

Ms. Joann Lim  
Executive Office  
San Diego Regional Water Quality Control Board  
2375 Northside Drive, Suite 100  
San Diego, CA 92108

Re: Comments on the U.S. Section of the International and Boundary Water Commission  
South Bay International Waste Water Treatment Plant No. R9-2014-0009 NPDES No.  
CA 0108928 Tentative Order.

Dear Ms. Lim:

WILDCOAST would like to thank the San Diego Regional Quality Control Board for the opportunity to comment on Tentative Order No. R9-2014-0009. We appreciate the efforts the Regional Board staff has made to inform us of the process and answer our questions.

Please find our comments as follows:

### **Special Studies, Technical Reports and Additional Monitoring Requirements**

#### **Spill and Transboundary Wastewater Flow Event Prevention and Response Plan Types**

##### *Flow Event Type B (Page 16)*

Chronic sewage spills continue to take place in Playas de Tijuana due to aging sewage infrastructure. These sewage spills have the capacity to impact coastal and near shore waters in south San Diego county beaches. We appreciate the board categorizing “impacts to nearby coastal marine waters” as a Type B transboundary flow.

##### *Development and Submittal (Page 16)*

We are pleased that a spill Prevention and Response Plan will be developed in partnership with CILA, the San Diego Water Board, the County of San Diego Department of Environmental Health and other stakeholders. Specifically its goals, desired outcomes, roles and responsibilities and communication and coordination with Mexico, point a-d (pages 16-18).

##### *Desired Outcomes (point b-5, Page 17)*

In reference to point b-5, we suggest adding the following stakeholder agencies: Procuraduría Federal de Protección al Ambiente (PROFEPA, a federal environmental protection agency which oversees violations to Mexican environmental laws) and Comisión Nacional del Agua (CONAGUA, federal agency which manages all national bodies of water, including but not limited to creeks, rivers, aquifers and ocean shoreline and; the City of Tijuana’s Secretaría de Desarrollo Urbano y Ecología (SDUE), which can work through the City’s Department of Environmental Protection and Lifeguards to improve spill prevention and response activities.

*Roles and Responsibilities (Page 17)*

In regard to the Prevention and Response Plan's Roles and Responsibilities we are pleased with the request to provide a complete description of roles and responsibilities and lines of authority for its implementation with respect to CILA, SPA, CESPT we recommend the addition of the agencies listed above.

*Communication and Coordination with Mexico (Page 18)*

We support the framework laid out in the Prevention and Response Plan to increase binational communication and coordination with Mexico. Specifically points 1, 2 and 5.

*Notification and Reporting (Page 21)*

We appreciate the opportunity to be included in the notification list as an interested Non-Governmental Organization particularly when Type B spill events occur.

**Sharing Transboundary Wastewater Flow Information with Mexico (page 23-24)**

In regard to sharing transboundary wastewater flow information with Mexico, again we encourage the board request the discharger share the Prevention and Response Plan with PROFEPA, CONAGUA, SDUE as well. We strongly support the need to create and convene binational technical committee meetings with stakeholders from both sides of the border to help accomplish points a) through g). We request Non-Governmental Organizations (NGOs) from both sides of the border be invited to participate. Particularly those NGOs that have been working for a length of time in addressing transboundary pollution issues such as Tijuana-based Tijuana Calidad de Vida and Proyecto Fronterizo de Educación Ambiental who actively participated in the Regional Board's Tijuana River Valley Recovery Team working groups; WILD Coast who participates in the Playas de Tijuana Clean Beaches Committee, Surfrider San Diego and San Diego Coastkeeper who participate in the International and Boundary Water Commission Citizen's Forum (all active members of the Tijuana River Action Network).

**Toxicity Reduction Evaluation TRE (page 30-31)**

In section I TRE work plan development and submittal we encourage you to recommend that in addition to CILA, SPA and CESPT you also include PROFEPA.

**Spill and Transboundary Wastewater Flow Event Notification and Reporting Requirements**

**Pretreatment Conditions for the Discharger (pages 36-37)**

In accordance with the treaty for the Utilization of Waters of the Colorado and Tijuana Rivers (Treaty of 1944) we recommend that in addition to the agencies listed (CILA, SPA and CESPT) to encourage and enhance their abilities to prevent the introduction of pollutants into the Tijuana sewage collection system you add the City of Tijuana's SDUE.

**Regional Monitoring and Reporting Program**

We strongly urge the board to adopt a real time prediction model to collect data currently not being measured by the Southern California Ocean Observing System or the Ocean Monitoring Program. Such a model could be Scripps Institution of Oceanography's real time prediction model

A real-time prediction model for the region could help identify areas at risk for potential spills; help determine contamination sources (whether the source is transboundary, from the IWTP itself or from other plume sources in Mexico) and, help examine future changes in outfall capacity or concentrations on plume dispersion.

### **Transboundary Wastewater Type B Flows**

#### *Inspections (E-29)*

We strongly urge the board to request the discharger to conduct daily inspections at system tributaries not listed as canyon collectors such as Yogurt Canyon and the main river channel.

#### *Monitoring (E-29)*

We strongly urge the board to recommend the discharger conduct a study to determine if transboundary wastewater flows entering the system through the main river channel and/or Yogurt Canyon have an adverse impact on the Tijuana River Valley, Estuary and adjacent coastal marine water and beaches during dry weather. This study could help answer questions posed in Attachment E (e-28): (2) What are the sources of dry weather transboundary flows? (3) What pollutants are present in dry weather transboundary wastewater flow type b? (4) Do pollutants in dry weather transboundary flows affect the beneficial uses of the Tijuana Estuary?

### **Additional Recommendations**

We strongly recommend you encourage IBWC to have bilingual staff, which can interact more seamlessly with staff from CILA and other agencies in Mexico. Having bilingual staff would facilitate the efficient exchange of information without the need of costly translation services.

#### **New IBWC/CILA Treaty Minute**

We also recommend that future binational treaty agreements related to the Tijuana River Watershed be included in any updates to the permit. Specifically, those relating to dry weather flow in the main channel.

WILDCOAST appreciates the opportunity to submit these comments and thanks the board for its ongoing efforts to help preserve and restore our waterways to ensure beneficial uses and healthy ecosystems for the benefit of all Californians. Should you have any questions please feel free to contact me at 619.423.8665 ext. 211 or at <paloma@wildcoast.net>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paloma Aguirre', with a stylized flourish at the end.

Paloma Aguirre  
U.S.-Mexico Border Director  
WILDCOAST