AGENDA HIGHLIGHTS

- **2014 SAN DIEGO REGIONAL TRIBAL SUMMIT PROCEEDINGS AND NEXT STEPS**

- **SAN DIEGO-TIJUANA REGION EMERGENCY PREPAREDNESS AND RESPONSE**

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YOU CAN LISTEN TO THE BORDERS COMMITTEE MEETING BY VISITING OUR WEBSITE AT SANDAG.ORG

MISSION STATEMENT

The Borders Committee provides oversight for planning activities that impact the borders of the San Diego region (Orange, Riverside and Imperial Counties, and the Republic of Mexico) as well as government-to-government relations with tribal nations in San Diego County. The preparation and implementation of SANDAG’s Binational, Interregional, and Tribal Liaison Planning programs are included under this purview. It advises the SANDAG Board of Directors on major interregional planning policy-level matters. Recommendations of the Committee are forwarded to the Board of Directors for action.

San Diego Association of Governments  ∙  401 B Street, Suite 800, San Diego, CA 92101-4231  
(619) 699-1900  ∙  Fax (619) 699-1905  ∙  sandag.org
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# BORDERS COMMITTEE

Friday, July 25, 2014

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>+1.</td>
<td>APPROVAL OF MEETING MINUTES</td>
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<td>2.</td>
<td>PUBLIC COMMENTS/COMMUNICATIONS</td>
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The Borders Committee is asked to review and approve the minutes from its May 23, 2014, meeting.

2. PUBLIC COMMENTS/COMMUNICATIONS

Members of the public shall have the opportunity to address the Borders Committee on any issue within the jurisdiction of SANDAG that is not on this agenda. Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Borders Committee coordinator prior to speaking. Public speakers should notify the Borders Committee coordinator if they have a handout for distribution to Borders Committee members. Public speakers are limited to three minutes or less per person. Borders Committee members may provide information and announcements under Agenda Item No. 5.

## CONSENT

+3. SAN YSIDRO INTERMODAL TRANSPORTATION CENTER STUDY FINAL REPORT (Rachel Kennedy)

SANDAG and the City of San Diego in collaboration with Caltrans, Metropolitan Transit System, and the community, initiated a study to identify a multimodal concept for an Intermodal Transportation Center in the vicinity of the San Ysidro Port of Entry. On June 20, 2014, the SANDAG Transportation Committee accepted the San Ysidro Intermodal Transportation Study Final Report for submission to Caltrans and to the City of San Diego for consideration in its current San Ysidro Community Plan update.

+4. PRELIMINARY REPORT ON THE 2014 BINATIONAL EVENT "EFFICIENT BORDER: A GLOBALLY COMPETITIVE REGION" (Chair Paul Ganster, Committee on Binational Regional Opportunities)

Since 1997, SANDAG has organized an annual event to address binational topics. This year the event focused on border efficiency and global competitiveness. This report will present highlights from the 2014 binational seminar.

## REPORTS

5. SUBREGIONAL REPORTS FROM COMMITTEE MEMBERS

Members of the Borders Committee report issues and activities within their subregion that are of interest or under the purview of the Committee.
+6. REPORT FROM THE CONSULATE GENERAL OF MEXICO
(Hon. Francisco Javier Olavarría, Consulate General of Mexico in San Diego)

The Consulate General of Mexico in San Diego contributes to the Borders Committee dialogue by providing periodic reports on binational activities within the purview of the Committee. Deputy Consulate General Francisco Javier Olavarría will present this report that highlights new laws regulating Mexico’s Constitutional Telecommunication Reform.

+7. 2014 SAN DIEGO REGIONAL TRIBAL SUMMIT PROCEEDINGS AND NEXT STEPS (Chairman Mark Romero, Southern California Tribal Chairmen’s Association; and Jane Clough)

In April, SANDAG and the Southern California Tribal Chairmen’s Association held the 2014 San Diego Regional Tribal Summit to identify policy issues of mutual concern and prioritize strategies as part of the tribal consultation process for San Diego Forward: The Regional Plan. The Borders Committee is asked to recommend that the SANDAG Board of Directors accept the 2014 San Diego Regional Tribal Summit Proceedings and Tribal Summit – Next Steps for consideration in San Diego Forward: The Regional Plan.

+8. SAN DIEGO-TIJUANA REGION EMERGENCY PREPAREDNESS AND RESPONSE (Mike Vizzier, County of San Diego)

In December 2013, the Board of Directors approved a recommendation from the 2013 Binational Seminar to identify and support responsible agencies’ existing collaboration efforts for binational emergency and natural disaster response and preparedness, and encourage the development of additional joint binational action planning, where needed. This presentation will provide an overview on collaborative efforts in the San Diego-Tijuana region to address emergency preparedness and response.

9. UPCOMING MEETING

The next meeting of the Borders Committee is scheduled for Friday, September 26, 2014, at 12:30 p.m.

10. ADJOURNMENT
BORDERS COMMITTEE DISCUSSION AND ACTIONS

MAY 23, 2014

The Borders Committee was called to order by Chair John Minto (East County) at 12:34 p.m. See the attached attendance sheet for Borders Committee member attendance.

Chair John Minto welcomed Deputy Consul General of Mexico Francisco Javier Olavarria, City of Tijuana City Councilmember Martha Leticia Castañeda, the Borders Committee, and guests, and then made a housekeeping announcement regarding the new electronic voting system and functionality during the meeting.

1. APPROVAL OF MEETING MINUTES (APPROVE)

Action: Upon a motion by Mayor Teresa Barth (North County Coastal), and a second by Councilmember Ed Gallo (North County Inland), the Borders Committee approved the minutes from the April 25, 2014, meeting. Yes – 6. No – None. Abstentions – None. Absent – Supervisor John Renison (Imperial County).

2. PUBLIC COMMENTS/COMMUNICATIONS

There were no public comments.

CONSENT

3. ORANGE COUNTY PLANNING CONTACTS GUIDE (INFORMATION)

This report presented the newly created Orange County Planning Contacts Guide, which has been posted to the SANDAG website.

Action: This item was presented for information only.
CHAIR’S REPORT


This report provided an overview of topics of interest that were discussed during the March 28, 2014, Joint Meeting of the Borders Committee, Committee on Binational Regional Opportunities, the Municipalities of Tijuana, Tecate and Playas de Rosarito, and State of Baja California, as well as potential follow-up actions.

Chair John Minto introduced the item.

Deputy Mayor Rudy Ramirez (South County) commented on this item and spoke on several issues related to the bike crossing.

Action: This item was presented for information only.

REPORTS

5. SUBREGIONAL REPORTS FROM COMMITTEE MEMBERS (INFORMATION)

No reports were presented on this item.

6. REPORT FROM THE CONSUL GENERAL OF MEXICO (INFORMATION)

The Consul General of Mexico in San Diego, Hon. Remedios Gómez-Arnau, contributes to the Borders Committee dialogue by providing periodic reports on binational activities within the purview of the Borders Committee. This report highlighted the Binational Workshops on Academic Mobility and Language Acquisition of the Bilateral Forum on Higher Education, Innovation and Research (FOBESII), held in Mexico City on May 7-8, 2014.

Hon. Francisco Javier Olavarria spoke on behalf of Hon. Remedios Gómez-Arnau, Consulate General of México in San Diego and presented the item and responded to questions.

Action: This item was presented for information only.

7. UPDATE FROM THE SOUTHERN CALIFORNIA TRIBAL CHAIRMEN’S ASSOCIATION (INFORMATION)

This item was continued to the next meeting.
8. ORANGE COUNTY TRANSPORTATION AUTHORITY DRAFT 2014 LONG RANGE TRANSPORTATION PLAN (INFORMATION)

The Orange County Transportation Authority (OCTA) updates its Long Range Transportation Plan every four years. OCTA staff provided an overview of the multimodal projects and programs, which are the basis for the Southern California Association of Governments’ Regional Transportation Plan.

Charlie Larwood and Greg Nord, Orange County Transportation Authority; and Phil Trom (SANDAG), presented the item.

Action: This item was presented for information only.

9. MEXICO’S BICENTENNIAL PORT OF ENTRY SYSTEM IN TIJUANA: PUERTA MÉXICO ESTE (INFORMATION)

This presentation provided an update of Mexico's Bicentennial Port of Entry System expansion project, focused on Puerta México Este's future southbound pedestrian inspection facilities. Puerta México Este connects to the San Ysidro border crossing.

Carlos López and Karlo Omar Limón, State of Baja California, presented the item.

Action: This item was presented for information only.

10. UPCOMING MEETINGS (INFORMATION)

The next meeting of the Borders Committee is scheduled for Friday, June 27, 2014, at 12:30 p.m.

11. ADJOURNMENT

Chair Minto adjourned the meeting at 2:09 p.m.
CONFIRMED ATTENDANCE
BORDERS COMMITTEE MEETING
MAY 23, 2014
12:30 to 2:30 p.m.

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<th>NAME</th>
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<td>City of Chula Vista</td>
<td>Rudy Ramirez</td>
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<td>City of Coronado</td>
<td>Al Ovrom</td>
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<td>Teresa Barth</td>
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<td>City of Carlsbad</td>
<td>Michael Schumacher</td>
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<td>City of Escondido</td>
<td>Ed Gallo</td>
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<td>City of Poway</td>
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<td>City of Santee</td>
<td>John Minto (Chair)</td>
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<td>City of La Mesa</td>
<td>Ruth Sterling</td>
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<td>David Alvarez</td>
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<td>Mark Kersey</td>
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<td>Greg Cox (Vice Chair)</td>
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<td>John Renison</td>
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<td>COBRO</td>
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<td>Dr. Paul Ganster</td>
<td>Member</td>
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<td>WRCOG – Western Water Board</td>
<td>S.R. Al Lopez</td>
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<td>Jamul</td>
<td>Raymond Hunter Sr.</td>
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<td>Caltrans</td>
<td>Laurie Berman</td>
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<td>San Diego County Water Authority</td>
<td>Elsa Saxod</td>
<td>Member</td>
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<td>Dennis A. Sanford</td>
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<td>SCAG</td>
<td>Rich Macias</td>
<td>Member</td>
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<td>Tomás Oliva</td>
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<td>County of Orange</td>
<td>Coast Mesa Sanitary District</td>
<td>Member</td>
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<td>County of Orange</td>
<td>Jim Dahl</td>
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SAN YSIDRO INTERMODAL TRANSPORTATION CENTER

STUDY FINAL REPORT

File Number 3330500

Introduction

In October 2012, SANDAG and the City of San Diego in collaboration with Caltrans, Metropolitan Transit System (MTS), and the community, initiated a study to identify a multimodal concept for an Intermodal Transportation Center (ITC) in the vicinity of the San Ysidro Port of Entry (POE). The study also includes a financial feasibility analysis to identify strategies for implementation of the San Ysidro Intermodal Transportation Center (SYITC).

Discussion

The purpose of the study was to produce a mobility and economic/fiscal feasibility analysis for a SYITC concept for evaluation and consideration as part of the comprehensive San Ysidro Community Plan update process. The study developed a demand and supply analysis for off-street parking facilities associated with the ITC concept, and an analysis of complementary on-site retail, commercial, and institutional uses that could enhance the SYITC as a community amenity and generate revenue toward its construction. A team of consultants provided assistance on this study to help envision and provide the technical tools needed to develop an SYITC concept that will serve as a gateway to the world’s busiest POE.

The Borders Committee and Transportation Committee provided input throughout the study effort. Committee members reviewed and provided comments on the funding analysis and conceptual implementation strategy for development of a future SYITC at their respective April 25, 2013, and May 2, 2014, meetings. The draft final report was released for public comment on May 2, 2014, on the SANDAG website at www.sandag.org/syitc, via email blasts, and was discussed at meetings of the Border Transportation Council and the San Ysidro Smart Border Coalition. Public comments were considered and incorporated into the final study report.

On June 20, 2014, the SANDAG Transportation Committee accepted the San Ysidro Intermodal Transportation Study Final Report for submission to Caltrans and to the City of San Diego for consideration in its current San Ysidro Community Plan update.

