



## 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 its regular **Board Meeting** at **6:00 P.M.** on **Tuesday, May 16, 2023** 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=WHplQmZTR2hoY2NWa3J2MDczbnhtUT09>

Meeting ID: 831 2740 1605 Passcode: 203727

Dial: (669) 900 6833

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

#### BOARD OF DIRECTORS MEETING AGENDA

**Tuesday, May 16, 2023**

**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 April 18, 2023, Regular Meeting**

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

- i. The Board will receive a report from the accountant regarding finances and expenses.
- 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

**d. Board Member Updates**

- Board members will provide any updates relevant to the 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. DISCUSSION AND ACTION ITEMS**

### **a. Vandenberg Space Force Base Update**

Ken Domako will give a brief presentation on the desalination project at Vandenberg Space Force Base and provide any program/project updates relevant to the San Antonio Basin GSA.

### **b. SABGSA Well Registration Program Update & Potential Administrative/Civil Penalties for Failure to Comply**

The Board will receive an update on the status of the Well Registration Program. Per Ordinance 22-001, well registration forms were due March 31, 2023. The Board will receive a recommendation from the Well Registration & Metering Ad Hoc Committee regarding the process and timeline for imposing administrative and/or civil penalties, in accordance with Water Code Section 10732, for landowners that have failed to comply with Ordinance 22-001. The Board may take action and/or provide specific direction to SABGSA staff, the Well Registration & Metering Ad Hoc Committee, and/or legal counsel.

### **c. SABGSA Budget Priorities for Fiscal Year 2023-24**

The Board of Directors will discuss priorities for the San Antonio Basin Groundwater Sustainability Agency and review the initial draft of the budget for fiscal year 2023-24. The Board may direct staff on this item.

## **7. ADJOURN**

**NEXT MEETING: June 20, 2023, at 6pm**



**SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY (SABGSA)**  
**BOARD OF DIRECTORS MEETING**  
**UNAPPROVED MINUTES**  
**Tuesday, April 18, 2023**

1. **CALL TO ORDER and ROLL CALL** – The meeting was called to order by President Sharer at 6:00pm at the Los Alamos Community Services District, 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, Juan Gomez, Alternate Bart Haycraft, Randy Sharer, Alternate Jim Stollberg, Chris Wrather

**Alternates present, but not acting on behalf of a Director:** None

**Directors Absent:** Tom Durant, Kevin Merrill, Patrice Mosby, Kenny Pata

2. **PLEDGE OF ALLEGIANCE**

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

No public comments received.

4. **CONSENT ITEMS**

- a. **Approve Minutes from March 21, 2023, SABGSA Board Meeting**

**Motion by Director Wrather, second by Director Chabot to approve the minutes of the March 21, 2023 Board meeting, as presented.**

**Ayes:** Dan Chabot, Juan Gomez, Alternate Bart Haycraft, Randy Sharer, Alternate Jim Stollberg, Chris Wrather

**Nos:** None; **Absent:** Tom Durant, Kevin Merrill, Patrice Mosby, Kenny Pata; **Abstain:** None.

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

**Motion by Director Chabot, second by Alternate Director Stollberg to approve the financial report dated March 31, 2023, as presented.**

**Ayes:** Dan Chabot, Juan Gomez, Alternate Bart Haycraft, Randy Sharer, Alternate Jim Stollberg, Chris Wrather

**Nos:** None; **Absent:** Tom Durant, Kevin Merrill, Patrice Mosby, Kenny Pata; **Abstain:** None.

6. **INFORMATIONAL ITEMS**

- a. **Executive Director Updates**

- **Solomon Hills Development:** Executive Director Stephanie Bertoux reported that there have been several inquiries regarding the SABGSA's formal position on the proposed Solomon Hills Development. Generally, the SABGSA's role has been to fulfill its statutory mandates under the Sustainable Groundwater Management Act to manage the basin as a whole rather than taking positions on specific developments. Given the significance of the Solomon Hills project, however, the SABGSA is continuing to closely monitor this development. Once a more detailed water supply portfolio is available for the project, the SABGSA Board of Directors will be in a better position to discuss during a public meeting and consider whether to take any action with respect to the development.

