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CONTROLLER

March 24, 2021

Honorable Eric Garcetti, Mayor
Honorable Michael Feuer, City Attorney
Honorable Members of the Los Angeles City Council

Re: Piling Up: Addressing L.A.'s Illegal Dumping Problem

The health and environmental wellbeing of a city can be measured in a variety of different ways. One basic yardstick that can be used by even casual passersby is the presence of trash and debris in public places. The City of Los Angeles is responsible for maintaining the sidewalks, streets and alleyways within its boundaries, collectively known as the public right-of-way (PROW). It does this by fixing cracks and potholes, trimming trees and paving streets. The PROW is open for use by anyone, giving pedestrians, cyclists and drivers the opportunity to get where they need to be.

But what is open for use by everyone is being abused by too many. Businesses and individuals are illegally dumping more and more garbage, debris and harmful substances in the City's PROW, contributing to urban blight and public health risks and leading to a lesser quality of life in impacted neighborhoods. Illegal dumping is also a serious environmental crime, as trash dumped in L.A.'s drains flows untreated into our local waterways. Common illegally dumped materials include paint, appliances, construction and demolition waste, household trash and used motor oil.

The City's push to eliminate illegal dumping and the damage it causes our communities is the subject of my latest report. Overall, my office found that the City must do more to tackle this serious issue and address the causes that lead to it.

Overburdened and spread thin

In recent years, as illegal dumping service requests have climbed, the City has put more resources into PROW cleanup efforts spearheaded by the Bureau of Sanitation (LASAN). But even with funding for new cleanup crews and equipment, LASAN is struggling to keep up with the high demand for services. Illegal dumping service requests have spiked nearly 450% — going from an average of 457 requests per month in 2016 to approximately 2,500 requests per month in 2020. And the amount of solid waste picked up by LASAN in the PROW has similarly piled up, increasing from nearly 9,200 tons in 2016 to 14,500 tons through the first eight months of 2020.

The fact that LASAN manages both illegal dumping and homeless encampment cleanups has compounded its logistical and operational challenges. It is taking LASAN an average of five days to respond to illegal dumping service requests — a considerable amount of time to leave unsightly and potentially dangerous waste sitting in the City's PROW. And while there is a nexus between illegal dumping and encampments, the issues are distinct, although scofflaws can and do use encampments as dumping grounds, worsening living conditions for unhoused individuals.

In addition, LASAN is tasked with investigating illegal dumping incidents with limited capacity. There are only 19 illegal dumping surveillance cameras stationed across our 470 square mile metropolis. Enforcement too is problematic as there is no comprehensive strategy to approach the issue, despite the fact that enforcement involves several departments, including LASAN, the Bureau of Street Services, the Los Angeles Police Department and the City Attorney's Office.

There is also currently little work put into educating the public about the impacts of illegal dumping and the need to properly dispose of business, construction and household waste. A coordinated and concerted awareness campaign is needed to notify residents about the right way to dispose of excess trash, underscore that illegal dumping is both harmful and criminal, and encourage people to report it if they see it. Such a campaign should involve input from residents and stakeholders in communities that disproportionately bear the brunt of illegal dumping.

Greater accountability

Without a strategy to improve the City's efforts to clean up abandoned waste and hold accountable those responsible, Los Angeles will continue to see more trash and struggle to keep up with simply picking it up. My report recommends the following actions to address the causes of the problem and improve the City's ability to investigate illegal dumping cases and enforce applicable laws:

- **Increase** the number of dedicated **illegal dumping cleanup crews** to boost LASAN's cleanup capacity and responsiveness.
- **Reorganize** LASAN's **enforcement and investigations** unit to improve its mitigation activities and expand the illegal dumping **surveillance camera program**.
- Establish an **interdepartmental working group** to identify trends and coordinate illegal dumping enforcement activities.
- Consider **increasing fines** for those caught dumping illegally and **boost oversight** of commercial trash customers and construction projects to ensure proper trash disposal.
- Create a **public awareness campaign** to address illegal dumping issues and tell Angelenos about free and low-cost trash disposal services.

