

**USIBWC Citizens Forum Meeting Minutes
December 7, 2017 6:30-8:30 pm
Tijuana River National Estuarine Research Reserve
Imperial Beach, California.**

Board Members in Attendance:

Ed Spriggs - City of Imperial Beach, Citizens Forum Co-Chair

Marisa Quiroz – International Community Foundation

Steve Smullen – Area Operations Manager, USIBWC, Citizens Forum Co-Chair

There were approximately 80 members of the public present. Co-Chair Ed Spriggs from the City of Imperial Beach kicked off the meeting by noting the presentations and stating that the mission of the Citizens Forum is to promote an exchange of information between the public and the USIBWC. It is not an advisory board to the Commission. He requested that people fill out comment cards if they wished to make a general comment. He then had a few brief comments.

He stated that since the February 2017 transboundary sewage spill, meetings of the Citizens Forum have been very tumultuous with many residents voicing their outrage. Mr. Spriggs felt that the Commission has not adequately addressed the problem or provided a solution. He had asked to meet with the Commissioner in El Paso several months ago and had not received a response. Board members' participation has slowly dwindled over the past year. For these reasons, he could not continue to support the Citizens Forum or volunteer as a member of the forum next year.

Remarks on the Role of the Citizens Forum and on Minute 320 on the Tijuana River Watershed – Edward Drusina, Commissioner, USIBWC

Commissioner Drusina then provided remarks. His first Citizens Forum meeting as a Commissioner was in San Diego. Minute 320 was providing a means to achieve solutions. Minute 320 had its genesis with the Citizens Forum and the Recovery Team. Minutes between the countries are binding. Both Commissioners are fully aware of the problems in San Diego-Tijuana. Even though 800 miles distant from Headquarters of the IBWC, this is a key location for the IBWC and the highest attention is being paid to it. He then mentioned the various projects that are currently being advanced, including the feasibility study for the main channel sediment basin and one in Smugglers Gulch, land-based water quality testing proposed with offsets through reductions in ocean outfall monitoring, the Phase 2 of the City of San Diego-U.S. Army Corps of Engineers (USACE) hydrologic and hydraulics (H&H) study, and the Diversion Diagnostic to be funded by EPA/North American Development Bank (NADB). There must be local support and participation in the process to develop these projects through Minute 320. Regional support and participation will “prime the pump”, and help guide and support any allocation of federal funding. Commissioner Drusina then mentioned that he had meetings earlier in the day with Customs and Border Protection (CBP), Mayor Faulconer of the City of San Diego, and the County of San Diego Supervisor Greg Cox.

Audience members then had an opportunity to address questions to Commissioner Drusina.

Q: Lance Rogers noted that there were no “teeth” to Minute 320. Will future Minutes have more strength? It appears that there have been treaty violations and why have they not been taken up with The Hague?

A: Commissioner Drusina stated that there have not been treaty violations. Minute 320 is a framework Minute, similar to Minute 317 for the Colorado River. There have been four Minutes in the last eight years to follow on and implement Minute 317, and we anticipate that implementing Minutes will be executed for Minute 320. However, it has only been 2 years since Minute 320 was signed.

Tijuana River Hydrology, Floodplain and Sediment Transport Study, Raina Fulton, Los Angeles District of the U.S. Army Corps of Engineers (USACE)

Ms. Fulton gave a brief overview and timeframe on the Phase 1 and Phase 2 hydrologic and hydraulics (H&H) study they are conducting in partnership with the City of San Diego. The work under Phase 1 is nearly complete, and Phase 2 is just starting. The Corps had received data from Mexico through USIBWC and was in the process of translating it. It was expected to be completed in October of 2018, at which time a new feasibility study would be requested.

Marisa Quiroz asked if any additional data would be obtained in Mexico. Ms. Fulton responded no, that the existing data had already been received.

Q: Carl Nettleton asked what happened to the \$800,000 study that URS had completed for the City/Recovery Team.

