



SANTA ROSA PLAIN
GROUNDWATER
SUSTAINABILITY AGENCY

Board Meeting

JUNE 13, 2019

Agenda

1. **Call to Order and Roll Call**
2. **Public comment on matters not listed on the agenda but within the subject matter jurisdiction of the board**
3. **Consent Calendar**
 - a. Approve Minutes of April 11, 2019
 - b. Approve Year-to-Date Financial Report and In-Kind Member Agency Contributions for Fiscal Year 2018-19
4. **Directors/Subcommittee Report**
5. **Advisory Committee Report**
6. **Action Items**
 - a. **Groundwater User Fee and Registration Program.** Consider adoption of "An Ordinance Requiring Registration of Groundwater Use Facilities, Water User Reporting and Authorizing the Adoption of Groundwater Sustainability Fee."
 - b. **Raftelis "Santa Rosa Plain Groundwater Sustainability Agency Rate Study Report".** Consider Acceptance and Approval of Report to be used to as a basis to establish a groundwater sustainability fee as authorized by Water Code section 10730 and pursuant Agency Ordinance No. 19-01.
 - c. **Resolution Establishing a Groundwater Sustainability Fee.** Consider adoption of resolution to establish a groundwater sustainability fee as authorized by Water Code section 10730 and pursuant Agency Ordinance No. 19-01.
 - d. **Agency Reserve Policy.** Review and consider adoption of policy for Agency financial reserves.

Agenda

7. Information Items

- a. Sonoma Water and Sonoma County's plan to offset proposed groundwater fee
- b. Groundwater Sustainability Plan
- c. Draft process for considering new GSA membership

8. Administrator, Plan Manager and Legal Counsel Report

9. Adjournment

Consent Calendar

- a. Approve Minutes of April 11, 2019
- b. Approve Year-to-Date Financial Report and In-Kind Member Agency Contributions for Fiscal Year 2018-19

Directors/ Subcommittee Report

Advisory Committee Report

Action Items

- a. **Groundwater User Fee and Registration Program.** Consider adoption of "An Ordinance Requiring Registration of Groundwater Use Facilities, Water User Reporting and Authorizing the Adoption of Groundwater Sustainability Fee."
- b. **Raftelis "Santa Rosa Plain Groundwater Sustainability Agency Rate Study Report".** Consider Acceptance and Approval of Report to be used to as a basis to establish a groundwater sustainability fee as authorized by Water Code section 10730 and pursuant Agency Ordinance No. 19-01.
- c. **Resolution Establishing a Groundwater Sustainability Fee.** Consider adoption of resolution to establish a groundwater sustainability fee as authorized by Water Code section 10730 and pursuant Agency Ordinance No. 19-01.
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a. Groundwater User Fee and Registration Program

Consider adoption of "An Ordinance Requiring Registration of Groundwater Use Facilities, Water User Reporting and Authorizing the Adoption of Groundwater Sustainability Fee."

- Background of ordinance
- Components of Ordinance: Fee & Registration Program
- Why registration program is needed
- Registration program implementation
- Recommended action

Ordinance Background

Member agency contributions funded GSA operating expenses from formation July 1, 2017 through June 30, 2019

GSA becomes self-funded July 1, 2019

Adoption of “An Ordinance Requiring Registration of Groundwater Use Facilities, Water User Reporting and Authorizing the Adoption of Groundwater Sustainability Fee” allows GSA to establish a fee in accordance with the approved methodology for July 2019 – June 2022

Ordinance Background

March 14, 2019 – Board unanimously approved fee methodology

April 11, 2019 – Board approved first reading of Ordinance

April/May 2019 – Staff received helpful suggestions to refine and improve Ordinance following adoption

May 21, 2019 – Sonoma County Board of Supervisors and Sonoma Water Directors approved 'Alternative Plan' contribution covering fees for all non-municipal pumpers in basin for 3 years

June 13, 2019 – Board considers adoption of Ordinance

August 8, 2019 – Board will consider Ordinance updates and plan for registration program implementation

Overview of “Groundwater Reporting and Fee Ordinance”

All groundwater users in the Santa Rosa Plain sub-basin will be *registered* with the GSA

Registration means owners of parcels using groundwater will be asked for information, such as:

- Name and address of owner and operator,
- Description of groundwater extraction equipment
- Location of groundwater facility

Methodology for estimating groundwater uses

- Municipal/large water service providers
- Small water service providers
- Agriculture and irrigation
- Rural residential
- Urban residential with well

Establish a groundwater sustainability fee

Appeals process

What is the Groundwater User Registration Program?

