



Legislation Details (With Text)

**File #:** 22-1124      **Version:** 1      **Name:**

**Type:** Public Hearing/General Business      **Status:** Agenda Ready

**File created:** 8/31/2022      **In control:** Council and Authorities Concurrent Meeting

**On agenda:** 11/1/2022      **Final action:** 11/1/2022

**Title:** Public Hearing: Action to Accept the 2022 Report on the City’s Water Quality Relative to Public Health Goals

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2022 Report on the City’s Water Quality Relative to Public Health Goals, 2. POST MEETING MATERIAL

Date	Ver.	Action By	Action	Result
11/1/2022	1	Council and Authorities Concurrent Meeting	Approved	Pass
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**REPORT TO COUNCIL**

**SUBJECT**

Public Hearing: Action to Accept the 2022 Report on the City’s Water Quality Relative to Public Health Goals

**COUNCIL PILLAR**

Promote Sustainability and Environmental Protection

**BACKGROUND**

Pursuant to the California Safe Drinking Water Act (California Health and Safety Code Section 116470), the City has been required to prepare a report on water quality, known as the Public Health Goals (PHG) report, every three years since 1998. Accordingly, the City must, at this time, hold a public hearing to accept the 2022 Report on the City’s Water Quality Report Relative to Public Health Goals (“2022 PHG Report”) and respond to public comment regarding the 2022 PHG Report. The City continues to comply with all health-based drinking water standards as required by the State Water Resources Control Board (SWRCB) Division of Drinking Water (DDW) and the U.S. Environmental Protection Agency (USEPA).

The Office of Environmental Health Hazard Assessment (OEHHA), part of the California Environmental Protection Agency (Cal-EPA), has adopted PHGs for several dozen constituents of drinking water, set at a level where no known anticipated adverse effects on health occur, with an added margin of safety. The attached report addresses the presence of constituents for which the OEHHA has set a PHG. The report uses the existing Maximum Contaminant Level Goal (MCLG) adopted by the USEPA where the OEHHA has not adopted a PHG for a currently regulated contaminant.

Both MCLGs and PHGs are goals based solely on public health risk considerations. PHGs are not enforceable and are not required to be met by any public water system. PHGs differ from Maximum Contaminant Levels (MCLs), which are enforceable drinking water standards established by the USEPA and the SWRCB-DDW. While PHGs are based solely on public health considerations, MCLs are based upon additional factors such as the capabilities for analytical detection, available treatment technology, benefits and costs.

**DISCUSSION**

The City has considered drinking water quality data collected from 2019 through 2021 to compile the 2022 PHG Report. The regulations require a report to the public in the cases where PHGs and/or MCLGs are exceeded. The City of Santa Clara’s Water Utility has analytical evidence showing that one constituent has exceeded a PHG or MCLG. The proposed report addressing the constituent is attached. The analytical data presented in the 2022 PHG Report has already been provided to the customers in Santa Clara in the form of an annual Consumer Confidence Report, which is distributed each year as a special insert in Santa Clara Weekly and is also available on the City website. A chart outlining the one constituent which has exceeded the PHG or MCLG, and their associated limits, follows:

Constituent	MCL (ppb)	PHG (ppb)	City’s Results (ppb)
Arsenic (ppb)	10	0.004	ND - 1.7

- MCL = Maximum Contaminant Level
- PHG = Public Health Goal
- ND = Not Detectable
- ppb = parts per billion

Arsenic exceeding the PHG level was at very low levels and below the associated MCL. The drinking water quality of the City of Santa Clara’s water supply meets all SWRCB and USEPA drinking water standards (MCLs) set to protect public health. The effectiveness of treatment processes to provide any significant reductions in constituent levels is uncertain and the health protection benefits of these further hypothetical reductions are not clear and may not be quantifiable. Therefore, no additional actions are proposed.

This agenda item serves to meet the City’s obligation under Health and Safety Code Section 116470, which requires the preparation of a brief written report in plain language if one or more PHGs are exceeded. Section 116470 also requires a public hearing be held to accept and respond to public comments on the 2022 PHG Report.

**ENVIRONMENTAL REVIEW**

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

**FISCAL IMPACT**

There is no cost to the City other than administrative staff time and expense to produce the 2022 PHG Report.

### **COORDINATION**

This report has been coordinated with the City Attorney's Office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

Public Notice of the November 1, 2022 Council hearing was published in the *Santa Clara Weekly*, a newspaper of general circulation, on October 19, 2022.

### **RECOMMENDATION**

Accept the 2022 Report on the City's Water Quality Relative to Public Health Goals.

Reviewed by: Gary Welling, Director, Water & Sewer Utilities

Approved by: Rajeev Batra, City Manager

### **ATTACHMENTS**

1. 2022 Report on the City's Water Quality Relative to Public Health Goals