



GUADALUPE - COYOTE

RESOURCE CONSERVATION DISTRICT

IMPACTS OF HOMELESSNESS ON CREEKS - ROUNDTABLE

March 29, 2011

888 North First Street Suite # 204

San Jose, CA 95112

Tel. (408) 288-5888 Fax (408) 993-8728

E-mail - gcrd@pacbell.net



Guadalupe - Coyote RCD

THERE IS NO QUESTION THAT HOMELESSNESS HAS CAUSED NEGATIVE ENVIRONMENTAL IMPACTS TO OUR WATERWAYS

BUT

- **HOMELESSNESS IS A SOCIAL ISSUE THAT DOES NOT IN ITSELF NEGATIVELY IMPACT OUR WATERWAYS**
- **ONLY A PERCENTAGE OF THE HOMELESS HAVE ANY NEGATIVE IMPACT ON OUR WATERWAYS**
- **ONLY THE HOMELESS ENGAGED IN ILLEGAL ACTIVITIES HAVE A SIGNIFICANT NEGATIVE IMPACT ON OUR WATERWAYS**
- **MANY PEOPLE WITH HOMES ENGAGED IN ILLEGAL ACTIVITIES HAVE A SIGNIFICANT NEGATIVE IMPACT ON OUR WATERWAYS**



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- **IT WOULD BE HIGHLY IRRESPONSIBLE TO FOCUS ON TRYING TO SOLVE OR CURE HOMELESSNESS IN AN ATTEMPT TO IMPROVE CONDITIONS IN/ALONG OUR WATERWAYS. IT IS:**
 - **AN EXTREMELY COMPLEX SOCIAL PROBLEM**
 - **HAS MANY DIFFERENT CAUSES**
 - **NUMEROUS GOVERNMENT AGENCIES AND VOLUNTEER GROUPS ALREADY EXIT TO ADDRESS THIS ISSUE**
 - **ADDRESSING SOCIAL PROBLEMS IS NOT THE RESPONSIBILITY OF MOST ORGANIZATIONS CONCERNED WITH ENVIRONMENTAL & WATER QUALITY ISSUES OR PROTECTING PUBLIC TRUST RESOURCES**
 - **DIVERSION OR DILUTION OF SCARCE RESOURCES AWAY FROM THE REAL PROBLEM**
 - **A GOOD PERCENTAGE OF HOMELESS ARE NOT CAUSING PROBLEMS**
- **THE REAL PROBLEM THAT NEEDS TO BE ADDRESSED IS PEOPLE BEHAVING BADLY & BREAKING THE LAW**



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- **SIGNIFICANT PROBLEMS NEGATIVELY IMPACTING OUR WATERWAYS, WHICH NEED TO BE ADDRESSED ARE:**
 - **ILLEGAL ENCAMPMENTS**
 - **ILLEGAL DUMPING**
 - **VANDALISM**
 - **OTHER CRIMINAL ACTIVITY – POACHING; DRUG & ALCOHOL PARTIES ALONG WATERWAYS; POLLUTING, DEGRADING & THEFT OF PUBLIC TRUST RESOURCES**
 - **CASUAL LITTERING**
- **ONLY A PERCENTAGE OF THE HOMELESS (THE INCORRIGIBLE OR VAGRANT ELEMENT) ENGAGE IN THE ABOVE.**
- **IRRESPONSIBLE PEOPLE WITH HOMES ALSO CONTRIBUTE TO ALL OF THE ABOVE LISTED PROBLEMS.**



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Coyote Creek Downstream of Julian St. January 27, 2004



Photo – Friends of Coyote Creek



Guadalupe - Coyote RCD

Coyote Creek Downstream of Julian St.





Guadalupe - Coyote RCD

Coyote Creek – Upstream of William St. March 21, 2009





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Guadalupe River – Upstream of Hwy 880, Jan. 22, 2007





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- **ILLEGAL ENCAMPMENTS**

- **OCCUPANTS ARE PRIMARILY INCORRIGIBLE HOMELESS, OFTEN MENTALLY IMPAIRED, DRUG OR ALCOHOL ADDICTED, ILLEGAL ALIENS OR THOSE HAVING OUT STANDING ARREST WARRANTS**
- **CAUSE HIGH NEGATIVE IMPACTS TO CREEKS & RIPARIAN AREAS**
- **CAN BE SIMPLE ONE PERSON UNSHELTERED SITES TO NUMEROUS SOPHISTICATED MULTI-PERSON HARD STRUCTURE COMPLEXES**
- **RIPARIAN VEGETATION IS OFTEN DESTROYED**
- **CREEK BANKS ARE OFTEN DISTURBED AND/OR TUNNELED (DESTABILIZING BANKS & ELEVATING THE RISK OF BANK FAILURE)**
- **LARGE AMOUNTS OF JUNK/GARBAGE OFTEN SURROUND SITES**
- **SITES OFTEN CONTAIN STOLEN ITEMS/MATERIAL**
- **SITES OFTEN CONTAIN EXPOSED HUMAN WASTE AREAS**
- **EVIDENCE OF DRUG & HEAVY ALCOHOL ABUSE OFTEN AT SITES**



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Coyote Creek – Downstream of Mabury Ave.





