

San Diego Association of Governments

# BORDERS COMMITTEE

January 9, 2009

AGENDA ITEM NO.: **1**

**Action Requested: APPROVE**

## BORDERS COMMITTEE DISCUSSION AND ACTION MEETING OF NOVEMBER 21, 2008

The meeting of the Borders Committee was called to order by Chair Patricia McCoy (South County) at 12:32 p.m. See the attached attendance sheet for Borders Committee member attendance.

1. APPROVAL OF MEETING MINUTES

Action: Upon a motion by Deputy Mayor Crystal Crawford (North County Coastal) and a second by Councilmember Ed Gallo (North County Inland), the Borders Committee unanimously approved the minutes from the October 24, 2008, meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Bill Figge, Deputy District Director of Planning (Caltrans), announced the Presidential Permit for the Otay Mesa East Port of Entry was signed by the Department of State; however, this is not the final step, as a 15-day review period with five federal agencies still remains.

Chair McCoy acknowledged and thanked District 11 Director Pedro Orso-Delgado (Caltrans) and Executive Director Gary Gallegos (SANDAG) for their persistence in the matter.

Councilmember Gallo remarked he has enjoyed his time on the Borders Committee and took pride in bringing the tribes to the table along with the progress that has been made. He recognized Deputy Mayor Crawford and Chair McCoy for their leadership.

Councilmember Phil Monroe (South County) recognized Borders staff and the progress which has been made over time. He thanked Deputy Mayor Crawford and Chair McCoy for their leadership and vision.

Chair McCoy thanked both of them for their participation and cooperation while serving on the Committee.

Consul Lydia Antonio (Republic of Mexico) expressed the Mexican government's satisfaction due to the signing of the Presidential Permit and said they look forward to working with their American counterparts to simultaneously advance the project.

Chair McCoy announced Mayor Debbie Cook (Orange County) sent her regrets. She also informed on the tour of Imperial County which took place October 31st and was lead by Supervisor Victor Carrillo (Imperial County).

### **CONSENT ITEMS (#3 through #4)**

3. STATUS REPORT ON INTERNATIONAL BORDER SEWAGE ISSUES (INFORMATION)
4. COMPLETION OF THE SOUTH ORANGE COUNTY MAJOR INVESTMENT STUDY (INFORMATION)

Action: Upon a motion by Councilmember John Minto (East County) and a second by Deputy Mayor Crawford, the Borders Committee unanimously approved Consent Items #3 and #4.

### **CHAIR'S REPORT**

5. NATIONAL AMERICAN INDIAN HERITAGE MONTH (INFORMATION)

Chair McCoy informed that November has been designated "National American Indian Heritage Month." The current administration has designated the day after Thanksgiving on a permanent basis as "Native American Indian Heritage Day;" and, there will be a Tribal Roundtable Speaker Series at Scripps Cottage at SDSU on November 24th, at 4:00 p.m.

Chair McCoy welcomed Denis Turner, Executive Director of the Southern California Tribal Chairmen's Association.

Action: This item was presented for information only.

### **REPORT ITEMS (#6through #9)**

6. REPORT ON NATURAL DISASTERS AND THE ENVIRONMENT ALONG THE U.S. - MEXICO BORDER (INFORMATION)

Dr. Paul Ganster, COBRO Committee Chair and Chair of the Good Neighbor Environmental Board (GNEB), a federal advisory panel that reports on United States – Mexico border environmental issues to Congress and the President, briefed the Committee on the GNEB's 11th Annual Report. The key message of the report was that on-the-ground border coordinated action remains very limited. A more formal type of participation and institutionalized ways of cooperating need to be developed for larger incidents and disasters to enable the borders to remain open during all periods of emergency response. The main problem is that both countries tend to look at their own areas and statutory requirements, often ignoring connections with other agencies.

Councilmember Gallo remarked that this is not just endemic to that area; the State of California and County of San Diego suffer the same problem.

Dr. Ganster said the one exception was SANDAG; the Borders Committee has looked beyond to Riverside, Imperial, and Orange counties and across the border.

The report also suggests that when federal policy is being formulated about natural disasters, international border-specific issues need to be factored into it. It is necessary to build capacity at all levels of government so that institutions and organizations have the resources and training to do their jobs. It is necessary to have better coordination of existing systems so they can function across jurisdictions; and, the existing United States-Mexico agreements also need to be expanded. There is also a need to balance efforts to conserve and protect nature and human populations by reviewing and coordinating preparedness and practicing response.

Dr. Ganster reported the GNEB plans to work on improving and implementing present agreements, improve post-impact associated disease response, ecosystems protection, and flooding and floodplain settlement. He stated it is necessary to go beyond agreements and have real, on-site transborder emergency response practices so that in the event a disaster would occur, all involved are better able to respond.

Chair McCoy recommended Dr. Ganster present this report to the Public Safety Committee.

Dr. Ganster said he would be delighted.

Deputy Mayor Crawford asked if the GNEB had specific recommendations on how SANDAG could assist in making progress on the report's recommendations.

