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California State Senate

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SB 1208 – Waste Discharge Permits: Landfills

The Tijuana River has become the environmental and social justice crisis of this generation. Due to decades of inaction on both sides of the border, millions of gallons of untreated sewage and trash flow down its banks each day. The pollution originates in Tijuana and travels through the Tijuana River Estuary on the U.S. side before contaminating the Pacific Ocean near the City of Imperial Beach.

The pollutants have decimated critical wetland ecosystems to the brink of collapse, caused the closure of several south San Diego County beaches, and led to significant health issues for the underserved communities that surround the river. These communities of San Ysidro, Otay Mesa, and Nestor have scored among the state's most burdened on CalEnviroScreen 4.0. The addition of another major stressor to this border region would be environmentally hazardous and socially unjust.

Despite the already existing crisis, private developers have proposed to construct a new landfill in San Diego County's East Otay Mesa, just north of the U.S.-Mexico border and within the Tijuana River watershed, exacerbating the current environmental and social justice issues. The landfill could lead to more beach closures, more harm to the environment, and more injustice for vulnerable border communities. Additionally, studies show that the landfill is unnecessary as San Diego County has more than 30 years of capacity remaining in existing landfills¹. The environmental and social costs of constructing new, unnecessary landfills are far too great to bear if sufficient disposal capacity remains to meet the region's needs. Despite these concerns, developers could break ground as soon as this year.

SB 1208 would prohibit a regional water board from issuing a waste discharge permit for a new landfill that is used for the disposal of nonhazardous solid waste if the land is located within the Tijuana River National Estuarine Research Reserve or within an area that is tributary to the Tijuana River. The bill would also expand the definition of "landfill used for the disposal of nonhazardous solid waste" to also include a disposal site regulated by a regional water board as a Class II landfill.

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¹ County of San Diego Department of Public Works. County of San Diego Five-Year Review Report of the Countywide Integrated Waste Management Plan. CIWMP, June 2022,
https://www.sandiegocounty.gov/content/dam/sdc/dpw/SOLID_WASTE_PLANNING_and_RECYCLING/Files/2022%20Five-Year%20Review.pdf.

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