A simple, free, one-time registration program that will allow the GSA to verify basic information about groundwater use

Why is the GSA proposing the Groundwater User Registration Program?

- SGMA requires some form of regulation to assess fees on de minimis groundwater users (i.e., most rural residential groundwater users)
- De minimis water users (those using less than 652,702 gallons per year) pump about one-quarter of the total groundwater used in the Santa Rosa Plain basin
- The program could provide important information about wells and areas that may benefit from future programs

Groundwater User Registration Program - Implementation

- July 1, 2019 - Develop phased implementation plan for program
 - Update website with interactive Registration Program webpage
 - Explain program and link to background information
 - Add link to form to provide additional information or to correct information
- Prepare letter for parcel owners assumed to be groundwater users
- Coordinate program plan with member agencies, advisory and key stakeholder groups
- August 8, 2019 - Board review and input on program implementation plan and schedule and consider updates to Ordinance

Groundwater User Fee and Registration Program

- Consider adoption of "An Ordinance Requiring Registration of Groundwater Use Facilities, Water User Reporting and Authorizing the Adoption of Groundwater Sustainability Fee."

b. Raftelis "Santa Rosa Plain Groundwater Sustainability Agency Rate Study Report"

Consider Acceptance and Approval of Report to be used to as a basis to establish a groundwater sustainability fee as authorized by Water Code section 10730 and pursuant Agency Ordinance No. 19-01.

Background

- August 2017 - GSA board authorized Administrator to release a Request for Qualifications for rate and fee study services
- Five firms responded with Statements of Qualifications
- A three-basin 11-member staff team reviewed statements, held interviews and checked references
- Following rigorous process, Raftelis Financial Consultants, Inc. was selected
- Work began in December 2017 with an anticipated completion of July 2018.
- Completion of study was delayed by several factors, primarily DWR's release of basin reprioritization data (which differed significantly from local estimates)

Background

- Rate and fee study anticipated completion revised to February 2019
- Completion of study was further delayed by
 - Addition of community meetings in January and March 2019 to get public input
 - Addition of the entirety of the City of Sebastopol and three mutual water companies to the basin
 - Completion of additional studies for specific groundwater user categories (dairies, irrigated pastures, urban well parcels, etc.)
 - Refining data for de minimis users within each basin jurisdiction
 - Evaluation of alternative funding scenarios
- Rate and fee study anticipated completion revised to June 2019

Background

- Extended study timeframe allowed for broader and longer engagement with Board, Advisory Committee, member agency staff, stakeholders and public through
 - Board meetings
 - Advisory committee meetings
 - Community meetings
 - Outreach/awareness noticing – Postcards, website updates, press releases, email distribution lists, radio ads and interviews, newspaper ads and articles, presentations, social media, and responding to emails, phone calls and meeting inquiries
- Santa Rosa Plain Groundwater Sustainability Agency – Memorandum presenting data supporting the proposed fee – May 23, 2019
- Santa Rosa Plain Groundwater Sustainability Agency Rate Study Report – June 11, 2019

Raftelis Rate Study Report Results

- Details background, objectives, context and benefits of sustainably managed groundwater
- Describes sub-basin characteristics, legal requirements and methods considered
- Identifies and quantifies categories of estimated and actual groundwater users
- Discusses fee methodology based on actual and estimated groundwater use
- Summarizes public outreach efforts
- Details revenue requirement and fee calculation
- Provides recommendations to improve data and information

Staff Recommendation

- Consider Acceptance and Approval of Report to be used to as a basis to establish a groundwater sustainability fee as authorized by Water Code section 10730 and pursuant Agency Ordinance No. 19-01.

c. Resolution Establishing a Groundwater Sustainability Fee

Introduce for Board consideration of adoption a proposed resolution to establish a groundwater sustainability fee as authorized by Water Code section 10730 and pursuant Agency Ordinance No. 19-01.

