

Date of Hearing: July 1, 2025

ASSEMBLY COMMITTEE ON ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

Damon Connolly, Chair

SB 317 (Hurtado) – As Amended June 18, 2025

SENATE VOTE: 38-0

SUBJECT: Wastewater surveillance

SUMMARY: Codifies the Department of Public Health's (CDPH) surveillance of wastewaters network, which is a network of monitoring programs to test for pathogens, toxins, and other public health indicators in wastewater. Specifically, **this bill:**

- 1) Defines "California Surveillance of Wastewaters network" or "Cal-SuWers network" as the statewide wastewater surveillance program administered by CDPH, in coordination with local health departments, wastewater utilities, academic institutions, and other partners, for the purpose of monitoring pathogens and other public health indicators.
- 2) Defines "wastewater surveillance" as the collection and analysis of wastewater samples to detect pathogens, toxins, and other public health indicators to provide early warning for infectious disease outbreaks and environmental health threats.
- 3) Requires CDPH, in consultation with participating wastewater treatment facilities, local health departments, and other subject matter experts, to maintain the Cal-SuWers network of monitoring programs to test for pathogens, toxins, and other public health indicators in wastewater.
- 4) Provides that participation in the Cal-SuWers network from local health departments and wastewater treatment facilities is voluntary.
- 5) Requires CDPH to work with the participating local health departments and wastewater treatment facilities to collect samples. Requires CDPH to sarrange(to or shall?) for those samples to be tested by qualified laboratories.
- 6) Authorizes CDPH to consult with, or contract with, other wastewater epidemiology projects or public health programs being conducted or previously completed by nonprofits, nongovernmental organizations, academic institutions, and other governmental entities to maintain the mission of the Cal-SuWers network.
- 7) Authorizes CDPH to coordinate with health care providers, local health departments, and emergency response agencies to ensure wastewater surveillance data is used for early intervention, outbreak response, epidemiological investigations, and public health planning.
- 8) Authorizes CDPH to communicate to the general public, through a publicly accessible internet website, to provide transparency and public awareness of wastewater-based disease monitoring. Provides that a publicly accessible internet website may be maintained by an entity other than the CDPH and must do all of the following:
 - a) Provide real-time data visualization of wastewater surveillance results, including regional trends and pathogen detection patterns;

- b) Include educational materials and resources to help the public understand how wastewater surveillance supports public health; and,
 - c) Be updated to ensure current information is available to residents, public health officials, and policymakers.
- 9) Authorizes CDPH, in addition to its existing, noncontinuously appropriated funding sources, to utilize external funding sources to implement this bill. Authorizes CDPH to solicit private donations or grants and to accept moneys donated by other wastewater epidemiology or federal programs.

EXISTING LAW:

- 1) Declares, under the Porter-Cologne Water Quality Control Act (Porter-Cologne Act), that the health, safety, and welfare of people require there to be a statewide program for water quality control and that the statewide program for water quality control can be most effectively administered regionally, within a framework of statewide coordination and policy. (Water Code (WC) § 13000)
- 2) Defines "wastewater treatment plant" as any of the following:
 - (a) Any facility owned by a state, local, or federal agency and used in the treatment or reclamation of sewage or industrial wastes;
 - (b) Any privately owned facility used in the treatment or reclamation of sewage or industrial wastes, and regulated by the Public Utilities Commission; or,
 - (c) Any privately owned facility used primarily in the treatment or reclamation of sewage for which the State Water Resources Control Board (State Water Board) or a Regional Water Quality Control Board (Regional Water Board) has issued waste discharge requirements. (WC 13625 § (d)(1))
- 3) Requires CDPH to maintain a laboratory and branch laboratories as necessary to perform the microbiological, physical, and chemical analyses required to meet the responsibilities of CDPH. (Health and Safety Code (HSC) § 100250).
- 4) Establishes the intent of the Legislature to establish an Environmental Health Surveillance System to establish ongoing surveillance of the environmental exposures and diseases affecting Californians. (HSC § 104324)

FISCAL EFFECT: Unknown.

COMMENTS:

Need for the bill: According to the author, "Senate Bill 317 requires the California Department of Public Health (CDPH), in consultation with participating wastewater treatment facilities, local health departments, and other subject matter experts, to maintain the Cal-SuWers network. This network of monitoring programs will continue to test for pathogens, toxins, and other public health indicators in California wastewater. Wastewater surveillance is a proven and cost-effective tool for public health monitoring, allowing for the early detection of infectious diseases.

Ensuring wastewater monitoring programs like Cal-SuWers will endure is of the upmost importance (change wording)to safeguard food supply sources and California residents."

State Water Board authority over sewer systems: To provide a consistent, statewide regulatory approach to address sanitary sewer spills, the State Water Board adopted a General Order for Waste Discharge Requirements for Sanitary Sewer Systems (General Order). The General Order requires public agencies that own or operate sanitary sewer systems to develop and implement sewer system management plans and report all sanitary sewer spills to the State Water Board's online California Integrated Water Quality System (CIWQS) Sanitary Sewer System Database. Among the requirements of the General Order are requirements to monitor, track, and analyze spills for ongoing system-specific performance.

