

Date of Hearing: July 1, 2025

ASSEMBLY COMMITTEE ON ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

Damon Connolly, Chair

AJR 16 (Alvarez) – As Introduced June 19, 2025

**SUBJECT:** Tijuana River: transboundary flow pollution

**SUMMARY:** Urges the United States Congress (Congress) and the President of the United States (President) to fully fund the United States Environmental Protection Agency's (US EPA) Comprehensive Infrastructure Solution for the Tijuana River due to the ongoing impacts on public health, the environment, and the local economy caused by transboundary flow pollution. Additionally, urges Congress and the President to take additional specified actions to address ongoing transboundary flow pollution. Specifically, **this bill**:

1) Makes the following declarations:

- a) The Tijuana River flows from east to west from Mexico into California and drains into the Pacific Ocean through the Tijuana River Estuary, and for decades has experienced an increased discharge of trash, sediment, and wastewater generated in Mexico that, as a result of sewage infrastructure inadequacies, has created recurring and worsening pollution problems for the County of San Diego and the southern California coastline;
- b) The extent of the transboundary flow pollution has been studied for decades and 2017 research by the Scripps Institution of Oceanography attributed 34,000 annual illnesses to water quality pollution along the City of Imperial Beach coastline in the County of San Diego, and linked up to 76% of bacteria in the City of Imperial Beach's air to transboundary flow pollution;
- c) Data from medical clinics in the City of Imperial Beach shows a significant increase in cases of diarrhea and other intestinal problems during significant transboundary flow pollution events;
- d) The City of San Diego has declared a continued state of emergency since 1993 as a result of the escalated discharge of raw sewage from the City of Tijuana, Mexico, which has caused numerous health problems, including headaches, rashes, infections, and breathing problems;
- e) The City of Imperial Beach has declared a continued state of emergency since 2017 as a result of the escalated discharge of raw sewage from the City of Tijuana, Mexico, which has caused numerous health problems and significant beach closure days, including 101 days in 2018, 243 days in 2019, 295 days in 2020, and 246 days in 2021; the southernmost portion of the Imperial Beach shoreline has been closed since December 8, 2021;
- f) The beach closures have had a direct effect on the surrounding communities due to decreased tourism, patronage of local businesses, and opportunities for youth recreation and camps, and are negatively affecting property values;

- g) The San Diego County Air Pollution Control District has deployed air monitors in the communities surrounding the Tijuana River Valley that have recorded levels of hydrogen sulfide above standards set by the US EPA;
- h) On June 27, 2023, the County of San Diego declared a local emergency due to the public health, environmental, and economic impacts of the transboundary flow pollution disaster;
- i) In October 2024, the federal Centers for Disease Control and Prevention (CDC) and the County of San Diego completed the Community Assessment for Public Health Emergency Response survey that found that the ongoing sewage crisis is disrupting the lives of the population surveyed in south County of San Diego, including, among other things, by decreasing outdoor activities for more than 70% of the population;
- j) On August 30, 2018, the Legislature approved Senate Joint Resolution 22 to urge the federal government to take immediate action to adequately address transboundary flow pollution in the Tijuana River Valley;
- k) Former California Attorney General Xavier Becerra initiated a lawsuit against the United States Section of the International Boundary and Water Commission (USIBWC) that led to the USIBWC committing to comply with the Clean Water Act (CWA) of 1977 and an appropriation of \$300 million through the United States-Mexico-Canada Agreement to address transboundary flow pollution;
- l) Since October 2018, the USIBWC has documented the entry of over 200 billion gallons of toxic effluent into the United States (U.S.) through the Tijuana River;
- m) The USIBWC has failed to maintain and operate the South Bay International Wastewater Treatment Plant (SBIWTP) by allocating only \$4 million of the estimated \$40 million that was required for maintenance during the period from 2011 to 2021, inclusive;
- n) The USIBWC's failure to respond is a clear violation of the Federal Water Pollution Control Act of 1977 and the federal Resource Conservation and Recovery Act of 1976 that has endangered the lives of the people of California and threatened the environmental health and viability of the Tijuana River Valley and its diverse and unique potential as an ecological, recreational, cultural, and educational jewel of the State of California for decades;
- o) Urgent funding and commitments are needed to completely implement the US EPA's Comprehensive Infrastructure Solution for the Tijuana River and to address deferred maintenance needs for existing USIBWC infrastructure in order to bring the SBIWTP into compliance with the CWA of 1977;
- p) The New River, with headwaters that originate about 15 miles south of the City of Mexicali, Baja California, Mexico, crosses the international boundary at the City of Calexico, travels 60 miles through the County of Imperial, and empties into the Salton Sea, and has been recognized as one of the most polluted rivers in the nation;

