



Memorandum

To: Mayor and City Council
City of Coronado

From: Best Best & Krieger LLP

Date: February 9, 2022

Re: Update and Summary of EPA Plans to Control Cross Border Sewage Flows

Executive Summary

This memorandum provides an update regarding the United States Environmental Protection Agency's ("EPA's") selection of projects to control cross border sewage flows from Mexico in the Tijuana River and from the Antonio de las Buenas wastewater treatment plant in Mexico.

EPA has selected a suite of projects that the agency intends to pursue to address cross border flows. This proposed "Comprehensive Alternative" will cost approximately \$600 million and will (among other things) add capacity to the existing International Treatment Plant, construct a new, 60 million gallon per day ("MGD") advanced primary treatment plant in the United States, and rebuild the existing San Antonio de las Buenas treatment plant that is located approximately five miles south of the US/Mexico border in Mexico.

EPA estimates that the proposed projects will reduce beach closures in the United States by 95%. The major challenges to completing the projects are: 1) obtaining the additional \$300 million necessary to build them; and 2) confirming which government agencies in the United States and Mexico will operate and maintain the infrastructure once it is complete.

DISCUSSION

The U.S. EPA announced publicly on November 8, 2021, that it had selected a suite of projects to pursue to address cross border sewage flows.¹ The announcement came after several months of input from local governments in South Bay and from the environmental community. EPA began the public input process shortly after Congress appropriated \$300 million for addressing the cross border flows as part of the United States-Mexico-Canada Agreement ("USMCA").

¹ A copy of EPA's power point presentation from the November 8, 2021 meeting at which the agency made the announcement is attached. The presentation includes maps and a summary of the proposed projects.

(1) Project Summary

The main components of the proposed project are:

- A project to expand the capacity of the International Treatment Plant by 35 MGD, for a total capacity of 60 MGD, to treat sewage from the main channel of the Tijuana River and sewage from two side canyons that discharge into the Tijuana River Valley, downstream of where the River crosses the border.
- Construction of 60 MGD Advanced Primary Treatment Plant (on the U.S.-side of the border) to capture and treat water in Tijuana River. Water will be diverted from the Tijuana River to this plant, treated to advanced primary levels, then sent to the ocean via the existing ocean outfall for the International Treatment Plant.
- Improving treatment quality at two wastewater treatment plants in eastern Tijuana so that the treated water from those plants (the Arturo Herrera WWTP and the La Morita WWTP) can be sent to the Rodriguez Reservoir in Mexico for use by Tijuana to support the City's municipal supply.²
- Rebuilding the San Antonio de Los Buenos Treatment Plant to treat sewage from Tijuana coastal areas and avoid direct discharge of raw and partially treated sewage into the ocean.
- Miscellaneous repairs sewer repairs to the City of Tijuana's collection system to reduce average Tijuana River flows from 10 MGD to 5 MGD.
- Installation of trash booms in the main channel of the River to collect trash and prevent it from reaching the estuary or the ocean.

EPA estimates that these projects will result in a 95% reduction of beach closures through 2050. The projects are designed to meet expected population growth in Tijuana through that year. After that date, it may be necessary to build additional capacity at the various treatment plants and other infrastructure that will be upgraded or constructed as part of this process.

(2) Strategy for Binational Engagement with Mexico

EPA is making efforts to engage with Mexico on the projects. EPA Administrator Michael Regan has met with the U.S. Ambassador to Mexico and the Consul General, and EPA leadership has engaged with Mexican governmental entities including the Baja State Government. EPA seeks to reach binational agreements on solutions for implementation, including agreement on the projects to be built and cost-sharing. Certain components of the project will need to be operated by either the Mexico or the International Boundary and Water Commission ("IBWC") or some

² The plants currently discharge into the Tijuana River and add volume to the flow of the River that impacts capacity at the downstream International Treatment Plant.



combination of the two. The details of (and responsibility for) operations and maintenance still need to be worked out.

(3) Implementation, funding, and next steps

EPA has adjusted the NEPA (National Environmental Policy Act) review of the project by breaking the overall process into two tiers. Tier one will focus on the International Treatment Plant expansion and the U.S. river diversion. EPA predicts this will help expedite some of the projects. Tier 1 of the NEPA review is currently underway. Tier 2 is anticipated to begin in 2022, and the final NEPA document should be issued in the later part of 2023.

EPA plans to construct the projects in phases based on available funding. EPA was allocated \$300 million as part of the USMCA. EPA plans to couple this money with other border water infrastructure funds. EPA outlined the planned sequence of construction as (1) expand the International Treatment Plant, (2) build the Advanced Primary Treatment Plant, and (3) build the U.S.-side river diversion. The additional projects would occur as soon as funds can be identified and in an order to be decided at that time.

