



## SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY

### NOTICE OF PUBLIC MEETING

**NOTICE IS HEREBY GIVEN** that the San Antonio Basin Groundwater Sustainability Agency (“Agency” or “SABGSA”) Board of Directors (“Board”) will hold a public hearing during its regular **Board Meeting at 6:00 P.M. on Tuesday, February 18, 2025** at the **Los Alamos Community Services District located at 82 St. Joseph Street, Los Alamos, CA 93440**. Virtual options are available for public participation.<sup>1</sup>

Join Zoom Meeting:

<https://us06web.zoom.us/j/83127401605?pwd=WHpIQmZTR2hoY2NWa3J2MDczbnhtUT09>

Meeting ID: 831 2740 1605 Passcode: 203727

Dial: (669) 900 6833

### SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY (SABGSA)

#### BOARD OF DIRECTORS MEETING AGENDA

**Tuesday, February 18, 2025**

**1. CALL TO ORDER and ROLL CALL**

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

The Board will receive public comments on items not appearing on the agenda and within the subject matter jurisdiction of the Agency. The Board will not enter into a detailed discussion, answer questions, or take any action on any items presented during public comments. At the Board’s discretion, any issue raised during Public Comment may be referred to the Executive Director or other staff for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on specific agenda items should do so at the time specified for those items. The presiding Chair shall limit public comments to no more than three minutes.

**4. CONSENT ITEMS**

**a. Approve Minutes from January 21, 2025, Regular Meeting**

**b. Agency Finances, Budget, and Training**

- i. The Board will receive a report from the accountant regarding finances and expenses for January 2025.
- ii. The Board will receive a report regarding training.

**5. INFORMATIONAL ITEMS**

**a. Executive Director Update**

- Update on activities performed by the Executive Director

**b. San Antonio Basin Water District Update**

- Update on San Antonio Basin Water District activities

**c. Advisory Committee Updates**

- Update on Advisory Committee activities

**d. Board Member Updates**

- Board members will provide any updates relevant to SABGSA

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<sup>1</sup> SABGSA will make reasonable efforts to make the meeting accessible virtually; however, if one of the virtual options are unavailable due to technological issues, you are invited to take advantage of the other options, including in-person attendance.

## **6. PUBLIC HEARING**

### **a. Consider Ordinance No. 25-001 to Adopt and Implement a Well Metering and Groundwater Extraction Reporting Program**

The Board will hold a public hearing to receive public comments on a proposed Ordinance (SABGSA Ordinance No. 25-001) to require well owners within the San Antonio Creek Valley Groundwater Basin (Basin No. 3-014) to install a flow meter with a visual, volume-recording totalizer on their wells, submit documentation of compliance by April 1, 2026, and report monthly groundwater extraction readings to the SABGSA on a twice-a-year basis, through a form provided by the SABGSA. De minimis extractors who extract two acre-feet or less per year solely for domestic purposes would be exempt. Ordinance 25-001 also establishes related SABGSA rules and regulations necessary to implement the Well Metering and Groundwater Extraction Reporting Ordinance. The proposed Ordinance No. 25-001 is a revised version of the ordinance that the Board considered at its January 21, 2025 Board meeting.

The Board may take action to approve Ordinance No. 25-001, as read by title only (first reading), waive further reading, and continue the Ordinance for adoption at its March 18, 2025 meeting. The Board may also provide specific direction to SABGSA staff and/or SABGSA legal counsel related to this item.

## **7. DISCUSSION AND ACTION ITEMS**

### **a. Groundwater Sustainability Plan Annual Report for Water Year 2024**

The Board will receive a presentation from GSI Water Solutions on the first draft of the Groundwater Sustainability Plan [Annual Report for Water Year 2024](#) for the San Antonio Creek Valley Groundwater Basin. The Board may take action and/or provide specific direction to SABGSA staff and/or GSI Water Solutions related to this item.

## **8. ADJOURN**

**NEXT MEETING: March 18, 2025, at 6pm**



**SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY (SABGSA)**  
**BOARD OF DIRECTORS MEETING**  
**UNAPPROVED MINUTES**  
**Tuesday, January 21, 2025**

1. **CALL TO ORDER and ROLL CALL** – The meeting was called to order by Chair Randy Sharer at 6:00pm at the Los Alamos Community Services District, located at 82 St. Joseph Street, Los Alamos, CA. Members of the public had the option to participate virtually or in-person.

**Board of Directors Present:** Dan Chabot, Tom Durant, Juan Gomez, Kevin Merrill, Patrice Mosby, Kenny Pata, Randy Sharer, Chris Wrather.

**Directors Absent:** None.

**Alternates present, but not acting on behalf of a Director:** Jim Stollberg

2. **PLEDGE OF ALLEGIANCE**

3. **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

No public comment.

4. **CONSENT ITEMS**

- a. **Approve Minutes from November 19, 2024, SABGSA Board Meeting**

**Motion by Director Merrill, second by Director Chabot to approve the minutes of the November 19, 2024 Board meeting, as presented.**

**Ayes:** Dan Chabot, Tom Durant, Juan Gomez, Kevin Merrill, Patrice Mosby, Kenny Pata, Randy Sharer, Chris Wrather.

**Nos:** None; **Absent:** None; **Abstain:** None

- b. **Agency Finances, Budgeting, and Training**

**Motion by Director Durant, second by Director Pata to approve the financial report dated December 31, 2024, as presented.**

**Ayes:** Dan Chabot, Tom Durant, Juan Gomez, Kevin Merrill, Patrice Mosby, Kenny Pata, Randy Sharer, Chris Wrather.

**Nos:** None; **Absent:** None; **Abstain:** None

5. **INFORMATIONAL ITEMS**

- a. **SABGSA Executive Director Updates**

- The GSP Annual Report is underway. SABGSA is drafting the Management Action Implementation Approach section. GSI Water Solutions, Inc. will present the draft report at the February 18, 2025 Board meeting.
- SABGSA requested \$21,232.13 from the SABWD on January 9, 2025 to cover invoices received this month.
- SB1156 – Form 700 Filing Requirements. SABGSA Board (and Alternates) and Executive Director are now required to file Form 700 with the Fair Political Practices Commission by April 1, 2025. This is in addition to filing Form 700 with the County of Santa Barbara by April 1, 2025. SABGSA will track both submittals on the Board Training/Certifications Report.

