

Central Services  
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Roads & Transportation  
**Christopher Kurgan**, Director

Water & Sanitation  
**Joseph Pope**, Director

Watershed Protection  
**Glenn Shephard**, Director

July 26, 2022

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009

**Subject: Consider Adoption of an Ordinance of the County of Ventura and an Ordinance of the Ventura County Watershed Protection District to Prohibit Camping and Related Activities In, On, or Within Publicly Owned Property in a Red Line Channel or Related Critical Public Infrastructure; All Supervisorial Districts.**

**Recommendations:**

1. On July 26, 2022, introduce and read in title only an ordinance of the County of Ventura adding Division 5, Chapter 7 of the Ventura County Ordinance Code to prohibit camping and related activities in, on, or within publicly owned property in a red line channel or related critical public infrastructure, attached as Exhibit 1, and an ordinance of the Ventura County Watershed Protection District adopting Chapter 7 of Division 5 of the Ventura County Ordinance Code, attached as Exhibit 2 (collectively, "Ordinances"); waive further reading of the Ordinances and schedule the adoption of the Ordinances for September 13, 2022.
2. Direct County Counsel to prepare a summary of the Ordinances pursuant to Government Code section 25124(b)(1).
3. Direct the Clerk of the Board to publish and post the Ordinances in accordance with Government Code section 25124.

**Fiscal/Mandates Impact:**

No fiscal impact from the proposed Ordinances is anticipated to the County or entities toward which the new Ordinances are directed.

**Executive Summary:**

The Public Works Agency and the Ventura County Watershed Protection District ("District") seek adoption of an ordinance of the County of Ventura (Exhibit 1) and a



companion ordinance of the Watershed Protection District (Exhibit 2) to prohibit camping and related activities in, on, or within “publicly owned property” in a “Red Line Channel” or “related critical public infrastructure” as those terms are defined by the Ordinances. The purpose of the Ordinances is to protect public health, safety, and natural resources by prohibiting camping and related activities on publicly owned property and critical public infrastructure located within Red Line Channels under the jurisdiction of the District.

### **Discussion:**

The County of Ventura owns and holds easements over certain real property located within Red Line Channels under the jurisdiction of the District; the County also owns and operates Related Critical Public Infrastructure (e.g., flood control facilities, access roads, etc.) located in or adjacent to Red Line Channels. In recent years, the number and size of homeless encampments in these Red Line Channels has increased. Red Line Channels are of critical importance to Ventura County in that they directly convey stormwater and runoff to the Pacific Ocean, provide flood control protection, and contain environmentally sensitive habitat areas for endangered and threatened species. In addition, Red Line Channels also contain large amounts of dense, highly flammable vegetation which, while attractive to encampments due to the sense of privacy it provides, is prone to wildfire and presents an impediment to emergency evacuations.

Encampments in Red Line Channels, which are often sited both in river bottoms and on related critical public infrastructure such as levees and access roads, present numerous serious threats to public health, safety, and natural resources by:

- Exposing campers and emergency personnel to flood waters;
- Causing wildfires;
- Exposing campers to bodily injury and death due to incidents and dangerous conditions such as falls into concrete-lined channels;
- Exposing campers to illness-causing bacteria, mosquitos, and other health risks
- Blocking access to critical public infrastructure including levees and concrete channels;
- Damaging levees, fencing and other critical public infrastructure and improvements;
- Damaging and threatening environmentally sensitive habitat areas, endangered and threatened species, water quality and other natural resources due to improperly disposed and discharged trash, debris, toxic materials and other pollutants such as camping fuel, electronics, human and pet waste, used needles, and wastewater from cooking, laundry and other activities;
- Creating potential compliance issues with the Clean Water Act's National Pollutant Discharge Elimination System (NPDES) and Bacteria and Trash Total Maximum Daily Loads (TMDLs) based on water contamination/pollution issues; and



- Impairing recreational use of riparian areas and beaches based on water contamination and pollution issues.

