

comments on the scope of the Draft SEIS, reasonable alternatives that should be considered, anticipated environmental problems, and actions that might be taken to address them are requested.

FOR FURTHER INFORMATION CONTACT:

Comments will be accepted for 60 days following the date of this notice by Mr. Charles Fischer, Environmental Protection Specialist, USIBWC, 2225 Dairy Mart Road, San Diego, California, 92173. Telephone: 619/662-7600, Facsimile: 619/662-7607. E-mail: cfischer@ibwc.state.gov

SUPPLEMENTARY INFORMATION: The USIBWC has invited the USEPA to participate as a cooperating agency pursuant to 40 CFR 1501.6, to the extent possible. Other agencies may be invited to become cooperators as they are identified during the scoping process.

Background

Since the 1930s, raw sewage flowing into the United States from Mexico has posed a serious threat to public health and the environment in the South Bay communities of San Diego. Although substantial improvements have been implemented over the last two decades, large volumes of untreated wastewater still flow into the Tijuana River Valley today during the rainy season.

In July 1990, the USIBWC and Mexico signed Treaty Minute 283, which outlined a plan for the treatment of renegade sewage flows emanating from Tijuana, Mexico and crossing into the United States along the U.S./Mexican border in San Diego. In the Minute, the two countries agreed to construct an international secondary wastewater treatment plant (IWTP) on the U.S. side of the border that would treat 25 million gallons per day (mgd) of dry-weather sewage flows.

In a 1994 Final Environmental Impact Statement (FEIS) and Record of Decision (ROD), the USIBWC and the EPA, acting as lead agencies, decided to approve the construction of the South Bay International Wastewater Treatment Plant (SBIWTP) and South Bay Ocean Outfall (SBOO). The SBIWTP is located on a 75-acre site just west of San Ysidro, CA near the intersection of Dairy Mart and Monument Roads. Treated effluent is discharged to the Pacific Ocean through the SBOO, a 4.5-mile long 11-foot diameter pipe completed in January 1999.

Pursuant to the completion of an interim operations supplemental environmental impact statement (SEIS), the EPA and the USIBWC decided to construct the SBIWTP in phases: by first building advanced primary facilities

followed later by secondary treatment facilities. The intent of this phased construction was to expedite treatment of up to 25 mgd of untreated sewage from Tijuana, which would otherwise have continued to pollute the Tijuana River and Estuary, and coastal waters in the United States.

Treatment at the SBIWTP was initiated in April 1997 as an advanced primary plant with discharge initially through an emergency connection to the City of San Diego Point Loma treatment facility. In January 1999, the SBIWTP began discharging through the completed SBOO.

After the release of the May 1994 Final EIS and ROD and the decision to construct the SBIWTP in two stages, significant additional information became available and new circumstances occurred which warranted a reconsideration of the best means of achieving the completion of secondary treatment facilities at the SBIWTP. Also as a settlement to a lawsuit which challenged the 1994 FEIS, the USIBWC and EPA decided to prepare a SEIS that examined this new information, and the lawsuit was settled.

In January 1998, the USIBWC and the EPA issued the Draft Long Term Treatment Options SEIS (Draft SEIS), to re-evaluate secondary treatment options for the SBIWTP. In addition, in October 1998, the agencies also issued a supplement to the 1996 Interim Operation SEIS that addressed impacts of the advanced primary treatment. This supplement disclosed new information about the presence of dioxins and acute toxicity in the advanced primary discharge. This new information was incorporated into the Final Long Term Treatment Options Supplemental Environmental Impact Statement (Final SEIS) released in March 1999.

In the 1999 ROD for the Long Term Treatment Options SEIS, the EPA and the USIBWC selected the Completely Mixed Aerated (CMA) Pond System at the Hofer Site as the long-term option to provide secondary treatment of 25 mgd of wastewater at the SBIWTP. However, the construction of these secondary treatment facilities was not funded by Congress and the plant has continued to provide advanced primary treatment.

In February 2001, California's Office of the Attorney General, on behalf of the California Regional Water Quality Control Board, San Diego Region (Regional Board), filed a complaint in U.S. District Court, Southern District of California, alleging violations of the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act. Specifically, the complaint

alleged USIBWC's discharge violated the terms of its National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Board for failing to treat the effluent to secondary standards and for violating other effluent limitations. The matter is now scheduled for trial.

The USIBWC has decided to prepare a Supplemental Environmental Impact Statement to address options/actions to cease violations of the NPDES permit limits either by providing secondary treatment in Mexico pursuant to Pub. L. 106-457; or by some other means, including but not limited to redirecting some or all of the IWTP effluent from California's waters and/or instituting some combination of these options.

Coordination with the U.S. Environmental Protection Agency, California Regional Water Control Board and other government agencies, as required, will take place to ensure compliance with applicable federal and state laws and regulations.

The environmental review of this project will be conducted in accordance with the requirements of NEPA, CEQ Regulations (40 CFR parts 1500-1508), other appropriate federal regulations and the USIBWC procedures for compliance with those regulations. Copies of the Draft SEIS will be transmitted to federal and state agencies and other interested parties for comments and will be filed with the Environmental Protection Agency in accordance with 40 CFR parts 1500 through 1508 and USIBWC procedures.

Alternatives

The Draft SEIS to be prepared will consider a range of alternatives, including the no action alternative, based on issues and concerns associated with the project. The Draft SEIS will identify, describe, and evaluate the existing environmental, cultural, sociological and economical, and recreational resources; and evaluate the impacts associated with the alternatives under consideration. Significant issues that have been identified to be addressed in the Draft SEIS include, but are not limited to, impacts to water resources, water quality, cultural and biological resources, and human health effects.

The Draft SEIS will evaluate eight alternatives, as described herein:

1. No Action

Operation of IWTP as an advanced primary facility would continue with discharge to the SBOO until secondary treatment facilities are constructed.