CONCLUSION

Please do not hesitate to let us know if you have any questions or comments on this memorandum or any other federal issues. We are honored and grateful for the continued opportunity to represent the City on these matters.

ANDRE MONETTE
LOWRY CROOK
ANA SCHWAB



USMCA Tijuana River Watershed

EPECG Meeting

Virtual Meeting: November 8th, 2021

Federal, State, and Local Stakeholder Engagement Eligible Public Entities Coordinating Group

- US Army Corps of Engineers
 - North American Development Bank
 - DOS – Consulate General of Tijuana
 - US Customs & Border Protection
 - US Navy
 - US DOI/FWS
 - US International Boundary and Water Commission
 - US Department of Commerce/NOAA
 - State of CA – EPA
 - State of CA – Natural Resources Agency
 - San Diego County
 - San Diego Port Authority
 - San Diego Regional Board
 - City of Chula Vista
 - City of Coronado
 - City of Imperial Beach
 - City of San Diego
- **Congressional staff also participating**

Today's Agenda

- EPA Announcements
- Review Recommended Alternative
- EPA Implementation Strategy
 - Binational Engagement
 - NEPA
 - Pending Items
- Closing Remarks

Welcome & Overview

Andrew Sawyers & Tomás Torres
EPECG Co-Chairs

EPA Announcements

Andrew Sawyers

EPA HQ: Director, Office of Wastewater Management

EPECG Co-Chair

Review Recommended Alternative

Ami Cobb

EPA HQ: Environmental Engineer

Comprehensive Alternative (I-2)

Imperial Beach

San Diego

UNITED STATES

South Bay
Ocean Outfall

PACIFIC
OCEAN

Canyon Regrading

35 MGD Expansion
International
Treatment Plant (ITP)

60 MGD
Advanced Primary
Treatment Plant

Trash Booms

TIJUANA RIVER

MEXICO

Future
Reuse

International
Collector

PB CILA

Playas

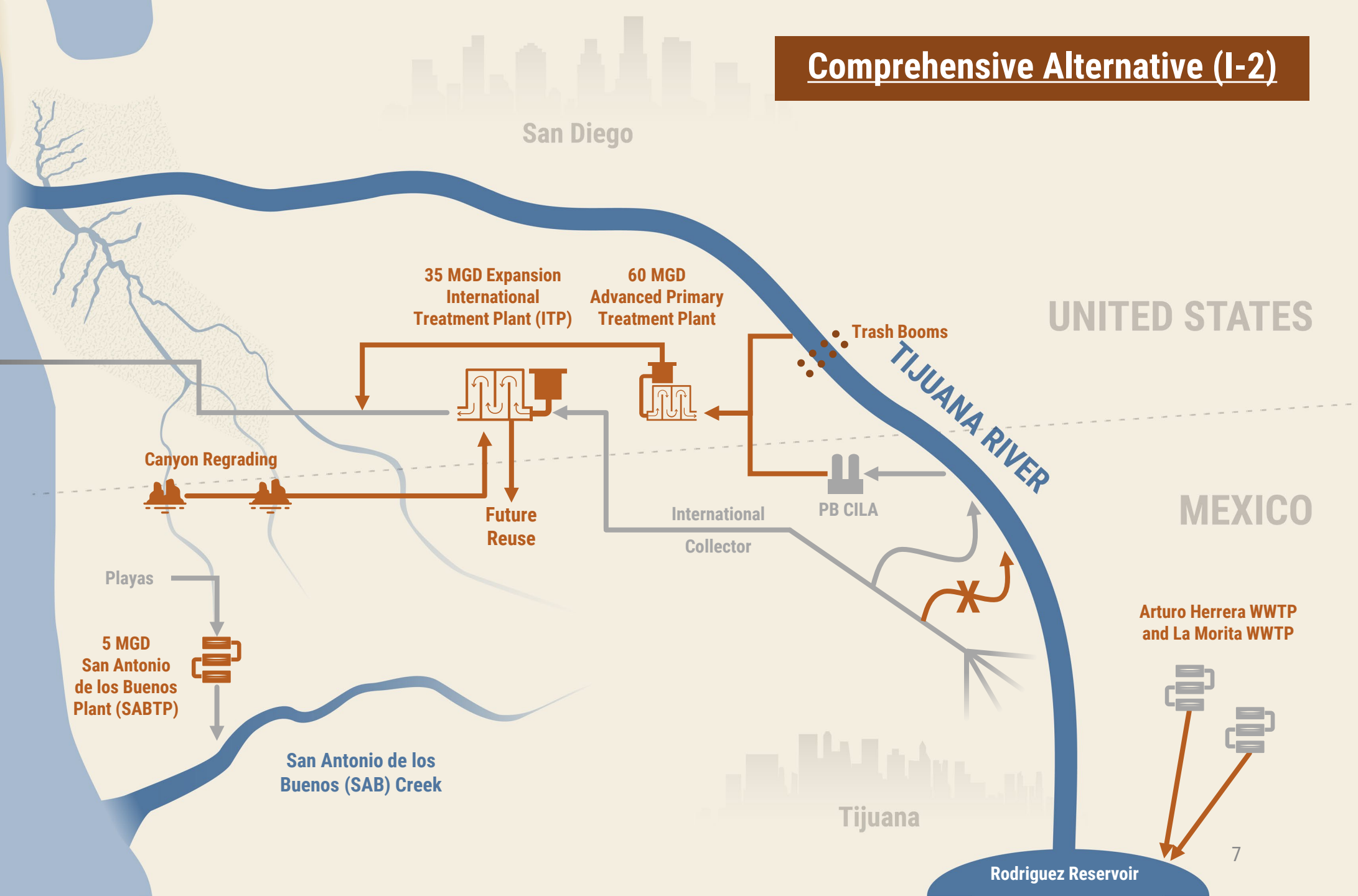
5 MGD
San Antonio
de los Buenos
Plant (SABTP)