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

Executive Director Donna Glass reported that the San Antonio Basin Water District (SABWD) Board of Directors met on April 18, 2023.

- 43% of the delinquent assessments levied in 2021 have been collected to date.
- 95% of the assessments levied in 2022 have been collected to date.
- The SABWD Board approved the SABGSA's fund request.
- The SABWD continues to assist the SABGSA with the Well Registration Program, as needed.

**c. Advisory Committee Updates**

- The Advisory Committee did not meet in April 2023.

**d. Board Member Updates**

- None.

**7. DISCUSSION AND ACTION ITEMS**

**a. Q1 2023 Quarterly Water Level Monitoring Report**

President Randy Sharer provided an overview of the Q1 2023 Quarterly Water Level Monitoring Report prepared by GSI Water Solutions, Inc. The Q1 2023 report is posted on SABGSA's website. The Board did not take action on this item.

**b. SABGSA Well Registration Program Update**

SABGSA Executive Director Stephanie Bertoux provided the following update on the Well Registration Program. Pursuant to Ordinance No. 22-001, well registration forms were due on March 31, 2023. To date, 72% of SABWD landowners have submitted well registration forms. The remaining 28% account for a total of 600 irrigated acres and 7,971 non-irrigated acres in the Basin. To date, 48% of landowners within the LACSD service area have submitted well registration forms. Of the 241 registered wells, 88 have meters installed. SABGSA Executive Director Stephanie Bertoux reviewed the following procedural steps, recommended by SABGSA legal counsel, required to impose penalties for non-compliance.

General Considerations

- SABGSA has prosecutorial discretion and is not legally required to pursue enforcement.
- There is no deadline to commence enforcement action against non-compliant landowners.
- SABGSA may pursue enforcement of the well registration requirement as part of a future Program such as metering or allocations. For instance, compliance with well registration requirements could be a prerequisite to receiving a pumping allocation.

Procedural Steps

Legal costs for Steps 1-5 below could range from \$15,000 - \$30,000.

- Step 1: Further pursue voluntary compliance through outreach to landowners.
- Step 2: Board considers adoption of an Administrative Policy.
  - o Administrative Policy could set penalty at up to \$1,000 and \$100/day.
  - o Policy can exclude de minimis pumpers and focus on lands with confirmed wells.
- Step 3: Send final warning letter to non-compliant landowners, citing new administrative policy, and requiring compliance by X date (at least 30 days out).
- Step 4: Send formal Notices of Violation to non-compliant landowners imposing monetary Penalty. The SABGSA must offer an opportunity for a public hearing.
- Step 5: Public hearing on penalties if requested by landowners.

- Step 6: For landowners that ignore Notices of Violation, commence judicial (i.e., “civil”) enforcement by filing a lawsuit in Santa Barbara County Superior Court to pursue injunctive relief and/or property liens.

There was consensus among the Board that the SABGSA should enforce the well registration program. The Board directed the SABGSA Executive Director and Ad Hoc Committee to make a recommendation regarding the timing of well registration program enforcement at the May board meeting.

**c. SABGSA Budget Priorities for Fiscal Year 2023-24**

The Board briefly discussed the budget priorities for fiscal year 2022-23 and directed staff to prepare a draft budget to be reviewed at the May board meeting.

**8. NEXT MEETING: May 16, 2023, at 6pm at the Los Alamos Community Services District.**

**9. ADJOURN – 7:37pm**

Please contact Stephanie Bertoux at [admin@sanantoniobasingsa.org](mailto:admin@sanantoniobasingsa.org) with any questions.

