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BY DWR SGMA PORTAL UPLOAD

Bryce Matsumura
DWR SGMA Program South Central Region Office
California Department of Water Resources
1723 13th Street
Sacramento, CA 95811

Re: Comments on Five-Year Evaluation of 180/400-Foot Aquifer Groundwater Sustainability Plan prepared by Salinas Valley Basin Groundwater Sustainability Agency

Dear Mr. Matsumura:

This letter is submitted on behalf of the Salinas Valley Water Coalition (Coalition) to provide the California Department of Water Resources (DWR) with comments on the Salinas Valley Basin Groundwater Sustainability Agency's (SVBGSA) 2025 Periodic Evaluation of the Groundwater Sustainability Plan (GSP) for the 180/400-Foot Aquifer (3-004.01) (2025 Evaluation). DWR posted the SVBGSA's 2025 Evaluation on January 26, 2025, for a comment period ending April 12, 2025, so these comments are timely submitted.

The Coalition's members include growers, landowners and agricultural businesses who believe the water resources of the Salinas River Basin should be managed in a manner that promotes fairness and equity to all within the Salinas Valley Groundwater Basin. The Coalition submits that management of the Salinas Basin's water resources should have a scientific basis, comply with all laws and regulations, and promote the accountability of governing agencies, like the SVBGSA.

The Coalition and its consultant, Principal Hydrogeologist Dwight Smith of the UES firm, have reviewed the SVBGSA's 2025 Evaluation, the January 8, 2025, comment letter submitted by the Brownstein law firm on behalf of the Salinas Basin Water Alliance (SBWA), and the January 8, 2025, comment letter submitted by the law firm MR Wolfe & Associates on behalf of LandWatch Monterey County. Based on that review, the Coalition submits the following comments and the attached Technical Memorandum prepared by UES. Although our comments address the 2025 Evaluation, they are organized in response to certain assertions by the Brownstein/SBWA and Wolfe/LandWatch letters claiming inadequacies in the SVBGSA's approach to implementing the Sustainable Groundwater Management Act (SGMA) in the Salinas Valley Groundwater Basin (Basin).

The SVBGSA Is Carrying Out Integrated Management of the Salinas Valley Groundwater Basin

The Brownstein letter erroneously argues that DWR should correct the SVBGSA's purported failure to implement SGMA in a way that integrates groundwater management across all of the subbasins

comprising the Basin. The Brownstein letter alleges the SVBGSA is carrying out a "balkanized" approach that singles out the 180/400-Foot Aquifer Subbasin as if were a "distinct island" cut off from the surrounding subbasins. (Brownstein Letter at p. 1.) The Brownstein letter further claims the SVBGSA is "ignoring how management of the other subbasins may impede sustainable management of the 180/400 Subbasin" and will "foist the burdens of sustainable Basin management on only a subset of the Basin's users in violation of SGMA and common law water law principles." (*Id.* at p. 2.) Not so.

As detailed in the attached Technical Memorandum, the SVBGSA's development, approval and evaluation of the GSP for the 180/400 Subbasin is based on a broad and deep integration of how all the Salinas Valley's subbasins affect each other. In fact, "each subbasin GSP defines a water budget and groundwater flow interactions with neighboring subbasins in acknowledgement of the hydraulic connections that have been defined by published scientific evaluations." (UES Memo at p. 1.) In fact, the 2025 Evaluation quantifies subsurface inflows and outflows between adjacent subbasins based on application of a U.S.G.S. numerical groundwater flow model that the SVBGSA applied to the entire Basin. (*Ibid.*) That means the SVBGSA's evaluation of existing and projected future conditions in the 180/400 Subbasin is directly informed by its quantitative analysis of conditions and water use in all the other subbasins.

The problem here is that significant coastal groundwater pumping in the 180/400 Subbasin is directly reversing the groundwater flow gradient, which directly induces seawater intrusion. The SVBGSA's identifying the direct and proximate cause of the seawater intrusion problem acknowledges facts that have been understood for nearly 100 years. (*Id.* at p. 1 [citing California Department of Water Resources' Bulletin 52, published in 1946].) The SVBGSA's identifying the direct and proximate cause of seawater intrusion is a necessary step toward enabling stakeholders to accept reality, so they are motivated to support concrete measures to halt seawater intrusion without causing unnecessary impacts and new groundwater sustainability problems in other subbasins.

