

CITY OF NOGALES

HONORABLE JOHN E. DOYLE

OFFICE OF THE MAYOR



PROCLAMATION **STATE OF EMERGENCY**

WHEREAS, Nogales, Arizona, is directly north of Nogales, Sonora, Mexico; and

WHEREAS, the International Outfall Interceptor (IOI), is a 30 inch sewer trunk line at the point it enters the United States, that conveys approximately 12-14 million gallons of raw sewage a day from Nogales, Sonora, Mexico, to the Nogales International Waste Water Treatment Plant (NIWWTP), about 8.5 miles north of the international border; and

WHEREAS, seasonal heavy rainfall and flooding, occurring principally in Mexico, has exposed and damaged portions of the IOI; and

WHEREAS, a portion of the IOI has been breached as a direct result of the rainfall and flooding; and

WHEREAS, as a result of the breach of the IOI, millions of gallons of raw sewage and heavy metal contaminants from Mexico are currently spilling out and into the Nogales Wash and the Santa Cruz River; and

WHEREAS, the breach of the IOI will cause catastrophic pollution of the Nogales Wash and of the Santa Cruz River Basin from Nogales to Tucson to Pinal County; and

WHEREAS, the continued overflow of untreated sewage has caused and is causing a public safety and health hazard for the residents of the City of Nogales and surrounding areas; and

WHEREAS, the required repairs to the IOI breach are estimated to cost in excess of 5 million dollars; and

WHEREAS, the City of Nogales has repeatedly requested the USIBWC to assist in the remediation of the breach; and

WHEREAS, USIBWC has and continues to deny any responsibility or assistance to the City for the IOI breach; and

WHEREAS, the City of Nogales does not have the resources financial and otherwise to remedy the IOI breach; and

WHEREAS, immediate repair to the IOI breach is imperative; and

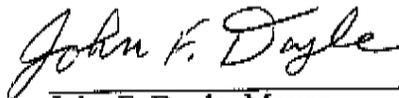
WHEREAS, it is necessary and in the best interests of the City of Nogales that immediate emergency action and measures be taken.

NOW, THEREFORE, I, John F. Doyle, Mayor of the City of Nogales, State of Arizona, do hereby proclaim that a state of emergency exists in the City of Nogales,

IT IS HEREBY FURTHER PROCLAIMED that, because of the continuing threat posed by the high probability of flooding in the Nogales Wash and the breach of the IOI in the Nogales Wash, and the continuing risk of failure of the IOI, and to protect the lives, public health, safety and welfare of the people of Nogales and Southern Arizona, and to prevent or mitigate the public health impacts of the raw sewage spill, I do hereby implement, pursuant to Section 9 of the charter of the City of Nogales and any other applicable laws, all measures deemed necessary by the Mayor and Council of the City of Nogales to address the emergency herein declared,

IT IS FURTHER PROCLAIMED and requested that the Honorable Douglas A. Ducey, Governor of the State of Arizona, declare an emergency and make available any and all assistance that may be available to meet this emergency.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Nogales, on this 26th day of July, 2017.

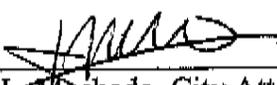


John F. Doyle, Mayor
City of Nogales, Arizona

ATTEST:


Leticia Robinson, City Clerk
City of Nogales, Arizona

APPROVED AS TO FORM:


Joe L. Mashado, City Attorney
City of Nogales, Arizona