



Public Health Department

Danette York, M.P.H., Director

Environmental Health Division

202 Mira Loma Drive
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buttecounty.net/publichealth

BUTTE COUNTY WATER WELL ADVISORY GROUP MEETING AGENDA

May 5, 2022

This meeting will be open to the public. This meeting will also be held via an online format for those who wish to participate remotely.

Members of the public who wish to participate in public comment are encouraged to register in advance of the meeting by emailing bclanduse@buttecounty.net. Use the following information to remotely view and participate in the Water Well Advisory Group meeting, including the Public Hearing portions, online:

Link:

Webinar ID: <https://us06web.zoom.us/j/88581375246?pwd=R1I2bU9DNXFmVC85ODFXQkRSR1Zydz09>

Event Password: 848341

Participants may also call in +1 669 900 6833

TIME: 2:30 p.m.

PLACE: 202 Mira Loma Drive, Oroville (Tahoe Room) and online. See above for video and call-in information.

A. PRELIMINARY ITEMS

- I. CALL TO ORDER**
- II. ROLL CALL AND DETERMINATION OF QUORUM**
- III. RESOLUTION AUTHORIZING ALTERNATIVE STANDARDS FOR TELECONFERENCING PUBLIC MEETINGS PURSUANT TO THE RALPH M. BROWN ACT (AB 361)**
- IV. CORRECTIONS AND/OR CHANGES TO AGENDA (ACCEPTANCE OF AGENDA)** – Committee members and staff may request additions, deletions, or changes in the agenda order.
- V. INTRODUCTION OF GUESTS** – Kelly Peterson, Water and Resource Scientist, Water and Resource Conservation.
- VI. MINUTES REVIEW** - Review and approve minutes from previous meeting.
- VII. CORRESPONDENCE AND PUBLIC COMMENT** – This is an opportunity for any person to address the Committee. Presentations will be limited to five minutes. The committee is prohibited from taking action on any item presented if it is not listed on the agenda.



B. INFORMATIONAL NON-ACTION ITEMS

- I. EXECUTIVE ORDER N-7-22 (ELAINE MCSPADDEN, DIRECTOR, ENVIRONMENTAL HEALTH DIVISION)**
– Update on local implementation of Executive Order N-7-22 and progress to date.
- II. COMMITTEE MEMBER REPORTS AND COMMENTS** – Opportunity for Committee Members to discuss topics not on the agenda. Action cannot be taken on any item not listed on the agenda.
- III. PROGRAM MANAGER UPDATES**

C. ACTION ITEMS

- I. WATER WELL ADVISORY GROUP REGULAR MEETING CALENDAR** – Pursuant to Water Well Advisory Group By-Laws section II, The Committee shall meet regularly on a quarterly basis, but no less than two times each year, at the date, time, and location set by the Advisory Group at their first meeting of the year, unless otherwise notified by the Chair.

ACTION REQUESTED - PROVIDE DIRECTION AND ADOPT THE 2022 WATER WELL ADVISORY GROUP REGULAR MEETING CALENDAR

D. AGENDA PREPARATION FOR NEXT MEETING

E. ADJOURN

**Public Health Department**

Danette York, M.P.H., Director

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MEMORANDUM

DATE: May 5, 2022

TO: Butte County Water Well Advisory Group

FROM: Nikolay Ostrovskiy, Program Manager

RE: AB 361 - Authorization to Utilize Alternative Standards for Teleconferencing Public Meetings pursuant to the Ralph M. Brown Act

Recommendation: Adopt the Resolution Authorizing Alternative Standards for Teleconferencing Public Meetings pursuant to the Ralph M. Brown Act (AB 361).

Summary:

On September 16, 2021, Governor Newsom signed AB 361 to amend the Brown Act to allow legislative bodies to meet via teleconference during a proclaimed state of emergency in accordance with procedures established by AB 361 rather than under the Brown Act's more narrow standard rules. If the Butte County Water Well Advisory Group desires to continue to have the ability to meet remotely via teleconference without meeting the narrower standard Brown Act rules, the Butte County Water Well Advisory Group is required to adopt a resolution making the findings required by AB 361. This Resolution will become a standing item on the Water Well Advisory Group's agenda, it must be approved at every meeting until the proclaimed state of emergency is ended.

