

MEETING MINUTES

California-Mexico Border Relations Council
November 7, 2024 1:00 p.m. to 4:00 p.m. PST
(or until the close of business)

Simultaneous interpretation was provided in Spanish and English.

The agenda for this meeting can be located on the BRC webpage:
<https://calepa.ca.gov/border-affairs-program/california-mexico-border-relations-council/>

1. Welcome – Chair Yana Garcia, Secretary for Environmental Protection for the State of California and Cheree Peterson, Deputy Regional Administrator for U.S. Environmental Protection Agency

Chair Garcia welcomes everyone attending. Chair Garcia makes an amendment to welcome CalHHS Secretary Kim Johnson to her new role. Secretary Johnson provides remarks on CalHHS and her goals.

Public comment: None.

2. Call to Order, Roll Call, and Establishment of Quorum – Chair Yana Garcia, Secretary for Environmental Protection for the State of California

The meeting was called to order at 1:10 p.m. by Chair Yana Garcia. The meeting was held via Zoom and in-person at the San Diego Regional Water Quality Control Board.

At 1:14 p.m. roll call was taken, and all Council Members¹ and/or their alternates were present for the duration of the meeting as follows:

Council Agency	Council Member
1. CalEPA: Present	BRC Chair and Secretary Yana Garcia, California Environmental Protection Agency
2. CalOES: Present	Bridget Kolakosky, Deputy Director of Legislative and Governmental Affairs, <u>Alternate</u> of Director Nancy Ward, California Governor's Office of Emergency Services

¹ Membership of the BRC is statutorily defined in Government Code section 99522.

3. **CalHHS:** Present Secretary Kim Johnson
California Health and Human Services Agency
4. **CNRA:** Present Meagan Flier, Deputy Director,
Alternate of Secretary Wade Crowfoot
California Natural Resources Agency
5. **CalSTA:** Present Giles Giovinnazzi, Senior Advisor
Jose Marquez, Border Relations Lead
Alternates of Toks Omishakin, Secretary
California State Transportation Agency
6. **CDFA:** Present Secretary Karen Ross
California Department of Food and Agriculture
7. **GO-Biz:** Present Diana Dominguez,
Trade and Investment Representative for the Americas
Alternate for Director Dee Dee Myers
California Governor's Office of Business and Economic
Development
8. **BCSH:** Present Deputy Secretary Erica Gonzalez
Alternate for Secretary Tomiquia Moss
Business Consumer Services and Housing Agency
9. **U.S. EPA:** Present Deputy Regional Administrator Cheree Peterson, U.S.
Environmental Protection Agency
Appointee for Regional Administrator of the US EPA, Region 9
Martha Guzman Aceves
(Ex Officio, Nonvoting Member)

A quorum of 7 of 8 members was established.

3. Meeting Logistics and Interpretation Services Announcement – Chair Yana Garcia, Secretary for Environmental Protection for the State of California

Chair Garcia provides details on how to submit public comment and access interpretation in-person and on Zoom.

4. Prospective Binational Outlook – HCD Deputy Director, Federal Programs Jenny Cho and Trade and Investment Representative for the Americas and Oceania Diana Dominguez

Deputy Director Jenny Cho provides an overview of housing investments in San Diego and Imperial County. HCD continues to invest State and Federal dollars to provide

climate resilient housing for unhoused peoples and colonias communities in the border region. HCD has funding available for housing programs in the upcoming year.

Trade and Investment Representative for the Americas and Oceania Diana Dominguez provides an overview of trade innovation and sustainable development in the CA-MX border region. She shares recent trade missions and initiatives that showcased California's clean energy, water technology, and agricultural technology innovations. GO-Biz continues to support small businesses in deploy climate mitigation technologies and solutions. She shares cross-border hiring initiatives and highlights GO-Biz's recent visit to Mexico to engage with the Sheinbaum administration.

Chair Garcia shares a parallel and supporting effort of the CA-Baja California MOU that was recently signed in September focused on addressing air quality and waste management. A kickoff meeting was held prior to the Council meeting.

Resources for immigrants was discussed and GO-Biz will share out additional information relating to these resources.

5. Discussion and Possible Action to Approve Draft Minutes for the Previous Meeting on October 2023 – Chair Yana Garcia, Secretary for Environmental Protection for the State of California

The Council reviewed the 2023 Meeting Minutes.

Motion: Border Relations Lead Jose Marquez, Alternate of CalSTA Secretary Omishakin moved as follows:

“Motion to approve the draft meeting minutes for the previous BRC meeting on October 23, 2023.”

