
San Francisco Bay Regional Water Quality Control Board

April 24, 2015

NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD FOR

**Adoption of Resolution on Actions to Address the Adverse Water Quality Impacts
of Homeless Encampments**

NOTICE IS HEREBY GIVEN THAT the San Francisco Bay Regional Water Quality Control Board (Water Board) will hold a public hearing on **May 13, 2015**, to consider adopting a resolution on actions to address the adverse water quality impacts of homeless encampments.

The public hearing information is as follows:

Date: May 13, 2015
Time: 9:00 A.M.
Location: State of California Building
First Floor Auditorium
1515 Clay Street
Oakland, California 94612

Staff Contact: Dyan Whyte, Assistant Executive Officer
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
510 622-2441 (phone)
510 622-2460 (fax)
dyan.whyte@waterboards.ca.gov (email)

Materials: The proposed resolution is available at:
http://www.waterboards.ca.gov/sanfranciscobay/public_notices/

The public comment period for the proposed resolution is April 24, 2015, to 5:00 p.m. on May 4, 2015. All written comments on the proposed resolution are due by this date and time to the staff contact identified above. Additionally, all evidence, testimony, and exhibits to be offered at the hearing must be submitted in writing by this date to the above staff contact. Non-evidentiary policy statements to be made at the hearing need not be submitted in advance.

*Notice of Public Hearing and Public Comment Period for
Resolution on Actions to Address the Adverse Water Quality Impacts of Homeless
Encampments*

The Water Board will receive oral public testimony on the proposed resolution at the hearing.

All public comments, written and oral, must pertain to the proposed resolution and not on other pending matters before the Water Board, such as the Municipal Regional Stormwater Permit.

The public hearing will be conducted in accordance with the California Code of Regulations, title 23, section 649.3. Time limits may be imposed on oral testimony at the public hearing; groups are encouraged to designate a spokesperson.

A map and directions to the hearing are available online at:
http://www.waterboards.ca.gov/sanfranciscobay/about_us/directions.shtml

The location of the hearing is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Executive Assistant Angela Tsao, (510) 622-2399, antsao@waterboards.ca.gov, at least five (5) working days before a meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Bruce H. Wolfe
Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

TENTATIVE RESOLUTION No. R2-2015-00##

**ACTIONS TO ADDRESS THE ADVERSE WATER QUALITY IMPACTS OF
HOMELESS ENCAMPMENTS**

WHEREAS, the California Regional Water Quality Control Board, San Francisco Bay Region (Water Board), finds that:

1. Discharges of trash and human wastes from homeless encampments pose a significant water quality and public health threat.
2. The Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) prohibits the discharge of rubbish, refuse, or other solid wastes into surface waters or any place where they would eventually be transported to surface waters, including flood plains. Discharges of trash from homeless encampments are covered under this prohibition.
3. The Basin Plan also prohibits the discharge of raw sewage or any waste failing to meet waste discharge requirements to waters of the State. Discharges of human waste from homeless encampments are covered under this prohibition.
4. The problem of discharges of trash and human waste from homeless encampments is entwined with complex and challenging societal issues, including poverty, the Bay Area's high cost of living, and un- and under-employment.
5. The Water Board held a public workshop on February 11, 2015, on local agency efforts to address the water quality impacts of homeless encampments. Staff from Contra Costa County, the City of Oakland, the City of San Jose, and the Santa Clara Valley Water District described the scope of the problem in their jurisdictions, ongoing efforts, lessons learned, and future challenges.
6. Local agencies have an interest in cleaning up and preventing homeless encampments for multiple reasons. Local agencies are concerned for the health and safety of individuals living in unsafe and unsanitary encampments, impacts on businesses and residents in surrounding neighborhoods, and pollution from the direct discharge of trash and human waste into waterways.
7. Cleaning up and preventing homeless encampments may often require interagency collaboration. There are many examples of interagency collaboration in the San Francisco Bay Region. Contra Costa County has established a cross-department working group on homelessness and is developing a memorandum of understanding between its agencies to ensure consistent, collaborative efforts for the long term. The City of San Jose is collaborating with the Santa Clara Valley Water District, the County of Santa Clara, State agencies, and non-profit organizations. [Destination: Home](#) is a public-private partnership serving as the backbone organization for collective impact strategies to reduce chronic homelessness in Santa Clara County. The City of Oakland has established a coordinated homeless encampment task force and has expanded its outreach, publicity, and enforcement against illicit dumping. These are but a few examples of the

concerted and on-going efforts by municipalities and nonprofit organizations throughout the San Francisco Bay Region.

NOW, THEREFORE BE IT RESOLVED THAT the Water Board:

1. Encourages local agencies to undertake efforts to eliminate and prevent adverse water quality impacts from homeless encampments. These efforts should include clear and measurable goals for trash reduction.
2. Affirms that it has the authority to regulate discharges of waste from homeless encampments into waters of the State, and, at its discretion, may consider enforcement of the Basin Plan's discharge prohibitions or consider issuance of cleanup and abatement orders or waste discharge requirements to owners of property where homeless encampments are located.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on (date).

Bruce H. Wolfe
Executive Officer