- q) The State of California Colorado River Basin Regional Water Quality Control Board has monitored the water quality of the New River since 1975 and has detected pollution by bacteria, silt, nutrients including nitrate and phosphate, pesticides, and trash;
  - r) The Legislature has passed legislation and appropriated moneys to reduce transboundary flow pollution from the Tijuana River and the New River;
  - s) The New River's pollution problem has been recognized since the 1940s, and is being exacerbated by the continued growth of urban areas, industry, and agriculture on both sides of the United States-Mexico border; and,
  - t) The community surrounding the New River in the City of Calexico is predominantly Latino and ranks in the 92nd percentile for pollution burden and the 100th percentile for impaired water bodies according to CalEnviroScreen, an environmental justice mapping tool of the Office of Environmental Health Hazard Assessment (OEHHA).
- 2) Resolves that the Legislature urges Congress and President Donald J. Trump to fully fund the US EPA's Comprehensive Infrastructure Solution for the Tijuana River due to the ongoing impacts on public health, the environment, and the local economy caused by transboundary flow pollution.
  - 3) Resolves that the Legislature urges President Donald J. Trump to allow all relevant agencies to provide financial and technical support to the US EPA and the USIBWC regarding the implementation of infrastructure solutions, including, but not limited to, the projects agreed to in the USIBWC Minute No. 328.
  - 4) Resolves that the Legislature urges President Donald J. Trump to declare a national emergency due to the ongoing impacts on public health, the environment, and the local economy caused by transboundary flow pollution in the Tijuana River Valley.
  - 5) Resolves that the Legislature urges President Donald J. Trump and Congress to include sufficient ongoing operation and maintenance funding for the SBIWTP in future federal budgets.
  - 6) Resolves that the Legislature hereby reinforces its commitment to Section 4 of Article X of the California Constitution and the California Coastal Act of 1976, which both guarantee maximum public access to the coast and navigable waters, and strongly urges the federal government to take necessary action to end the beach closures in the City of Imperial Beach that have lasted for more than 1,270 consecutive days.
  - 7) Resolves that the Legislature urges Congress and President Donald J. Trump to approve funding to address the ongoing transboundary flow pollution that is impacting the New River.
  - 8) Resolves that the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, to the Majority Leader of the United States Senate, to each Senator and Representative from California in the Congress of the United States, to the Commissioner of the USIBWC, to the Governor, to the California Attorney General, and to the author for appropriate distribution.

**EXISTING LAW:**

- 1) Establishes, under the federal CWA, the National Pollutant Discharge Elimination System (NPDES) Permit Program, to prescribe requirements for the discharge of any pollutant, or any combination of pollutants, into waters of the U.S.; authorizes states to administer their own NPDES Permit Programs if specified conditions are met. (33 United States Code § 1342)
- 2) Declares, under the Porter-Cologne Water Quality Control Act, that the health, safety, and welfare of people require there to be a statewide program for water quality control and that the statewide program for water quality control can be most effectively administered regionally, within a framework of statewide coordination and policy. (Water Code (WC) § 13000)
- 3) Establishes the State Water Resources Control Board (State Water Board) and regional water quality control boards (Regional Water Boards) to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations. (WC § 13100, et seq.)
- 4) Requires—upon an appropriation of funds from the Legislature—the California Environmental Protection Agency and the California Natural Resources Agency, including their subsidiary agencies, to collaborate to create a Tijuana River Valley Watershed Action Plan, known as the Tijuana River Plan, as specified. (Public Resources Code § 71107)
- 5) Establishes the California-Mexico Border Relations Council to, among other duties, coordinate activities of state agencies related to cross-border programs, initiatives, projects, and partnerships, to improve the effectiveness of state and local efforts that are of concern between California and Mexico. (Government Code § 99522-99523)
- 6) Requires the California Department of Public Health (CDPH) to establish, maintain, and amend as necessary the minimum standards for the sanitation of public beaches, in consultation with the State Water Board, local health officers, and the public. (Health and Safety Code (HSC) § 115880)
- 7) Requires, commencing January 1, 2012, that the State Water Board assume responsibility for directing the required monitoring of public beaches; establishing and reviewing monitoring protocols, site locations, and monitoring frequencies, in consultation with CDPH and local health officers; and identifying options for funding the required monitoring for public beaches. (HSC § 115881)
- 8) Provides that the local health officer is responsible for testing the waters adjacent to, and coordinating the testing of, all public beaches within their jurisdiction. (HSC § 115880(f))
- 9) Requires, in the event of a known untreated sewage release, the local health officer with jurisdiction over an area in which a public beach is created to immediately test the waters adjacent to the public beach; requires, if the release is known to have reached recreational waters adjacent to a public beach, the local health officer to immediately close those waters

until it has been determined that the waters are in compliance with standards established for public beaches. (HSC §115885(a)(6-7))

**FISCAL EFFECT:** Unknown.

**COMMENTS:**

*Need for the bill:* According to the author, "Communities along California's southern border—particularly in Imperial Beach, San Ysidro, and Calexico—have endured decades of exposure to raw sewage, toxic chemicals, trash, and other hazardous materials that continue to flow across the border due to inadequate wastewater infrastructure in northern Mexico. This is not a new issue, but it is one that has grown significantly worse in recent years.

This resolution is a bipartisan appeal for partnership. California has invested in solutions through previous actions and in Proposition 4. Our local governments have declared states of emergency. Our residents are doing their part. Now we need the federal government to respond with the same level of urgency and scale this disaster demands."

*The Tijuana River watershed and transboundary pollution:* According to the San Diego Regional Water Quality Control Board, the Tijuana River watershed is a large binational watershed of approximately 1,750 square miles that lies across the California-Mexico border. A large portion of the watershed (approximately 75%) is within Mexico and encompasses the densely urbanized city of Tijuana, Mexico. The watershed drains into the Tijuana River Estuary in the U.S. and ultimately to the Pacific Ocean in the city of Imperial Beach.

Land uses in the watershed are diverse, from largely undeveloped open space in the upper watershed to highly-urbanized, residential, commercial, military, and industrial areas in the lower watershed. Over the past 30 years, Tijuana, Mexico has experienced tremendous population and industrial growth, along with rapid urbanization, which has strained the aging Mexican sewage infrastructure. Emerging sewage infrastructure inadequacies have created recurring pollution problems on both sides of the California-Mexico border. At times, sewage generated on the Mexico side of the watershed travels north into California through the Tijuana River or other cross-border canyon tributaries in the Tijuana River Valley. The sewage flows degrade water quality in the Tijuana River Estuary and adjacent coastal waters, and also pose a significant public health risk to residents and visitors along both sides of the border.

While significant improvements in wastewater treatment have, in recent years, improved water quality on both sides of the border, stormwater flows continue to bring substantial amounts of sediment, trash, and other contaminants into the valley, which impairs water quality, jeopardizes public health, threatens life and property from flooding, degrades valuable habitats, and impacts recreational opportunities for residents and visitors.

*Human health implications of transboundary pollution.* The "Clean Water Report," released by the Surfrider Foundation in 2024, details findings from tests conducted on water samples collected from coastal sites across the U.S. According to the report, Imperial Beach in the San Diego region is one among ten beaches in the country that consistently have high bacteria levels, with 100% of samples collected from Imperial Beach in 2023 failing to meet state health standards for bacteria in recreational waters. The report also states:

"Every day, millions of gallons of contaminated water carrying stormwater runoff, raw sewage, harmful chemicals, and trash traverse the U.S./Mexico border through the Tijuana River Watershed and flow out into the Pacific Ocean in Imperial Beach. Additionally, the San Antonio de los Buenos Wastewater Treatment Plant just south of the border discharges approximately 35 million gallons of untreated sewage into the Pacific Ocean each day. Currents associated with the Southern California Bight carry this pollution up the coast during the summer, causing widespread illnesses on both sides of the border and forcing beach closures throughout South San Diego County... This public health and environmental justice emergency has been going on for decades and it's only getting worse, especially with climate change-related storm events further stressing the already inadequate and failing regional wastewater infrastructure."