San Antonio de los
Buenos (SAB) Creek

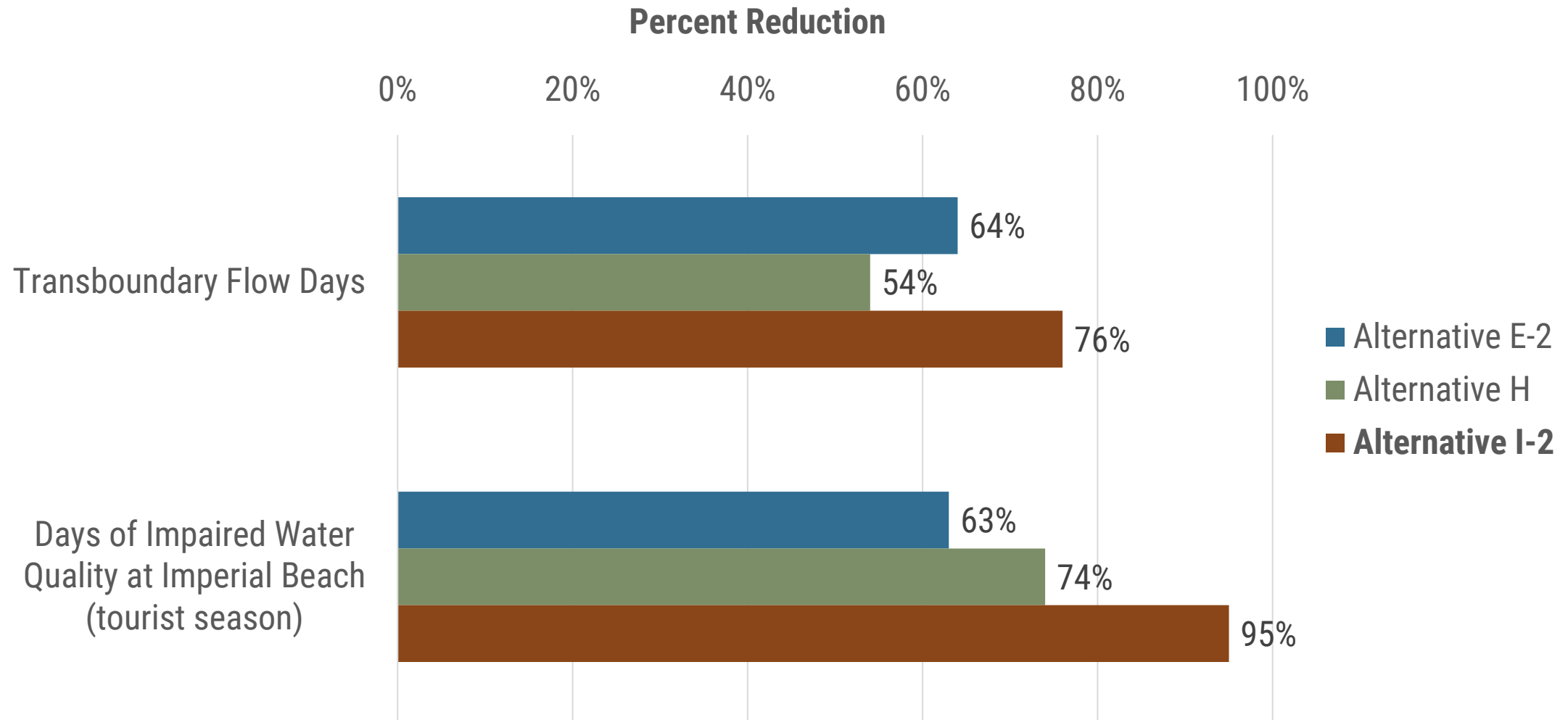
Arturo Herrera WWTP
and La Morita WWTP

Tijuana

Rodriguez Reservoir



Environmental Benefits of Alternatives Analyzed



Key Benefits

- ▶ Treatment **capacity until ~2050** for all central Tijuana & canyon sewage
- ▶ Provides sufficient capacity for **all dry-weather and some wet-weather flows**
- ▶ **Acts as backup** if Mexico's diversion fails or flows exceed capacity
- ▶ Provides **more U.S. oversight and control** of wastewater infrastructure
- ▶ Incentivizes **water recycling**

