

DRAFT**RESOLUTION 20xx-xxx****RESOLUTION PROCLAIMING THE CONTINUANCE
OF A LOCAL EMERGENCY RELATING TO THE ON-
GOING TIJUANA RIVER VALLEY
TRANSBOUNDARY POLLUTION CRISIS**

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1 (Port Act); and

WHEREAS, on April 3, 2024, by Resolution No. 2024-0085, the Board of Port Commissioners (BPC) adopted a proclamation of a local emergency relating to the on-going Tijuana River Valley transboundary pollution crisis; and

WHEREAS, BPC Policy No. 777, dated June 23, 2020, (Clerk's Document #71570), details the District's Emergency Management policy, which requires the BPC review the need for the continuation of the local emergency at least every 60 days until the local emergency is terminated; and

WHEREAS, since the adoption of the initial Emergency Proclamation, there have been multiple continuances of the local emergency by the BPC due to the continued and ongoing presence of transboundary flows and beach closures that are beyond the control of local resources, requiring substantial efforts and resources of the federal and state government; and

WHEREAS, the most recent continuance occurred on March 11, 2025, by Resolution No. 2025-054, at which time the BPC continued the proclamation to May 10, 2025; and

WHEREAS, this proclamation will expire unless continued by this action; and

WHEREAS, another continuance of the proclamation of a local emergency is needed due to the continued on-going pollution and contamination from transboundary flows within the Tijuana River Valley watershed and nearby coastline on both the U.S. and Mexico sides of the border; and

WHEREAS, the BPC and the District maintains its position to advocate for additional funding to complete the Comprehensive Infrastructure Solution, involving Tijuana River diversion projects and expanding the treatment capacity at the South Bay International Wastewater Treatment Plant (SBIWTP) operated and managed by the U.S. International Boundary and Water Commission (USIBWC) once critical repairs are completed; and

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WHEREAS, these projects are essential to modernize the wastewater treatment system on both sides of the border and reopen beaches along the south San Diego County shoreline from the Tijuana Slough to Border Field State Park which have now been closed every day for over 1,200 days; and

WHEREAS, air quality in the Tijuana River Valley has also been severely impacted and has been the focus of various agencies and local groups; and

WHEREAS, while the local communities need relief from the odors and poor air quality in the short term, the Comprehensive Infrastructure Solution is needed to address the current emergency and provide a long-term solution to both air and water quality impairments; and

WHEREAS, additional information on current federal, state, and regional level activities related to air and water quality in the Tijuana River Valley are provided in Attachment A to the corresponding agenda on file with the Office of the District Clerk; and

WHEREAS, staff is recommending continuing the declaration at the May 6, 2025, BPC meeting; and

WHEREAS, this action will continue the local emergency for an additional 60 days to July 5, 2025.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Board of Port Commissioners (BPC) that the local emergency declared by the BPC on January 14, 2025, by Resolution No. 2025-009 continues and is extended based on the continuous flow of untreated sewage and pollutants in the Tijuana River Valley and coastal waters.

BE IT FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of this District shall be those prescribed by BPC Policy No. 777, state law, ordinances and resolutions of the District.

BE IT FUTHER PROCLAIMED AND ORDERED that this emergency proclamation shall continue to and expire on July 5, 2025, which is 60 days from the date of this proclamation, unless confirmed and extended by the BPC prior to the expiration date.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 6th day of May 2025, by the following vote: