

Illegal Dumping Update Report¹

EDUCATE ~ PREVENT ~ CLEAN-UP ~ ENFORCE



Final Recommendations

June 2019

County Interdepartmental Illegal Dumping Think Tank Team



TEAM MEMBERS

Environmental Health

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Sheriff's Office

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Conservation & Development

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Public Works

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Interdepartmental team was formed to discuss the problem, share experiences, examine lessons learned from here and elsewhere and develop preliminary recommendations on how to improve efforts to reduce illegal dumping.

Board Direction on October 23, 2018



At the October 23, 2018 meeting, the Board accepted the report from the interdepartmental team and requested that it:

- ▶ Reach out to neighboring jurisdictions and franchise haulers to solicit additional input to refine the preliminary presentation and recommendations
- ▶ Collaborate with Alameda County on shared legislative priorities related to illegal dumping
- ▶ Explore opportunities for increasing effectiveness of the waste hauler ordinance
- ▶ Pursue opportunities to have franchise hauling companies offer the public additional, more frequent pick-up options

Coordination with Cities



February 2019 Meeting Summary

- ▶ Approximately 35 people attended including representatives from 10 cities: Antioch, Clayton, Concord, El Cerrito, Hercules, Oakley, Pittsburg, Richmond, San Pablo, and Walnut Creek
- ▶ The County presented strategies from each of the 4 sections of strategies: **EDUCATE** (Public Outreach Campaign), **PREVENT** (Mandatory Garbage Service, Free Mattress Drop-Off), **CLEANUP** (Right-of-way Debris Removal), and **ENFORCE** (Law Enforcement Investigation, Surveillance Cameras, Legislative Action)
- ▶ City representatives were generally in favor of the presented strategies and shared similar strategies that their respective jurisdiction have implemented
- ▶ City representatives expressed interest in staying connected, and County staff agreed to create an email distribution list for participants to share updates with each other and convene future meetings, as needed

Coordination with Haulers



- ▶ Solicited and received input about the recommended strategies from each of the County's Franchise Haulers
- ▶ Franchise haulers expressed general support for the recommendations
- ▶ Franchise haulers and staff agree that it would be best to implement strategies in phases in conjunction with established rate setting cycles so the impact to rates can be evaluated independently and spread over time
- ▶ Will continue working with each Franchise Hauler to prioritize strategies based on franchise-specific needs and circumstances in order to maximize potential effectiveness
- ▶ Continuing active discussions with the one Franchise Hauler as part of its 'Base Year' rate setting cycle about the highest priority strategies for that service area

Coordination with Alameda County



Working together to pursue legislation that address shared needs to more effectively address illegal dumping, consistent with the following sponsored-legislation proposal from the County's adopted 2019 State Platform :

- ▶ *Seek legislation, in conjunction with Alameda County and other partners, and support legislation that specifically establishes statewide hauler permitting requirements and associated penalties as well as increases penalties allowed by State law for illegal dumping.*

2019 State Platform also includes the following related policy (consistent with AB 215 & SB 409):

- ▶ *SUPPORT efforts that will help counties more effectively combat illegal dumping, including but not limited to establishing a more reasonable burden of proof standard, changing any remaining infractions to misdemeanors and increasing penalty amounts or options (e.g. vehicle seizure).*

Collaborative Legislative Efforts



Interdepartmental team recommended and the Legislation Committee approved recommending to the Board of Supervisors a position of "Support" on three bills related to illegal dumping: AB 215 (Mathis), SB 409 (Wilk), and AB 1216 (Bauer-Kahan).