Guadalupe - Coyote RCD

Coyote Creek – Downstream of Mabury Ave.





Guadalupe - Coyote RCD

Coyote Creek – Downstream of Murphy Ave, May 2006





Guadalupe - Coyote RCD

Coyote Creek – Downstream Santa Clara St., Jan. 2007





Guadalupe - Coyote RCD

Coyote Creek – Under Santa Clara St. Bridge, Feb. 2009





Guadalupe - Coyote RCD

Guadalupe River – Downstream St. John St., Oct 2003





Guadalupe - Coyote RCD

Guadalupe River – Downstream of Julian St., Feb. 2007





Guadalupe - Coyote RCD

Guadalupe River – Upstream of Virginia St., Jan 2011





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- **ILLEGAL DUMPING**

- **LARGELY PERPETRATED BY INCORRIGIBLE HOMELESS, VANDALS, IRRESPONSIBLE CREEK SIDE RESIDENTS & OTHER LAW BREAKERS**
- **CAUSES HIGH NEGATIVE IMPACTS TO WATERWAYS, FISH & AQUATIC SPECIES, WATER QUALITY & RIPARIAN AREAS**
- **APPARENT AROUND ALMOST ALL ENCAMPMENT SITES, BRIDGES OVER CREEKS, WHERE ROADWAYS RUN CLOSE TO CREEKS, VAGRANT & YOUTH GATHERING/PARTY SITES, LOW INCOME MULTI UNIT CREEK SIDE DWELLINGS**



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Coyote Creek – Upstream of Santa Clara St.





Guadalupe - Coyote RCD

Coyote Creek - Downstream of William St., May 2010





Guadalupe - Coyote RCD

Coyote Creek – Downstream of Julian St., March 2007





Guadalupe - Coyote RCD

Guadalupe River – Under Julian St. Bridge, Oct. 2007





Guadalupe - Coyote RCD

Guadalupe River – Downstream of Julian St., Dec. 2006





Guadalupe - Coyote RCD

Guadalupe River – Downstream of Julian St., Dec. 2009





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- **VANDALISM**

- **LARGELY PERPETRATED BY INCORRIGIBLE HOMELESS & YOUNG ADULTS & DELINQUENT TEENAGERS**
- **EXAMPLES INCLUDE:**
 - * **SPRAY PAINTING/TAGGING BRIDGES & OTHER STRUCTURES**
 - * **THROWING USED/PARTIALLY USED PAINT CANS INTO WATER**
 - * **DESTROYING RIVER PARK SIGNS/DECORATIONS**
 - * **DESTROYING PARK/PROJECT FENCING**
 - * **DESTROYING RIPARIAN RESTORATION IRRIGATION SYSTEMS & COMPONENTS**
 - * **DESTROYING RIVER SURVEY MARKERS**
 - * **DESTROYING RIPARIAN VEGETATION**
 - * **TUNNELING INTO & DEGRADING RIVER BANKS**
 - * **DESTROYING EQUIPMENT**



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Coyote Creek – Under Santa Clara St. Bridge., Nov. 2008





Guadalupe - Coyote RCD

Coyote Creek – Santa Clara St. Bridge, Feb. 2009





Guadalupe - Coyote RCD

Guadalupe River – Under Julian St. Bridge, Nov. 2010





Guadalupe Coyote RCD

Coyote Creek – Downstream of Santa Clara St., Jan 2007





Guadalupe - Coyote RCD

Guadalupe River – Upstream of Coleman Ave., Oct. 2007





Guadalupe - Coyote RCD

Guadalupe River – Upstream of Woz Way, June 2005





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- **OTHER CRIMINAL ACTIVITY**

- + **POACHING** - OF SPECIAL STATUS OR THREATENED STEELHEAD OR SALMON

- + **DRUG/ALCOHOL PARTIES** - SITES USUALLY CONTAIN LARGE AMOUNTS OF TRASH & GARBAGE OFTEN WITH USED NEEDLES OR CONDOMS

- + **THEFT** - OF RIPARIAN RESTORATION IRRIGATION SYSTEM COMPONENTS & WIRE, SHOPPING CARTS, BATTERIES ETC., WHICH EVENTUALLY ARE SOLD OR DUMPED IN THE WATERWAY

- + **POLLUTION/DEGRADING PUBLIC TRUST RESOURCES** - USING THE BANKS & DRY BED OF THE WATERWAY AS A BATHROOM, STARTING FIRES IN RIPARIAN AND FLOOD CONTROL PROJECT AREAS

- **LITTERING**

- + **DONE BY A WIDE RANGE OF PEOPLE BEHAVING BADLY**



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San Jose Mercury News

Serving Northern California Since 1851

WEDNESDAY
NOVEMBER 15, 1995

POACHED SALMON

Migrating run
of chinook faces
decimation from
illegal fishing in
Guadalupe River

Stolen grocery carts make
easy traps for spawning fish

BY FRANK SWEENEY
Mercury News Staff Writer

Illegal fishing — some of it by people using stolen grocery carts as traps — threatens to wipe out a small run of chinook salmon that struggles up the Guadalupe River to spawn in its shallow waters.