CHARLES “MUGGS” STOLL
Director of Land Use and Transportation Planning

Attachment: 1. San Ysidro Intermodal Transportation Center Study Final Report (Not Attached)

Key Staff Contact: Rachel Kennedy, (619) 699-1929, rachel.kennedy@sandag.org

The full report in electronic format can be downloaded at www.sandag.org/syitc

Hard copies of the report are available by contacting the Public Information Office at (619) 699-1950 or pio@sandag.org
PRELIMINARY REPORT ON THE 2014 SANDAG BINATIONAL EVENT “EFFICIENT BORDER: A GLOBALLY COMPETITIVE REGION”

Introduction

The 2014 Binational Seminar “Efficient Border: A Globally Competitive Region” was held on Tuesday, June 3, 2014, at the Southwestern College Higher Education Center in Otay Mesa. The SANDAG event had the sponsorship of Southwestern College; Caltrans, District 11; Otay Mesa Chamber of Commerce; the Consulate General of Mexico in San Diego; the American Planning Association; and the City of Tijuana. The seminar focused on the border region’s economic strengths and major infrastructure challenges and the need to increase efficiency at the border in order for our binational region to compete in the globalized world economy. The event was attended by stakeholders and representatives from government, planning agencies, academia, and the private sector from both sides of the border. A White Paper was prepared for the event containing an overview of border crossing infrastructure and trade for the land Ports of Entry (POEs) in the San Diego-Baja California region, information about a study that analyzes crossborder economic connections, as well as an overview of key United States-Mexico border institutions and working groups, intended to provide background and context for discussions on border efficiency and competitiveness, and strategies to advance the future of our border region.

Discussion

The 2014 Binational Seminar is part of an ongoing effort that SANDAG initiated some years ago to work toward effective binational planning by strengthening regional collaboration. Continuing along these lines, the purpose of the event was to present and analyze the key factors that contribute to the border region’s competitiveness and prosperity, to develop strategies to overcome challenges, to seek input, and to discuss potential opportunities for more efficient collaboration. Its purpose also was to promote discussion on how border crossing issues fit within bilateral priorities, and to explore successful tools or collaborative efforts that have been utilized in other areas that could be applied to issues of border crossing wait times. In addition, the seminar highlighted a recent study that provides new insights into crossborder economic connections as key contributors to local, state, and national economic growth.
Welcome and introductions were given by SANDAG Board of Directors Chair Jack Dale; Hon. Remedios Gómez-Arnau, Consul General of Mexico in San Diego; Xavier Peniche, Secretary of Economic Development, City of Tijuana; Laurie Berman, Director of Caltrans District 11; and Dr. Paul Ganster, Chair of the SANDAG Committee on Binational Regional Opportunities (COBRO). The presentations began with setting the stage for a discussion on an efficient border by SANDAG Executive Director Gary Gallegos. This briefing was followed by the keynote address delivered by Raúl Urteaga, General Coordinator of International Relations for the Mexican Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food (SAGARPA). Mr. Urteaga outlined his international development experience, including the negotiation of the North American Free Trade Agreement (NAFTA) and argued that the San Diego-Tijuana border region should take advantage of and further promote itself as a binational region in order to attract new economic investment. He suggested ideas for increased binational collaboration in order to advance the competitiveness of the region, including academic exchanges, energy integration, and joint promotion of shared assets.

The second part of the event included two panels. The first panel was a group presentation entitled “Efficiency and Competitiveness on the Border” and was comprised of the following panelists: Alejandro Díaz-Bautista, Colegio de la Frontera Norte; Marney Cox and Daniel Flyte, SANDAG; Michael Combs, San Diego Regional Economic Development Corporation; and David Shirk, UC San Diego Center for U.S.-Mexico Studies. The second panel was a roundtable discussion entitled “Addressing Challenges and Opportunities for an Efficient Border,” and included the following panelists: Mario Orso, Caltrans; Luis Duarte, Colegio de Arquitectos de Tijuana; Paola Ávila, San Diego Regional Chamber of Commerce; Cindy Gompper Graves, South County Economic Development Council; James Clark, San Diego-Tijuana Smart Border Coalition; and, Jason M-B Wells, San Ysidro Chamber of Commerce. The discussion focused on innovative ideas to address border challenges and take advantage of opportunities in order to improve border efficiency, and open discussion with audience members. After the panel discussion, Dr. Paul Ganster offered concluding remarks. Hon. Jack Dale hosted the event, and Retired State Senator Denise Moreno-Ducheny moderated the discussions.

The following are highlights of comments made during the event:

- In order for the San Diego-Tijuana region to be vibrant and competitive in North America and on a global scale, it needs to be innovative and look to the future, finding new tools to improve systems, including the introduction of new technology wherever it has the potential to increase efficiency.
- Promote the San Diego-Tijuana border region as a destination for companies to locate manufacturing facilities to take advantage of crossborder joint production capacity, as well as the region’s prime location for accessing markets in the North American and Pacific regions.
- Provide and share factual, statistically based data on both sides of the border that can inform policy decisions and help justify many of the improvements the border region needs.
- Collaboration and partnerships between stakeholders are essential for unifying the border region and advancing projects in order to achieve the shared goal of increased efficiency at the border.
- Implement crossborder educational exchange programs that will not only help promote the region in terms of having strong human capital to improve regional competitiveness, but will also develop a basis to alter impressions and stereotypes that will ultimately enhance diplomacy between the two nations.
Next Steps

Discussions and conclusions of the event will be debriefed by COBRO, and will be presented along with any recommendations to the Borders Committee at a future meeting. After receiving a report from COBRO, the Borders Committee will consider whether or not to present the 2014 Binational Seminar results to the SANDAG Board of Directors.

CHARLES “MUGGS” STOLL
Director of Land Use and Transportation Planning

Key Staff Contact: Hector Vanegas, (619) 699-1972, hector.vanegas@sandag.org
Earlier today, President, Enrique Peña Nieto enacted the Federal Telecommunications and Broadcasting Act, the Public Broadcasting System of the Mexican State Act and other reforms and additions to various related laws, which together comprise the legislation regulating the Constitutional Telecommunications Reform.

During the event, held in the Main Courtyard of the National Palace, the President declared, “The Telecommunications Reform and its secondary laws are a powerful tool for enhancing freedom, strengthening equality and increasing the prosperity of Mexicans,” based on the principle of consumer welfare.

He said that, “Throughout this administration, in conjunction with the Legislative Branch, major reforms have been promoted in education, finance, economic competition, tax, energy and telecommunications.” “They are all designed to provide benefits for Mexican families and increase the country’s competitiveness in order to attract investment and create more and better jobs.”

He noted that, “Mexicans will gradually be able to perceive the benefits of the reforms in their everyday lives.”

President Peña Nieto said that, “Telecommunications Reform promotes more competition, and better conditions, higher coverage and quality of services and lower rates and costs for the benefit of all users.”

He explained that, “With this and other structural reforms, Mexico is on the path to transformation, creating benefits and savings for families, as well as new opportunities for economic growth and development for the whole country.”

“This reform enhances the freedom of Mexicans, by ensuring the right to express ourselves, find information and interact in electronic media and social networks. It also promotes a Mexico with greater opportunities to ensure digital inclusion, the integration of our regions, and the access of people with disabilities to telecommunications. It will promote the prosperity of the country, because
it will improve the competitiveness of business and companies, attract more investment to the sector; and most importantly, support the economy of Mexican families,” he added.

The president mentioned some of the advantages of the Telecommunications Reform:

FIRST: In terms of the Internet, it makes information technologies available to more Mexicans, and ensures freedom of expression in them. It obliges the state to provide free Internet in 250,000 public places in the country, mainly in schools, libraries, hospitals and public places. The reform also provides for 70 percent of households and 85 percent of micro, small and medium enterprises, which are the largest job creators in our country, to have Internet.

To give an idea of the scope of this, he said that, “Today, household coverage is only 30.7 percent. This means more than doubling current coverage of Mexican households.”

He said the reform will prevent any blockage to the Internet or social networks, and ensures net neutrality. In other words, users will be able to have free access to any application, content or service. Likewise, the quality and speed of the Internet will improve for the benefit of all users, according to guidelines to be defined by the Federal Institute of Telecommunications.

SECOND: In telephony, effective measures for encouraging competition, reducing the costs of this service and raising their quality will be established. As of January 1, 2015, there will be no charge for long distance domestic telephony. Families will be able to call from anywhere, whether Quintana Roo or Baja California, or anywhere else in the country without paying long distance costs, as if it were a local call. This will represent savings of approximately 19.6 billion pesos a year, which will contribute to the further integration of the families and the competitiveness of both small and large businesses throughout the country.

Moreover, all cell phone users will be able to make and receive calls anywhere in the country, regardless of the service provider. Prepaid cell phones will be valid for one year rather than days or months, as is the case at present. In addition, balance inquiries will be free.

Those with a tariff plan will obtain receipts detailing each payment and have the choice of paying by the minute or second. Users of different telecommunications services will be able to cancel their service if operators change the conditions of the contract and to demand enforcement of the terms agreed. When users so decide, they will have the freedom to change company while preserving their phone number, knowing that their phone number will not be blocked. All rights under the law shall be made known to users in writing or through electronic means, when they contract a particular service.
THIRD: In broadcasting, competition, innovation and greater diversity of programming will be promoted, as there will be more television stations and new channels. The reform will enable two new commercial television stations, currently engaged in a bidding process with the Federal Institute of Telecommunications, to compete on equal terms by expanding the contents offered. To ensure better quality content, a new public television channel called the Mexican State Broadcasting System will be created, in which it will be compulsory to promote gender equality and the rights of children.

In turn, paid TV subscribers will receive all public broadcasting channels at no extra cost. Similarly, exclusive contracting by a particular television station of programs or events of broad interest to viewers will be prohibited. The reform also states that the transition from analogue to digital, i.e., a higher quality signal will be no later than December 31, 2015, thereby ensuring the access of low-income families to better technology.

FOURTH: Another point of the reform is the specific benefits for users with disabilities. These constitute major steps towards social inclusion. Telecom companies must provide special equipment with functions, programs and applications that will enable them to access and use the services contracted. Television stations with coverage in over half the country will have a maximum of 36 months to include Mexican Sign Language or hidden captioning in programming broadcast from six in the morning until midnight.

“For all of the above reasons, the reform confirms the importance of telecommunications as a public service of general interest, and reaffirms the control of the Mexican State of the sector,” he said.

President Peña Nieto said that appeals mechanisms will be reduced and that the suspension of the resolutions issued by the Federal Institute of Telecommunications will not be allowed. This means that regulatory measures will take immediate effect and will not be prevented through litigation lasting several years as has happened in the past.

The President thanked members of the 62nd Legislative Session of Congress for passing this sweeping reform. “I congratulate you, because thanks to your maturity and political civility, you continue to demonstrate that democracy can move and transform Mexico,” he declared.

WITH THE NEW LAWS WE WILL EXTEND TECHNOLOGY TO THE MOST BACKWARD AREAS IN THE COUNTRY: RUIZ ESPARZA

Secretary of Communications and Transport Gerardo Ruiz Esparza said that today, Mexico is beginning a new stage in the history of its telecommunications, projecting us into a new position
among the nations of the world. “It has taken another step, an important step in the sweeping reforms that are shaping the Mexico we want for the 21st Century: safe, peaceful, inclusive and thriving.”

He stated that through the Telecommunications Reform and its Regulatory Enforcement, “We can speed up the rate of extending the use of information technology and communication throughout the country, including areas with the greatest social backwardness,” because without these technologies, “It is no longer possible to conceive of economic growth or advance social inclusion.”

He stressed that the Regulatory Laws will provide the opportunity for many Mexicans, of all ages and from all social strata, to be included in one of the most important technological advances of mankind. With the new market rules, there is an enormous potential for investment.” It will be possible to build a strong backbone fiber optic network which will double the current network and provide a shared network that will bring broadband services to every region in Mexico.”

Ruiz Esparza said that with full respect for the autonomy of the Federal Institute of Telecommunications, “We will work to pick up the pace, make up for lost time, promote investment and ensure that services are developed within a framework of free competition, with higher quality and better prices for consumers.”
2014 SAN DIEGO REGIONAL TRIBAL SUMMIT PROCEEDINGS AND NEXT STEPS

Introduction

The 2014 San Diego Regional Tribal Summit was held on April 11, 2014, and hosted by the Barona Band of Mission Indians. The summit was the result of collaboration between SANDAG and the Southern California Tribal Chairmen’s Association (SCTCA). The purpose was to bring together elected leaders from the 19 local governments who make up the SANDAG Board of Directors and the 18 federally recognized tribal governments in the San Diego region to discuss policy issues of mutual interest related to transportation and regional planning. The goal was to identify priority actions that could be addressed through continued collaboration and coordination. In particular, with SANDAG work underway on San Diego Forward: The Regional Plan, the Tribal Summit provided a timely opportunity for tribal input regarding transportation and regional planning issues.

