



# SUSTAINABLE GROUNDWATER MANAGEMENT ACT

## Frequently Asked Questions

### Groundwater Pumpers and State Intervention under the Sustainable Groundwater Management Act (SGMA)

The Sustainable Groundwater Management Act (SGMA) is a California law that helps ensure groundwater resources are managed sustainably for long-term reliability and to benefit communities, farms, businesses, and the environment. SGMA emphasizes local groundwater management, but, if that management is insufficient, SGMA allows state action through a process called state intervention. This FAQ is intended to help groundwater pumpers in a basin subject to state intervention understand if and when they may have new state-required groundwater pumping reporting requirements and fee responsibilities.

Under SGMA, local groundwater managers, called Groundwater Sustainability Agencies (GSAs) were required to develop and submit groundwater management plans, called Groundwater Sustainability Plans (GSPs), to the California Department of Water Resources (DWR) for review, culminating in GSP determinations in early 2023. Some of those plans were approved by DWR but others were found inadequate. The State Water Resources Control Board (Board) must now determine if groundwater basins with inadequate GSPs will be subject to the first phase of state intervention, which is called a “probationary” designation in state law. State intervention supplements local management and is intended to be temporary: lasting only until local GSAs demonstrate that they are ready to adequately manage their respective basins.

### Frequently Asked Questions

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## 1. When will new state rules apply?

**If a probationary designation occurs, businesses and people who pump groundwater in that area may be required to report how much water they pump, as well as other information, and pay fees to the Board.** These new requirements would be in addition to any reporting requirements and fees imposed by the local GSA.

## 2. Which basins are affected?

DWR determined that the following basins have inadequate GSPs. People who pump groundwater from a well in any of the following groundwater basins **may** be subject to these new reporting rules in the future **if** the Board decides to intervene in the management of the basin:

- Delta-Mendota Subbasin (within Stanislaus, Merced, Fresno, San Joaquin, San Benito, and Madera counties)
- Chowchilla Subbasin (within Madera and Merced counties)
- Kaweah Subbasin (within Tulare and Kings counties)
- Tulare Lake Subbasin (within Kings and Kern counties)
- Tule Subbasin (within Tulare and Kern counties)
- Kern County Subbasin (within Kern County)

See the map below or **enter any address into the [SGMA Lookup Tool](#)** to determine whether a well is located in a basin subject to state intervention.

# Sustainable Groundwater Management Act

## Groundwater Pumpers and State Intervention under SGMA – FAQs



Figure 1: Map of six groundwater basins potentially subject to new state reporting rules

If the Board intervenes in groundwater management in a basin and determines reporting (and fee payment) requirements apply, the Board will notify groundwater pumpers by mail. Groundwater pumpers are still required to report and pay fees even if they did not receive a notification letter. Reasons for an unreceived letter include an incorrect mailing address on file with the county or refusal of mail delivery. Pumpers should ensure that their current address is on file with the County Assessor.

### 3. Will I have to report and pay fees if the Board intervenes in the basin where I have a well?

Groundwater pumpers may have to report and pay fees if they pump groundwater from a well in a basin where the Board intervenes, **with possible exceptions:**

- Small domestic well owners who pump less than two acre-feet of groundwater per year (approximately 652,000 gallons or less per year) **and** only use the water for domestic household purposes generally will not have to report or pay fees. (See “How do I know if I pump less than two acre-feet each year?” below.) SGMA classifies such small domestic well owners as de minimis users.

Note: The Board could require these de minimis pumpers to report in certain situations.

- Pumpers, who as a group have a minimal impact on overall pumping in the basin, may be excluded from reporting, at the Board’s discretion.

Any groundwater pumper that is required to report must also pay fees unless they obtain a waiver from the Board. **A pumper may request a fee waiver if:**

- They filed their reports of groundwater extraction by the appropriate deadline **and**:
- Their household income is less than twice [the federal poverty level](#) (for a family of four in 2023, household income is less than \$60,000 per year), **or**
- They are enrolled in a qualified public assistance program, **or**
- They represent a public water system serving a disadvantaged community where the primary purpose of water service is for human consumption, cooking, and sanitation.

**Groundwater pumpers still have to report pumping even if they receive a fee waiver**. The Board needs reported groundwater pumping information to better understand the needs and uses of groundwater in the basin. Should state intervention progress to the next phase, the Board will be required to help manage the groundwater in the basin and will need comprehensive groundwater extraction information to do so.