Second: Deputy Secretary Erica Gonzalez, Alternate of BCSH Secretary Moss, seconded the motion.

Public Comment: None.

Roll call vote:

Council Member	Vote
1. CalEPA: Secretary Garcia	Aye
2. CalOES: Deputy Director Kolakosky (alternate)	Aye
3. CalHHS: Secretary Johnson	<u>Abstain</u>
4. CNRA: Deputy Director Flier (alternate)	Aye
5. CalSTA: Senior Advisor Giovinazzi (alternate)	Abstain
6. CDFA: Secretary Ross	Abstain
7. GO-Biz: Trade and Investment Representative Dominguez (alternate)	Abstain

8. BCSH: Deputy Secretary Gonzalez (alternate)	Aye
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Motion does not pass with 3 votes in favor and 5 abstain.

6. Discussion and possible action to approve the 2022 California-Mexico Border Relations Council Draft Annual Report to the Legislature and delegate authority to Secretary Garcia to finalize the Report and submit it to the Legislature – CalEPA

The Council reviewed the 2023 California-Mexico Border Relations Council Draft Annual Report and votes to delegate authority to Secretary Garcia to finalize the Report and submit it to the Legislature.

Motion: CalHHS Secretary Johnson moved as follows:

“Motion to approve the 2023 California-Mexico Border Relations Council Draft Annual Report to the Legislature and delegate authority to Secretary Garcia to finalize the Report and submit it to the Legislature.”

Second: Secretary Ross seconded the motion.

Public Comment: None.

Roll call vote:

Council Member	Vote
1. CalEPA: Secretary Garcia	Aye
2. CalOES: Deputy Director Kolakosky (alternate)	Aye
3. CalHHS: Secretary Johnson	<u>Aye</u>
4. CNRA: Deputy Director Flier (alternate)	Aye
5. CalSTA: Senior Advisor Giovinazzi (alternate)	Aye
6. CDFA: Secretary Ross	Aye
7. GO-Biz: Trade and Investment Representative Dominguez (alternate)	Aye
8. BCSH: Deputy Secretary Gonzalez (alternate)	Aye

US EPA appointee Peterson voiced their agreement with the motion.

Motion passed unanimously with 8 votes in favor and 0 votes against.

7. Discussion on Investments and Equity
i. U.S. EPA

Deputy Regional Administrator Peterson: In recent years, there have been unprecedented investments through the Inflation Reduction Act to provide resources to historically underserved communities. Three programs in the border region benefited

from these investments, including the Environmental Justice Collaborative Problem Solving Cooperative Agreement Program, Environmental Justice Government-to-Government Program, and Community Change Grants. U.S. EPA partnered with the U.S. Department of Energy to create Thriving Communities Technical Assistance Centers (TCTACs) to assist applicants in accessing funding resources.

EPA recently recognized the non-profit organization, Zero Waste San Diego, with the 2024 Regional Pollution Prevention Award for providing a free fix-it clinic in San Diego neighborhoods. There are two upcoming solid waste infrastructure program applications available: 1) Recycling and Education Outreach Grants and 2) Solid Waste Infrastructure for Recycling Program.

Through Clean Air Act funding, multiple grants were given to the San Diego Air Pollution Control District and Imperial County Air Pollution Control District to address air quality.

Public Comment: None

ii. CalHHS

Secretary Johnson: Secretary Johnson shares an overview on health care initiatives in the border region. Promotoras continue to be an invaluable resource. \$10 million of grant funding were made available community-based organizations. The State funds non-profit migrant respite sheltering across the border region to provide services to migrants after they have been processed and released by federal officials. Over 600,000 migrants since April 2021 have been provided these services through partnership with non-profits and local government. The State of California provides \$72 million to non-profit organizations to provide pro-bono immigration legal services to California residents.

Public Comment: None

iii. CDFA

Secretary Ross: A Desert Pilot Program was funded to help farmers in the border region convert from flood irrigation to precise irrigation technologies and replace diesel pumps with electric pumps. There were a total of 17 projects with over 2,000 acre feet of water savings on an annual basis. Specialty Crop Block Program supported 20 grants. There was federal investments in local resilient food systems and the delivery of those food systems to address supply chain issues. The Beginning Farmer and Rancher Training Program focuses on historically underserved farmers. The Farmer Equity Office is a participant in the USDA Southwest Regional Food Business Center that works across multiple states. CDFA is supporting \$1.7 million in grants and technical assistance to

support small food and farm business based on a distressed community index in unincorporated communities that lack infrastructure.