The Butte County Water Well Advisory Group may meet using the alternative rules of AB 361 if there is a current state of emergency declared by the Governor pursuant to California Government Code section 8625 and either (1) state or local officials have imposed or recommended measures to promote social distancing or (2) the Butte County Water Well Advisory Group has met or is meeting to decide by a majority vote that meeting in person presents imminent risks to the health or safety of attendees. On March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency, which remains in effect today. Additionally, the State Public Health Officer has issued guidance regarding COVID-19 prevention measures, which includes a statement of support for social distancing recommendations. The California Department of Industrial Relations has issued COVID-19 prevention regulations found at 8 C.C.R. §3205 et seq., which recommends social distancing as a measure to decrease the spread of COVID-19.

Based on the existing state of emergency and state officials' recommendations to socially distance, the Butte County Water Well Advisory Group has the ability to continue to meet remotely should it so choose. The new law also requires the Butte County Water Well Advisory Group to reconsider the determination no later than 30 days after the first teleconference meeting held pursuant to AB 361 and every 30 days thereafter. Adoption of the proposed resolution attached hereto will enable the Butte County Water Well Advisory Group and Brown Act legislative bodies to meet via teleconference pursuant to AB 361 and to reconsider the determination for subsequent meetings. The resolution does not require the Butte County Water Well Advisory Group to hold meetings via teleconference.

**RESOLUTION OF THE BUTTE COUNTY WATER WELL ADVISORY GROUP
AUTHORIZING REMOTE TELECONFERENCE MEETINGS
PURSUANT TO THE RALPH M. BROWN ACT**

WHEREAS, all meetings of the Butte County Water Well Advisory Group and its legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov't Code section 54950 et seq.), so that any member of the public may attend, participate and view the legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and requirements; and

WHEREAS, Government Code section 54953(e) requirements include but are not limited to (1) the existence of a state of emergency declared by the Governor pursuant to Government Code section 8625 and (2) State or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic and as of the date of this Resolution, the proclaimed state of emergency remains in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Brown Act (California Government Code Section 54950 et seq.) to allow local legislative bodies to hold public meetings via teleconference; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended the provisions of N-29-20 concerning the conduct of public meetings through September 30, 2021, and the Governor subsequently signed legislation revising Brown Act requirements for teleconferenced public meetings (Assembly Bill 361, referred to hereinafter as "AB 361"); and

WHEREAS, to preserve public health and safety, the State Public Health Officer has issued various orders and guidance regarding COVID-19 prevention measures, which include references and a statement of support for social distancing recommendations (see Guidance for Use of Face Coverings (updated July 28, 2021) and COVID-19 Public Health Recommendations for Fully Vaccinated People (dated August 24, 2021)); and

WHEREAS, the California Department of Industrial Relations has issued COVID-19 Prevention regulations in Title 8 of the California Code of Regulations (Section 3205 et seq.) which requires employers to (1) have a written COVID-19 prevention program including employee training that promotes physical distancing as an infection prevention measure and (2) consider implementing physical distancing where feasible as a response to COVID-19 outbreaks; and

WHEREAS, based on the foregoing, the Butte County Water Well Advisory Group finds that (1) the Governor's Proclaimed State of Emergency as a result of the COVID-19 pandemic is currently in effect and has not been terminated and (2) State officials have imposed or recommended measures to promote social distancing; and

WHEREAS, the Butte County Water Well Advisory Group has considered the circumstances of the state of emergency, including all information related to this matter, the associated staff report; and

WHEREAS, in light of the foregoing, Butte County Water Well Advisory Group desires to continue to have the flexibility to meet via tele/video conference and the Butte County Water Well Advisory Group finds that it and its legislative bodies shall be permitted to conduct their meetings by teleconferencing without compliance with Government Code section 54953(b)(3) pursuant to section 54953(e), and such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed by section 54953(e)(2).

