

# California Legislature

June 28, 2023

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

**Subject: Request to declare State of Emergency due to impacts of ongoing cross-border pollution**

Dear Governor Newsom,

We, the undersigned members representing San Diego County in the California State Legislature, write to you about an urgent ongoing environmental disaster on the Southern California border. Since December 2018, over 100 billion gallons of untreated toxic wastewater has crossed our border, with 35 billion coming just this year alone. Since December 8, 2021, the South San Diego coastline has been closed for recreational beach access due to the ongoing catastrophe.

This environmental disaster has been occurring for decades, and in fact been worsening in recent years, while studies continue to confirm a severe public health and ecological impact. In 2017, the Scripps Institution of Oceanography identified 34,000 illnesses per year in the surrounding area could be attributed to the contamination. A more recent study linked 76% of bacteria in Imperial Beach air to coastal water pollution. The disastrous impacts go beyond public health as it has disrupted military training operations for US Navy Seals, and the unaccounted for but very real impacts felt by the local economy through reduced tourism.

Every level of government has been working diligently to identify solutions, the United States Environmental Protection Agency's "Comprehensive Infrastructure Solution" and Minute 328 Treaty is a testament to that. Recently, a Programmatic Environmental Impact Statement was completed to evaluate the effects of proposals and plans over a long time frame. But the worsening disaster needs urgency and we cannot risk further delays in funding and implementation. Therefore we respectfully request the following:

- 1) A State of Emergency Declaration due to the severe impacts of cross-border pollution.

- 2) Suspend any statutes or regulations that may hamper an immediate response to the disaster.
- 3) Direct the California Office of Emergency Services to work with relevant agencies in the United States and Mexico to respond to this disaster.
- 4) Urge President Joseph R. Biden to issue a federal emergency declaration.

Southern San Diego County is home to thousands of working class families, including the community of Imperial Beach, which falls below the state median income level. These communities and an entire generation of children are growing up in South San Diego having only known their beaches are polluted. The City of San Diego has been renewing their State of Emergency every 60 days since the early 90s, Imperial Beach followed suit in 2017, and on June 27, 2023, the County of San Diego declared an emergency due to the economic, environmental and public health impacts.

We all recognize the magnitude of the problem and that it is beyond our ability to solve without hasty aid from the State and Federal Government.

Thank you for your consideration of this urgent matter.

Respectfully,



Assemblymember David A. Alvarez, 80<sup>th</sup>  
Assembly District



Senator Stephen C. Padilla, 18<sup>th</sup> Senate  
District



Senate President pro Tempore Toni G.  
Atkins, 39<sup>th</sup> Senate District



Assembly Speaker pro Tempore Christopher  
M. Ward, 78<sup>th</sup> Assembly District



Senator Catherine Blakespear, 38<sup>th</sup> Senate  
District



Assemblymember Tasha Boerner, 77<sup>th</sup>  
Assembly District