Public Comment: None

iv. BCSH

Deputy Secretary Gonzalez: The Governor announced \$58.84 million in homeless housing and assistance grant (HAP) for San Diego. BCSH awarded \$35 million in Homekey funding to the San Diego Housing Commission for a 168-unit hotel conversion to permanent housing. There were a total of 19 rental home projects in Imperial County totaling over 1,000 units. \$154 million invested in Imperial County over a multitude of programs.

Public Comment: None

v. CalOES

Deputy Director Kolakosky: Listos California provides disaster preparedness education to California's diverse population. Materials are translated into 25 languages, including indigenous languages. There is close collaboration with Mexico's emergency management counterparts. CalOES helped coordinate aid during Hurricane Otis. CalOES is renewing a 2018 MOU with the Baja California State Coordination and Civil Protection Agency with potential areas of collaboration around wildfire protection, earthquake response, and human trafficking protection.

Public Comment: None

vi. GO-Biz

Trade and Investment Representative Dominguez: No additional updates.

Public Comment: None

vii. CalSTA

Jose Marquez: In 2023, CalSTA amended the California-Baja California Border Master Plan to include a zero emission vehicle strategy. CalSTA also launched two feasibility studies. The first is focused on identifying potential sites for truck parking facilities and medium- and heavy-duty ZEV charging stations. The second aims to develop an appointment system for commercial vehicles at land ports of entry. This will help reduce idling, congestion, and GHG emissions while increasing economic efficiency. CalTrans was awarded a planning grant to explore reinstating freight train services on the San Diego Desert Line Railroad. In Dec 2023 under the leadership of the San Diego Air

Pollution Control District, CalSTA concluded the San Ysidro and Otay Mesa Community Emissions Reduction Program. There will be continued air monitoring efforts in this region. CalSTA recently celebrated the essential transportation improvements needed for the future Otay Mesa East border crossing. \$150 million was received from the federal infrastructure grants. Clean California Program provided a total of \$4.9 million to beautify border communities.

Public Comment: None

viii. CNRA

Deputy Director Flier: Deputy Director Flier provides an overview of her role and what CNRA does. CDFW has funded \$4.4 million for various cross-border priorities. CalFire continues to work with the Border Agency Fire Council to provide mutual response and training. The Wildlife Conservation Corps has funding for land acquisition and restoration. State Parks continues operation of the Goat Canyon trash collection facility in Border Field State Park. Coastal Conservancy and Coastal Commission continue to support coastal restoration efforts.

Public Comment: None

ix. CalEPA

Secretary Garcia: CARB continues to address air pollution challenges in the international border community through AB617 and has invested approximately \$42.8 million in community air protection. OEHHA is embarking on a co-design approach for the fifth iteration of CalEnviroScreen. DPR's air program has worked with CARB and Eastern Coachella residents to conduct a seasonal study of three high-use fumigants to better assess potential exposures. Findings will be distributed later. SD Regional Board, SD Air Pollution Control District, and CARB continue to work closely to address the transboundary sewage crisis. CalEPA Environmental Justice Action Grants has provided over \$1 million towards border community organizations and tribes.

Public Comment: None

8. Tijuana River Coordination and Response

a. Agency Updates

i. CalEPA

Secretary Garcia: Secretary Garcia provides an overview of the decades-long transboundary wastewater issue and the work state and local agencies have done to address the issue.

ii. California Air Resources Board

Ryan Atencio: California Air Resources Board (CARB) has actively been involved in addressing the air pollution from the Tijuana River by collaboration with the San Diego Air Pollution Control District (SDAPCD). CARB provides technical assistance, technical guidance, and coordination efforts. CARB's AB617 program worked with SDAPCD to facilitate funding of approximately \$2.7 million for the SDAPCD's Residential Air Filtration Program. CARB provided hydrogen sulfide monitoring equipment to San Diego in October. CARB also supported technical assistance and guidance in terms of operations of the monitor. CARB's research division worked with the SDAPCD and the County of San Diego to provide guidance on air filters specifications that address hydrogen sulfide. CARB's enforcement worked with SDAPCD to develop a Supplemental Environmental Project proposal to fund indoor air filtration. They will begin to look for funding for this SEP project. CARB has biweekly meetings with SDAPCD around air quality efforts and participates in the all-agency meeting organized by the San Diego Health Services Department.