By implementing these recommendations, the City can be more aggressive with its illegal dumping response, resulting in cleaner communities and a safer, healthier environment.

Respectfully submitted,



RON GALPERIN
L.A. Controller

PILING UP:

ADDRESSING L.A.'S ILLEGAL DUMPING PROBLEM



RON  **GALPERIN**
LA CONTROLLER

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Piling Up: Addressing L.A.'s Illegal Dumping Problem



EXECUTIVE SUMMARY

Made up primarily of the City's sidewalks, streets, and alleyways, the public right-of-way (PROW) is an essential part of daily life in Los Angeles. The PROW is space that is sometimes taken for granted—Angelenos use it to drive to work, walk to school, and patronize local businesses. **Sadly, businesses and individuals are illegally dumping garbage and debris in the PROW with increasing frequency.**

The proliferation of illegal dumping in Los Angeles has a direct negative impact on public health conditions, public safety, and the environment. Each year, the City's Bureau of Sanitation, better known as Los Angeles Sanitation and Environment (LASAN), responds to tens of thousands of requests for illegal dumping site cleanups, and recovers thousands of tons of waste during those cleanups. LASAN is also the lead department tasked with investigating illegal dumping incidents.

This report examines the City's efforts to eliminate illegal dumping and reduce the health, safety, and environmental impact of illegally dumped waste. **Overall, we found that the City should do more to tackle this serious issue, and address the root causes.**

What We Found

In recent years, LASAN has ramped up its PROW cleanup program, adding new cleanup crews and equipment. **However, illegal dumping service requests have steadily increased since 2017, and keeping up with the demand is a challenge, as LASAN's cleanup crews must respond to illegal dumping complaints in addition to performing public health cleanups at homeless encampments.** In 2017, LASAN's Livability Services Division received an average of 850 illegal dumping service requests per month. **From January through September 2020, LASAN received an average of 2,494 requests per month—nearly three times the amount in 2017.** LASAN's illegal dumping cleanup response time currently stands at an average of five days.

Several issues are hindering the City's ability to stop illegal dumping.

- **LASAN's investigation and enforcement capacity is limited** – LASAN's enforcement unit lacks the capacity to carry out its multiple enforcement programs, and operates just 19 illegal dumping surveillance cameras across the entire City. The City also lacks a comprehensive illegal dumping enforcement strategy, which may be needed because illegal dumping enforcement involves several departments, including LASAN, the Bureau of Street Services, the Police Department, and the City Attorney's Office.

- **More should be done to address the sources of illegal dumping** – The City needs to be more aggressive in eliminating illegally dumped waste generated by businesses, residents, and construction projects. Specifically, the City could benefit from a concerted and coordinated public awareness campaign that makes Angelenos aware of the harmful impacts of dumping, and advertises free and low-cost options for disposing of excess waste and bulky items. The City should also bolster its oversight of businesses and construction projects to ensure they are properly disposing of waste.

What We Recommend

The City must take aggressive steps to eliminate hazards and blight in the PROW, hold those responsible for illegal dumping accountable, and reduce the amount of waste that ends up in public spaces. This report makes several recommendations intended to improve the City's illegal dumping abatement and enforcement capabilities.

Specifically, the City should:

- Consider increasing the number of **permanent, dedicated illegal dumping cleanup crews** to boost LASAN's cleanup capacity and responsiveness;
- **Reorganize LASAN's enforcement and investigations unit** to improve effectiveness of its pollution mitigation activities;
- **Expand LASAN's illegal dumping surveillance camera program** to improve investigators' ability to monitor hotspots;
- **Establish an interdepartmental working group or task force** to identify and share trends, and coordinate illegal dumping enforcement activities;
- Consider **increasing administrative citation fines** for those caught dumping illegally;
- Develop a **public awareness campaign** which makes Angelenos aware of free and low-cost trash disposal services, and explore ways to **make it easier for residents to legally dispose of excess waste**;
- **Boost oversight of commercial trash customers and construction projects** to ensure waste is properly disposed of; and
- Pursue **new funding opportunities** to support the expansion of illegal dumping abatement programs.