**b. San Antonio Basin Water District (SABWD) Update**

The SABWD Board of Directors met on January 21, 2025. Executive Director Donna Glass reported the following.

- At the Special Board of Supervisors meeting on October 15, 2024, three (3) directors, Kevin Merrill, Randall Sharer, and Andrew Read, were appointed to the Board of the San Antonio Basin Water District in lieu of election with terms expiring in December 2027. Kevin Merrill and Randy Sharer will continue as President and Vice-President, respectively. District Manager, Donna Glass was appointed as Secretary and Victor Schaff will continue as Assessor, Tax Collector and Treasurer.
- Wallace Group reviewed the Re-Evaluation of the Irrigated versus Non-Irrigated Lands with the Board and addressed questions.
- As of January 16, 2025, \$472,977 or 84% of the 2024-25 Assessments has been collected. The remaining balance is \$87,074. Payment reminders were sent out on January 3, 2025, and become delinquent on February 3, 2025. A transfer in the amount of \$25,000 from the Operating Account to the Investment Account, California CLASS with an Average Monthly Yield of 4.63%, was approved.
- The SABWD Board approved a fund request from SABGSA for \$21,232.13 to cover invoices received this month.

**c. Advisory Committee Updates**

- The Advisory Committee did not meet in January 2025.

**d. Board Member Updates**

- None.

**6. PUBLIC HEARING**

**a. Consider Ordinance No. 25-001 to Adopt and Implement a Well Metering and Groundwater Extraction Reporting Program**

During the public comment period, questions were raised regarding a pathway and requirements for an inactive and/or abandoned well to be exempt from SABGSA’s Well Metering and Groundwater Extraction Reporting Program. The current version of SABGSA’s proposed Rules and Regulations related to the Ordinance 25-001 does not contain an exemption clause nor does it outline the conditions and process for a potential exemption.

**Motion by *Director Merrill*, second by *Director Chabot* to direct SABGSA legal counsel to work with SABGSA staff to revise Ordinance 25-001 to address conditions and requirements under which a well could potentially be exempt and present the proposed revisions at the February 18, 2025 board meeting.**

**Ayes:** Dan Chabot, Tom Durant, Juan Gomez, Kevin Merrill, Patrice Mosby, Kenny Pata, Randy Sharer, Chris Wrather.

**Nos:** None; **Absent:** None; **Abstain:** None

**7. DISCUSSION AND ACTION ITEMS**

**a. Election of Officers for 2025 Term**

Pursuant to Article 8 of the Joint Exercise of Powers Agreement, the Board of Directors shall elect Officers – Chair, Vice Chair, Secretary, Treasurer – annually for a (1) year term.

**Motion by *Director Durant*, second by *Director Wrather* to elect Randy Sharer as Chair, Kevin Merrill as Vice Chair, Stephanie Bertoux as Secretary, and Carrie Troup as Treasurer for calendar year 2025.**

**Ayes:** Dan Chabot, Tom Durant, Juan Gomez, Kevin Merrill, Patrice Mosby, Kenny Pata, Randy

Sharer, Chris Wrather.

**Nos:** None; **Absent:** None; **Abstain:** None

**b. Q4 2024 Quarterly Groundwater Level Monitoring Report**

Chair Randy Sharer provided an overview of the Q4 2024 Quarterly Groundwater Level Monitoring Report prepared by GSI Water Solutions, Inc. The Q4 2024 report is posted on SABGSA's website. The Board did not take action on this item.

**c. Consider a Proposal from GSI Water Solutions, Inc. to Provide Planning and Oversight of Vegetation Trimming Along Access Trails to Wells Near Barka Slough**

The Board reviewed and discussed the scope of work and associated fees for GSI Water Solutions, Inc. to provide planning and oversight of vegetation trimming along access trails to wells near Barka Slough that are included in SABGSA's Groundwater Level Monitoring Network.

**Motion by *Director Wrather*, second by *Director Pata* to approve the proposal from GSI Water Solutions, Inc. for Vegetation Trimming dated January 9, 2025 for a not to exceed amount of \$9,944.00, as presented.**

**Ayes:** Dan Chabot, Tom Durant, Juan Gomez, Kevin Merrill, Patrice Mosby, Kenny Pata, Randy Sharer, Chris Wrather.

**Nos:** None; **Absent:** None; **Abstain:** None

**7. NEXT MEETING:**

February 18, 2025 at 6pm at Los Alamos Community Services District.

**8. ADJOURN – 6:36pm**

**San Antonio Basin GSA**  
**Profit & Loss Budget vs. Actual**  
 July 2024 through January 2025

58% of the year has elapsed	<u>Jul '24 - Jan 25</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Expense</b>				
<b>Administration and Operation</b>				
01 Administrative Exp/Office Ex	30,016.22	75,900.00	-45,883.78	39.55%
02-Accountant	4,350.00	9,000.00	-4,650.00	48.33%
03-Comm Eng Grant Wrtnng NonGSP	0.00	35,000.00	-35,000.00	0.0%
04-Monitoring	44,974.44	87,500.00	-42,525.56	51.4%
05-Legal Counsel	13,979.00	45,000.00	-31,021.00	31.06%
06-Insurance	1,765.00	1,800.00	-35.00	98.06%
07-Audit Fees	0.00	4,000.00	-4,000.00	0.0%
09-GSP Related Costs-Annual Rep	18,606.00	57,500.00	-38,894.00	32.36%
10-GSP Implementation / PMAs	24,177.50	185,000.00	-160,822.50	13.07%
<b>Total Administration and Operation</b>	<u>137,868.16</u>	<u>500,700.00</u>	<u>-362,831.84</u>	<u>27.54%</u>
<b>Total Expense</b>	<u>137,868.16</u>	<u>500,700.00</u>	<u>-362,831.84</u>	<u>27.54%</u>
<b>Net Ordinary Income</b>	-137,868.16	-500,700.00	362,831.84	27.54%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
11 Operating Transfers	157,983.74	550,000.00	-392,016.26	28.72%
<b>Total Other Income</b>	<u>157,983.74</u>	<u>550,000.00</u>	<u>-392,016.26</u>	<u>28.72%</u>
<b>Other Expense</b>				
Contingency (10%)	0.00	49,300.00	-49,300.00	0.0%
<b>Total Other Expense</b>	<u>0.00</u>	<u>49,300.00</u>	<u>-49,300.00</u>	<u>0.0%</u>
<b>Net Other Income</b>	<u>157,983.74</u>	<u>500,700.00</u>	<u>-342,716.26</u>	<u>31.55%</u>
<b>Net Income</b>	<u><u>20,115.58</u></u>	<u><u>0.00</u></u>	<u><u>20,115.58</u></u>	<u><u>100.0%</u></u>