Discussion

As sovereign nations within the boundaries of the San Diego region, it is important that the region’s tribes be engaged in the shaping of San Diego Forward: The Regional Plan. SANDAG and the SCTCA have been collaborating on the implementation of the tribal consultation plan, which was approved by the SANDAG Board of Directors in January 2013. The Tribal Summit was a key milestone in that process.

Potential strategies for collaboration and inclusion in San Diego Forward were identified in the discussion paper prepared for the Tribal Summit. Elected leaders discussed these strategies and others at the Summit. The discussion is documented in the Tribal Summit Proceedings (Attachment 1). Based upon the discussion, a list of strategies for collaboration and inclusion in San Diego Forward has been developed and included in Attachment 2.

Recommendation

The Borders Committee is asked to recommend that the SANDAG Board of Directors accept the 2014 San Diego Regional Tribal Summit Proceedings (Attachment 1) and Tribal Summit – Next Steps (Attachment 2) for consideration in San Diego Forward: The Regional Plan.

CHARLES “MUGGS” STOLL
Director of Land Use and Transportation Planning

Attachments: 1. 2014 San Diego Regional Tribal Summit Proceedings
              2. Tribal Summit - Next Steps

Key Staff Contact: Jane Clough, (619) 699-1909, jane.clough@sandag.org
Proceedings

April 11, 2014
Introduction

On April 11, the 2014 San Diego Regional Tribal Summit was hosted by the Barona Band of Mission Indians. The summit was the result of collaboration between the San Diego Association of Governments (SANDAG) and the Southern California Tribal Chairmen’s Association (SCTCA). The purpose was to bring together elected leaders from the 19 local governments who make up the SANDAG Board of Directors and the 18 federally recognized tribal governments in the San Diego region to discuss policy issues of mutual interest related to transportation and regional planning. The goal was to identify priority actions that could be addressed through continued collaboration and coordination. In particular, with SANDAG work underway on San Diego Forward: The Regional Plan, the Tribal Summit provided a timely opportunity for tribal input regarding transportation and regional planning issues.

PROCEEDINGS

These proceedings have been prepared as a supplement to the April 11, 2014, Meeting Minutes that were approved by the SANDAG Board of Directors on May 23, 2014 (Attachment 1). The purpose of the proceedings is to inform the development of San Diego Forward and to identify opportunities for continued SANDAG and SCTCA collaboration. Presentations and information presented have been summarized for the purpose of identifying key points and issues raised.

Networking Among Elected Officials

Members of the SCTCA, the SANDAG Board of Directors, and other guests participated in an informal networking forum.

This was an opportunity for local and tribal elected officials to meet in an informal setting prior to the business discussions of the summit.
Welcome and Opening Remarks

Santee Councilmember and SANDAG Board Chairman Jack Dale called the meeting of the 2014 San Diego Regional Tribal Summit to order at 10 a.m. The attendance sheet for the meeting is attached (Attachment 2).

Barona Tribal Elder Albert ‘Boxie’ Phoenix provided the traditional tribal blessing for the meeting, which was followed by a formal welcome from Barona Chairman and SCTCA Board Member Clifford LaChappa.

Chairman Dale and Pala Band of Mission Indians and SCTCA Chairman Robert Smith addressed the Summit participants.

Chairman Dale welcomed the assembly and introduced the program. He provided an overview of the TransNet half cent countywide sales tax program that was first passed by San Diego voters in 1987 to address the transportation needs of the region. Projects such as State Route 52, Interstate 805, as well as rail projects such as the San Diego Trolley, SPRINTER, and COASTER all provide connections between homes and jobs.

He stated the importance of SANDAG as a forum for local jurisdictions to come together to think regionally. He acknowledged that there is never enough funding to do all that is needed and that hard choices have to be made. Chairman Dale also noted that while investments in transportation are being made, it is important to take care of the environment and to address social equity and social justice.

Chairman Dale emphasized that the region needs to speak with one voice to Sacramento and Washington, D.C. to achieve regional goals. He pointed out the opportunity for SANDAG and the SCTCA to work together to bring more resources to the region.

Finally, Chairman Dale remarked that the region is growing and that planning for the future together is important. Growing by nearly one million people, with a projection of 479,000 new jobs and the need for 333,000 new housing units, considerations are being given to how we get around and the environment that we leave in as part of San Diego Forward.
Chairman Smith made his opening remarks. He was pleased to see so many elected officials in attendance – both tribal and non-tribal. He noted that he was the first tribal representative to sit on the SANDAG Board and that much progress has been made in the relationship between tribal nations and SANDAG. There has been much work between the tribes and SANDAG on transportation issues. He looked forward to the discussion and a positive exchange at the Summit.

**Sovereignty and Tribal Nations in the San Diego Region**

Viejas Tribal Chairman Anthony Pico briefed the assembly regarding the background of tribal sovereignty and on the tribal nations in the San Diego region.

In his remarks he noted the importance of the Summit as an innovative effort between the region’s local governments and tribal nations to collaborate on planning issues of common concern. He commented, “I applaud SANDAG for opening its doors to us, and tribes for walking through that opened door.”

He set the context for why understanding tribal sovereignty is critical to establishing government to government dialogue on planning issues. He noted that the Constitution names three types of government: federal, state, and tribal. Tribes are not subdivisions of states, but rather sovereign domestic nations with the right to self-determination. Tribal nations are subject only to federal law. He shared with the Summit participants the history of key federal policies through the years that have shaped the nature of the struggle of Native Americans for asserting their sovereign right to control their land, people, and culture.

The history of that struggle for Native Americans in California was particularly brutal. He noted, “Unfortunately, when California became a state in 1850, treatment of Indians went from imprisonment, abuse, slavery, and death from disease and poverty, to extermination.” Conflicts over land have always been an issue for California tribes as the treaties agreed upon with the federal agents before California became a state were never ratified and tribal reservations only were established twenty years later through Executive Order under President Ulysses S. Grant. Although they finally attained a portion of their land that was originally promised to them, it was not the coastal nor agricultural land that would be suitable for economic activities. Tribal nations in the San Diego region struggled to support their people through the years as other Native Americans throughout the United States.
Chairman Pico noted that with the Indian Self Determination Act of the 1970’s under President Nixon and its reassertion with every succeeding President, tribal nations progressively began to assert their inherent rights and build their communities again. “We have the primary responsibility for nurturing employment and economic opportunities, as well as social well-being and maintenance of the environment and infrastructures on reservations,” he added, but without a source of funding it was difficult to fulfill those responsibilities. With the advent of gaming, the landscape of opportunities for tribal nations changed. The Supreme Court case against Cabazon was a ‘game changer’ as it established that the federal Indian Self-Determination Act, which holds that a tribal nation has the right to pursue economic opportunities for its people, such as gaming, trumps a state law against it.

Gaming as a viable economic enterprise, also threw Indian communities, previously struggling just to survive, into a ‘fast track exercise in modern governance.’ Chairman Pico explained, “We have participatory democracies, since our government lands are held in common. Our citizens have the final say about the use of tribal land. They also have an investment and share in the profits arising from commercial use of these lands. Instead of political parties, our political divisions and diversity come from family politics. We have dual citizenships - Indian and United States.”

He added, “Indians do not want others to provide for our future and people. We want to speak for ourselves. We do not wish to be dependent. We like controlling our destiny and standing on our own two feet,” Chairman Pico stated, “Yet we wish to be recognized and included. We want to be friends with our neighbors and cooperate with local governments. We want to contribute to problem solving on issues that go beyond our reservations. But, only if this doesn’t compromise our sovereignty.”

Chairman Pico concluded, “The question before this group is how to develop regional planning that respects tribal interests and governments. Today is a brilliant start. I am excited, because we are pursuing a different paradigm than our ancestors. Together, we are searching for a better and wiser way for the people of San Diego to face the future. That better way is through cooperation and respect between Indian and non-Indian neighbors. Today, we are proving that local and tribal governments can achieve mutually beneficial goals through collective action. And, this is something new under the sun.”*

* For the full transcript of Chairman Pico’s presentation contact the Viejas Tribal Office at (619) 659-2323.
San Diego Forward: The Regional Plan – Video

Imperial Beach Mayor and SANDAG First Vice Chair Jim Janney introduced a video which provided an overview of the SANDAG current planning effort, San Diego Forward.

The plan will combine a big-picture vision for how the region will grow over the next 35 years, with an implementation program to help make the vision a reality. Working in close partnership with the 19 local governments, SANDAG will seek to create an innovative plan for the growing community that fuels the economy, protects the environment, and maintains the region’s quality of life.

Review of Policy Areas for Discussion

As part of the tribal consultation process for San Diego Forward, the SCTCA and SANDAG conducted a survey of tribal nations to determine what areas within San Diego Forward were of interest to the tribes.

Solana Beach Deputy Mayor and SANDAG Regional Planning Committee (RPC) Chair Lesa Heebner introduced the item.

La Jolla Band of the Luiseño Indians Tribal Chair and SCTCA Board Member LaVonne Peck briefed the assembly on the topic areas to set the context for dialogue. The areas identified were cultural resources, economic development, energy, and environmental conservation. Both reiterated that real tribal consultation is more than ‘checking a box.’

Cultural Resources

Chair Peck noted that cultural resources are very important to tribes. Because many California tribes were moved away from their traditional lands, lands of cultural significance are often not within the boundaries of reservations. This can cause conflict between tribes and developers and/or land use authorities who propose development on land that the tribe does not control, but has cultural or religious significance to them. Often, local governments and developers are not aware of the laws pertaining to tribal consultation.

With regard to the SANDAG role as a developer of regional transportation projects, RPC Chair Heebner stated that the agency follows laws that call for the protection of cultural resources and in many cases will have a tribal monitor on hand during construction in areas where there are possible or known cultural resources.
Economic Development

Moving to economic development, RPC Chair Heebner explained that SANDAG prepares a regional economic prosperity strategy which identifies demographic and economic challenges facing the San Diego region, and suggests a strategy to meet these challenges through collaboration.

She added that SANDAG, also a developer of the regional transportation network, contributes to job creation and facilitates the movement of people and goods to support economic growth and development.

“Economic development is a complex topic for tribes,” noted Chair Peck, but one that was raised as something to think about. There are eight tribes in the San Diego region with active gaming facilities, but many tribes are looking to diversify. And non-gaming tribes are looking for other economic opportunities.

Energy

She continued, one of the ways that tribes are diversifying is actually the next topic on our list of policy issues, the area of energy. Tribes in the San Diego region are at various stages of energy development. Some have projects that are already completed, such as Campo and Rincon, others have projects in the construction stage, some are in the planning stages, and others are investigating options. Plans locally range from solar to wind to alternative fuel production.

While some tribes seek energy production as an enterprise, others seek energy independence. As mentioned in the discussion paper, the 2005 Renewable Energy Act had an “Energy Self-Determination Act.” It gives tribes the ability to establish Tribal Energy Resource Agreements (TERA). Under TERA, a tribe may enter into leases and business agreements for the purpose of energy resource development on tribal land. So energy is a policy area we might examine to find ways that we can work together more closely as a region. Working with SANDAG, tribes can bring more federal funds to the region for energy.

RPC Chair Heebner shared that SANDAG regularly prepares a Regional Energy Strategy. It serves as an energy policy guide to support decision-making by SANDAG and its member agencies as the region strives to meet the energy needs of a growing population, an increasing housing stock, and an expanding number of workers. At the same time, we are working to maintain and enhance regional quality of life and economic stability.

The Regional Energy Strategy sets the stage for work SANDAG has done to look at the deployment of electric vehicle readiness and energy roadmaps prepared for member agencies.
**Environmental Conservation**

RPC Chair Heebner noted that SANDAG plays an important role in the region from a planning perspective through regional habitat planning efforts. In addition, the TransNet Environmental Mitigation Program provides funding to mitigate habitat impacts from regional and local transportation projects, and provides funding for regional land management and biological monitoring.

Chair Peck stated that what was raised in the discussion paper is that tribal concerns and values when it comes to the environment are not widely known. While most conservation planning is done from a species and biological perspective, tribal conservation planning comes from a cultural perspective. Certain plants and animals have great cultural significance to tribes in the region, but do not necessarily fit the definition of endangered species. In addition, she noted that tribes have raised the issue that our conservation programs assume that tribal lands are open space.

**Discussion**

Using an interactive tool, the SCTCA and SANDAG Boards reviewed the previously identified policy areas, and with the assistance of a facilitator, determined those of mutual interest for further discussion.