Rate and Fee Study

Objective: Develop fair and efficient funding mechanism to create a financially independent Groundwater Sustainability Agency for the Santa Rosa Plain.

The funding mechanism should consider unique characteristics of the basin jurisdiction while meeting SGMA legal requirements.

Background

- First two years of GSA funded by contributions from member agencies:
FY's 17/18 and 18/19
- Received \$1 million grant from the state for preparation of the Groundwater Sustainability Plan
- GSA needs to fund costs above the \$1 million grant for the next three years:
FY's 19/20-21/22
- Costs to be covered are primarily administration of GSA and support for the GSP

Annual Cost to Fund GSA

- Operating expenses include GSA administration and technical services for GSP
- Years 1 & 2 funded by member agency contributions, totaling \$992,000
- Agency received \$1 million in grant funding

5 Years Operating Expenses (GSA & GSP)	\$3,000,305
Member Agency contributions	-\$992,000
Grant funding	-\$1,000,000
Total to be recovered	\$1,008,305
Years to recover expenses	3
Total annual amount to be recovered (rounded)	\$337,000

Public Meetings since December 2018 Board Study Session regarding Fee Options

Public Meeting Activity

- December 13, 2018 Board Meeting Study Session
- January 14, 2019 Advisory Committee Meeting
- January 30, Community Meeting, Santa Rosa
- February 14, Board meeting (postponed to hold additional community meetings)
- March 4, Community Meeting, Santa Rosa
- March 6, Community Meeting, Rohnert Park
- March 7, Community Meeting, Windsor
- March 11, Advisory Committee Meeting
- March 14, Board Meeting Approving Fee Methodology
- April 11, Board Meeting Approving Ordinance First Reading
- May 13, Advisory Committee Meeting
- **June 13, Board Meeting considering Ordinance adoption and Fee Resolution approval**

Factors of fee methodology

- Based on *actual* and *estimated* groundwater use.
 - Municipal and Other Water Service Providers, Some Commercial – *actual*
 - Agricultural Usage and Other Irrigation Usage - *estimated*
 - Rural Residential Usage - *estimated*
 - Urban Well Owners - *estimated*

Factors of fee methodology

- Fees fixed for three years
- After three years, the Board could end, extend, or replace the fees
- If approved, fees go into effect July 1, 2019
- Fees will be collected from large municipal pumpers based on actual average annual use
- Fees from groundwater users based on estimated uses will be collected on property tax bill; however, due to a new contribution from County of Sonoma and Sonoma Water (informational item #7a), fees for these estimated groundwater users will be waived during FY's 19/20, 20/21 and 21/22

Per Acre Foot Rate

The average annual costs of running the GSA \div Acre feet of groundwater used annually in the basin = Per acre foot rate

\$337,000 \div 16,934 = \$19.90

Municipal Groundwater Use

City/ Water Service Provider	Projected Usage (Acre Ft)
Cotati	264 AF
Rohnert Park	1,612 AF
Santa Rosa	1,598 AF
Sebastopol	1,004 AF
Windsor	50 AF
Sonoma County Water Agency	<u>592 AF</u>
Total Municipal Groundwater Use	5,120 AF

Fee Methodology for Agricultural Groundwater Use Estimates

- Crop acreage in the basin multiplied by applied water per acre factors from DWR
- Only parcels identified by DWR as being irrigated were considered
- Parcels with access to recycled water and documented recycled water use had the amount of recycled water used subtracted from their calculated use
- Estimates account for surface water diversions
- Results of special studies conducted on dairies, vineyards and irrigated pastures were incorporated

Fee Methodology for Rural Residential Groundwater Use Estimate

- Assessor's parcel data used to identify rural residential parcels = ~7,300 parcels
- Groundwater usage estimate = 0.5 acre feet/year (AFY) based on:
 - Simulation of Groundwater and Surface-Water Resources of the Santa Rosa Plain Watershed, Sonoma County, California (U.S. Geological Survey, 2014 – Used California Dept of Water Resources water use factor)
 - Water Availability Analysis from Napa County (2015)
 - Canon Manor West Subdivision Assessment District Groundwater Study (Todd Engineers 2004)
 - Reported groundwater usage per connection for nine public water suppliers, including mutual water companies, within the Santa Rosa Plain Groundwater Subbasin (California State Water Resources Control Board – Division of Drinking Water, 2011 to 2017)

