

PUBLIC NOTICE

NOTICE OF AVAILABILITY OF FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT USMCA MITIGATION OF CONTAMINATED TRANSBOUNDARY FLOWS PROJECT

Summary: In accordance with the National Environmental Policy Act, the U.S. Environmental Protection Agency (EPA) and International Boundary and Water Commission, U.S. Section (USIBWC) have prepared a Final Programmatic Environmental Impact Statement (Final PEIS) for the proposed United States–Mexico–Canada Agreement (USMCA) Mitigation of Contaminated Transboundary Flows Project (the Proposed Action). The Proposed Action involves the planning, design, and construction of infrastructure to reduce transboundary flows from Tijuana that routinely convey pollutants, sewage, and/or trash into the U.S. These transboundary flows, which enter the U.S. via the Tijuana River and its tributaries and across the maritime boundary, impact public health and the environment and have been linked to beach closures in southern San Diego County. EPA published a notice of intent to prepare an EIS in the Federal Register on April 5, 2021, and EPA and USIBWC jointly published a notice of availability of the Draft PEIS on June 17, 2022. EPA and USIBWC held two virtual public comment meetings on July 19 and July 20, 2022.

EPA and USIBWC have identified in the Final PEIS a No-Action Alternative and two alternatives for implementing the Proposed Action: Alternative 1 (Core Projects) and Alternative 2 (Core and Supplemental Projects). The Proposed Action is expected to have beneficial impacts to public safety and water quality in the Tijuana River watershed and adjacent coastal areas. The Proposed Action covers a large geographic area and would impact a broad range of resource areas. Descriptions of the alternatives, including descriptions of Core and Supplemental Projects, can be found in the Final PEIS and on the project website at <https://www.epa.gov/sustainable-water-infrastructure/tijuana-river-watershed-nepa-implementation>.

EPA and USIBWC have identified Alternative 2 as the preferred alternative. Within Alternative 2, Projects A (Expanded South Bay International Wastewater Treatment Plant [ITP]) and B (Tijuana Canyon Flows to ITP)

have multiple proposed sub-options. EPA and USIBWC have determined that Project A, Option A₃ (Expand to 60 Million Gallons per Day) and Project B, Option B₁ (Trenching via Smuggler's Gulch and Monument Road) are the preferred sub-options in Alternative 2.

During the 45-day public comment period for the Draft PEIS from June 17 to August 1, 2022, EPA and USIBWC received 38 comments that had unique content. Specifically, EPA and USIBWC received 25 emailed comments with 15 unique letters, three form letters, and seven slight variations of the form letters; eight written comments from the public meetings; and five spoken comments from the public meetings. Comments were provided by private citizens and other stakeholder agencies and organizations. Commenters provided alternatives, information, and analyses for EPA and USIBWC consideration. Appendix A (Response to Comments on Draft Programmatic Environmental Impact Statement) of the Final PEIS provides the content of these comments and EPA and USIBWC's responses. The Final PEIS reflects changes since the release of the Draft PEIS to account for comments received on the Draft PEIS; identification of the preferred alternative; binational negotiations and ongoing consultations; and additional analyses and technical edits.

EPA and USIBWC invite review and comment on the Final PEIS by the public and interested stakeholders. Comments on the Final PEIS can be submitted in English and Spanish to the following email address by no later than December 19, 2022: Tijuana-Transboundary-EIS@epa.gov. EPA and USIBWC will issue a Record of Decision and announce its availability no sooner than 30 days after this notice of availability of the Final PEIS and after considering public comments on the Final PEIS.

For Further Information Contact: Steven Smith, 415-972-3752, Smith.Steven@epa.gov.