To that end, the Coalition and SBWA are now funding superposition modeling by the SVBGSA to help clarify what the existing subbasin water balances already suggest about the impact on seawater intrusion from pumping in different subbasins throughout the Basin. Although the SBWA characterizes the Basin as a simple bathtub in which pumping everywhere has the same effect on coastal water levels and seawater intrusion, the same hydrogeology that gave rise to the various subbasin boundaries significantly affects the impact on coastal water levels and seawater intrusion from pumping in different subbasins. Pumping far away from the coast contributes little, if at all, to coastal water levels and seawater intrusion, while pumping on the coast directly causes the water levels that induce seawater intrusion. The Brownstein letter is correct in identifying pumping in the Eastside and Langley subbasins as significantly contributing to seawater intrusion due to its proximity to the seawater-intruded area and degree of drawdown in groundwater levels.

The same holds true for demand management and replacement water projects. Reducing water use far from the coast would impose impacts and hardships without solving the seawater intrusion problem. Article X, Section 2 of the California Constitution prohibits such an illogical and wasteful approach. Reducing water use at the coast would minimize the groundwater demand reduction needed to solve seawater intrusion. As detailed in the attached Technical Memorandum, the SVBGSA should continue its technical work to zero in on potential management areas within the 180/400, Eastside and Langley subbasins that most directly cause seawater intrusion, so that stakeholders can accept reality and work toward agreement on the most cost-effective solution.

The SVBGSA Should be Circumspect About Proposed Groundwater Management Approaches That Rely on Short-term Water-level Trends That Might Not Represent the Trajectory of Long-term Trends

The Brownstein letter contends that the 2025 Evaluation is flawed by relying on model simulations that conflict with observed short-term trends in water-level elevations. (Brownstein Letter at p. 3.) The Coalition encourages DWR to support the SVBGSA's use of robust trends analysis to inform groundwater management through SGMA implementation. The attached Technical Memorandum explains that reliance on trends derived from short-period data sets is heavily impacted by whatever dry and/or wet periods (and resulting pumping) occur within that short data set.

Similarly, DWR should encourage the SVBGSA to be circumspect about groundwater management proposals based on any leveling out of historic groundwater elevation declines at the coast. Any stability of groundwater elevations that maintain a negative ocean gradient would continue to induce seawater intrusion, unless they are part of an extraction barrier project.

DWR also should encourage the SVBGSA to be circumspect about increased reliance on the Deep Aquifers to meet coastal water demand. As explained in the attached UES memorandum, the 2025 Evaluation's recommendation for additional water-level and quality monitoring is warranted before increasing the magnitude of pumping from the Deep Aquifers in the coastal area.

The SVBGSA Should Reconsider the 180/400 Subbasin's Measurable Objective to Roll Back Seawater Intrusion to Highway 1 by 2040

This seawater intrusion roll-back objective is unrealistic and will waste scarce resources that would be better deployed toward achieving an objective of halting seawater intrusion. The LandWatch letter faults the SVBGSA for not being further along in deploying projects or other measures to achieve the roll-back objective. (LandWatch Letter at p. 3.) Defining a Highway 1 roll-back as the standard for success sets up the 180/400 Subbasin for failure, when an aggressive but realistic objective of halting seawater intrusion is a more reasonable objective. DWR should support such a reasonable objective and not demand pursuit of impractical goals that will hinder achievement of reasonable ones that make the 180/400 Subbasin sustainable.

