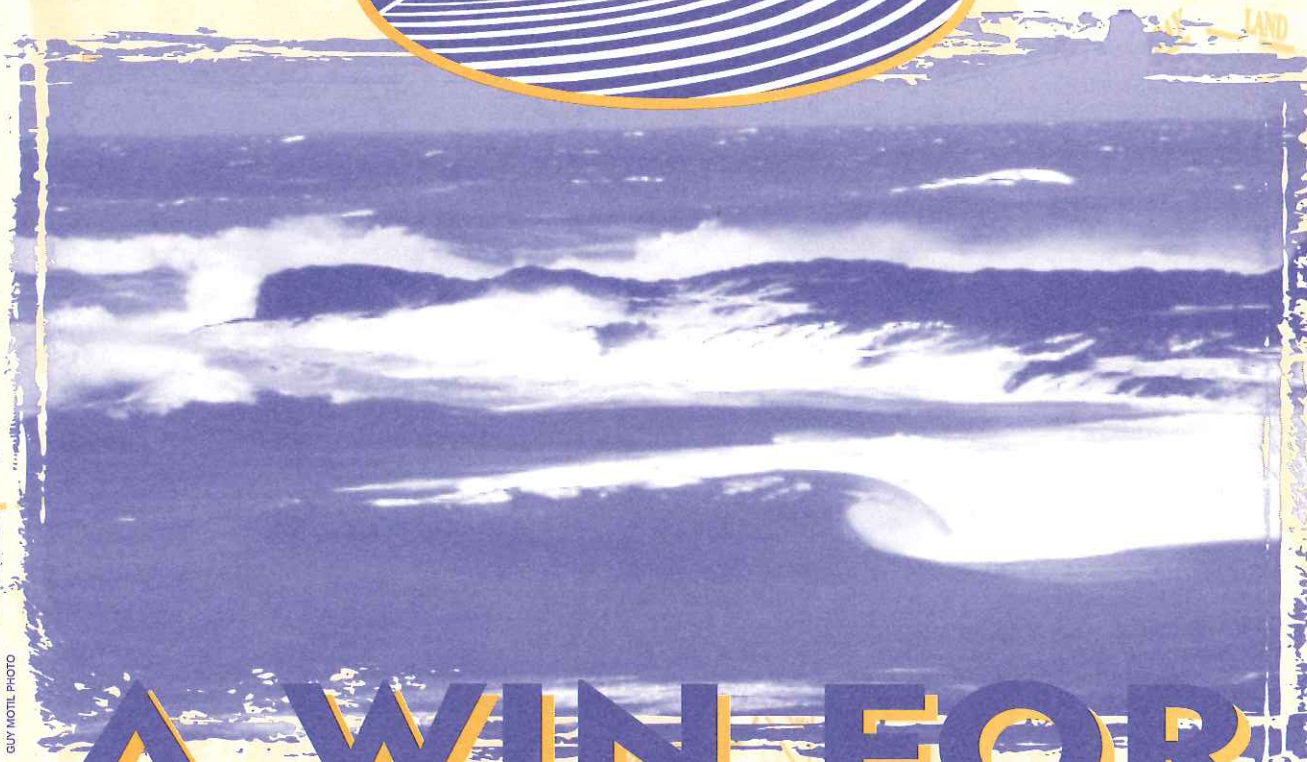
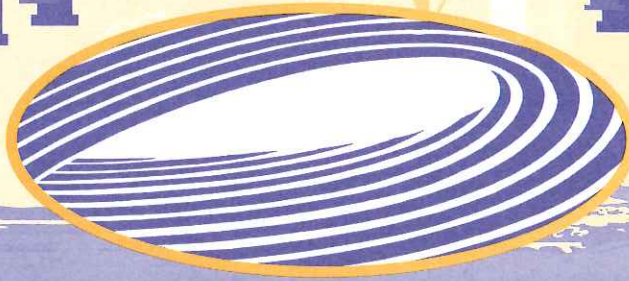


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GUY MOTIL PHOTO

A WIN FOR A CLEANER OCEANSON U.S./MEXICO BORDER!

UNITED STATES

INTERNATIONAL

MEXICO

BORDER

ROAD

VICTORY ON THE BORDER!



Above: Biological "Pond" System

Under the settlement agreement the government must evaluate the use of a biological "Pond" sewage treatment plant instead of a conventional secondary sewage treatment plant. Surfrider believes that the "Pond" alternative will ultimately save the environment and taxpayer's dollars.

The Surfrider Foundation has reached a settlement agreement with the government in the International Boundary and Water Commission lawsuit. Surfrider and the San Diego Chapter of the Sierra Club as co-plaintiffs, filed this lawsuit last spring against the U.S. Environmental Protection Agency, the Army Corps of Engineers and the U.S. section of the International Boundary and Water Commission. The lawsuit was based on violations of CEQA (California Environmental Quality Act), NEPA (National Environmental Protection Act) and the Clean Water Act, for failing to provide adequate studies in the Environmental Impact Statement which was prepared for the project.

Under the terms of the settlement agreement, the federal government must prepare supplemental Environmental Impact Statements analyzing the environmental impacts of, and alternatives to, interim discharges of the IBWC wastewater treatment plant. The government plan called for interim discharges of up to 25 million gallons a day of raw sewage and industrial wastes from Tijuana, to be treated to only advanced primary levels (80% of solids removed), adding chlorine, and then dumping the partially treated sewage into the

Tijuana River and eventually to the surf zone.

The government failed to do any study of the effects of this toxic discharge to the near shore area, i.e. the surf zone. The Tijuana River has been a major source of pollution to San Diego beaches for decades. Mexican sewage, containing toxic chemicals and heavy metals, flows down the river and enters the ocean at the Tijuana Sloughs. The surrounding beaches (Imperial Beach and Coronado) have been frequently quarantined due to this cross-border pollution. The proposed IBWC wastewater treatment plant was an effort to solve this pollution problem, however, it did not take into account the environmental impacts of the toxic nature of the Tijuana sewage, nor investigate feasible alternatives to the plant's ocean outfall.

Additionally, under the settlement agreement, the government must evaluate the use of a biological "pond" sewage treatment plant instead of a conventional secondary sewage treatment plant; the use in the greater Tijuana area of reclaimed water from the project; the environmental impacts of discharges from a planned ocean outfall; Mexico's ability to remove industrial wastes,

toxic metals and compounds from the sewage; and Mexico's ability to dispose of the sludge generated by a conventional sewage treatment plant.

Surfrider Foundation was represented in this lawsuit by attorney and Board of Director, Gary Sirota and San Diego attorney, Rory Wicks, both working for the Foundation on a pro-bono basis. The lawsuit alleged that there are five established surfing beaches affected by the polluted area; the Tijuana Sloughs, Boca del Rio, Imperial Beach, Silver Strand State Park and Coronado. Their argument was based

on "the Tijuana Sloughs has a unique status in the modern sport of surfing with wave conditions considered the biggest and most dangerous in Southern California, a reputation as one of the world's great big wave surfing beaches and a legendary history dating back to the late 1930's involving many famous pioneers of the modern sport" and that the interim discharges could result in a year-round quarantine of surfing.

This victory is the first step to finally solving the pollution problem San Diego County has endured for far too long.