By implementing the solutions proposed in this report, the City can protect the environment, and reduce the blight, hazards, and health risks posed by illegal dumping. Angelenos deserve safe, clean public spaces, and the City should not allow illegal dumping to continue diminishing quality of life for Los Angeles residents.

BACKGROUND

An essential duty of any state or local government is to maintain the space known as the public right-of-way (PROW). Consisting largely of sidewalks, streets, and alleyways, the PROW is the public space in which pedestrians, cyclists, and vehicles have the right to proceed. The City of Los Angeles maintains these spaces in many ways, such as paving streets, repairing potholes, trimming street trees, and emptying litter bins. These and other maintenance activities are intended to help make the streets and sidewalks Angelenos use every day safe and passable.

However, far too often, businesses and individuals are choosing to illegally dump garbage, debris, and other harmful substances in the City's PROW. In certain parts of the City, piles of waste and debris are becoming increasingly common. Illegal dumping is a major contributor to urban blight, but the impact on local communities does not stop there. Illegal dumping also creates serious public safety hazards, public health risks, and environmental damage. Given these risks, it is critical that the City does its part to prevent and deter bad actors from harming our communities.

The purpose of this review is to evaluate the City's efforts to clean up abandoned waste, and hold accountable those responsible for dumping waste in public spaces. This report offers several recommendations intended to address illegal dumping root causes, and improve the City's ability to investigate illegal dumping cases and enforce illegal dumping laws.

The Impact of Illegal Dumping on the Community

Illegal dumping is a major contributor to the build-up of waste and debris on streets, alleyways, and sidewalks. It is the result of unscrupulous businesses and individuals failing to properly dispose of solid waste or hazardous waste, such as common trash, appliances, paint, construction and demolition waste, and used motor oil. Businesses that dump waste also gain an unfair competitive advantage over those that pay proper waste disposal costs. Those who dump illegally do not necessarily respect city boundaries, and it is not uncommon for people to travel into the City of Los Angeles to discard waste, likely due to a perceived lack of consequences.

The health, safety, and environmental impacts of illegal dumping and the accumulation of trash and harmful substances in the PROW are highlighted below.

Public Health

The build-up of trash, perishable waste, and other biohazards creates dangerous, unsanitary conditions that contribute to vermin and pest infestations. It also creates conditions which harbor and facilitate the spread of infectious diseases.

Public Safety

Obstructions in the PROW inhibit the ability of pedestrians (particularly those with disabilities), cyclists, and motorists to safely reach their destination. Some dumping sites have items that can cause bodily harm, and substances that are flammable or carry an explosion risk.

Environment

All City streets, sidewalks, and alleyways are connected to the City's storm drain system, which then flows into local watersheds untreated (LA River, Marina del Rey, Santa Monica Bay, Dominguez Channel, and Ballona Creek). This means that trash and other harmful substances discarded in the PROW have a direct impact on pollution levels in local bodies of water.

There is also a nexus between illegal dumping and the accumulation of debris and bulky items at homeless encampments. While homeless encampments and illegal dumping are two distinct issues, they often exist within the same spaces. This is because illegal dumpers sometimes seek out spaces that are already impacted by poor sanitary conditions. **Illegal dumping at encampments or in adjacent spaces only worsens unhealthy living conditions for unhoused individuals.**

Recognizing that illegally dumped waste represents a risk to both the public and the environment, the City has dedicated additional resources in recent years to help clean up illegal dumping sites, and mitigate health and safety risks associated with encampments. However, stemming the flow of illegally dumped waste on streets, sidewalks, and alleyways continues to be a major challenge for City officials.

