

Congress of the United States

Washington, DC 20515

July 12, 2023

Mr. Michael Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460

Dear Administrator Regan:

In 2021 you graciously accepted [our invitation](#) to tour the Tijuana River Valley to see first-hand the devastating effects of the hundreds of millions of gallons of polluted wastewater that is now constantly flowing across the San Diego-Mexico border from Baja California. As you learned that day, this contaminated water contains raw sewage, industrial waste, trash, and even toxic chemicals that seep into San Diego communities and spill into the Pacific Ocean. While we have all worked hard to fund and execute a plan to stop this catastrophe, it was recently reported that beaches in these affected South Bay communities [will be closed for the second summer](#) in a row due to this pollution.

Now, the [news is worse](#). The San Diego Congressional delegation worked hard to secure \$300 million within the United States-Mexico-Canada Agreement to fund a doubling of capacity at the South Bay International Treatment Plant (ITP), from 25 million gallons per day (mgd) to 50 mgd. We recently learned that this money will not nearly cover the cost. A recent assessment of the plant revealed that it has been so poorly maintained, another [\\$100 to \\$150 million](#) is needed just to rehabilitate the existing facility. This was a devastating gut punch to the communities we represent that have borne the burden of this tragedy for far, far too long.

Mr. Administrator, Congress recently approved two major spending bills – the Infrastructure Investment and Jobs Act and the Inflation Reduction Act (IRA). We implore you and President Biden to help us find a way to direct some of these funds to complete the work the United States is now committed to, per the international treaty known as Minute 328. That treaty commits us to expand the ITP to a capacity of 50 mgd. Mexico also committed \$144 million to fund several projects in Baja California as part of that treaty. We must hold Mexico accountable to fulfill its commitment, and we must fulfill ours.

The IRA alone includes \$2 billion for Environmental and Climate Justice (ECJ) projects. [As you stated](#) during your visit in 2021, this tragedy of highly contaminated wastewater fouling these border communities is a critical and urgent environmental justice concern. Air and water borne pathogens are posing serious and dangerous health risks. In the [community of San Ysidro](#), where the population is 89% Latino and the median income is \$43,000/year, residents complain of headaches and nausea from the stench and fumes. In Imperial Beach, studies funded by your own agency attribute tens of thousands of illnesses to water quality pollution. And [in Coronado](#), which is very largely dependent on coastal tourism to support thousands of hotel and hospitality jobs, the beaches remain closed for yet another season, which places the jobs of these service workers in very serious jeopardy. We have [linked here](#) a letter to the White House from Imperial Beach Mayor Paloma Aguirre which illustrates the devastation her city faces and provides academic sourcing for the environmental and public health damages described above.

Finally, recreational access to our nation's coastline is also an environmental justice matter. The beaches of Imperial Beach and Coronado offer the nearest and most affordable access for many of San Diego's most

disadvantaged communities. As described in the linked letter from the City of Coronado, many neighborhoods in South San Diego County – in San Ysidro, National City and Chula Vista – are lower-income and primarily Latino. These are their beaches! Yet, they are now closed due to dangerous wastewater pollution.

Earlier this month, the EPA hosted a webinar to seek ideas about how to prioritize a portion of IRA’s Environmental Justice funds among border communities. Many participants highlighted this very urgent need at the San Diego-Mexico border. However, in a June briefing for Congressional staff hosted by EPA Region 9 and the International Boundary and Water Commission, staff asked whether IRA EJ funds could be considered for this very urgent crisis, the notion was very promptly shut down.

While we understand that these funding opportunities are currently intended for community-based organizations and local and tribal governments, we firmly believe that this transboundary pollution is one of the greatest environmental justice concerns in the Western Hemisphere. Please help us find a way to either direct some of the IRA EJ funds towards this catastrophe or help us identify other resources to fix it and do whatever you can to move these solutions along as quickly as possible. The people of San Diego County have suffered with this for far too long and are counting on us to find a sustainable solution.

We look forward to hearing back from you and stand ready to assist in any way we can.

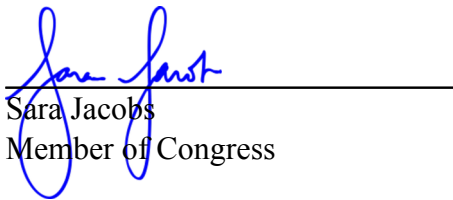
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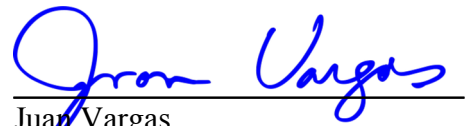
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