Lewis Michaelson, Facilitator, led the assembly in a word cloud exercise designed to focus the discussion on areas of mutual interest. The areas that appeared as most often selected were economy, energy, transportation, water quality, infrastructure, traffic, environment, cultural resources, education, jobs, sustainability, and prosperity. The assembly discussed the word cloud exercise results and expressed their concerns and priorities.

Participants were asked to click the words most important to them and to suggest words to add. Once all participants had completed their input, the word cloud was processed and the group was shown the following result:
Mr. Michaelson noted that the most prominent words were economy, transportation, water quality, infrastructure, energy, and cultural resources. He asked summit participants to comment.

Rincon Band of the Luiseño Tribal Chairman Bo Mazzetti noted that water quality is important because it causes tension among tribes and other jurisdictions. If we start working together to address this now, we can prevent a collision course in the future.

Escondido Mayor Sam Abed observed that some of the terms are very vague, such as jobs and traffic. He would have liked to see fewer categories, and more explanation to the choices. He was surprised ‘climate change’ and ‘smart growth’ were so small. He felt the terms were too general to have meaningful discussion.

Oceanside Councilmember Jack Feller noted that economic development is important and something that we should be welcoming in our communities. The City of Oceanside would support the tribes if the opportunity is there. He also noted that water storage is important.

San Pasqual Band of Diseño Indians Tribal Chairman Allen Lawson stated that there seems to be consensus that the future of water is important. Where is the water going to come from if we don’t have the Colorado River? He notes that tribes are also concerned about the environment.

County of San Diego Supervisor Dave Roberts suggested an area of collaboration might be clean technology.

RPC Chair Heebner commented on the balanced results in the word cloud and stated the importance of cultural resources.

San Marcos Councilmember Chris Orlando commented that no topics happen in a vacuum, all are interrelated.

San Diego Councilmember Todd Gloria commented that he is struck by balance and that despite the diversity of the region, there are many common issues.

Reservation Transportation Authority Board Member Dave Toler commented on the need to control zoning changes to go up, not out, in order to protect the environment and the region’s back country.

Encinitas Councilmember Teresa Barth stated that “affordable” is not highlighted, but affordability is a big issue in the City of Encinitas.

Oceanside Councilmember Jack Feller stated there public private partnerships may be an opportunity for additional funding.

**Luncheon**

The Summit participants continued informal discussions over lunch. SCTCA and SANDAG elected officials were seated at each table to share their perspective.
Group Discussion: Prioritize Strategic Policy Areas

SCTCA and SANDAG Board members discussed policy areas related to San Diego Forward to include economy, energy, transportation, water quality, infrastructure, traffic, environment, cultural resources, education, jobs, sustainability, and prosperity. The assembly identified collaborative opportunities and discussed possible strategic actions of mutual concern.

Mr. Michaelson facilitated the discussion.

Chairman Lawson stated his concerns about roads in rural areas and commercial businesses along two-lane roads. Tribes need assistance in making those roads better.

RPC Chair Heebner stated that energy is a priority and that there may be opportunities for collaboration on energy issues on a government to government basis.

Chairman Mazzetti stated that tribes can bring a comparative advantage to the table. They can expedite projects because they have fewer regulations than the state and there is interesting opportunity to partner with SANDAG.

Port of San Diego Commissioner Bob Nelson stated that there is an opportunity to reduce greenhouse gas emissions and partner with the Port of San Diego. It is important to stop using coal burning fuels.

Chair Peck noted that energy tax credits are opportunities for tribes. The issue is that people come to tribes to lease land, not to become partners. Tribes want to be partners with SDG&E and do not want to lease the land. She noted that more partnerships need to happen. If tribes and local governments work together, the potential to fast-track projects is enormous.

Mesa Grande Band of Mission Indians Tribal Chairman Mark Romero commented that Mesa Grande is partnering with a company in Minnesota for an energy project in Illinois. There are opportunities to partner with large, energy-producing companies. The Bureau of Land Management provided Mesa Grande 800 acres in 1988, and with their partner, created a solar/wind farm. The problem is will the grid sustain this energy? The closing of San Onofre presents an opportunity for green energy.

First Vice Chair Janney commented on the importance of SANDAG partnering with tribes to leverage federal funding for transportation projects.
SANDAG Executive Director Gary L. Gallegos stated that the federal government is starting reauthorization for the next transportation bill. SANDAG and the SCTCA can work with the congressional and state legislators.

Chairman Mazzetti agreed with Mr. Gallegos and stated that there are high priority projects programs in the new federal transportation bill and there are opportunities for more funding.

La Jolla Band of Luiseño Indians Tribal Secretary Adam Geisler recommended that the SCTCA and SANDAG partner in reviewing the Moving Ahead for Progress in the 21st Century Act (MAP-21) Negotiated Rule Making Process. He noted the importance of reviewing the federal performance measures being developed for transportation projects because there is potential to bring more funding to the region by demonstrating Metropolitan Planning Organizations are working with tribes.

Secretary Geisler added that he is an active member of the State Freight Advisory Committee and that SANDAG and the SCTCA should collaborate with legislators such as Senator Barbara Boxer to identify additional funding for the region. Secretary Geisler also recommended that the Port of San Diego partner with the tribes to meet its energy needs. This requires SANDAG and SCTCA to collaborate with SDG&E.

Chairman Pico stated that cultural and natural resources are very important to tribal governments because they represent who their people were and their appreciation of the past. Chairman Pico recommended that the County of San Diego and any agencies involved in public lands have a tribal cultural resource office. He noted that tribes are notified too late in the process for federal government energy projects such as the energy project in Ocotillo Valley, which was insensitive toward important tribal cultural resources. He added that tribes were blocked from receiving information on the project through the Freedom of Information Act.

La Mesa Vice Mayor Kristine Alessio stated that SANDAG as a Board needs to be conscious of what is being done in the back country on energy. She noted the need to protect the heritage of San Diego, including the animals and people. If the environment and cultural resources are forgotten, we lose San Diego.

Chairman Pico commented that collaboration with local jurisdictions also is important. The tribes need to know about land use and transportation projects early in the process to identify potential cultural resources.

First Vice Chair Janney suggested that the SCTCA create a process for cultural resource review for jurisdictions.

Mr. Gallegos noted that SANDAG and Caltrans follow all guidelines for consultation on transportation projects. He noted that Native American cultural monitors are involved in the construction of transportation projects, such as during the State Route 76 interchange construction.

Chairman Romero agreed with Mr. Gallegos but, commented that there were tribal villages in Balboa Park, Old Town, Imperial Beach, and Coronado, for example, noting that just because the tribes are not located on a site today, does not mean there were not villages in that location in the past.
Mr. Toler stated that cultural resources have been destroyed with early transportation projects, which makes the few remaining even more precious. He gave examples of state and federal government “steam-rolling” tribes in the process of construction projects. This is a concern.

Tribal Elder Phoenix commented that the Kumeyaay lands stretched to the ocean. He noted that his parents would tell stories of big villages located in ‘Shell Town,’ but all these cultural resources were lost. Tribal Elder Phoenix requested that jurisdictions let the tribes know when major construction projects are happening, so the resources can be gathered.

Commissioner Nelson commented that SANDAG and SCTCA, as nonprofits, can bring in private partners who can finance activities and take tax credits to develop projects for the tribes.

Councilmember Barth commented that the City of Encinitas recognizes their beach area is culturally significant. Councilmember Barth asked what entity jurisdictions should contact regarding cultural resources? She also commented that the community would benefit from educational signage regarding tribal cultural resources.

Chairman Lawson suggested that the SCTCA prepare a tribal cultural resources contact list for jurisdictions.

Southern California Tribal Chairmen’s Association Executive Director Denis Turner, thanked the City of Encinitas for allowing SCTCA to have their annual Grunion Run Festival.

Chair Peck commented that there is a lot of misinformation about tribes. She gave an example of a conversation at lunch where an official thought tribes do not pay taxes. Chairwoman Peck suggested SCTCA hold forums on taxation, land, cultural resources, and other issues so locals can understand the basics on tribes. She also suggested presentations at local city councils.

La Jolla Band of Luiseño Indians Tribal Secretary Adam Geisler suggested emergency management be considered an opportunity for collaboration. The Intertribal Long Term-Recovery Foundation has been working with the County Office of Emergency Services and others on training and improved coordination.

Lemon Grove Mayor Mary Sessom commented that it seems the Public Safety Committee is underutilized and could be helpful for tribal coordination.

Chairman Romero announced that the Intertribal Long-Term Recovery Foundation would be holding its annual gala on May 2, 2014.
Next Steps and Closing Remarks

Chairman Dale noted in his closing remarks that, “there is much work to be done, but we leave today with a better understanding of how we can achieve our mutual goals.”

He added that there is so much potential for collaborating in different areas in which none of us has sufficient resources to carry out all that we want to do, but by cooperative planning we can grow that pie and tackle some critical issues.

He noted the following as areas of action:

Transportation
- Collaborate on legislation/MAP-21 rulemaking
- Work together on the California Freight Plan
- Identify transportation projects of concern to tribes

Energy
- Collaborate to improve energy diversity in the region

Cultural Resources
- Work together to create a process that protects cultural resources without further burdening the tribes

Advocate/lobby together in Sacramento and Washington, D.C. for projects of mutual interest in the region.

Explore ways in which to strengthen collaboration in emergency management and public safety.

The SCTCA can play a role in educating the jurisdictions on tribal issues and understanding sovereignty as it relates to land use and regional planning.

The information shared today can be integrated into key SANDAG initiatives, including San Diego Forward, and as well as other initiatives.

Chairman Dale thanked Chairman LaChappa and the Barona Tribal Council for hosting this important event. He also thanked the Boards of SANDAG and the SCTCA for taking the time out of their busy schedules to reflect on these issues and to help us to identify areas in which we can work together to make this region an even better place.

In his closing remarks, Chairman Smith noted that the discussion was very constructive. He stated, “Today we had a unique opportunity as elected leaders in our communities to come together and discuss our issues and concerns as well as to develop a collaborative action plan that can guide us through the next several years.”

He thanked Chairman LaChappa for Barona’s hospitality in hosting the Summit and wished the participants a safe journey home.

Adjournment

SANDAG Chairman Dale adjourned the meeting at 2:03 p.m.
BOARD OF DIRECTORS DISCUSSION AND ACTIONS

APRIL 11, 2014

Chairman Jack Dale (Santee) called the meeting of the SANDAG Board of Directors/Tribal Summit to order at 10 a.m. The attendance sheet for the meeting is attached.

1. NETWORKING AMONG ELECTED OFFICIALS

Members of the Southern California Tribal Chairmen’s Association (SCTCA) and the SANDAG Board of Directors participated in an informal networking forum.

2. WELCOME AND OPENING REMARKS (INFORMATION)

Tribal Elder “Boxie” Phoenix led the assembly in a blessing.

Chairman Clifford LaChappa, Barona Band of Mission Indians, welcomed the assembly to the Barona Resort and the Tribal Summit.

Chairman Dale welcomed the assembly and introduced the program.

Chairman Robert Smith, Pala Band of Mission Indians (SCTCA), welcomed the assembly.

Action: This item was presented for information.

3. SOVEREIGNTY AND TRIBAL NATIONS IN THE SAN DIEGO REGION (INFORMATION)

The United States Constitution and treaties recognize Native American communities as sovereign nations within the territorial boundaries of the United States. In the San Diego region, there are 17 federally recognized tribal governments, with jurisdiction over 18 reservations - the most in any county in the United States.

Chairman Anthony Pico, Viejas Band of the Kumeyaay Nation (SCTCA), briefed the assembly regarding the background of tribal sovereignty and on the tribal nations in the San Diego region.

Action: This item was presented for information.

4. SAN DIEGO FORWARD: THE REGIONAL PLAN – VIDEO (INFORMATION)

San Diego Forward: The Regional Plan will combine a big-picture vision for how our region will grow over the next 35 years, with an implementation program to help make that vision a reality. Working in close partnership with the region’s 18 cities and the county government, SANDAG will seek to create an innovative plan for our growing community that fuels our economy, protects our environment, and maintains our quality of life. A video introduction to San Diego Forward: The Regional Plan was shared.

First Vice Chair Jim Janney (Imperial Beach) introduced the item.

Action: This item was presented for information.
5. REVIEW OF POLICY AREAS FOR DISCUSSION (DISCUSSION)

A. Policy Areas Identified by Tribes
As part of the tribal consultation process for San Diego Forward: The Regional Plan, the SCTCA and SANDAG conducted a survey of tribal nations to determine what areas within San Diego Forward: The Regional Plan were of interest to the tribes.

