

ATTACHMENT A

The County of San Diego is in a state of emergency (Gov. Code § 8558) due to continued conditions for detrimental impacts to the environment, economy, caused by persistent impacts from cross-border sewage pollution and sewage impacted ocean waters.

Environmental	<ul style="list-style-type: none">• The International Boundaries and Water Commission (IBWC) documented over 100 billion gallons of effluent since 2018. Recently, IBWC reports approximately an additional 38.3 billion gallons crossing the international border from December 28, 2022 to November 6, 2023.• IBWC reported on August 29, 2023, that the pumps at the canyon collectors failed at the Goats Canyon and Smugglers Gulch, resulting in additional transboundary flows. As of October 16, 2023 the pumps were in the process of being fixed to reduce the additional transboundary flows.• Heavy rainfall in 2023 has resulted in increased wastewater discharges, wastewater infrastructure failures, and increased runoff and flows from the Tijuana River, creating sewage impacts to South County beaches. January 1 through November 10, 2023, the southern coastal area of San Diego county received 14.99 inches of rainfall (annual average rainfall in this area is around 10 inches).• United States Environmental Protection Agency (US EPA) Programmatic Environmental Impact Statement (PEIS) and Record of Decision released June 9, 2023 which states, "These transboundary flows, which enter the U.S. via the Tijuana River and its tributaries and across the maritime boundary, impact public health and the environment and have been linked to beach closures in southern San Diego County."• US EPA PEIS documents the environmental impact to the region, specifically from water quality and public health to the beaches. It identifies the impacts to the marine and estuarine ecosystems and agricultural resources. It states that eliminating or dramatically reducing the pollution would strongly benefit water quality and public health at beaches in the City of Imperial Beach, Silver Strand State Beach, and the City of Coronado.• According to the US EPA PEIS, approximately 28 million gallons per day of untreated wastewater are discharged directly into the Pacific Ocean at San Antonio de los Buenos Creek at Punta Bandera. Per the EPA PEIS and study conducted by Scripps Institution of Oceanography, indicate that transboundary maritime flows of untreated wastewater discharged via San Antonio de los Buenos Creek at Punta Bandera pose a substantial health risk to swimmers at beaches in southern San Diego County during the dry (tourist) season (Feddersen et al., 2021).• Excess sediment originating from transboundary flows can reduce or block flows at the mouth of the Tijuana River Estuary, resulting in injury or mortality to aquatic species that are unable to move between the Estuary and the Pacific Ocean.• The San Diego Regional Water Quality Control Board (RWQCB) has released a draft California Environmental Quality Act environmental checklist for the Tijuana River Total Maximum Daily Loads (TMDLs) for indicator bacteria and trash in April 2019. In this checklist, it identifies human health and ecosystem impacts in the Tijuana River Valley. Consistent with the 2014/2016 Clean Water Act (CWA) Section 303(d) List of Water Quality Limited Segments (303(d) List), indicator bacteria and trash are listed as pollutants in the lower Tijuana River watershed. The data showing the high
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	<p>levels of these pollutants prompted the RWQCB to develop TMDLs for the lower Tijuana River watershed.</p> <ul style="list-style-type: none"> • Due to sewage impacts, the Tijuana Shoreline has been closed to water contact since December 8, 2021. • In 2023 (as of November 10th) Imperial Beach locations have been impacted by sewage and under water contact closure for 272 of 314 days, Silver Strand closed for 247 of 314 days, and Coronado shoreline closed for 165 of 314 days. <ul style="list-style-type: none"> ○ Note: In the Board letter dated November 8, 2023, the Silver Strand water contact closures were reported as 279 of 293 days as of October 20, 2023. This number should have been reported as 229 of 293 days. • Since May 5, 2022 the County of San Diego has been using the US EPA and California Department of Public Health approved advanced testing methodology, ddPCR, for water quality monitoring sampling to provide same-day data and the most accurate information available on bacteria levels in the water.
Environmental Justice	<ul style="list-style-type: none"> • In January 2021, President Biden’s Executive Order 14008 – Tackling the Climate Crisis at Home and Abroad announced Justice40, which mandates that at least 40% of the benefits of certain federal programs must flow to disadvantaged communities. Justice40 is a whole-of-government approach that tasks delivering benefits of Federal programs to communities that are marginalized and overburdened by pollution. • Communities closest to the San Diego International Border, including the communities of Imperial Beach, San Ysidro, Otay Mesa and Tijuana River Valley, are identified by SB 535 and identified on CalEnviroScreen 4.0 Environmental Justice communities as having high pollution burdens for impaired water bodies, unhealthy air quality levels, and elevated linguistic isolation and poverty rates.
Economic	<ul style="list-style-type: none"> • Beach tourism is a major economic contributor to south county communities. • Numerous news reports have featured south county local business owners’ testimony that recent sewage impacts, beach advisories and warnings and beach closures are negatively impacting their economy, tourism in their community, and their business revenues/livelihoods. • County staff engaged with the affected municipalities, local business chambers, and the South County Economic Development Council to disseminate a Transboundary Pollution Economic Impact Survey to local businesses in south county. There were 63 respondents to the survey. The survey indicated that 74% of business respondents have been, and continue to be, negatively impacted by the transboundary pollution. 66% reported a decrease in revenue due to the pollution and recent water contact closures. • Documented impact to government activities to United States Customs and Border Protection (CBP). US EPA PEIS references studies conducted by CBP and other agencies identifying high-level of fecal indicator bacteria (FIB) in areas where CBP works and could impact CBP agent health. Additionally, the PEIS states that “poor coastal water quality also contributes to the relocation, rescheduling, and cancellation of in-water Navy training and activities (Navy Region Southwest, 2022).”