The County and cities have made significant efforts and financial contributions toward preventing and reducing the number of unhoused individuals by investing in staffing, services, shelter, and housing solutions. In addition, the County's establishment of a coordinated entry system, countywide homeless management information system, and one-stop service centers across Ventura County have helped connect individuals to a range of housing and support services including whole person care, recuperative care, food assistance, rapid housing, emergency shelters, permanent supportive housing, and transitional housing among other services. In recent years, emergency shelter capacity in Ventura County has grown thanks to increased funding from the County and cities, coupled with state funding. These financial contributions have created and supported low barrier emergency shelter programs and seasonal motel placements.

Based on the needs of each unauthorized camper in Red Line Channels, continuing efforts will be made to connect individuals to shelter, and housing options funded by the County and cities ranging from providing shelter, hotels, safe camping/parking, affordable housing, permanent supportive housing, and rentals, among other options.

The District's efforts to clean up and restore the Santa Clara River and other Red Line Channels include the removal of Arundo and tamarisk, invasive species that pose particularly severe threats to the riparian ecosystem, including negative impacts to water quality and quantity, overtaking native plant species, increased flood risk, erosion hazards, and wildfire risk due to their highly flammable characteristics. In conjunction with this clean up and restoration effort, the District has also been performing cleanup of trash and debris.

Pursuant to the proposed Ordinances, no person shall engage in any of the following "Prohibited Activities" in, on, or within publicly owned property in a Red Line Channel or related critical public infrastructure:

- A. Camping or sleeping.
- B. Storing or leaving personal property unattended.
- C. Erecting, building, storing, maintaining, or occupying a tent, recreational vehicle, temporary shelter, or other unauthorized structure or vehicle.
- D. Igniting or maintaining a campfire, other fire, open flame, or camping stove.

If evidence of camping, personal property storage or other Prohibited Activities is discovered, an attempt will be made to obtain the person's voluntary compliance and provide outreach and offer resources to facilitate relocation. If they do not voluntarily comply, a written notice shall be conspicuously posted on or near the site advising that such Prohibited Activities must cease and/or property removed within the time stated in the notice, which shall not be less than 72 hours of the posting of the notice ("Notice to Vacate").



If the Prohibited Activities do not cease and/or personal property is not removed by the date and time stated in the notice, the persons engaging in the activities shall be subject to citation, and the personal property shall be subject to removal and storage. Any removed personal property shall be retained and stored for at least 90 calendar days and notice shall be posted at the site where the property was recovered providing clear instructions for anyone wishing to claim the property. Any personal property not claimed after 90 days will be deemed abandoned and will be disposed of or donated. Nuisance materials and items and materials that are clearly abandoned will not be stored and will instead be immediately discarded.

In addition, immediate vacation is required if an Emergency Order is issued to clear an area required for emergency access to related critical public infrastructure, or in response to an emergency situation posing imminent risk of death or injury such as predicted high water flows, active wildfire, or the location of an encampment in an inherently dangerous location such as adjacent to a high channel ledge. Following the issuance of an Emergency Order, to the extent reasonably possible under the circumstances, any personal property that is left behind shall be retained and stored.

A violation of the Ordinances (e.g., engaging in a Prohibited Activity after the date and time specified in a Notice to Vacate) shall constitute an infraction subject to the general enforcement provisions set forth in Section 13 of the Ventura County Ordinance Code. However, enforcement of the Ordinances shall not limit the authority to enforce other applicable local and state laws.

This item has been reviewed by the Auditor-Controller's Office, County Executive Office, and County Counsel.

If you have any questions regarding this item, please contact the undersigned at (805) 654-2373 or Glenn Shephard, Watershed Protection Director at (805) 654-2040.



David Fleisch, P.E.  
Assistant Director

Attachments:

Exhibit 1 - Ordinance of the County of Ventura adding Division 5, Chapter 7 to the Ventura County Ordinance Code

Exhibit 2 – Ordinance of the Watershed Protection District adopting Division 5, Chapter 7 of the Ventura County Ordinance Code