Deputy Mayor Lesa Heebner (Solana Beach), SANDAG Regional Planning Committee Chair, introduced the item.

Chairwoman LaVonne Peck, La Jolla Band of the Luiseño Indians (SCTCA), briefed the assembly on the topic areas to set the context for dialogue. The areas identified were cultural resources, economic development, energy, and environmental conservation.

B. Group Discussion on Policy Areas of Mutual Interest
Using an interactive tool, the SCTCA and SANDAG Boards reviewed the previously identified policy areas, and with the assistance of a facilitator, determined those of mutual interest for further discussion.

Lewis Michaelson, Facilitator, led the assembly in a word cloud exercise designed to focus the discussion on areas of mutual interest. The areas that appeared as most often selected were economy, energy, transportation, water quality, infrastructure, traffic, environment, cultural resources, education, jobs, sustainability, and prosperity. The assembly discussed the word cloud exercise results and expressed their concerns and priorities.

Action: This item was presented for discussion.

6. LUNCH

7. GROUP DISCUSSION: PRIORITIZE STRATEGIC POLICY AREAS (INFORMATION)

SCTCA and SANDAG Board members discussed policy areas related to San Diego Forward: The Regional Plan to include economy, energy, transportation, water quality, infrastructure, traffic, environment, cultural resources, education, jobs, sustainability, and prosperity. The assembly identified collaborative opportunities and prioritized strategic actions of mutual concern.

Mr. Michaelson led the discussion.

Action: This item was presented for discussion.

8. PUBLIC COMMENTS/COMMUNICATIONS

Kevin Swanson, a member of the public, spoke regarding the upcoming San Diego 2015 celebration.

9. NEXT STEPS AND CLOSING REMARKS

Chairman Smith and Chairman Dale provided closing remarks.

The next SANDAG Board Business meeting is scheduled for Friday, April 25, 2014, at 9 a.m.

10. ADJOURNMENT

Chairman Dale adjourned the meeting at 2:03 p.m.
# ATTENDANCE
## 2014 SAN DIEGO REGIONAL TRIBAL SUMMIT
### APRIL 11, 2014

**Elected Officials: SCTCA Board Members/SANDAG Board Members – Participants**

## Tribal Government Representatives

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<th>First Name</th>
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<tr>
<td>Hon. Robert H.</td>
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<td>Pala Band of Mission Indians, <strong>SCTCA Chair</strong></td>
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<tr>
<td>Hon. Clifford</td>
<td>LaChappa</td>
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<td>‘Boxie’</td>
<td>Phoenix</td>
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<td>Pinto, Sr.</td>
<td>Ewiiaapaayp Band of the Kumeyaay Indians</td>
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<tr>
<td>Hon. Ray</td>
<td>Hunter</td>
<td>Jamul Indian Village</td>
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<tr>
<td>Hon. La Vonne</td>
<td>Peck</td>
<td>La Jolla Band of Luiseño Indians</td>
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<tr>
<td>Hon. Eric</td>
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<td>Hon. Mark</td>
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<tr>
<td>Hon. Virgil</td>
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<tr>
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<td>Brush</td>
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<td>Hon. Bo</td>
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<tr>
<td>Hon. Allen E.</td>
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<tr>
<td>Hon. Ricci</td>
<td>LaBrake</td>
<td>Sycuan Band of the Kumeyaay Nation</td>
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<tr>
<td>Hon. Anthony</td>
<td>Pico</td>
<td>Viejas Band of the Kumeyaay Nation</td>
<td>Chair</td>
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<td>Denis</td>
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<tr>
<td>Hon. Dave</td>
<td>Toler</td>
<td>Reservation Transportation Authority</td>
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## SANDAG Board Members

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<tr>
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<td>Hon. Jack</td>
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<td>Hon. Cheryl</td>
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<td>Hon. Jack</td>
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<td>Gloria</td>
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<tr>
<td>Hon. Chris</td>
<td>Orlando</td>
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1. **SCTCA Advisory Member on SANDAG Board of Directors**
### SANDAG Board Members

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Organization</th>
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<tbody>
<tr>
<td>Hon. John Minto</td>
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<tr>
<td>Hon. Lesa Heebner</td>
<td></td>
<td>SANDAG City of Solana Beach</td>
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<tr>
<td>Hon. Judy Ritter</td>
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<td>SANDAG City of Vista</td>
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<tr>
<td>Hon. Dianne Jacob</td>
<td></td>
<td>SANDAG County of San Diego</td>
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<tr>
<td>Hon. Ron Roberts</td>
<td></td>
<td>SANDAG County of San Diego</td>
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<tr>
<td>Hon. Dave Roberts</td>
<td></td>
<td>SANDAG (Regional Planning Committee) County of San Diego</td>
</tr>
<tr>
<td>Mr. Gary Gallegos</td>
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<td>SANDAG, Executive Director</td>
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### SANDAG Board Advisory Members

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<tr>
<td>Hon. Laurie Berman</td>
<td></td>
<td>SANDAG CALTRANS</td>
</tr>
<tr>
<td>Kim Peacher</td>
<td></td>
<td>SANDAG Dept. of Defense</td>
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<tr>
<td>Hon. Bill Horn</td>
<td></td>
<td>SANDAG NCTD</td>
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<tr>
<td>Hon. David Barnum</td>
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<td>SANDAG SD City Water Authority</td>
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<tr>
<td>Ron Powell</td>
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<td>SANDAG Port of San Diego</td>
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<tr>
<td>Remedios Gomez-Arnau</td>
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<td>SANDAG Republic of Mexico</td>
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### Other Agencies/Jurisdictions

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<tr>
<td>Martha Leticia</td>
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<td>Sandra Flores Bernal</td>
<td></td>
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<tr>
<td>Maria del Refugio</td>
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<tr>
<td>Jose Miguel Ramirez Bilbao</td>
<td></td>
<td>SANDAG City of Tijuana</td>
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1 Chairman Allen Lawson, San Pasqual; Chairman Robert Smith, Pala, are advisory members to the SANDAG Board of Directors, representing the SCTCA.
San Diego Forward: The Regional Plan, led by the San Diego Association of Governments (SANDAG), is a planning effort that will combine an overall vision for the region’s future with an implementation program to make that vision a reality. As sovereign nations within the boundaries of San Diego County, it is important that the region’s tribes engage in shaping the plan. Since January 2013, SANDAG and the Southern California Tribal Chairmen’s Association (SCTCA) have been implementing a tribal consultation process. The 2014 San Diego Regional Tribal Summit brought together the boards of the SCTCA and SANDAG to discuss issues of interest, identify collaborative opportunities, and set forth strategies for inclusion in San Diego Forward.

Based on the dialogue held at the Summit, suggested next steps include:

<table>
<thead>
<tr>
<th>Strategic Area</th>
<th>Objective</th>
<th>Lead Agency/ies</th>
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<tr>
<td>Transportation</td>
<td>Identify critical regional arterials serving tribal nations which should be included in the Regional Transportation Plan (RTP)</td>
<td>Tribal Working Group/SANDAG</td>
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<td></td>
<td>Coordinate the incorporation of existing Tribal Transportation Plans in San Diego Forward</td>
<td>Tribes/Tribal Working Group</td>
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<td></td>
<td>Collaborate on comments for the Negotiated Rule Making for MAP 21</td>
<td>SCTCA/Working Group with support from SANDAG</td>
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<tr>
<td></td>
<td>Create opportunities for pooling/leveraging transportation funding for mutually beneficial projects</td>
<td>Working Group/SANDAG/SCTCA</td>
</tr>
<tr>
<td>Habitat</td>
<td>Support the protection of habitat from a cultural perspective as well as environmental perspective</td>
<td>SCTCA/SANDAG/local jurisdictions</td>
</tr>
<tr>
<td>Conservation</td>
<td>Collaborate to secure funding needed for tribes to participate in the environmental consultation process</td>
<td>SCTCA/SANDAG</td>
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<td></td>
<td>Explore opportunities to engage tribal nations in regional habitat conservation efforts.</td>
<td>SANDAG/SCTCA</td>
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<tr>
<td></td>
<td>Create a regional forum to bring tribes, local jurisdictions, resource agencies, environmental stakeholders together for better collaboration and coordination</td>
<td>SCTCA/SANDAG</td>
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<tr>
<td>Energy</td>
<td>Explore opportunities to collaborate on regional energy planning</td>
<td>SANDAG/SCTCA</td>
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<td></td>
<td>Explore opportunities to engage tribal nations in regional energy planning coordination</td>
<td>SANDAG/SCTCA</td>
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<tr>
<td>Cultural</td>
<td>Explore potential to collaborate on a way to provide information regarding the location of culturally significant resources without compromising the preservation of the resource</td>
<td>SCTCA/local jurisdictions</td>
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<td>Resources</td>
<td>Explore ways to collaborate in communicating information regarding legal requirements of tribal consultation (Senate Bill 18)</td>
<td>SCTCA/local jurisdictions/SANDAG</td>
</tr>
<tr>
<td>Other</td>
<td>Explore opportunities to collaborate on legislation and projects of mutual interest</td>
<td>SCTCA/SANDAG</td>
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SAN DIEGO-TIJUANA REGION EMERGENCY PREPAREDNESS AND RESPONSE

Introduction

Earthquakes, floods, mudslides, tornados, hurricanes, wildfires, and hazardous materials spills or releases, which are often secondary effects of natural disasters, all pose a significant risk to the millions of people living in the U.S.-Mexico border region, as well as the ecosystems and wildlife. These natural disasters and emergencies do not respect administrative boundaries, and therefore response efforts must often be coordinated across the border. On a government-to-government level, some institutional frameworks are in place to coordinate U.S.-Mexico binational response to natural disasters on a national level, but residents of the border region often rely on more informal practices to organize binational cooperation in the absence of comprehensive formal agreements. While large-scale response efforts are dependent on the actions and resources of the respective federal governments, preparedness and localized response often needs to be managed on a smaller, regional level, especially when fast and effective real-time response is needed.

Recognizing the importance of coordinated natural disaster and emergency preparedness, the 2013 SANDAG Binational Seminar Recommendations included the following recommendation supporting binational planning efforts in this area: “Identify and support responsible agencies’ existing collaboration efforts for binational emergency and natural disaster response and preparedness, and encourage the development of additional joint binational action planning, where needed.” This recommendation was approved by the Board of Directors on December 20, 2013.

The attached report (Attachment 1) provides a chronological list of existing federal and selected regional binational collaboration mechanisms in the field of emergency and natural disaster preparedness and response. This report is a brief synopsis and is intended to serve as a quick reference if needed for future points of discussion. Detailed information can be accessed through project lead agencies identified in this report. Michael Vizzier, Chief of the Hazardous Materials Division for the County of San Diego Department of Environment Health, will present this report.
Next Steps

Periodic updates on the implementation of this 2013 Binational Seminar recommendation will be provided as needed.

CHARLES “MUGGS” STOLL
Director of Land Use and Transportation Planning

Attachment: 1. Chronological List of Existing Binational Natural Disaster and Emergency Preparedness Mechanisms and a Selection of Response Collaboration Efforts

Key Staff Contact: Tayah Wheeland, (619) 699-1922, tayah.wheeland@sandag.org
CHRONOLOGICAL LIST OF EXISTING BINATIONAL NATURAL DISASTER AND EMERGENCY PREPAREDNESS MECHANISMS AND A SELECTION OF RESPONSE COLLABORATION EFFORTS

This report provides a chronological list of existing federal and selected regional binational collaboration mechanisms in the field of emergency and natural disaster preparedness and response. This report is a brief synopsis and is intended to serve as a quick reference if needed for future points of discussion. Detailed information can be accessed through project lead agencies identified in this report.