Dr. Ganster said as the recommendations are based on best case practices, and the GNEB has no funding, they only have the ability to raise the issues with Congress and the Administration. They have improved their interactions with the Council for Environmental Quality and U.S. EPA, and continue to educate those in Washington and elsewhere. They hope groups such as SANDAG can make the recommendations work.

County Chair Pro Tem Pam Slater-Price (County of San Diego) informed that Senators Boxer and Feinstein, along with Congressman Filner have been very helpful with border infrastructure projects.

Dr. Ganster said copies of the report have been distributed to delegations in Washington D.C. and staff has briefed relevant delegation staff members. They have also sent copies to northern delegations as well. The challenge is getting others to understand the importance of the border issues.

Consul Antonio asked if SEMARNAT, the Mexican environmental and natural resources secretariat, is aware of the results from the report.

Dr. Ganster stated in developing the report, they had some participation and interaction with the Mexican Embassy in Washington D.C.; however, they did not have a particularly good outreach effort in Mexico. There has been representation from the Mexican Council on Sustainable Development and participation from Mexican officials at various meetings.

Greg Thomsen, Bureau of Land Management, stated the San Diego Border Agency Fire Council has a very successful binational partnership which has sponsored mass casualty binational drills. He said presently they are experiencing a few challenges due to the new passport requirements; however, they continue to work on ensuring that rapid crossborder response continues.

Dr. Ganster remarked September 11th and the subsequent reaction in the U.S. and the concern about national security has turned the border from an open integrated area to a closed barrier and made life more difficult and more expensive. It is necessary to work harder and hopefully conditions will ease.

Action: This item was presented for information only.

7. RECOMMENDATIONS ON TRIBAL POLICY ISSUES TO INCLUDE IN BORDERS COMMITTEE AGENDAS FOR FISCAL YEAR 2009 (DISCUSSION/POSSIBLE ACTION)

Denis Turner, Executive Director of the Southern California Tribal Chairmen's Association (SCTCA), explained that he was representing the SCTCA at today's meeting as there was a death in the tribal community of the Pauma Band necessitating Chairman Chris Devers' (Pauma) presence. He stated the importance of the non-tribal community respecting traditional leaders such as Boxie Phoenix and the important role they play in the tribal community. He acknowledged leadership of Chairman Devers and Boxie Phoenix (Barona) for their participation in SANDAG and the Tribal Transportation Working Group. He stated that the areas which the SCTCA is interested in pursuing are transportation, renewable energy, affordable housing, regional fire prevention, and developing protocols for sharing data and information. He acknowledged the specialized leadership roles that various SCTCA representatives play in bringing the tribal perspective to the table: Boxie Phoenix, as the Chair of the Reservation Transportation Authority and of the Tribal Transportation Working Group; Chris Devers, SCTCA Representative to the Borders Committee is also on the National Executive Committee of the Council for Energy Resource Tribes (CERT), and John Hernandez, who has a special interest in affordable housing. On behalf of the SCTCA Board they are especially interested in participating in further dialogue regarding issues affecting tribes. He said tribal leadership agrees it is time to hold another tribal summit and are pleased with the progress made so far, and that they look forward to developing even stronger relationships as they work with SANDAG on tangible government-to-government projects.

Councilmember Gallo commented that it is important for the groups to meet again as we are all part of the same county. He also expressed his desire to participate.

Chairman Turner stated that what is happening in San Diego in terms of the government to government dynamic, is being replicated among tribal leadership in other counties throughout the state.

Councilmember Minto agreed another summit was a good idea. He said while en route to the Imperial Valley, it was interesting to see how many casinos were along the I-8 corridor and the group became aware of how much more needs to be discussed.

Action: Upon a motion by Councilmember Minto and a second by Vice Chair Greg Cox (County of San Diego), the Borders Committee unanimously recommended to include several tribal policy issues in the Fiscal Year (FY) 2009 meeting schedule, as well as to coordinate with the SCTCA and staff on several issues that can be followed up at a technical level.

8. DISCUSSION ON POSSIBLE SAN DIEGO REGIONAL TRIBAL SUMMIT IN FY 2010 (DISCUSSION/POSSIBLE ACTION)

Jane Clough-Riquelme, Tribal Liaison (SANDAG), reported the last Tribal Summit of March 2006 resulted in two major structural changes; an Memorandum of Understanding (MOU) between the SCTCA and SANDAG putting the SCTCA on the Board and all Policy Advisory Committees, and the creation of the Tribal Transportation Working Group. As tribal leadership is interested in holding periodic summits, staff suggested holding the next summit during the first half of FY 2010. The summit would provide the opportunity to set goals and objectives for coming years, discuss major regional initiatives that impact tribes, and provide a forum for direct feedback at a policy level. It would also allow tribal nations to speak for their particular government, provide the opportunity to establish and build relationships among elected and traditional leaders, and develop protocols for government-to-government collaboration on the development of upcoming regional planning efforts. She said staff suggests establishing an ad hoc task force to assist with agenda development and meeting structure on a government-to-government basis should it be decided that another summit take place.

Chair McCoy suggested recommending the summit planning begin soon as it is an arduous planning process.