Efforts to Mitigate Blight and Hazards Stemming from Illegal Dumping

The Los Angeles Bureau of Sanitation, better known as LA Sanitation and Environment (LASAN), is the lead agency responsible for maintaining the cleanliness of the PROW, and ensuring it is passable and free of trash and hazardous debris. Within LASAN, two groups carry out these activities:

Livability Services Division

The Livability Services Division is responsible for cleaning up solid waste and bulky items that are illegally dumped in the PROW, serves as the lead agency for homeless encampment cleanups, and services approximately 6,000 public street receptacles.

Watershed Protection Division

The Watershed Protection Division's Environmental Enforcement and Emergency Response Unit is responsible for investigating illegal dumping cases, and the implementation of a citywide stormwater pollution abatement program that includes enforcement of illegal dumping and pollution runoff control laws, inspections at businesses and facilities posing a stormwater pollution runoff risk, and responding to hazardous materials emergencies.

Multiple federal, State, and local laws prohibit dumping waste illegally in public spaces.

Management of the City’s stormwater system and illegal dumping abatement programs is also subject to federal and State regulation due to its impact on local water quality. Although LASAN is the lead City department responsible for illegal dumping abatement and watershed protection, there are other City departments that play a role in combating illegal dumping.

Specifically, other departments with law enforcement powers, including the Bureau of Street Services (BSS) and the Los Angeles Police Department (LAPD), support the City’s cleanliness and public health efforts by enforcing illegal dumping and other PROW safety laws. The Recreation and Parks Department enforces illegal dumping laws in parks, and cleans up illegally dumped waste on park property.

LASAN Cleanup Teams and Operations

The City’s PROW cleanup teams were cut back to the point of near elimination during the Great Recession. As the City’s fiscal condition improved, and as a result of both increases in illegal dumping activity and the growing unhoused population in Los Angeles, the City gradually increased the number of cleanup teams in the field and the scope of their responsibilities. Between 2012 and 2016, the City rolled out three new programs dedicated to maintaining safe PROW conditions.

Program	Lead Agency	Services	Areas Served
Operation Healthy Streets (2012-Present)	LASAN	Teams perform comprehensive cleanups of encampments in order to thoroughly clean surfaces. Sidewalks and streets are disinfected and power washed, and hazardous waste, bulky items, and illegally dumped items are removed.	Skid Row, Venice Beach
Clean Streets LA (2015-2019)	LASAN	Similar to Operation Healthy Streets, teams performed comprehensive cleanups of encampments in order to thoroughly clean surfaces. This included disinfecting and power washing streets, and removing hazardous waste, bulky items, and illegally dumped waste.	Citywide
Homeless Outreach and Proactive Enforcement (2016-2019)	LAPD	These were LAPD-led teams enforcing ADA compliance in the PROW and near the entrances and exits of buildings. Teams included LASAN employees that removed bulky items and hazardous waste. No power washing or illegal dumping cleanups were performed.	Citywide

In October 2019, the City consolidated the Clean Streets LA and the Homeless Outreach and Proactive Enforcement programs to create the Comprehensive Cleaning and Rapid Engagement (CARE) program. Operation Healthy Streets (OHS) remains a standalone initiative, focusing on Skid Row and Venice. The CARE program introduced a new service delivery model for the City's cleanup teams, which included regionally deployed teams in problem areas, teams dedicated to each Council District, and citywide teams. The launch of the CARE program also brought 47 new hires, bringing the number of City workers serving on Livability Services Division cleanup teams and in other support roles to nearly 260.

However, in early 2021, due to budget cuts following the COVID-19 crisis, the Livability Services Division was forced to reduce staffing by 61 positions. Though the Livability Services Division believes the reductions will be temporary, it was forced to again reorganize the program and make changes to deployment models.

