premises, things or conditions, take such samples and make such tests as needed and take other steps reasonably necessary for the proper investigation and determination of whether a nuisance or threat to groundwater quality exists. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].</p>	
<p>7.70.150 Abatement generally.</p> <p>Whenever the Health Officer determines that an abandoned well, a cathodic protection well, or any other well is presently polluting or contaminating groundwater, or poses a substantial threat to groundwater quality, or is otherwise not in compliance with the provisions of this chapter, the Health Officer may abate the well as a nuisance in accordance with the provisions of Chapter 1.14 SCCC. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].</p>	
<p>7.70.160 Nuisance—Abatement of safety hazard.</p> <p>This chapter shall not affect the right of the County to abate as a public nuisance pursuant to Article 9, Chapter 1, Division 1, Title 5, of the Government Code (commencing with Section 50230) any abandoned well, or cathodic protection well, or other well which presents a safety hazard. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].</p>	
<p>7.70.170 Amendments.</p> <p>Any revision to this chapter which applies to the Coastal Zone shall be reviewed by the Executive Director of the California Coastal Commission to determine whether it constitutes an amendment to the Local Coastal Program. When an ordinance revision constitutes an amendment to the Local Coastal Program, such revision shall be processed pursuant to the hearing and notification provisions of Chapter 13.03 SCCC, and shall be subject to approval by the California Coastal Commission. [Ord. 4901 § 1, 2008; Ord. 4593A § 1, 2000].</p>	
<p>NEW Section on promulgaton of procedures</p>	<p>Similar to 7.38.300. Generalize other sections as needed and provide for development of specific regulations/procedures</p>
<p>Current Section (7.73)</p>	<p>Comments</p>

<p>7.73.010 Purpose of provisions.</p> <p>It is the purpose of this chapter to establish standards for safe and adequate water supplies for individual water systems and to ensure that such systems do not induce contamination of aquifers and therefore jeopardize the health, safety and welfare of the people of Santa Cruz County. It is also the purpose of this chapter to implement policies of the County General Plan and Local Coastal Program Land Use Plan. [Ord. 4023 § 2, 1989].</p>	
<p>7.73.020 Definitions.</p> <p>As used in this chapter:</p> <p>(A) “Destroy” means the complete filling of the well, with impervious sealing materials to an appropriate level in accordance with procedures established by Department of Water Resources Bulletin 74-81 and Chapter 7.70 SCCC, in order to restore, as nearly as possible, those subsurface conditions which existed before the well was constructed.</p> <p>(B) “Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen or set of food preparation facilities is allowed in each dwelling unit and an interior stairway shall be provided between all stories. These restrictions shall not apply where an Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU) is permitted pursuant to Chapter 13.10 SCCC. ADUs and JADUs shall be considered as extensions of the primary dwelling unit.</p> <p>(C) “Health officer” means the County Health Officer or authorized representative.</p> <p>(D) “Horizontal well” means a well drilled approximately horizontally into a water-bearing stratum as contrasted with a common vertical well, and from which water issues without the aid of a pump.</p> <p>(E) “Individual water system” means any combination of water sources, storage facilities and related appurtenances which provides domestic water service to either:</p>	

- (1) A single parcel under one ownership with not more than four dwelling units or other permitted land uses on the parcel;
- (2) Up to four parcels, if:
 - (a) All parcels served are either contiguous with one another or are contiguous with the parcel on which the water source is located; provided, that public or private rights-of-way shall not be taken into consideration in determining contiguity; and
 - (b) The water source(s) is located on one of the parcels served; and
 - (c) Each parcel owner has not less than a one-quarter interest in the water system (source, facilities and appurtenances) and a sufficient legal interest in the land upon which it is located to guarantee access thereto and a right to the use thereof; and
 - (d) All of the parcels taken together have a total of no more than four dwelling units or other permitted land uses existing on them.
- (F) "Permit" means the written permission of the Health Officer or authorized representative to utilize water from, or otherwise participate in, an individual water system.
- (G) "Spring" means a place where water issues from a rock or soil strata onto the land.
- (H) "Well" means any artificial excavation constructed by any method for the purpose of extracting water from underground. [Ord. 5326 § 1, 2020; Ord. 5325 § 1, 2020; Ord. 4283 § 13, 1993; Ord. 4023 § 2, 1989].

7.73.030 Requirement for permit.

No parcel which is or shall be dependent in whole or in part upon an individual water system for its water supply shall be developed for human habitation until an individual water system permit is granted by the Health Officer. [Ord. 4023 § 2, 1989].

7.73.040 Application for permit.

- (A) An application for an individual water system permit shall be made to the Health Officer on forms provided for that purpose and each such application shall be accompanied by a filing fee set by resolution of the Board of Supervisors. No part of the fee shall be refundable.
- (B) Whenever an applicant seeks a permit for an individual water system which is to supply water to other properties in addition to the applicant's, the applicant must submit a copy of a recorded deed showing not less than one-quarter individual interest in the water source, storage and transmission facilities, and the land upon which the system is situated. The applicant must also identify the holders of the remaining interests in the water system, and comply with the requirements of SCCC 7.73.050, 7.73.060 and 7.73.070.

(C) Within 10 business days after receipt of a completed application, the Health Officer shall either grant, conditionally grant or deny the permit. A permit shall be granted if the applicant has complied with all the provisions of this section and if those conditions specified in SCCC 7.73.050, 7.73.060 and 7.73.070 are satisfied. [Ord. 4023 § 2, 1989].

