# SUSTAINABLE GROUNDWATER MANAGEMENT ACT

## State Intervention and Groundwater Regulation

**Purpose.** This document summarizes how the State Water Resources Control Board (State Water Board, or Board) can regulate groundwater use if local management is found to be inadequate under the Sustainable Groundwater Management Act (SGMA). In high- and medium-priority basins, local Groundwater Sustainability Agencies (GSAs) are required to develop and implement Groundwater Sustainability Plans (GSPs) so groundwater uses can continue in the future. This document and others are available on the State Water Board's SGMA website.

**Assistance is available.** The Board, the Department of Water Resources (DWR), and other organizations may be able to work with GSAs, groundwater extractors, and others on groundwater management. To learn more, contact SGMA@waterboards.ca.gov.

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## The Basics

**What is SGMA?** SGMA is a California law intended to help ensure groundwater is a sustainable resource for the long term. In high- and medium-priority basins, local GSAs develop and implement GSPs so that groundwater remains reliable and uses can continue in the future.

**Why was SGMA created?** Many groundwater basins in California are in a state of overdraft: on average, water is being pumped out of many basins faster than it is replenished. This threatens groundwater levels and water quality, putting widely-relied-upon drinking water and irrigation sources in jeopardy. Overdraft can also cause streams and rivers to go dry and cause subsidence (the sinking of the land surface), damaging roads, bridges, dams, canals, and buildings.

**What is state intervention?** If GSAs do not sustainably manage groundwater use in their basin, the Board can step in to temporarily help manage the basin through a process called state intervention.

**What does state intervention involve?** During state intervention, the Board collects data, assesses groundwater management, and may make changes to how groundwater resources are managed. The Board, DWR, and other organizations may be able to work with GSAs and groundwater extractors to address basin conditions before intervention occurs.

## The State Intervention Process at a Glance

State intervention follows the steps below. GSAs may address deficiencies (issues in their GSP) at any time and potentially avoid probation or an interim plan.

| Step | What Happens |
|---|---|
| **Step 1: Intervention Begins** | A condition is met that initiates intervention (for example, the GSP or its implementation is not adequate to bring a basin to sustainability). |
| **Step 2: Hearing** | The Board provides notice and holds a public hearing. The basin may be designated probationary. |
| **Step 3: Probation** | Metering, reporting, and fees may be required of groundwater extractors. |
| **Step 4: Address Deficiencies** | GSAs are given a limited time to address the deficiencies. GSAs that resolve the deficiencies end state intervention before the State Water Board develops an interim plan. |
| **Step 5: Interim Plan** | The Board may adopt a temporary interim plan if deficiencies remain. |
| **Step 6: Address Deficiencies** | Even though an interim plan is developed, GSAs need to address deficiencies with their GSP to exit probation. |
| **Step 7: End State Intervention and Return to DWR Oversight** | Once the Board, in consultation with DWR, determines the basin has addressed the deficiencies, the Board may provide public notice of a proceeding to return the basin to DWR oversight, thereby exiting probation and ending the state intervention process. |

## Steps in the Intervention Process

### STEP 1 Intervention Begins

Any one condition below can initiate the state intervention process, which shifts primary oversight to the State Water Board, for a medium- or high-priority basin. DWR evaluates GSPs for adequacy and sufficient implementation and makes a determination prior to GSP-based state intervention.

| Condition | Water Code | Applies After |
|---|---|---|
| Basin has no GSA covering it | 10735.2(a)(1) | **June 30, 2017** |
| Basin categorized as critically overdrafted *and* no GSP or the adopted GSP(s) do not cover entire basin | 10735.2(a)(2) | **Jan. 31, 2020** |
| Basin categorized as critically overdrafted *and* GSP(s) or implementation are inadequate (DWR determination) | 10735.2(a)(3) | **Jan. 31, 2020** |
| High- or medium-priority basin, not critically overdrafted; *and* no GSP or the adopted GSP(s) do not cover entire basin | 10735.2(a)(4) | **Jan. 31, 2022** |
| Long-term overdraft (Board determination) *and* GSP needs improvement or adequate implementation (DWR determination) | 10735.2(a)(4), (a)(5)(A) | **Jan. 31, 2022** |
| Significant depletion of interconnected surface waters (Board determination) *and* GSP needs improvement or adequate implementation (DWR determination) | 10735.2(a)(5)(B) | **Jan. 31, 2025** |

*Note: If your region is covered by an alternative plan submitted to DWR, refer to SGMA for the conditions that apply to you.*

### STEP 2 Hearing

After a condition occurs that initiates intervention, the Board considers whether to move forward with a potential probationary designation. If so, the Board provides notice and holds a public hearing where interested parties can speak. If the Board designates a basin probationary, it identifies deficiencies in the GSP(s) or its implementation and possible steps to address them.

### STEP 3 Probation

Once a basin is probationary, many groundwater users are required to measure and report all extractions and pay fees that cover Board costs. The Board may require groundwater users to install meters. The Board may also gather data and conduct studies to support sustainable management.

