

CALIFORNIA COASTAL COMMISSION

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November 17, 2023

The Honorable President Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington DC, 20500

Dear Mr. President,

We, the appointed members of the California Coastal Commission (Commission), write today to express our sincere appreciation to you for including in your recent supplemental funding request to Congress \$310 million to the Department of State's International Boundary and Water Commission (IBWC). This funding would support additional infrastructure to prevent and reduce sewage flows and contamination in Southern California through design and construction efforts at the federally-operated South Bay International Wastewater Treatment Plant (ITP) in San Diego County.

Significant federal funding, along with the subsequent repairs and expansion of wastewater collection and treatment capacity, are desperately needed to help address the severe crisis of raw sewage, industrial waste, garbage, and other pollution flowing across the border from Mexico into Southern California, a problem exacerbated by damage due to Hurricane Hilary. This crisis is negatively affecting border security and military personnel, impairing water and air quality, sickening tens of thousands of U.S. citizens, shuttering beaches and businesses in San Diego County, and damaging critical estuarine and marine habitat in the United States.¹

As a Commission charged with protecting California's world-famous coast and ocean and the public's right to access and enjoy it, this coastal community pollution crisis poses an almost existential threat. It is the most severe, long-standing, and far-reaching that many of us have encountered during our time as Commissioners. Despite significant effort and expenditure by the State of California and local governments, the transboundary pollution has overwhelmed our communities and environment. The scale and range of its impacts are accelerating over time and are intensifying due to climatic conditions. There are also significant economic consequences and national security implications. Communities that are largely dependent on coastal tourism to support hotel and hospitality jobs are seeing 40-50% decreases in business across the region due to beach closures. In-water Navy trainings and activities have been relocated, rescheduled, and canceled due to poor water quality and U.S. Navy, U.S. Coast Guard, and U.S. Customs and Border Protection personnel routinely suffer from infections and gastro-intestinal illnesses. Over the past several months, the Commission has heard emotional and factual testimony from local, state, and federal government officials, land managers, environmental justice groups, business owners, physicians,

¹ For more detailed information on the crisis, please review the informational briefing on the issue held by the Commission last month in the city of Imperial Beach: https://cal-span.org/meeting/ccc_20231011/

non-profit organizations, and members of the public on the impacts of the crisis and the immediate need for the ITP to be upgraded and expanded along with a suite of additional pollution collection and treatment projects. The situation poses a dire emergency in need of immediate federal assistance and financial resources to facilitate an expedited response.

We therefore write to reinforce Governor Gavin Newsom's August 9, 2023, letter to you and respectfully request your additional assistance in addressing this crisis by exercising the maximum extent of your authority to fully fund the ITP's repair, deferred maintenance, and expansion needs, as well as put the plant's repair and expansion construction on the fastest possible trajectory to completion, including but not limited to making an emergency declaration.

We believe these steps are necessary due to the rapidly accelerating scope and severity of the pollution crisis as well as the slow pace of IBWC's response. The U.S. Environmental Protection Agency and IBWC were provided with \$300 million in funding several years ago for the expansion of the ITP and associated wastewater collection and treatment infrastructure through the U.S.-Mexico-Canada Agreement (USMCA) implementing legislation but have yet to begin construction on a single project. Further, they have allowed deferred maintenance and repair needs at the ITP to grow to approximately \$150 million and failed to build resiliency at the plant or proactively plan by securing backups of critical equipment, an oversight that led to sustained lapses in operations and culminated in significant damage and a complete loss of treatment capacity following Hurricane Hilary this summer.

The citizens of the United States and people of southern San Diego County deserve better from their federal government and we greatly appreciate your support in providing the funding, resources, and prioritization needed to move towards a comprehensive solution. This solution begins with taking all necessary steps, including a federal emergency declaration, to expedite construction on the ITP repair and expansion projects with currently available funding. It also includes obtaining Congress' approval for the \$310 million in additional funding you recently requested for implementation of the expansion projects described in the June 2023 Programmatic Environmental Impact Statement for the USMCA Mitigation of Contaminated Transboundary Flows Project. However, it is essential that the effort does not end there. We also request the suspension of statutes or regulations that limit the federal funding sources that are available to IBWC. Finally, as additional infrastructure comes online, it is critical that it be met with significant and sustained operations and maintenance funding so that the failings we witnessed this summer do not re-occur.

We again echo Governor Gavin Newsom, Lieutenant Governor Eleni Kounalakis, and our fellow federal, state, and local political leaders in California and Congress who have identified this problem as an environmental and public health crisis needing significant and immediate federal attention and resources. Thank you for the support for additional funding you have already provided, as well as your consideration of our urgent request for you to continue that support and to exercise the maximum extent of your authority to put the plant's repair and expansion construction on the fastest possible trajectory to completion. Together, we can work quickly toward a solution to this environmental disaster.

Signed on behalf of the California Coastal Commission,



DONNE BROWNSEY
Chair