A: Mr. Smullen said that this was a question for the City of San Diego, and that IBWC had provided all previous U.S.-side studies to the USACE.

Q: Would the H&H study cover spills or toxic dumping from maquiladoras?

A: No. Mr. Smullen explained that the study was a rainfall and runoff study intended to determine sediment transport volumes.

Q: Will new gages be installed?

A: No.

Wes Danskin of United States Geological Survey said that his agency had very preliminary binational water models that could be referenced, and that the study should be sure to include possible extreme events due to climate change.

One resident suggested satellite imagery could be used to track maquiladora dumping. Another resident said that this could simply be done by walking up canyons and talking to residents.

Q: Will the study consider trash buildup and its effect on flooding or king tides?

A: Ms. Fulton said that may be considered once the study was underway.

Results of the Program for Integrated Management of Water in the Tijuana River Basin

Mr. Spriggs introduced Margarita Diaz, who presented on the Tijuana River Integrated Watershed Plan. Ms. Diaz stated that binational data systems are a difficult challenge. This challenge was championed in 2005 by Paul Ganster of San Diego State University who spearheaded the Tijuana Atlas. Normally Mexico follows the U.S. lead in planning efforts, but in this current Non-Governmental Organization (NGO) initiative, the U.S. is following Mexico, who provided 100% funding to plan the initiative. The plan has the support of the Rio Arroyo Foundation. The alliance with El Colegio de la Frontera Norte (COLEF) has been especially beneficial. The initiative is a participatory process and is multi-sectorial, with local state, and federal governments, academia, NGOs, and utilities joining. A complete diagnostic was conducted – priority problems, goals, objectives and strategies were identified in a workshop and meetings with individual agencies and stakeholders. Information in Mexico is always in different places, and this was the first time a consolidated environmental database for the watershed had been developed. Information is also difficult to access, and it required several asks at several levels for a comprehensive list, then it had to be confirmed and validated. There were over 750 projects identified, and that list was culled down to approximately 500. Minute 320 is the perfect implementing structure as it is binational in nature and is well aligned with the Foundation objectives and requirements. There is a framework for dialog and exchange of ideas, a means to identify funding requirements and sources, and integrated

project planning. The next steps are somewhat unknown at this time, but will no doubt be selection of the projects with dedicated funding scenarios, for approval by the Foundation.

Questions and Answers:

Q: Does the Foundation fund construction projects?

A: Ms. Diaz said that projects normally selected are typically not hydraulic projects such as pipelines and wastewater plants. Green infrastructure and wetlands have been funded and constructed.

Q: How does the funding work?

A: The Foundation funds 50% and requires a match, which ensures that governments continue to do their job.

Update on Minute 320 Actions to address Tijuana River Water Quality

Mr. Smullen, USIBWC Area Operations Manager, then gave an update on the status of Minute 320, “General Framework for Binational Cooperation on Transboundary Issues in the Tijuana River Basin,” a 2015 agreement of the International Boundary and Water Commission, United States and Mexico (IBWC). Spill Notification and Pump Station CILA protocols have been finalized and there was an exchange of letters between the U.S. and Mexican Sections of the IBWC on September 21, 2017 on these documents.

The development of a binational water quality monitoring program continues, with additional sites added to cover 6 transborder canyons. The USIBWC continues to coordinate with the Regional Board and City of San Diego on obtaining funds for land-based monitoring from proposed reductions in ocean monitoring. U.S. Customs and Border Protection recently signed a contract with Parsons Corporation to sample and test 6 transborder canyons 7 consecutive days per month over a 6-month period.

Meters have been installed in the Tijuana and Alamar Rivers by Mexico, however the one in the Alamar River was stolen on November 5. The others are reporting level but not flow. The meter installed at PS CILA is not measuring flow due to conservative operation of the wet well by CESPT. This operation will be looked at under the diagnostic, and we will ask the USIBWC contractor to provide recommendations. The diagnostic for diversion and pumping has been finalized and will be sent out by the North American Development Bank (NADB) for requests for proposals before the end of the year, with proposals due in January 2018. This diagnostic will determine existing capacities and limitations, low-cost modifications to increase diversion during runoff events, and recommendations for new infrastructure that could be added both in Mexico and/or the U.S. All alternatives analyzed will be measured against reductions in transboundary flow and beach closure days.