International Boundary and Water Commission (IBWC) and Comisión Internacional de Límites y Aguas (CILA) ................................................................. 4
U.S.- Mexico Consultative Committee on Natural Disasters ................................................................. 4
United States - Mexico Joint Contingency Plan Regarding Pollution of the Marine Environment due to Oil and Other Toxic Substances Spills (Marine Plan) ................................................................. 5
Agreement between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area (La Paz Agreement) .... 6
United States- Mexico Joint Contingencies and Emergencies Plan for Preparedness and Response to Events Associated with Chemical Hazardous Substances in the Inland Border Area (Inland Border Plan) .................................................................................................................................................... 6
Border Liaison Mechanism (BLM) ....................................................................................................... 8
Border Environment Cooperation Commission (BECC) or Comisión de Cooperación Ecológica Fronteriza (COCEF)................................................................................................................................. 9
The Border Agency Fire Council (BAFC) ............................................................................................ 9
Wildfire Protection Agreement between the Department of the Interior and the Department of Agriculture of the United States of America and the Secretariat of Environment, Natural Resources, and Fisheries of the United Mexican States for the Common Border (Wildfire Protection Agreement) .................................................................................................................................................... 10
Binational Integral Flood Alert System in the Tijuana River Basin...................................................... 11
Memorandum of Understanding between the Department of Defense United States Northern Command Interagency Directorate and the United States Environmental Protection Agency Office of Solid Waste and Emergency Management for Building Partnership Capacity and Overseas Humanitarian Disaster Assistance, and Civic Aid Projects with Mexico (MOU).................................................. 11
Border 2020: U.S.- Mexico Environmental Program (Border 2020) ..................................................... 12
Sister City Cross-Border Joint Contingency Plans (Sister City Plans) .................................................. 13
Binational HAZMAT Exercises and Equipment Transfers.................................................................... 14
International Boundary and Water Commission (IBWC) and Comisión Internacional de Límites y Aguas (CILA)

History: The International Boundary and Water Commission (IBWC) was established in 1889 by an agreement of the United States and Mexico to address boundary and water issues along the U.S.-Mexico border as established by the 1848 Treaty of Hidalgo. The IBWC is an international body composed of a section in the U.S. (called the International Boundary and Water Commission or IBWC), and a section in Mexico (called Comisión Internacional de Límites y Aguas or CILA in Spanish.) The IBWC has emerged in its modern form from The Treaty of 1944 for “Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande.”

Mission: The IBWC’s overall aim is “to preserve the international boundary and improve the quality, conservation, and utilization of transboundary water resources in the border region.”

Objectives/Scope of Work: The IBWC is responsible for implementing the provisions of treaties covering boundary and water matters, including: preservation of the international boundary; distribution of waters of the boundary rivers between the two countries; control of floods on the boundary rivers; regulation of boundary rivers through joint storage works to enable division and utilization of the waters by the two countries; improvement of the water quality of boundary rivers; resolution of border sanitation problems; and use of international waters of the Rio Grande to jointly develop hydroelectric power. In terms of natural disaster and emergency preparedness and response, the IBWC and CILA are not only responsible for coordinating response action for any instance of chemical hazardous substance spills in international waters, they also collaborate to play a major role in flood control in the U.S.-Mexico border region.

Organization and Coordination: The IBWC is a binational organization, consisting of a Mexican section under the guidance of the Mexican Ministry of Foreign Affairs (Secretaría de Relaciones Exteriores or SRE in Spanish) in coordination with the National Water Commission (Comisión Nacional del Agua or CONAGUA in Spanish), and a U.S. section under the direction of the Department of State (DOS). In the case of a spill or release of chemical hazardous substances into international rivers and waters along the Inland Border Area, the U.S. Environmental Protection Agency (EPA) Regional Offices and/or the Office of the Under Attorney of Industrial Inspection of the Federal Attorney General for Environmental Protection (Procuraduría Federal de Protección al Ambiente or PROFEPA in Spanish) and the General Coordinator for Civil Protection (Coordinador General de Protección Civil or CGPC in Spanish), must notify the IBWC corresponding sections. Mexican and U.S. Commissioners to the IBWC are then responsible for responding to the event. The Commissioners are to inform the co-chairs of the Inland Border Plan Joint Response Team (JRT) and the tribal, state, and local authorities in their respective countries of such events. If an incident exceeds the response capacity of the IBWC, the Commissioners have the responsibility to contact the Mexican National Communications Center (Centro Nacional de Comunicaciones or CENACOM in Spanish) and the U.S. National Response Center (NRC), in order to assure that the response actions are carried out. The IBWC would also seek assistance from the EPA and PROFEPA and CGPC to assure that responsible action is taken.

U.S. - Mexico Consultative Committee on Natural Disasters

History: In 1980, Mexico and the United States signed the U.S. - Mexico Agreement on Cooperation during Natural Disasters to establish the U.S. - Mexico Consultative Committee on Natural Disasters.
Mission: The mission of the U.S. - Mexico Consultative Committee on Natural Disasters is to foster cooperative information sharing and planning in the border region for natural disaster preparedness.

Objectives and Scope of Work: The mandate of the Committee includes exchanging information and personnel, conducting risk assessments, training, and studying damage assessment techniques and the role of communications in early planning. The agreement also calls for each country to facilitate prompt entry and exit of personnel and equipment from its territory.

Organization and Collaboration: Membership of the U.S. - Mexico Consultative Committee on Natural Disasters includes the U.S. Federal Emergency Management Administration (FEMA), the U.S. State Department, the Southwest Border Regional Commission, and Mexico’s Ministries of Foreign Affairs, the Interior, National Defense, Navy, Treasury and Public Credit, Communications and Transportation, Human Settlements and Public Works. The agreement stipulates that the members are to meet at least annually and has the ability to create joint working groups with the participation of the federal, state, and local governments and the private sector. However, implementation of the agreement has been limited, and therefore does not enable sufficient binational response efforts.

United States - Mexico Joint Contingency Plan Regarding Pollution of the Marine Environment due to Oil and Other Toxic Substances Spills (Marine Plan)

History: In July, 1980, the Mexican and U.S. governments signed the Agreement of Cooperation between the United States of America and the United Mexican States Regarding Pollution of the Marine Environment by Discharges of Hydrocarbons and Other Hazardous Substances (hereafter referred to as “Agreement”), which went into force in March, 1981. Based on this Agreement, the Mexico - United States Joint Contingency Plan Regarding Pollution of the Marine Environment due to Oil and Other Toxic Substances Spills (Marine Plan) was implemented. The Marine Plan covers chemical hazardous substances contingencies or emergencies that affect the marine environment or coastal waters. According to the Agreement, the marine environment of each of the parties is defined as “the area of the sea, including the adjoining shoreline within 200 nautical miles of the baselines from which the breadth of its territorial sea is measured.”

Mission: In recognition that pollution of the marine environment by hydrocarbons or other hazardous substances may cause damage to the ecology of the sea and the cause a threat to public health and welfare, the mission of the Marine Plan is to preserve the marine environment and conserve the living organisms which inhabit it. The Marine Plan is to be implemented in coordination with the Inland Border Plan, in the event both plans are activated for the same contingency or emergency.

Objectives/Scope of Work: The objectives of the Marine Plan are to develop measures to prevent and detect polluting incidents, to ensure an adequate response in each case and to minimize the adverse effects to the marine environment and public health.

Organization and Coordination: In the United States, the Marine Plan is coordinated by the Coast Guard and the National Response Team, and in Mexico, it is coordinated by the Ministry of the Navy. Additional government agencies from both countries serve as auxiliary agencies, depending on the nature of the incident. Both countries’ coordinating agencies designate authorities to constitute a Joint Response Team (JRT) with Mexican and U.S. co-chairs, and also On-Scene Coordinators (OSCs). The OSCs are responsible for coordinating detection and response
operations, determining potential impacts on human health and welfare and natural resources, informing the JRT of every aspect of the incident and recommending a joint response plan to the Chairman of the JRT. The JRT is set up to meet to develop procedures for anticipated coordinated response and to meet in case of emergency incidents. In order to propose initiation of a joint response, both JRT Chairmen must submit a formal recommendation to the U.S. Department of State and SRE in Mexico. Other functions of the JRT include advising the OSCs regarding available response resources and evaluating measures taken by the OSC and recommending improvements or necessary actions.

**Agreement between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area (La Paz Agreement)**

**History:** The Agreement Between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area (the La Paz Agreement), was signed in La Paz, Baja California Sur in August, 1983. The La Paz Agreement provided a formal foundation for cooperative environmental efforts in the border region, and specifically defined that geographical region as the area lying 100 kilometers to the north and south of the U.S. - Mexico boundary, which was later extended to 300 kilometers south of the border in Mexico. Annex II to the La Paz Agreement stipulated mechanisms to address pollution of the environment along the inland international boundary by discharges of hazardous substances.

**Mission:** The mission of the La Paz Agreement is to preserve the environment along the U.S. - Mexico joint inland international boundary.

**Objectives/Scope of Work:** The La Paz Agreement seeks to establish a basis for cooperation between the United States and Mexico for the protection, improvement and conservation of the environment, and to provide a framework for developing a notification system for emergency situations. Annex II of the La Paz Agreement created a JRT whose major responsibility was to author a joint contingency plan to address emergencies, which is outlined in more detail in the “Inland Border Plan” section below.

**Organization and Coordination:** The JRT established by the La Paz Agreement is the policy and decision-making body with overall responsibility for the maintenance and effective implementation of the JCP for both the United States and Mexico and is composed of representatives of appropriate agencies from both countries to coordinate responses to chemical hazardous substances contingencies or emergencies (more details can be found in the “Inland Border Plan” section, which follows).

**United States- Mexico Joint Contingencies and Emergencies Plan for Preparedness and Response to Events Associated with Chemical Hazardous Substances in the Inland Border Area (Inland Border Plan)**

**History:** In January, 1988, Mexico and the United States signed the Mexico - United States Joint Contingencies and Emergencies Plan for Preparedness and Response to Events Associated with Chemical Hazardous Substances in the Inland Border Area (hereafter referred to as “the Inland Border Plan” or “The Plan”). The Inland Border Plan is the collaborative binational plan the two countries have in place for dealing with emergency response related to releases, spills, fires, or...
explosions of hazardous substances or pollutants, including oil and natural gas. The Plan was most recently updated in 2009.

**Mission:** The mission of the Inland Border Plan is based on the principles of Annex II of the 1983 La Paz Agreement: To protect the health, human safety and the environment, and provide joint and coordinated responses to significant chemical hazardous substances contingencies or emergencies that affect the Inland Border Area between Mexico and the United States, which is defined as the area situated 100 kilometers on either side of the inland international boundary.

**Objectives/Scope of Work:** The Inland Border Plan is a mechanism to provide response to a chemical hazardous substances emergency that may present a significant threat for both countries, or that affects one of them in such a way that justifies the notification of the other country or request for assistance. Assistance includes the following: Facilitation of the entrance of officials from one country to the other; the provision of assistance at the request or after receiving the prior consent of the other country; the coordination of federal efforts, activities, and resources of both countries; and/or the exchange of information between the Participants.

**Organization and Coordination:** The Inland Border Plan is implemented under the U.S. Environmental Protection Agency (EPA)’s Border 2020 U.S. - Mexico Environmental Program (Border 2020). The United States and Mexico serve as co-chairs for the Plan. Mexico has two co-chairs: one from the Secretariat of Environment and Natural Resources (*Secretaría del Medio Ambiente y Recursos Naturales* or SEMARNAT in Spanish) through PROFEPA and the General Coordinator for Civil Protection (*Coordinador General de Protección Civil* or CGPC in Spanish) within the Secretariat of the Interior (*Secretaría de Gobernación* or SEGOB in Spanish). The Office of Emergency Management (OEM) within the Office of Solid Waste and Emergency Response of the EPA is the coordinating authority for the United States. The role of the co-chairs includes: Developing and maintaining the necessary communication systems that allow for effective communication; keeping their respective National Coordinators, which are authorities designated by the La Paz Agreement, informed of all key activities and emergency activations conducted under the Inland Border Plan; securing the involvement of the agencies in their respective countries in cooperation with SRE in Mexico and the Department of State in the United States; and promoting the development, maintenance, and implementation of joint contingency plans of border region “sister city” pairs.

The Inland Border Plan acts through a JRT, which is the policy and decision-making body with overall responsibility for the maintenance and effective implementation of the Plan for both the United States and Mexico. In Mexico, the JRT is composed of representatives of PROFEPA and CGPC. In the United States the JRT is composed of the EPA and appropriate support agencies to coordinate responses to chemical hazardous substances contingencies or emergencies. The co-chairs of the Emergency Preparedness and Response Border-wide Workgroup co-chair the JRT, and are to ensure the coordination with JRT support agencies.

There are also Situation/Incident-Specific Joint Response Teams (ISJRT) responsible for implementing the Inland Border Plan effectively at the state and local level in Mexico and at the regional level in the United States, consistent with JRT policies. The overall function of the ISJRT includes planning and preparing for a chemical hazardous substances contingency or emergency, as well as monitoring and supporting response operations and resolving preparedness issues that require localized geographic action or coordination of appropriate personnel. The co-chairs of the JRT are responsible for designating a representative to lead this team. The ISJRT may be comprised of
federal, regional, state, and local agencies from each country and in the case of the United States, also by representatives of tribal governments.

