

<u>Tijuana River Valley Briefing Sheet - 5/13/2025</u>

As an environmental champion and the state-designated trustee for beach and submerged lands in Imperial Beach, the San Diego Unified Port District (Port) is committed to working cooperatively with its federal, state, regional, and local partners to participate in and support various efforts to address water and air quality in the Tijuana River Valley and nearby coastal waters, as well as health and safety of our local communities. Over the past decade, the Port and other local agencies have forged a strong partnership with federal agencies to develop comprehensive solutions for the ongoing binational pollution crisis. This briefing sheet provides updates on current federal, state, and regional level activities related to the Tijuana River Valley.

Federal Efforts

- The <u>USIBWC-USEPA June 2023 Joint Record of Decision (ROD) for the United States-Mexico-Canada Agreement (USMCA) Mitigation of Contaminated Transboundary Flows Project identified projects in the US and Mexico to reduce sewage in canyon flows, discharged directly to the Pacific Ocean at San Antonio de los Buenos Creek in Punta Banderas, Mexico, and wastewater in the Tijuana River. The ROD is what enables USEPA and US International Boundary Water Commission (USIBWC) to proceed to the design phase for proposed projects.
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- Several of the projects in the ROD are the same as, or similar to, those included in Minute 328, a binational agreement that includes project responsibilities, such as operation and maintenance (O&M) and cost sharing. USIBWC has a publicly accessible GIS web portal to view the location, description, and status of projects included in Minute 328. Border Infrastructure Repairs and Improvements updates include:
 - The expansion of South Bay International Wastewater Treatment Plant (SBIWTP) from 25 to 50 million gallons per day (MGD) is the only U.S.-side project of the Minute 328 projects planned for 2022-2027. USIBWC anticipates design for the SBIWTP rehabilitation and expansion project to be completed by May 2026. The maximum timeline for construction is five years. The contractor expects to shorten this timeline by as much as 18 months through a progressive design-build approach. The plant will remain in operation throughout design and construction.
 - San Antonio de los Buenos (SAB) treatment plant: Eighteen MGD of sewage will be treated by the new SAB treatment plant prior to being discharged directly to the ocean six miles south of the border in Punta Banderas, Mexico. Testing, corrective actions, and stabilization efforts are currently underway, with full operation now expected to commence in early May.
- Tijuana's International Collector: On April 10, the United States section of the International Boundary and Water Commission (USIBWC) reported that authorities in



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Mexico began discharging approximately 5 million gallons per day (MGD) of wastewater to the Tijuana River as they repair a critical junction box related to Phase I of the rehabilitation of the International Collector. Mexico was able to limit the discharge to the river to 5 MGD, from a potential of approximately 25 MGD. The remaining wastewater was pumped to a shoreline discharge at Punta Bandera, approximately 5 miles south of the international border. Mexican authorities reported that the discharge is expected to last for five days. The USIBWC has requested Mexico take action to activate its PBCILA lift station to remove as much flow as possible from the river before it enters the United States, given the new wastewater discharge. This pump is normally closed during the rainy season. Planning is also underway for Phase 2 of the rehabilitation of the International Collector in Tijuana which Mexico anticipates lasting about eight days. During this phase of construction, the SBIWTP will undergo a period of 6 days with no flow. However, there will be a bypass in place, so the flows that would normally go through the Collector to the SBIWTP will be pumped to the SAB treatment plant and discharged to the ocean. USIBWC and the operator of the SBIWTP, Veolia, are coordinating closely with authorities in Mexico to ensure the plant remains in compliance with its NPDES permit as it resumes operations after Phase 2.

- Junction Box 1 (JB1): The purpose of Junction Box 1 (JB1), located just north of the international border and upstream of the SBIWTP, is to control influent flow to the SBIWTP. JB1's 72-inch gate valve that connects to Tijuana's sewage collection system and 96-inch gate valve that connects to Junction Box 2 (JB2), which feeds the SBIWTP, are both inoperable. At this time, there is no reliable way for USIBWC to control influent flow to the SBIWTP so that it does not exceed its permitted limit of 25 MGD (monthly average). USIBWC previously estimated that a new junction box would be installed by February 10, 2025. However, the schedule has been delayed because of changes in design and long lead times for receiving construction material. USIBWC now estimates that the new JB1 will be installed by August 31, 2025.
- Temporary Sediment Berm in U.S.: In compliance with Provision 1.a.iii. of the Settlement Agreement executed on April 11, 2022, the USIBWC sent notification on May 1, 2025 that they had determined the construction a berm in the United States portion of the Tijuana River Flood Control Project was not necessary at this time. The basis for this decision was high dry weather transboundary flows in the Tijuana River over the last six months. The berm's purpose is to contain low flow dry weather flows. However, the dry weather flows have been too high for a sediment berm to contain, and the flows would likely cause a breach in the Mexico-side berm and subsequently, a breach in a US-side berm. If and when it is feasible and flows in the river allow for berm construction, the USIBWC will facilitate the construction of the Mexico-side berm by lending to Mexico equipment to build it. USIBWC will continue to assess whether



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to build a berm to attempt to contain the dry weather transboundary flows on an emergency basis.