The Tijuana River main channel sediment basin scope of work has been finalized and we are coordinating with the County of San Diego and the Regional Board on potentially using some of the SB507 funding that has been returned to the County.

The infrastructure improvement project is nearly completed at the South Bay International Wastewater Treatment Plant, and will allow additional peak flow treatment without permit violations. Mr. Smullen also showed a satellite image of the Pacific coastline during the October 26, 2017 south swell event which clearly shows the effluent plume from Punta Bandera in Mexico reaching the U.S. In addition, enterococcus test results provided by Proyecto Fronterizo de Education Ambiental at Mexico shoreline locations, on the same date, indicate significant contamination. This is clear evidence that effluent from Mexico’s San Antonio de los Buenos Wastewater Treatment plant is only partially treated and at times poses a health risk to water users in the Playas area of Tijuana and in Imperial Beach, California when ocean currents carry the effluent to those communities.

Doug Liden of the EPA commented that Scripps Institute of Oceanography will be updating the plume tracker and modeling the 2017 spill using a near-shore modeling technique, which will be funded by the Border 2020 program.

Q: What about the CONAGUA plan that consisted of 16 monitoring sites in Mexico?

A: That is the CONAGUA plan and it is not part of the IBWC binational plan.

Q: Hasn't the monitoring already started and wasn't the data supposed to be shared?

A: Yes, but we have not requested any data yet from Mexico.

Q: What other sources are discharging to the ocean, say south of Punta Bandera?

A: Mr. Smullen thought that Rosarito had a municipal discharge and that maybe Ms. Diaz could provide some information. She stated that there were a lot of private developments along the coast road that were planned with wastewater treatment facilities but that many weren't working. Some of those homes are expats, many from the U.S.

Public Comment

Rick Wilson presented his company's product which is wetland cells for treating hydrocarbon-contaminated sites, but which could be adapted to domestic/industrial wastewater. He was asked by his son who suffered corneal damage from surfing at Imperial Beach to see if this technology could be of any help. He requested if he could be allowed to present at a future meeting.

Ginger Sacco repeated her presentation she made at the June meeting of solid waste items found on IBWC property. She is passionate about water quality, which she states is a national, binational and for her, a personal issue. Her son had open heart surgery and swimming is the only type of exercise available, and a cut resulting from contact with a contaminated object could be deadly. Even the sand is not safe.

Bobby Lei, who is a military spouse, stated that her husband (who was a rescue swimmer), developed meningitis from the ocean waters which resulted in a highly-suppressed immune system. One of her husband's friends had to be treated for a severe e. coli infection on a skin wound on his face. She has spoken with Senators Harris and Barbara Boxer and is appalled that the IBWC says the solution will take time. This is a matter of the utmost urgency that is affecting not only the public but men and women serving the country.

Lance Rogers asked about Minute 283 and how long it had been in effect and whether it was still in effect. Commissioner stated that it was. He stated that he thought that there were violations by Mexico to Minute 283. He asked how much money was spent annually on the Veolia contract. Steve Smullen responded that the annual cost was about \$8.7M. Commissioner responded that Mexico only pays a fraction of that cost. Margarita Diaz stated that Mexico does dispose of all the solids from the plant.

The next Citizens Forum meeting is scheduled for March 1, 2018 to stand up a new Board. The meeting was adjourned at 9:00 pm.

*Meeting notes are tentative and summarize in draft the contents and discussion of Citizens Forum Meetings. While these notes are intended to provide a general overview of Citizens Forum Meetings, they may not necessarily be accurate or complete, and may not be representative of USIBWC policy or positions.