Urban Residential Well Estimates

- Identified urban parcels with known wells
- Assigned each parcel 0.1 AFY of groundwater use
 - Reflects estimated outdoor water use
 - Based on analysis of billed potable water use, 0.1 AFY of residential use is used for irrigation in Santa Rosa
 - Assuming potable water users and well owners have similar water use consumption patterns

Groundwater Sustainability Fees

- Rural residential (domestic) groundwater users would pay **\$9.95 a year**
- Large groundwater users would pay **\$19.90 per acre foot of water** pumped annually
- Urban well owner would pay **\$1.99 a year**
- A vineyard with 100 acres of irrigated vines (60 AFY) would pay **\$1,194** annually
- Fees would be levied for **three years**, after which time the Board could end, extend, or replace

SRP GSA Fees Compared to State Intervention Fees

Source of Usage	Proposed Groundwater Sustainability Fee	Annual State Intervention Fees
Charge per Acre Foot (agriculture, municipal, golf courses, etc.)	\$19.90	\$300 base fee, plus \$40 per AF*
Charge for Rural Residential (\$ per parcel/year)	\$9.95	\$100
Charge for Urban Supplemental Irrigation Wells (\$ per parcel/year)	\$1.99	\$100
<p><i>*The \$300 annual base fee is charged to all well owners, except de minimis (rural & urban residential).</i></p> <p><i>** \$100 fee may be charged by State if it deems total de minimis extractions to be significant.</i></p>		

'Alternative Plan' Contribution

May 21, 2019 - County of Sonoma Board of Supervisors and Sonoma Water's Board of Directors approved an 'Alternative Plan' supporting GSA activities for Fiscal Years 2019-2020 through 2021-2022

- Providing a combined contribution up to \$240,000 annually.

Funding from the County of Sonoma (\$200,000 annually) would come from county contingency funds.

Two-thirds of Sonoma Water's annual contribution of up to \$40,000 annually would be from its general fund and one third would come from water transmission funds (these funds were included in Sonoma Water's 2019-2020 budget).

- *Note: The \$40,000 includes the amount Sonoma Water would pay for its annual groundwater sustainability fee due to pumping of its wells within the basin (\$11,772).*

Annual Cost to Fund GSA

5 Years Operating Expenses (GSA & GSP)	\$3,000,305
Member Agency contributions	-\$992,000
Grant funding	-\$1,000,000
Total to be recovered	\$1,008,305

Years to recover expenses	3
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**Total annual amount to be recovered
(rounded) \$337,000/year**

Total Annual Fees from Municipal pumping	- \$101,885/year
Total Contribution from Sonoma County & Sonoma Water	- <u>\$228,228/year</u>
Total GSA projected annual operating expenses deficit	\$6,887/year

Options for addressing annual operating deficit

- Revise GSA operating budget to reflect cost savings realized from phased implementation of registration program
- If new members are added to GSA board, consider applying a portion of a new contribution to cover or reduce deficit
- Work with member agency staff to identify new potential operating cost saving measures
- Identify other potential funding sources

Groundwater user classes, percentage of total sub-basin extraction, and annual fees

User/Class of User	Total Estimated Extraction	Class % of Estimated Usage	User/Class Annual Impact
City of Cotati	264 AF	2%	\$5,252
City of Rohnert Park	1,612 AF	10%	\$32,089
City of Santa Rosa	1,598 AF	9%	\$31,800
City of Sebastopol	1,004 AF	6%	\$19,977
Town of Windsor	50 AF	0%	\$995
Sonoma Water	592 AF	3%	\$11,772
Sonoma State University	203 AF	1%	\$4,038*
California-American Larkfield	524 AF	3%	\$10,426*
Small Water Service Providers	1,096 AF	6%	\$21,812*
Agriculture	5,345 AF	32%	\$106,374*
Rural Residential Groundwater Users	3,664 AF	22%	\$72,905*
Urban Residential Groundwater Users	189 AF	1%	\$3,759*
Golf Courses	595 AF	4%	\$11,850*
Schools	199 AF	1%	\$3,952*
Total	16,934 AF	100%	\$337,000

*Groundwater user class fees fully or partially covered by contributions from Sonoma County and Sonoma Water during Fiscal Years 19/20, 20/21 and 21/22.

