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# California State Senate

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EIGHTEENTH SENATE DISTRICT



COMMITTEES  
BUDGET SUBCOMMITTEE #4 ON  
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NATURAL RESOURCES AND WATER

## SB 1178 California Water Quality & Public Health Protection Act

Despite California's environmental leadership, the state continues to have some of the nation's most polluted water. One long-term example of that dangerous water quality is the Tijuana River watershed, which spans 1,750 square miles and straddles the international border between the United States and Mexico. The watershed consists of the Tijuana River, the Tijuana River estuary, and the ocean shoreline, all located in the most southwestern portion of the City of San Diego, and bounded by the residential communities of San Ysidro and Imperial Beach. The Tijuana River and Estuary are listed as impaired water bodies on the Clean Water Act section 393(d) list of impaired water bodies because of excessive levels of bacteria, heavy metals, trash, sediment, and other pollutants.

This pollution is growing daily and due to the recent storm system over **14.5 billion gallons** of raw sewage washed up on the shores of the Tijuana River. These ongoing trans-border flows have a severe impact on the economy and environment of the region, but most importantly, billions of gallons of raw sewage is creating an untenable and serious public health threat to local communities. Toxins in the sewage, as well as bacterial and viral pathogens such as E. coli, vibrio, and salmonella, which becomes aerosolized, exposes residents to dangerous health risks. The Scripps Institution of Oceanography at UC San Diego attributed 34,000 illnesses in 2017 to water quality pollution in Imperial Beach, affecting lifeguards and U.S. Navy trainings.

In an effort to reduce this toxic water pollution, a binational wastewater treatment facility was established in San Diego by US and Mexican authorities. That facility was, however, quickly overwhelmed by the explosion of the volume of wastewater flowing into the Tijuana River. While the facility is in desperate need of expansion, both US and Mexican governments have not upheld obligations to maintain and repair the existing facility. As a result, the treatment facility has been rendered inoperable exposing local communities throughout South San Diego County to toxic sewage flows and dangerous pathogens.

The vast increases in sewage flows into South San Diego follows years of explosive economic growth in Tijuana where many large multi-national corporations have set up manufacturing to take advantage of cheap labor costs and lax environmental protections. Those manufacturers are producing product in Mexico to sell in California. Those same multi-national corporations have significant operations and sales in California. They are licensed to do business here and pay California taxes.

SB 1178 would require large corporations of 2,500 or more employees doing business in California to publicly disclose their waste water discharges that can result in contamination of California watersheds. The measure then directs the State Water Resources Board Control Board (SWRCB) to create the "California Water Quality and Public Health Impact Surcharge" which shall quantify the costs of

mitigating that contamination. The company can opt to remedy the containment itself or pay a fee to the State to do it on their behalf. The fee will be assessed in coordination with the Franchise Tax Board and added as a surcharge to their tax bill. Funds from this new surcharge will be dedicated exclusively to mitigating the impact of those toxic discharges.

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### **Support**

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