

May 1, 2024

ITEM TITLE: RESOLUTION NO. 2024-030 CONTINUING THE PROCLAMATION OF A STATE OF LOCAL EMERGENCY RELATING TO IMPACTS FROM CROSS-BORDER POLLUTION IN THE TIJUANA RIVER. (0150-40 & 0210-26)

ORIGINATING DEPARTMENT:

Environmental & Natural Resources

EXECUTIVE SUMMARY:

This resolution maintains the City's declaration of a local state of emergency caused by the effects of cross-border pollution originating from the Tijuana River, including both treated and untreated wastewater. Due to contaminated flows in the river, the stretch of Imperial Beach shoreline between the southern end of Seacoast Drive and the border remains severely impacted, with closures lasting all of 2024 to date, 365 days in 2023, 365 days in 2022, 246 days in 2021, 295 days in 2020, 245 days in 2019, and 101 days in 2018. The persistent impacts of these flows continue to affect the Tijuana River Valley, Estuary, beach water quality, and present an emerging threat to air quality that is currently being monitored and studied by the County Air Pollution Control District and Scripps Institute of Oceanography.

The City requires a local state of emergency to enable it to respond to the unpredictable conditions in the Tijuana River, which pose risks to the health, safety, and welfare of Imperial Beach residents, visitors, and the environment. Unless a continuing resolution is passed, declarations of a state of local emergency will expire within 60 days.

RECOMMENDATION:

Adopt Resolution No. 2024-030 to maintain a state of local emergency related to the cross-border pollution impacts from the Tijuana River and authorize the City Manager, Mayor, and Council members to work with local, State, Federal, and Mexican authorities to advance binational projects to improve conditions in the Tijuana River.

OPTIONS:

- Adopt Resolution and recommendation from staff;
- Reject Resolution; or
- Request additional information and an additional report

BACKGROUND/ANALYSIS:

The presence of cross-border pollution in the Tijuana River, combined with the lack of action from federal and state agencies to address this issue, constitutes compelling evidence for the declaration of a local state of emergency within the City. The pollution in the river poses a serious threat to the health and safety of citizens and wildlife in the City of Imperial Beach, with particularly acute effects during and after rain events or illegal discharge events. This pollution has a severe

impact on the surrounding ecosystem, leading to poor water quality that can persist for days, months, or even years. Furthermore, the pollution has a significant impact on recreational activities along the Imperial Beach shoreline, with beach closures causing disruption to residents and visitors alike.

Given these circumstances, the City of Imperial Beach along with the City of San Diego and County of San Diego have issued a state of local emergency resolution for the Tijuana River, which allows for flexible responses to changing conditions. The City Council has the authority to issue a local state of emergency, which would last for 60 days or until the next regularly scheduled City Council meeting unless renewed by a continuing resolution. This declaration would enable the City to take swift and effective action to protect the health, safety, and welfare of all those affected by the pollution in the Tijuana River.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

None

ATTACHMENTS:

1. Resolution No. 2024-030