



April 1, 2025

The Honorable Ben Allen
California State Senate
1021 O Street, Suite 6620
Sacramento, CA 95814

**RE: Opposition to SB 601 (Allen) – Water: Waste Discharge – As Introduced
February 20, 2025**

Dear Senator Allen,

MARK STAPP
Mayor

EDDIE ALVAREZ
Vice Mayor

On behalf of the City of Santa Rosa, I write in respectful opposition to Senate Bill 601, which proposes sweeping changes to California's water quality laws by significantly expanding the regulatory authority of the State Water Resources Control Board and regional boards over waters previously excluded from federal jurisdiction.

While the City of Santa Rosa fully supports the protection of California's water resources, SB 601 presents serious concerns for local governments due to its broad scope, duplication of federal requirements, and imposition of new, unfunded mandates on cities and counties.

The bill's creation of a new category of "nexus waters" vastly expands the scope of waters subject to state regulation, encompassing virtually all waters of the state, including those no longer regulated at the federal level. Without clear scientific criteria or public process to define these waters, SB 601 introduces significant ambiguity that could result in inconsistent enforcement, increased liability for municipalities, and regulatory uncertainty.

Additionally, SB 601 imposes duplicative and costly permitting responsibilities on local governments. Cities and counties would be required to verify enrollment in state discharge permit programs for businesses and construction sites seeking local licenses or permits. These duties replicate state responsibilities and would necessitate new local tracking systems, additional staff time, and administrative processes—all without any accompanying state funding or technical support.

Of further concern is the bill's expansion of perjury-related reporting requirements and the increased risk of civil or criminal liability for cities that issue business or construction permits without confirming compliance with the bill's provisions. This creates a new state-mandated local program without reimbursement, inconsistent with the principles outlined in the California Constitution.

Moreover, the citizen suit provision in SB 601 would allow third parties to bring enforcement actions in superior court without adequate notice or coordination with local governments. This exposes cities like Santa Rosa to unnecessary litigation, even in cases where the city is not directly responsible for the underlying discharge or activity.

While the goals of SB 601 may be well-intentioned, the bill as written would dramatically increase regulatory burdens on local governments, expand local liability, and create new administrative and legal challenges without the resources necessary to meet them. For these reasons, the City of Santa Rosa must respectfully oppose SB 601. We urge you to reconsider or significantly amend the bill to address these concerns and avoid imposing unfunded responsibilities on cities.

Thank you for your attention to this matter. If you have any further questions please feel free to contact Dane Hutchings at dhutchings@publicpolicygroup.com or Coby Pizzotti at cpizzotti@publicpolicygroup.com.

Sincerely,



Mayor Mark Stapp

Thank you for your
consideration.