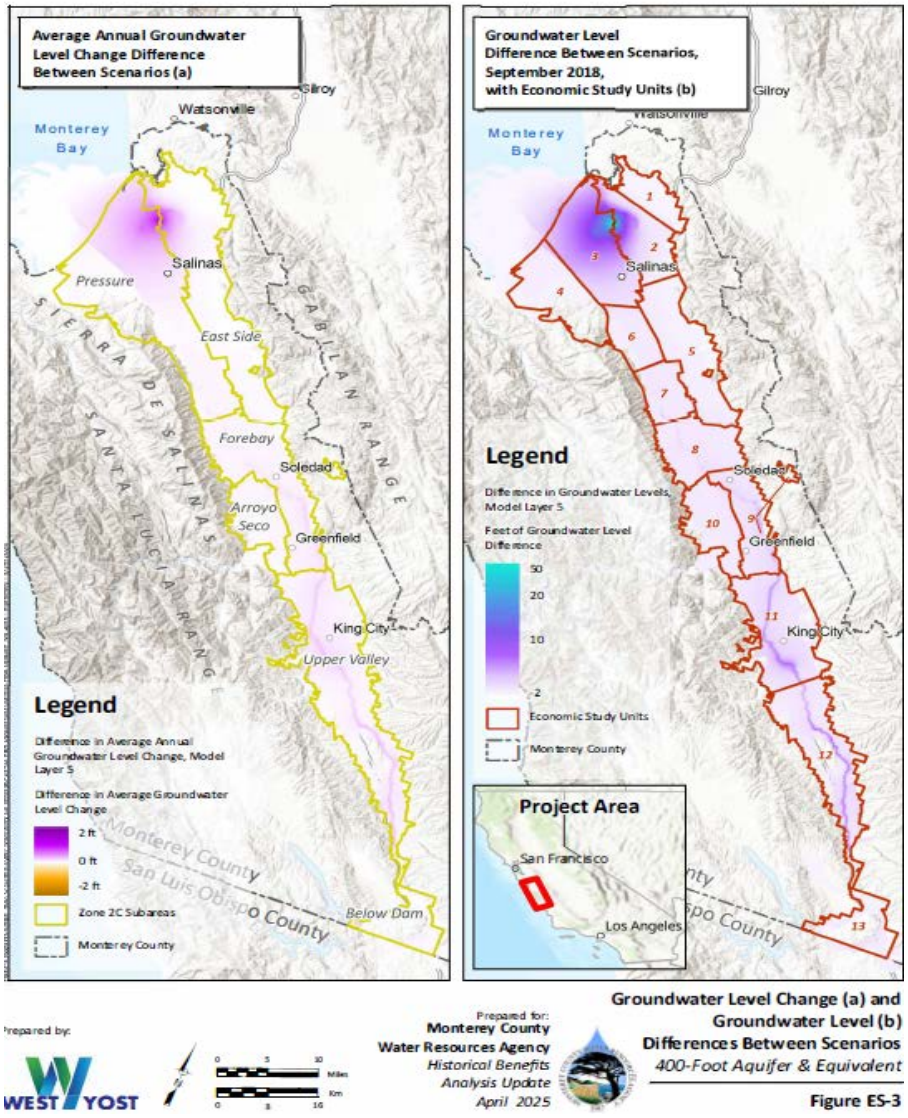
The SVBGSA Should Recognize the Existing Equitable and Lawful Allocation of Water Supply Benefits From the Ongoing Operation of Two Large Surface Water Reservoirs Whose Releases Recharge the Entire Basin and Help Supply an In-lieu Recharge Project in the 180/400 Subbasin

The LandWatch letter cites a 1995 white paper to support a request that DWR instruct the SVBGSA to evaluate a project to reallocate surface water developed by Nacimiento and San Antonio reservoirs. (LandWatch Letter at pp. 6-7.)

Since 1995, the owner/operator of the reservoirs, Monterey County Water Resources Agency (MCWRA), has: (1) analyzed the allocation of their recharge and flood control benefits (1998 Historic Benefits Analysis); (2) approved, constructed and carried out an in lieu recharge project called the Castroville Seawater Intrusion Project (operational in 1998); (3) approved, constructed and carried out the Salinas

Valley Water Project[1] with special assessment funding approved in a valley-wide landowner Prop. 218 vote (operational in 2010); and (4) is now updating its analysis of the recharge and flood control benefits of all these ongoing projects (April 2025 Salinas Valley Historical Benefits Analysis Update Final Report [HBA Update[2]]).

