



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Health
Department No.: 041
For Agenda Of: 8/21/12: Set Hearing
Placement: 9/4/12: First Reading
9/11/12: Second
Reading/Adoption
Estimated Tme: 30 minutes on 9/4/12
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Takashi Wada, MD, MPH Director and Health Officer
Director(s) Public Health Department 681- 5102
Contact Info: David Brummond - Environmental Health 346-7348
SUBJECT: Ordinance to Amend County Code Chapter 34A – Wells

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: N/A

Recommended Actions:

That the Board of Supervisors consider recommendations for adopting an Ordinance to amend Santa Barbara County Code Chapter 34A – Wells, as follows:

- a) Set a public hearing for September 4, 2012 (first reading) to consider recommendations for an Ordinance amending Chapter 34A of the County Code.
- b) Set a hearing on September 11, 2012 (second reading) to consider adoption of Ordinance to amend Chapter 34A of the County Code.
- c) Approve Notice of Exemption pursuant to California Environmental Quality Act of 1970 (CEQA) Guidelines.

Summary Text:

This item is on the Agenda to adopt an Ordinance to amend Chapter 34A of the County Code. Chapter 34A of the Santa Barbara County Code regulates the construction, modification or repair, and the destruction of wells within the unincorporated areas of the county. It was last revised in 1975 and consequently is out of date and does not reflect new standards or current industry and County practices. As such, this proposed ordinance more completely outlines the well permit application process, standards for wells, necessary inspections and the conditions for final construction approval.

Background:

In an average year, groundwater accounts for 25-40% of California's water supply and considerably more during drought years. Groundwater is the primary source of water for many residents in Santa Barbara County, especially in the northern part of the county.

To protect this valuable resource, the State of California, Department of Water Resources developed well construction standards in 1968 and has revised them several times since their initial publication. Chapter 34A of the Santa Barbara County Code regulates the construction, modification or repair, and destruction of wells within the unincorporated areas of the county adopting the State standards by reference.

As proposed, the revised Chapter 34A will codify a number of the administrative practices utilized by Environmental Health Services (EHS) to implement the provisions of the code. These include the permit application submittal and approval process, inspections of the work performed and final construction approval.

The revised Chapter 34A will continue to adopt the California Department of Water Resources water well standards and any subsequent amendments, by reference, with exceptions noted below.

1. Except under specific circumstances, the proposed ordinance will require that all wells constructed after the effective date of the Ordinance, be constructed to the standards required of wells used in public water systems. This would involve an increase in required size of the annular space from 2 inches to 3 inches and increasing the required annular seal depth from 20 to 50 feet.

Background and Rationale: Current State standards stipulate different construction criteria depending on whether the well is intended to be used for irrigation or potable uses, and if intended for potable use, whether the well would be used as part of a private or public water system. Private wells are required to have a 2 inch annular space and a minimum 20 ft annular seal. Wells serving a public water system must have a 3 inch annular space and a 50 ft annular seal. The larger, deeper annular seal serves as a greater barrier to surface contaminants entering the groundwater.

If a property owner constructs a well to the lesser standards applied to agricultural or private wells, the well is not able to be permitted as a water source for a project that meets the definition of a public water system.

An example would be the addition of a wine tasting room to a wine production and/or storage facility. Due to the number of people that would visit the tasting room, it would be considered a public water system and the owner/operator would have to meet the conditions of a domestic water supply permit. Another example would be when a property owner or owners that share a well propose to subdivide their property and/or add second residential units that would also share the well. In some cases when new connections are added, the water system would meet the definition of a public water system. These changes in use would require the higher standards to be met. It is not feasible for a well drilled to the lesser standard to be modified to meet the higher standards. The owner would be required to drill a new well to meet the standards for a public water system.

Adopting the proposed changes would provide property owners the greatest degree of flexibility for use of their wells as well as affording greater protection of the groundwater. The additional requirements are minimal and not costly as most drilling contractors already, as a matter of practice, provide for a 3 inch or larger annular space.

These changes are contained in sections 34A-12(a)(1) of the proposed ordinance.

2. The installation of a well pad is required. This is to support the above ground piping, backflow prevention device, flow meter, and valves. This change is contained in sections 34A-12(a)(10) of the proposed ordinance.”

In addition to the new construction standards, the proposed revisions to Chapter 34A will codify a number of the administrative practices utilized by EHS to implement the provisions of the code. These include the permit application submittal and approval process, inspections of the work performed and final construction approval.

The proposed Ordinance was distributed in draft form to a stakeholders group that included drilling contractors, pump contractors, Registered Geologists and Certified Hydrogeologists for review and comment. In addition, EHS staff made several presentations to the Agricultural Advisory Committee on the proposed ordinance changes during their April, June and July, 2012 meetings. During their July 11, 2012 meeting, the Agricultural Advisory Committee unanimously approved a motion supporting the changes to Chapter 34A.

Fiscal and Facilities Impacts:

Adopting the proposed Ordinance to amend Chapter 34A County Code will not have any fiscal, facility or staffing impacts.

Special Instructions:

- A. That the Clerk of the Board publish notice of this hearing, per the attached Public Notice, in a newspaper of general circulation in Santa Barbara County 10 days prior to the hearing and again 5 days prior to the hearing.
- B. That the Clerk of the Board return one original adopted Ordinance and one Minute Order to Public Health by emailing PHDCu@sbcpd.org for pick-up.

Attachments:

1. Ordinance to Amend Chapter 34A of the County Code
2. Proposed Changes to Chapter 34A
3. Public Notice
4. CEQA Notice

Authored by:

David Brummond, Supervising Environmental Health Specialist, 346-7348.