- Ongoing operation and maintenance of the SBIWTP infrastructure will require longterm federal funding while river diversion, trash boom, and other supplemental projects identified in the Comprehensive Infrastructure Solution remain unfunded. The Port continues to advocate for the additional funding needed to fully implement the Comprehensive Infrastructure Solution, including support for the following legislation.
 - Water Resources Development Act: The Water Resources Development Act (WRDA) was signed and authorized into law. One of the key priorities of the Act is to allocate \$200 million to help address water infrastructure needs and assist the region's response to sewage pollution in the Tijuana River Valley. Currently, WRDA-related funds have not been appropriated.
 - USIBWC's Annual Construction Budget for Maintenance Needs:
 - In 2024, Congress appropriated \$156 million as a part of the 2024 appropriations bill to USIBWC's construction budget for maintenance needs. Of that amount, \$103 million was directed to SBIWTP in the Tijuana River Valley. However, there has been no ongoing funding source appropriated to maintain operations of the SBIWTP.
 - On March 15, 2025, the Full-Year Continuing Appropriations and Extensions Act, 2025 (H.R. 1968) was signed by President Trump. This Continuing Resolution (CR) provides continuing appropriations to fund the government at the current FY 2024 funding levels through September 30, 2025. The CR included a reduction of the USIBWC's construction budget for FY 2025 from \$156 million to \$78 million.
 - H.R. 10545 included \$250 million in construction funds to the USIBWC. The \$600 million in total investments to date meets USIBWC's funding needs for rehabilitation and expansion of SBIWTP. The total investment amount includes the initial \$300 million approved in July 2020 under the first Trump Administration.
 - On March 6, 2025, Representative Scott Peters <u>introduced legislation</u> to authorize the USIBWC to accept funding from federal and non-federal entities for wastewater treatment, flood control projects, or other water conservation efforts. Currently, the USIBWC is almost solely reliant upon annual appropriations from Congress or emergency funding to build and maintain its facilities.
- Superfund Designation: In response to an October 24, 2024, petition from local elected officials, USEPA conducted a preliminary evaluation of the Lower Tijuana River Valley for eligibility to be added to the National Priorities List (NPL) under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA),



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also known as Superfund. On January 3, USEPA responded that further evaluation of the Tijuana River Valley as a Superfund site was not warranted, in part, because contaminants detected in water and sediment samples do not exceed USEPA's screening levels for protection of human health. On March 14, 2025, USEPA reaffirmed its decision not to review the Tijuana River Estuary for Superfund designation, citing ongoing wastewater treatment projects and a lack of immediate human health risks.

Administrative Changes and Activities: Maria-Elena Giner was replaced on April 21, 2025 by William "Chad" McIntosh as the United States Commissioner of the International Boundary and Water Commission. Josh F.W. Cook was appointed in March 2025 as the new EPA Pacific Southwest (Region 9) Regional Administrator, replacing Martha Guzman. EPA Administrator Lee Zeldin visited San Diego on April 22, 2025, to meet with Mexican officials, visit the South Bay International Wastewater Treatment Plant, hold a press conference, and tour the southern border.

State Efforts

- The State of California has been a partner to the region in mitigating issues beyond the federal purview.
- San Diego Regional Water Quality Control Board (San Diego Water Board) <u>US-Mexico Border Water Quality efforts:</u>
 - Status of SBIWTP Compliance: Since November 2024, USIBWC's SBIWTP has been in compliance with secondary treatment effluent standards. However, the San Diego Water Board has stated that additional Notice of Violations may be issued to USIBWC if they are unable to attain compliance with the NPDES Permit for alleged violations related to late report submissions, inadequate maintenance, and unauthorized discharges of waste. USIBWC flow gauge data for the Tijuana River is available on the <u>USIBWC Water Data Portal</u>.
 - Tijuana River Valley Monitoring Program (TRVMP) Work Plan: The TRVMP, which is a requirement of USIBWC's National Pollutant Discharge Elimination System (NPDES) permit, is designed to characterize transboundary flows and their pollutants. USIBWC was scheduled to begin monitoring in April. USIBWC is required to provide quarterly update reports and will provide information at future San Diego Water Board meetings.
 - Enforcement: On February 18, 2025, the San Diego Water Board issued Investigative Order No. R9-2025-0022 to USIBWC. The Investigative Order requires USIBWC to submit technical information related to discharges of waste from multi-day Spill Events at the Hollister Street Pump Station and at the Goat Canyon and Smuggler's Gulch canyon collectors. As of April 9, 2025,



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the sediment was removed from the Smugglers Gulch and Goat Canyon collectors, and USIBWC is continuing to work with Mexico to try to limit or prevent similar damage to the canyon collectors in the future.