The 2025 HBA Update shows that MCWRA's existing water projects provide very significant recharge/water level benefits to the 180/400 and Eastside subbasins. The following "heat" maps show particularly significant benefits to those subbasins:



[1] Project description available at https://www.countyofmonterey.gov/government/government-links/water-resources-agency/projects-facilities/salinas-valley-water-project-svwp (last accessed April 10, 2025).

[2] Available at https://www.countyofmonterey.gov/government/government-links/water-resources-agency/documents/historic-benefits-analysis (last accessed April 10, 2025).

(HBA Update Figure ES-3.) The preceding maps show a 2- to 50-foot increase in groundwater elevation for the 180/400 and Eastside subbasins as a result of MCWRA project operations, with a smaller and more dispersed water level benefit in the Upper Valley and Forebay subbasins.

Landowners in the Upper Valley and Forebay subbasins have been, and continue, paying special assessments to pay for the projects providing the water supply benefits depicted above and detailed in the 2025 HBA Update. The suggestion by LandWatch that the costs and benefits of the Salinas Valley's existing water supply projects have somehow been inequitably allocated is an outdated local trope that is belied by the facts. It is continuation in comments like LandWatch's distracts stakeholders from accepting reality, which is delaying development of consensus around how to solve the seawater intrusion problem without causing new problems by trying to reallocate water supply benefits from elsewhere in the Basin.

DWR should support the SVBGSA's ongoing efforts to clearly define the cause of the seawater intrusion problem, so that solutions will be tailored to causes and can be funded in compliance with the proportionality standard imposed by Proposition 218.

It Is Premature to Impose Pumping Allocations, Which May be Unnecessary to Achieve Sustainability

The LandWatch letter faults the SVBGSA for not creating pumping allocations in the 180/400 Subbasin to implement demand management and to provide a basis for imposing new pumping fees to pay for sustainability projects. (LandWatch Letter at pp. 7-9.) Until the SVBGSA completes the above-mentioned superposition modeling, and then models demand management scenarios that target the direct and proximate cause of seawater intrusion, the stakeholders will be able to question the technical basis for allocating demand management and new fees to pay for sustainability projects. Until the technical work is completed to support such measures, imposing allocations and new fees to pay for projects unnecessarily risks triggering a comprehensive groundwater rights adjudication that will divert enormous financial resources and the attention of stakeholders from making progress toward sustainability.

The risk of that outcome can and should be reduced by encouraging the SVBGSA to complete the technical work to build the foundation for scoping sustainability solutions and who pays for them. MCWRA's success in funding construction and operation of two large reservoirs, the Castroville Seawater Intrusion Project, and the Salinas Valley Water Project through special assessments proves you do not need to impose valleywide pumping allocations to fund major water infrastructure that helps make groundwater sustainability real.

Urban Pumpers Must be Part of the Basin's Sustainability Solution

The LandWatch letter erroneously contends that urban groundwater "users have priority in water rights over agricultural users, so they should not have to pay for water projects to replace groundwater for which they have a priority claim." (LandWatch Letter at p. 21.) That contention is wrong as a matter of law and, if implemented, would make sustainability projects economically infeasible. One of the Salinas Valley's strengths is that it includes a combination of agricultural and

urban water users who can pay sustainability project costs. To suggest that urban water users be exempted from solving a problem they helped to create is illogical and counter-productive.

LandWatch bases its theory of an urban super-priority water right on Water Code sections 106 and 106.5, which provide policy declarations regarding use of water for domestic, municipal, and agricultural purposes. Section 106 declares that domestic water use is the highest priority, followed by irrigation. Section 106.5 focuses on protecting municipal rights acquisition and holding of water rights for current and future uses. However, these declarations do not directly create a superior legal right for urban water users to take groundwater from aquifers in conflict with the overlying rights of agricultural landowners. Case law has rejected the LandWatch theory's interpretation of these statutes in situations where urban water suppliers claimed prior rights over overlying rights for agriculture.

