

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**AN ORDINANCE AMENDING CHAPTER 4.68 (WELLS) OF THE
SAN MATEO COUNTY ORDINANCE CODE RELATING TO
STANDARDS FOR DOMESTIC WELLS IN THE
UNINCORPORATED MIDCOAST AREA**

The Board of Supervisors of the County of San Mateo, State of California, ORDAINS as follows:

SECTION 1. FINDINGS: Chapter 4.68 (Wells) of the San Mateo County Ordinance Code defines the standards for determining "adequate water" for wells serving single family dwellings in the unincorporated area of the county. It has been recommended by a subcommittee of the Board of Supervisors and staff to amend these standards to address concerns over contamination and saltwater intrusion in domestic wells and to ensure the sustainability of wells as a domestic water source in the unincorporated Midcoast area of the County.

SECTION 2. San Mateo County Ordinance Code section 4.68.020 of chapter 4.68, Wells, is hereby amended to read as follows:

4.68.020 Definitions

The following definitions govern the construction of this chapter:

- (a) "Abandoned well" means any of the following:
- (1) water supply well which has not been used for a period of one calendar year and has not been permitted as an inactive well by the County Health Officer.
 - (2) A monitoring or contamination extraction well which has not been used for a period of three calendar years and has not been permitted as an inactive well by the County Health Officer.
 - (3) A well which is in such a state of disrepair that it cannot be made operational for its intended purpose.
 - (4) A test hole or exploratory boring 24 hours after construction and

testing work has been completed.

(5) A cathodic protection well that is no longer functional for its original purpose.

- (b) "Agricultural well" or "stock well" means any well used solely to supply water for irrigation or other agricultural purposes.
- (c) "Cathodic protection well" means any well designed or used to protect pipelines, tanks, cables, power lines and other facilities from corrosion.
- (d) "County Health Officer" means the Environmental Health Director of San Mateo County or an authorized representative. The County Health Officer or his or her designee shall have the authority and responsibility for the enforcement of this chapter.
- (e) "Domestic water supply" means a system consisting of a well, storage tank(s), reservoirs, integrated piping or other related appurtenances used for the purposes of delivering potable water intended for human consumption. Except as otherwise provided by this chapter, this term shall include any water well, agricultural well, industrial well or other type of well which is used to provide potable water for human consumption.
- (f) "Dwelling unit" means a room or suite of two (2) or more rooms, which are designed for, intended for, or are occupied by one family doing its cooking therein and having only one kitchen.
- (g) "Exploratory well" means a test production well installed for the purpose of assessing well water quantity and quality.
- (h) "Inactive well" means a well that has been properly secured, protected and maintained in an inactive condition in accordance with state requirements, for a period not to exceed five years.
- (i) "Geothermal heat exchange well" means any artificial excavation by any method for the purpose of using the heat exchange capacity of the earth for heating and/or cooling and in which the ambient ground temperature is 86 degrees Fahrenheit or less and which uses a closed loop fluid system to prevent the discharge or escape of its fluid into the surrounding aquifers or geologic formations. Geothermal heat exchange wells are also known as ground source heat pump wells. Such wells or boreholes are not intended to produce water or steam.
- (j) "Midcoast" means that portion of unincorporated area in the Coastal Zone on the urban side of the midcoast urban-rural boundary as shown in the County General Plan and those lands designated as Rural Residential Areas by the Local Coastal Program (LCP) Policies 1.13 - 1.15.

- (k) "Nonresidential water use" means a potable water supply which serves the public in a commercial setting that is not subject to surface water contamination.
- (l) "Observation and monitoring well" means any artificial excavation by any method for the purpose of obtaining groundwater, vadose zone, or other subsurface data, including groundwater levels, groundwater quality, and soil vapor quality. Monitoring wells shall conform with applicable California Department of Water Resources, U.S. Environmental Protection Agency, State Department of Toxic Substance Control, or the Regional Water Quality Control Board standards and guidelines for the construction of monitoring wells.
- (m) "Person" means any individual, organization, partnership, business, association, corporation or governmental agency.
- (n) "Potable water" means water that complies with standards for transient noncommunity water systems pursuant to the California Safe Drinking Water Act (Chapter 4, commencing with section 116275 of part 12).
- (o) "Property line" means the legally established line separating one piece of property from another or separating a public-right-of-way from private properties.
- (p) "Sewer" means a pipe carrying wastewater from any structure or a part of a community or individual sewerage system.
- (q) "Spring" means a place where groundwater flows naturally from rock or soil onto the land surface and is not subject to surface water contamination.
- (r) "Stabilized water level during pumping" means that level of water in the well which remains constant after a period of pumping at the specified rate in gallons per minute provided under section 4.68.190 of this chapter. The required period of time for such pumping may vary at the discretion of the Health Officer depending upon the geological factors and groundwater recharge of the site. The minimum test period for individual domestic wells shall be four hours after the water level is stabilized.
- (s) "Well" or "water well" means any artificial excavation by any method for the purpose of extracting water from, or injecting water into, the underground. This definition shall include agricultural wells and monitoring and observation wells. This definition shall not include: (1) oil and gas wells, or geothermal wells constructed pursuant to state law except those wells converted to use as water wells; or (2) wells used for the purpose of (A) Dewatering excavations during construction; or (B) stabilizing hillsides or embankments.

SECTION 3. San Mateo County Ordinance Code section 4.68.180 of chapter 4.68,

Wells, is hereby amended to read as follows:

4.68.180 Certification for building permit

Upon the completion of the construction or conversion of a well in compliance with the provisions of this chapter, the County Health Officer shall, upon request, certify the well as a domestic water supply for one to four dwelling units or for industrial or commercial use for the purpose of obtaining a building permit to construct a new structure or for the enlargement of an existing structure if the well provides a water supply that is potable, adequate and delivered under a minimum pressure of twenty (20) pounds per square inch during periods of maximum demand. The potable water sample shall be drawn from the pump at the conclusion of the pump test required by Section 4.68.190, and shall be transported to a State of California certified laboratory under chain-of-custody. Within the Midcoast water treatment will not be considered in order to be certified if either the State Upper Secondary Maximum Contaminant Level for specific conductance or chloride are exceeded. A certification issued pursuant to this Section shall be valid only for the purposes of obtaining a building permit and is not and shall not be deemed a permit to use or operate a well as a domestic water supply as may be required by Sections 4.68.210 through 4.68.280

SECTION 4. San Mateo County Ordinance Code section 4.68.190 of chapter 4.68,

Wells, is hereby amended to read as follows:

4.68.190 Standards for adequate water.

For the purposes of this article, "adequate water" means:

- (1) For a vertical well serving a single family dwelling, said term shall mean a well, which produces a minimum of 2 ½ gallons per minute for four consecutive hours with at least 1,250 gallons of emergency storage.
- (2) For a vertical well serving a single family dwelling with the second unit less than 750 square feet, said term shall mean a well which produces a minimum of 3 gallons per minute for four consecutive hours with at least 1,500 gallons of emergency storage.
- (3) For a vertical well serving two to four dwelling units, said term shall mean a well which produces at a minimum at a stabilized water level during pumping:
 - (A) Five gallons per minute for four consecutive hours with 2,500 gallons

of emergency storage for two dwelling units.

(B) 7.5 gallons per minute for four consecutive hours with 3,750 gallons of emergency storage for three dwelling units.

(C) Ten gallons per minute for four consecutive hours with 5,000 gallons of emergency storage for four dwelling units.

(4) For all vertical wells in the Midcoast, said term shall also mean a well in which the water level within the well casing recovers to 80%, or greater, of the hydrostatic level, as determined by a California Registered Geologist, immediately following the completion of the pumping test. Recovery time shall be equal to the time taken to perform the pumping test, but not less than four hours.

(5) For a horizontal well or spring serving a single family dwelling, said term shall mean a well or spring that produces a minimum flow of 2.5 gallons per minute with minimum storage of 1,250 gallons after 30 days of observation or if done in the dry period, August 1 through November 30, 1.5 gallons per minute for a thirty-day observation period and 2,000 gallons of storage.

(6) In the Midcoast, all pumping tests shall be performed by, or under the supervision of, a California Registered Geologist or Registered Civil Engineer, and certified by signature of the same.

(7) For nonresidential uses, said term shall mean an amount of water determined by the County Health Officer in accordance with the Uniform Plumbing Code and water quality standards issued by the California Department of Health Services.

SECTION 5. San Mateo County Ordinance Code section 4.68.320 of chapter 4.68,

Wells, is hereby amended to read as follows:

A variance from the specific terms of this chapter may be granted by the County Health Officer when, due to special conditions or exceptional circumstances of the property, its location or surroundings, a literal enforcement of this chapter would result in unnecessary hardships. A variance cannot be approved if it would be contrary to the intent of this chapter or harm public health, safety or welfare. Applications for a variance shall be made in writing and filed with the County Health Officer with the request for a permit or certificate provided by this chapter. No variance shall be granted from the application of sections 4.68.180 and 4.68.190 to domestic wells located in the Midcoast.

SECTION 6. This ordinance shall be effective thirty (30) days from its passage.

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