The Board will include information about reporting exceptions and fee waivers in the notices it mails to pumpers.

#### 4. How do I know if I pump less than two acre-feet each year for my domestic use?

Most households in California use about one third of an acre-foot of water per year or less for both their interior uses (e.g., drinking, cooking, sanitation) and outdoor uses (e.g., watering shrubs, lawns, gardens). Some households may use more than two acre-feet per year for household use if they irrigate large outdoor areas. **The Board will mail well owners more information about estimating how much groundwater they pump if the Board believes well owners may be required to report and pay fees.**

## 5. How and when could the new reporting rules start?

The Board will soon decide whether to intervene in one or more of the basins listed above. The decision to intervene in a basin will be made after a public hearing, called a “probationary hearing,” held by the Board. The Board will mail a notice of a hearing to anyone who pumps (or proposes to pump) water from the basin, using publicly available information. This notice would be mailed at least 60 days before the public hearing. Additionally, anyone can sign up to receive notices by subscribing to the Board SGMA email list, located under “Stay Informed” on the [SGMA website](#).

## 6. How else might I be affected?

At the public probationary hearing, the Board may make other decisions that affect groundwater pumpers in a basin subject to probation. For example, the Board may:

- Require well owners to measure how much water they pump using flow meters or other measurement methods if more accurate information is needed to support management decisions.
- Exclude a group of pumpers from reporting if people in that group, collectively, have a minimal impact on overall pumping in the basin and, thus, information from that group of pumpers is unnecessary for basin management.
- Require groundwater extractors to report even if they pump less than two acre-feet of water each year for household purposes (de minimis pumpers) if, together, those pumpers have a large impact on groundwater.

For more information on probation and probationary hearings, see the Board’s fact sheet on State Intervention including [Probationary Designation and Groundwater Regulation by the State Water Board](#).

## 7. What are the fees I might have to pay if I do not get a waiver?

Fees are based on the number of wells a groundwater pumper uses and the amount of groundwater that they pump. The current fee schedule is on the [State Water Board SGMA Reporting and Fees website](#). These fees are set by the Board and the money collected will be used only to cover the costs of the Board’s program to ensure groundwater is managed sustainably. The Board periodically reevaluates the level of fee revenue necessary to fund its required actions under the SGMA program. Subscribe to the Board SGMA email list under “Stay Informed” on the [SGMA website](#) to receive updates on any changes to fees.

## 8. What information would I have to report?

Groundwater pumpers who are required to report would provide:

- Where each well is located
- How much the well can pump (the maximum rate in gallons per minute)
- How much water was pumped each month for the prior water year<sup>1</sup>
- The purpose of the groundwater use
- The locations of the properties where the pumper uses groundwater
- Approximately what year groundwater pumping began

Groundwater pumpers may be required to provide additional information. **The Board will mail groundwater pumpers more information about reporting if the Board believes they may be required to report.**

## 9. What if I already report groundwater pumping or pay fees to another agency?

In groundwater basins that are designated as probationary where GSAs require groundwater pumping reporting and fees, businesses and people who pump groundwater will have to comply with both State and local rules. That means pumpers may need to report and pay fees to both the GSA and the Board.

## 10. How can I stay informed?

- **Sign up for updates and stay informed.** Subscribe to the Board’s SGMA email list under “Stay Informed” on the [SGMA website](#) to receive updates. For example, interested parties will have opportunities to provide comments to the Board before it designates a basin as probationary. Review the information, resources, and frequently asked questions on the [State Water Board SGMA Reporting and Fees website](#).
- **Get involved with groundwater management in your basin.** Groundwater pumpers can contact their local GSA for more information, including ways to get

<sup>1</sup> The water year starts each year on October 1 and ends September 30 of the following year. For example, the 2023 water year starts October 1, 2022, and ends September 30, 2023.



involved, and can ask to be placed on the GSA's list of interested persons for updates. Use [the SGMA Lookup Tool](#) to find your local basin and GSA, including their contact information.

- **Prepare to report.** Keep in mind that, even with a fee exemption, groundwater pumpers may need to report on time. Learn more about reporting requirements and about how to measure groundwater pumped from wells. See the [fact sheet on Options for Measuring Extraction Volumes](#). Reporting and fee paying continues until the Board determines a GSA's management of a basin is adequate.

For more information, email [SGMA@waterboards.ca.gov](mailto:SGMA@waterboards.ca.gov) or call (916) 322-6508.

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