

Contra Costa County Direct Discharge Trash Control Program

Contra Costa County Watershed Program

February 1, 2017

Purpose and scope

The purpose of Contra Costa County's Direct Discharge Plan is to prevent illegal dumping from homeless people and from those who discharge trash and other unwanted items directly into the creeks within County parcels and road and flood control rights of way within unincorporated areas. In addition this program removes material thrown into these streams.

Unincorporated County Demographics and Direct Trash Sources

Unincorporated Contra Costa County has the most diverse and dispersed set of communities of any other Bay Area counties. Thirty unincorporated communities are identified by the Local Agency Formation Commission (LAFCO) within the County's Urban Limit Line. The County's Trash Reduction Plan is limited to unincorporated communities within the County Urban Limit Line and several roads that connect communities or freeways.

There are several sources of trash which enters into the County's creeks. The vast majority of this trash enters through the Municipal Separate Storm Sewer (MS4). Contra Costa County's Direct Discharge Plan is focusing on two additional primary sources:

1. Homeless encampments on County or Flood Control District (FCD) properties with streams, and
2. Illegal dumping of unwanted items into County properties with streams, County road rights of way that intersect with a stream, and Flood Control District properties or rights of way. Again the focus is in unincorporated communities within the Urban Limit Line.

County and FCD Parcels and Rights of Way and Limits of Authority

Contra Costa County provides a wide variety of services in both unincorporated County and the cities. The County has offices and other facilities scattered throughout the County, often in cities, to support these services. But the County only has authority to enforce trespassing and littering on parcels or rights of way within unincorporated County, even if the parcel is owned by the County. Violations of law on a FCD parcel in Pleasant Hill require a response from Pleasant Hill Police Department. Because of this limitation, the focus of the Direct Discharge Plan is limited to County and FCD parcels in unincorporated areas within the County.

Existing Challenges and Overall Strategy

The challenges from homeless encampments and illegal dumping are very different and will require distinctly different approaches. The key to homeless encampments is to make these areas less enticing and to quickly remove people living next to creeks. But removal alone will simply lead to reestablishment of the encampment. Instead, the goal of the Direct Discharge Program is to use County Social Workers who specialize on homeless issues to find a better place than their streamside encampment.

The challenge of illegal dumping is that some people are unwilling to pay the fees to safely dispose of whatever material is no longer wanted. Unfortunately solid waste facilities are incredibly expensive to create and to operate, and Contra Costa County (who operates the County disposal sites) cannot afford to offer low cost or free disposal. Many solid waste franchise agreements incorporate disposal of large items, but this is clearly not enough. Contra Costa County has identified key locations where illegal dumping into streams within the road rights of way or into streams on County property can occur. The County is implementing a program to create barriers at the edge of the road rights of way to prohibit from entering into a stream adjacent to or crossing under a roadway. The County has also identified County owned properties with streams, and is implementing a similar barrier approach to reduce or eliminate large trash items from entering into streams.

Homeless Demographics in Contra Costa County

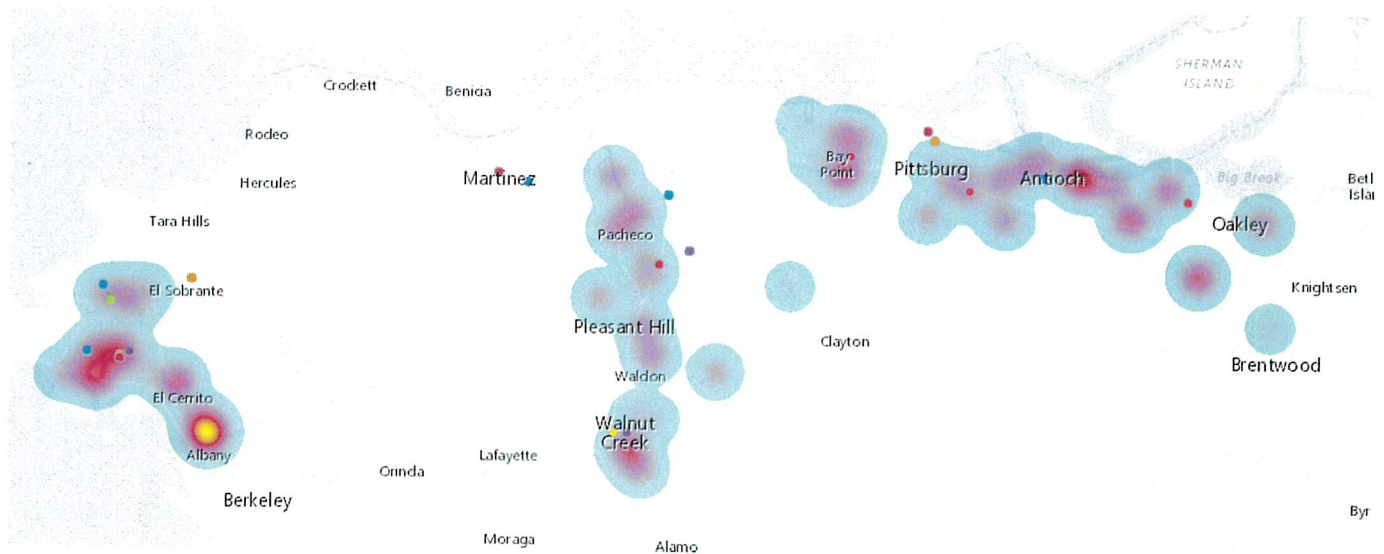
Homelessness is an ongoing and significant concern for Contra Costa County. The County addresses homelessness through County's Homelessness Programs, coordinated by the County's Health, Housing, and Homeless Services Division.