**San Antonio Basin GSA**  
**Profit & Loss Budget vs. Actual**  
July 2022 through April 2023

83% of the year has elapsed	<u>Jul '22 - Apr 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
01 DWR Grant #1 Payments	28,805.44	29,000.00	-194.56	99.33%
01 DWR Grant #2 Payments	60,885.18	63,000.00	-2,114.82	96.64%
4-Interest Income	9.90			
<b>Total Income</b>	<u>89,700.52</u>	<u>92,000.00</u>	<u>-2,299.48</u>	<u>97.5%</u>
<b>Expense</b>				
<b>Administration and Operation</b>				
01Administrative Exp/Office Ex	46,150.72	91,000.00	-44,849.28	50.72%
02-Accountant	5,950.00	10,000.00	-4,050.00	59.5%
03-Comm Eng Grant Wrtnng NonGSP	34,995.00	35,000.00	-5.00	99.99%
04-Monitoring	53,598.51	63,145.00	-9,546.49	84.88%
05-Legal Counsel	51,015.73	80,000.00	-28,984.27	63.77%
06-Insurance	1,734.00	2,500.00	-766.00	69.36%
07-Audit Fees	1,280.00	3,500.00	-2,220.00	36.57%
09-GSP Related Costs-Annual Rep	49,988.90	75,000.00	-25,011.10	66.65%
10-GSP Implementation / PMAs	53,142.83	226,500.00	-173,357.17	23.46%
11- Executive Order	0.00	25,000.00	-25,000.00	0.0%
<b>Total Administration and Operation</b>	<u>297,855.69</u>	<u>611,645.00</u>	<u>-313,789.31</u>	<u>48.7%</u>
<b>Total Expense</b>	<u>297,855.69</u>	<u>611,645.00</u>	<u>-313,789.31</u>	<u>48.7%</u>
<b>Net Ordinary Income</b>	-208,155.17	-519,645.00	311,489.83	40.06%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
11 Operating Transfers	287,000.00	762,300.00	-475,300.00	37.65%
<b>Total Other Income</b>	<u>287,000.00</u>	<u>762,300.00</u>	<u>-475,300.00</u>	<u>37.65%</u>
<b>Other Expense</b>				
Contingency (10%)	0.00	242,655.00	-242,655.00	0.0%
<b>Total Other Expense</b>	<u>0.00</u>	<u>242,655.00</u>	<u>-242,655.00</u>	<u>0.0%</u>
<b>Net Other Income</b>	<u>287,000.00</u>	<u>519,645.00</u>	<u>-232,645.00</u>	<u>55.23%</u>
<b>Net Income</b>	<u><u>78,844.83</u></u>	<u><u>0.00</u></u>	<u><u>78,844.83</u></u>	<u><u>100.0%</u></u>