7.73.050 Yield requirements.

No permit shall be issued unless and until the following water source requirements are established as prescribed in SCCC 7.73.060:

(A) November Through July. For each connection to a well water source, a minimum of three gallons per minute of yield must be sustained during a 24-hour period of continuous pumping, or until 4,320 gallons have been achieved during a time period of 24 hours or less of continuous pumping.

(B) August Through October. For each connection to a well water source, a minimum of two gallons per minute of yield must be sustained during a 24-hour period of continuous pumping, or until 2,880 gallons have been achieved during a time period of 24 hours or less of continuous pumping.

(C) Spring or Horizontal Well.

(1) For each connection to a spring or horizontal well, a continuous yield of at least one gallon per minute during the dry season (August through October). The yield requirements of this subsection may not be satisfied by tests conducted during the months of November through July.

(2) Notwithstanding the provisions of subsection (C)(1) of this section, the Board of Supervisors may, upon finding of drought or other unusual weather conditions of limited duration, extend or redefine by resolution the period of time defined in subsection (C)(1) of this section as the "dry season" for purposes of undertaking the required testing to establish compliance with the yield requirements of this subsection. Any resolution adopted pursuant to this subsection shall be resubmitted to the Board of Supervisors for consideration of whether or not it should continue to be in effect on or before the first meeting of the calendar year which follows the calendar year in which the resolution was first adopted.

(D) Streams. A stream source must have an adequate year-round flow during drought periods and must have a minimum flow of at least five gallons per minute for each connection, measured during the months of August through October. The users must have a legal right to use water from the stream source on each property where the water will be used.

Consider separate and more robust yield requirements for wells that are not drawing from an alluvial basin.

(E) Existing Permit—Yield Retesting. The applicant for a building permit for a dwelling unit proposed for connection to a previously permitted individual water system shall submit a new certified yield test for any water source which is a component of that system in the event that two years or more have elapsed since the last certified test of that water source or sources. The yield test must demonstrate that the source or combination of sources meet the present yield requirements for the existing and proposed connection to the individual water system. A bacteriological analysis shall be performed in accordance with the requirements of SCCC 7.73.070(A). A chemical analysis may be required by the Health Officer under the requirements of SCCC 7.73.070(B). [Ord. 4283 § 14, 1993; Ord. 4023 § 2, 1989].

7.73.060 Yield testing.

Compliance with the standards set forth in SCCC 7.73.050 shall be established by well pumping tests to be performed by a California-licensed well driller, pumping contractor maintaining a C-61 license with a D-21 classification, registered engineer, registered geologist or registered environmental health specialist, according to the standards and procedures established by the Health Officer. Water yield reports shall be reported and certified on forms provided by the Environmental Health Service. [Ord. 4283 § 15, 1993; Ord. 4023 § 2, 1989].

7.73.070 Quality requirements.

No permit shall be issued until required reports of bacteriological analysis and chemical analysis performed by a laboratory certified by the State Department of Health Services are submitted to the Health Officer, and the Health Officer determines that water produced by the system is fit for human consumption, according to standards established by the California Department of Health Services. The Health Officer shall require that the water sample(s) be obtained by the certified laboratory or an independent third party acceptable to the Health Officer.

(A) Bacteriological Analysis. Bacteriological analysis shall be performed by a laboratory certified by the California Department of Health Services. The analysis shall be for total coliform organisms by the methods as prescribed by the latest edition of the Standard Methods for the Examination of Water and Wastewater, American Public Health Association.

(B) Chemical Analysis. Chemical analysis for chlorides, nitrates, total dissolved solids, iron and manganese shall be performed by a laboratory certified by the California Department of Health Services. Such analysis shall be as prescribed by the latest edition of the Standard Methods for the Examination of Water and Wastewater, American Public Health Association. More extensive analysis may be required on a case-by-case basis if the Health Officer determines that the quality of the water may not be safe for domestic use because of evidence of contamination of groundwater in the area or because of past or present land use related or potentially related to the use or disposal of hazardous materials.

(C) Sealing or Destruction of Substandard Wells. All new wells found to be of unsuitable quality according to standards established by the California Department of Health Services shall be sealed or destroyed as prescribed in the Department of Water Resources Bulletin No. 74-81, or as subsequently revised or supplemented, unless mitigating measures can be found to make the water potable and to assure that the groundwater supply is protected, as determined by the County Health Officer.

(D) Treatment of Stream Sources. An automatic chlorination device, or other approved treatment system to assure that established bacteriologic standards for drinking water will be met at all times shall be required for all stream sources. The Health Officer may also require installation of water filtration equipment for streams subject to turbidity levels that could interfere with the treatment process or otherwise make the water unsuitable for consumption. [Ord. 4283 § 16, 1993; Ord. 4023 § 2, 1989].

7.73.080 Amendments.

Any revision of this chapter which applies to the Coastal Zone shall be reviewed by the Executive Director of the California Coastal Commission to determine whether it constitutes an amendment to the Local Coastal Program. When a revision constitutes an amendment to the Local Coastal Program such revision shall be processed pursuant to the hearing and notification provisions of Chapter 13.03 SCCC and shall be subject to approval by the California Coastal Commission. [Ord. 4023 § 2, 1989].

Consider adding additional contaminants. Some may be informational rather than something that would prevent a permit from being issued.