# San Antonio Basin GSA

## Balance Sheet

As of January 31, 2025

Jan 31, 25

### ASSETS

#### Current Assets

##### Checking/Savings

Community Bank of SM -ACCT 9006 25,000.00

Total Checking/Savings 25,000.00

Total Current Assets 25,000.00

**TOTAL ASSETS 25,000.00**

### LIABILITIES & EQUITY

#### Equity

Retained Earnings 4,884.42

Net Income 20,115.58

Total Equity 25,000.00

**TOTAL LIABILITIES & EQUITY 25,000.00**

# San Antonio Basin GSA Expenses by Vendor Detail

January 2025

	<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Account</u>	<u>Split</u>	<u>Amount</u>
<b>BERTOUX &amp; COMPANY</b>						
	Check	01/15/2025	3171	01Administrative Exp/Office Ex	Community Bank of SM -ACCT 9006	<u>3,125.00</u>
Total BERTOUX & COMPANY						3,125.00
<b>Brownstein Hyatt Farber Schreck</b>						
	Check	01/15/2025	3172	05-Legal Counsel	Community Bank of SM -ACCT 9006	<u>526.50</u>
Total Brownstein Hyatt Farber Schreck						526.50
<b>Carrie Troup, C.P.A.</b>						
	Check	01/15/2025	3176	02-Accountant	Community Bank of SM -ACCT 9006	<u>725.00</u>
Total Carrie Troup, C.P.A.						725.00
<b>GSI WATER SOLUTIONS, INC.</b>						
	Check	01/15/2025	3173	04-Monitoring	Community Bank of SM -ACCT 9006	8,339.63
	Check	01/15/2025	3174	09-GSP Related Costs-Annual Rep	Community Bank of SM -ACCT 9006	7,823.50
	Check	01/15/2025	3175	10-GSP Implementation / PMAs	Community Bank of SM -ACCT 9006	<u>692.50</u>
Total GSI WATER SOLUTIONS, INC.						<u>16,855.63</u>
<b>TOTAL</b>						<b><u>21,232.13</u></b>



**ORDINANCE NO. 25-001**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO BASIN  
GROUNDWATER SUSTAINABILITY AGENCY REQUIRING METERING AND  
REPORTING OF GROUNDWATER EXTRACTION**

**WHEREAS**, the San Antonio Basin Groundwater Sustainability Agency (“Agency”) was formed pursuant to a joint exercise of powers agency (“JPA”) executed on May 16, 2017 between the Cachuma Resource Conservation District and the Los Alamos Community Services District;

**WHEREAS**, the Agency decided to become the exclusive Groundwater Sustainability Agency (“GSA”) for the San Antonio Creek Valley Groundwater Basin (“Basin”) on June 14, 2017;

**WHEREAS**, the San Antonio Basin Water District replaced the Cachuma Resource Conservation District as a member of the JPA on May 19, 2020;

**WHEREAS**, in compliance with the Sustainable Groundwater Management Act (“SGMA”), on December 7, 2021, the Agency adopted the San Antonio Basin Groundwater Sustainability Plan (“Plan”) that establishes the Agency’s groundwater management program and sustainability goal for the Basin;

**WHEREAS**, SGMA, authorizes a local GSA to manage a groundwater basin in a sustainable manner pursuant to its groundwater sustainability plan;

**WHEREAS**, to assist in its management, Water Code Section 10725.2 authorizes GSAs such as the Agency to adopt rules, regulations, ordinances, and resolutions for the purpose of complying with SGMA and perform any act necessary or proper to carry out the purposes of SGMA;

**WHEREAS**, pursuant to Water Code Section 10725.8(a), a GSA may require that the use of every groundwater extraction facility within the management area of the GSA be measured by a water-measuring device satisfactory to the GSA, provided that de minimis extractors are exempt from such requirements;

**WHEREAS**, pursuant to Water Code Section 10725.8(c), a GSA may also require that the owner or operator of a groundwater extraction facility file statements with the GSA setting forth the total extraction in acre-feet of groundwater from the facility during the previous water year;

**WHEREAS**, the Plan identifies development of a metering and reporting program as a Tier 1 Management Action;

**WHEREAS**, to sustainably manage the Basin, the Agency requires consistent and reliable data on the volume of groundwater extracted from each groundwater extraction facility in the Basin;

**WHEREAS**, to implement the Plan, the Agency finds it necessary and in the best interest of both the Agency and the Basin to adopt an ordinance requiring all landowners within the Basin, except de minimis extractors, to install measuring devices on groundwater extraction facilities and file reports on a biannual basis reporting groundwater extraction to the Agency;

**WHEREAS**, pursuant to Water Code Section 10725 et seq., SGMA empowers the Agency with the authority to enforce adopted rules, regulations, ordinances, and resolutions necessary and appropriate to implement the Plan; and

**WHEREAS**, decisions by the Agency’s Board of Directors made pursuant to rules, regulations, ordinances, and resolutions necessary and appropriate to implement the Plan may be appealed to ensure a fair administration process.

**NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1. Recitals Incorporated**

The above recitals are supported by substantial evidence, incorporated herein by reference and each relied upon independently by the Agency’s Board of Directors in its adoption of this Ordinance.