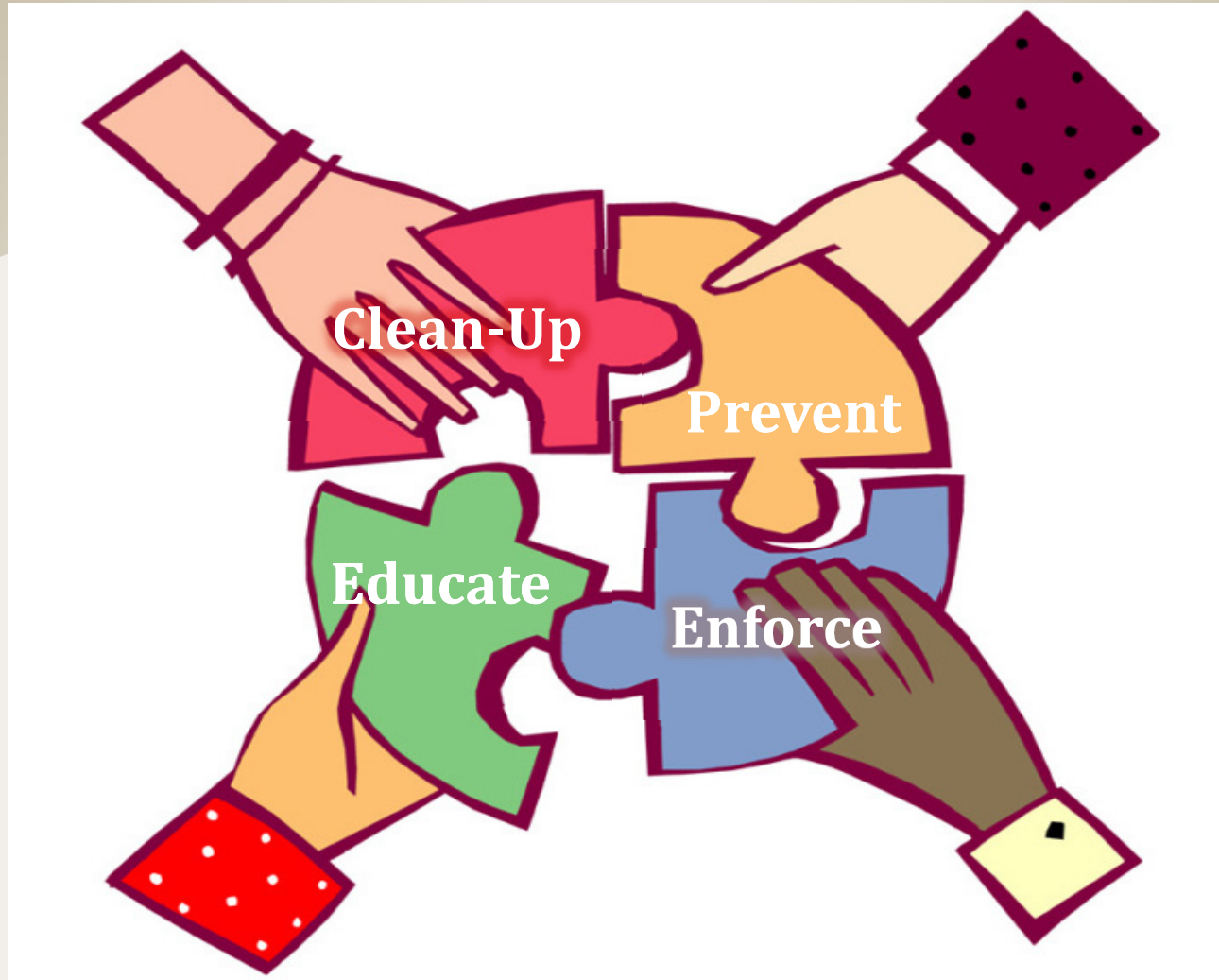
Two bills no longer moving forward:

- ▶ AB 215 (*increased penalty for fourth dumping violation*)
- ▶ AB 1216 (*sponsored-legislation proposal specific to Alameda and Contra Costa counties which would have help fund law enforcement positions for one year*).

On June 11, 2019 the Board will consider the Legislation Committee's recommendation to support SB 409, which:

(1) expands the crime of illegal dumping to include the transporting of waste matter for the purpose of dumping; (2) makes it a crime to dump, deposit or receive waste matter on private property with owner consent without any required permit/license; (3) increases the fines for illegal dumping; and (4) makes it illegal to transport commercial quantities to dump in specified locations.

