



# City of Imperial Beach, California

OFFICE OF THE MAYOR

825 Imperial Beach Blvd., Imperial Beach, CA 91932 Tel: (619) 423-8303 Fax: (619) 628-1395

---

August 2, 2023

Honorable E. Joaquin Esquivel  
Chair  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

**Subject: Tijuana River Pollution Crisis and Discharge Violations at the IBWC Treatment Plant**

Dear Chair Esquivel:

As the Mayor of Imperial Beach, I write to you with deep concern regarding the severe pollution crisis in the Tijuana River. It is with a sense of urgency that I call upon State Water Resources Control Board to take a larger role in securing funding, resources, and political will to decisively address the pollution crisis in the Tijuana River with every regulatory tool possible.

The continuous influx of transboundary pollution is wreaking havoc on the local community, economy, and environment along the coastline of South San Diego County. Since October 2018, the U.S. International Boundary and Water Commission has documented over 100 billion gallons of toxic effluent into California through the Tijuana River, with an additional 35 billion gallons crossing the international border since December 28, alone.<sup>1</sup> This ongoing inundation of sewage creates the most polluted stretch of sandy beach in the entire country. The community of Imperial Beach is bearing the brunt of this environmental disaster with over 600 consecutive days of beach closures due to the ongoing influx of sewage, industrial discharges, and trash from the Tijuana River<sup>2</sup>. Pollution in the Tijuana River remains the most urgent environmental justice issue in San Diego County.

The extent of this pollution has been studied for decades including recent research from the Scripps Institute of Oceanography with funding from the Environmental Protection Agency (EPA) that attributes 34,000 illnesses in calendar year 2017 to water quality pollution along the Imperial Beach coastline<sup>3</sup>. The high levels of coastal water pollution are even impacting local air quality<sup>4</sup>. Researchers are monitoring the

---

<sup>1</sup> <https://waterdata.ibwc.gov/Data/Dashboard/8>

<sup>2</sup> <http://www.sdbeachinfo.com/>

<sup>3</sup> Falk Feddersen et al. "Modeling Untreated Wastewater Evolution and Swimmer Illness for Four Wastewater Infrastructure Scenarios in the San Diego-Tijuana (US/MX) Border Region" October 28, 2021. <https://doi.org/10.1029/2021GH000490>

<sup>4</sup> Matthew A. Pendergraft et al. "Airborne Transmission Pathway for Coastal Water Pollution" PeerJ; 2021. <https://peerj.com/articles/11358/>

airborne transmission pathways for coastal water pollution and documenting concerning levels of industrial chemicals and pathogens from aerosol sea spray generated from wind and ocean waves<sup>5</sup>. These potential public health concerns are why the Cities of Imperial Beach, San Diego, and County of San Diego have issued an ongoing State of Local Emergency related to the impacts of cross-border pollution in the Tijuana River.

Over the past decade, local agencies along with the San Diego Regional Water Quality Control Board have forged a strong partnership with federal agencies to develop Comprehensive Solutions for the ongoing pollution crisis in the Tijuana River<sup>6</sup>. Our collaborative efforts have resulted in an initial allocation of \$300 million through the United States, Mexico, and Canada Agreement (USMCA) to identify and implement a comprehensive approach to solve the longstanding pollution problem in the Tijuana River. The EPA has already prepared a Programmatic Environmental Impact Statement and identified the preferred list of projects that are necessary to ultimately control the discharge of wastewater, trash, and sedimentation into the Tijuana River Valley. Unfortunately, more funding along with state and federal agency coordination is needed to move these projects forward.

A significant complication to the EPA's Comprehensive Solution is the severe deferred maintenance issues that are emerging at existing wastewater treatment plant operated by the U.S. International Boundary and Water Commission (IBWC) under Permit R9-2021-0001. The current plant is rapidly deteriorating, and treated wastewater is regularly violating discharge limits. The deterioration at the plant was first discovered about 2 years ago with the failure at Junction Box 1. Since then, the plant has continued to deteriorate with multiple failures at the IBWC facility that are now resulting in regular permit violations.

We urge the State Water Board to consider the full range of regulatory authority to help solve the ongoing pollution crisis in the Tijuana River, as current efforts are insufficient. The State Water Board's regulatory authority is important to hold the federal government accountable for the funding and operation of pollution control projects in the Tijuana River. To that extent, there needs to be additional transparency about the failures and violations that are occurring at the Southbay International Wastewater Treatment Plant (IWTP), located in San Ysidro, CA., and therefore request the following information:

- What violations have occurred at the IWTP since the failure of Junction Box 1?
- What are the causes of these violations?
- When did the Water Board become aware of the violations occurring at the IWTP plant?
- What enforcement actions have been issued to IBWC by the Water Board? (Please provide copies of any enforcement actions)
- What is the status of the NPDES requirement for an asset management plan? Section 6.3.2.5 Asset Management Plan of Order NO R9-2021-001, NPDES NO CA0108928 (please provide a copy).
- How much rehabilitation was identified in the Asset Management Pan required by the NPDES permit NO CA0108928?

The urgency of the ongoing pollution crisis along the border cannot be understated. An entire generation of children is growing up in South San Diego County, experiencing only polluted beaches.

---

<sup>5</sup> Matthew A. Pendergraft et al. "Bacterial and Chemical Evidence of Coastal Water Pollution from the Tijuana River in Sea Spray Aerosol" *Environmental Science & Technology*; 2023.

<https://pubs.acs.org/doi/10.1021/acs.est.2c02312?ref=pdf>

<sup>6</sup> <https://www.epa.gov/sustainable-water-infrastructure/usmca-tijuana-river-watershed>

While we appreciate the EPA's identification of a comprehensive solution, the reality remains that these projects are still years away from implementation, with no sense of urgency from State or Federal officials to address funding shortfalls or resolve critical agency coordination issues.

The pollution in the Tijuana River represents the most pressing environmental justice issue in the region, and it is crucial for the State Water Board to utilize all its regulatory tools to help expedite effective solutions. The State Water Board's expertise and authority can play a pivotal role in facilitating cooperation among local, state, and federal agencies, ensuring adequate funding, coordination, and transparency to urgently implement pollution control projects in the Tijuana River Valley. I want to urge the State Water Board to prioritize the health and well-being of our communities and take additional bold actions to help resolve the dire pollution crisis in the Tijuana River.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Paloma Aguirre', with a stylized flourish at the end.

Paloma Aguirre  
Mayor  
City of Imperial Beach

cc:

US Senator Diane Feinstein

US Senator Alex Padilla

Congressmember Juan Vargas

Congressmember Scott Peters

International Boundary and Water Commission Commissioner Marie Elena Giner

USEPA Region 9 Administrator Martha Guzman

CALEPA Secretary Yana Garcia

San Diego Regional Water Quality Control Board Chair, Celeste Cantu

San Diego Regional Water Quality Control Board Executive Officer Dave Gibson