In *Antelope Valley Groundwater Cases* (2021), the Fifth District Court of Appeal decided whether a municipal entity, Phelan Piñon Hills Community Services District (Phelan), had a superior right to pump groundwater over the rights of overlying agricultural users. Phelan argued that it was entitled to groundwater rights as an "appropriator for municipal public use" under Water Code sections 106 and 106.5. (*Antelope Valley Groundwater Cases v. California Water Serv. Co.* (2020) 59 Cal.App.5th 241, 268.) Phelan asserted it had "rights to pump water from the Basin to meet its municipal water demands ... as a matter of law and public policy," which Phelan contended provided it with a "prior and paramount right to Basin water as against all non-municipal uses." (*Id.* at 267.) The trial court's final statement of decision concluded Phelan had not acquired any such right, whether appropriative or otherwise. (*Id.*)

On appeal, Phelan asserted the "public use" doctrine and policies embodied in Water Code sections 106 and 106.5 confer on Phelan a right—as a municipal appropriator for public use—to pump water for municipal purposes. (*Id.*) But the appellate court concluded neither Water Code sections 106 and 106.5, nor any case law, supports the theory that a pumper for municipal purposes can tap into an overdrafted aquifer and, in doing so, acquire paramount water rights in that aquifer. (*Id.* at 269.) Although the statutes are declarative of general policy, there are no cases in which they were employed to acquire a water right that would not otherwise have been acquired under the laws governing acquisition of water rights by overlying, appropriative, or prescriptive users.

Moreover, the same legislative enactment creating those domestic and municipal policies includes the express declaration that "[i]n the enactment of this code the Legislature does not intend thereby to effect any change in the law relating to water rights" (Water Code § 103), so the appellate court affirmed the trial court's rejection of the argument that these general policies create a special avenue by which municipal water suppliers can acquire a senior right in an overdrafted aquifer. (*Id.* at 268–269.)

LandWatch's claim that Water Code section 106 creates an urban super right over agricultural overlying rights also was rejected in *Bring Back the Kern v. City of Bakersfield* (2025). There, the City of Bakersfield contended "[t]he trial court's protection and prioritization of Bakersfield's domestic water supplies and needs, over the lower priority diversions of Appellants for agricultural uses, was consistent with, supported by, and, in fact *required,* by well-established California

statutes establishing a priority for domestic uses of water over agricultural uses." (*Bring Back the Kern v. City of Bakersfield* (Apr. 2, 2025, F087487) ___ Cal.App.5th ___ [emphasis in original].)

There, the Fifth District Court of Appeal held that Section 106 argument, while profound in scope, was flat wrong. (*Id*.) The appellate court held the trial court incorrectly posits that statutory water use preferences *require* courts to alter the respective water delivery rights established by existing contracts and prior court decrees, in order to ensure a statutory "higher use" is satisfied before a lower one. (*Id*.) For one, the court held, the statutory policy in favor of domestic purposes (Water Code § 106) is followed shortly thereafter by an explanation that "[t]he declaration of the policy of the State in this chapter is not exclusive, and all other or further declarations of policy in th[e Water] code shall be given their full force and effect." (Water Code § 107.) Moreover, while domestic use is prioritized over all other uses, irrigation is similarly prioritized over all other uses except domestic ones. (Water Code § 106.)

From there, the appellate court reasoned that applying the trial court's logic that domestic water supply needs must be protected and prioritized over lower priority diversions for agricultural uses would mean urban suppliers should get all the water needed for domestic purposes and water agencies should get all the water needed for irrigation before any water is devoted to other purposes, such as recreation, and the preservation of fish and wildlife resources. (*Bring Back the Kern v. City of Bakersfield* (Apr. 2, 2025, F087487) ___ Cal.App.5th ___.) The appellate court held that is not how the law of water use works. No single use of water — not even using water for domestic purposes—has an "absolute priority." (*Id*.)

Thus, LandWatch's Section 106 theory for an urban super-priority groundwater right is unsupported by law. LandWatch's prescriptive rights theory for an urban super-priority fares no better.

LandWatch contends the Salinas Valley's urban pumpers have acquired prescriptive rights without reference to provable facts required to obtain prescriptive rights and then misstates how groundwater is allocated between prescriptive and overlying rights that were protected by self-help pumping. (LandWatch Letter at pp. 21-22.) In *City of Santa Maria v. Adam* 211 Cal.App.4th 266, 297 (2012), the appellate court held that "acquisition of a prescriptive right in groundwater rearranges water rights priorities among water users, elevating the right of the one acquiring it above that of an appropriator to a right equivalent in priority to that of a landowner." (*Id*. at 297 (citing *City of Los Angeles v. City of San Fernando* (1975) 14 Cal.3d 199, 293.) In other words, even where prescription occurs, it does not create an urban super-priority over overlying landowner rights. Instead, both kinds of rights share the safe yield in proportion to their respective shares of total pumping during the five-year prescriptive period.

And that means any urban groundwater rights in a critically overdrafted subbasin that must reduce pumping to stop seawater intrusion will have to pay their proportionate share of the costs for sustainability projects—which aligns with the proportionality mandate of Propositions 218 and 26 to allocate costs in proportion to burdens imposed or benefits received.

For all the preceding reasons, DWR should reject LandWatch's request to push the SVBGSA toward an unlawful SGMA implementation approach that would make sustainability harder, if not impossible, to achieve.

Conclusion

The Coalition supports technically robust SGMA implementation that helps stakeholders find their way to accepting the allocation of sustainability burdens in proportion to their actual contribution to Basin conditions. The Basin's stakeholders have found their way to paying for very significant and enduring water supply sustainability infrastructure in the recent past. They can do so again, if DWR supports the SVBGSA's building of a strong technical basis for allocating the costs and benefits of achieving sustainability.

Sincerely,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

ERIC N. ROBINSON

ENR

Encl.: UES Technical Memo
cc: Piret Harmon, SVBGSA
Ara Azhderian, MCWRA
Nancy Isakson, SVWC

MEMORANDUM

To:	Nancy Isakson, Salinas Valley Water Coalition
CC:	Eric Robinson, Kronick Moskovitz Tiedemann & Girard
From:	Dwight L. Smith, PG, CHg, Principal Hydrogeologist
Date:	April 11, 2025
Subject:	**Comments on the Five Year Evaluation of the 180/400-Foot Aquifer Subbasin Groundwater Sustainability Plan**

This memorandum has been prepared in response to the Brownstein Hyatt Farber Schreck, LLP letter ("Brownstein letter") dated January 8, 2025, submitted on behalf of the Salinas Basin Water Alliance (Alliance) and addressed to the Salinas Valley Basin Groundwater Sustainability Agency (GSA). The Brownstein letter provides review comments on the 180/400-Foot Aquifer Subbasin Groundwater Sustainability Plan, 2025 Periodic Evaluation, prepared by Montgomery and Associates for the GSA and dated January 2025 (2025 Evaluation). The 2025 Evaluation has been submitted to the California Department of Water Resources (DWR) for compliance with the Sustainable Groundwater Management Act (SGMA), which requires a 5-year evaluation of the GSP. DWR has posted the 2025 Evaluation and Brownstein letter on its SGMA Portal website.

Integrated Management Approach

The Brownstein letter contends that the GSA has implemented a "balkanized" approach to SGMA implementation for the Salinas Valley subbasins that treats the 180/400-Foot Aquifer Subbasin as a "distinct island." Nowhere to our knowledge in any of the GSPs are the Salinas Valley subbasins described as distinct islands. To the contrary, each subbasin GSP defines a water budget and groundwater flow interactions with neighboring subbasins in acknowledgement of the hydraulic connections that have been defined by published scientific evaluations.

The fundamental hydrologic nature of the Salinas Valley groundwater flow system resulted in defined subareas (DWR Bulletin 52, 1946), which have evolved to become subbasins for administration and management of water resources. It is important to recognize that the subbasin boundaries are rooted in the distinct hydrogeologic characteristics of each subbasin, and the subbasins are not arbitrary boundaries nor are they disconnected geographic areas that are independent of other subbasins. The defining hydrogeologic characteristics of each subbasin relates to the aquifer conditions within each subbasin, specifically, the presence of confined or unconfined aquifers, river hydraulic connections, compositions of the lithologies, and thicknesses and depths of aquifers relied upon for water supply. Hydrologic connections indeed exist and are expressly accounted for in the water budgets the GSA developed for each subbasin GSP.

