



April 16, 2025

ITEM TITLE: CONSIDERATION OF RESOLUTION 2025-020 PRIORITIZING ENHANCED FEDERAL AND STATE ACTION TO MITIGATE THE ONGOING HEALTH AND ECONOMIC IMPACTS FROM CROSS BORDER POLLUTION CRISIS IN THE TIJUANA RIVER VALLEY. (0150-30, 0150-40 & 0210-26)

ORIGINATING DEPARTMENT:

Environmental & Natural Resources

EXECUTIVE SUMMARY:

During the April 2, 2025 City Council meeting, Councilmember McKay requested to bring forward a discussion on priorities in the Tijuana River, including a proposed resolution prepared by Councilmember McKay that is attached to this staff report. The intent of this discussion and proposed resolution is to reaffirm the City of Imperial Beach's urgent call for action and reaffirm the priorities for the multiple issues that are contributing to the ongoing public health and environmental crisis caused by transboundary pollution in the Tijuana River. Given the recent changes in federal administration and legislative leadership, the timing is critical to reassess current challenges, advance long-standing commitments, and identify new opportunities to engage federal, state, and international partners in achieving meaningful and lasting solutions.

RECOMMENDATION:

Hold a discussion on priorities in the Tijuana River including consideration to approve Resolution 2025-020 regarding City Council priorities to address the Tijuana River pollution crisis.

OPTIONS:

- Adopt Resolution 2025-020; or
- Adopt resolution with modifications; or
- Proceed with discussion, take no action, and provide direction to the City Manager

BACKGROUND/ANALYSIS:

Addressing pollution in the Tijuana River Valley remains one of the most pressing and complex environmental and public health challenges facing south San Diego County. Despite decades of advocacy and binational agreements, the issue continues to suffer from a lack of sustained political prioritization and emergency response at both the state and federal levels.

Imperial Beach and surrounding communities have endured more than a century of transboundary pollution from the Tijuana River, with over 100 billion gallons of contaminated water—including untreated or partially treated sewage, industrial waste, and urban runoff—flowing into U.S. territory since December 2021 alone. This crisis is the result of chronic underinvestment in wastewater infrastructure, rapid and unregulated urban growth in Tijuana, and

repeated failures by both the United States and Mexico to meet their obligations under existing treaties and agreements.

The City of Imperial Beach has previously declared a local state of emergency, along with its neighboring jurisdictions—the cities of Coronado, Chula Vista, San Diego, the Port of San Diego, and the County of San Diego. In addition, the Mayor, City Council Members, and City staff have remained actively engaged with state, federal, and binational partners to advocate for urgent action and long-term solutions.

At the request of Councilmember McKay, the attached resolution is intended to reaffirm the City's leadership and outline additional shared priorities for addressing the Tijuana River pollution crisis. It calls for enhanced federal accountability, strategic funding partnerships, and legislative options to consider protecting the health and environment of impacted communities. Supporting actions in the proposed resolution include:

- Urge the United States Congress and its representatives to adopt legislation that strengthens enforcement of international water and environmental treaty obligations and holds Mexico accountable for failing to control transboundary pollution in the Tijuana River.
- Accelerate the implementation by the International Boundary and Water Commission (IBWC) of the design and construction of the Tijuana River Diversion project to capture and treat transboundary flows in the river.
- Accelerate the implementation by IBWC of a permanent trash capture system for the main Tijuana River channel.
- Encourage the federal government to strategically partner and leverage \$200 million in U.S. Army Corps of Engineers (ACOE) funds and up to \$50 million in California Proposition 4 Climate Bond funds to fast-track the Tijuana River Diversion project and support cleanup and restoration of the flood control channel.
- Strongly oppose the construction of a 50 million-gallon-per-day (MGD) desalination plant in Playas de Rosarito as part of Mexico's National Water Plan unless and until Mexico completes the wastewater recycling projects identified in IBWC Treaty Minute 328 and demonstrates sufficient capacity and funding to provide wastewater treatment for any new potable water deliveries.
- Actively engage with Senator Steve Padilla on Senate Bill 10 – the Otay Mesa East Toll Facility Act – to ensure toll revenues are dedicated to environmental mitigation and restoration in the Tijuana River Valley and not diverted to cover federal obligations for wastewater treatment at the International Treatment Plant.
- Direct SANDAG to continue to advocate for potential funding sources from the Mexican share of the toll revenues to offset the detrimental impacts of the transportation, trade and population nexus being created at Otay Mesa East Port of Entry.
- Request that the Congress of the United States of America and its representatives consider passing statutory enforcement requirements to:
 - Allow federal regulation/restriction on the export of potable water into the City of Tijuana, Mexico during any health-related threat(s) declared by the County of San Diego (DEH). Such restrictions could also include limited crossing activity at US ports of entry during the aforementioned declared health threats; and
 - Include federal authorization to temporarily divert and/or restrict the Tijuana River

and its tributaries as necessary including the Tijuana River mouth located in the City of Imperial Beach.

- Until such time that Federal legislation can be passed and fully implemented, request President Donald J. Trump consider initiating an Executive Order requiring such near-term actions with enforcement, as necessary, by all Federal Entities and departments, including but not limited to: Department of State, EPA, and the Department of the Navy.

ENVIRONMENTAL DETERMINATION:

Not a project as defined by CEQA.

FISCAL IMPACT:

None

ATTACHMENTS:

1. Resolution 2025-020