

Subject **RE: Environmental Threat/Guadalupe River/San Jose**
From R9.Info <R9.Info@epa.gov>
To MARSEY KAHN <ozmakahn@comcast.net>, R9.Info <R9.Info@epa.gov>, Valiela, Luisa <Valiela.Luisa@epa.gov>
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Date 2021-08-05 04:53 PM



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- South Bay WQ Encampment Response.080521.pdf(~173 KB)
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Hello Marsey Kahn,

Thank you for contacting the U.S. EPA Pacific Southwest (Region 9) Environmental Information Center.

Please see the attached response from the EPA Region 9 Watersheds Section Manager regarding your concerns.

Also, can you please forward to Dave Guthridge, President, Thousand Oaks Neighborhood Association and Jennifer Roberts, Thousand Oaks Park Conservancy Project who are not cc'd on the original email.

Best regards,

Lisa Wheeler, MLIS
Environmental Information Center
U.S. Environmental Protection Agency
Pacific Southwest Region/ Region 9
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(415) 947-4406

From: MARSEY KAHN <ozmakahn@comcast.net>
Sent: Monday, July 19, 2021 9:53 AM
To: R9.Info <R9.Info@epa.gov>
Cc: pam.foley@sanjoseca.gov; mike.wasserman@bos.sccgov.org; senator.cortese@senate.ca.gov; diana.torres@sen.ca.gov; Jennifer Codianne <JCodianne@valleywater.org>; Director@CountyRoads.org; s.holmes@sbcleancreeks.com; Stephanie Moreno <smoreno@gcrd.org>; kristin.garrison@wildlife.ca.gov; hughes, scott <scott.hughes@sanjoseca.gov>
Subject: Environmental Threat/Guadalupe River/San Jose

Deborah Jordan, Acting Regional Administrator
Environmental Protection Agency, Region 9

Dear Ms. Jordan,

The presence of homeless encampments along creeks and waterways in San Jose first drew attention in 2013. At that time, the focus was on The Jungle in Coyote Creek, which was then the region's largest homeless encampment. A major consideration in the closure of The Jungle was that Coyote Creek had become inundated with human waste and rotting trash. Recognizing that homeless encampments are a major source of trash in waterways, the San Francisco Bay Regional Water Quality Control Board adopted a resolution stating that trash from homeless encampments now falls under a stormwater permit, which requires all Bay Area cities to get storm drains virtually trash-free by 2022. While this resolution gave local agencies the authority to conduct trash/waste clean-ups, it did not address the underlying problem. Without regulations preventing encampments from locating along creeks and waterways, the severe threat to the environment is allowed to continue.

After inhabitants were moved out of The Jungle, it took more than two weeks to clean up 618 tons of debris, 2850 gallons of bio-waste, 1200 needles, and 315 shopping carts. An unfortunate consequence of the closure was the migration of its inhabitants to other creeks and waterways throughout San Jose. Shortly after disbanding the encampment, outreach workers identified nearly 300 other camps, bringing with them the same debris and bio-waste common in The Jungle. Costly, labor-intensive clean-ups have had only a temporary effect on mitigating the trash that continually accumulates around the encampments. It is a futile exercise, with no end in sight, as long as encampments are allowed to remain in environmentally sensitive areas. Recently, in addition to gross pollution of waterways, and the resulting destruction of surrounding habitat, the constant threat of wildfires has become a concerning aspect of the encampment issue. With no authority to prohibit the use of propane/butane stoves and open fires, a wildfire disaster seems increasingly likely.

Thousand Oaks, in San Jose, is an established neighborhood of 834 homes, located just east of Reach 11 of the Guadalupe River. The neighborhood's western border lies along the river, with Valley Water's access road the only space separating many of our homes from the waterway. When encampments started appearing along this stretch of the of Guadalupe, debris and bio-waste soon began accumulating along the embankment and, inevitably, in the river. A community clean-up effort in October 2020 removed three tons of trash and debris, yet the encampments were allowed to stay.

Over a four-day period in June of this year, from the 12th through the 15th, there were three separate fires in an encampment bordering our neighborhood, all serious enough to require a response by San Jose Fire Department (SJFD). According to SJFD, on any given night there are more than 600 open fires burning in encampments across the city. This is not only an obvious danger to human life and property, but also to the entire riparian corridor, and the wildlife that depends on the region for survival.

During the past three years, we have worked continuously with our San Jose City Councilmember,

Valley Water, Santa Clara County Roads & Airports, South Bay Clean Creeks Coalition, and County/State representatives to address the issue of homeless encampments in the Guadalupe River, including their negative impacts on the riparian corridor, our adjacent parks, and resident red-tailed hawks. Although these agencies are well aware of the threats posed by the existence of the encampments, we feel the impact on the environment does not receive the attention it deserves. While we recognize the complexity of the problem of homelessness, we believe the ongoing threats to the environment should be of primary importance, and that it is our responsibility to reach out for support in what we feel is a necessary step: prohibiting encampments from locating in sensitive environmental areas.

Our extensive efforts to keep our rivers, creeks and waterways free of destructive encampments have been successful to a small degree. However, without definitive regulations and/or legislation protecting these areas from the negative impacts encampments bring, the assault on the environment continues unabated. We are asking for your help and support in advocating for the protection and preservation of our vulnerable natural habitats.

Sincerely,

Dave Guthridge, President, Thousand Oaks Neighborhood Association
Marsey Kahn, Board Member, Thousand Oaks Neighborhood Association
Jennifer Roberts, Thousand Oaks Park Conservancy Project

*The environment is in us, not outside of us.
The trees are our lungs, the rivers our bloodstream,
and what you do to the environment, ultimately, you do to yourself.*
-Ian Somerhalder