

ATTACHMENT 2
ELIGIBLE APPLICANT DOCUMENTATION

For the “AttachmentName” in the naming convention of BMS, use “EligDoc” for this attachment.

Eligible applicants are local agencies. The applicant must provide a written statement (and additional information if noted) containing the appropriate information outlined below:

1. *Is the applicant a local public agency as defined in CWC 10701(a)? Please explain.*

Yes. The Alameda County Water District (ACWD) is a “local agency” as defined in California Water Code 10701(a). ACWD is a California Special District which provides drinking water to a population of over 328,000 in the cities of Fremont, Newark, and Union City. ACWD policy is set by a five-member Board of Directors that are elected to four-year terms by the residents in these three cities (California Water Code Section 30500-30502, 30700).

2. *What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?*

ACWD was created by a vote of area residents on December 30, 1913 and ACWD became the first water district founded in California under the Caminetti Bill (County Water District Law, commencing with Section 30000 of the Water Code). The first Board of Directors was elected on March 31, 1914.

ACWD is authorized to operate under the County Water District Law and with the additional powers granted by the Replenishment Assessment Act of the Alameda County Water District (Chapter 1942 of the Statutes of 1961, as amended September 14, 1970, and September 18, 1974) and by the Alameda County Water District Groundwater Protection Act (Division 12, Part 5, Chapter 1, Article 9.3, commencing with Section 31142.20 of the California Water Code).

3. *Does the applicant have legal authority to enter into a grant agreement with the State of California?*

Yes. The Replenishment Assessment Act of the Alameda County Water District, Chapter 1942 of the Statutes of 1961 (as amended September 14, 1970, and September 18, 1974), Section 4(e) states the following:

“SECTION 4. For the purposes of replenishing the groundwater supplies in the District and of preventing the intrusion of saltwater into such supplies, the District shall have, in addition to its powers under the County Water District Law (commencing with Section 30000 of the Water Code), the following powers:

(e) To act jointly with or cooperate with the United States or any agency thereof, and, under the applicable laws of this State, cooperate and act jointly with the State of California, or any county or agency thereof, or any political subdivision or district therein, including flood control districts, public and private corporations, and any person, to the end that the purposes and activities of the District may be fully and economically performed.”

4. *Describe any legal agreements among partner agencies and/or organizations that ensure performance of the project and tracking of funds.*

Not applicable. ACWD will be solely responsible for completing this proposal and the tracking of budget and funds.