Notice of Exemption

To: Office of Planning and Research
   P.O. Box 3044, Room 113
   Sacramento, CA 95812-3044
   County Clerk
   County of: Alameda

From: (Public Agency): Alameda County Water District
       43885 South Grimmer Boulevard
       Fremont, CA 94538

Project Title: A Resolution of Board of Directors of ACWD Levying a Replenishment Assessment (Resolution No. 20-021)

Project Applicant: Alameda County Water District (ACWD)

Project Location - Specific:
All lands within the jurisdictional boundaries of ACWD, which includes all of Newark and portions of Fremont, Hayward, and Union City, all within the County of Alameda

Project Location - City: Multiple (see above)  Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:
The nature and purpose of the proposed project is to increase the replenishment assessment (RA) fee on the production of groundwater within ACWD. The RA fees help pay for the replenishment of groundwater, groundwater and watershed protection, regulation of well construction, and other programs that prevent sea water intrusion or promote the supply and quality of groundwater for the benefit of all users of the groundwater basin. The beneficiaries of the project are all users of the groundwater basin specifically and the customers of ACWD generally.

Name of Public Agency Approving Project: Alameda County Water District

Name of Person or Agency Carrying Out Project: Alameda County Water District

Exempt Status: (check one):
☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☐ Categorical Exemption. State type and section number:
☐ Statutory Exemptions. State code number: Public Resources Code: Section 21080(b)(8)

Reasons why project is exempt:
The project is exempt pursuant to Section 21080(b)(8) of the Public Resources Code, because it is, in connection with groundwater replenishment and basin management, for the purpose 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.

Lead Agency Contact Person: Mikel S. Haliwell  Area Code/Telephone/Extension: 510-668-4412

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: [Signature]  Date: 5/7/2020  Title: Manager of Water Resources

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Revised 2011
RESOLUTION NO. 20-021
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

WHEREAS, on April 14, 2020, by Resolution No. 20-020, the Board of Directors of
Alameda County Water District (District) determined that the sum of $9,849,500 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
2020/21;

WHEREAS, the Board finds that the replenishment assessment in the 2020 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, 2020, 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 $485.000 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 13, 2020, 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 2020/21 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 9, 2019, through Resolution 19-028;

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 14th day of April, 2020, by the following vote:

AYES: Directors Akbari, Gunther, Sethy, Weed, and Huang

NOES: None

ABSENT: None

/s/ JUDY C. HUANG
Judy C. Huang, President
Board of Directors
Alameda County Water District

ATTEST:

/s/ ANDREW WARREN
Andrew Warren, Assistant District Secretary
Alameda County Water District
(Seal)

/s/ PATRICK T. MIYAKI
Patrick T. Miyaki, General Counsel
Alameda County Water District
CERTIFICATE

I, the undersigned District Secretary of ALAMEDA COUNTY WATER DISTRICT, do hereby certify that the foregoing is a full, true and correct copy of a Resolution of the Board of Directors of ALAMEDA COUNTY WATER DISTRICT, a political subdivision, which said Resolution was duly adopted at a meeting of said Board regularly, held on April 14, 2020, that a copy of said Resolution was forthwith duly entered in the minutes of said meeting of said Board, and that the same is in full force and effect.

Dated: April 23, 2020

Gina Markou, District Secretary
Alameda County Water District