



April 2, 2025

**ITEM TITLE: DISCUSSION ON SENATE BILL 10 OTAY MESA EAST TOLL FACILITY ACT. (0460-20)**

**ORIGINATING DEPARTMENT:**

City Manager

**EXECUTIVE SUMMARY:**

The California State Route 11/Otay Mesa East Port of Entry project, managed by the San Diego Association of Governments (SANDAG), aims to establish a new, modern land port of entry for the San Diego–Baja California region. The Imperial Beach City Council has taken numerous actions to demand that any future toll revenue from this new port of entry includes dedicated funds for the mitigation and restoration of pollution in the Tijuana River Valley.

State Senator Steve Padilla introduced Senate Bill 10 (SB 10) – the Otay Mesa East Toll Facility Act in December 2024, which was supported by the Imperial Beach City Council. As originally introduced, SB 10 would explicitly authorize the use of toll revenues environmental mitigation and restoration of the Tijuana River Valley and adjoining lands by way of wastewater infrastructure and related projects to address the sewage crisis and benefit of the residents of the southern portion of the County of San Diego (Attachment 2).

As SB 10 proceeds through the state legislative process, amendments have been proposed (Attachment 1). At the March 19, 2025 City Council meeting, the City Council requested further discussion of the bill to ensure that it aligns with the Council’s original intent.

**RECOMMENDATION:**

Hold a discussion on SB 10 and its amendments and provide direction to staff.

**OPTIONS:**

- Hold a discussion on SB 10 and its amendments and provide direction to staff.

**BACKGROUND/ANALYSIS:**

On August 21, 2024, the City Council received a presentation from SANDAG on the new Otay Mesa East Port of Entry project. The project provides a new toll road connection to State Route 11 and is intended to reduce border wait time by relieving pressure from existing San Diego land ports of entry. The project is a joint venture between SANDAG and CALTRANS, in collaboration with U.S. and Mexican federal agencies. At the meeting, the City Council discussed the negative environmental and public health impacts associated with transboundary pollution that is not addressed by the expansion and intensification of border activities. Direction was given to prepare a resolution demanding the creation of a long-term Tijuana River Valley Mitigation Fund and Management Board and to send a letter to State representatives requesting legislative authority

to dedicate toll revenues to mitigate and restore the Tijuana River Valley and surrounding areas. On September 4, 2024, the City Council unanimously passed Resolution No. 2024-064 (Attachment 3), formally requesting that SANDAG establish the mitigation fund and authorizing communication with State legislators.

On December 2, 2024, State Senator Steve Padilla introduced Senate Bill 10 – the Otay Mesa East Toll Facility Act, to explicitly authorize the use of toll revenues for environmental mitigation and restoration of the Tijuana River Valley and adjoining lands by way of wastewater infrastructure and related projects to address the sewage crisis and benefit of the residents of the southern portion of the County of San Diego. Staff from State Senator Steve Padilla’s office provided a presentation on SB 10 at an Imperial Beach City Council meeting, and the Council passed Resolution 2025-008 (Attachment 4) in support of SB 10 Otay Mesa East Toll Facility Act.

Currently, SB 10 is advancing through the state legislative process with proposed amendments, inclusive of language that would authorize toll revenues to be used to assist in the maintenance of the South Bay International Boundary and Water Commission sewage treatment facility and the development of additional sanitation infrastructure projects related to the Tijuana River pursuant to an agreement with the federal government. The most recent language of SB 10 is provided as Attachment 1, and the original language from December 2024 is included as Attachment 2.

At the March 19, 2025, City Council meeting, the Council directed staff to bring this matter to the City Council for discussion due to the notable changes made to the original text of the bill. The purpose of this item is to hold a discussion on SB 10 and its amendments.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**ATTACHMENTS:**

1. Senate Bill 10 – Otay Mesa East Toll Facility Act March 2025
2. Senate Bill 10 – Otay Mesa East Toll Facility Act December 2024
3. Resolution No. 2024-064
4. Resolution No. 2025-008