

July 22,2024

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Dear Dr. Ganster,

I would like to thank you and the Good Neighbor Environmental Board (GNEB) for the report, *Water and Wastewater in the U.S.—Mexico Border Region* issued on December 20, 2023. Since day one, the Biden-Harris Administration has prioritized helping communities in need, including disadvantaged communities that are marginalized by underinvestment and overburdened by pollution, address complicated environmental issues that require time, attention, and investment. We greatly appreciate the report's detailed analysis of unmet drinking water and wastewater treatment needs, as well as the related and intertwined issues of stormwater, watershed, and wetlands management, which will help us further advance our work. We would like to highlight the report's appendices, which include an extensive explanation of Bipartisan Infrastructure Law (BIL) and Inflation Reduction Act (IRA) resources for border communities, and serve as a particularly helpful guide to the extensive resources made available by these historic pieces of legislation that the President signed into law.

In addition, I would like to highlight for the GNEB that the Biden-Harris Administration recently released [Conservation.gov](#), a new website that will help connect people with information, tools, resources, and opportunities to support land and water conservation projects in communities across the country. Perhaps of interest to the GNEB, the website includes a [financial assistance tool](#) that matches users with available Federal financial assistance based on their eligibility and interests and directs them where to apply. The Biden-Harris Administration looks forward to further incorporating the GNEB's thoughtful input into our ambitious approach to climate, environmental, and natural resource policies.

## **Clean Water**

In his first days in office, President Biden launched the most ambitious water agenda in history, including establishing the country's first national conservation goal to protect, conserve, and restore at least 30 percent of U.S. lands and waters by 2030. The Biden-Harris Administration is building on its historic commitment and progress to secure clean water for all by protecting our freshwater resources and ensuring every community has access to clean water. In April 2024, the Administration announced the [America the Beautiful Freshwater Challenge: A Partnership to Conserve and Restore America's Rivers, Lakes, Streams, and Wetlands](#), which sets a bold, new national goal to protect, restore, and reconnect 8 million acres of wetlands and 100,000 miles of our nation's rivers and streams by 2030. To achieve the new national freshwater protection goal and to ensure that our freshwater resources are protected for current and future generations, this new initiative calls on all states and other governments and entities, including Tribes, interstate organizations, cities, and local communities, to advance their own policies and strategies for conserving and restoring America's freshwater systems. These actions came after I [announced](#) in December 2023 that the United States was joining the [Freshwater Challenge](#)—the largest global initiative to restore degraded rivers, lakes, and wetlands, which is central to tackling the world's intertwined water, climate, and nature crises.

The Biden-Harris Administration is delivering on its national commitment to protect clean water, harnessing historic resources from the President's [Investing in America agenda](#) to update drinking water

and wastewater infrastructure, build resilience to drought, and conserve and restore our rivers, wetlands, lakes, and ponds. The Bipartisan Infrastructure Law alone provides over \$50 billion to upgrade water infrastructure in the United States, the largest investment in clean water in U.S. history. This investment includes a historic [\\$15 billion in dedicated funding](#) for lead pipe replacement, supporting President Biden’s goal of replacing all lead pipes within a decade. These initiatives have been enhanced by extensive work by the U.S. Environmental Protection Agency (EPA) to expand and improve access to clean drinking water nationwide, including over \$3.2 billion provided through the Drinking Water State Revolving Fund and over \$2.6 billion provided through the Clean Water State Revolving Fund for a range of projects to improve wastewater, sanitation, and stormwater infrastructure. EPA also announced an expansion of its successful [Closing America’s Wastewater Access Gap Community Initiative](#) to help an additional 150 underserved communities plan wastewater treatment projects and access funding from the Bipartisan Infrastructure Law. Through the pilot of this initiative, EPA and the U.S. Department of Agriculture have been assisting 11 communities since 2022.

The GNEB’s report recommends that authorized uses of the Clean Water State Revolving Fund include measures to manage, reduce, treat, or recapture stormwater, as well as development and implementation of certain watershed pilot projects. I would like to note that, in line with recommendation #4 in the GNEB’s report, the [project eligibilities for the Clean Water State Revolving Fund](#) include those measures for stormwater as well as development and implementation of watershed pilot projects meeting the criteria in Clean Water Act section 122.

