



# Enforcement News

## San Diego Regional Water Board Files Lawsuit Over Tijuana River Discharges

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Responding to years of inaction and growing concern of an environmental calamity along the U.S.-Mexico border, the San Diego Regional Water Quality Control Board (San Diego Water Board) filed [suit today](#) against the United States Section of the International Boundary and Water Commission (USIBWC).

Filed in U.S. District Court for the Southern District of California, the lawsuit alleges that the USIBWC repeatedly violated provisions of the Clean Water Act and its National Pollution Discharge Elimination System (NPDES) permit by discharging millions of gallons of waste – including untreated sewage, trash, pesticides and heavy metals – from its water treatment facilities into the Tijuana River, the vast and vulnerable Tijuana River Estuary and, ultimately, into the Pacific Ocean.

The suit is asking the court to declare that USIBWC violated the Clean Water Act on numerous occasions, has failed to prevent and recover waste from its many illicit discharge events and that it must now take all actions necessary to comply with the Clean Water Act and the NPDES permit.

From 2015 to present, more than 11 million gallons of waste have gone untreated, raising concerns about long-term damage to the environment, aquatic species and threats to human health. Beaches along the city of Imperial Beach were closed more than 200 days in 2015 and approximately 150 days in 2016 and in 2017 to protect the public. In the last decade, coastal cities in California have imposed 1,600 beach closures in response to contaminated wastewater.

This lawsuit is being filed subsequent to the [60-day Notice of Intent to Sue](#) filed by the Attorney General's Office and the San Diego Water Board. As noted in May 2018, the mismanagement of the treatment facilities and the threat to human health have become so dire that the U.S. Border Patrol launched its own investigation to insure the wellbeing of its agents.

The lawsuit maintains that USIBWC is responsible for addressing cross-border flows of waste from Mexico into California as required by its NPDES permit and that chronic mismanagement of its water treatment facilities through the years has led to this drastic and necessary legal action.

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