# San Antonio Basin GSA

## Balance Sheet

As of April 30, 2023

Apr 30, 23

### ASSETS

#### Current Assets

##### Checking/Savings

Community Bank of SM -ACCT 9006 81,412.42

Community Bank of SM MMKT-9014 25,027.81

Total Checking/Savings 106,439.34

Total Current Assets 106,439.34

**TOTAL ASSETS 106,439.34**

### LIABILITIES & EQUITY

#### Equity

Retained Earnings 27,594.51

Net Income 78,844.83

Total Equity 106,439.34

**TOTAL LIABILITIES & EQUITY 106,439.34**

# San Antonio Basin GSA Expenses by Vendor Detail

April 2023

	<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Account</u>	<u>Split</u>	<u>Amount</u>
<b>BERTOUX &amp; COMPANY</b>						
	Check	04/17/2023	3009	01Administrative Exp/Office Ex	Community Bank of SM -ACCT 9006	5,000.00
Total BERTOUX & COMPANY						<u>5,000.00</u>
<b>Brownstein Hyatt Farber Schreck</b>						
	Check	04/17/2023	3010	05-Legal Counsel	Community Bank of SM -ACCT 9006	787.50
Total Brownstein Hyatt Farber Schreck						<u>787.50</u>
<b>Carrie Troup, C.P.A.</b>						
	Check	04/17/2023	3011	02-Accountant	Community Bank of SM -ACCT 9006	675.00
Total Carrie Troup, C.P.A.						<u>675.00</u>
<b>GSI WATER SOLUTIONS, INC.</b>						
	Check	04/17/2023	3014	09-GSP Related Costs-Annual Rep	Community Bank of SM -ACCT 9006	11,657.50
	Check	04/17/2023	3015	04-Monitoring	Community Bank of SM -ACCT 9006	1,350.00
	Check	04/17/2023	3016	04-Monitoring	Community Bank of SM -ACCT 9006	13,009.08
Total GSI WATER SOLUTIONS, INC.						<u>26,016.58</u>
<b>Los Alamos CSD</b>						
	Check	04/17/2023	3012	01Administrative Exp/Office Ex	Community Bank of SM -ACCT 9006	200.00
Total Los Alamos CSD						<u>200.00</u>
<b>WALLACE GROUP</b>						
	Check	04/17/2023	3013	10-GSP Implementation / PMAs	Community Bank of SM -ACCT 9006	860.00
Total WALLACE GROUP						<u>860.00</u>
<b>TOTAL</b>						<u><u><b>33,539.08</b></u></u>



SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY  
**DRAFT BUDGET FOR FY 2023-24**

5/09/2023

Budget for FY 2023-24 assumes \$0 in grant funding. 2022-23 YTD is through April 30,, 2023.

INCOME	2022-23 YTD	2022-23 BUDGET	2023-24 BUDGET	2024-25 BUDGET	2025-26 BUDGET
01 DWR Grant #1	\$28,805.44	\$29,000.00	\$0.00	\$0.00	\$0.00
02 DWR Grant #2	\$60,885.18	\$63,000.00	\$0.00	\$0.00	\$0.00
Interest Earned	\$9.90	\$0.00	\$0.00	\$0.00	\$0.00
Operating Transfers from SABWD	\$287,000.00	\$762,300.00	\$548,000.00	\$555,000.00	\$600,000.00
<b>Total Income</b>	<b>\$376,700.52</b>	<b>\$854,300.00</b>	<b>\$548,000.00</b>	<b>\$555,000.00</b>	<b>\$600,000.00</b>

