

Meeting Date: October 22, 2024
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Subject: [External] FASTER FIX FOR THE TIJUANA RIVER POLLUTION CRISIS (PLEASE INCLUDE WITH DOCUMENTS FOR AGENDA #31)
Date: Thursday, October 17, 2024 10:08:46 AM

Good Morning, Supervisors,

Re: AFFIRMATIVE LITIGATION TO FIGHT FOR A FASTER FIX FOR THE
TIJUANA RIVER POLLUTION CRISIS

For some reason, you mention the Erin Brockovitch suit against PG&E. The upside is environmental cleanup. The down side is arguably that it ignored the build up of flammables and failing infrastructure elsewhere.

Then you mention how successful San Diego was in the opioid settlement. This was a suit with multiple plaintiffs. Not sure what San Diego's role was in winning the case.

What you may have overlooked is that Veolia, the operator of the treatment plant, which you mention as the potential target, is already being sued. In fact, you say "resolve. Lawsuits were initiated in 2018 by the cities of Imperial Beach and Chula Vista, along with the Port of San Diego... also filed by the City of San Diego, the California San Diego Regional Water Quality Control Board, the California State Lands Commission, and the Surfrider Foundation."

I'm glad that the County finally wants to join in, but given all these lawsuits, what are our chances? How much could we actually recover?

And then, you want to study the issue of joining a lawsuit but wait 3 months for a report. Kicking the can down the road? Let's clean up the problem.

It is clear to me that the big government agencies, most small ones, contractors, and professionals have failed us. I suggest listening to the ordinary people.

I have submitted to you at least 4 suggestions-concrete lining to speed water flow and sewage out to sea; holding ponds or reservoirs like there once were; hand-held air pollution monitors to zero in on the pollution source; and baking soda or lime to cut down on the harmful odors.

You have forwarded several of these suggestions on, but I never heard a yes or no on them. And I don't know how many more you may be ignoring! We should have a status report on all cleanup suggestions.

We have enough evidence and resources to do some or all of the cleanup work ourselves. Volunteers, interested parties, and let's have a 'we can do it' attitude.

Regards,

Paul Henkin