In coverage of the Surfrider Foundation's report, a 2024 *Los Angeles Times* article entitled, "California beach is most polluted seen in new study. People are 'getting sick left and right,'" states the following:

"[Imperial Beach] has been closed for more than two years because of toxic water from the Tijuana River Watershed flowing into the ocean, said Mayor Paloma Aguirre of the city of Imperial Beach... 'People in my community are getting sick left and right... We cannot afford to continue to punt the responsibility across the border because we have a dire situation here on United States soil, on California soil, that is harming California constituents.'"

In addition to its direct impacts on coastal waters, transboundary water pollution has the potential to contaminate the air with bacteria, creating another route of human exposure to disease-causing pathogens and a potential driver for human illness. In a 2023 study published in the journal *Environmental Science and Technology*, researchers from the Scripps Institution of Oceanography selected 40 types of bacteria to use as "tracers" for coastal water pollution, to determine whether aerosolized sea spray can carry these bacteria. The researchers found that these tracer bacteria comprised 41% on average and up to 76% of the bacterial community in the air in the city of Imperial Beach.

*The NPDES Permit Program:* In 1972, amendments to the Federal Water Pollution Control Act of 1948—the first major U.S. law to address water pollution—created what is commonly known today as the CWA. The federal CWA establishes the basic structure for regulating discharges of pollutants into waters of the U.S. and regulating quality standards for surface waters. Under the CWA, the US EPA implements pollution control programs that include setting water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters without a permit.

As authorized by the federal CWA, the NPDES Permit Program controls water pollution by regulating point sources—or discrete conveyances such as pipes, or human-made ditches—that discharge pollutants into waters of the U.S. Examples of pollutants include, but are not limited to, rock, sand, dirt, and agricultural, industrial, and municipal waste. Industrial, municipal, and other facilities must obtain an NPDES permit to discharge into surface water.

In California, implementation of the federal NPDES Permit Program has been delegated to the State Water Board and nine Regional Water Boards, which maintain regional jurisdiction within boundaries that are based on major watersheds. The State Water Board oversees implementation of the NPDES Permit Program throughout the state and, as such, coordinates with and supports

Regional Water Board efforts, and reviews Regional Water Board actions. While the State Water Board has issued some NPDES permits, the Regional Water Boards issue the vast majority of NPDES permits in the state and ensure compliance with their permits through compliance inspections, monitoring report reviews, and enforcement actions. In California, NPDES permits are also referred to as waste discharge requirements, which regulate discharges to waters of the U.S.

*The International Boundary and Water Commission (IBWC) and the South Bay International Wastewater Treatment Plant (SBIWTP):* Bi-national concerns about Tijuana River water quality date back to 1934, when the U.S. and Mexican governments instructed the International Boundary Commission (predecessor to the IBWC) to prepare a report on the Tijuana sewage problem. When the U.S. and Mexico signed the Water Treaty of 1944, Article III made the use of cross-border waters subject to "sanitary measures or works." The two governments also agreed to give preferential attention to the solution of all border sanitation problems.

In 1990, the IBWC authorized construction of the SBIWTP, a treatment plant on the Tijuana River, north of the border. This treatment plant is capable of treating 25 million gallons per day (MGD), but has an expansion capability of up to 100 MGD. Once treated, water from the plant flows through a pipe leading to the South Bay Ocean Outfall. The SBIWTP is not designed to treat all discharges originating in Tijuana, such as stormwater or transboundary flows from canyon collectors.

*SBIWTP damages, weather events, and federal action.* The SBIWTP has been in dire need of updates and repairs. Major storm events have caused an influx of water that exceeded the plant's capacity, resulting in untreated sewage and stormwater discharges into the South Bay Ocean Outfall and directly to the ocean.

Tropical Storm Hilary in 2023 accelerated damage to the already strained plant. The recovery plan to restore the SBIWTP's ability to fully treat 25 MGD of wastewater and restore compliance with discharge water quality permit parameters has been estimated to cost \$8 million.

