



County of Monterey

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April 14, 2025

The Honorable Ben Allen
California State Senate
1021 O Street, Suite 6610
Sacramento, CA 95814

Re: SB 601 (Allen) Water: waste discharge. – OPPOSE

Dear Senator Allen:

On behalf of the County of Monterey we write to inform you of our opposition to SB 601. This bill goes far beyond maintaining the status quo around water quality regulatory protections, and, instead, would impose costly and unnecessary regulatory burdens that will increase the cost of living for Californians and expose employers to endless litigation. It would stall housing development projects, risk putting growers out of business, delay water and wastewater projects needed to improve water supply reliability in the face of climate change, and reduce jobs.

Below summarizes the County's concerns with the bill.

- **Private Right of Action & Litigation Risks:** SB 601 introduces a private right-of-action, allowing any individual or group to sue businesses, farmers, and local governments over alleged permit violations. The vague definition of "nexus waters" opens the door to abusive lawsuits, which would halt critical projects and cost businesses and governments tens of thousands of dollars.
- **Ignore Economic, Housing, and Water Needs:** SB 601 would gut requirements for the Water Boards to consider economic impacts, the need for housing and recycled water use, and the ability to comply when issuing water quality permits. These are critical safeguards that require the Water Boards to carefully balance environmental and economic considerations. At a time when California faces severe housing shortages, water supply uncertainty, and rising costs of living, it is unreasonable to ignore how overly stringent water quality permits would compound these challenges.
- **Unworkable Regulatory Overreach:** The bill expands federal permitting requirements to nonfederal waters and non-point source discharges, going far beyond the historic reach of the federal Clean Water Act. It would impose prescriptive federal Clean Water Act permitting requirements onto categories of discharges that have never before been subject to Clean Water Act permitting. SB 601 would also create new regulatory hurdles at the city and county level, which would lead to further project delays.
- **Harsh & Unfair Penalties:** SB 601 imposes strict federal-style penalties on businesses and municipalities, even for minor or unintentional violations. Imposing severe penalties for all dischargers regardless of the nature and severity of the violation raises questions of fairness and proportionality.
- **Unnecessary Attempt to "Trump-Proof" California:** California already has the most protective water quality regulations in the nation. These regulations are more protective than federal law. Water bodies that are no longer regulated by the federal government have been and are still regulated by the State. SB 601's overreach will burden regulatory agencies, divert resources from more pressing



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environmental concerns, and increase permit fees that ultimately get passed on to consumers. These new regulatory hurdles will also yield little environmental benefits.

SB 601 is an unnecessary expansion of state authority that will raise the cost of living and encourage frivolous lawsuits against businesses and local governments. This bill will negatively impact California's economy. For these reasons, the County of Monterey opposes SB 601.

Should you have any questions, please feel free to contact Monterey County's Public Policy Advisor, Ashley Walker of Nossaman LLP, at 916-442-8888.

Sincerely,

DRAFT

Chris M. Lopez, Chair
Board of Supervisors

cc: The Honorable John Laird, 17th Senate District
The Honorable Robert Rivas, 29th Assembly District
The Honorable Dawn Addis, 30th Assembly District
California State Association of Counties (CSAC)
Rural County Representatives of California (RCRC)
Members and Consultants, Senate Judiciary Committee
Members and Consultants, Senate Appropriations Committee