**SECTION 2. Amendment to the SABGSA Rules and Regulations**

The Agency’s Board of Directors amends the “San Antonio Basin Groundwater Sustainability Agency Rules and Regulations” (“SABGSA Rules and Regulations”), as attached hereto as Exhibit A and incorporated herein by reference, and finds that the amendment to the SABGSA Rules and Regulations is consistent with the Plan and shall promote implementation of the Plan in accordance with SGMA.

**SECTION 3. Amendment**

This Ordinance may be added to, amended, and/or repealed at any time by adoption of a subsequent ordinance of the Agency’s Board of Directors.

**SECTION 4. Effective Date**

This Ordinance shall become effective thirty (30) days after the second reading.

**SECTION 5. Actions Against the Agency**

Nothing contained in this Ordinance shall constitute a waiver by the Agency or operate as an estoppel against the Agency from asserting any defenses or immunities from liability as provided in law, including, but not limited to, those provided in Division 3.6 of Title 1 of the Government Code.

**SECTION 6. Administrative Authorization.**

The Agency Executive Director or designee is hereby authorized and directed to take any such actions as may be necessary and appropriate to implement the intent of this Ordinance.

**SECTION 7. Severability.**

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Ordinance. The Agency Board of Directors hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

**SECTION 8. California Environmental Quality Act**

The Agency’s Board of Directors finds that adoption of this Ordinance, including the SABGSA Rules and Regulations, is exempt from the California Environmental Quality Act pursuant to Sections 15307, 15308, and 15061 subdivision (b)(3) of Title 14 of the California Code of Regulations (“CEQA Guidelines”) because the Ordinance will support implementation of the Plan by establishing rules and regulations to support groundwater management in order to prevent environmental degradation associated with groundwater overdraft and said rules and regulations will not have a significant effect on the environment.

**WE, THE UNDERSIGNED**, do hereby certify that the above and foregoing Ordinance No. 25-001 was duly adopted and passed by the Board of Directors of the San Antonio Basin Groundwater Sustainability Agency at a meeting held on the \_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
, Board Chair

San Antonio Basin Groundwater Sustainability Agency

ATTEST:

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, Secretary

San Antonio Basin Groundwater Sustainability Agency

**EXHIBIT A**

# San Antonio Basin Groundwater Sustainability Agency

## Rules and Regulations

### SECTION 1. Definitions

A. For purposes of these Rules and Regulations, the following definitions apply:

1. “Abandoned Groundwater Extraction Facility” shall mean a Groundwater Extraction Facility that (a) has not been used for a period of at least one year and (b) for which the Operator has not demonstrated an intention to use the Groundwater Extraction Facility by filing a letter of intention of future use with the County of Santa Barbara pursuant to Chapter 34A of the County of Santa Barbara Code of Ordinances.

~~1.2.~~ “AF” means acre-foot.

~~2.3.~~ “APN” means the Santa Barbara County Assessor’s Parcel Number for a property.

~~3.4.~~ “Agency” or “SABGSA” shall refer to the San Antonio Basin Groundwater Sustainability Agency.

~~4.5.~~ “De Minimis Extractor” shall mean a person who extracts, for domestic purposes, two acre-feet or less per year.

~~5.6.~~ “Flow Meter” shall mean a flow meter required to be installed on a Groundwater Extraction Facility pursuant to Section 3 of these Rules and Regulations.

~~6.7.~~ “Flow Meter Installation and Compliance Form” shall mean the form required by the SABGSA pursuant to these Rules and Regulations, which may include an electronic form or electronic submission portal.

~~7.8.~~ “Groundwater Extraction Facility” shall mean a groundwater well or any device or method for extraction of groundwater within the Basin.

~~8.9.~~ “Groundwater Extraction Form” shall mean the form required by the SABGSA pursuant to these Rules and Regulations, which may include an electronic form or electronic submission portal.

10. “Inactive Groundwater Extraction Facility” shall mean a Groundwater Extraction Facility that has not been used for a period of one year or more for the production of groundwater, but is maintained in such a condition that it could be used for production of groundwater in the future and meets all then-applicable standards set by the County of Santa Barbara for inactive water wells. A monitoring well shall be considered an Inactive Groundwater

Extraction Facility provided that the only production of groundwater is for groundwater sampling purposes.

~~9.11.~~ “Operator” shall mean the person responsible for operating a Groundwater Extraction Facility. The Property Owner of the property containing the Groundwater Extraction Facility shall be conclusively presumed to be the operator unless otherwise declared on the Registration.

~~10.12.~~ “Property Owner” shall mean the fee title owner of land within the Agency’s boundaries, including all San Antonio Basin Water District landowners and all Los Alamos Community Services District customers.

~~11.13.~~ “Registration” shall mean submission of the groundwater well registration information as specified in Section 2 of these Rules and Regulations to the Agency.

## **SECTION 2. Groundwater Well Registration**

The Property Owner and/or Operator of each Groundwater Extraction Facility within the Basin shall provide the Agency with groundwater well registration information (to the extent known to the Property Owner and/or Operator at the time of registration) by filling out and submitting a registration form issued by the Agency and returned to the Agency's PO Box or via email.

### **A. Existing Wells**

All existing Groundwater Extraction Facilities located within the boundaries of SABGSA shall be registered with the Agency within sixty (60) days of receiving a registration form and no later than March 31, 2023, whichever occurs later. The Property Owner and/or Operator of a Groundwater Extraction Facility must provide, in full, the information requested on the Agency's registration form, which shall include but not be limited to the following:

1. Name and contact information of the Property Owner;
2. Name and contact information of the Operator, if different than the Property Owner;
3. If appropriate, a certification that the Property Owner does not have a Groundwater Extraction Facility located on their property;
4. Type of Groundwater Extraction Facility and water use;
5. Annual water use information;
6. Groundwater Extraction Facility APN and State Well Number;
7. Physical address and geographic location of each Groundwater Extraction Facility;
8. Date of construction;
9. Well depth;
10. Activity status of the Groundwater Extraction Facility;
11. List of APNs that the Groundwater Extraction Facility serves;
12. Manufacturer/model and type of Groundwater Extraction Facility measuring device, such as a flow meter (for certain users);
13. Recording units of the measuring device (for certain users);
14. Signature of the Property Owner.