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED by the Butte County Water Well Advisory Group as follows:

1. The facts set forth in the above recitals are true and correct and incorporated into this resolution by reference;

2. As a result of the continuing COVID-19 state of emergency declared by Governor Newsom, State officials continue to impose or recommend measures to promote social distancing based on the State Public Health Officer's guidance and recommendations supporting social distancing and the Department of Industrial Relations' issuance of COVID-19 Prevention regulations through Title 8 of the California Code of Regulations, section 3205 et seq. promoting social distancing in the workplace.

3. Under the present circumstances, the Butte County Water Well Advisory Group is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) **June 4, 2022** or (ii) such time the Butte County Water Well Advisory Group adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

PASSED AND ADOPTED by the Butte County Water Well Advisory Group this 6th day of April, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Luis Zamudio, Chair
Water Well Advisory Group
County of Butte, State of California

ATTEST:

By: _____

Elaine McSpadden, Director

Butte County Department of Public Health Environmental Health Division



Public Health Department

Danette York, M.P.H., Director

Environmental Health Division

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BUTTE COUNTY WATER WELL ADVISORY GROUP MEETING AGENDA

December 2, 2021

Members of the public who wish to participate in public comment are encouraged to register in advance of the hearing by emailing bclanduse@buttecounty.net. Use the following information to remotely view and participate in the Water Well Advisory Group meeting, including the Public Hearing portions, online:

Link: <https://us06web.zoom.us/j/83780488772>

Webinar ID: 837 8048 8772

Event Password:

Participants may also call in +1 669 900 6833

TIME: 2:30 p.m.

PLACE: 202 Mira Loma Drive, Oroville (Tahoe Room) and online. See above for video and call-in information.

A. PRELIMINARY ITEMS

I. CALL TO ORDER

CHAIR ZAMUDIO CALLED THE MEETING TO ORDER AT 2:34 PM

II. ROLL CALL AND DETERMINATION OF QUORUM

PRESENT: OFFICERS ZAMUDIO, KRUSE, RANKIN, SCOTT, TEASDALE

ABSENT: OFFICERS BARKER, HAMMOND RILEY, MARR, STILLWELL, CODY STILLWELL, WEIGHTMAN

QUORUM ESTABLISHED

OTHERS PRESENT:

PUBLIC MEMBERS: SHANE AND TIM BESSER

ALTERNATES: JERRY MURPHY

STAFF, PUBLIC HEALTH DEPT., ENVIRONMENTAL HEALTH DIVISION:

NIKOLAY OSTROVSKIY, PROGRAM MANAGER

ELAINE MCSPADDEN, DIRECTOR

KATTY HERNANDEZ, REHS

ALANA KONG, REHS



PAUL THAO, REHS
BISMA KHAN, EHS TRAINEE
YVETTE CASTANON, EH TECHNICIAN

III. CORRECTIONS AND/OR CHANGES TO AGENDA

MOTION TO ACCEPT CURRENT AGENDA WAS MADE BY OFFICER SCOTT AND SECONDED BY OFFICER RANKIN.

VOTE:

AYE: KRUSE, RANKIN, SCOTT, TEASDALE, CHAIR ZAMUDIO

NAY: NONE

ABSTAIN: NONE

NOT PRESENT: BARKER, HAMMOND, MARR, RILEY, STILLWELL CODY, STILWELL RON, WEIGHTMAN.

MOTION CARRIES.

IV. INTRODUCTION OF GUESTS

KELLY PETERSON – BUTTE COUNTY DEPT. OF WATER AND RESOURCE CONSERVATION – SCIENTIST

DEBBIE SPANGLER – DEPT. OF WATER RESOURCES – ENGINEER

V. MINUTES REVIEW

MOTION TO MINUTES FOR THE AUGUST 5, 2021 MEETING WAS MADE BY CHAIR ZAMUDIO AND SECONDED BY OFFICER SCOTT.

VOTE:

AYE: KRUSE, RANKIN, SCOTT, TEASDALE, CHAIR ZAMUDIO

NAY: NONE

ABSTAIN: NONE

NOT PRESENT: BARKER, HAMMOND, MARR, RILEY, STILLWELL CODY, STILWELL RON, WEIGHTMAN.

