

# Illegal dumps choke Bay Area watersheds and open space

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A pile of trash is visible as cleanup crews hired by the city of San Jose throw away trash along Monterey Road near Bailey Avenue in San Jose in 2020. (Dai Sugano/Bay Area News Group)

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SANTA CRUZ — Bean Creek Road winds through the redwoods of the Santa Cruz mountains, flanked on one shoulder by steep hillside, and the other, an abrupt ravine. A discreet dirt pull-off offers a sweeping view of emerald tree tops. But shifting your gaze downward offers a much grimmer sight: discarded furniture, mattresses, rusted-out car parts and trash tumbling into the creek below.

This disconcerting mess is one of the thousands of illegal dumping grounds fouling California's communities.



Items dumped illegally in Oakland. (Jane Tyska/Bay Area News Group)

Now a deeper analysis finds that illegal dumping has grown more acute in the Monterey Bay area during the pandemic. As piles of garbage accumulate on street corners and rural backroads, communities are grappling with ways to step up enforcement and design prevention programs. A statewide trend toward privatizing waste management is exasperating the problem.

Back at Bean Creek Road, neighbors express frustration when they spot pickups and even U-Hauls at the site. Nobody wants their community used as a dumping ground.

“It’s not just Santa Cruz County, we’re not special at all,” said Beau Hawksford, Zero Waste Analyst for the county. “It’s been happening more across the country – if not the world.”

There are more than 50 sites repeatedly littered with waste like the one at Bean Creek scattered around the unincorporated parts of Santa Cruz County, according to Hawksford. He admits that there are likely more that the county doesn’t know about, as they rely on complaints from the community to find them.

In neighboring Monterey County, edging a national marine sanctuary, illegal dump sites also increased during the pandemic, said Ted Terrasas, sustainability manager for Monterey’s Community Development Department. In 2020, cleanups were halted due to uncertainties about the spread of COVID-19, and unwanted trash piled up and proliferated.

The problem can be seen in the growing piles of discarded tires and construction debris sullyng the Pajaro River from Gilroy to Watsonville. And in the mounds of broken furniture and decaying mattresses behind the abandoned barracks at Fort Ord.

“It’s not only important to clean up dumping sites for environmental health reasons,” Terassas said, “but also because dumping sites signal neglect and encourage more dumping.”

According to the Monterey County Solid Waste Department, the annual number of clean-ups are on the rise. Based on complaints filed with Monterey County Public Works, over 700 requests for litter removal have been filed in the past two years – roughly the equivalent of a complaint every day. A litter abatement team works seven days a week to remove 150 to 200 tons of trash each year.

### **Why this is a problem**

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The unfortunate scene at Bean Creek isn’t unusual, said Hawksford. Canyons and ravines above creeks are common dumping sites, as are road pullouts in rural areas with scarce surveillance or passersby.

Ravines are also the most challenging and expensive to clean up, often requiring a crane and a large crew due to the difficult terrain. A single clean-up of one site can cost more than \$100,000, Hawksford said.

These dumping grounds aren’t merely an eyesore. Many of the dumped items leach toxic chemicals like PFAS, pesticides and phthalates. Those chemicals can make their way through California’s watershed through storm drains and waterways, as well as through soil into aquifers.

“All these canyons connect to our coastal waters,” explained Theresa Talley, a coastal specialist at California Sea Grant Extension. “Trash and debris build-up [in them] and when it finally does rain, it just flushes.”

Sunlight breaks down plastic into smaller fragments that can be eaten by wildlife, and bite-sized pieces are easily carried away by rain and wind. Mattresses and couches deteriorate into strips of fabric and stuffing that can entangle plants and animals, choking sea turtles and snaring songbirds. Flame retardants in mattresses seep into soil and water, as do toxins from discarded tires. Sunlight only compounds the problem, by breaking down and releasing even more chemicals. Stained wood, for example, can contain PFAS, which are long-lasting chemicals that researchers have linked to a multitude of health problems in humans and animals. Ultimately, all these contaminants run the risk of ending up in the Pacific Ocean or in aquifers that provide drinking water.

### **The cause**

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People dump trash for a range of reasons, making the issue particularly difficult to address.

The problem is exacerbated by poverty and inequality, both of which have worsened during the pandemic. In low-income neighborhoods, where high housing costs lead to overcrowding, dumpsters are often filled beyond capacity.