- Senate Bill 170 Projects (funded through CA State Water Board's Division of Financial Assistance): These projects were originally proposed in the 2012 Tijuana River Valley Recovery Strategy: Living with the Water and refined and analyzed in the 2020 Tijuana River Needs and Opportunities Assessment (NOA) Report.
 - Tijuana River Trash Boom: This \$4.7 million pilot project was funded by the State Water Resources Control Board as a pilot project to gather information for a more permanent solution in accordance with Project J in the June 2023 USIBWC-USEPA Joint Record of Decision. The trash boom system was deployed in the Tijuana River Flood Control Channel immediately downstream of the international border. Non-profits Alter Terra and Rural Community Assistance Corporation (RCAC), have reported that the trash boom is functioning as expected.
 - Smuggler's Gulch Dredging Project (\$4.25 million County of San Diego): The Smuggler's Gulch dredging project involved the removal of approximately 30,000 cubic yards of accumulated sediment, trash, and debris in Smuggler's Gulch and the Tijuana River Pilot Channel. In March 2024, the County of San Diego initiated trash and sediment removal activities, which was completed in late 2024. This dredging is necessary prior to installation of permanent sediment and trash capture infrastructure at Smuggler's Gulch, which will be funded by a separate grant.
 - Tijuana River Valley Hydrology and Habitat Restoration (\$2 million County of San Diego): The Tijuana River Valley hydrology and habitat restoration project will remediate a contaminated seven-acre property adjacent to the Tijuana River and restore it to native upland coastal sage scrub habitat. Demolition of on-site structures, soil preparation, irrigation installation, and planting are complete. Habitat restoration is underway with successful natural recruitment and minimal non-native plant species present.
- <u>SB 867 (Border Rivers)</u> and <u>Proposition 4</u>: SB 867 Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 included \$50 million allocated to address water quality problems in the California-Mexico cross-border rivers and coastal waters, including the Tijuana River Valley Watershed. The Port submitted a letter of support for SB 867 in July 2024. SB 867 was signed into law last year. Proposition 4, which was approved by California voters in November 2024, authorized the state to issue the funds as identified in SB 867. Funding will start in Fiscal Year 26.



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• <u>SB 10 Otay Mesa Toll Facility Act</u>: SB 10, authored by Senator Steve Padilla, would authorize a portion of the toll revenues from State Route 11 (that will connect Otay Mesa East Border Crossing with the 905 and 125) to be allocated to in the maintenance of the USIBWC's SBIWTP and the development of additional sanitation infrastructure projects related to the Tijuana River pursuant to an agreement with the federal government. The Port submitted a letter of support for SB 10, but with emphasis that the revenue should go towards supporting State and regional projects beyond federal purview. SB 10 was heard by the Senate Appropriations Committee and referred to the APPR suspense file at the April 21, 2025 hearing.

Regional Efforts

- As part of the regional coalition, the Port has advocated for the USIBWC to comply with secondary treatment effluent standards¹, participated in the development of the USMCA Mitigation of Contaminated Transboundary Flows Project (also known as the Comprehensive Infrastructure Solution), and supported efforts to obtain funding to complete the projects and identify ongoing funding sources to maintain operations of the SBIWTP so the infrastructure can continue to function as intended for years to come. The Port supported local and state efforts that led to the signing of H.R. 10545 which included \$250 million in construction funds to the USIBWC. The Port is also a member of the Tijuana River Valley Recovery Team Steering Committee, led by the San Diego Water Board
- On April 3, 2024, the Board of Port Commissioners (Board) adopted a proclamation
 of a local emergency for Tijuana River Valley transboundary pollution crisis in solidarity
 with our regional partners. Since then, the Board has continued the declaration due to
 the 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. The Board will continue the declaration at their June 6, 2025
 meeting.
- Water Quality and Beach Closures: The beaches from Border Field State Park to Imperial Beach have been closed continuously for over three years (since December 8, 2021) due to the risk from pathogens in the sewage in the transboundary flows. The water quality impacts come from many sources including sewage released six miles south of the border in Punta Bandera, aging infrastructure in Tijuana and SBIWTP, and wastewater directly discharging into the Tijuana River. Recent water quality related activities:

