

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA APPROVING A PFAS REMEDIATION PROGRAM PARTICIPATION AGREEMENT AND FINANCIAL CAPABILITY RESOLUTION WITH THE WATER REPLENISHMENT DISTRICT FOR THE CONSTRUCTION OF A TREATMENT SYSTEM AT STATION 7

WHEREAS, in July 2018, the State of California Division of Drinking Water (DDW) established a Response Level (RL) of 70 part per trillion (ppt) for perfluorooctanoic acid (PFOA) and 70 ppt for perfluorooctane sulfonate (PFOS), two types of PFAS; and

WHEREAS, in February 2020, DDW revised the RLs to a lower threshold of 10 ppt for PFOA and 40 ppt for PFOS; and

WHEREAS, PFAS are typically found in Class B firefighting foam, carpets, rugs, textiles, non-stick cookware, metal plating, tech industry, and food packaging with some PFAS posing human health and ecological health concerns; and

WHEREAS, in March 2019, DDW ordered the sampling of approximately 600 wells adjacent to landfills and airports for PFAS for four (4) quarters; and

WHEREAS, in September 2020, DDW expanded the order to approximately another 900 wells with ongoing monitoring with State plans to require sampling of wells on and near military bases with data collected from this Statewide effort to be used to determine further action and the creation of a Maximum Contaminant Level (MCL); and

WHEREAS, on January 1, 2020, the Health and Safety Code Section 116378 made effective a requirement that all community water systems, including pumpers like Commerce, must either notify their customers of PFAS detections exceeding the RLs or shut down the well providing water; and

WHEREAS, as a result, Commerce shut down Well 7-01 in February 2020 and began purchasing and importing water at a much higher cost than pumping it from the ground; and

WHEREAS, since WRD's mission is to protect and preserve the groundwater supplies within the Central Basin Municipal Water District for beneficial uses, WRD created a PFAS Remediation Program to fund treatment projects in the district and the goal of the Program is to 1. Prevent contaminants from entering groundwater supplies in the district; 2. Remove contaminants; 3. Determine the existence, extent, and location of the contaminants; 4. Determine the sources of the contaminants; and perform studies to gather the needed data; and

WHEREAS, California Water Service Company (Cal Water) and City staff have been monitoring this statewide issue and applied for a grant through WRD's new PFAS Remediation Program; and

WHEREAS, WRD received 15 applications from cities, private water companies, mutual water companies and special districts and funding the City of Commerce's treatment system construction cost in the amount of \$2,449,817.36 as approved by their Board on January 20, 2022; and

WHEREAS, Cal Water and staff will oversee the project and anticipate completion by the end of June 2022; and

WHEREAS, WRD asks that the City execute the PFAS Remediation Participation Agreement and Financial Capability Resolution; and

WHEREAS, staff recommends that the City execute said Agreement and Resolution.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. The City Council of the City of Commerce hereby finds and declares that the foregoing recitals are true and correct, and incorporates them herein as findings and as a substantive part of this Resolution.

Section 2. Approves execution of a PFAS Remediation Program Participation Agreement and Financial Capability Resolution with the Water Replenishment District.

Section 3. The Mayor is authorized to execute the resolution for and on behalf of the City of Commerce.

Section 4. This Resolution shall take full force and effect immediately upon adoption by the City Council.

PASSED, APPROVED AND ADOPTED this 8th day of February, 2022.

Leonard Mendoza
Mayor

ATTEST:

Lena Shumway
City Clerk