The OSC is the federal authority designated in each country to perform the functions and responsibilities of coordination of joint response actions at the site of the chemical hazardous substances contingency or emergency in the Inland Border Area of that country and to provide information on the chemical hazardous substances contingencies or emergencies to the ISJRT. For Mexico, two OSCs are to be designated in the affected zone; one will be designated by a PROFEPA Representative and the other by the General Coordinator of Civil Protection from the Secretariat of Government. For the United States, the OSC is to be designated by the regional EPA office in the affected zone. Technical assistance is available to help the OSC in response operations under this Inland Border Plan in the form of experts and specialized equipment through the ISJRT. Such resources include experts with experience in cleaning techniques, chemistry, engineering, biology, hydrology, health effects, toxicology, communications, natural resources and other related situations that involve control and evaluation of the response.

Border Liaison Mechanism (BLM)

History: The Border Liaison Mechanism (BLM) was developed within the U.S.-Mexico Binational Commission in response to a growing need for institutionalized border cooperation. It was established in 1992 as a result of a bilateral agreement between the United States and Mexico calling for the formation of crossborder meetings of federal, state, and local authorities organized and chaired by principal officers from both countries. The BLM was established in the San Diego-Tijuana region in 1993.

Mission: The mission of the BLM is to enhance crossborder communication, to ensure that unique local issues are not overlooked by the federal governments, and to address local issues directly without guidance from the capitals.

Objectives and Scope of Work: To enable the Consuls of Mexico and the United States in the border cities to convene state, local, and federal agency representatives and others from both sides of the border to formally discuss matters of mutual interest, including ports of entry security, public health, immigration, public safety coordination, natural resources, health, and the environment. BLMs hold both regularly-scheduled meetings and emergency meetings in the event of any important border incident; emergency meetings have dealt with problems arising from bridge blockades and incidences of violence. The establishment of the BLMs has made it possible for federal, state, and local authorities from both countries to act promptly and collaboratively to address local problems and conditions, including emergency response.

Membership and Organization: Chaired by U.S. and Mexican Consuls, the BLMs include U.S. and Mexican civic leaders, inspection agency representatives and law enforcement contacts who meet to share information and discuss problems. The meetings were to be alternatively held on the American and Mexican sides of the border, with each principal officer jointly responsible for determine the agendas. The BLMs operate in “sister city” pairs, which exist in Tijuana - San Diego, Mexicali - Calexico, Nogales - Hermosillo, Ciudad Juárez - El Paso, Laredo - Nuevo Laredo, Matamoros - McAllen, and Matamoros - Brownsville. Additional BLMs are being planned. Due to the increasing number of issues dealt with by the BLM, and the length of the plenary meetings, subgroups or “baskets” focused on issues such as border security, migration, bridges and border crossings and the environment were created.
Border Environment Cooperation Commission (BECC) or Comisión de Cooperación Ecológica Fronteriza (COCEF)

**History:** The Border Environment Cooperation Commission (BECC), or La Comisión de Cooperación Ecológica Fronteriza (COCEF) in Spanish, is a binational institution created by the United States and Mexico in 1993 under an environmental side-agreement to the North American Free Trade Agreement (NAFTA).

**Mission:** BECC’s mission is “to preserve and enhance environmental conditions and quality of life for people living along the U.S.-Mexico border” by effectively applying binational policies and programs that support the sustainable development of environmental infrastructure in the border region.

**Objectives and Scope of Work:** BECC’s original mandate focused on water pollution and conservation, wastewater, waste management and recycling, and was later expanded to include air quality, clean and efficient energy, public transportation and municipal planning and development. More recently, the following sectors have been added to the scope of BECC’s mandate: International border crossings; energy transmission and distribution; production of goods and services to enhance or protect the environment; and infrastructure projects to minimize future negative environmental impacts in the region. The institution’s objectives include the following: Certifying the technical feasibility and the environmental-health impacts of projects; ensuring transparency and promoting community-based support for projects; and providing technical assistance for project development. Project jurisdiction in the border region is defined as the area located within 100 kilometers (approximately 62 miles) north of the international boundary and 300 kilometers (approximately 186 miles) south of the border.

In regards to emergency preparedness and response, BECC works with the EPA to approve grant funding for technical assistance projects within the Border 2020 U.S.-Mexico Environmental Program (Border 2020). One of the five program goals of Border 2020 is Emergency Preparedness. In 2012, eight percent, or $688,000 of all Border 2020 projects funded through BECC were focused on Emergency Preparedness.

**Membership and Organization:** BECC shares a Board of Directors with its sister institution, the North American Development Bank (NADB). The Board is a structure of binational organizations in which civil society is represented. The Board consists of the following five Mexican members: Ministry of Finance and Public Credit (Secretaría de Hacienda y Crédito Público or SHCP in Spanish); SRE); SEMARNAT; a Border State Representative from the State of Baja California; and a Border Public Representative. U.S. members are the following: Department of The Treasury; Department of State; EPA; a Border State Representative; and a Border Public Representative. The chairmanship of the board alternates between U.S. and Mexican representatives every year.

The Border Agency Fire Council (BAFC)

**History:** The Border Agency Fire Council (BAFC) held its first meetings in the fall of 1995 due to a dramatic increase in wildfire activity in southeastern San Diego County. The Council was formally created during the 1996 fire season. In 2008, BAFC members from the United States and Mexico updated the Mutual Assistance Agreement, which establishes dispatching and resource utilization procedures that enable participating agencies to work cooperatively to suppress fires and take appropriate actions on floods and other emergency situations along the U.S.-Mexico border.
**Mission:** The mission of the BAFC is to save lives and property and to protect the sensitive habitat of the border area.

**Objectives/Scope of Work:** The three main goals of the BAFC Charter are to: 1) Establish and maintain relationships with Mexican government agencies; 2) Strengthen awareness and cooperation on biodiversity; and 3) Continue effective fire prevention, suppression, and emergency response.

**Organization and Coordination:** The BAFC operates under a mutual assistance agreement that is facilitated by the U.S. and Mexican consulates in the region. The BAFC is made up of 43 U.S. and Mexican government agencies and organizations representing fire protection, law enforcement, legislators, emergency responders, natural resource managers, and elected officials that address public safety issues pertaining to wildfire along the U.S.-Mexico border. Members meet quarterly during the winter and every six to eight weeks during fire season in San Diego County. Through collaborative efforts, member agencies have maintained fire breaks, conducted controlled burns, and have altered the environment that runs along the border to allow better access for emergency responders. They have also enhanced communication among responders on both sides of the border, have implemented binational fire safety campaigns, and have coordinated crossborder wildfire assistance. In 2005, California officials turned to the BAFC when the Baja California governor asked for assistance in extinguishing an out-of-control forest fire in the Sierra de San Pedro Mártir National Park in the municipality of Ensenada. 60 state firefighters and a fleet of vehicles were sent to Baja California to help. During the 2007 wildfires in the San Diego region, member agencies helped coordinate the assistance of firefighters from Tijuana and Tecate to help fight the fires in San Diego County, as well as the transmittal of badly needed electricity from Baja California to the San Diego power grid.

**Wildfire Protection Agreement between the Department of the Interior and the Department of Agriculture of the United States of America and the Secretariat of Environment, Natural Resources, and Fisheries of the United Mexican States for the Common Border (Wildfire Protection Agreement)**

**History:** The Wildfire Protection Agreement between the Department of the Interior and the Department of Agriculture of the United States of America and the Secretariat of Environment, Natural Resources, and Fisheries of the United Mexican States for the Common Border (Wildfire Protection Agreement) was signed by the United States and Mexico in June, 1999. An amendment to the agreement was signed in November, 2003. The agreement was implemented in recognition of the need for collaborative action to suppress wildfires on both sides of the U.S.-Mexico border since wildfires in one country can pose a threat to the resources of the neighboring county.

**Mission:** The mission of the Wildfire Protection Agreement is to enable wildfire protection resources originating in the territory of one country to cross the U.S.-Mexico border in order to suppress wildfires on the other side of the border within the zone of mutual assistance in appropriate circumstances.

**Objectives/Scope of Work:** The agreement stipulates that the two countries will work together with the involved agencies of their respective governments to process appropriate legal documentation, and to facilitate entry to and exit from its territory of all personnel engaged in wildfire protection. Each party also agrees to use its best efforts to facilitate the admission of all
supplies, equipment, aircraft, vehicles, specialized machinery that are used in wildfire suppression or transport of wildfire suppression equipment or personnel without entry fees and without payment of any duties or taxes.

**Organization and Coordination:** According to the agreement, each party shall immediately respond to the request of the other party in regards to the crossborder movement of wildfire protection resources, including the entry of personnel and equipment. The parties also agree to update annual operating plans that identify designated points of contact responsible for fire suppression within the applicable subregion, establish criteria for approving requests for wildfire protection resource assistance, develop plans for mobilization of resources across the border, and specify conditions for reimbursement for the furnishing of resources.

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**Binational Integral Flood Alert System in the Tijuana River Basin**

**History:** Implemented in 2003 with participation from government institutions, universities, and other organizations from both countries, the Binational Integral Flood Alert System in the Tijuana River Basin (Flood Alert System) utilizes a system of rain and stream gauges to provide real time data to emergency managers in each country. The Flood Alert System covers a geographic area including Morena Lake, as well as points east to Tecate and west to the coast. This flood warning system is the first along the U.S. - Mexico border.

**Mission:** The mission of the Flood Alert System is to protect at-risk populations from the negative impacts of flooding of the Tijuana River.

**Objectives/Scope of Work:** The Flood Alert System supplies real-time information of hydrological conditions (rainfall and storm flow) in the binational basin to emergency officials and decision makers on both sides of the border in order to enable effective decision making during floods and to protect local populations from harm.

**Organization and Coordination:** An Automatic Local Evaluation in Real Time (ALERT) system is maintained in the United States by the County of San Diego, and the IBWC in Mexico. Other project participants include the following agencies: CONAGUA; the U.S. National Weather Service; the County of San Diego; the City of San Diego; the Civil Protection Agencies of Baja California, Tijuana and Tecate; State of California Department of Parks and Recreation; San Diego State University; and El Colegio de la Frontera Norte. Early leadership was also provided by the National Oceanic and Atmospheric Administration.

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**Memorandum of Understanding between the Department of Defense United States Northern Command Interagency Directorate and the United States Environmental Protection Agency Office of Solid Waste and Emergency Management for Building Partnership Capacity and Overseas Humanitarian Disaster Assistance, and Civic Aid Projects with Mexico (MOU)**

**History:** The Memorandum of Understanding between the Department of Defense United States Northern Command Interagency Directorate (USNORTHCOM) and the EPA Office of Solid Waste and Emergency Management (OEM) for Building Partnership Capacity and Overseas Humanitarian Disaster Assistance, and Civic Aid (OHDACA) Projects with Mexico (MOU) was originally entered into in February, 2008, and was updated in May, 2013.
Mission: The mission of the MOU is to strengthen partner nation and crossborder capabilities to respond to a broad range of catastrophic events within their regions (eventually to include chemical, biological, radiological and nuclear response and consequence mitigation), and to provide international mutual assistance, thereby reducing reliance on partner nation military support.

Objectives/Scope of Work: USNORTHCOM and the EPA collaborate to build partner capacity with U.S. and Mexican civil and military emergency preparedness and response communities with the objectives of building partnerships, facilitating knowledge exchanges, roundtable discussions, exercises, activating the Regional and Inland Border Joint Response Plans notification procedures, and other related activities. The agencies also participate in or conduct equipping and training activities supporting Humanitarian Assistance projects using the OHDACA funding appropriation. Events and training activities can take place in the United States or Mexico, depending on the requirements.

Organization and Coordination: The EPA U.S. - Mexico Environmental Program forms the foundation for exercises and knowledge exchanges that border cities and states conduct. USNORTHCOM and the EPA collaborate in an interagency approach to work with U.S. and Mexican civil and military agencies. The EPA OEM conducts oversight of the MOU, and the EPA develops and administers joint events and training activities. USNORTHCOM provides staffing for events, and reimburses the EPA for the event costs through the NORTHCOM Humanitarian Assistance Program. As funding and schedules permit, the EPA may continue to collaborate with NORTHCOM on knowledge exchanges and training events for U.S. - Mexico border city pairs and border states.