**B. New Wells**

All new Groundwater Extraction Facilities located within the Boundaries of SABGSA shall be registered with the Agency, via the same form described above in Section 2.A, no later than March 31, 2023 or within sixty (60) days of well completion, whichever occurs later.

**C. Changes to Registration**

Any change to the information provided in the well registration form described above in Section 2.A, including but not limited to, a change to the Property Owner or Operator of a Groundwater Extraction Facility, must be reported within thirty (30) days of when the change takes effect.

**D. Registration Confidentiality**

The Agency shall keep the information contained in a Registration confidential to the extent permissible under applicable law.

**SECTION 3. Metering and Reporting of Groundwater Extraction**

**A. Exemptions**

~~1. De Minimis Extractors Exempt~~

1. De ~~M~~inimis ~~E~~xtractors are exempt from the metering and reporting requirements in Section 3.

2. ~~Inactive Groundwater Extraction Facilities are exempt from the requirements in Section 3; provided, however, that each Operator of an Inactive Groundwater Extraction Facility must comply with the requirements for Inactive Groundwater Extraction Facilities as set forth in Section ~~I.H3.H.~~~~

~~2.3. Abandoned Groundwater Extraction Facilities are exempt from the requirements of Section 3; provided, however, that each Operator of an Abandoned Groundwater Extraction Facility must comply with the requirements for Abandoned Groundwater Extraction Facilities as set forth in Section ~~I.I3.I.~~~~

~~**B.**~~

~~**C.B. Installation of a Flow Meter**~~

By April 1, 2026, each Groundwater Extraction Facility within the GSA's boundary must have a flow meter installed that meets the following specifications:

1. The Flow Meter must be capable of measuring the volume of groundwater extracted from the Groundwater Extraction Facility with an accuracy level of  $\pm 5\%$ .
2. The Flow Meter must be equipped with either (a) a direct-reading rate-of-flow indicator capable of showing instantaneous flow in gallons per minute or (b) a sweep hand indicator capable of determining the rate-of-flow by timing measurement.
3. The Flow Meter must be equipped with a visual, volume-recording totalizer recorded in gallons, cubic feet, ~~acre-inches~~, or acre-feet.

**D.C. Installation, Operation, Maintenance and Calibration of Flow Meters**

1. The Flow Meter must be installed, operated, and maintained to the manufacturer's specifications, instructions, and recommendations.
2. Prior to installation or by April 1, 2026 at latest, the Flow Meter must be calibrated to achieve an accuracy level of  $\pm 5\%$  by volume of groundwater extracted.
3. The Flow Meter must be calibrated pursuant to the schedule described in the manufacturer's specifications. If no such schedule exists, calibration must be performed at least once every five years.
4. If the verification error exceeds 5% upon calibration, then the Flow Meter must be recalibrated or replaced with a flow meter meeting the requirements of this Section.
5. It is a violation of these Rules and Regulations for a Groundwater Extraction Facility to extract any amount of groundwater without a properly installed, operated, maintained, and calibrated Flow Meter.

**E.D. Documentation of Flow Meter Installation**

By April 1, 2026, the Operator of each Groundwater Extraction Facility within the Basin shall submit a completed Flow Meter Installation and Compliance Form according to the instructions set forth on the form. For any new Groundwater Extraction Facility, the Operator must submit a completed Flow Meter Installation and Compliance Form no later than April 1, 2026 or within sixty (60) days of well completion, whichever occurs later.

**F.E. Requests for Additional Compliance Information**

The SABGSA has the right to request from an Operator additional information concerning a Flow Meter, including but not limited to photographs, certificate of calibration, or the location of the Flow Meter. Upon request by the SABGSA, such information shall be provided within 60 days.

### **G.F. Recording of Meter Readings**

The Operator of any Groundwater Extraction Facility must read and record the Flow Meter totalizer on at least a monthly basis, in between the 1st and 5th day of each month.

### **H.G. Reporting of Meter Readings**

Beginning on November 1, 2026 and on at least a biannual basis (twice per year) thereafter, each Operator shall report the monthly Flow Meter readings for each Groundwater Extraction Facility using the Groundwater Extraction Form, according to the SABGSA's submission instructions. Reporting periods and due dates for the Groundwater Extraction Form shall be as follows:

1. Monthly readings for April through September are due by November 1 of each year.
2. Monthly readings for October through March are due by May 1 of each year.

Each Groundwater Extraction Form must be completed pursuant to SABGSA's then-applicable instructions.

### **H. Inactive Groundwater Extraction Facilities**

1. By April 1, 2026, and on each November 1<sup>st</sup> thereafter, the Operator of each Inactive Groundwater Extraction Facility within the Basin shall submit a completed Inactive Well: Intention of Future Use Form.
2. Prior to commencing groundwater extractions from an Inactive Groundwater Extraction Facility, an Operator must comply with all meter installation requirements under Sections 3.B and 3.C and submit a completed Flow Meter Installation and Compliance Form pursuant to Section 3.D.
3. Once groundwater extractions from a previously Inactive Groundwater Extraction Facility have commenced, the Operator must comply with, and is subject to, all requirements of Section 3. The first Groundwater Extraction Form once groundwater extractions have commenced shall be due at the next earliest due date (May 1<sup>st</sup> or November 1<sup>st</sup>), even if the period of time reported on such Groundwater Extraction Form reflects less than six months of use.

### **I. Abandoned Groundwater Extraction Facilities**

By April 1, 2026, the Operator of each Abandoned Groundwater Extraction Facility shall submit a completed Verification of Well Abandonment Form, which must include a copy of the well destruction permit issued by the County of Santa Barbara for that Groundwater Extraction Facility.

**I.J. Further Administrative Policies**

The Agency’s Executive Director may adopt administrative policies consistent with these Rules and Regulations to collect, manage, and store the data on groundwater extraction collected through Flow Meters in the Basin.

