

**CALIFORNIA COASTAL COMMISSION**

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June 15, 2023

Tomás Torres  
Director  
Water Division, EPA Region 9  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Dr. Maria-Elena Giner, P.E.  
Commissioner  
International Boundary and Water Commission  
United States Section

Re: **CD-0009-22, USMCA Mitigation of Contaminated Transboundary Flows Project, San Diego County**

Dear Director Torres and Commissioner Giner:

On May 12, 2023, the California Coastal Commission (Commission) **concurred** with the above-referenced consistency determination (CD-0009-22) submitted by the U.S. Environmental Protection Agency and U.S. Section of the International Boundary and Water Commission for the United States–Mexico–Canada Agreement (USMCA) Mitigation of Contaminated Transboundary Flows Project. The project includes the improvement of sewage and wastewater treatment in the Tijuana River Valley through three “core projects” that would be implemented in California: the expansion of existing wastewater treatment capacity; upgrades to collection and transport systems; and construction of a 35-million gallon per day Advanced Primary Treatment Plant. The Commission found the proposed activities to be fully consistent with the enforceable policies of California’s Coastal Management Program.

In making that finding, the Commission stressed the critical importance of the proposed project and the need for it to be implemented as quickly and efficiently as possible. To this end, the Commission requests that quarterly updates on the status and progress of project implementation be provided to the Executive Director and welcomes the opportunity for further coordination to help collaboratively address any challenges that may arise and threaten to delay the project.

California’s southernmost coastline in San Diego County has suffered from the untreated discharge into the ocean of human waste, trash, and dangerous chemicals and pathogens from Mexico for nearly 100 years. As has been widely acknowledged

by your agencies, state and local government, and countless stakeholders, a comprehensive and effective solution to the issue of transboundary pollution is decades overdue. The public health, social, and financial costs to the people of California, particularly underserved and environmental justice communities in southern San Diego County, continues to accelerate and has already reached emergency levels. The magnitude and severity of adverse impacts to water quality, public health, coastal access and recreation, commercial and recreational fishing, and marine biological productivity can hardly be overstated. While we commend your agencies for the role they have played over the years in identifying, highlighting, and trying to resolve these impacts – including EPA’s funding of recent research carried out by the Scripps Institute of Oceanography that attributes 34,000 illnesses in calendar year 2017 to water quality pollution along the Imperial Beach coastline – the unfortunate reality is that even those substantial efforts have failed to keep pace with the growth of the crisis.

In concurring with your agencies’ consistency determination for the currently proposed project, the Commission acknowledges both the significant step forward the project represents and the great distance that will remain even after it is fully completed and operational. The Commission therefore strongly supports those efforts by the City of Imperial Beach and its local and regional partners to call for additional federal funding for planning and implementation of the “Supplemental Projects” identified in the Final Programmatic Impact Statement for the USMCA Mitigation of Contaminated Transboundary Flows Project. We also ask that EPA and IBWC continue to take all necessary steps to secure such funding and to put it to immediate use. The Commission stands ready to provide further assistance, including expediting any federal consistency reviews for the supplemental projects so that they can be completed without affecting project implementation timelines.

Thank you for your continued coordination and partnership on a long-overdue solution to the pollution issues at California’s southern border. We appreciate the significant milestone achieved with the project proposal, and we ask that you ensure that the implementation of that project now advances without delay.

Sincerely,



DONNE BROWNSEY  
Chair, California Coastal Commission