iii. San Diego Air Pollution Control District (SD APCD)

Domingo Vigil and Mike Watt: In collaboration with community through the AB617 Program, SDAPCD and CARB set up an air monitoring system that includes monitoring for hydrogen sulfide. There are currently two monitoring stations: San Ysidro Fire Station 29 and Nestor Berry Elementary. SDAPCD is working on deploying a monitor in Imperial Beach by the end of November 2024. SDAPCD has a webpage for up-to-date information on hydrogen sulfide levels. The dashboard and alert system will be in place soon. SDAPCD works with local, state, and federal agencies to support local air monitoring efforts and public health alert system.

\$2.9 million was identified to purchase approximately 10,000 household air purifiers. SDAPCD continues to coordinate with CARB to determine purifier specifications for specific hydrogen sulfide needs. SDAPCD hopes to distribute the air purifiers by the end of the year. Education and outreach materials will be shared widely and in multiple languages. SDAPCD submitted letters to the Governor's office and the President's office to reevaluate the State of Emergency Declaration. Local response is not sufficient to solve the underlying cause.

iv. San Diego Regional Water Quality Control District (SD RWQCB)

Dave Gibson: There are 55 impairments listed on the 303(d) list from the SD RWQCB, but doesn't take into account recent San Diego State University data that identifies over 272 constituents of concern. The ecological conditions at the Tijuana Estuary are collapsing. We have lost virtually all the fish in the Estuary, along with impacts to birds. IBWC has had compliance issues with the treatment plant. The treatment plant treats wastewater from the City of Tijuana and does not treat the water in the Tijuana River. Due to a failure in a pump system in Tijuana, a majority of the wastewater has ended up

in the River. Challenges in 2024 include uncontrolled sediment discharges, daily river flows, and reduced pump activation at night causing increased air quality issues. Priorities for the next year include two Advanced Restoration Plans for bacteria and trash, Tijuana River trash booms funded by SB170, expansion of the International Treatment Plant, and an unfunded Tijuana River Diversion Treatment Plant Project.

v. California Department of Public Health

June Weintraub: CDPH formalized a collaboration with San Diego County Public Health Services Agency after receiving a request from them. CDPH defined five objectives to support the County: 1) assist in understanding potential and actual health impacts of the untreated wastewater discharges; 2) suggest any recommendations to support the development and implementation of any mitigation measures; 3) help coordinate with local, state, and federal partners; and 4) support the County public health services to engage with the public and key partners. CDPH meets with the County on a weekly basis. CDPH requested the assistance from the CDC. The CDC deployed a team to conduct a community assessment for public health emergency response (CASPER). Results should be available in the next few months. The Agency for Toxic Substances and Disease Registry (ATSDR) is conducting an assessment of chemical exposures. They are conducting a web-based survey through November 21, 2024 and ATSDR will share early results with the County. CDPH has been providing technical assistance in interpreting and understanding the data and complaint information. CDPH recently completed a short report documenting the increased gastrointestinal illnesses related to last year's storm. Adjustments in the data showed there was no increased GI illnesses.

vi. United States Environmental Protection Agency

Deputy Regional Administrator Peterson: In July 2022, the US signed two binational agreements with Mexico, called Minute 328 and the Statement of Intent to Reduce the Flow of Transboundary Wastewater from Tijuana River to the Pacific Ocean. The agreement include short and long term investments and projects. To date, the U.S. has secured \$430 million, \$100 million over the committed amount. Much of the secured funding went to the South Bay International Treatment Plant, which had its groundbreaking a couple weeks ago. The budget for 2025 included additional funding for this project, but is pending. The San Antonio de los Buenos plant is scheduled to be operating in Spring 2025 and will take 18 million gallons of wastewater per day, reducing flows to the ocean by 30%. The International Collector will be reconnected in January 2025. La Morita and Arturo Herrera Plant would divert over 10 million gallons a day of treated wastewater and pushed to Rodriguez Dam for non-potable use only. It is expected to be in operation in 2027. In October 2024, US EPA received a petition to reevaluate the lower Tijuana River Valley to be added the Superfund priority list. US EPA is currently researching and gathering data.

CalSTA Jose Marquez asked a question about the 80 million gallons of wastewater treatment and how much wastewater that represents flowing in to the Tijuana River.

