

CALIFORNIA-MEXICO BORDER RELATIONS COUNCIL



MINUTES

California-Mexico Border Relations Council Meeting

January 12, 2016 | 1:00 PM – 4:00 PM

San Diego Regional Water Quality Control Board

2375 Northside Dr.

San Diego, California 92108

The meeting was called to order at 1:00 PM by Chairman Rodriquez

I. Roll call

The following Council members were present:

- Secretary Matt Rodriquez, California Environmental Protection Agency (Cal/EPA), Chair
- Secretary Karen Ross, California Department of Food and Agriculture (CDFA)
- Secretary Mark Ghilarducci, California Office of Emergency Services (Cal OES),
- Director Panorea Avidis, Governor's Office of Business and Economic Development
- April Fernandez, for Secretary Diana Dooley, California Health and Human Services Agency (CHHS) was represented by April Fernandez, California Department of Public Health (CDPH)
- Secretary John Laird, Natural Resources Agency (via conference line)
- Deputy Secretary Sonya Logman, for Secretary Alexis Podesta, Business Consumer Services and Housing Agency
- Director Jeff Scott, U.S. Environmental Protection Agency Region 9, Ex-Oficio Member

A quorum of the Council members was established.

II. Welcome

Chairman Rodriquez provided opening remarks and welcomed invited guests and the public.

III. Introductions

Introduced guests from California Legislative offices:

- Diana Spen, for Speaker Atkins office
- Yolanda Apalategui, for Sen Ben Hueso
- Martin Hernandez, for Assembly member Lorena Gonzales
- Lee Hernandez, for Assembly member Weber
- Biana Velez, for Assembly member Garcia

Introduced guests from Mexico in attendance included:

- Jorge Ruiz, Secretary for Environmental Protection of Baja California
- Mariano Escobedo
- Luis Alberto Ocampo Blanco, Deputy Secretary for Environmental Protection of Baja California

IV. Vote on Minutes of last meeting

Motion to approve the minutes was made by Secretary Ghilarducci and seconded by Secretary Ross. Six members were in favor, no nays, Director Advis abstained because she is a new member of the Council and was not present for the last meeting. Minutes were therefore approved.

V. Updates from Baja California

- **Luis Alberto Ocampo Blanco, Deputy Secretary for Environmental Protection of Baja California**

(Spanish presentation)

The objective of the current administration is to maintain the equilibrium of the environment with new and best practices in the creation of services and use of resources. The administration also seeks to improve the environment to favor the health of the citizens of Baja California.

To achieve that, there are programs related to air quality, water quality, best use of natural resources, revitalization of industries, promotion of environmental economy and environmental education. A very important part we do is environmental audits to industries that have an impact on the environment. The state also helps industries to comply with current regulations.

Since 2012, the state has also been operating the vehicular verification system. The state also signed the Under2MOU with the state of California to address climate change, which they signed in Toronto last year.

With the federal government in Mexico, Baja California is working on the national strategy to reduce pollution emissions and deforestation.

The state is also working on a project in Ensenada, B.C., Las Lagunitas, to replenish that ecosystem so people can use and learn from that natural resource.

Last year the state received around \$32,000,000 pesos from the federal government for several projects related to binational issues such as air and water quality and the handling of waste, which is very important for the state.

The state also works with citizens and non-profit organizations so they can support the implementation of environmental policies. The state works with CONAFOR with special brigades in forest fires.

In addition, the state is working with academic institutions on cross-border topics and conferences about environmental regulations to promote compliance with environmental regulations. The state also implemented a project to recycle televisions, a topic where California might be able to help. There are also recycling centers for tires where the tires are processed and sold as fuel to a cement industry. In collaboration with CalEPA, the state also implemented air quality monitors. Another area of work are related to the burning of agricultural fields, improving the Valle de Guadalupe (wine country) and green areas around the city. The city of Mexicali is also working on improving the water quality on the New River and to make a recreational area for the citizens.