The Biden-Harris Administration understands that inadequate wastewater and sanitation systems jeopardize the health of our nation’s communities, and we have been intentional in working to ensure Federal funds address these issues with a particular focus on underserved and disadvantaged communities. In total, the Bipartisan Infrastructure Law invests nearly \$13 billion in wastewater funding to expand and upgrade these critical systems across the country. Additionally, roughly half of Tribal households lack access to clean drinking water or adequate sanitation. At the White House Water Summit in April 2024, the Department of Health and Human Services’ Indian Health Services and the U.S. Department of the Interior’s (DOI) Bureau of Reclamation announced over \$1 billion for Tribal clean water projects from the President’s Investing in America agenda.

These extensive efforts to expand access to clean water have been complemented by initiatives across the Federal government to protect our water resources. For example, in April 2024, DOI [announced](#) a \$25 million investment from President Biden’s Investing in America agenda to protect and maintain two areas important for resilience and drought mitigation in the Southwest—the Yuma Wetlands and Topock Marsh in Arizona. These wetlands are important to local communities, provide critical habitat for wildlife including endangered species, and support the greater health of the lower basin of the Colorado River. In December 2023, DOI [announced](#) a \$27 million investment from President Biden’s Investing in America agenda to protect Tribal communities by repairing and upgrading clean water systems and replacing failing dams, including \$10.3 million for the Tohono O’odham Nation Reservation in southern Arizona towards construction of the Menager Dam. The complete replacement of the dam will provide for improved safety and substantial flood protection for downstream communities. These investments will be further amplified by an additional \$70 million from President Biden’s Investing in America agenda, announced during the Water Summit in April 2024, to address outdated or obsolete dams, culverts, levees, and other barriers to the nation’s rivers and streams.

It is also worth noting that President Biden’s ambitious land conservation efforts have also supported protections for water quality and security in the Colorado River Basin. This past August, President Biden [designated](#) the Baaj Nwaavjo I’tah Kukveni—Ancestral Footprints of the Grand Canyon National Monument, protecting nearly one million acres of the greater Grand Canyon watershed, including creeks and streams that flow into the Colorado River, and honoring Tribal Nations and Indigenous Peoples by protecting sacred ancestral places and their historically and scientifically important features.

Additionally, we would like to bring to the GNEB's attention resources for and committed funding to the improved protection and management of our nation's waters, which Federal agencies and the White House released to help commemorate the 2024 celebration of [World Water Day](#). The U.S. Army Corps of Engineers released a [new memorandum](#) outlining ways it will support the protection, restoration, and enhancement of waters and wetlands whose vulnerability has increased following the U.S. Supreme Court's decision in *Sackett vs. EPA*. The White House Council on Environmental Quality (CEQ) released a [Wetland and Water Protection Resource Guide](#) for Tribes, States, Territories, local governments, private land owners, and non-governmental organizations to advance water resource protection. The Resource Guide highlights technical assistance and funding opportunities available across the Federal Government. And the U.S. Department of Health and Human Services released the [Understanding Water Affordability Across Contexts, LIHWAP Water Utility Affordability Survey Report](#), which highlights the differences in water affordability across the country. Together these resources help deliver on the Biden-Harris Administration's national commitment to protect clean water.

As the GNEB's report highlights, the management of transboundary water and pollution is a complicated issue in need of attention and resources. The Biden-Harris Administration acknowledges the vital need to address these problems, particularly in the transboundary context, and is working across Federal agencies and with border states to address infrastructure and contamination occurring on the U.S. side of the southern border. The Administration recognizes the severity of the sewage contamination issue affecting San Diego County and is committed to working with Congress, the State of California, and elected officials in San Diego County to address the needed repairs and expansion at the South Bay International Treatment Plant (South Bay), as well as the impacts of sewage contamination on the community. The U.S. International Boundary and Water Commission (IBWC) issued a contract solicitation in December 2023 for the South Bay project. The IBWC expects to award the Progressive Design-Build contract in the summer of 2024 and will have more information about the overall construction timeline once the contract is awarded. And relevant to recommendation #7 in the GNEB's report, the White House launched an interagency task force in April 2024 to enhance Federal coordination around addressing the causes and impacts of sewage contamination affecting San Diego County.

This work is complemented by continued efforts with our government counterparts in Mexico to ensure that communities on both sides of the border have access to clean water. These efforts come in tandem with our work on our northern border to address transboundary pollution. In March 2024, the U.S. and Canada announced a joint action, in partnership with Tribal Nations and Indigenous Peoples, to reduce and mitigate the impacts of transboundary water pollution in the Elk-Kootenai watershed and protect the people and species that depend on this river system.