### STEP 4 Opportunity to Address Deficiencies

GSAs are given a limited time to address the deficiencies that led to the probationary designation before the Board may develop an interim plan. Deficiencies may include the lack of an agreement to coordinate multiple GSPs, data gaps in GSPs, or insufficient management efforts to achieve the sustainability goal. If intervention was initiated due to GSP inadequacy or inadequate implementation, GSAs have one year to address the deficiencies before the Board may develop an interim plan.

### STEP 5 Interim Plan for Inadequate GSP(s) or GSP Implementation

If, after a year, the conditions leading to probation are not resolved, the Board may develop and adopt an interim plan through a public hearing process. An interim plan is temporary and protects groundwater until local GSPs are adequate and implemented successfully. It includes pumping restrictions, a schedule, monitoring, and enforcement, and may focus on reaching sustainable use as soon as practical. It may draw on parts of an existing GSP or adjudication that help meet the basin's sustainability goal.

### STEP 6 Address Deficiencies

GSAs keep working to address deficiencies in their GSPs or in the implementation of GSPs during an interim plan. An interim plan is not the end of the process and is not a substitute for GSAs adopting and implementing adequate GSPs. To exit state intervention, GSAs still need to address the deficiencies in their GSPs and demonstrate the ability to manage groundwater sustainability. Their continued local management directly reduces the need for interim plan requirements and lowers the likelihood of more restrictive measures.

### STEP 7 End State Intervention and Return to DWR Oversight

State intervention ends once the GSAs have addressed the deficiencies that led to the probationary designation. This may require GSAs to make changes to their GSPs, revise coordination agreements, impose pumping restrictions, or implement other groundwater management measures. When the Board, in consultation with DWR, determines that the basin is being managed sustainably, the Board provides public notice of a proceeding to repeal the determination and return the basin to DWR oversight. This exits the basin from probation and ends the state intervention process. The GSAs can address deficiencies at any stage, so a basin may exit probation before an interim plan is developed or adopted.

## Reporting and Fees

**Reporting.** Probation and interim plans may require well owners or operators (or their agents) to submit extraction reports to the Board electronically through the Groundwater Extraction Annual Reporting System (GEARS). Reports include extraction volumes, well details and locations, the parcels where groundwater is used, and other information the Board identifies. The Board may specify measurement devices or methodologies to be used for completing extraction reports.

**Fees.** The Board is required to set fees to recover the cost of probation and intervention activities. Fees are collected with each annual extraction report. Late reporters are subject to late fees and may be subject to additional administrative liability or misdemeanor penalties.

Small domestic (household) well users who extract a total of two acre-feet (about 651,700 gallons) or less of groundwater per year for domestic purposes only, are de minimis users and are generally exempt from reporting and paying fees. The Board may choose to exclude additional categories of pumpers from reporting and fees.

| Fee Type | Current Probationary Fee Rate | Current Interim Plan Fee Rate |
|---|---|---|
| Base fee, per well | $300 per well, per year | $300 per well, per year |
| Volumetric fee, per water extracted | $20 per acre-foot | $35 per acre-foot |

*Reporting and fee details: Reporting and Fees webpage.*

## Good to Know

### Sustainability is measured at the basin scale

SGMA aims for sustainability across the whole basin. The Board may focus efforts on specific parts of a basin while still considering the entire basin, because:

- Sustainable yield is defined at the basin scale, so pumping volumes are set to match it. (The sustainable yield is the maximum amount of water that can be pumped annually from a groundwater basin without causing undesirable results identified in SGMA.)
- Interim plans generally align with water right priorities, which may mean considering all water rights across the basin in the development of groundwater pumping allocations.
- Basin-wide data shows where to focus efforts, or whether efforts should be basin-wide.

### Adjudication: a different route to the same goal

A groundwater adjudication is a lawsuit in which a court determines groundwater rights in a basin. Adjudications and state intervention are separate processes but work together: regardless of whether a basin is going through an adjudication, the Board has authority to act if an initiating event occurs. Beginning an adjudication will not delay or avoid the SGMA process and will not prevent state intervention. Courts must manage any adjudication consistent with attaining sustainable groundwater management within SGMA's timeframes, and any judgment must not impair the GSAs' ability to comply with SGMA.

## For More Information and Sources

- **State Water Board SGMA program:** waterboards.ca.gov/sgma • SGMA@waterboards.ca.gov • 916-322-6508
- **Reporting and fees:** Reporting and Fees webpage.
- **Email updates:** SGMA Groundwater Management email subscription.
- **SGMA information from DWR:** DWR SGMA website.
- **Legal authority:** SGMA, Water Code section 10720 et seq. (see Water Code section 10735.2 regarding probationary designations.)

*Source: California State Water Resources Control Board, California Environmental Protection Agency. Last updated October 2026. Fees current as of that date.*