- **Comments:** April Fernandez, Chief of Binational Border Health noted opportunities to work together on health-related issues.
- Secretary John Laird, Natural Resources Agency joined via conference line during the presentation of Baja California.

VI. Water Issues at the Border

- **Jose Angel (RWQCB 7), Calexico New River Committee; The New River Strategic Plan:**

The proposed area of the River Parkway is downtown Calexico, about a quarter mile from the border. The New River Strategic Plan divided the recommendations into structural and non-structural recommendations.

Non-structural recommendations (regulations) have all been implemented under the jurisdiction of the RWQCB. The plan recommended the RWQCB to adopt/implement TMDL or to develop a more comprehensive regulatory approach to deal with agricultural runoff from the Imperial Valley, which the board did last year with a “conditional waiver. “The RWQCB has implemented all the recommendations provided in the Strategic Plan.

There has been substantial progress in the regulatory side. However, none of the structural proposals in the Strategic Plan have been implemented to date, and money has been a key problem.

The Strategic Plan originally recommended a disinfection facility be built to address the public health threat that the river poses, as even when there has been substantial progress in its water quality as it crosses the border, it still does not comply with state standards to protect public health.

Policy issues need to be reassessed. The flows of the New River from Mexico continue to decline, more rapidly than the TAC predicted. Mexico will continue to keep more water and send less. Is it in the interests of the state to spend near quarter of million dollars for a project with a short lifespan?

Jose Angel submitted an alternative approach that implements the Strategic Plan required by legislation and that also meets health threat concerns that the river possess. He submitted a revised approach using a more passive system, foregoing the disinfection facility, and instead providing essential environmental benefits to the river, the Calexico area, and through to the Salton Sea. This alternative approach would cost half of the disinfection facility costs and would provide tangible benefits. This option would put treated waste water from Calexico back into the River channel, immediately downstream from the border. That water would comply with all standards and has a high level of treatment consistent with federal permits. The water would be less than the current flow but it would be water that we have control over, on its quality and quantity. A supermajority of TAC members are in favor of the alternative recommendation.

It is still needed to reach out to the community of Calexico to get feedback from them.

- Comments: Secretary Karen Ross, California Department of Food and Agriculture (CDFA) had a number of questions including the sources of funding for the revised proposal, even with the significantly reduced costs.
- Public Participant: Humberto Lugo, Comite Civico del Valle, noted that the local community continues to suffer from the environmental blight and human health threats from the River, and noted support for any approach including this revised proposal that would mitigate these impacts.

VII. Binational Technical Committee (BTC)

• Jose Angel (RWQCB 7), New River in Mexicali

Mr. Angel's presentation focused on the policy issues that the RWQCB has taken to deal with problems in Mexicali. Mexico only contributes about 20-25% to the river's quality because much of it is agricultural runoff. Mexicali is dealing with old sewer water infrastructure like failing sewage pumps, collapsed sewage collectors, and a critical need in maintenance and collections systems. There is also a great need to deal with water capacity in Mexicali. There are sometimes bypasses of raw sewage to the river in Mexicali even when Mexico has taken significant steps to reduce pollution in the river. Close to \$40 million dollars has been spent to address these issues in Mexicali.

The Chair of the RWQCB 7 wrote to the USEPA about the problems and there was a policy meeting of the BTC in 2015 to reach consensus on how to address the problems from a policy perspective.

Mexico prioritized spending over \$3 million dollars to prevent the pumping pumps from failing, and close to \$300,000 to prevent sewage bypasses. They are building temporary pumping plants at the facilities that need to be repaired while the repair takes place. However, there is still a significant need for more pumping trucks, which can both help to avoid raw sewage bypasses into California, and which would ensure that the proper maintenance on the infrastructure could take place so it can be better maintained and its lifespan can be extended.

- Comments: Secretary Rodriguez asked what the Council could do to support the BTC. Mr. Angel requested that the Council send a letter in support of some of the necessary funding to prevent future sewage bypasses, and Secretary Rodriguez requested Mr. Angel to provide the Council a draft of that letter to send.

