

NATURAL HERITAGE INSTITUTE

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April 17, 2007

Via Electronic and First Class Mail

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Re: Status Report on Cooperative Efforts Between the City of San José and the Santa Clara Valley Water District (Council Agenda Item (Mar. 13, 2007))

The Guadalupe Coyote Resource Conservation District (GCRCDD) provides these comments in response to the, "Status Report on Cooperative Efforts Between the City of San José and the Santa Clara Valley Water District," which was set for the City Council's agenda on March 13, 2007. We specifically respond to the discussion of Trash Removal from Creeks, which is one of the seven cooperative projects focused on protecting water quality within the watershed.

The GCRCDD is a public agency formed by election of landowners in the district in March 1943, pursuant to the provisions of Division 9 of the Public Resources Code of the State of California, and authorized and directed to conduct research in and to advise and assist public agencies and private individuals in land use planning, pollution control, recreation, water quality, and the conservation of soil, water, woodlands, wildlife and other natural resources. Like the City of San José (City) and Santa Clara Valley Water District (SCVWD), trash impairment in creeks is a serious concern to the GCRCDD. We have supported trash removal

efforts within the watershed for over the past 12 years. We may participate in the Santa Clara Valley Urban Runoff Pollution Prevention Program, which will begin implementation of trash pilot projects this year. On January 12, 2005 we filed a Petition before the City and SCWVD to remove or otherwise address the impacts of homeless encampments located along the Guadalupe River, Coyote Creek and Stevens Creek because we were concerned about the water degradation and trash impairment caused by such encampments.

As stated by the City and SCVWD: "Trash is a pollutant that may impact both the aesthetic quality and beneficial uses of our creeks and waterways. Trash can form large accumulations in creeks, which may hamper recreational use, impact water quality and potentially hinder flood-control protections." City of San José and SCVWD, *Trash Prevention & Removal MOA* (Sept. 2004). We agree that trash is a pollutant and can form large accumulations in creeks and potentially hinder flood-control protections. However, we do not believe this statement communicates the urgency and severity of the problem. Trash most certainly is negatively affecting water quality, aesthetic conditions, recreation, and beneficial uses. A large quantity of the trash and junk being thrown in our waterways appears to meet the criteria of hazardous waste, e.g., fuel tanks and drug paraphernalia.

On March 5, 2007, Larry Johmann, GCRC D President, participated in a creek surveillance effort with Friends of Coyote Creek. He reported the worst conditions he had ever seen, much worse than even one month prior. There was trash and miscellaneous debris along most of the banks and all along the channel of Coyote Creek between San Antonio Street and at least ¼ mile downstream of Julian Street. The number and size of homeless encampments, particularly large encampments dug into the sides of the banks, had increased just upstream of Julian Street. We have provided photographs of trash impairment along Coyote Creek and Guadalupe River taken within the last six months, including captions of the scenes as Larry Johmann perceived them, as attachments 1A (Coyote Creek) and 1B (Guadalupe River).

So, while the GCRC D acknowledges the City and SCVWD's accomplishments in 2006 (*see* Status Report, pp. 8-9), we respectfully submit that more must be done in the coming year. We recommend that the 2007 Work Plan be expanded to include additional measures. For ease of reference, we have inserted our recommendations directly into the "highlights of the 2007 Work Plan" (*see id.*, p. 9). The original text is italicized with our recommended revisions displayed as underlined text.

- City or SCVWD staff will undertake monthly inspections of the creeks to monitor and report conditions of trash impairment;

- continuation of partnered creek cleanup projects, a total of 8 projects to be completed in 2007;
- *exchange of trash and litter outreach materials between the City and District,*
- *continued outreach and education for creekside property owners aimed at developing practices to manage trash on their properties effectively,*
- *development of a joint City-District creek cleanup outreach flyer, ~~and~~*
- *joint Trash Team participation in the Santa Clara County Litter Technical Advisory Committee; and*
- joint development, in consultation with interested stakeholders, of a systematic strategy, including robust enforcement program, to address creekside homeless encampments which are the primary source of trash in local creeks.

CONCLUSION

Thank you for considering these comments. Please contact Larry Johmann at (408) 288-5888 with any questions or to discuss the issues raised in this letter further. We look forward to working with City and SCVWD to address the significant impacts caused by trash along local creeks.

Respectfully submitted,



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Attachment 1A

ATTACHMENT 1A



View downstream, about 200 yards downstream of Julian St



View downstream, about 200 yards downstream of Julian St

↑

ATTACHMENT 1A



View about 200 yards downstream of Julian St., note green propane tank, spray paint can and oil slick.



Encampment dug into the east bank about 100 upstream of Julian St., note much riparian vegetation removed and dirt rock and garbage thrown down the bank and into the creek.

ATTACHMENT 1A



Encampment dug into the east bank about 150 yards upstream of Julian St. Note purple pipe used for sewerage running from the shelter into the creek, much riparian vegetation removed and dirt and garbage thrown into the creek.



Encampment site in Roosevelt Park about a half mile downstream of Santa Clara St., a lot of vegetation has been cut down for the site and used to try to camouflage it.

ATTACHMENT 1A



Garbage and junk in the channel about 200 yards downstream of Julian St.



Hazardous waste pulled out of a very small area of the channel about 200 yards downstream of Julian St., including large propane tank, 1 gal. can of Coleman fuel, 2 motor oil containers, 1 bottle of fuel additive, 2 spray paint cans, butane fuel, 8 butane lighters, two drug prescription containers, marking pen, etc.

Attachment 1B

ATTACHMENT 1B
GUADALUPE RIVER



About 50 yards upstream of I-880



Just downstream of the Union Pacific Railroad trestle downstream of Julian St

ATTACHMENT 1B



West bank just downstream of Julian St. Bridge



East bank just downstream of the Julian St. Bridge

ATTACHMENT 1B



East bank, just upstream of the Union Pacific Railroad trestle.



East bank about 50 yards downstream of Julian St.

ATTACHMENT 1B



Just downstream of old Julian St. Bridge site.



View towards west bank, just upstream of the Coleman Ave. Bridge

ATTACHMENT 1B



View towards west bank several hundred yards upstream of Coleman Ave.



View towards west bank of encampment dug into the bank, about 100 yards downstream of old Julian St. Bridge site.

ATTACHMENT 1B



L.M. Johmann
Feb. 5, 2007

View towards west bank of encampment dug into the bank, about 50 yards downstream of old Julian St. Bridge site.



Roger Castillo
Dec. 3, 2006

Toilet area on west bank just under the Julian St. Bridge.

ATTACHMENT 1B



Toilet area on the west bank under the Julian St. Bridge.



Toilet area on west bank under the St. John's St. Bridge.