According to its 2022 General Order, the State Water Board regulates over 1,100 publicly owned sanitary sewer systems. California also has a large unknown number of unregulated privately owned sanitary sewer systems. Under authority granted pursuant to the Clean Water Act and the Porter-Cologne Act, the State Water Board's General Order regulates sewer service providers, which can include state agencies, federal agencies, municipalities, special districts, private companies, or other non-governmental entities that own and/or operate a sewer system. The General Order regulates multiple aspects of sewer systems, including the discharge of sewage and monitoring and reporting requirements.

The California Department of Public Health (CDPH): CDPH's fundamental responsibilities include infectious disease control and prevention, food safety, environmental health, laboratory services, patient safety, emergency preparedness, chronic disease prevention and health promotion, family health, health equity, and vital records and statistics. CDPH's key activities and services include protecting people in California from the threat of preventable infectious diseases like Zika virus, HIV/AIDS, tuberculosis and viral hepatitis, and providing reliable and accurate public health laboratory services and information about health threats.

Wastewater surveillance for SARS-CoV-2 virus: CDPH and the State Water Board together are coordinating with several wastewater utilities, local health departments, universities and laboratories in California on wastewater surveillance for SARS-CoV-2, the virus causing COVID-19. Data collected from this network of participants, through the Cal-SuWers Network, are submitted to the United States Centers for Disease Control and Prevention (CDC) National Wastewater Surveillance System (NWSS). Along with local partners, CDPH is monitoring and quantifying levels of SARS-CoV-2 at the headworks or "influent" of 13 wastewater treatment plants.

Wastewater surveillance, or wastewater-based epidemiology, is a public health tool that can track the presence and amount of pathogens (e.g., viruses, such as SARS-CoV2, bacteria, etc.) in wastewater samples. These data can provide important information about the spread of diseases within a community or potentially as an early warning, even when people are not tested for a disease. This can be an especially important tool for diseases that are not reportable to public health, that are not routinely tested for, or if people rely on at-home testing, which often does not get reported to public health. Wastewater surveillance can provide insight about the spread of pathogens within a community, as infected persons can shed pathogens in their waste, with or without symptoms. Sewage or waste from an entire community is conveyed to a wastewater treatment plant through a network of underground pipes and connections, also known as a sewershed or service area. Samples of raw wastewater are collected at the headworks of a

treatment plant before the wastewater is treated. These samples are then shipped to a laboratory, where they are analyzed to quantify the amount of viral genomic material present. The results and data are shared with epidemiologists at public health departments, who interpret trends in the data to inform public health actions. Cal-SuWers, has been administratively established by CDPH with funding from CDC.

This bill: SB 317 places into state law, Cal-SuWers, CDPH's program to test and monitor wastewater for toxins, pathogens, and other public health indicators to provide early warning for infectious disease outbreaks and environmental health threats. Tools, such as wastewater surveillance, are valuable in assisting the state with responding to public health threats.

Arguments in support: According to the Los Angeles County Sanitation Districts,

"Wastewater surveillance is a public health tool that can track the presence and amount of viruses or other disease-causing pathogens in wastewater. The California Department of Public Health coordinates with local health departments, wastewater utilities, academic researchers, and laboratories in California to monitor the different pathogens and diseases in communities. The data collected by this network of participants is called the California Surveillance of Wastewater Systems, also known as Cal-SuWers. Since Cal-SuWers' inception, the program has provided valuable insights into the presence and spread of pathogens in communities – especially when individual testing was limited or delayed.

In April 2020, the Sanitation Districts began testing for SARS-CoV-2 in wastewater to help public health officials manage the COVID-19 pandemic. Since then, our program has expanded through partnerships with additional laboratories and now includes sampling from two major treatment plants: the Warren Water Resource Facility, serving 3.5 million people in the Los Angeles Basin, and the Lancaster Water Reclamation Plant. The testing scope has broadened to include not only COVID-19 but also Influenza A and B, Respiratory Syncytial Virus (RSV), MPox, Norovirus, Avian Flu (H5N1), and Human Metapneumovirus. Years of wastewater surveillance data show a consistent pattern: an increase in pathogen-specific genetic material in wastewater precedes corresponding increases in new cases and hospitalizations. This makes wastewater testing a timely, cost-effective early warning system, helping public health officials respond quickly to emerging threats.

SB 317 would help ensure the program's continuity by creating the necessary state-level statutory framework to continue operating on the existing CDC grant and in the face of potential federal disruption. The bill would also enable Cal-SuWers to accept any available state or private funding to scale the program. By building this capacity at the state level, SB 317 helps insulate California from the uncertainty of shifting federal priorities and enables a more resilient, proactive response to emerging public health threats."

Arguments in opposition: None on file.

Double-referral: This bill was heard by the Assembly Health Committee on June 17, 2025, and passed by a vote of 15-0.

Related legislation:

AB 3073 (Haney, 2024). Would have required CDPH, in consultation with participating wastewater treatment facilities, local public health agencies, and other subject matter experts, to

create a pilot program to test for high-risk substances and related treatment medications in wastewater. This bill was held on the suspense file in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Association of Sanitation Agencies
Los Angeles County Sanitation Districts
Orange County Sanitation District

Opposition

None on file.

Analysis Prepared by: Josh Tooker / E.S. & T.M. / (916) 319-3965