

**To: Board of Directors**  
**From: Rick L. Callender, CEO**

**Weeks of October 18, 2024 – November 07, 2024**

**Board Executive Limitation Policy EL-7:**

*The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.*

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**1. Planned Two-Week Silicon Valley Advance Water Purification Center Shutdown from December 1 to December 15, 2024**

Beginning on December 1, 2024, the Silicon Valley Advanced Water Purification Center (SVAWPC) will be shut down for two (2) weeks to facilitate biennial electrical testing and annual maintenance activities. During this shutdown, Valley Water will perform inspections and rehabilitations of the Center's critical systems. Performing periodic preventive maintenance is essential to ensure that the Purification Center's critical systems are safe, reliable and remain in good working order.

Annual maintenance activities that require plant shutdowns are coordinated with the San Jose/Santa Clara Regional Wastewater Facility which provides the secondary treated wastewater influent to SVAWPC. Shutdowns are planned to occur when recycled water demand is low.

During the shutdown, South Bay Water Recycling customers might notice a slight change in the water characteristics due to lack of purified water for blending from the SVAWPC. The SVAWPC is scheduled to return to service by the end of day on December 15, 2024.

For further information, please contact Sam Bogale at (408) 630-3505.

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## **2. Update on the recent California court ruling regarding drinking water fluoridation**

On September 25, 2024, almost eight years and two court trials after the initial petition was filed, a federal district court in California ruled that the U.S. Environmental Protection Agency (EPA) must take a regulatory action to address concerns related to drinking water fluoridation.

Drinking water fluoridation in the United States began in 1945, in Michigan, and today, nearly 200 million people in the United States receive fluoridated drinking water. Valley Water began adding fluoride at its Santa Teresa and Penitencia treatment plants in 2016 and 2017, respectively. Valley Water adds fluoride at a level considered optimal for the prevention of cavities by the United States Center for Disease Control and Prevention (CDC) and as recommended by the California State Water Resources Control Board's Division of Drinking Water (DDW).

In 2016, several public interest groups and individuals filed a petition under the federal Toxic Substances Control Act (TSCA) asking the EPA to ban drinking water fluoridation. The stated objective of the petition was to "... protect the public and susceptible subpopulations from the neurotoxic risks of fluoride...." EPA denied the petition and a legal challenge was filed.

In the recent ruling, a federal judge in California concluded that, even though there is no conclusive evidence that the amount of fluoride typically added to drinking water is lowering intellectual capabilities in children, there is credible scientific research pointing to a potential risk that is sufficient to merit the EPA looking into a regulatory action to address this potential risk. The EPA's regulatory action, while unknown at this time, could range from modifying the fluoride public reporting levels to outright banning of drinking water fluoridation. Following the Court's ruling the American Dental Association and the American Academy of Pediatrics issued strong statements in support of continued drinking water fluoridation.

Currently, California's primary health-based drinking water standard for fluoride is more stringent than the level set by the federal EPA. The amount of fluoride added by Valley Water is well below the primary drinking water standards set by the federal EPA and DDW. Valley Water will update the fluoridation FAQs posted in Valley Water's webpage to reflect this new development, continue to proactively track developments regarding drinking water fluoridation and other drinking water regulations, and provide updates to the Board as warranted.

For further information, please contact Sam Bogale at (408) 630-3505.

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## **3. Valley Water's Public Meeting on the Rinconada Water Treatment Plant Reliability Improvement Project Phases 3-6**

On October 10, 2024, Valley Water hosted the Rinconada Water Treatment Plant Reliability Improvement Project Phases 3-6 construction community meeting to update neighbors about the project's current status and to share our response to neighborhood concerns. The hybrid meeting was held at the Rinconada Water Treatment Plant and started with a short walking tour of the construction project from the upper deck of the plant.

Chair Nai Hsueh attended the meeting, with Vice Chair Santos participating remotely. They were also joined in person by the Town of Los Gatos Councilmember, Maria Ristow. There were 13 in-person participants and three people online. The presentation was then followed by a question-and-answer session.

A link to the recording of the public meeting is available on the project website and Valley Water's YouTube channel.

For further information, please contact Rachael Gibson at (408) 630-2884.

