

**CALIFORNIA STATE
LANDS COMMISSION**

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Established in 1938

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September 28, 2017

SENT VIA EMAIL AND U.S. MAIL

Honorable Serge Dedina
Mayor
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932

Honorable Casillas Salas
Mayor
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910

Robert Valderrama
Chairman, Board of Port Commissioners
Port of San Diego
3165 Pacific Highway
San Diego, CA 92101

Dear Mayor Dedina, Mayor Salas, and Chairman Valderrama:

The California State Lands Commission applauds your leadership in addressing the ongoing pollution in the Tijuana River Valley and San Diego's coastal waters that has caused significant human health problems, threatened local coastal economies, and damaged the state's public trust resources. Your letter of intent to sue for violations of the Clean Water Act and Resource Conservation and Recovery Act is a critical example of the importance of local jurisdictions in protecting the public's health and the environment.

The Tijuana River Watershed has for years experienced water quality issues and cross-border pollution, including sediment, trash, and wastewater flowing into it from Mexico. The Tijuana River watershed is an approximately 1,750 square mile watershed on both sides of the United States-Mexico international border between California and Mexico. Nearly three-quarters of the watershed is located in Mexico, but it drains to the Pacific Ocean through the Tijuana River Valley that is north of the border in San Diego County. The Tijuana River Valley is a natural floodplain with tidally flushed wetland and riparian areas that supports threatened and endangered species and includes several federally-listed historical and archaeological sites. The Tijuana River watershed includes a range of natural ecosystems, including a tidal saltwater estuary at the mouth of the Tijuana River and sandy beaches along the Pacific Ocean shoreline.

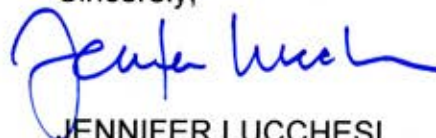
Honorable Serge Dedina
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The South Bay International Wastewater Treatment Plant is a 25 million gallon per day secondary treatment plant located in San Diego County. The Plant is inadequate to deal with the growing demand for wastewater treatment. The plant treats sewage originating in Tijuana, Mexico and discharges it into the Pacific Ocean through the South Bay Ocean Outfall, a four and one-half mile long 11-foot diameter pipe. During storms, the river overflows the diversion system and untreated sewage is discharged into the United States. Recently, the Tijuana River has had year-round flows, potentially increasing the frequency of this problem. According to a 2012 report by Weston Solutions, during wet weather nearly 99 percent of the harmful bacteria entering the Tijuana River estuary and adjacent beaches originates from undiverted flows from the Tijuana River main channel and tributary channels from Mexico.

The pollution entering the Tijuana River Watershed threatens human health, damages local economies, and prevents the public from enjoying local beaches. In February 2017, approximately 28 million gallons of sewage spilled into the Tijuana River. This resulted in beach closures in Imperial Beach, an area that already has alarmingly high beach closure rates. In April 2017, a San Diego Union Tribune analysis of beach-closure data from the past decade illustrated the impact the pollution has had on coastal communities in the area. The San Diego Union Tribune reported that Imperial Beach had portions of its shoreline closed to swimmers for more than a third of each year on average, with nearly 1,600 beach-closure days in the preceding decade. This is significantly higher than La Jolla, Del Mar and Encinitas, with each of those cities having fewer than a dozen days when its beaches were closed during the entire decade.¹

The California State Lands Commission is responsible for managing and protecting public trust tide and submerged lands and resources in the best interests of the people of California. As the agency charged with protecting the public's rights to access and enjoy California's tidelands and waterways, the Commission is particularly concerned about the impacts of pollution in the Tijuana River Watershed. The Commission often collaborates and partners with its trustees, like the Port of San Diego, and local jurisdictions to protect these valuable public trust lands and resources. The Commission is conducting its own investigation into these water quality and cross-border pollution concerns. The Port of San Diego and the cities of Imperial Beach and Chula Vista have the full support of the Commission in their actions.

Sincerely,



JENNIFER LUCCHESI
Executive Officer

¹ <http://www.sandiegouniontribune.com/news/environment/sd-me-beach-closures-20170427-story.html>