Contra Costa's Homeless Continuum of Care (CoC) conducts a comprehensive point-in-time count of families and individuals experiencing homelessness. The CoC is a coalition, comprised of service providers, members of the faith community, businesses, funders, education systems, and law enforcement governed by the County's "Council on Homelessness". The CoC represents powerful non-profit partners in the County's effort to reduce homelessness and subsequent illegal dumping into local creeks. The Point in Time (PIT) Count tallies information about people sleeping in emergency shelters, transitional housing, cars, abandoned properties, and/or in other places not meant for human habitation. It provides a one-day snapshot of homelessness and includes data about families, youth, chronically homeless, and veterans, as well as demographic data about gender, ethnicity, and race.

According to Contra Costa Homelessness Council's "2016 Point in Time Count," last conducted on January 27, 2016, there were 3,500 individuals identified as homeless, or at risk of homelessness, in the County. The "2016 Point in Time Count" full report can be found in APPENDIX 1.

Many homeless live in encampments along the FCD's flood control channels, and particularly along Walnut Creek, Wildcat Creek and San Pablo Creek. Encampments can also be found along creeks in Bay Point and Antioch. These encampments and are illustrated by Figure 1, *Contra Costa Homeless Encampment and Corresponding Service Locations*.

Figure 1: Contra Costa Homeless Encampment and Corresponding Service



Locations

LEGEND: **Service Sites** are represented by the colored dots and the **Population Range** of these encampments is shown from low to high:

- Soup Kitchen
- Emergency Shelter
- Multi-Service Site
- Community Site
- Transitional Housing
- Emergency Shelter and MSC

Homeless Encampments



Of the 3,500 homeless individuals, slightly less than half (1,730) were literally homeless, and 1,770 were at risk of homelessness. Among those actually homeless, 620 people were in shelters and another 1,110 were sleeping on the streets. Youth under the age of 18 made up 11% of the homeless population and two-thirds of those youth were residing in shelters the night of the count. Two-thirds of the overall homeless population is male.

The 1,730 homeless individuals made up 1,437 households; 7% of these households were families with minors. There were an additional six unaccompanied minors, five in youth shelters and one living on the streets.

There was a significant regional shift across the county for unsheltered individuals, from west to east: more people reported sleeping outside or were found in encampments in East County relative to 2015 data, and fewer in West and Central County.

2015-2016 Regional Changes in Unsheltered



Additionally, over the past five years there has been a decrease in number of unsheltered individuals identified through PIT. Since 2011 there has been a 26% decrease in the number of people sleeping outside across the county. Central County has experienced 70% fewer people sleeping outside and West County had 60% fewer since 2011. East County had a 30% increase.

Characteristics of Illegal Dumping

Contra Costa County maintains 660 miles of road right-of-way in unincorporated county. In unincorporated Contra Costa County, trash, construction debris, used oil, unwanted furniture and debris dumped in creeks is within and adjacent to County road right-of-ways. This debris and trash has the potential to travel to San Francisco Bay after being directly deposited. The trash and debris affects Contra Costa communities, economy, and environment.

Several departments coordinate to regularly pick up, haul and dispose of hundreds of yards of materials illegally dumped. These programs cost the County over \$1 million annually.