MOTION CARRIES.

VI. CORRESPONDANCE AND PUBLIC COMMENT

NONE.

B. INFORMATIONAL NON-ACTION ITEMS

I. BULLETIN 74 UPDATE (DEBBIE SPANGLER, DEPT. OF WATER RESOURCES)

DEBBIE SPANGLER PRESENTED ON CURRENT BULLETIN 74 UPDATES; TECHNICAL ADVISORY COMMITTEE COMPLETED THE FIRST DRAFT UPDATE REVISIONS WILL CONTINUE. DRAFT FOR PUBLIC REVIEW WILL BE AVAILABLE BY SEPTEMBER 2022 WITH FINAL RELEASE TENTATIVE FOR DECEMBER 2022

NO PUBLIC COMMENTS

II. BUTTE COUNTY DROUGHT UPDATE (KELLY PETERSON, DEPT. OF WATER AND RESOURCE CONSERVATION)

KELLY PETERSON PRESENTED MOST RECENT DROUGHT UPDATE WITH THE FOLLOWING HIGHLIGHTS:

MY DRY WATER SUPPLY REPORTS –DWR ONLINE HOUSEHOLD WATER SUPPLY SHORTAGE REPORTING SYSTEM – PUBLIC CAN RECEIVE FINANCIAL ASSISTANCE

BUTTE COUNTY EMERGENCY WATER PROGRAM – EMERGENCY WATER FILLING STATIONS LOCATED AT 2750 AZTEC DR., CHICO THROUGH END OF DEC.

DROUGHT TASK FORCE MEETING UPDATE – NEXT MEETING 12/6/21 @ 1-2:30 PM

III. BUTTE COUNTY GROUNDWATER SUSTAINABILITY PLAN OVERVIEW (KELLY PETERSON DEPT. OF WATER AND RESOURCE CONSERVATION)

KELLY PETERSON PRESENTED ON THE GROUNDWATER SUSTAINABILITY PLANS WITH THE FOLLOWING HIGHLIGHTS:

SGMA AND GSP REQUIREMENTS ARE PART OF A LEGISLATIVE PACKAGE

GROUNDWATER SUSTAINABILITY PLANS INTENDED TO MEET REGULATORY TARGETS, ACHIEVE SUSTAINABILITY (20 YEARS) AND ARE ENFORCED BY THE STATE WATER RESOURCE CONTROL BOARD.

IV. COMMITTEE MEMBER REPORTS AND COMMENTS

NONE.

V. PROGRAM MANAGER UPDATES

a. Software Updates (Accela) – Approved by BOS on 11/9/2021

b. EPI Increase - 2.03% increase effective as of 1/1/2022

Soil Borings replacing Exploratory Well Program – Ordinance updates effective October 28, 2021.

NIKOLAY OSTROVSKIY STATED THAT ANY EXPLORATORY WELL APPLICATIONS WILL NOT BE ACCEPTED. SOIL BORING APPLICATION PROCESS IS NOW IN PLACE. TEMPORARY BORING – DESTROYED SAME DAY OR WITHIN 24 HOURS.

c. Well Permit Updates/Reminders

- i. Well pad requirements (BC Well Construction Manual; LAMP, Well Standards).

NIKOLAY OSTROSKIY STATED THAT WELL PAD WILL BE REQUIRED AS PART OF A WELL FINAL RESUMING WITH WELL PERMITS ISSUED ON 1/1/22 FORWARD; HOMEOWNER WILL REQUIRE TO COMPLETE THE WELL PAD PRIOR TO PERMIT FINAL.

SUMMARY OF DISCUSSION:

OFFICER KRUSE (QUESTION): DID THE WWAG VOTE ON THIS?

NIKOLAY OSTROVSKIY (ANSWER): THERE WERE EFFORTS IN 2017 TO UPDATE THE WATER WELL MANUAL, BUT THE UPDATES WERE NOT FINALIZED/DID NOT MAKE IT TO THE BOARD OF SUPERVISORS. IF THE INTENT IS TO REMOVE WELL PAD REQUIREMENTS, THEN MANUAL REVISIONS WILL NEED TO BE RESUMED AND FINALED.

JERRY MURPHY (COMMENT): NON-SLURRY BENTONIE SEAL DOES NOT WARRANT A WELL PAD.

NIKOLAY OSTROVSKIY (FOLLOW UP): THIS WILL BE ADDRESSED WITH CASE-BY-CASE REVIEW AT THIS TIME.

- ii. Material shortage (eg well heads; well cap).

NIKOLAY OSTROVSKIY ADDRESSED THAT WELL DRILLERS ARE REPORTING SUPPLY SHORTAGES INCLUDING WELL HEADS; WELL PERMITS ARE REVIEWED LOOKING AT MATERIAL REQUIREMENTS IN THE CA WELL STANDARDS.

- iii. Well Permit Application Process overview.

NIKOLAY OSTROVSKIY SUGGESTED A WELL PERMIT APPLICATION PROCESS PRESENTATION AT THE NEXT MEETING IF THE WWAG PROVIDES THAT DIRECTION.

- iv. Permit backlog review.

NIKOLAY OSTROVSKIY DISCUSSED EFFORTS BEING MADE TO ADDRESS BACKLOG WATER WELL PERMITS AND TO EXPECT OUTREACH.



OFFICER TEASDALE AND CHAIR ZAMUDIO LEFT THE MEETING AT 3:30 PM PRIOR TO ITEM C, ACTION ITEMS. REMAINDER OF THE MEETING CONSISTED OF DISCUSSION WITH NO ACTIONS BEING TAKEN.

C. ACTION ITEMS

I. WATER WELL ADVISORY GROUP REGULAR MEETING CALENDAR

DISCUSSION OF PROPOSED 2022 CALENDAR. NEXT MEETING SCHEDULED TENTATIVEL FOR FEBRUARY 2, 2022.

II. HAND DUG WELL MEMORANDUM

DISCSSION OF DRAFT HAND DUG WELL MEMO.

SUMMARY OF DISCUSSION:

OFFICER RANKIN (COMMENT) – HAND DUG WELLS ARE IN DIFFICULT PLACES TO GET TO, EXPENSIVE TO PUMP CONCRETE AND GET CEMENT TRUCK THERE. IS THERE A WAY TO PUT PEA GRAVEL UP TO 20 FT. THEN FILL WITH CEMENT UP INSTEAD?

OFFICER MURPHY (COMMENT) – IN PLACER COUNTY – PEA GRAVEL TO FILL MUSHROOM AT THE BOTTOM AND USE A TYPE OF CLAY MATERIAL TO THE TOP (LAST 20 FT.)

NIKOLAY OSTROVSKIY (FOLLOW UP) – THERE ARE GRANTS FOR HAND DUG WELLS THROUGH THE STATE. WILL TAKE COMMENTS FROM OFFICERS REED AND MURPHY AND ADD TO MEMO.

D. AGENDA PERPARATION FOR NEXT MEETING

- I. CALENDAR**
- II. HAND DUG MEMO**
- III. DEBBIE SPANGLER TO PROVIDE UPDATE**
- IV. WELL PERMIT PRESENTATION**
- V. WELL PAD REQUIREMENTS**

E. ADJOURN

MEETING ADJOURNED AT 3:50 PM.

2022

Butte County Water Well Advisory Committee Meeting Calendar

Meetings begin at 2:30 p.m. at 202 Mira Loma Drive., in Oroville



WAC Meeting Date

February 3
May 5
August 4
November 3

Agenda Item Due Date

January 20
April 21
July 21
October 20

Reserved Date

January 6
March 3
April 7
June 2
July 7
September 1
October 6
December 1

Holidays and Observances

January 17	MLK Day
February 21	President's Day
March 31	Cesar Chavez Day
May 30	Memorial Day
June 20	Juneteenth
July 4	Independence Day
September 5	Labor Day
November 11	Veteran's Day
November 24 -25	Thanksgiving Day
December 26	Christmas Day

JANUARY

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