



CONTACT

Sean Bothwell
949-291-3401

sbothwell@cacoastkeeper.org

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CALIFORNIA COASTKEEPER ALLIANCE TAKES ON CLEAN WATER ACT ENFORCEMENT

February 3, 2020 (Sacramento, CA) – California has some of the strongest water protection laws in the country – but without proper implementation they’re not worth the paper on which they’re written. That’s why the California Coastkeeper Alliance (CCKA) is kicking off a new statewide Clean Water Act Enforcement Program to support the California Waterkeepers’ existing enforcement programs.

CCKA has hired veteran litigator Erin Clancy as the organization’s new Staff Attorney to lead the Clean Water Act Enforcement Program. Named one of “San Diego Super Lawyers Rising Stars” from 2018 - 2020, San Diego Business Journal’s “Next Top Business Leaders Under 40” in 2019, and the San Diego Metro’s “40 Under 40” in 2018, Erin is also a Committee Member of the California Lawyers Association, Environmental Law Section Legislation Committee. She has in-depth knowledge of federal ocean policy, ocean climate resiliency, coastal adaptation planning, and drought and water conservation, with a special focus on the potential role of environmental taxation in climate change mitigation efforts.

Clean Water Act enforcement is a serious problem. As disclosed in CCKA’s 2018 [Citizen Suit Report](#), more than half of California’s lakes, bays, wetlands, and estuaries are too polluted to drink, swim, or fish – and low-income communities of color suffer disproportionately. Despite this fact, the oil and agricultural industries, among others, continue to pollute our waters in clear violation of environmental laws with relative impunity from agency enforcement.

Fortunately, private citizens are empowered to act through the private right of action in the Clean Water Act. California leads the nation in the number of citizen lawsuits filed to defend our waterways – more than double the number of cases than any other state. Over the past five years, 83% of stormwater penalty enforcement cases in California were filed by private citizens, and these lawsuits provided \$8.8 million in funding for environmental projects benefiting the communities harmed by the pollution.

Citizen action like this is critical, as enforcement by State and Regional Water Boards has historically been minimal. According to the State Water Board’s 2019 Performance Report:

- California brought penalty actions against industrial and construction stormwater violators in less than 1% of cases.

- Regional Water Boards brought penalty actions in less than 4% of cases.
- One Regional Board did not bring any penalty actions.
- In more than 20% of cases, the only enforcement action taken was a Notice of Non-Compliance sent to the violator.

“Too often, the government proves unwilling or unable to compel compliance with pollution controls and permits, particularly in California’s less affluent inland areas,” said CCKA Executive Director Sean Bothwell. “That’s why our Waterkeepers must step up and prioritize enforcement.”

ABOUT CALIFORNIA COASTKEEPER ALLIANCE

CCKA is a statewide voice for our waters. With the federal administration actively working against our environmental laws, CCKA defends and expands California’s protective legislation and strengthens the function of our state water board. We represent local Waterkeepers, empower communities towards a #TrashFree2030, and advocate with companies through the Blue Business Council. Together, we fight for swimmable, fishable, and drinkable waters for Californians today – and for future generations. CCKA is a 501(c)(3) nonprofit organization.