~95%

Reduction

Frequency of impaired
water quality at Imperial
Beach during tourist
season

~76%

Reduction

Frequency of transboundary
flows in Tijuana River

Potential Sequence of Major Projects

Step 1



Expand ITP

Step 2 (In Any Order)



Convey Canyon Flows to ITP



Build U.S.-Side Advanced Primary Treatment Plant

Step 3



Build U.S.-Side River Diversion

Independent Projects (May Occur Concurrently with Steps 1-3)



Sewer Collection System Repairs



Reuse of Treated Effluent back to Rodriguez Dam



New SAB Treatment Plant



Reuse line from ITP to Mexico



Canyon Regrading



Trash Boom in Tijuana River

EPA Implementation Strategy

Doug Eberhardt

EPA R9: Environmental Engineer

Strategy for Binational Engagement with Mexico

Elevate issue through high level engagement

- Administrator Regan meetings with US Ambassador to Mexico, Consul General, etc.
- EPA leadership engagement with Mexico (SEMARNAT, SRE, Hacienda, Baja State Government)

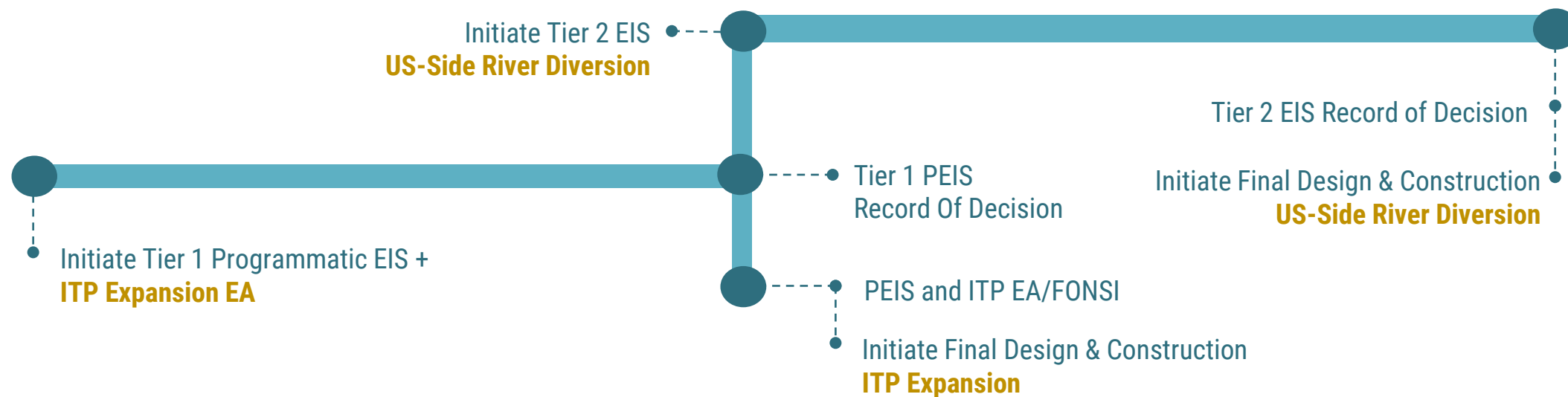
Reach binational agreement on solutions

- EPA, CONAGUA, IBWC and others meet biweekly
- Align project planning and reach agreement on projects to be built
- Preliminary discussions on cost sharing – capital and O&M
- Memorialize agreement(s) with Mexico

NEPA Strategy and Timeline

2021		2022				2023		
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3

Expedited Process: Tiered* Programmatic EIS (PEIS)



*Tiered PEIS is a single comprehensive action that will incorporate all NEPA requirements.

Pending Items

Project Implementation

- Congressional Authorizing Language to transfer funds to International Boundary & Water Commission (IBWC)
- Operations & maintenance (O&M) funding for new systems

Next Steps

- Public meeting later today
- Reconvene EPECG early next year to update on NEPA process
- EIS analysis moves forward (comprehensive infrastructure solution)

Closing Remarks

Andrew Sawyers & Tomás Torres
EPECG Co-Chairs