Board Next Steps

Today:

- Consider approval for Resolution #SRP-190-02 to establish a groundwater sustainability fee as authorized by Water Code section 10730 and pursuant Agency Ordinance No. 19-01 in the amount \$19.90 per acre-foot annually.
- Fee approval requires three-fourths vote of Board

d. Agency Budget Reserve Policy

Staff recommends the Board adopt a 2019-20 budget reserve policy. Provide feedback to staff on options for Agency financial reserves.

Background

Currently, no reserve policy

- Ended FY 2017-18 with approximately \$17,225
- Board identified the need to consider a reserve policy to inform future annual budgets
- Staff reached out to member agencies and other GSAs to research best management practices

Background

- At the April 2019 meeting, the Board recommended a reserve policy include the following:
 - Maintain a targeted reserve amount equivalent to three months' operating expenses (an estimated \$84,250 in 2019-20), not including depreciation, in-kind services and one-time capital expenditures;
 - Annually approve the targeted reserve amount as part of the budget process;
 - Fund the targeted reserve amount with surplus operating cash;
 - Carry forward the reserve to following fiscal year.

Proposed Reserve Policy

- Operating Cash Reserves is a target and would:
 - Be established during the annual budget process by the Board;
 - Be funded with surplus unrestricted operating cash;
 - Set a target of maintaining reserve amounts equivalent to three months' operating expenses, not including depreciation, in-kind services, and one-time capital expenditures;
 - Authorize the Administrator to use funds in the Reserve for expenditures up to \$10,000 (consistent with Agency Bylaws regarding the Administrator's authority to spend non-budgeted funds.); and
 - Require Board approval for use of Reserve funds of more than \$10,000.

Information Items

- a. Sonoma Water and Sonoma County's plan to offset proposed groundwater fee
- b. Groundwater Sustainability Plan
- c. Draft process for considering new GSA membership

- a. Sonoma Water and Sonoma County's plan to offset proposed groundwater fee

Alternative Plan Proposal

Contribution by...	Would offset fees of ...	Annual Contribution/Fee	Three year total
County of Sonoma	Rural residential and other rural groundwater users	\$200,000	\$600,000
Sonoma Water	Residential groundwater users	Up to \$40,0000	Up to \$120,000
Municipal water suppliers would pay annual fees to GSA based on five-year average use		\$101,885	\$305,655

b. Groundwater Sustainability Plan

Santa Rosa Plain GSP Section Development Working Schedule

September – November 2018:

- 1.0 Introduction- [Initial Draft and Advisory Committee Review Complete](#)
- 2.0 Description of Plan Area - [Initial Draft and Advisory Committee Review Complete](#)

December 2018 – October 2019:

- 3.0 Basin Setting
 - 3.1 Hydrogeologic Conceptual Model - [Initial Draft provided to Advisory Committee March 2019](#)
 - 3.2 Current and Historical Groundwater Conditions
 - 3.3 Water Budget
 - 3.4 Management Areas
-
- *Bring Drafts of Sections 1 through 3 to GSA Board for Input: Hold Public Workshop on Sections 1 through 3*

November 2019 – December 2020

- 4.0 Sustainable Management Criteria
 - 5.0 Proposed Monitoring Program
- Bring Drafts of Sections 4 and 5 to GSA Board for Input: Hold Public Workshop on Sections 4 and 5*

January 2021 – December 2021

- 6.0 Projects and Actions
- 7.0 Implementation Plan

*Bring Completed Draft Entire **GSP to GSA Board for Input: Hold Public Workshop(s) on Complete GSP***

c. Draft process for considering new GSA membership

Background

- June 2017 - Joint Exercise of Powers Agreement (JPA) executed for the Santa Rosa Plain Groundwater Sustainability Agency
 - Nine board members
 - City of Sebastopol elected to participate in the formation of the GSA and serve on the Advisory Committee

Background

The nine SRP board members contributed a total of \$992,000 to form and operate the GSA for the first five years.