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#### **4. Valley Water's virtual public scoping meeting on the design level geotechnical investigations for the Pacheco Reservoir Expansion Project**

On October 17, 2024, Valley Water hosted a virtual public scoping meeting for the community to learn more about the scope and content of the draft Environmental Impact Report for the Design Level Geotechnical Investigations for the Pacheco Reservoir Expansion Project.

Vice Chair Santos provided opening comments. Valley Water's presentation included details about the proposed project's objectives and geotechnical survey work. Twenty-four people, including staff members and consultants, attended the meeting.

An audience feedback session followed the presentation, where Valley Water engaged with the community on questions and comments specific to the Notice of Preparation of the EIR for the proposed Design-Level Geotechnical Investigations. A link to the presentation and recording of the public meeting is available on the project website.

For further information, please contact Rachael Gibson at (408) 630-2884.

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#### **5. Winter Preparedness Workshop for External Agencies**

On October 24, 2024, Valley Water's Office of Emergency Services (OES) hosted its annual Winter Preparedness Workshop for external agencies that included the County of Santa Clara, City of San Jose, City of Palo Alto, City of Milpitas, City of Morgan Hill, and many others. The purpose of the workshop is to inform stakeholder partners of Valley Water preparedness efforts for the Winter season.

For the first time, this year's workshop was conducted as a hybrid event. Approximately half of attendees participated in person, and the other half joined by Zoom. The workshop had 63 registered participants, and included presentations for emergency services, external communications, reservoir operations, watershed field operations, hydrology/hydraulics support, sandbag operations, and the National Weather Service Winter forecast. This workshop is a critical annual event in preparation of the Winter season as Valley Water continues to coordinate and communicate with its partner agency stakeholders.

For further information, please contact Alexander Gordon at (408) 630-2637.

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#### **6. Beall**

**Provide regular updates to the Board or Board committee on the rehabilitation of the Sunnyoaks Percolation Pond and work with the City of Campbell and the Santa Clara County Fire Department on a resolution R-23-0017**

Valley Water continues to proactively respond to PFAS (Per- and polyfluoroalkyl, often called forever chemicals), a large group of persistent chemicals widely used in consumer and industrial products. While no widespread water supply impacts have been identified, some water retailer wells are affected. The San Francisco Bay Regional Water Quality Control Board (Water Board) requested testing at the Sunnyoaks Fire Station and McCormack Training Center due to impacted wells nearby. The fire facility is operated by the Santa Clara County Fire Department (County Fire) on land owned by the City of Campbell (City). County Fire testing in 2022 indicated PFAS are present in onsite monitoring wells, soil, and Valley Water's Sunnyoaks Recharge Pond 1 (located between the fire station and training center). Based on the results, Valley Water temporarily ceased operations at Pond 1.

In May 2024, Valley Water coordinated with the City of Campbell and County Fire to test PFAS in site runoff draining to Sunnyoaks Pond 1 under conditions simulating fire department operations and training. Water used to spray the tower and paved surfaces was tested and did not contain PFAS. Similarly, runoff near the fire station building had low or no PFAS. However, various PFAS were found in runoff near the training tower and in nearby drains, with some detections 30 to 100 times higher than drinking water limits. While runoff is not subject to drinking water standards, the presence of high PFAS near a groundwater recharge facility is concerning and warrants timely action. County Fire has conducted additional testing, modified site training exercises to minimize runoff and avoid spraying water on or in the tower and is exploring other actions. Valley Water and County Fire have shared runoff testing results with the Water Board, who may request additional action from County Fire.

Valley Water continues to collaborate with County Fire, the City, and the Water Board to ensure fire training services can continue in a manner that does not introduce contaminants into groundwater.

For further information, please contact Greg Williams at (408)-630-2867.

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**7. Beall  
Lobbying for Capital Projects  
IBMR-24-0016**

At the August 21, 2024, Board Audit Committee Meeting, Director Beall asked for information on how Valley Water is complying with a lobbying law, which requires disclosure when people lobby Valley Water staff as it relates to projects in Valley Water's capital improvement plan.

The response is included in an attached memorandum as part of the November 1, 2024 Non-Agenda package.

For further information, please contact Luz Penilla at (408)-630-2228.