*Lawsuits:* The USIBWC has consistently failed to stop transboundary flows and protect local communities from exposure to polluted waters. In 2018, several lawsuits were filed against USIBWC. On July 17, 2018, Surfrider Foundation filed a lawsuit against the USIBWC for violations of the federal SBIWTP and for violations of the NPDES permit. On September 4, 2018, U.S. Attorney General, Xavier Becerra, and the San Diego Regional Water Quality Control Board also filed a lawsuit against USIBWC. Lastly, on September 12, 2018 the City of Imperial Beach, the City of Chula Vista, and the San Diego Unified Port District filed a lawsuit against USIBWC and Veolia Water North America-West, LLC. The State Lands Commission and the City of San Diego later joined as plaintiffs in the lawsuit. After nearly 4 years of litigation, on April 11, 2022, a resolution was agreed upon by all. The resolution required USIBWC, among other things, to support construction of a main channel temporary berm in the Tijuana River Channel in Mexico to prevent or minimize dry weather flow events; improve canyon collector operations; increase communications, planning, and reporting; and, improve water quality monitoring.

*U.S.-Mexico-Canada Agreement:* When Congress approved the U.S.-Mexico-Canada Agreement in 2019, California Congressional representatives succeeded in adding \$300 million to identify infrastructure solutions to address the significant negative impacts of water pollution

in cross-border rivers on water quality, public health, and the environment. In 2020, the U.S. government committed funding to the US EPA to be used to address Tijuana River water quality problems. In fall 2021, the US EPA completed an evaluation of the problem and developed a set of project proposals known as the Comprehensive Infrastructure Solution. The estimated costs of the plan were \$627 million and approximately \$26 million for annual operations and maintenance. The Comprehensive Infrastructure Solution has yet to be completed.

On March 21, 2024, U.S. Senator Alex Padilla announced that over \$103 million in additional funding for the IBWC had been secured in the bipartisan FY 2024 appropriations package. The funding will help repair the SBIWTP to address trans-border water pollution.

*The New River and pollution:* The New River flows across the U.S. and Mexico international boundary, originating about 15 miles south of Mexicali, Baja California, Mexico. flowing into the City of Calexico, and draining into the Salton Sea. Since the 1940s, the New River has been a pollution problem at the border with a history of fecal coliform detection and foul odor. Census data from Mexico reports that Mexicali's population in 2020 was 1,049,792, representing a 12.1% increase in population since 2010. Similar to Tijuana, Mexicali has nearly tripled its population in the last three decades, straining the sewage infrastructure and producing homes without adequate sewage draining, causing raw sewage to enter the New River. Mexicali has also had industrial growth that contributes to the river's pollution. According to the California Colorado River Basin Regional Water Quality Control Board, the New River carries urban runoff, treated municipal wastes, untreated and partially treated industrial wastes, and agricultural runoff from Mexico's Mexicali Valley into Imperial County. This results in a serious threat to public health and ecosystems, and hinders economic development in the Imperial Valley.

*Binational Technical Committee:* As part of the U.S. and Mexico Water Treaty of 1944, the Binational Technical Committee (BTC) was established in 1994. The IBWC established teams of technical personnel and technical advisers from agencies of each country with expertise in wastewater infrastructure. The BTC serves to help identify pollution problems, oversees the development and implementation of the binational sanitation projects agreed upon by Mexico and the U.S., and makes project and policy recommendations to address New River pollution from Mexico.

A series of quick fix sanitation projects were implemented in various locations in Mexicali in 1992 and 2007 as part of the U.S. and Mexico Water Treaty. These projects focused on improvements to the collection system and rehabilitation of pumping plants in 1992, and the construction of a new wastewater treatment plant in 2007. Pollution worsened due to rapid population growth and industrial development in Mexicali. These projects did not account for rapid population growth or the resulting treatment capacity issues. In 2013, new problems began to emerge in Mexicali due to aging infrastructure, inadequate oversight of operations and maintenance, and continued sewage spills. The failing sanitation system in Mexicali continues to discharge raw sewage and other waste into the New River, which in turn threatens the health of Calexico residents, harms wildlife and the ecosystem, and undermines Salton Sea management and restoration efforts.