**SECTION 4. Reserved.**

**SECTION 5. Reserved.**

**SECTION 6. Reserved.**

**SECTION 7. Reserved.**

**SECTION 8. Reserved.**

**SECTION 9. Reserved.**

**SECTION 10. Penalties.**

Failure to comply with these Rules and Regulations may result in administrative and civil penalties, in accordance with Water Code Section 10732, as may be determined by the Agency’s Board of Directors. Remedies identified in these Rules and Regulations are not intended to be exclusive. Any other remedy available to the Agency in law or equity may be employed at the discretion of the Board of Directors to address any circumstance related to the management of the Basin in accordance with State law, SGMA, the Agency Plan, or other SABGSA Rules and Regulations.

**SECTION 11. Appeal Process.**

A Property Owner and/or Operator may appeal a decision made pursuant to these Rules and Regulations by filing a written notice of appeal with the Board within 30 calendar days of the notice of the Agency’s decision. The written notice shall include:

1. Name of the Property Owner and/or Operator and address of the Groundwater Extraction Facility (if applicable),
2. Brief description of the project (if applicable),
3. The specific decision that is appealed,
4. The date on which the decision was made,
5. The basis or bases for the appeal,
6. The specific action which the Property Owner and/or Operator requests be taken on appeal, and

7. All information or evidence relied upon to support the appeal.

The Agency's Board of Directors shall consider the appeal expeditiously and, if reasonably possible, at the first regularly scheduled meeting following the filing of an appeal, but no later than 60 calendar days from the date the appeal was filed. The decision of the Board of Directors shall constitute final action on appeal, subject to judicial review pursuant to California Code of Civil Procedure section 1094.5. Appellant shall be responsible for all fees and costs, including staff time, associated with an appeal. The filing of a written notice of appeal shall be accompanied by the appropriate fee established by resolution of the Board of Directors. A deposit agreement approved by the Agency's General Manager between Appellant and the Agency shall specify the terms of Appellant's deposit and reimbursement for the Board of Director's review of an appeal. No part of said fee shall be refundable except as provided in such fee resolution.

**ORDINANCE NO. 25-001**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO BASIN  
GROUNDWATER SUSTAINABILITY AGENCY REQUIRING METERING AND  
REPORTING OF GROUNDWATER EXTRACTION**

**WHEREAS**, the San Antonio Basin Groundwater Sustainability Agency (“Agency”) was formed pursuant to a joint exercise of powers agency (“JPA”) executed on May 16, 2017 between the Cachuma Resource Conservation District and the Los Alamos Community Services District;

**WHEREAS**, the Agency decided to become the exclusive Groundwater Sustainability Agency (“GSA”) for the San Antonio Creek Valley Groundwater Basin (“Basin”) on June 14, 2017;

**WHEREAS**, the San Antonio Basin Water District replaced the Cachuma Resource Conservation District as a member of the JPA on May 19, 2020;

**WHEREAS**, in compliance with the Sustainable Groundwater Management Act (“SGMA”), on December 7, 2021, the Agency adopted the San Antonio Basin Groundwater Sustainability Plan (“Plan”) that establishes the Agency’s groundwater management program and sustainability goal for the Basin;

**WHEREAS**, SGMA, authorizes a local GSA to manage a groundwater basin in a sustainable manner pursuant to its groundwater sustainability plan;

**WHEREAS**, to assist in its management, Water Code Section 10725.2 authorizes GSAs such as the Agency to adopt rules, regulations, ordinances, and resolutions for the purpose of complying with SGMA and perform any act necessary or proper to carry out the purposes of SGMA;

**WHEREAS**, pursuant to Water Code Section 10725.8(a), a GSA may require that the use of every groundwater extraction facility within the management area of the GSA be measured by a water-measuring device satisfactory to the GSA, provided that de minimis extractors are exempt from such requirements;

**WHEREAS**, pursuant to Water Code Section 10725.8(c), a GSA may also require that the owner or operator of a groundwater extraction facility file statements with the GSA setting forth the total extraction in acre-feet of groundwater from the facility during the previous water year;

**WHEREAS**, the Plan identifies development of a metering and reporting program as a Tier 1 Management Action;

**WHEREAS**, to sustainably manage the Basin, the Agency requires consistent and reliable data on the volume of groundwater extracted from each groundwater extraction facility in the Basin;

**WHEREAS**, to implement the Plan, the Agency finds it necessary and in the best interest of both the Agency and the Basin to adopt an ordinance requiring all landowners within the Basin, except de minimis extractors, to install measuring devices on groundwater extraction facilities and file reports on a biannual basis reporting groundwater extraction to the Agency;

**WHEREAS**, pursuant to Water Code Section 10725 et seq., SGMA empowers the Agency with the authority to enforce adopted rules, regulations, ordinances, and resolutions necessary and appropriate to implement the Plan; and

**WHEREAS**, decisions by the Agency's Board of Directors made pursuant to rules, regulations, ordinances, and resolutions necessary and appropriate to implement the Plan may be appealed to ensure a fair administration process.

**NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1. Recitals Incorporated**

The above recitals are supported by substantial evidence, incorporated herein by reference and each relied upon independently by the Agency's Board of Directors in its adoption of this Ordinance.

**SECTION 2. Amendment to the SABGSA Rules and Regulations**

The Agency's Board of Directors amends the "San Antonio Basin Groundwater Sustainability Agency Rules and Regulations" ("SABGSA Rules and Regulations"), as attached hereto as Exhibit A and incorporated herein by reference, and finds that the amendment to the SABGSA Rules and Regulations is consistent with the Plan and shall promote implementation of the Plan in accordance with SGMA.

**SECTION 3. Amendment**

This Ordinance may be added to, amended, and/or repealed at any time by adoption of a subsequent ordinance of the Agency's Board of Directors.

**SECTION 4. Effective Date**

This Ordinance shall become effective thirty (30) days after the second reading.

**SECTION 5. Actions Against the Agency**

Nothing contained in this Ordinance shall constitute a waiver by the Agency or operate as an estoppel against the Agency from asserting any defenses or immunities from liability as provided in law, including, but not limited to, those provided in Division 3.6 of Title 1 of the Government Code.

**SECTION 6. Administrative Authorization.**

The Agency Executive Director or designee is hereby authorized and directed to take any such actions as may be necessary and appropriate to implement the intent of this Ordinance.

