

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT
WITH THE EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD) FOR THE
IMPLEMENTATION OF THE CITY/EBMUD JOINTLY PREPARED EAST BAY PLAIN
SUBBASIN GROUNDWATER SUSTAINABILITY PLAN

WHEREAS, the California Legislature adopted, and the Governor signed into law, the Sustainable Groundwater Management Act of 2014 (SGMA), which authorizes local agencies to ensure sustainable management of groundwater resources; and

WHEREAS, SGMA requires that by January 31, 2022, all groundwater basins designated by the California Department of Water Resources (DWR) as high- or medium-priority basins be managed under a single Groundwater Sustainability Plan (GSP), coordinated GSPs prepared by the Groundwater Sustainability Agency (GSA) or Agencies managing the basin, or an alternative plan, as provided for in Cal. Water Code Section 10720.7(a); and

WHEREAS, the East Bay Plain Subbasin 2-009.04 is subject to the provisions of SGMA; and

WHEREAS, Hayward and EBMUD are the exclusive GSAs for their respective management areas in the East Bay Plain Subbasin; and

WHEREAS, Hayward and EBMUD entered into a Cooperating Agreement on June 25, 2018 to prepare a single GSP for the East Bay Plain Subbasin, and the Cooperating Agreement was subsequently amended on March 19, 2019, December 22, 2020, and November 19, 2021; and

WHEREAS, the Hayward City Council adopted the GSP on December 7, 2021; and

WHEREAS, as part of the development of the Cooperating Agreement, as amended, the City and EBMUD planned to develop and enter into a subsequent agreement to implement the GSP to ensure coordinated management and compliance with SGMA in the East Bay Plain Subbasin; and

WHEREAS, the City and EBMUD have reached agreement on the provisions of an Implementation Agreement, including fair and equitable cost allocation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the City Manager to execute the Implementation Agreement, in a form approved by the City Attorney, with EBMUD to work cooperatively to implement the East Bay Plain Subbasin GSP.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward