



GREG COX
SUPERVISOR, FIRST DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

AGENDA ITEM

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
2009 OCT 14 PM 4 31
THOMAS J. BARRON, CLERK
CLERK OF THE BOARD
OF SUPERVISORS

DATE: November 3, 2009
TO: Board of Supervisors
SUBJECT: ADVOCATE FOR FEDERAL ACTION TO MITIGATE ENVIRONMENTAL IMPACTS IN THE TIJUANA RIVER VALLEY PARK (District 1)

SUMMARY:

Overview

The Tijuana River Valley (TJRV) is home to a 1,874-acre County Regional Park that offers a diverse array of environmentally sensitive habitats and provides much needed recreational opportunities for the public. The TJRV is also a popular venue for local agriculture and equestrian activities. However, the environmentally sensitive valley is threatened by constant and excessive flooding exacerbated by trash and debris flowing downstream from the other side of the border.

The TJRV appears to be incurring increased damage as a consequence of the construction and design features associated with the border security fence recently completed by the federal government. Homeland security concerns were paramount in completing the border fence. As a result, the usual environmental considerations of building in such proximity to a sensitive ecosystem were not taken into account. We are now living with the unintended consequences of eroding slopes that clog the natural floodway of the Tijuana Valley River and create new costs for taxpayers.

Today's action would direct the Chief Administrative Officer to advocate for the federal government to develop, implement, and fund mitigation plans to address the trash and debris flowing downstream into the Tijuana River Valley from the other side of the border and the ecological impacts of the border fence.

Recommendation(s)

SUPERVISOR COX:

Direct the Chief Administrative Officer to advocate for the federal government to develop, implement, and fund mitigation plans to address trash and debris flowing downstream into the Tijuana River Valley from the other side of the border and the ecological impacts of the border fence.

Fiscal Impact

There are no fiscal impacts associated with today's action.

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 (District: 1)**

Business Impact Statement

N/A

Advisory Board Statement

BACKGROUND:

The Tijuana River Valley (TJRV) Regional Park is a 1,874-acre park offering a diverse array of habitats that enhance visitors' experiences -- from dense riparian forests along the Tijuana River to coastal maritime sage scrub on top of Spooner's Mesa. Natural riches can be found in the County's park, in Border Field State Park and particularly in the Tijuana River National Estuarine Research Reserve.

County of San Diego taxpayers have spent \$20,750,000 and a great deal of manpower to acquire and manage land in the valley as part of our TJRV Regional Park, which borders the Tijuana Slough National Wildlife Refuge, home to many endangered birds and plants. This beautiful 1,051-acre wetland, where the Tijuana River meets the sea, is Southern California's only coastal lagoon not bisected by roads and rail lines. The refuge is part of the Tijuana River National Estuarine Research Reserve, one of only 27 National Estuarine Research Reserves in the entire United States. It was designated by the Ramsar Convention as an "International Wetland of Importance."

More than 340 species of birds, two thirds of the species found in the County, have been recorded in the refuge and in the adjacent valley. The endangered California Least Tern, Least Bell's Vireo, California Brown Pelican, Light-footed Clapper Rail and an endangered plant, Salt Marsh Bird's Beak, can all be found in the refuge. The Western Snowy Plover, a threatened species, is a year round resident and nests on refuge beaches. The area is a crucial stopping point in the Pacific Flyway for migrating birds.

However, much of the public's investment in the regional park has been threatened by excessive flooding caused by a combination of factors, including trash and debris flowing downstream from across the international border with Mexico. It appears to be exacerbated by the construction that was needed to complete the fence, as well as the existing condition of the adjacent slopes. Those slopes lack landscaping, thus creating erosion into the river floodway, and ultimately, the research reserve. Working within the resources allocated for this project, the US Customs and Border Protection is making every effort to add vegetation to the existing slopes to mitigate the problem. Nonetheless, significant damage has already occurred in the floodway.

The fence was deemed necessary for homeland security by federal officials who at the time of approval committed to construct the fence with best environmental practices. But it should be noted that the federal government constructed the border fence under an exemption from environmental laws. Based on the experiences gained from the most recent rain events, it's prudent for the federal government to review and mitigate impacts the project may now have on the area. The goal of the construction project for border security has been achieved. What remains to be addressed is the federal government's failure to step up to the plate and take responsibility for a problem emanating from across the international border and to mitigate for environmental impacts on our County park, due to federal action and inaction. A comprehensive evaluation by the federal government to address the impacts that the border fence project may be

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having on the protected and endangered species and their habitats, as well as on the numerous public and private assets in the TJR.V, is urgently needed.

Existing conditions have resulted in catastrophe for the people and animals in the TJR.V. In December 2008, severe flooding led to the deaths of four horses and a dozen goats, and ruined crops, nurseries, animal feed, equipment and vehicles.


Under the guidance of the Tijuana River Valley Recovery Team, a collaboration facilitated by the leadership of the Regional Water Quality Control Board, the County has partnered with other interested parties to address trash and sediment through coordinated efforts including cleanup events and restoration projects.

Unfortunately, current conditions are of such grave magnitude and complexity, that temporary fixes and small-scale efforts are not enough. This is a complex issue of national and international scope that requires prompt and effective federal action using federal resources. With all the federal agencies that have a presence in the Tijuana River Valley, it is imperative that the federal government take responsibility to remedy this issue.

Recent action by Congress to allocate \$50 million to the Department of Homeland Security for the purpose of mitigating environmental impacts stemming from the construction of the border fence along the US/Mexico border east of the TJR.V provides a model that could be used for the remaining western section of the border that strangely enough, has gone unaddressed. Appropriate plans and federal funding for that mitigation should be identified and allocated in order to prevent further and significant damage to the TJR.V, that ironically may be the most environmentally important area along the entire international border.

Time is running short, as an El Niño weather pattern has been predicted for this winter, and can be anticipated in future winters, bringing the threat of heavy rains and a repeat of last year's tragic flooding. Both US Senators from California and two members of the San Diego Congressional delegation have made independent inquiries and expressed interest in improving the situation in the Tijuana River Valley. We are hopeful that emerging legislation will be of assistance to the County in protecting and repairing parkland. Today, I ask the Board of Supervisors to direct the Chief Administrative Officer to advocate for the federal government to develop, implement, and fund mitigation plans to address trash and debris flowing downstream into the Tijuana River Valley from the other side of the border and the ecological impacts of the border fence.

Respectfully submitted,


GREG COX
Supervisor, First District

