

RESOLUTION NO. 24-015

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT  
LEVYING A REPLENISHMENT ASSESSMENT AND FINDING THE  
REPLENISHMENT ASSESSMENT EXEMPT FROM THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT

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WHEREAS, on April 9, 2024, by Resolution No. 24-014, the Board of Directors of Alameda County Water District (District) determined that the sum of \$11,311,900 should be raised by a replenishment assessment, and that a replenishment assessment should be levied upon the production of groundwater from the groundwater supplies within the District during FY 2024/25;

WHEREAS, the Board finds that the replenishment assessment in the 2024 Survey Report on Groundwater Conditions (Survey Report) is reasonable and required for proper management of the groundwater basin and does not exceed the amount of the estimated costs required to provide the services for which the replenishment assessment is levied; and

WHEREAS, the Board further finds that the modification to the replenishment assessment is exempt from the requirements of the California Environmental Quality Act, pursuant to Section 21080 (b)(8) of the Public Resources Code, because it is, in connection with groundwater replenishment and basin management, for the purposes of (1) meeting operating expenses, (2) purchasing or leasing supplies, equipment, and materials, and (3) obtaining funds for capital projects necessary to maintain service and system reliability. The analysis in the Survey Report is hereby incorporated into this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Alameda County Water District that there shall be and hereby is levied a replenishment assessment on the production of groundwater from the groundwater supplies within the District during the ensuing

fiscal year beginning July 1, 2024, and that the replenishment assessment shall be and hereby is fixed by the Board at a rate of \$8.00 per acre-foot of groundwater so produced for agricultural and (municipal) recreational uses (the maximum rate allowed under the District's Replenishment Assessment Act), and \$557.00 per acre-foot of groundwater so produced for all other purposes;

BE IT FURTHER RESOLVED that the producers of the groundwater shall pay the replenishment assessment to the District at the time and in the manner hereinafter fixed by this Board in accordance with the provisions of Chapter 1942, Statutes of 1961 of the regular session of the 1961 Legislature of the State of California (Replenishment Assessment Act);

BE IT FURTHER RESOLVED that the replenishment assessment for any producer operating a water producing facility having a discharge opening not greater than two (2) inches in diameter and providing groundwater for domestic or irrigation uses on an area not exceeding one acre in extent shall be nil;

BE IT FURTHER RESOLVED that written notice, postage prepaid, shall be mailed to all operators of water producing facilities in the District as disclosed by the records of the District, stating the replenishment assessment rate and requesting registration of the operators on or before May 8, 2024, as required by Sections 12 and 13 of the Replenishment Assessment Act;

BE IT FURTHER RESOLVED that adoption of this Resolution, by fixing the replenishment assessment rates for FY 2024/25 in the amounts referenced above, amends the District's Rate and Fee Schedule, the pertinent portion of which (Section I, Subsection C) was last amended as of April 11, 2023, through Resolution 23-031;

BE IT FURTHER RESOLVED that the General Manager is directed to incorporate these changes into an updated Rate and Fee Schedule and that the replenishment assessment identified

in the updated Rate and Fee Schedule shall remain in full force and effect until further order of this Board; and

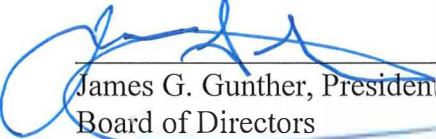
BE IT FURTHER RESOLVED that the General Manager is authorized to file a Notice of Exemption with the Alameda County Clerk’s Office.

PASSED AND ADOPTED this 9<sup>th</sup> day of April 2024, by the following vote:

AYES: Directors Huang, Sethy, Weed, and Gunther


NOES: None

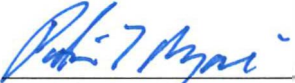
ABSENT: Director Akbari

  
James G. Gunther, President  
Board of Directors  
Alameda County Water District

ATTEST:

APPROVED AS TO FORM:

  
Marian Hsu, District Secretary  
Alameda County Water District  
(Seal)

  
Patrick T. Miyaki, General Counsel  
Alameda County Water District