All along the Guadalupe — from the slow-moving reaches near Alviso, past the glass-and-steel office buildings of downtown to the swifter waters in South San Jose — poaching is taking a toll on a salmon run discovered less than a decade ago.

The fish will die in the river anyway after spawning. The danger is that they'll be caught before they can repopulate.

"Poaching is going to be the demise of this particular strain of fish if we can't control it,"



This chinook managed to elude poachers before spawning successfully, then dying.

state Fish and Game Warden Gary Combes said. "It wouldn't take a whole lot of fishing to wipe out this particular group of fish in short order."

The poaching seems to be most blatant just a

See **SALMON**, Page 20A



Dropped from a bridge or laid in the river, shopping carts are poachers' trap of choice.

PHOTOGRAPHS BY RICK E. MARTIN — MERCURY NEWS



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Guadalupe River – Downstream Coleman Ave., Nov. 1998



Photo by L.M. J ohmann © 1998



Photo by L.M. J ohmann © 1998



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Guadalupe River

Downstream of Willow St. Jan. 2011 **Upstream of Coleman Ave. Mar. 1995**





Guadalupe - Coyote RCD

Guadalupe River – Upstream of Woz Way, June 2005





Guadalupe - Coyote RCD

Guadalupe River

Downstream St. John St. Oct. 2003 Upstream I-880, July 2007





Guadalupe - Coyote RCD

Guadalupe River – Dumped Auto Batteries

Downstream of Grant St.



At Grant St. Mar. 2010





Guadalupe - Coyote RCD

Coyote Creek – Downstream of Berryessa Rd., May 2006





Guadalupe - Coyote RCD

Guadalupe River – Under Julian St. Bridge, Nov. 1998



y L.M. Johmann © 1998



Guadalupe - Coyote RC

Guadalupe River – Under Julian St. Bridge, Nov. 2010





Guadalupe - Coyote RCD

Guadalupe River – Downstream Coleman Ave., Feb. 2010





Guadalupe - Coyote RCD

Guadalupe River – Downstream of Virginia St., Feb. 2010





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- **OVER 2 DOZEN CITY, MUNICIPAL, COUNTY, SPECIAL AGENCY, STATE & FEDERAL LAWS/CODES THAT PROHIBIT CREEK SIDE ENCAMPMENTS & POLLUTION OF OUR WATERWAYS**
- **MANY OTHER LAWS PROHIBITING THE OTHER LISTED ILLEGAL ACTIVITIES**
- **SELDOM ENFORCED**



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- **San Jose Municipal Codes**

Sec. 13.44.190 - Water Pollution Prohibited

Sec. 13.44.220 - Damaging Park Property Prohibited

Sec. 13.44.230 - Littering prohibited



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- **California Civil Codes**

Sec. 3479

- **California Penal Codes**

**Sec. 370, Sec. 372, Sec. 373a, Sec. 374, Sec. 374.3, Sec. 374.4
Sec. 374.7, Sec. 374.8**

- **California Dept. Fish & Game Codes**

Sec. 5650, Sec. 5652



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- **California Health & Safety Codes**
Sec. 25180, 2510.5, 25180.7, 25242, 25242.1, 117480, 117555, 117560
- **California Porter-Cologne Water Quality Act**
Sec. 13050
- **San Francisco Bay Region Basin Plan**
Chapter 3 and 4
- **Federal Water Pollution Control, Clean Water Act**



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WHAT MUST BE DONE ???

- **PREVENTION - REGULAR PATROLS, KEEP ENCAMPMENTS FROM BEING ESTABLISHED NEAR WATERWAYS**
- **INTERVENTION - REMOVAL OF ENCAMPMENTS FROM WATERWAYS. PROVISION OF A CONTROLLED ALTERNATE LOCATION WITH DISPOSAL AND TOILET FACILITIES**
- **ENFORCEMENT — CITATION OR ARREST OF BLATANT VIOLATORS (ONE WRITTEN WARNING FOR OTHER VIOLATORS)**
- **PUNISHMENT — APPROPRIATE FINES, COMMUNITY SERVICE, INSTITUTIONALIZATION AND/OR JAIL**