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¹ Order No. R9-2021-0001 as amended by Order No. R9-2023-0009, National Pollutant Discharge Elimination System No. CA0108928, Waste Discharge Requirements for the United States Section of the International Boundary and Water Commission South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean Through the South Bay Ocean Outfall (NPDES Permit)



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- Or. Falk Fedderson and Dr. Sarah Giddings at Scripps Institute of Oceanography are currently developing a Pathogen Forecast Model (PFM) to predict the presence of harmful pathogens in Tijuana River Valley and Imperial Beach coastline. The Scripps researchers previously developed a physical model showing how ocean and estuary currents and contaminated wastewater are transported along the coast.
- Through a \$100K USEPA grant, San Diego State University (SDSU) researchers continue to monitor and assess the percentage of wastewater flowing in the river valley by analyzing for tryptophan and other analytes as surrogates to sewage. This information will be used in the development of a predictive model. Preliminary results of the Tijuana River Valley Healthy Water, Healthy Air Study are now available.
- Air quality in the Tijuana River Valley has been severely impacted and has been the
 focus of various agencies and local groups. Concerns have increased about the health
 risks facing South Bay residents exposed to the aerosolization of sewage and other
 pollutants, resulting in strong odors emanating from the river and increased reports of
 illnesses as indicated through health data collection efforts.
 - Community Assessment for Public Health Emergency Response (CASPER): The Centers for Disease Control and Prevention (CDC) and the County of San Diego completed a survey in October 2024 to help public health and emergency response leaders learn more about health concerns and impacts from pollution in the Tijuana River Valley. The CASPER results can be found on the South Region Health Concerns CDC Health Survey webpage.
 - Assessment for Chemical Exposures (ACE): The County of San Diego in partnership with the Agency for Toxic Substances and Disease Registry (ATSDR) surveyed people online from October 21 through November 22, 2024, to learn more about the health concerns and impacts so public health and emergency response leaders can assess impacts of the pollution, direct public health response, target outreach to prevent similar incidents, assess the need to modify emergency response procedures, and identify a group of exposed people that may be followed for long-term effects.
 - "Healthy Water, Healthy Air" Community Survey: In October 2024, researchers
 at the SDSU School of Public Health initiated a survey to identify health issues
 linked to environmental conditions in the Tijuana River region. Visit
 https://tjriver.sdsu.edu/ for more information on the status of the survey and
 additional resources.
 - Dr. Kim Prather (Scripps) is conducting research on the aerosolization of bacteria and chemical compounds such as hydrogen sulfide (H2S) within the Tijuana River Valley due to the transboundary pollution flowing into Tijuana



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River to help assess how coastal communities are exposed to coastal water pollution even without entering polluted waters.

- o San Diego Air Pollution Control District (SDAPCD) is conducting air quality monitoring efforts, including the installation of three H₂S analyzers (at San Ysidro, Berry Elementary, and IB City Hall) which collect concentration data (ppB) used to issue SDAPCD's air quality advisories and provide the air quality data that is posted to the SDAPCD's website dashboard. Under a separate effort, six air quality sensors were installed within the river valley to track trends. These six sensors serve primarily as indicators of the presence/absence of H2S only. The Port collaborated with SDAPCD to install one of the six sensors at the IB Pier plaza. The air quality sensor installed at the Imperial Beach Pier Plaza in August 2024 will be in place for a 2 to 3 year period. Please note, the data from the six sensors are not a feature on the SDAPCD website's dashboard because the sensors do not have the level of accuracy needed for odor advisories and SDAPCD didn't want to create any confusion with the public. However, SDAPCD can provide the data from the IB Pier sensor upon request.
- SDAPCD and the County of San Diego continue their efforts to distribute 10,000 air purifiers to residents in the affected communities through the SDAPCD's <u>Air Improvement Relief Effort (A.I.R.E.) Program</u>. About \$2.7 million had been set aside by SDAPCD to purchase 10,000 purifiers and cover district staff time to conduct the program. The California Air Resources Board will reimburse the money. On April 29, 2025, SDAPCD announced that it expects to ship 500 purifiers in the following days, adding to the 2,500 previously distributed. Since the program launched in early February, more than 4,000 applications were received. In March 2025, SDAPCD reported most applications came from households in zip codes 92154 and 91932.
- <u>Tijuana River Valley Sewage Crisis Environmental Dashboard</u>: The County of San Diego released a dashboard with an interactive map on April 29, 2025 geared to provide information from multiple sources about the air and beach/river water quality in San Diego related to Tijuana River transboundary pollution. The dashboard was created to provide a one stop shop visual summary for South County residents to be informed about health risks tied to pollution. Information includes beach closures along the coastline, current levels of hydrogen sulfide (H₂S) in the air, where recent wastewater spills have occurred, and areas where people have complained of odors.