For example, the 2025 Evaluation for the 180/400 Subbasin GSP references Section 4.4 and Appendix 5C, includes quantifications of subsurface inflows and outflows from/to adjacent subbasins. Because the provisional U.S.G.S. Salinas Valley Integrated Hydrologic Model (SVIHM) is used to define the magnitudes of subsurface connection, it implicitly incorporates the effects of water levels, recharge, pumping and water uses in the neighboring subbasins, representing the entirety of the Salinas Valley groundwater flow system.

However, the challenge for sustainable groundwater management for the 180/400 Subbasin is unhalted seawater intrusion, which has been occurring for more than a century and is most directly related to groundwater pumping drawdown in the *coastal area*. All science that we are aware of (historical and current) supports the conclusion that pumping from far upgradient in the Salinas Valley groundwater flow system, for example in the Forebay and Upper Valley Subbasins, has little influence, if any, on seawater intrusion in 180/400 Subbasin. This interpretation can be examined using the flow models available to the GSA. The question of adjacent and up-gradient subbasin influences on seawater intrusion does need immediate attention, for the sake of dispelling misconceptions and gaining focus on management actions that will effectively achieve sustainability in regard to the seawater intrusion problem. To that end, the Coalition and Alliance are jointly providing funding to the GSA for use of the SVIHM to conduct superposition modeling, whereby pumping in each subbasin is isolated and tested to determine the net effect of a subbasin's pumping on water levels, river flows, and coastal seawater intrusion in the Salinas Valley. While this modeling is a scientific exercise and hypothetical in nature, it will provide bookends to defining the magnitudes of interconnection between the subbasins, and it could lead to additional discrete uses of the modeling tools to provide clarity to understanding the degrees of connectivity and, more importantly, the effectiveness of proposed management actions in addressing the primary impact of critical concern - seawater intrusion. The Coalition appreciates the GSA facilitating this evaluation and hopes to see future evaluations that will advance the understanding of the magnitudes of hydraulic connection of the subbasins. More rigorous demand management (pumping reduction) testing by subbasins and differing geographic areas within subbasins, is suggested as follow-up steps to the superposition evaluation, and will shed further light on the effectiveness, or lack thereof, of demand management throughout the differing geographic areas of the Salinas Valley in achieving sustainability goals for all subbasins.

The influences of pumping from the Eastside and Langley Subbasins, because of proximity to the seawater intruded area and degree of water level elevation drawdown, are expected to have more significant influences on the 180/400 Subbasin, as contrasted, for example, with the Forebay and Upper Valley Subbasins. There are three primary variables that associate with degrees of drawdown over distance: (1) distance between pumping and the area of concern, (2) magnitude of pumping, and (3) duration of pumping. These variables, along with the characteristics of the aquifer environment, are the principal components of time-distance-drawdown relationships. As such, looking for pumping management solutions at great distances away from the area of impact (seawater intruded area) would be a less effective strategy to accomplish meaningful mitigation. The SVIHM provides a tool to quantify the relationships and effects.

Within the 180/400 Subbasin, there needs to be further recognition that pumping from the *coastal area* is directly causing the subsurface groundwater flow gradients that induce seawater intrusion, compared to more distant pumping in the southern part of the 180/400 Subbasin. Geographic proximity of pumping to the area of seawater intrusion relates directly to the level of influence on the undesirable conditions. The GSA should be supported and encouraged to examine the geographic distribution of pumping through demand management testing using the SVIHM and GSA seawater intrusion model (SWI) to bring clarity and understanding to the stakeholders.

