



September 19, 2023

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

**Subject: Tijuana River Sewage Emergency**

Dear Governor Newsom,

The San Diego Unified Port District (District) calls upon the State of California to take a leading role to secure additional federal funding and tools to expedite project delivery, to urgently implement a comprehensive solution for the pollution plaguing the Tijuana River Valley. An emergency declaration would advance the process of funding and constructing the projects necessary to solve this crisis.

The coastal communities of south San Diego County grapple with an unprecedented crisis that extends beyond the realm of local control. This dire situation demands a coordinated State and Federal Emergency Declaration to bring a multi-agency response to address the escalating disaster at hand. The continuous flow of untreated sewage and pollutants into our waters is intolerable and must be tackled decisively. The Tijuana River sewage crisis requires suspension of federal statute by executive order of the President to expedite the timeline for a comprehensive solution that can move forward with appropriate urgency.

The magnitude of this crisis, with its far-reaching consequences, justifies the full mobilization of every resource and enforcement authority at the state's disposal. California state agencies, including but not limited to the State Water Resources Control Board, Environmental Protection Agency (CalEPA), State Lands Commission, and the Department of Public Health, must unite to confront the relentless pollution emanating from the Tijuana River. This pollution significantly impairs the natural resources and violates cherished values of our state. The chronic beach closures limit coastal access, constituting a fundamental violation of the State's Coastal Act and many other laws and regulations, and inflict direct harm upon the Tijuana River Mouth State Marine Conservation Area and state tidelands.

The continuous influx of transboundary pollution and persistent discharge violations at the South Bay International Treatment Plant (ITP) should concern for the entire state and federal government. It is a stark environmental injustice recognized and acknowledged by CalEPA, one that perpetuates the marginalization of underserved residents in southern San Diego County. Regrettably, it is the residents of south San Diego County who suffer the most from this ongoing ecological disaster, enduring over 635 consecutive days of sewage-related beach closures along Border Field State Park. This protracted crisis underscores the urgent need for comprehensive action to safeguard not only the environment but also the health and well-being of our communities.

We appreciate your August 9 letter to President Biden requesting federal funding to support repairs and upgrades at the International Treatment Plant (ITP) and commend you for your September 1 announcement of a significant step forward in addressing the repair and expansion needs of the ITP. We also appreciate the letter from the State Secretary for Environmental Protection to federal officials on June 19 recognizing the environmental justice priority for the U.S. Department of State and Environmental Protection Agency (EPA) to fund and resolve cross-boundary pollution in the Tijuana River. A comprehensive solution is the right approach to fix the damage at the ITP, expand its capacity to accept additional wastewater from Tijuana, and construct a new treatment facility to manage storm event flows.

The EPA, in collaboration with local agencies, has identified three big solutions that are necessary to have a meaningful reduction in sewage contamination along the coast:

1. **Replacement of the San Antonio de los Buenos Treatment Plant in Mexico:** Addressing the critical need to replace the broken treatment plant in San Antonio de los Buenos that is discharging up to fifty million gallons a day of sewage onto the coast.
2. **Repair and Expansion of the International Treatment Plant:** The repair and expansion that doubles the treatment capacity at the International Treatment Plant will help address adequate wastewater treatment for the rapidly growing population in Tijuana.
3. **Construction of a New Tijuana River Diversion Treatment Plant:** The construction of a new Tijuana River Diversion Treatment Plant will capture contaminated river flows for treatment in the U.S.

The District welcomes the recent reaffirmation of Mexico's binational commitment to fund and construct a new treatment plant at San Antonio de los Buenos, emphasizing the importance of international cooperation in addressing this crisis. However, it is crucial to highlight that these recent announcements have yet to include additional support for the construction of the new treatment plant for diverted Tijuana River flows. A comprehensive solution for the Tijuana River sewage crisis requires all three of these solutions. Omitting any one of these essential projects would undermine our efforts to mitigate sewage contamination along the coast.

The gravity of this situation calls for the utilization of every available state and federal resource to safeguard the well-being of our citizens and the environment. We echo the urgent appeal made by the local community leaders in seeking immediate action that brings a comprehensive federal solution to the Tijuana River pollution crisis, as quickly as possible. A shared commitment to environmental justice and the welfare of our state compels us to rise to this challenge. In the absence of prompt federal and state response, we will continue to suffer the effects of pollution and beach closures in south San Diego County for many years, if not decades, to come.

The District requests the immediate issuance of a state of emergency and the unrestricted utilization the state's enforcement authority to compel federal action that supports a comprehensive solution for the Tijuana River Valley and provide vital additional funding and resources to successfully complete the three big solutions outlined above and detailed by the federal EPA. These commitments made by the US, as outlined in Minute 328, can only be achieved -- and the pollution crisis ended -- with allocation and utilization of federal funding and tools to expedite project construction. This is a pivotal moment that calls for resolute action to



defend our communities, environment, and the principles we value. We look forward to your decisive response and collaborative efforts in confronting this critical issue.

Respectfully,

A handwritten signature in black ink, appearing to read "Rafael Castellanos".

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Chair Rafael Castellanos  
City of San Diego

A handwritten signature in black ink, appearing to read "Dan Malcolm".

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Commissioner Dan Malcolm  
City of Imperial Beach

A handwritten signature in black ink, appearing to read "Sandy Naranjo".

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Commissioner Sandy Naranjo  
City of National City