- Cotati \$119,000
- Rohnert Park \$119,000
- Santa Rosa \$119,000
- Windsor \$119,000
- Gold Ridge RCD \$119,000
- Sonoma RCD \$40,000
- County of Sonoma \$119,000
- Sonoma Water \$119,000
- MWC/PUCR \$119,000

The Santa Rosa Plain GSA will start the third year of operation on July 1.

Background

February 2019 - California Department of Water Resources (DWR) approved a jurisdictional boundary modification to incorporate the City of Sebastopol in the Santa Rosa Plain basin

April 2019 – Board held an open discussion with Sebastopol Mayor Hinton and Councilmember Glass to discuss the City joining the GSA board with a prorated contribution. **Board requested staff agendize an item to discuss developing a policy for new board members**

June 2017 – City of Sebastopol delayed a decision on joining GSA board

Objective of Today's Discussion

Openly discuss and consider some topic areas that should be included in any draft New Member Policy.

Provide staff direction to further develop a draft policy for future Board consideration.

Who is Eligible for Membership?

- Must be a local public agency qualified to be a GSA under SGMA within the boundaries of the GSA. (Wat. Code sec. 10723.)
- Ex Officio Members including agencies in the process of formation (JPA Agreement Sec. 5.02).

Timing

- Is there a certain time of year that new members will be considered?
- Should new member admission be made conjunction with budget planning (April 1), or Board officer elections (July 1), or year round?

Contribution Amounts

- JPA states that initial funding amount may be "no more than an equal share of the unreimbursed Funding Commitments of the other Members pursuant to Section 10.02 or as established pursuant to Section 10.07." Section 10.02 of the JPA pertains to initial funding commitments, which have been satisfied.
- Section 10.07 states: All fees, costs and expenses incurred by the Agency may be funded from:
 - (i) voluntary contributions from third parties, such as grants;
 - (ii) voluntary contributions, advances or loans from the Members or other sources;
 - (iii) bond revenue;
 - (iv) taxes, assessments, fees and/or charges levied by the Agency under the provisions of SGMA or otherwise provided by law; and,
 - (v) subject to the unanimous vote of the Board, assessments on the Members to carry out the activities of the Agency generally applicable to all Members.

Contribution Amounts

- The simplest way to calculate an equal share of unreimbursed funding commitments would be to:
 - Add up the total voluntary contributions,
 - Divide that amount by the number of existing members, and then
 - Apply the resulting amount to the new member.
- Sebastopol case study
 - Total amount of each GSA member contribution = \$119,000
 - City joining at year 3, the Board offered a 60% prorated contribution (3 of 5 years) = \$71,400
- **Would the board prefer to use another method or several options for contribution calculation?**

Administrative Processing

- If the New Member submits their application with the JPA pre-approved by their legislative body and executed, and with a check for their contribution amount, the Board will be able to process the application at one meeting and with one action to "Approve the new membership application of [Name of Agency] and amend Exhibit A to the Joint Powers Agreement to add [Name of Agency's] name to the exhibit."
- The JPA does not allow the Board to amend Exhibit A until the JPA is executed and the contribution has been paid, so if the Board processes the application without those items, it will need to have at least two meetings to admit a new member.
- **Does the Board concur with requiring an applicant to provide a signed JPA and contribution with the application for consideration by the Board?**

Administrator, Plan Manager and Legal Counsel Report

Adjournment

How does the Groundwater User Registration Program work?

Step 1. People assumed to be groundwater users will receive a letter from the GSA that includes:

- Parcel number, address, parcel size, type of land use

Step 2. If information is **correct**, groundwater users can:

- Do nothing OR
- Contact GSA to provide optional additional information (well location, depth, water quality concerns, etc.)

