

CALIFORNIA COASTAL COMMISSION

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The Honorable Governor Gavin Newsom
1021 O Street, Suite 9000
Sacramento, CA 95814

November __, 2023

Dear Governor Newsom,

We write to express our deep appreciation for your August 9, 2023, letter to President Biden requesting additional funding to help resolve the ongoing environmental and public health crisis in southern San Diego County caused by transboundary flows of untreated wastewater and pollution. We are encouraged that President Biden heard your request and those of numerous federal, state and local political leaders in California and included \$310 million to support expansion efforts at the federally-operated South Bay International Wastewater Treatment Plant (ITP) in his recent supplemental funding request to Congress. Repair and expansion of this collection and treatment infrastructure would prevent and reduce sewage flows and contamination that is negatively affecting border security and military personnel, impairing water and air quality, sickening tens of thousands of U.S. citizens, closing beaches and businesses in San Diego County, and damaging critical estuarine and marine habitat in the United States.

We're also grateful for your request that President Biden direct the U.S. Environmental Protection Agency (EPA) and U.S. Section of the International Boundary and Water Commission (IBWC) to immediately use the \$300 million in existing funding provided through the U.S.-Mexico-Canada Agreement (USMCA) implementing legislation to complete the repairs and deferred maintenance that must be resolved before expansion of the ITP can proceed. Unfortunately, however, there appears to have been little action taken over the past three months in response to this request. This follows a similar trend of inaction over the several years that the \$300 million in USMCA funding has been available to EPA and IBWC.

The people of California cannot afford these delays. As we saw and heard firsthand last month during our tour of the Tijuana River Valley and informational briefing¹ in Imperial Beach on the scope and magnitude of the pollution crisis, the entire South San Diego Bay Region is suffering. Unsafe contaminant levels have cut off access to the beach for the communities of Imperial Beach and Coronado, in some cases for up to 700 consecutive days. This is particularly problematic because these Cities offer the nearest and often most affordable beach and ocean access for many of San Diego's underserved and disadvantaged communities. In addition to impeding public access and recreation, wastewater contamination and the resulting beach closures have harmed the local economies. These communities are largely dependent on coastal tourism to support hotel and hospitality jobs. Some businesses in the region have seen a 40-50% decline due to beach closures. Untreated wastewater and sewage flowing into the ocean also pose substantial health risks to residents and recreational beach users from bacteria-laden water, sand and airborne particles. This crisis has environmental implications as

¹ Archived video of the briefing is available here: https://cal-span.org/meeting/ccc_20231011/

well. The Tijuana Estuary, the largest intact coastal wetland in Southern California, biodiversity hotspot, National Estuarine Research Reserve and designated Estuary of International Significance, is being actively destroyed and degraded. The pollution is causing significant habitat loss due to sedimentation, lack of tidal exchange, and low oxygen levels that are significantly impacting fish, shellfish, and other wildlife across the Estuary. This environmental disaster has further implications for national security impacts related to military and border protection operations and to the health of U.S. Navy, U.S. Coast Guard, and U.S. Customs and Border Protection personnel who work and train along this coastline, routinely come into contact with polluted water and suffer numerous infections and gastro-intestinal illnesses.

Therefore, we, the appointed members of the California Coastal Commission, write today to request your continuing assistance to help our federal partners uphold their federal responsibility. We urge you to lend your support for Congress's urgent approval of President Biden's \$310 million supplemental funding request for IBWC. In addition, we respectfully ask that you call on President Biden to take every possible step to expedite work on the ITP and associated wastewater collection and treatment infrastructure projects described in the June 2023 Programmatic Environmental Impact Statement for the USMCA Mitigation of Contaminated Transboundary Flows Project. Such steps could include a federal emergency declaration and the suspension of statutes that prevent IBWC from accessing other sources of federal funding.

Finally, we encourage you to join with us in highlighting not only the need for sufficient funding to complete these projects, but also to ensure their future operations and maintenance requirements are adequately resourced over the long term. As was shown over the past several months with the shocking revelation of the ITP's \$150 million maintenance shortfall² and the absence of back up equipment needed to repair foreseeable issues and damage caused by Tropical Storm Hillary, starving infrastructure of operations and maintenance funding and resources will inevitably lead to failure and crisis. We need to be proactive in adapting our existing infrastructure to address future climate conditions if we are to be successful in ensuring resilient coastlines and communities into the future.

Thank you again for your leadership on this issue. We respectfully request that you take additional actions as described in this letter to expedite the federal agency responses to this coastal crisis. We believe that through the efforts of you and your office and the State and Congressional leadership, the Biden administration can engage in more substantive and comprehensive actions to relieve the suffering of the people and coastal environment of south San Diego County.

Sincerely,

California Coastal Commission

² [San Diego's efforts to plug Tijuana sewage take a \\$150M hit - The San Diego Union-Tribune \(sandiegouniontribune.com\)](https://www.sandiegouniontribune.com)