

RESOLUTION NO. 22-1169

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER
REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA ESTABLISHING A
POLICY FOR REPLENISHMENT ASSESSMENT EXEMPTION AND NON-
CONSUMPTIVE WATER USE PERMITS**

WHEREAS, the Water Replenishment District of Southern California (“WRD”) is a Special District created under the laws of the State of California and organized in accordance with the California Water Code; and

WHEREAS, WRD currently considers granting Replenishment Assessment Exemptions for groundwater treatment programs that remedy groundwater contamination pursuant to authority under California Water Code Section 60318; and

WHEREAS, pumping as a result of groundwater contamination remediation has a direct and measurable impact on groundwater supplies in the WRD service area when the water is not treated and returned to the aquifers; and

WHEREAS, WRD considers granting Non-Consumptive Water Use Permits in the Central Basin for programs that remedy groundwater contamination in accordance with the Central Basin Third Amended Judgment in the Case of Central and West Basin Water Replenishment District, etc., v. Charles E. Adams, et al (Superior Court of the State of California for the County of Los Angeles, Case No. 786, 656), and in the West Coast Basin acting as the Administrative- Body on behalf of Watermaster in accordance with the Amended Judgment (Los Angeles Superior Court Case No. C 506,806 entitled “ California Water Service Company, et al. vs. City of Compton, et al.”) and

WHEREAS, pumping in accordance with Non-Consumptive Water Use Permits promotes the removal of contamination from the Central Basin and West Coast Basin and thus has a benefit to all users of the basins’ groundwater; and

WHEREAS, when pumping in accordance with Replenishment Assessment Exemptions is not treated to requisite standards and returned to the aquifers, this pumping results in a loss to groundwater supplies that must be replenished at a cost to WRD and pumpers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Water Replenishment District of Southern California hereby:

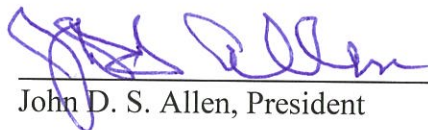
Section 1: Finds the above recitals as facts incorporated herein by reference.

Section 2: Establishes the following policy applicable to Replenishment Assessment Exemption and Non-Consumptive Water Use Permit pumping within the WRD service area:

1. Non-Consumptive Water Use Permits will continue to be considered by the Board of Directors for groundwater cleanup activities in the Central Basin and West Coast Basin on a case by case basis;
2. Replenishment Assessment Exemptions will continue to be considered by the Board of Directors for groundwater cleanup activities that return the extracted and treated groundwater back to the aquifers without degradation of quality so that there is no net loss of groundwater to the basins and replenishment water by WRD is not required; and
3. For groundwater cleanup activities that extract groundwater but do not return the groundwater to the aquifers, necessitating replenishment water by WRD, the Replenishment Assessment Exemption will not be granted by the Board of Directors except under special circumstances as determined by the Board.

PASSED, APPROVED, and ADOPTED by the Board of Directors of the Water Replenishment District of Southern California on February 3, 2022, by the following votes:

AYES: 3
NOES: 0
ABSENT: 1
ABSTAIN: 0



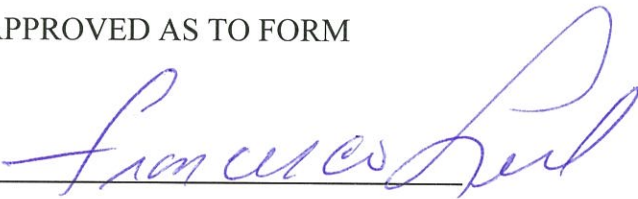
John D. S. Allen, President

ATTEST:



Vera Robles DeWitt, Secretary

APPROVED AS TO FORM



Leal Trejo APC, Attorneys for the Water

Replenishment District of Southern California