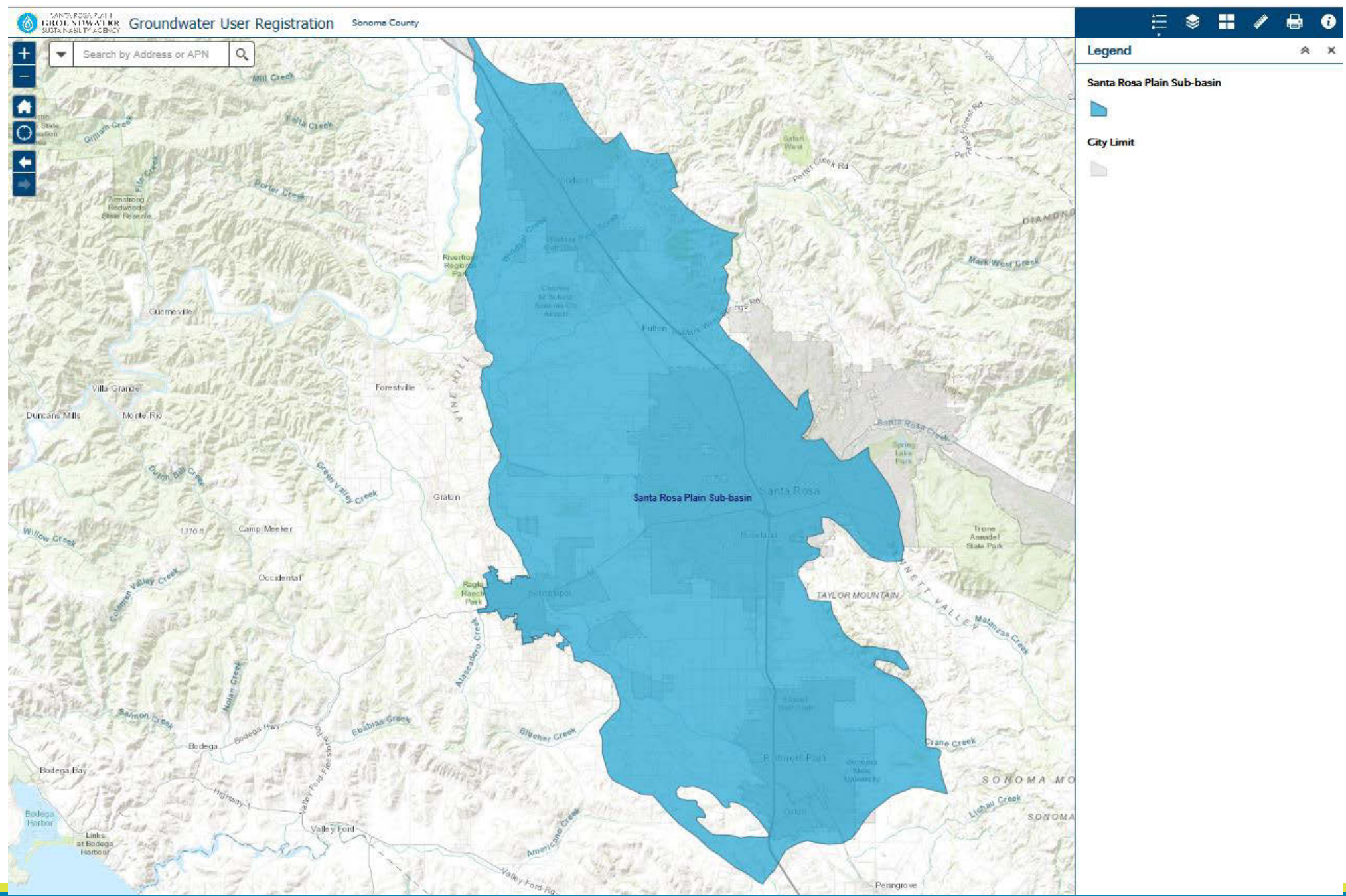
Step 3. If information is **incorrect**, groundwater users can:

- Go online/call to make corrections

The Groundwater User Registration Program Is:

- Process for Submitting Additional Information
 - Online form through GSA website and connected with webmap
 - Hardcopy form available for online printout or at Ag Commissioner and Permit Sonoma
- Process for Correcting Information (often referred to as Appeals Process)
 - Same form, though “information correction requested” box will be checked
 - GSA staff will make telephone appointment to discuss request directly with owner
 - Documentation of corrected information will be requested and reviewed upon receipt

[GSA Website Map](#)



The Groundwater User Registration Program is Not:

- Requiring meters to be installed on wells
- Requiring groundwater users to monitor their water use (although people are welcome to join the voluntary monitoring program)
- Requiring groundwater users to fill out forms, unless they want to share or correct information
- The only agency available to assist owners of parcels. Assistance/guidance will be available from Ag Commissioner, Permit Sonoma and GSA staff