US EPA Doug Liden responds that Tijuana gets about 70 million gallons a day for drinking water. The three plants that contribute to the 80 million gallons, once completed, will reduce 95% of wastewater to the coast.

b. Public Comment

- i. Chris Peregrin: Can you provide more detail on the locations and schedules for hydrogen sulfide monitors.
 1. SD APCD: In reference to the monitors mentioned in the presentation, there are sensors at San Ysidro Tijuana River Campground, the Imperial Beach Pier, and at the IBWC. Those sensors provide information for trend analysis. These sensors will help inform any immediate public health measures.
- ii. Chris Helmer: Imperial Beach has seen increased flows in the river since 2017. It got worse after Hurricane Hillary, with flows reaching 35 million gallons a day consistently until summer 2024. Flows went upwards of 50-60 million gallons a day impacting Imperial Beach residents. Staff, firefighters, and many more people have been impacted. The river diversion project for large river systems is not unusual. We expect river flow even with all of these projects are completed. Wastewater will still be comingling with urban runoff. We need a river diversion system and have it be part of the comprehensive solution. Imperial Beach continues to advocate for a declaration of state of emergency.
- iii. Fay Crevoshay: Last week, Wildcoast inaugurated a second trash boom in the upper side of Matadero Canyon. There was a build up of waste at the lagoon and it took seven months to pump it out. We have stopped 140,000 pounds of trash from entering the Tijuana River and is a cost-effective solution. Wildcoast built a database with the types of waste collected from the trash booms. About 90% is recycled from the trash booms. 43% of items collected are waste tires. There are no tire recycling plants in Mexico. There is a small operation in Mexicali. Increasing the number of trash booms will help alleviate solid waste burdens flowing down the river. Wildcoast applied for EPA Community Change Grants and did not receive

funding. We'd like to encourage and consider water reuse for Tijuana, especially after they clean the wastewater.

- iv. Denise Ducheny: The Office of Binational Border Health, CARB, and those folks need to coordinate better on the various environmental and public health elements. Tijuana River Valley communities are most impacted, but it doesn't seem like the monitors being placed don't seem to help the communities impacted. Is there a way to coordinate existing monitors that were placed to monitor vehicle air emissions for the Tijuana River air pollution issue? There is a new bill that Senator Padilla has that will give US EPA more leeway to work on these projects. Short term projects should include the trash booms. Medium term projects like the ongoing ones at IBWC. The public has longed for projects between the states. The State can be most involved in the sediments and trash issues. CalRecycle funded Wildcoast to conduct a waste tire project, but there was no follow-up. There will be funds available through Proposition 4. We need to figure out how to prioritize and leverage funds. NAD Bank is available and ready to assist in funding solutions. This is a watershed and we need to consider projects on both sides of the border rather than individualized little projects. Current efforts still don't feel as coordinated as they can and should be.
- v. Ramon Chairez: I work at Un Mar de Colores, which does ocean stewardship for marginalized youth, and am part of the Tijuana River Pollution Task Force. I grew up in the Tijuana River Valley and it was the first time I had natural space. It's disturbing to hear County officials saying no one is getting sick. San Ysidro health clinics and others have been treating this community, but have not been reached out to for data. There is no signage on the trails, especially by the hot spots, that there is danger ahead. This is low hanging fruit that we are not addressing. The air monitoring hasn't been monitoring this area for the past 2-3 years as people were getting sick all this time. Our communities are being treated as lab rats. It's great that communities are getting air purifiers, but now they'll also have higher electricity bills. The County needs to start looking at chemicals in the River Valley. Having to prove that there's something wrong and we need an emergency declaration. I'm asking you all to push the Governor for an emergency declaration. In his recent visit, he didn't meet with any community members or go to the plant.

- vi. Waylon Matson: I am with 4 Walls International. I've heard a lot about focusing on collaboration and increasing economic activity. I encourage the Council, the Governor, and Commission of the Californias to explore securing additional funding for sustainable environmental projects along the border, including operations and maintenance. Electrification and transportation advancements should include an environmental component and allow for future diversification funding schemes, including source based solutions in Mexico. Minute 320 process is very valuable and do not let the change of Administration change that progress.

9. Future Meeting Dates and Agenda Items

Chair Garcia said she would like to have meetings twice a year. The New River Improvement Project is slated to finish around January 2025, so we'll look forward to a Spring 2025 meeting in Imperial County. Secretary Johnson supports that proposal.

10. Public Comment on Items Not on the Agenda

Public comments: None.

11. Adjournment

Chair Garcia adjourned the meeting at 3:38 pm