The County's Direct Discharge Plan strengthens the coordination and focuses more resources on the identification of illegal dumping sites, prevention of dumping, follow-up, and enforcement of illegal dumping. Maps in APPENDIX 2 show the streams and County right-of-ways and properties.

Illegal Dumping Into Flood Control Facilities

Contra Costa County Flood Control District maintains regional flood facilities countywide including approximately 75 miles of channels, 4 dams, and 35 retention basins. Illegal dumping occurs in these Flood Control right-of-ways all too often. As with illegal dumping into natural streams and County rights-of-way, trash, construction debris, used oil, unwanted furniture and debris is dumped in Flood Control Drainage areas which can potentially travel to San Francisco Bay.

Priority Locations/Project Areas

County staff used geographical information systems (GIS) to identify to identify locations where creeks are located within or adjacent to County/FCD parcels or rights of way. One hundred and seven County or FCD properties were located and 600 miles of road rights of way and 20 miles of FCD rights of way have a stream flowing through or immediately adjacent to property. The County is focusing its initial efforts in these following communities and connector roads:

- Baypoint
 - Three County properties
 - Three bridges or culverts
- El Sobrante
 - Eleven bridge crossings or culverts
 - Three County owned parcels
- Pacheco
 - Grayson Creek FCD facility
 - Three bridges
- Rodeo
 - One County owned parcel
 - One FCD facility
 - Six bridges/culverts
- Unincorporated Martinez
 - Three FCD Facilities
 - Walnut Creek
 - Grayson Creek
 - Pacheco Creek
 - Three bridges
 - One parcel
- Unincorporated Richmond (Montalvin Manor)
 - Six bridges
 - 1 County property
- Alhambra Valley Rd Connector Road
 - Three segments of the road adjacent to Pinole Creek (approximately ¼ in total)
- Castro Ranch Rd Connector Rd
 - Two culverts on Pavon Creek
- Franklin Canyon Road Connector Rd
 - 7 segments where road runs parallel to Franklin Creek
- Pinole Valley Rd Connector Rd
 - One culvert

Maps of these communities are included in APPENDIX 2. The maps from other communities which are less trash challenged are available on request.

To address homeless encampments on County of FCD parcels or rights of way, the County is funding a CORE (Comprehensive Response Outreach and Engagement) Team to focus on the those areas identified in the GIS analysis (exclusive of Connector Roads). This Program is primarily targeted to engage homeless encampments on

County and FCD and rights of way of way. The County's Creek CORE Teams work to engage and stabilize homeless individuals living outside through consistent outreach to facilitate basic services and to help them secure permanent housing. All Creek CORE Teams are a portal to Contra Costa's coordinated Continuum of Care for unsheltered people and they work to locate, engage, stabilize and house chronically homeless individuals and families. The Creek CORE Team is focused on supporting the housing and service needs of those living in homeless encampments along streams and flood control channels. Counselors facilitate the connection of the homeless to shelter and to their use of services.

The primary difference between a County Sheriff patrol and a Creek CORE Team patrol as initial point of contact is the sheriff job is to remove homeless individuals from County property, FCD facility, or road right of way. The Creek CORE Team evaluates the needs of the homeless individuals and offers immediate opportunities to obtain the specific services they need in that moment to allow them to obtain a safe place to stay. If the homeless individual(s) reject the services, then a County Deputy Sheriff is contacted, who will engage them to leave. Failure to leave voluntarily can result in arrest. The following business day the encampment is posted by County, as per the County's policy.

Team Composition: The Creek CORE Teams are managed by a full-time Outreach Coordinator that provides outreach services throughout Contra Costa County. Each team includes two outreach specialists and may, if necessary, be joined by a benefits social worker, nurse, or primary care physician, psychiatrist, behaviorist, and/or housing navigator.

Creek CORE Team Priorities:

- Engage with homeless individuals living outside and/or in encampment
- Provide basic need services such as clothing, hygiene materials
- Refer and transport (when needed) clients to CARE centers
- Provide direct placement into available shelter beds during evening hours
- Provide direct placement into the Concord Warming Center in the evening
- Conduct housing and service needs assessments in the field
- Enroll individuals in benefits such as CalFresh, General Assistance, and Temporary Assistance for Needy Families
- Encourage the homeless to leave their streamside encampments
- Training: All Creek CORE team members are trained in CPR, Motivational Interviewing, Non-Violent Crisis Intervention training, and the administration of Narcan.
- Hours of Operation: Creek CORE Teams will operate 18 hours per day, Monday through Friday 7 am – 1 am, and Saturday evening, 5pm-1am.

