

Congress of the United States
Washington, DC 20515

May 19, 2020

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Wheeler,

Thank you for your partnership as we work to address the cross-border pollution flows through the Tijuana River Valley. We write to urge you to expedite the planning process for the \$300 million included in the United States–Mexico–Canada Agreement (USMCA) to address this pollution. Further, we would like to request additional information about the Environmental Protection Agency’s (EPA) timeline and process for ongoing implementation and planning work.

Cross-border pollution flows from Mexico along the Tijuana River have been a longstanding issue for the San Diego region. Recently, local leaders have reported that the wastewater system in Tijuana releases 60 million gallons of sewage into the Tijuana River each day. This pollution has serious consequences for public health, wildlife, and our region’s economy as beaches up and down the coast are forced to close. At the same time, the U.S. Navy also recognizes this as a challenge impacting training and operations.

Our Congressional delegation worked hard to bring in federal resources to address Tijuana River Valley pollution. Ultimately, we were successful in securing \$300 million for cross-border flows in the United States–Mexico–Canada Agreement Implementation Act, providing significantly increased capacity to build and update relevant infrastructure. This funding has the potential to facilitate progress on a problem that has plagued the region for decades.

The United States–Mexico–Canada Agreement Implementation Act also includes a provision that directs the EPA to coordinate federal, state, and local entities for the planning, design, construction, and operation and maintenance of sewage treatment projects to address the cross-border pollution flows. In the past, the lack of a coordinating entity among stakeholders has made it more difficult to address this challenge. With this provision, Congress has put your agency at the head of the effort to make effective use of the funding included in the United States–Mexico–Canada Agreement Implementation Act.

We were pleased to see that Region IX has rescheduled its cancelled March 2020 stakeholder meeting for June 2, 2020. This meeting has been described by the Region as an opportunity for interested federal, state, and local stakeholders “to discuss transboundary pollution in the Tijuana River.”

Additionally, we understand that the EPA is in the process of putting together an implementation strategy to carry out its responsibilities with regards to the Tijuana River Valley under the United States–Mexico–Canada Agreement Implementation Act. The EPA has indicated that this strategy

will focus on the Border Water Infrastructure program and we have also been told it will include a suite of project options that are being coordinated with other agencies.

We appreciate EPA's efforts to carry out relevant provisions of the United States–Mexico–Canada Agreement Implementation Act, including your April 23, 2020 expenditure plan dedicating full funding to the Tijuana River Valley. We urge you to make use of the funding expeditiously.

We would appreciate if you could provide responses to the following questions as we prepare for the June 2, 2020 meeting:

1. What is the end goal of the forthcoming implementation strategy?
2. How is the strategy being developed?
3. What type of engagement and decision-making processes will the strategy require?
4. Does the strategy include a timeline indicating when projects will break ground and be completed? If so, please share some of the key points on the timeline.
5. When do you expect the implementation strategy to be released publicly?
6. Please share additional information about each agenda item for the June 2, 2020 stakeholder meeting.
7. What specific information does the EPA wish to take away from the stakeholder meeting?
8. What steps does the EPA plan to take after the conclusion of the stakeholder meeting?

Thank you for your attention as we work together to protect the health and wellbeing of San Diego residents. We look forward to your response.

Sincerely,



MIKE LEVIN
Member of Congress



JUAN VARGAS
Member of Congress



SUSAN A. DAVIS
Member of Congress



SCOTT PETERS
Member of Congress

CC: John W. Busterud, Regional Administrator, Region IX, Environmental Protection Agency
W.C. "Chad" McIntosh, Assistant Administrator, Office of International and Tribal Affairs, Environmental Protection Agency
David Ross, Assistant Administrator, Office of Water, Environmental Protection Agency