**SECTION 7. Severability.**

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Ordinance. The Agency Board of Directors hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

**SECTION 8. California Environmental Quality Act**

The Agency’s Board of Directors finds that adoption of this Ordinance, including the SABGSA Rules and Regulations, is exempt from the California Environmental Quality Act pursuant to Sections 15307, 15308, and 15061 subdivision (b)(3) of Title 14 of the California Code of Regulations (“CEQA Guidelines”) because the Ordinance will support implementation of the Plan by establishing rules and regulations to support groundwater management in order to prevent environmental degradation associated with groundwater overdraft and said rules and regulations will not have a significant effect on the environment.

**WE, THE UNDERSIGNED**, do hereby certify that the above and foregoing Ordinance No. 25-001 was duly adopted and passed by the Board of Directors of the San Antonio Basin Groundwater Sustainability Agency at a meeting held on the \_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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, Board Chair

San Antonio Basin Groundwater Sustainability Agency



ATTEST:

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, Secretary

San Antonio Basin Groundwater Sustainability Agency

**EXHIBIT A**

## San Antonio Basin Groundwater Sustainability Agency

### Rules and Regulations

#### SECTION 1. Definitions

- A. For purposes of these Rules and Regulations, the following definitions apply:
1. “Abandoned Groundwater Extraction Facility” shall mean a Groundwater Extraction Facility that (a) has not been used for a period of at least one year and (b) for which the Operator has not demonstrated an intention to use the Groundwater Extraction Facility by filing a letter of intention of future use with the County of Santa Barbara pursuant to Chapter 34A of the County of Santa Barbara Code of Ordinances.
  2. “AF” means acre-foot.
  3. “APN” means the Santa Barbara County Assessor’s Parcel Number for a property.
  4. “Agency” or “SABGSA” shall refer to the San Antonio Basin Groundwater Sustainability Agency.
  5. “De Minimis Extractor” shall mean a person who extracts, for domestic purposes, two acre-feet or less per year.
  6. “Flow Meter” shall mean a flow meter required to be installed on a Groundwater Extraction Facility pursuant to Section 3 of these Rules and Regulations.
  7. “Flow Meter Installation and Compliance Form” shall mean the form required by the SABGSA pursuant to these Rules and Regulations, which may include an electronic form or electronic submission portal.
  8. “Groundwater Extraction Facility” shall mean a groundwater well or any device or method for extraction of groundwater within the Basin.
  9. “Groundwater Extraction Form” shall mean the form required by the SABGSA pursuant to these Rules and Regulations, which may include an electronic form or electronic submission portal.
  10. “Inactive Groundwater Extraction Facility” shall mean a Groundwater Extraction Facility that has not been used for a period of one year or more for the production of groundwater, but is maintained in such a condition that it could be used for production of groundwater in the future and meets all then-applicable standards set by the County of Santa Barbara for inactive water wells. A monitoring well shall be considered an Inactive Groundwater

Extraction Facility provided that the only production of groundwater is for groundwater sampling purposes.

11. "Operator" shall mean the person responsible for operating a Groundwater Extraction Facility. The Property Owner of the property containing the Groundwater Extraction Facility shall be conclusively presumed to be the operator unless otherwise declared on the Registration.
12. "Property Owner" shall mean the fee title owner of land within the Agency's boundaries, including all San Antonio Basin Water District landowners and all Los Alamos Community Services District customers.
13. "Registration" shall mean submission of the groundwater well registration information as specified in Section 2 of these Rules and Regulations to the Agency.

## **SECTION 2. Groundwater Well Registration**

The Property Owner and/or Operator of each Groundwater Extraction Facility within the Basin shall provide the Agency with groundwater well registration information (to the extent known to the Property Owner and/or Operator at the time of registration) by filling out and submitting a registration form issued by the Agency and returned to the Agency's PO Box or via email.

### **A. Existing Wells**

All existing Groundwater Extraction Facilities located within the boundaries of SABGSA shall be registered with the Agency within sixty (60) days of receiving a registration form and no later than March 31, 2023, whichever occurs later. The Property Owner and/or Operator of a Groundwater Extraction Facility must provide, in full, the information requested on the Agency's registration form, which shall include but not be limited to the following:

1. Name and contact information of the Property Owner;
2. Name and contact information of the Operator, if different than the Property Owner;
3. If appropriate, a certification that the Property Owner does not have a Groundwater Extraction Facility located on their property;
4. Type of Groundwater Extraction Facility and water use;
5. Annual water use information;
6. Groundwater Extraction Facility APN and State Well Number;
7. Physical address and geographic location of each Groundwater Extraction Facility;
8. Date of construction;
9. Well depth;
10. Activity status of the Groundwater Extraction Facility;
11. List of APNs that the Groundwater Extraction Facility serves;
12. Manufacturer/model and type of Groundwater Extraction Facility measuring device, such as a flow meter (for certain users);
13. Recording units of the measuring device (for certain users);
14. Signature of the Property Owner.

**B. New Wells**

All new Groundwater Extraction Facilities located within the Boundaries of SABGSA shall be registered with the Agency, via the same form described above in Section 2.A, no later than March 31, 2023 or within sixty (60) days of well completion, whichever occurs later.

**C. Changes to Registration**

Any change to the information provided in the well registration form described above in Section 2.A, including but not limited to, a change to the Property Owner or Operator of a Groundwater Extraction Facility, must be reported within thirty (30) days of when the change takes effect.

**D. Registration Confidentiality**

The Agency shall keep the information contained in a Registration confidential to the extent permissible under applicable law.

**SECTION 3. Metering and Reporting of Groundwater Extraction**

**A. Exemptions**

1. De Minimis Extractors are exempt from the metering and reporting requirements in Section 3.
2. Inactive Groundwater Extraction Facilities are exempt from the requirements in Section 3; provided, however, that each Operator of an Inactive Groundwater Extraction Facility must comply with the requirements for Inactive Groundwater Extraction Facilities as set forth in Section I.H.
3. Abandoned Groundwater Extraction Facilities are exempt from the requirements of Section 3; provided, however, that each Operator of an Abandoned Groundwater Extraction Facility must comply with the requirements for Abandoned Groundwater Extraction Facilities as set forth in Section I.I.