- **Melisa Valdovinos (RWQCB 9), Tijuana River Valley Recovery Team (TRVRT) Update**

Ms. Valdovinos noted the effect on the Tijuana River from recent El Nino storms: the soils are very saturated, there are failing slopes, and there has been a significant trash flow into the Tijuana River Valley. There are two areas with a lot of trash: Smugglers Gulch and the main channel. There is no trash interception there so a lot of trash enters into the valley. The good news is the goat canyon's trash interceptors are very effective.

In October 2015, the International Boundary and Water Commission signed Minute 320 and the workgroup met in November. The group focused on how to implement projects, and how to trap sediments and trash. The binational groups will meet 2-3 times a year. In February, there will be a jointly meeting between the recovery team and Border 2020. The meeting's agenda include: El Niño storm, Minute 320 process, and the beetle invasive species.

Five year action plan: the Board endorsed the Recovery Strategy, narrowing it down to ten high priority projects. Two priority projects are: the Nelson Quarry (but not in operation yet), and the Brown Property Restoration Project, which is owned by the County.

VIII. Regional Solid Waste Working Group

- **Secretary Rodriguez updates for Ken DaRosa (CalRecycle)**

Ken DaRosa is ill and could not attend the meeting. Under SB83, the Council was directed to set up a Solid Waste Working Group and \$300,000 was appropriated to support the work of the Council. CalRecycle has in response begun to update the Waste Tire Study. This will consider both short term and long term solutions on how to solve the waste tire problems along the border. The work has begun and meetings of the working group have commenced to identify issues and solutions. Work along the border had to be started as soon as possible given that this will be a wet year.

The Working Group also solicited project proposals. It received five proposals, and after evaluating them all, it chose two that it will be recommending to the Council for approval and funding. More detail will be provided in the next couple of weeks on the project recommendations. Briefly, one of the recommended proposals was submitted by Wild Coast, which proposes a demonstration project to recover and recycle waste tires along the border in the Tijuana region; and the other was submitted by the Sonoran Institute, who has been working with the USEPA, and is a demonstration project to deal with “an ecological sanitation model” for the Calexico-Mexicali region to assess the problems in that area and how to better deal with drainage issues there and how to better deal with environmental education in the area and how to work with the local government there.

The groups must come up with a Scope of Work and the Council is looking into whether a non-competitive contract process can be done to get the funding to implement those projects. Weather conditions in the coming months present urgency to have the projects implemented soon. The Council will look consider the projects in more detail and vote. Ken DaRosa will give a more detailed summary of the projects in a later meeting.

- Comments: Gibran Maciel, for Speaker Atkins commended the work of the Group but urged the need for funds to be dispersed as soon as possible.

IX. Update on El Niño Preparedness

- **Alex Tardy, National Oceanic Atmospheric Administration**

El Niño changes the weather pattern to drive the storms to Southern California. To this date no records have been set yet but it will be a serious El Niño season. The record broken was for cold weather in the west, above normal, but no precipitation until recently. Last week there was significant rainfall but not record breaking.

The San Diego River peaked at 10 feet last week, we had some rates of one inch per hour. Everyone saw one to two inches of rain, no matter where they lived, very beneficial rain but still not making up for the long drought. The drought is so bad because we are missing two winters. El Niño brings a lot of storms, enhanced storms.

The jet stream changed because of the very tropical storm waters. La Jolla set the highest water level ever in late November. Storm damage assessment is very important for the environment, the economy and science. That assessment showed strong winds and great damages. Since 2006 NOAA had not issue a tornado warning until this year. Turned out it was wind but it was very strong. There were 18 high water rescues on Tuesday and 9 on Wednesday, and the San Diego River peaked at close to 11 feet.

So far we are about normal in San Diego and most of California which is not good. To recover from the drought we need more rain. The past four years were as if we had no winters.

El Niño is just ocean temperatures that are above normal. The warm waters come from the western Pacific Ocean and move every 5-7 years. Think of it as climate change in the course of one winter. The Jetstream is the key, we need to be in the storm track and we were not during the past couple of years.