Border 2020: U.S.- Mexico Environmental Program (Border 2020)

History: The Border 2020: U.S. - Mexico Environmental Program (Border 2020) is the latest environmental program implemented under the 1983 La Paz Agreement. It is a collaborative binational effort administered by the EPA and SEMARNAT. The Border 2020 Program builds upon the Border 2012 Program, emphasizing regional, bottom-up approaches for decision making, priority setting and project implementation to address environmental and public health problems in the border region. As in Border 2012, the new program encourages meaningful participation from communities and local stakeholders.

Mission: In partnership with U.S. border tribes and federal, state, and local governments in the United States and Mexico, the mission of the Border 2020 program is to: “Protect the environment and public health in the U.S.- Mexico border region, consistent with the principles of sustainable development.”

Objectives/Scope of Work: One of the five long-term goals of Border 2020 is to enhance joint preparedness for environmental response. The specific objectives within this goal are to: By the year 2020, update at least eight of the sister city joint contingency plans to include preparedness and prevention related activities such as certified training, risk analysis and capacity building; facilitate easier trans-boundary movement of equipment and personnel; and continue updating the United States - Mexico Joint Contingencies and Emergencies Plan for Preparedness and Response to Events Associated with Chemical Hazardous Substances in the Inland Border Area on an annual basis.

Organization and Coordination: Consistent with the La Paz Agreement, National Coordinators from the United States and Mexico manage overall Border 2020 program implementation, and ensure cooperation, coordination and communication among all coordinating bodies. There are five
Policy Forums, each of which has a federal co-chair from each country and focuses on a border-wide, multi-regional issue that is primarily federal in nature and that requires broad policy considerations. One of the Policy Forums is focused on Emergency Preparedness and Response.

There are also Regional Workgroups that are geographically based and coordinate environmental and public health activities at the local level. Each Regional Workgroup has one state and one federal co-chair from each country. The Regional Workgroups are able to create Task Forces to identify priority issues and help facilitate pilot projects by engaging with local, state, and tribal governments, academia, non-governmental organizations, and the public. The Emergency Preparedness and Response Policy Forum has a workgroup called the Emergency Preparedness and Response Border-Wide Workgroup. The EPA authorizes grant funding for Border 2020 projects through BECC, which provides its services to facilitate stakeholder meetings, as well as identify, contract and manage projects.

**Sister City Cross-Border Joint Contingency Plans (Sister City Plans)**

**History:** Ninety percent of the border population resides in 15 paired border cities, referred to as “Sister Cities,” and chemical hazardous substances contingencies or emergencies affect the local community first and foremost. For that reason, members of the United States - Mexico Inland Border Plan Joint Response Team agreed that subsequent planning efforts were needed for the tribal governments and the 30 Border Cities that could be affected by a major hazardous chemical substance release. Therefore, the co-chairs for the Inland Border Plan are responsible for ensuring the development and implementation of the Sister City Contingency Plans (Sister City Plans) at the tribal, state, and local level so that they have up-to-date and information about potential hazards, as well as adequate equipment and trained personnel for responding to chemical hazardous substances contingencies or emergencies. Accordingly, the mayors of the 15 sister border cities pairs have signed agreements agreeing to cooperate with one another in cases of local disasters.

**Mission:** The overall mission of the Sister City Plans is the same as the Inland Border Plan, which is based on the mission of the La Paz Agreement: To protect the health, human safety and the environment, and provide joint and coordinated responses to significant chemical hazardous substances contingencies or emergencies that affect the Inland Border Area between Mexico and the United States. The Sister City Plans were created so that cities along the U.S. - Mexico border can respond more effectively to accidental releases of hazardous materials into the environment by jointly utilizing available resources and manpower to respond to the emergency.

**Objectives/Scope of Work:** These plans, jointly developed by residents of the neighboring border cities, set out specific procedures for working together in the event of chemical release and often entail training exercises to maximize preparedness. The Sister City Plans help to reinforce close relationships between city mayors, fire chiefs and other governmental officials in the United States and Mexico, and assist with maintaining continuity through changes in political administration. In order to evaluate the Inland Border Plan procedures, each Sister City pair must plan and conduct binational theoretical and field drills and exercises, as needed. While many of the Sister City Plans are limited in scope, and only apply to hazardous materials spills, as opposed to all types of emergencies and disasters, some still informally respond to requests for aid whether or not they relate to hazardous materials. Other Sister City Plans have been updated to include additional disasters such as tornadoes, hurricanes, and floods.
Since the Sister City Plans are equivalent to Memorandums of Understanding (MOUs), the U.S. and Mexican federal governments do not recognize the agreements as binding. This not only means that the Sister City agreements are not enforceable, but it also means that their scope is very flexible.

**Organization and Coordination:** The Sister City Plans are implemented under the EPA Border 2020 Program. There are currently paired Sister Cities with a Joint Contingency Plan in the all of the following 15 city pairs: San Diego/Tijuana; Imperial County/Mexicali; San Luis/San Luis RC; Nogales/Nogales; Conchise County/Naco; Douglas/Agua Prieta; Columbus/Puerto Palomas; El Paso/Ciudad Juarez; Brownsville/Matamoros; Del Rio/Ciudad Acuña; Eagle Pass/Piedras Negras; Laredo/Nuevo Laredo; McAllen/Reynosa; Presidio/Ojinaga; and Weslaco/Rio Bravo. Since the inception of the Sister City Plans, these pairs have worked together to develop partnerships between complimentary departments (police, fire, hospitals, emergency management and the private sector), establish protocols, share information, conduct training exercises and drills, and have jointly responded to numerous emergencies along the U.S. - Mexico border. The Sister City Plans are periodically updated, and technical assistance funding support for these updates is provided by the EPA and BECC.

**Binational HAZMAT Exercises and Equipment Transfers**
A series of ongoing binational emergency preparedness exercises for responding to simulated hazardous material spills have been carried out as part of the EPA Border 2012 and Border 2020 Programs. The exercises allow various agencies from both sides of the U.S. - Mexico border to interact and learn more about their roles in responding to chemical incidents that can impact both the United States and Mexico simultaneously. The overall purpose of the exercises is to develop accurate scenarios that will realistically train emergency first responders and provide them with the opportunity to test response concepts in a coordinated manner. In support of that purpose, the objectives of the exercises include increasing participant awareness of critical processes and issues related to responding to a binational emergency, enhancing communication and working relationships among various agencies, identifying areas for improvement and gaps in coordination, and promoting planning between fire departments, police departments, emergency services, health departments, hospitals, and other agencies.

As part of the inaugural stage of an innovative binational equipment transfer initiative involving the EPA, the U.S. Northern Command (USNORTHCOM), the U.S. Agency for International Development, Mexico’s Federal Civil Protection Agency (Protección Civil or PC in Spanish), PROFEPA and the U.S. - Mexico Border Governors Emergency Management and Civil Protection Worktable, hazardous materials response related equipment and specialized training were transferred to five Mexican border cities in 2009. The cities included the highest risk areas of Tijuana, Ciudad Juárez, and Nogales. To support a coordinated regional response, training was provided jointly to Mexicali, Baja California/San Luis Rio Colorado, Sonora, and Acuña/Piedras Negras in Coahuila. Topics covered included practical chemistry and toxicology, air monitoring, contaminant survey and detection, safety and decontamination, and terrorism and biological sampling. Students engaged in drills involving simulated responses to drug labs, chlorine releases, railroad and pipeline spills, and tanker rollovers. The equipment transfer was implemented under the EPA Border 2012 Program.

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Sources:


http://www.epa.gov/ocem/gneb/gneb_president_reports.htm

Marine Plan:

La Paz Agreement: http://ban.org/library/LaPazAgreement.pdf

Inland Border Plan: http://www.epa.gov/oem/docs/chem/ipmjcp-e.pdf,
http://www.epa.gov/osweroe1/docs/chem/final_us_draft_us_mexico_jcp_january20_2006.pdf

BLM: The U.S.-Mexican Border Environment, Southwest Consortium for Environmental Research and Policy (SCERP) Monograph Series, nos. 1 and 16


BAFC: http://www.fs.usda.gov/Internet/FSE_DO\v\RED{umentS/stelprdb5314950.pdf


Binational Integral Flood Alert System in the Tijuana River Basin:
http://www.scerp.org/pubs/m16/Chap.%2012.%20Rodriguez%20Esteves%20327-344.pdf,
http://www.ibwc.state.gov/Files/CF_SD_Proj_Overview_082511.pdf

NORTHCOM – EPA MOU: Amended May, 2013 (PDF available upon request)

Border 2020: http://www2.epa.gov/sites/production/files/documents/border2020-

Sister City Contingency Plans: http://www.epa.gov/oem/docs/chem/ipmjcp-e.pdf,
http://www.epa.gov/osweroe1/content/mexico_border.html

Binational HAZMAT Exercises and Equipment Transfers:
http://www.becc.org/projects/border-2012/preparedness-exercise-between-mexicali-baja-
california-and-the-imperial-county-california-us,
http://www.rrt9.org/external/content/document/2763/890019/1/Border%202012%20HazMat
_Factsheet_v13_ENG.pdf
**Recommendation:**

The Borders Committee is asked to recommend that the SANDAG Board of Directors accept the 2014 San Diego Regional Tribal Summit Proceedings (Attachment 1) and Tribal Summit – Next Steps (Attachment 2) for consideration in San Diego Forward: The Regional Plan.
SAN DIEGO-TIJUANA REGION
EMERGENCY PREPAREDNESS
AND RESPONSE

SANDAG
Borders Committee
July 25, 2014

EPA Region 6 & 9

Release Reporting
NRC Notifications to EPA Region 9 Border Area Counties – by Percent (2001 – 2010)

- San Diego: 81%
- Imperial: 6%
- Yuma: 3%
- Santa Cruz: 1%
- Pima: 6%
- Cochise: 3%

NRC Notifications to EPA Region 6 & 9 Border Area – by Sister City (2001 - 2010)

- San Diego: 76%
- Yuma: 4%
- Calexico: 0%
- McAllen: 1%
- Brownsville: 5%
- Eagle Pass: 1%
- Columbus: 0%
- Laredo: 2%
- Del Rio: 0%
- Presidio: 0%
- El Paso: 11%
- Douglas: 0%
- Nogales: 0%
- Naco: 0%

San Diego: 76%
Border 2020

The Border 2020 Program is the latest environmental program implemented under the 1983 La Paz Agreement. It builds on the Border 2012 Environmental Program, emphasizing regional, bottom-up approaches for decision making, priority setting, and project implementation to address the environmental and public health problems in the border region.

As a result of the partnership among U.S. Border Tribes and federal, state and local governments in the United States and Mexico, the mission of the Border 2020 Program is to:

Protect the environment and public health in the U.S.-Mexico border region, consistent with the principles of sustainable development.
Border 2020 Goals & Workgroups

1. Reduce Air Pollution
2. Improve Access to Clean and Safe Water
4. **Enhance Joint Preparedness for Environmental Response**
5. Enhance Compliance Assurance and Environmental Stewardship

Goal 4: Enhance Joint Preparedness for Environmental Response

1. **Objective 1:** The Mexico-US Joint Contingency Plan will continue to evaluate and update the emergency notification mechanism between Mexico and the United States.

2. **Objective 2:** By 2020, 8 of the sister city joint contingency plans will be supplemented with preparedness and prevention-related activities such as certified training, risk analysis, and/or capacity building.
Goal 4: Enhance Joint Preparedness for Environmental Response

3. Objective 3: By 2016, the US-Mexico Joint Response Team (JRT) will make available technical outreach and training materials for distribution and dissemination along the border.

4. Objective 4: By 2016, the US-Mexico JRT will analyze existing agreements (including sister city plans) that allow trans-boundary movement of equipment and personnel for comparison purposes.

Border 2020
Emergency Response & Preparedness

• Mario Rodriguez
  – Baja California
• Lida Tan
  – US EPA
• Mike Vizzier
  – San Diego County
Same Equipment

2006

2011

Questions?
Same Training

HazMat Technician Training
23 Bomberos x 3, Tijuana 2007, Mexicali 2009, Tijuana 2013
69 Total

Binational Instructors  October 2013
Exercises

• Tijuana EOC to County OpArea EOC: 8/28/12
• Tri-national in Yuma: 5/21, 22/14
• PROFEPA July 2012, 2013 & 2014
• Three time a year in Chula Vista or Tecate

PROFEPA

July 2014