

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, SUPPORTING THE ORANGE COUNTY WATER DISTRICT AND FEDERAL PFAS LEGISLATION THAT PROTECTS RATEPAYERS AND WATER/WASTEWATER AGENCIES

**WHEREAS**, PFAS are a group of chemicals developed by chemical manufacturers that would otherwise not exist naturally and despite playing no role in releasing PFAS into the environment, cities and water agencies must find ways to remove them from local water supplies; and,

**WHEREAS**, PFAS have been detected in the Orange County Groundwater Basin, managed by Orange County Water District, and are estimated to cost Orange County communities more than \$1 billion over 30 years, a cost that will likely increase over time; and,

**WHEREAS**, water and wastewater agencies are potentially at risk from pending PFAS legislation and associated PFAS costs, water agencies and stakeholders must act on behalf of ratepayers to inform members of Congress of these devastating impacts; and,

**WHEREAS**, water and waste water agencies did not discharge PFAS into local water basins, PFAS-related legislation must exempt those agencies from any liability for PFAS cleanup costs; and,

**WHEREAS**, a water utility that complies with applicable and appropriate federal management and treatment standards must not be responsible for current and future costs associated with a PFAS cleanup; and,

**WHEREAS**, given the potential for federal legislation such as the PFAS Action Act of 2021 (H.R. 2467), to expose water agencies to litigation for simply receiving and treating water supplies, there must be an explicit exemption from Superfund clean-up liability for water and wastewater agencies; and,

**WHEREAS**, under existing law (Safe Drinking Water Act), the United States Environmental Protection Agency (USEPA) ensures that public health benefits of new drinking water standards are reasonably balanced with the compliance costs that water system ratepayers will ultimately incur and eliminating this analysis would burden ratepayers of all income levels with astronomical costs to comply with drinking water standards; and,

**WHEREAS**, when setting drinking water standards for PFAS agencies like the Orange County Water District advocate for the USEPA to use this longstanding methodology,

THE CITY COUNCIL OF THE CITY OF LA HABRA DOES HEREBY RESOLVE AS FOLLOWS:

NOW, THEREFORE, IT IS ORDERED by the City Council of the City of La Habra as follows:

- A. The City Council supports the Orange County Water District position as it relates to federal PFAS legislation and the need to protect ratepayers and water and wastewater treatment agencies; and
- B. Directs City staff to prepare and transmit letters supporting the Orange County Water District's position to federal elected officials.

**PASSED, APPROVED AND ADOPTED** this 20<sup>th</sup> Day of December, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Laurie Swindell, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Richard D. Jones  
City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF LA HABRA )

I, LAURIE SWINDELL, City Clerk of the City of La Habra, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. \_\_\_\_\_ and was duly passed and adopted by the City Council of the City of La Habra at a regularly scheduled meeting held on the 20<sup>th</sup> day of December, 2021, by the following roll call vote, to wit:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of La Habra this 20<sup>th</sup> day of December, 2021.

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Laurie Swindell, CMC  
City Clerk