*The New River Improvement Project:* The New River Improvement Project is a strategic plan developed by a committee within the California-Mexico border Relations Council. The strategic plan was developed to address the serious threat to public and environmental health in Imperial



Valley posed by New River pollution. The original draft of the project was estimated to cost over \$80 million. Due to cost concerns, the project was amended in 2016. Instead of building a disinfection facility, the amended project proposed to build a pipe that encases dirty water to bypass the City of Calexico and an automated trash screen at the border. This pipe would prevent City of Calexico residents from coming into contact with polluted water. These adjustments reduced the estimated cost to \$28 million. The project began construction in October 2023 with a revised cost of \$47.9 million. In December 2023, a repair to damaged pipes in the area became an unforeseen cost to the project. Last month on January 23, 2024, the project was halted as heavy rainfalls in the City of Calexico and the City of Mexicali flooded the project site. In February, city council member Raul Ureña stated in a local news television station interview that the project had sustained an estimated \$4 million in damages due to the recent flood. Additional resources are required to address the New River pollution and work towards developing and maintaining a permanent solution.

*California Legislature's work on border river water quality:* The California Legislature has been working to address water quality in its border rivers for the last 20 years. It has passed bills to support state agency projects to improve water quality and held informational hearings on efforts to improve border river water quality. State budgets since 2017 have included appropriations for border river water quality, as follows:

- 2017: Reappropriated \$2.1 million from the 2014 California Wildlife, Coastal, and Park Land Conservation Fund of 1988 for acquisition of lands in the Tijuana River Valley;
- 2019: Appropriated \$15 million for Tijuana River pollution control;
- 2020: Appropriated \$18 million from the General Fund and \$10 million from Proposition 68 water bond funds for the New River Project;
- 2021: Appropriated \$20 million to improve water quality in border rivers; and,
- 2022: Appropriated \$15 million for border rivers cleanup.

*Assembly Committee on Environmental Safety and Toxic Materials (ESTM) Oversight Hearings:* In 2015, the Assembly ESTM Committee held two oversight hearings on the border rivers – one on the Tijuana River (held in Imperial Beach) and one on the New River (held in Calexico). These hearings allowed legislators to hear from agencies/stakeholders on both rivers. At the hearings, the committee heard updates on:

- 1) Cross-border projects to build collaboration with governments/communities in Mexico;
- 2) *Memorandum of Understanding to Enhance Cooperation on Climate Change and the Environment* implementation;
- 3) Progress and challenges to implement respective strategic plans for the two rivers; and,
- 4) Potential improvements to advance river restoration and long-term management.

*This resolution:* AJR 16 calls on Congress and the President to fully fund the US EPA's Comprehensive Infrastructure Solution for the Tijuana River. Additionally, the resolution calls on the President to declare a national emergency due to the ongoing impacts on public health, the environment, and the local economy caused by transboundary flow pollution in the Tijuana River Valley. AJR 16 recognizes the investments California has made to reduce cross-border pollution, however, ultimately this crisis needs assistance from the federal government to reduce the health impacts of this pollution on California residents.

*Arguments in support:* According to the YMCA of San Diego County,

"The transboundary pollution crisis now threatens programs for thousands of children and families. Lack of access to the outdoors, ecological consequences, economic loss, public health impacts, and threats to our military personnel are all significant concerns we share with the community.

We express our strong support for Assembly Joint Resolution 16, which urges the United States Congress and the President of the United States to fully fund the Environmental Protection Agency's Comprehensive Infrastructure Solution for the Tijuana River and to take immediate and sustained action to address transboundary pollution.

For decades, communities along California's southern border—especially in Imperial Beach, San Ysidro, and Calexico—have suffered from the harmful public health and environmental consequences of untreated sewage, toxic chemicals, and solid waste crossing into the United States through the Tijuana and New Rivers. These recurring pollution events have led to beach closures, respiratory and gastrointestinal illnesses, loss of recreational access, and declining economic activity, disproportionately impacting low-income and Latino communities.

AJR 16 appropriately highlights the urgent need for federal funding to bring critical infrastructure, such as the South Bay International Wastewater Treatment Plant, into compliance with federal environmental standards and to support long-term operation and maintenance. It also rightly calls for a national emergency declaration and multi-agency support to end the decades-long crisis that continues to threaten California's public health, economy, and natural environment.

We commend your leadership and that of your coauthors for elevating this issue on the national stage. It is time for the federal government to act with the urgency and scale this disaster requires."

*Arguments in opposition:* None on file.