Satellite data shows El Nino is there and it is one of the most powerful on record. To prepare for the next couple of months is an extended winter, a season of storms that are above normal. February and March is when we get the biggest impact from El Niño. The effect of El Niño can continue to early spring. In the last two El Niños, they made their impact in San Diego in February and March. All it takes is a week of storms to have tremendous impacts; the accumulation of storms also makes a big impact.

The current El Niño is the strongest El Niño recorded in modern records. It is strongest, and expected to surpass, than 1997-1998. Warmest years on record, least snow pack on record (5%), worst drought on record, and the strongest El Niño on record. El Niño picked up at 3.1 Celsius, which has never been recorded before (the heart of El Niño is 3 Celsius). The sierra snowpack reached 5%. The biggest impact of El Niño is rain, Palm Springs got 2 inches of rain in the last recent event.

For Southern California the greatest rainfall will be late January and early February. For Northern California there will be great rainfall from late February and early March.

- **Helen Lopez, California Office of Emergency Services**

CalOES is working with locals and other state agencies to prepare and respond to El Niño storms. The state hazard mitigation plan outlined how to reduce impacts in the state and identified most vulnerable communities. Also work with the federal management emergency services. Participated in FEMA task force and on FEMA's rehearsal of training exercise to discuss El Niño response. Also provided training opportunities for locals and held briefings of the weather outlook and preparedness.

Collaborated with Department Of Water Resources to review flood preparedness activities and identified vulnerable counties and compile resources. Work with local, tribal and private sectors, and are providing trainings and workshops. Several counties and cities have opened shelters.

Have discussed response work along the border region with counterpart in Baja California. CalOES is using social media to provide information on weather and storm insurance. A statewide flood preparedness webpage was prepared.

X. Federal Government Border Program Updates

- **Jeff Scott, Border 2020 and Collaborative Projects, USEPA**

Stressed the need for all agencies to work together and pool resources. Able to increase the visibility of the program in Washington, D.C. thanks to the support of state agencies, like CalEPA.

- **Bridget Coyle, Border 2020 and Collaborative Projects**

Border 2020 is a binational environmental program that specifies 5 environmental goals and six fundamental strategies. Key to success is coloration with partners in Mexico, like SEMARNAT. Children's health and protection of unprivileged communities is one of the priorities.

The NadBANK established the Border Environmental Infrastructure Fund to administer the implementation of municipal program to improve water infrastructure

projects along the U.S.-MX border region. Those funds were increased to \$10 million this FY. Recently awarded the EPA BEC grants, which include 5 projects in the CA-B.C. border. There is a subset of 65 projects in the CA-B.C. border.

Goal 1: Reduce air pollution. There are 3 projects along the way. One of them is installing air monitors in Mexicali scheduled to be operating at the end of January.

Goal 2: Support water quality. Projects are underway in Tijuana and Mexicali to reduce spills in Tijuana River and the New River.

Goal 3: Improve solid waste management services. Two projects under way, one is Ocean Friendly Restaurants. The Sonoran Institute will do cleanup in Mexicali and do education campaigns.

Goal 4: Enhancing joint preparedness for environmental response.

Goal 5: Maintain and strengthen information about enforcement.

- **Jose Angel, Good Neighbor Environmental Board**

The Board advises the President of the United States on border projects and policy issues. The Board includes a member of each border state and NGOs. The Board focuses on producing an annual report to advise the President and Congress. This year the Board wrote an advice letter on climate change and will continue working on the report to submit on December. Jose Angel gave a copy of the advice letter to Council members.

Key recommendations: watershed management, health and vector-borne diseases, transport and air, energy, and energy response and community resilience. The next meeting will be in Brownsville, TX, next month.

XI. (Need to include in here the call for contributions to the annual report, as well as a brief note of the public comments)

XII. Adjournment

The meeting was adjourned at 4:00 PM by Chairman Rodriguez