High turnover of residents in crowded living conditions also contributes to the issue, according to San Jose City Project Manager Amory Brandt, who studied illegal dumping as an indicator of social disorder. When people have to move quickly, they might leave mattresses and furniture behind in streets, alleys and lawns. Residents who don't speak English may be left without resources indicating how to dispose of their trash.

"I tell my neighbors about the junk pick-up program or bulky item pick-up and almost every neighbor I've told about it doesn't know about it," Brandt said. "I'm just so surprised because I feel like we've done a lot of work to publicize the program."

But it's not just individuals who resort to dumping to discard unwanted furniture and belongings. It's not uncommon for contractors to back their truck up to a ravine and dump waste from job sites, said Los Angeles County Deputy District Attorney Karen Tandler, who works in the Environmental Crimes Division.

Enforcement of illegal dumping laws is tricky, said Inspector Jim Gordon of the Alameda County District Attorney's Office's Environmental Crimes Unit. Gordon has worked to end illegal dumping for over 36 years. Those caught in the act are typically charged between \$250 and \$1,000, though repeat offenders may pay more. Instead of being charged with committing a misdemeanor, as happens in neighboring Oregon and Nevada, dumping in California currently warrants only a citation. Gordon said this actually increases the odds offenders will choose the fine over compliance.

"We've got people that are just taking shortcuts because of laziness or greed," said Doug Kobold, the executive director of the California Product Stewardship Council, speaking at a statewide Illegal Dumping Conference in April. With over 30 years of experience combating illegal dumping, he said lack of convenience and the high cost of disposal discourages people from bringing their waste to proper facilities.

In rural areas, it may be even more difficult to access affordable disposal options. Although Monterey and Santa Cruz County have a dozen dumps and waste drop-off locations, communities farther from town may have to drive up to an hour to dispose of old mattresses, broken appliances and other trash.

## **What is being done**

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Communities across the state are tackling illegal dumping in a myriad of ways, but the decentralized nature of waste management makes solutions more challenging.

Recognizing the crisis, the state legislature is considering more than 75 bills related to solid waste management – an unprecedented number. These bills seek to tackle the problem from several angles, including increasing fines for offenders, boosting surveillance, and increasing accountability for disposal by manufacturers.

A case of illegal dumping by a municipal road work contractor into a creek spurred Assemblymember Bauer-Kahan of Contra Costa County to propose bill AB2374, which would increase criminal fines and revoke business licenses from offenders.

In Santa Cruz and Monterey Counties, waste management agencies established programs designed to make it easier to discard particularly toxic and bulky items. Their dumps now take used mattresses and electronics for free, and every household can request free bulky item pickups, up to four times per year.

Despite the urgency of curbing illegal dumping, solving the problem is a frustrating paradox. Dump fees and waste collection charges are used to pay for clean-up and collection programs, but if they're too expensive, people might resort to illicit methods.

“How much can we raise our fees to cover these costs before someone just goes and dumps it on the side of the road? It's got to be enough to recoup our costs,” said Hawksford.

According to Hawksford, Santa Cruz County would need to double the current annual budget, from around \$500,000 to \$1 million, to effectively address all the illegal dumping sites.

This problem is further hindered by a recent trend toward privatizing landfills, which allows owners to hike prices. Without competition from other nearby sites, private landfill owners lack incentives to keep costs affordable for the public.

“Landfills are hard to come by nowadays,” Kobold said. “And so the competition has lessened to some degree.”

The shift to running landfills for profit isn't changing soon, and in the meantime, cities and counties across the state are forming task forces to take on the growing piles of junk in their communities. Waste managers, environmental health experts, and sheriff's departments are stepping up collection and outreach programs and increasing enforcement, said Kobold.

But sustainability officers and waste managers agree that one of the best ways to address improper waste disposal is to reduce the flow of waste at the source. Agencies like the California Product Stewardship Council are working to redirect the burden of recycling and responsible disposal back on the manufacturers. For example, the Council is currently working with legislators on a bill that would require battery manufacturers to lead free community collection programs across the state.

“When you put the cost burden on the producers, they’re more willing to design their product better,” Kobold said. This means making their products more durable, more reusable, more repairable or more recyclable.

“If it’s left on the ratepayers,” he said, “then those producers will never change their ways and they don’t have any reason to.”

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