## **Drought**

As noted in the GNEB's report, long-term drought exacerbates the challenges of efficiently managing water in the southern border region. Addressing the ongoing megadrought across the West, and in the Colorado River Basin in particular, is a priority for the Biden-Harris Administration. During April's White House Water Summit, DOI announced \$11 million in new resources from the Bureau of Reclamation's [WaterSMART program](#) to help combat the Western megadrought. This funding will supplement the \$15.4 billion from the President's Investing in America agenda allocated to Western waters to enhance the region's resilience to drought and deliver unprecedented resources to protect the Colorado River System for all whose lives and livelihoods depend on it. Following extensive engagement with States, Tribes, and water users, the Biden-Harris Administration recently [announced](#) a historic agreement to conserve at least 3 million acre-feet of water in the Colorado River Basin through the end of 2026. With this significant milestone, combined with unprecedented conservation investments and improved hydrology, the Biden-Harris Administration has prevented the immediate threat facing the

Colorado River System, including water deliveries and power production. Together, these efforts have made the region's water resources more secure and sustainable than when President Biden took office.

### **Indigenous Knowledge**

We appreciate the GNEB's recommendation to apply Indigenous Knowledge to resolve water and wastewater challenges faced by border Tribal communities. This recommendation aligns with the Biden-Harris Administration's efforts to elevate Indigenous Knowledge in Federal scientific and policy processes and its whole-of-government approach to increasing Tribal inclusion, respecting and uplifting Tribal sovereignty, and incorporating Indigenous Knowledge more widely into Federal Government work. As noted in the GNEB's report, in 2022, the Biden-Harris Administration released [government-wide guidance](#) and an accompanying implementation memorandum on recognizing and including Indigenous Knowledge in Federal agency decision-making. This expansive work is supplemented by efforts to develop trainings for Federal employees on how best to incorporate Indigenous Knowledge in Federal decision-making, research, and policy.

### **Nature-Based Solutions**

We greatly appreciate the inclusion of nature-based solutions in the report and agree with the report's findings that nature-based solutions provide cost-effective and powerful tools to aid communities. As the GNEB's report acknowledges, the Biden-Harris Administration has made nature-based solutions a priority since taking office. At the 27<sup>th</sup> United Nations Framework Convention on Climate Change's Conference of the Parties (COP) in 2022, the Biden-Harris Administration released a [Nature-Based Solutions Roadmap](#) that outlines strategic recommendations to put America on a path to unlock the full potential of nature-based solutions to address climate change, nature loss, and inequity. This Roadmap, accompanied by the release of a [companion resource guide](#) with examples of nature-based climate solutions and over 150 resources to spur action, marked the first time the United States developed a strategy to scale up nature-based solutions. At COP28 last year, the Biden-Harris Administration released the [Nature-Based Solutions Resource Guide 2.0](#), an update to the 2022 guide. Building on this work, earlier this year, the Administration released the Federal Government's first [guidance on accounting for ecosystem services in federal benefit-cost analysis](#). This guidance advances and strengthens analyses of regulations and government investments to better account for the benefits of nature and encourage building with nature. Together, these efforts uplift nature-based solutions in Federal policy and decision-making. Funding and implementing nature-based solutions will continue to be a priority of this Administration.

### **Climate Resilience**

Over the past three and half years, millions of Americans have been personally affected by an extreme weather event, and as emphasized in the GNEB's report, low-income southern border residents are more vulnerable to extreme weather events than residents of wealthier communities in other parts of the country. President Biden and Vice President Harris understand that to protect lives and livelihoods, we need to provide Americans with the support, resources, and investments needed to meet the climate challenges of today – and prepare for the climate stressors of tomorrow. That is why in September 2023, the Biden-Harris Administration released the [National Climate Resilience Framework](#). This Framework aims to reimagine the role of the Federal Government in advancing resilience work, identifying key principles, objectives, and opportunities for action to expand and accelerate locally-tailored and community-driven resilience strategies. The Framework is a foundation for near-term and longer-term

climate resilience efforts across the Federal Government in coordination with non-Federal partners, and it includes over 50 key opportunities for action—areas where we can and need to be doing better, that put people front and center.

In line with the Framework, in 2023, the Biden-Harris Administration committed \$1.8 billion to the Building Resilient Infrastructure and Communities (BRIC) program. BRIC supports states, local communities, Tribes, and territories as they undertake projects to reduce risks they face from disasters and natural hazards. For example, through the BRIC program, the Bayside community, located in the northern portion of Imperial Beach, California received more than \$15 million to reduce the risk from flooding. This project is an innovative nature-based solution that implements a living levee and stormwater retention and wetland system to mitigate current flooding hazards and future sea level rise hazards to the disadvantaged Bayside community.

Building on this work, in April 2024, the Biden-Harris Administration announced nearly \$830 million in grants to make transportation infrastructure more resilient to climate change. As part of this initiative, the County of Doña Ana, New Mexico will receive \$2 million in funding from President Biden’s Bipartisan Infrastructure Law to conduct a comprehensive resilience plan that will focus on transportation infrastructure vulnerabilities during emergency evacuations and climate-related disasters, such as flash flooding, drought, wildfires, extreme heat, and erosion. The Biden-Harris Administration is committed to advancing locally tailored, community-driven climate resilience strategies.

## **Environmental Justice**

We also would like to acknowledge the attention the GNEB’s report gives to environmental justice, and we appreciate the array of Federal resources and tools pertaining to environmental justice highlighted in the report. During his first week in office, President Biden launched the most ambitious environmental justice agenda in our nation’s history, including establishing the [Justice40 Initiative](#), which set a goal that 40% of the overall benefits of certain Federal investments flow to disadvantaged communities that are marginalized by underinvestment and overburdened by pollution. Over 500 programs across 19 Federal agencies are being reimagined and transformed to meet the Justice40 goal. Through the Justice40 Initiative, Federal agencies are working to ensure the benefits of the President’s historic Investing in America agenda are reaching communities right now, such as cleaner air, good-paying jobs, and affordable clean energy. To assess the Federal Government’s progress to secure environmental justice for all, including to advance the Justice40 Initiative, the Biden-Harris Administration launched the [Environmental Justice Scorecard](#). The first version of the Environmental Justice Scorecard presents a baseline assessment of actions taken by Federal agencies in 2021 and 2022 to help achieve the Biden-Harris Administration’s environmental justice goals. Over time, the Environmental Justice Scorecard will show how the Administration’s actions are making meaningful change in communities.

To continue delivering on his commitment to environmental justice, a few weeks after my letter to the GNEB last year, President Biden signed [Executive Order \(E.O.\) 14096](#) on *Revitalizing Our Nation’s Commitment to Environmental Justice for All*, further embedding environmental justice into the work of Federal agencies to achieve real, measurable progress that communities can count on. With this action, the President is working to ensure that all people – regardless of race, background, income, ability, Tribal affiliation, or zip code – can benefit from the vital safeguards enshrined in our nation’s foundational environmental and civil rights laws. That means cleaner air and water, reduced risk for asthma, cancer, and other health burdens, and better access to green space, safe and affordable housing, and clean transportation. E.O. 14096 outlines an ambitious approach to environmental justice that is informed by scientific research, high-quality data, and meaningful engagement with communities. It also reaffirms that the Federal Government must continue to be transparent and accountable for its actions.

To support agencies in their work to further embed environmental justice into the Federal DNA, CEQ [released](#) a [playbook](#) in October 2023 for agencies to help develop their Environmental Justice Strategic Plans, required by the Order. As the first guidance on environmental justice strategic planning issued by the White House, this serves as a “how-to guide” for agencies as they work to confront longstanding environmental injustices and inequities. It includes planning tools and a template to assist agencies in the development of their strategic plans that will be tailored to each agency’s work. The [Strategic Planning to Advance Environmental Justice template](#) brings a new era of transparency, consistency, and accountability for environmental justice by providing agencies with a concrete roadmap for meeting the charges President Biden set forth in E.O. 14096. This includes ensuring agencies use specific planning and performance measures that will pave the way for effective implementation for years to come.

### **Continued Engagement with the GNEB**

Before closing, we would like to extend our thanks and appreciation to the GNEB for its advice and continued efforts to advocate for the U.S.-Mexico border region. The Board’s reports consistently provide thoughtful, necessary analysis of the challenges facing this area. The Biden-Harris Administration recognizes that, in spite of all we have accomplished, much work remains to be done in order to ensure a safe and healthy future for all Americans. For few regions is this a more pressing issue than for our southern border region, where the impacts of the concurrent climate crises are disproportionate and compounding. Furthermore, we agree that taking a watershed approach is essential, and we will continue to try to implement such a holistic vision as we seek to improve water access and wastewater management in the U.S.-Mexico border region.

Thank you for your continued work in support of this region.

Sincerely,

A handwritten signature in black ink that reads "Brenda Mallory". The signature is written in a cursive, flowing style.

Brenda Mallory  
Chair  
Council on Environmental Quality