EXPENSES	2022-23 YTD	2022-23 BUDGET	2023-24 BUDGET	2024-25 BUDGET	2025-26 BUDGET
01 - Administrative/Office Exp					
Payroll	\$43,269.69	\$80,000.00	\$70,000.00	\$70,000.00	\$70,000.00
Website	\$244.74	\$5,000.00	\$3,000.00	\$0.00	\$0.00
Facilities Use and Support Services	\$1,600.00	\$5,000.00	\$2,400.00	\$2,400.00	\$2,400.00
Supplies	\$257.54	\$1,000.00	\$500.00	\$500.00	\$500.00
02 - Accountant	\$5,950.00	\$10,000.00	\$7,500.00	\$7,500.00	\$7,500.00
03 - Comm Eng/Grant Writing/Non-GSP	\$34,995.00	\$35,000.00	\$0.00	\$0.00	\$35,000.00
04 - Monitoring					
Quarterly Monitoring & Reporting	\$33,600.88	\$63,145.00	\$50,000.00	\$50,000.00	\$50,000.00
Annual Maintenance	\$19,997.63	\$20,000.00	\$20,000.00	\$10,000.00	\$10,000.00
Contingency for Field Issues & New Equipment	\$0.00	\$0.00	\$20,000.00	\$10,000.00	\$10,000.00
05 - Legal Counsel	\$51,015.73	\$80,000.00	\$75,000.00	\$50,000.00	\$50,000.00
06 - Insurance	\$1,734.00	\$2,500.00	\$3,000.00	\$3,000.00	\$3,000.00
07 - Audit Fees	\$1,280.00	\$3,500.00	\$4,000.00	\$4,000.00	\$4,000.00
08 - GSP Development Consultant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
09 - GSP Related Costs					
GSP Annual Report	\$49,988.90	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
GSP Corrective Action	\$0.00	\$25,000.00	\$50,000.00	\$0.00	\$0.00
10 - GSP Implementation / PMAs					
Address Data Gaps					
Barka Slough Stream Gage Installation	\$0.00	\$15,000.00	\$0.00	\$15,000.00	\$0.00
GDE & Barka Slough Survey	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Streamflow Monitoring, Maintenance, & Calibration	\$0.00	\$30,000.00	\$0.00	\$15,000.00	\$15,000.00
Update Water Use Factors	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00
USGS Model Review	\$0.00	\$0.00	\$20,000.00	\$0.00	\$0.00
Well Surveys (Hydrogeologist)	\$0.00	\$15,000.00	\$15,000.00	\$0.00	\$0.00
Well Surveys (Contractor)	\$0.00	\$35,000.00	\$40,000.00	\$0.00	\$0.00
Pumping Fee Program	\$0.00	\$0.00	\$0.00	\$0.00	\$25,000.00
On-Call Hydrogeological Consulting	\$42,919.70	\$75,000.00	\$55,000.00	\$55,000.00	\$55,000.00
Rate Study	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Stakeholder Workshops	\$0.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
Sustainable Yield Allocation Program	\$0.00	\$0.00	\$0.00	\$75,000.00	\$75,000.00
Water Use Efficiency Programs	\$0.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00
Water Credit & Marketing Program	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Well Census & Registration Program	\$11,001.88	\$25,000.00	\$0.00	\$0.00	\$0.00
Well Impact Study/Analysis	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Well Metering Program	\$0.00	\$25,000.00	\$10,000.00	\$75,000.00	\$75,000.00
11 - Executive Order - Written Verifications	\$0.00	\$25,000.00	\$0.00	\$0.00	\$0.00
<b>TOTAL EXPENSES</b>	<b>\$297,855.69</b>	<b>\$631,645.00</b>	<b>\$496,900.00</b>	<b>\$503,900.00</b>	<b>\$548,900.00</b>

TOTAL	YTD ACTUALS	2022-23 BUDGET	2023-24 BUDGET	2024-25 BUDGET	2025-26 BUDGET
<b>Income Total</b>	<b>\$376,700.52</b>	<b>\$854,300.00</b>	<b>\$548,000.00</b>	<b>\$555,000.00</b>	<b>\$600,000.00</b>
Expenses	\$297,855.69	\$631,645.00	\$496,900.00	\$503,900.00	\$548,900.00
Operational Contingency	\$0.00	\$122,330.00	\$50,000.00	\$50,000.00	\$50,000.00
DWR Contingency	\$0.00	\$120,325.00	\$0.00	\$0.00	\$0.00
<b>Expenses Total</b>	<b>\$297,855.69</b>	<b>\$874,300.00</b>	<b>\$546,900.00</b>	<b>\$553,900.00</b>	<b>\$598,900.00</b>

# BUDGET PRIORITIES FOR DISCUSSION

5/09/2023

## GSP Implementation

Well Registration Program	\$0.00
Metering Policy & Plan Development	\$50,000.00
Flow Meter Installation Program	\$10,000
Stakeholder Engagement / Outreach	\$1,500
Investigate Enhanced DMS	\$0
Address GSP Data Gaps	\$75,000
<b>Total</b>	<b>\$136,500.00</b>

## Annual Expenses

Administrative/Office Expenses	\$75,900
Accounting	\$7,500
Audit	\$4,000
Insurance	\$3,000
Legal Expenses	\$25,000
GSP Annual Report	\$50,000
<b>Total</b>	<b>\$165,400</b>

## Monitoring & Maintenance

Quarterly GW Level Monitoring & F	\$50,000
Annual Maintenance	\$20,000
Contingency & Equipment	\$20,000
<b>Total</b>	<b>\$90,000</b>

**GSP Corrective Action Total \$50,000.00**

**Hydrogeological Services \$55,000.00**