4 Prong Approach to Reduce Illegal Dumping



Highlights of 4 Prong Approach: **Educate**



5. PUBLIC OUTREACH CAMPAIGN

Create public outreach campaign(s) with different messaging:

- ▶ Educate people about proper disposal options
- ▶ Provide guidance about reporting dumping - what is needed from witnesses and desired type(s) of evidence
- ▶ Publicize enforcement successes

Outreach to be deployed using these various methods.

\$10,000
(production costs, not staff)

Highlights of 4 Prong Approach: **Prevent**



12,13 & 19. MANDATORY GARBAGE SERVICE

- ▶ Expand current complaint based enforcement to proactive enforcement using franchise hauler provided lists.
- ▶ Implement lien process provided for in County Code to provide for recovery of costs resulting from forced starts.
- ▶ Explore amending the County's Mandatory Subscription Ordinance (Chapter 418-6) to allow for placement of tax liens to reimburse hauler for providing mandated services without County having to incur the expense first.

\$58,000

Highlights of 4 Prong Approach: **Prevent**



26. STREET SIGNS

- ▶ Install up to 50 street signs with information about how to report illegal dumping at key entry ways or at/near dumping Hot Spots so people are reminded how to take the desired action.

\$10,000

27. CAPITAL IMPROVEMENTS

- ▶ Identify capital improvements that may be needed, such as street lighting or barricades. (Initial Phase - Currently developing initial phase targeting Bay Point, involves 10 street lights in two specific areas.)

\$100,000

Highlights of 4 Prong Approach: **Clean Up**



34 & 35. RIGHT-OF-WAY CLEAN-UP

- ▶ **On-call Right-of-Way Debris Removal by Franchise Haulers:** Increase area (currently in place for three of the County's four Franchises) and potential scope/frequency.

Future Garbage Rate Review

- ▶ **On-call Right-of-Way Debris Removal by Public Works:** Dumping in creeks, roadways outside County Franchise Areas where hauler provides on-call removal service and hazardous waste or oversized items not serviced by the Franchisees. Potential for increasing removal frequency within the existing budget is dependent upon reducing the area Public Works is responsible for (limit to areas outside County Franchise authority).

Existing budget (if 34)

Highlights of 4 Prong Approach: **Enforce**



45. LAW ENFORCEMENT INVESTIGATORS

- ▶ Dedicate four per-diem law enforcement deputies to investigating dumping crimes. (approx. 3600 hours/year)

\$150,000

46. SURVEILLANCE CAMERAS

- ▶ Wireless high definition, license plate reader surveillance cameras with night vision, infrared & solar powered. Remote-controlled to zoom and capture evidence – Place at key entry ways or at/near hot spots.
PILOT: Initial six month pilot of surveillance monitoring service for five rental cameras.

\$50,000

4 Prong Approach: Strategy Summary



(14) Existing + (42) Recommended Strategies = 56 Total

- ▶ 22 covered by existing county budget,
- ▶ 2 funded by grants
- ▶ 6 require rate increases
- ▶ 6 to be determined (future phase)
- ▶ 6 require allocation of new funding

Estimated Annual Cost for Existing Strategies = \$1,827,000

New Funding Needed to Implement Recommended = \$378,000

Educate (5 Strategies) = 2 Existing + 3 Recommended (Expand -2 & New -1) **\$10,000**

Prevent (22 Strategies) = 6 Existing + 16 Recommended (Expand-7 & New-9) **\$168,000**

Clean Up (13 Strategies) = 5 Existing + 8 Recommended (Expand- 6 & New -2) **\$0**

Enforce (15 Strategies) = 1 Existing + 14 Recommended (Expand-3 & New-11) **\$200,000**

Other (1 Strategy) = 1 Recommended (New) **\$0**