**B. Installation of a Flow Meter**

By April 1, 2026, each Groundwater Extraction Facility within the GSA's boundary must have a flow meter installed that meets the following specifications:

1. The Flow Meter must be capable of measuring the volume of groundwater extracted from the Groundwater Extraction Facility with an accuracy level of  $\pm 5\%$ .
2. The Flow Meter must be equipped with either (a) a direct-reading rate-of-flow indicator capable of showing instantaneous flow in gallons per

minute or (b) a sweep hand indicator capable of determining the rate-of-flow by timing measurement.

3. The Flow Meter must be equipped with a visual, volume-recording totalizer recorded in gallons, cubic feet, or acre-feet.

**C. Installation, Operation, Maintenance and Calibration of Flow Meters**

1. The Flow Meter must be installed, operated, and maintained to the manufacturer's specifications, instructions, and recommendations.
2. Prior to installation or by April 1, 2026 at latest, the Flow Meter must be calibrated to achieve an accuracy level of  $\pm 5\%$  by volume of groundwater extracted.
3. The Flow Meter must be calibrated pursuant to the schedule described in the manufacturer's specifications. If no such schedule exists, calibration must be performed at least once every five years.
4. If the verification error exceeds 5% upon calibration, then the Flow Meter must be recalibrated or replaced with a flow meter meeting the requirements of this Section.
5. It is a violation of these Rules and Regulations for a Groundwater Extraction Facility to extract any amount of groundwater without a properly installed, operated, maintained, and calibrated Flow Meter.

**D. Documentation of Flow Meter Installation**

By April 1, 2026, the Operator of each Groundwater Extraction Facility within the Basin shall submit a completed Flow Meter Installation and Compliance Form according to the instructions set forth on the form. For any new Groundwater Extraction Facility, the Operator must submit a completed Flow Meter Installation and Compliance Form no later than April 1, 2026 or within sixty (60) days of well completion, whichever occurs later.

**E. Requests for Additional Compliance Information**

The SABGSA has the right to request from an Operator additional information concerning a Flow Meter, including but not limited to photographs, certificate of calibration, or the location of the Flow Meter. Upon request by the SABGSA, such information shall be provided within 60 days.

**F. Recording of Meter Readings**

The Operator of any Groundwater Extraction Facility must read and record the Flow Meter totalizer on at least a monthly basis, in between the 1st and 5th day of each month.

**G. Reporting of Meter Readings**

Beginning on November 1, 2026 and on at least a biannual basis (twice per year) thereafter, each Operator shall report the monthly Flow Meter readings for each Groundwater Extraction Facility using the Groundwater Extraction Form, according to the SABGSA's submission instructions. Reporting periods and due dates for the Groundwater Extraction Form shall be as follows:

1. Monthly readings for April through September are due by November 1 of each year.
2. Monthly readings for October through March are due by May 1 of each year.

Each Groundwater Extraction Form must be completed pursuant to SABGSA's then-applicable instructions.

#### **H. Inactive Groundwater Extraction Facilities**

1. By April 1, 2026, and on each November 1<sup>st</sup> thereafter, the Operator of each Inactive Groundwater Extraction Facility within the Basin shall submit a completed Inactive Well: Intention of Future Use Form.
2. Prior to commencing groundwater extractions from an Inactive Groundwater Extraction Facility, an Operator must comply with all meter installation requirements under Sections 3.B and 3.C and submit a completed Flow Meter Installation and Compliance Form pursuant to Section 3.D.
3. Once groundwater extractions from a previously Inactive Groundwater Extraction Facility have commenced, the Operator must comply with, and is subject to, all requirements of Section 3. The first Groundwater Extraction Form once groundwater extractions have commenced shall be due at the next earliest due date (May 1<sup>st</sup> or November 1<sup>st</sup>), even if the period of time reported on such Groundwater Extraction Form reflects less than six months of use.

#### **I. Abandoned Groundwater Extraction Facilities**

By April 1, 2026, the Operator of each Abandoned Groundwater Extraction Facility shall submit a completed Verification of Well Abandonment Form, which must include a copy of the well destruction permit issued by the County of Santa Barbara for that Groundwater Extraction Facility.

#### **J. Further Administrative Policies**

The Agency's Executive Director may adopt administrative policies consistent with these Rules and Regulations to collect, manage, and store the data on groundwater extraction collected through Flow Meters in the Basin.



**SECTION 4. Reserved.**

**SECTION 5. Reserved.**

**SECTION 6. Reserved.**

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**SECTION 10. Penalties.**

Failure to comply with these Rules and Regulations may result in administrative and civil penalties, in accordance with Water Code Section 10732, as may be determined by the Agency's Board of Directors. Remedies identified in these Rules and Regulations are not intended to be exclusive. Any other remedy available to the Agency in law or equity may be employed at the discretion of the Board of Directors to address any circumstance related to the management of the Basin in accordance with State law, SGMA, the Agency Plan, or other SABGSA Rules and Regulations.

**SECTION 11. Appeal Process.**

A Property Owner and/or Operator may appeal a decision made pursuant to these Rules and Regulations by filing a written notice of appeal with the Board within 30 calendar days of the notice of the Agency's decision. The written notice shall include:

1. Name of the Property Owner and/or Operator and address of the Groundwater Extraction Facility (if applicable),
2. Brief description of the project (if applicable),
3. The specific decision that is appealed,
4. The date on which the decision was made,
5. The basis or bases for the appeal,
6. The specific action which the Property Owner and/or Operator requests be taken on appeal, and
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The Agency's Board of Directors shall consider the appeal expeditiously and, if reasonably possible, at the first regularly scheduled meeting following the filing of an appeal, but no later than 60 calendar days from the date the appeal was filed. The decision of the Board of Directors shall constitute final action on appeal, subject to judicial review pursuant to California Code of Civil

Procedure section 1094.5. Appellant shall be responsible for all fees and costs, including staff time, associated with an appeal. The filing of a written notice of appeal shall be accompanied by the appropriate fee established by resolution of the Board of Directors. A deposit agreement approved by the Agency's General Manager between Appellant and the Agency shall specify the terms of Appellant's deposit and reimbursement for the Board of Director's review of an appeal. No part of said fee shall be refundable except as provided in such fee resolution.