*Related legislation:*

- 1) SJR 18 (Padilla, Chapter 175, 2024). Makes a number of declarations regarding health impacts associated with pollution in the Tijuana River, and requests that the federal Centers for Disease Control and Prevention (CDC) investigate health concerns raised by this pollution.
- 2) AJR 12 (Alvarez, 2024). Urges the U.S. Congress and President Joseph R. Biden to fully fund the US EPA's Comprehensive Infrastructure Solution for the Tijuana River due to the ongoing impacts to public health, the environment, and the local economy caused by cross-border pollution; urges President Joseph R. Biden to declare a national emergency due to those ongoing impacts; and urges President Joseph R. Biden and the U.S. Congress to provide funding to address ongoing cross-border pollution impacting the New River. This bill is pending action on the Assembly floor. (LIS is showing this as chaptered 9/2024)
- 3) SB 1178 (Padilla, 2024). Requires the State Water Board to establish regulations for compliance entities, as defined, that govern annual reporting of waste discharges, as specified; requires compliance entities to place a warning label on products sold in

California; establishes the California Water Quality and Public Health Impact Fund (Fund); and requires administrative penalties authorized under SB 1178 to be deposited into the Fund. This bill was held on the Suspense File in the Assembly Appropriations Committee.

- 4) AB 1567 (E. Garcia, 2023). Would have enacted the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2024, which would have authorized the issuance of \$15.1 billion in bonds to finance safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development program projects. At least \$50 million each would have been made available for the Tijuana River Border Pollution Control Project and the New River Water Quality, Public Health, and River Parkway Development Program. This bill was held in the Senate Natural Resources and Water Committee.
- 5) AB 1597 (Alvarez, 2023). Would have allowed funds, upon appropriation, to be made available to CalEPA for the North American Development Bank, to fund loans, grants, and direct expenditures for projects addressing water quality issues in California-Mexico cross-border watersheds, as provided. This bill was held on the Suspense File in the Senate Appropriations Committee.
- 6) AB 2248 (E. Garcia, Ward, 2022). Would have provided \$100 million to the State Water Board from the state's General Fund, upon appropriation by the Legislature, for grants and direct expenditures to address water quality problems arising in California-Mexico cross-border rivers. This bill was vetoed by Governor Newsom.
- 7) SJR 22 (Hueso, Chapter 241, Statutes of 2018). Urges the federal government and the U.S. Section of the IBWC to take immediate action to adequately address cross-border pollution in the Tijuana River Valley.
- 8) SB 507 (Hueso, Chapter 542, Statutes of 2017). Authorizes funds granted to the County of San Diego in the 2014 Budget Act to be available for development, improvement, rehabilitation, protection, restoration, and studies of natural and park lands in the Tijuana River Valley.
- 9) AB 1059 (E. Garcia, Chapter 584, Statutes of 2015). Requires OEHHA to update its CalEnviroScreen 2.0 tool by using any relevant environmental data relating to known impacts of air pollution, water pollution, and toxic sites on the environmental quality of the communities in the California-Mexico border region.
- 10) AB 965 (E. Garcia, Chapter 668, Statutes of 2015). Requires the California-Mexico Border Relations Council to establish the New River Water Quality, Public Health, and River Parkway Development Program to coordinate funding for, and the implementation of, recommendations from the New River Strategic Plan. Provides the Border Relations Council with a consultative and coordinating role on the development, implementation, and funding of specified border-related projects.
- 11) SCR 90 (Hueso, Chapter 80, Statutes of 2014). Declared the Legislature's intent to work with the Tijuana River Valley Recovery Team to take various actions to protect and preserve the Tijuana River Valley; encourage collaboration with the team to protect and enhance natural resources through improved management of sediment and trash, flood control,

ecosystem management, and recreation and education; and, promote bilateral ties with Mexico.

- 12) AB 1079 (V. M. Pérez, Chapter 382, Statutes of 2009). Required the Border Relations Council to create a strategic plan to study, monitor, remediate, and enhance the New River's water quality to protect human health and develop a river parkway suitable for public use and enjoyment.
- 13) AB 3021 (Núñez, Chapter 621, Statutes of 2006). Establishes the Border Relations Council to serve as the central organizing body for overseeing and collaborating on California-Mexico border issues.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

YMCA of San Diego County

**Opposition**

None on file.

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