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## Central Coast Regional Water Quality Control Board

October 25, 2023

Paul Michel  
NOAA Office of National Marine Sanctuaries  
99 Pacific Street, Suite 100F  
Monterey, CA 93940  
Submitted via *Federal e-Rulemaking Portal*: <https://www.regulations.gov>

Dear Paul Michel:

**RE: CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD  
COMMENTS ON PROPOSED RULE NOAA-NOS-2021-0080, CHUMASH  
HERITAGE NATIONAL MARINE SANCTUARY**

Thank you for the opportunity to comment on the newly proposed rule that would create the Chumash Heritage National Marine Sanctuary (NMS). The Central Coast Regional Water Quality Control Board (Central Coast Water Board) appreciates its longstanding relationship with NOAA working together on water quality issues in the Monterey Bay NMS and looks forward to similar success within the new NMS.

The Central Coast Water Board has reviewed the environmental impact statement, draft management plan, and draft enabling regulations and it strongly supports a new NMS. Marine sanctuaries fit well with the Central Coast Water Board's commitment to protecting and enhancing the quality of Pacific Ocean waters.

There is one aspect of the proposed rule upon which the Central Coast Water Board wishes to comment. The Central Coast Region, as most of the state, is limited in its supplies of fresh water, and the Central Coast Water Board has prioritized planning and implementing projects to increase the state's ability to deal with drought, aridification, and water supply uncertainty.<sup>1</sup> Projects that increase resiliency include those that the Central Coast Water Board has permitting authority for under the National Pollutant Discharge Elimination System (NPDES) program. This could include such projects as

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<sup>1</sup> Such projects are in line with Governor Gavin Newsom's directive to state agencies to develop a water resiliency portfolio (Executive Order N-10-19, available at [CAP14-20190429152045](#)), and the subsequent development of the 2020 Water Resilience Portfolio and the 2022 Water Supply Strategy by California state agencies, including the California State Water Resources Control Board. The 2020 Water Resilience Portfolio and the 2022 Water Supply Strategy are available at [California Water Resilience Portfolio 2020](#) and at [CA-Water-Supply-Strategy.pdf](#), respectively.

highly treated recycled water projects where waste residuals could be discharged to the Pacific Ocean.

Under the draft NMS rules, it is not clear whether new discharges from these types of resiliency projects would be allowed within the new sanctuary's boundaries. We urge NOAA to ensure that there is a process in the rules to allow consideration of NPDES permits for new discharges related to water supply projects. Alternatively, NOAA could confirm that the interagency memorandum of agreement could include provisions to consider and permit such discharges.

Please contact me if you have any questions or wish to discuss these comments.

Sincerely,

/original signed by/

Ryan E. Lodge  
Executive Officer

cc: Eileen Sobeck, State Water Resources Quality Control Board  
Jonathan Bishop, State Water Resources Quality Control Board  
Jane Gray, Chair, Central Coast Water Resources Control Board

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