



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: PAR 23-027

November 28, 2023

Introduced: 11/16/2023

Current Status: Agenda Ready

Version: 1

Matter Type: Preliminary Analysis
Report

Receive a preliminary analysis report in response to **Board Referral No. #2023.20** seeking to amend Monterey County Code to establish Littering Fines for illegal dumping and littering of solid waste and refuse.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Receive a preliminary analysis report in response to Board Referral No. #2023.20 and direct that staff:
 - 1) Proceed with completion of referral based on modifications by the Board; or,
 - 2) Remove from consent and:
 - i. Proceed with completion of referral based on modifications by the Board; or,
 - ii. Return to Board with a more comprehensive analysis of referral and anticipated effort for completion; or,
 - iii. Rescind referral.
- b. Provide further direction, as appropriate.

PRELIMINARY ANALYSIS:

In an effort to reduce the ongoing issue of illegal dumping and littering of solid waste, the County of San Benito, our neighboring county, recently updated their code penalties to apply higher fines for illegal dumping and littering. The increase in fines is an enhancement to their current array of enforcement tools. Monterey County has long had similar illegal dumping and littering issues. With closely shared county lines, the possibility exists of increased illegal dumping in Monterey County due to the lack of fines and enforcement to deter illegal dumpers. Board Referral No. 2023.20 seeks to amend Monterey County Code in the same fashion to prevent illegal dumping and littering, promote an enjoyable environment and protect our natural resources.

Proposed Project Description:

Illegal dumping and littering of solid waste and refuse is a common, repeated and increasing occurrence despite regulatory and service-related activities performed by the County of Monterey's various departments and agencies. Residents, and local groups of ordinary citizens who volunteer their own personal time and efforts to clean up after those who break the law do not deter law breakers. Many jurisdictions understand that public education and physical eradication efforts also require a robust enforcement element for an effective system to succeed. This project will focus on amending current county code, specifically MCC 10.41.040, and all

other applicable local codes, to facilitate an effective response to holding those responsible for illegal dumping and littering by clarifying code violations, increasing penalties, and updating language to emphasize local roles and responsibilities.

It is worth noting that other jurisdictions, both within CA and other states, have discussed the benefits of implementing fines at the statewide Illegal Dumping Conference. This conference highlights “the three E’s” of education, eradication, and enforcement as the best approach for addressing illegal dumping. Locally, the Illegal Dumping Litter Abatement Task Force, known as IDLATF, has modeled its subcommittees after this three-pronged approach. The Education & Outreach subcommittee has worked on distributing a quarterly newsletter, creating media posts/videos, promoting the Disposal Voucher Program, and more as part of our efforts to continuously educate the public on why they shouldn’t illegally dump and alternatives to illegal dumping. The Eradication subcommittee has worked on hosting regular community cleanups throughout the County, collaborating with franchise solid waste haulers who host cleanup events for residents, working with Public Works to clean up illegal dumpsites, and more. The Enforcement and Eradication subcommittees have been developing a pilot surveillance program and implementing fines for illegal dumping/litter will only strengthen enforcement efforts through distinct consequences to illegal dumping.

Estimated Project Cost:

This project is estimated to require a minimum of six months to one year of staff time working a minimum of five hours a week on this project. The estimated cost is undetermined at this time.

Staffing Level Estimate:

At a minimum, about 10% of time for six Environmental Health staff to collaborate, assess, analyze, and review the components that would create an effective, enforceable outcome and County Counsel support to amendments to County Code.

Departmental Challenges:

Departmental challenges currently are limited staffing resources and competing operational priorities. However, every effort will be made to ensure that the project is managed and prioritized to provide progress updates.

Proposed Response Date:

The initial estimated evaluation and feasibility response date is April 2024. From there, an estimated timeline to completion can be established, no later than December 2024.

This work supports the Monterey County Health Department 2018-2022 Strategic Plan Goal (1.) to empower the community to improve health. It also supports the following of the ten essential public health services, specifically (3.) inform, educate, and empower people about health issues and (4.) mobilize community partnerships and action to identify and solve health problems.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Illegal dumping and littering are a nuisance and has the potential to create public health hazards.

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The proposed project is targeted to improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Mark a check next to the related Board of Supervisors Strategic Initiatives:

☐ Economic Development
☐ Administration
☒ Health & Human Services
☐ Infrastructure
☐ Public Safety

Prepared by: Robin Kimball, Management Analyst III, 796-1297

Approved by:

 Date: 11/17/2023 | 3:56 PM PST
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Elsa Mendoza Jimenez, Director of Health Services, 755-4526

Attachments:

Preliminary Analysis Report

Board Referral No. # (must be attached to report as reference)