

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

RESOLUTION NO. 79-34

REQUESTING THE STATE WATER RESOURCES CONTROL BOARD
TO URGE FEDERAL ACTION FOR IMMEDIATE AND PERMANENT
CORRECTION OF THE GROSS POLLUTION AND CONTAMINATION
OF NEW RIVER, BEING CAUSED BY MEXICAN-SOURCE DISCHARGES

- WHEREAS, the New River, which flows northward across the International Boundary from Mexico into California's Imperial Valley contains the most polluted and contaminated water of any stream in the United States of America; and
- WHEREAS, this gross pollution and contamination of New River water at the International Boundary is entirely caused by discharges of raw sewage, inadequately treated sewage, untreated and inadequately treated industrial wastes, and trash from the City of Mexicali, a major metropolitan area in Mexico, about the size of the City of San Francisco; and
- WHEREAS, on November 30, 1961, this Regional Board adopted Resolution No. 61-21, appraising the Department of State that New River is being polluted by raw sewage discharges from the City of Mexicali, in Mexico; entreating the Department of State to take full cognizance of the importance of obtaining an elimination of the disposal of raw sewage from Mexicali, Mexico into water courses which cross the California Border; and further entreating the Department of State to exercise every power and facility under its jurisdiction to obtain a successful correction of Mexicali's raw sewage disposal, at the earliest possible date, such that this problem of pollution and nuisance from Mexicali is brought to a conclusion, and
- WHEREAS, public health officials of the County of Imperial in California, have documented clear and present danger to the public health of residents in Imperial Valley and of tourists in the area, citing two known instances of disease attributable to the contaminated nature of New River water; and
- WHEREAS, although Mexicali's present sewage collection, treatment, and discharge system is now operating, the fecal coliform count in New River at the International Boundary is 40,000 organisms per 100 milliliters of New River water sample, and this is to be compared with the United States Environmental Protection Agency's regulatory definition of secondary treatment of sewage which includes a

discharge limitation of 200 and 400 fecal coliform organisms per 100 milliliters of discharging effluent; and

WHEREAS, the California Regional Water Quality Control Board, Colorado River Basin Region, has no legal authority under current laws to require the City of Mexicali or the Nation of Mexico to abate this gross pollution and contamination of New River water; and

WHEREAS, normal lower-level diplomatic efforts during the past several years have failed to obtain adequate correction of this problem, while the pollution and contamination load in New River has progressively increased;

NOW THEREFORE BE IT RESOLVED, that in view of the emergency nature of the need for permanent correction of this gross pollution and contamination of New River, the California Regional Water Quality Control Board, Colorado River Basin Region, urgently requests the State Water Resources Control Board to:

1. Urge the President of the United States to make the item of New River water pollution and contamination by Mexicali an important part of the agenda of his forthcoming meeting with the President of the United Mexican States; and urge that the President of the United States impress upon the President of the United Mexican States:
 - a. the emergency need for permanent correction of this gross pollution and contamination of New River water, and
 - b. that it is imperative to immediately develop a minute addition to the United States-Mexican 1944 water treaty, in order to define the quality of waters that should come across the International Boundary, and time schedules to meet that quality, including time schedules in event of breakdowns.
2. Urge President Carter to act in fulfillment of the responsibility and authority delegated to him by Congress under Section 101(c) of the Federal Water Pollution Control Act, to use all of the diplomatic resources at his command to obtain an adequate and permanent correction to this gross pollution and contamination problem; and

FURTHER RESOLVED, that failing definitive action by the President of the United States on the above two resolves, this Regional Board urges that the State Water Resources Control Board consider appropriate legal action against the

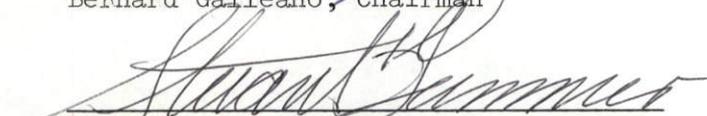
United States of America for failure to perform these lawful duties; and

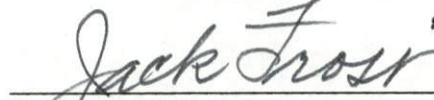
FURTHER RESOLVED, that certified copies of this resolution be forwarded to the State Water Resources Control Board, to the President of the United States, and to all other agencies and persons who have interest and/or responsibilities in these matters, including the news media, and to others who may request copies.

This Resolution was adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, at its regular meeting on January 17, 1979, in Yucca Valley.

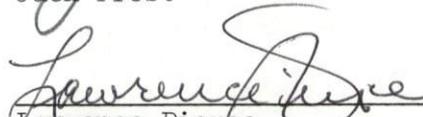

Bernard Galleano, Chairman

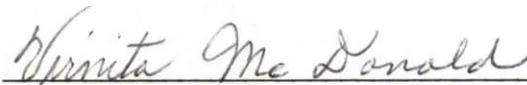

Robert Chesney, Vice-Chairman

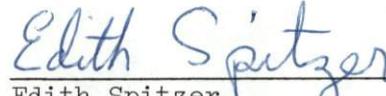

Stuart Gummer


Jack Frost


Lee Escher


Lawrence Pierce


Virnita McDonald


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