Clearly Defining the Magnitude of Action Required to Halt Seawater Intrusion

As the Coalition has discussed recently with the GSA, there needs to be clarity brought forth on the magnitude of the seawater intrusion issue and how much pumping reduction or pumping offset will be

required to halt seawater intrusion. In a 1994 Alternatives Analysis (EDAW, 1994) prepared for the Monterey County Water Resources Agency (MCWRA) it was determined from numerical flow modeling available at that time that "if approximately 50,000 af/yr of pumping in the coastal area is curtailed and replaced by other sources of water, the seawater intrusion can be eliminated." Does this magnitude still hold true for today's models and today's water uses and extent of seawater intrusion? The magnitude of the problem needs to be clearly defined, so the Salinas Valley's stakeholders have a clear and simple understanding of the magnitude of the forthcoming effort to achieve sustainability.

Water Level SMCs for the 180/400 Subbasin are Inconsistent with Seawater Intrusion SMC

A steady-state condition to the historical level of pumping in the 180/400 Subbasin may be approaching an equilibrium condition, as noted in Brownstein letter. However, the current representative monitoring site (RMS) water level elevations may be meaningless in the *coastal area* of the 180/400 Subbasin as it relates to the sustainable management criteria (SMC) for halting seawater intrusion. The Brownstein letter criticizes the water level SMCs for the 180/400 Subbasin when contrasted with other subbasins, but missed the real issue: *the SMCs as currently defined based on 2015 water levels will not be adequate to halt seawater intrusion*, particularly in the coastal area of the 180/400 Subbasin. The inland gradients observed in 2015 will perpetuate seawater intrusion, not solve the intrusion problem.

A reversal or lessening of inland gradients over current conditions is required to halt seawater intrusion. This needs to be re-examined in the GSP, and water level elevation Minimum Thresholds (MTs) and Measurable Objectives (MOs) need to be redefined based on mitigation of seawater intrusion, not 2015 (for MTs) and 2003 (for MOs) water levels. In effect, under pumping management scenarios, the water level elevations in the coastal area will need to be higher than 2015 and 2003 elevations, otherwise *undesirable results* of seawater intrusion will continue to occur. At inland areas of the 180/400 Subbasin, perhaps the 2015 and 2003 water level elevations will be sufficient, but this needs to be examined and defined over the entire geographic area of the 180/400 Subbasin using the numerical models available. The MTs and MOs will also need to be reconsidered to accommodate future management actions, such as the brackish water restoration / extraction barrier concept as discussed in the 2025 Evaluation (Section 2.2.5); there will be a new set of coastal area RMS MTs and MOs under the mitigation concept that is adopted for the subbasin.

In summary, the present RMS water level criteria for the *coastal area* of the 180/400 Subbasin are irrelevant and inconsistent as currently implemented in the GSP for management of seawater intrusion, as they do not represent desired conditions for sustainability, and are not coupled with required management actions for seawater intrusion.

As a related note, the Brownstein letter correctly observes that reverting the seawater intrusion front back to Highway 1 as a MO may not be realistic or necessary to achieve sustainability, which may be simply halting seawater intrusion. This part of the seawater intrusion SMC should be reviewed.

Deep Aquifers – Caution Warranted

More robust water level trend analysis is advised in future GSP evaluations, as pointed out in the Brownstein letter. However, if the time period of water level trend evaluation becomes shorter, the interpretation of long-term trends becomes less reliable. This is because natural variations in water levels based on seasonal and multi-year climatic dry and wet cycles become stronger influences on the observed

trends and, therefore, can override any long-term systemic effects that may exist in the long-term water level dataset.

The 2025 Evaluation states that the 2003 based water level elevation MOs may be "unrealistically high" for the Deep Aquifers. Caution is warranted for decreasing the MO elevations. While no seawater intrusion has been detected to date, the monitoring network for the Deep Aquifers is not as extensive as that of the 180/400 aquifers. The Deep Aquifers study completed in 2024 by the GSA indicates that pumping withdrawals may be exceeding recharge, resulting in aquifer storage depletion. Concurrently, recent pumping from the Deep Aquifers has been on the increase. Magnitudes of pumping from the Deep Aquifers, notably along the coastal area, needs careful consideration for management. If caution and constraints to pumping are not exercised, the Deep Aquifers will become over-exploited, creating future problems that undermine the sustainability goals for the 180/400 aquifers.