Vice Chair Cox asked if the summit would be conducted after the beginning of the next fiscal year.

Chair McCoy said it would take place in FY 2010.

Ms. Clough-Riquelme confirmed it would be considered for the next fiscal year.

Councilmember Gallo pointed out that one of the benefits of mutual government-to-government discussions is that very specific projects can emerge from understanding mutual concerns and needs. He explained that as a result of Tribal Transportation Working Group North County Transit is working with the Reservation Transportation Authority (RTA) to set up a new service route which was proposed by the tribal working group – the 388 Express which will complete the 388 loop passing through the Valley Center/Pauma/Pala/Rincon tribal reservation areas.

Ms. Clough-Riquelme noted that the Chair of RTA would be speaking about this in the next item.

Deputy Mayor Crawford asked if FY 2010 started July 2009 and continued through June 2010. She also commented that one of the benefits from the relationships built over the years has been a much better understanding of how issues are addressed at the tribal

government level, as well as at SANDAG by all parties involved. The successful development of the new transit route is an example of parties coming together to understand tribal community transportation needs and then working through NCTD, MTS, and SANDAG to develop public transit routes that provide services essential to the well being of those communities. She congratulated all involved for their hard work.

Councilmember Minto offered to participate in the ad hoc task force for planning the next Tribal Summit.

Action: Upon a motion by Councilmember Minto, and a second by Councilmember Gallo, the Borders Committee unanimously recommended holding a Tribal Summit in FY 2010 and developing an ad hoc task force to assist with the development of the agenda and meeting structure on a government-to-government basis.

9. UPDATE ON THE FEDERAL TRANSIT ADMINISTRATION GRANT FOR THE TRIBAL TRANSIT PROGRAM (INFORMATION)

Boxie Phoenix, Chair of the Reservation Transportation Authority Chairman, and the Tribal Transportation Working Group updated the Committee on the FTA Tribal Transit Grant. He noted that the RTA was able to rescope and amend the grant to include the following activities: the addition of the pilot 388 Express from Pala to the Escondido Transit Center and improvements to existing bus stops along the 388, including a bus loading point located at the Pala Reservation. He expressed satisfaction that the Working Group was able to bring the tribes, transit agencies, and SANDAG together; coordinate the work; and, produce an outcome which improves the region. He also informed the Committee that the RTA- on behalf of the tribes in San Diego—has applied for additional funding for the continuation of the route and he would return to present a progress report in the spring.

Chair McCoy congratulated them on the landmark decision for all.

Action: This item was presented for information only.

10. UPCOMING MEETINGS

The next meeting of the Borders Committee is scheduled for Friday, January 9, 2009, at 12:30 p.m.

11. ADJOURNMENT

Chair McCoy adjourned the meeting at 1:38 p.m.

Attachment: Attendance Sheet

**CONFIRMED ATTENDANCE  
BORDERS COMMITTEE MEETING  
NOVEMBER 21, 2008  
12:30 p.m. to 2:30 p.m.**

GEOGRAPHICAL AREA	JURISDICTION	NAME	MEMBER/ ALTERNATE	ATTENDING	
				Yes	No
South County	City of Imperial Beach	Patricia McCoy (Chair)	Member	✓	
	City of Coronado	Phil Monroe	Alternate	✓	
Imperial County	County of Imperial	Victor Carrillo	Member		✓
	City of Calexico	David Ouzan	Alternate		✓
North County Coastal	City of Del Mar	Crystal Crawford	Member	✓	
	City of Oceanside	Jack Feller	Alternate	✓	
North County Inland	City of San Marcos	Jim Desmond	Member		✓
	City of Escondido	Ed Gallo	Alternate	✓	
East County	City of Santee	John Minto	Member	✓	
	City of La Mesa	David Allan	Alternate		✓
City of San Diego	----	Ben Hueso	Member		✓
	----	Toni Atkins	Alternate		✓
	----	Tony Young	2 <sup>nd</sup> Alternate	✓	
County of San Diego	----	Greg Cox (Vice Chair)	Member	✓	
	----	Pam Slater-Price	Alternate	✓	

**ADVISORY/ LIAISON MEMBERS**

COBRO	----	Dr. Paul Ganster	Member	✓	
	----	Cindy Gompers-Graves	Alternate		✓
	—	Angelika Villagrana	Alternate	✓	

County of Riverside	City of Lake Elsinore	Thomas Buckley	Member		✓
Republic of Mexico	Consul General of Mexico	Remedios Gomez-Arnau	Member		✓
	Deputy Consul General of Mexico	Martha Rosas	Alternate		✓
	Consul	Lydia Antonio	Alternate	✓	
Southern California Tribal Chairmen's Association	Pauma	Denis Turner (Rincon) for Chris Devers	Member	✓	
	Mesa Grande	Mark Romero	Alternate		✓
Caltrans	-----	Pedro Orso-Delgado	Member	✓	
	-----	Bill Figge	Alternate		✓
San Diego County Water Authority	-----	Howard Williams	Member	✓	
County of Orange	-----	Debbie Cook	Member		✓