Identification and Response to Homeless Encampments

The Creek CORE Team is the identified responders in the Direct Discharge Trash Control Program. The Team will adhere to the following procedures in taking action with respect to homeless encampments:

- The Creek CORE Team or other entity responding to a report of, or discovering a homeless encampment, and identifies immediate hazards to be addressed. They document with photographs whenever possible. An "immediate hazard" is an imminent threat to the health or safety of the homeless or the community (e.g. a campfire).
- The Creek CORE Team leader notifies the County Health Services Department Homeless Program Director immediately upon becoming aware of any encampment. The Homeless Program Director will send the Creek CORE Team to the identified site within 24 hours in an attempt to find and offer alternative housing and services. It is desirable that individuals either move into services or vacate the area on their own and remove their own belongings
- After the Creek CORE Team has visited the site, the Homeless Program notifies the responsible police jurisdiction of the situation and provides any relevant information. The member of the Board of Supervisors representing the district in which the homeless encampment is located is also notified by the Homeless Program.
- The responsible police jurisdiction posts the notice to vacate the encampment.
- Over the next 72 hours, up to two hours prior to expiration of the time limit, the Creek CORE Team continues to go out to assist individuals to find housing and other services.
- 72 hours after posting of the notice, the encampment may be removed, but only after a field review of the encampment and sufficient photographic and/or written documentation of its condition and areal extent.
- During removal of the encampment, all personal belongings, including tents, backpacks, jewelry, bedrolls, clothing , personal photographs duffle bags, blankets, audio equipment, stoves etc. that are reasonably safe and not a sanitary hazard, should be held by the appropriate maintenance yard for a minimum of 30 days prior to disposal:
- The location where the belongings are stored shall be posted at the encampment site.
- Anything stored from a location can be kept in one box/container that is marked with the date, time and location of the removal. Possessions are to be released to persons who can identify them. Employees are not responsible for insuring that property is released to actual owners.
- Persons illegally trespassing or lodging on County right of way can be arrested immediately. However, normally law enforcement personnel will only make arrests if someone refuses to leave or is suspected of committing a criminal

offense. Individuals are encouraged to take bags or belongings with them at the time they leave.

- The County or FCD is responsible for cleaning up and making the area of the former encampment safe. This will include cleaning any hazardous waste found in the area and repairing or replacing items such as fencing.
- Individuals assigned to remove the encampment are to take appropriate safety precautions in the course of the work. This should include gloves, hoots, safety glasses, and other equipment as necessary.
- If necessary, request the County Health Services Department to inspect and report on issues involving the protection of the homeless and workers during the encampment removal.
- It is the agreed upon policy not to permit the re-establishment of encampments once they have been removed through this procedure. (APPENDIX 3)

Placement of Barrier Fencing along Creeks along Road Right-of-Ways

Trash and materials are often illegally dumped in rural areas, along County roads and right-of-ways adjacent to creeks. County right-of-ways sometimes have barriers that are cut or vandalized to gain access. Public Works Dept. Staff observe County right-of-ways regularly when traveling in the course of their routine work. Local residents or engaged citizens will also call the County "1-800-No Dumping Hotline" to notify County staff.

When dumping occurs in County or FCD right-of-ways or parcels, County staff evaluates the location to determine if the installation of a barrier to reduce access is warranted. In some locations, barrier fencing can be temporarily installed to prevent access to the site without impeding traffic or creating a safety hazard, or more before having more permanent barriers installed. Public Works Maintenance will explore opportunities to install barriers to help prevent dumping where possible.

Investigation and Enforcement of Illegal Dumping Prohibitions

Many materials left in a creek or in the public right-of-way do not clearly identify an owner; however, when items do have something that may indicate where they originated, County Staff forward the information to Environmental Health or Sheriff, as appropriate, to investigate where they came from. An Environmental Health Inspector or Sheriff Deputy will investigate and try to track the information to a property owner and request that the materials are cleaned. The responsible party will be fined or cited as appropriate. Where there is enforcement and follow-up, it sends a message to the illegal dumpers not to dump materials illegally. If there is enough material or a more egregious dumping situation, the case will be reported to the District Attorney to assist with legal action.

Reporting

County Public Works Maintenance uses sophisticated software to track activities, including location of work site, actions taken, crew members involved, equipment used, and follow-up required. This software is used to record homeless encampments and illegal dumping responses. The County will submit a comprehensive progress report as part of the annual report submitted to the San Francisco Weatherboard in the fall of each year.

2/1/2017

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