Frequently Asked Questions

Minimal Impact Exclusion From Reporting and Fees

In the Tulare Lake Subbasin

What is a "minimal impact exclusion?"

SGMA requires that most groundwater extractions in probationary basins be reported to the Board and that the reporting parties pay an associated reporting fee, but SGMA also authorizes the Board to exclude a category of extractions from the reporting requirement if the extractions are likely to have a minimal impact on withdrawals of groundwater from the basin. (Water Code section 10735.2, subd. (c)(1)). This type of exclusion is called a "Minimal Impact Exclusion." The reporting and fee requirement does not apply to extractions covered by a Minimal Impact Exclusion.

On April 7, 2026, the Board adopted a resolution that applies a Minimal Impact Exclusion to people in the Tulare Lake Subbasin who extract a total of no more than 20 acre-feet per year and do not export groundwater outside the subbasin. This means that reporting is not required for extractions made by the excluded pumpers, and those pumpers do not have to report their pumping by May 1, 2026 and pay the associated fees.

How do I know if I qualify for the Minimal Impact Exclusion?

You are excluded from the requirement to report and pay fees that otherwise applies to the Tulare Lake Subbasin under the minimal impact exclusion if you are:

(1) a groundwater user (meaning you pump groundwater for any purpose),
(2) located within the Tulare Lake Subbasin,
(3) you extract no more than 20 acre-feet of water annually* from the Tulare Lake Subbasin, and,
(4) you do not export groundwater outside the subbasin.

*For purposes of this exclusion annual extractions are based on extractions that occur during the water year (October 1 of each year to September 30 of the following year) in which the majority of the reporting period falls. For the first reporting cycle in the Tulare Lake Subbasin (covering the period of July 15, 2024, through September 30, 2025), eligibility is determined by pumping that occurred between October 1, 2024, through September 30, 2025.

The minimal impact exclusion does not affect or change the existing exemption from the reporting and fee requirement for *de minimis* extractors (people who extract no more than two-acre feet annually from the Tulare Lake Subbasin for domestic purposes only). To learn more about the *de minimis* exemption, please refer to Groundwater Extractors and State Intervention Under the Sustainable Groundwater Management Act.

Do I need to do anything to take advantage of this exclusion?

No. Board staff evaluating compliance will use remote-sensing data to avoid contacting pumpers who qualify for the exclusion after the reporting deadline. However, you also have the option of notifying Board staff that you qualify for the exclusion. Notifying staff that you qualify will help ensure that you will not be contacted about failing to file your report.

You can notify staff that you qualify for the exclusion using these steps:

- If you have not created an account yet in GEARS, you can use the GEARS Wizard, located on the GEARS homepage under "Welcome to GEARS." After entering your name and the Correspondence ID(s) from your reporting letter, select the new option labeled "*New Exclusion.*"
- If you already created an account and started filing extraction reports, you can notify staff that the exclusion applies using the Minimal Impact Exclusion Notification Form.

I pump a little bit more than 20 acre-feet per year, can I only report and pay fees on the amount above the cutoff?

No. Groundwater users who pump more than 20 acre-feet per year will need to report and pay fees on the entirety of their groundwater extractions.

I pump a little bit more than 20 acre-feet per year, can I cut back to 20 acre-feet so that I qualify?

If you pumped more than 20 acre-feet for the reporting year beginning July 15, 2024, and ending September 30, 2025, then no, you must report and pay fees by the reporting and fees deadline of May 1, 2026. However, for any future reporting years, you can decrease pumping to take advantage of the exclusion from reporting and fees. When the next reporting deadline arrives, you may inform Board staff that you now qualify for the exclusion. If you do not notify Board staff and do not file a report, Board staff may contact you to find out why you did not file a report.

I own multiple parcels where I pump different amounts because I grow different crops. Can some parcels be excluded but not others?

No. Whether you qualify for the minimal impact exclusion is dependent on how much you, as a person, entity, ownership group, etc., pump per year, *cumulatively*. For example, if you have three parcels in the Tulare Lake Subbasin, where on one you pump less than 20 acre-feet of groundwater per year, and on the other two you pump more than 20 acre-feet per year, then your *total* groundwater pumping is above 20 acre-feet per year and you are above the cutoff for the minimal impact exclusion. The cutoff calculation is based on 20 acre-feet pumped per year per *person*, not per *parcel*.

I already filed a report. What should I do?

If you qualify for the minimal impact exclusion, the data you submitted to the State Water Board's SGMA GEARS (Groundwater Extraction Annual Reporting System) program will indicate to staff that you do not need to report and pay fees and you will not receive an invoice. If you have already started reporting, but have not yet filed your report, you have the option of notifying staff that the exclusion applies using the Minimal Impact Exclusion Notification Form. Notifying staff will help ensure that you will not be contacted about failing to file your report. If you believe you qualify for the exclusion but received an invoice, please contact the State Water Board's Office of Sustainable Groundwater Management by email at sgma@waterboards.ca.gov or by phone at 916-322-6508.

I own a parcel in the Tulare Lake Subbasin and a parcel in another subbasin. I pump 20 acre-feet or less per year in the Tulare Lake Subbasin, but on my other parcel, I pump enough that I pump more than 20 acre-feet per year total. Do I still qualify?

Yes, you do qualify. The exclusion from reporting and fees applies to people who pump no more than 20 acre-feet per year from the Tulare Lake Subbasin and do not export groundwater outside the Subbasin. Pumping occurring outside the basin does not affect your eligibility for the Minimal Impact Exclusion in the Tulare Lake Subbasin.

I pump 20 acre-feet or less per year and export groundwater outside the Subbasin. Do I qualify for the exclusion?

No. If you export any groundwater outside the subbasin, you do not qualify for the Minimal Impact Exclusion from reporting and fees even if you pump 20 acre-feet or less from the Subbasin.

If I am exempt from reporting this year, will I also be exempt in future years?

The minimal impact exclusion will continue to apply to future reporting cycles unless it is rescinded or amended by future State Water Board action. If the Board does rescind or amend the exclusion, Board staff will provide updates to pumpers in the Subbasin. You should continue to keep track of your groundwater extractions to ensure you continue to qualify for the exclusion by pumping no more than 20 acre-feet annually and do not export groundwater outside the Subbasin.

Additional Resources

More information on this Project can be found on the Water Board's Tulare Lake Subbasin webpage, located here:

https://waterboards.ca.gov/water_issues/programs/sgma/groundwater_basins/tulare_lake_subbasin.html

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