Livability Services Division Cleanup Teams



There are currently two distinct types of teams under the CARE Program, while OHS crew makeup has remained largely the same. The Livability Services Division also deploys small teams to illegal dumping sites throughout the City. All crews focus on mitigating PROW hazards, and improving public health conditions. The services, staffing, and geographic responsibilities of Livability Services Division teams as of February 2021 are described in the chart below.

	Services	Deployment
CARE+ (Includes OHS)	These are larger, specialized teams with mechanized heavy equipment like tractors and sewer cleaning trucks that conduct comprehensive cleanups of large encampments.	13 teams ○ 3 in focused service areas ○ 4 in bridge home shelter zones ○ 6 citywide teams
CARE	These are smaller, more flexible teams that conduct cleanups of small homeless encampments.	4 teams ○ 4 in bridge home shelter zones
Illegal Dumping Crews	These are small, two-person crews dedicated to collecting illegally dumped solid waste and debris.	10 teams ○ 10 citywide teams

The competing priorities of the Livability Services Division—encampment and illegal dumping cleanups—require the division to balance constantly changing workload demands across the City. While Livability Services Division cleanup crews dedicate the majority of their time to encampment cleanups, LASAN managers report that the CARE program’s deployment model has improved the responsiveness and efficiency of cleanup crews.

It is important to note that there are certain areas in the City where LASAN is not responsible for abating illegal dumping:

- private property is the responsibility of the property owner;
- freeways corridors, and freeway ramps are the responsibility of the California Department of Transportation (Caltrans);
- railroad corridors are the responsibility of Caltrans or the railroad owner; and
- certain portions of the LA River, which, depending on location, may be the responsibility of the U.S. Army Corps of Engineers, the County of Los Angeles, the Mountains Recreation and Conservation Authority, and/or the City.

City Investment in PROW Cleanup Operations

The City dedicates a considerable level of financial resources to PROW cleanup operations. Not only does the City fund CARE+, CARE, OHS, and illegal dumping teams, but it pays for a variety of contracting and support costs as well, such as specialized hazardous waste mitigation services to dispose of dangerous biohazards and chemicals.

In FY2019-20, LASAN spent approximately:

- \$39 million on Livability Services Division cleanup crews, including salaries, expenses, and indirect costs such as benefits and overhead costs; and
- \$8.4 million on contract hazardous waste disposal services.

In FY2020-21, LASAN is spending approximately:

- \$53 million on Livability Services Division cleanup crews, including salaries, expenses, and indirect costs, and is on track to accrue a similar or slightly greater amount on contract hazardous waste disposal services.

The expansion of Livability Services Division cleanup teams has also required a sizable capital investment of \$34 million for fleet vehicles and heavy equipment. Because the acquisition of fleet vehicles and equipment will be financed over time through the Municipal Investment Corporation of Los Angeles (the City's nonprofit financing corporation), LASAN must rent some equipment while it awaits the delivery of necessary equipment. The division accrued approximately \$7.8 million in fleet rental costs during the 2019-20 fiscal year.

It is important to note that the economic crisis caused by COVID-19 is having a serious, and sometimes unpredictable impact on the City's budget. LASAN's FY2020-21 budget and spending may be adjusted throughout the fiscal year.

I. IMPROVING CLEANUP CAPACITY AND RESPONSE TIMES

LASAN has observed a large increase in the number of illegal dumping cleanup service requests in recent years. The expansion of Livability Services Division cleanup programs has improved the department's ability to respond to illegal dumping incidents. However, further increasing illegal dumping cleanup capacity could enhance the department's responsiveness and mitigate the negative environmental and quality of life impacts of illegal dumping.

Illegal Dumping Cleanup Operations and Workload Trends

Any member of the public can report illegally dumped waste to the City. LASAN primarily receives reports of illegal dumping via the LASAN call center, MyLA311, and the LASAN website. Angelenos can also submit crime tips about suspected illegal dumping activities to help LASAN investigators. Upon receiving a service request reporting illegally dumped waste, LASAN routes the request to Livability Services Division crews via SANSTAR, its service request management system.

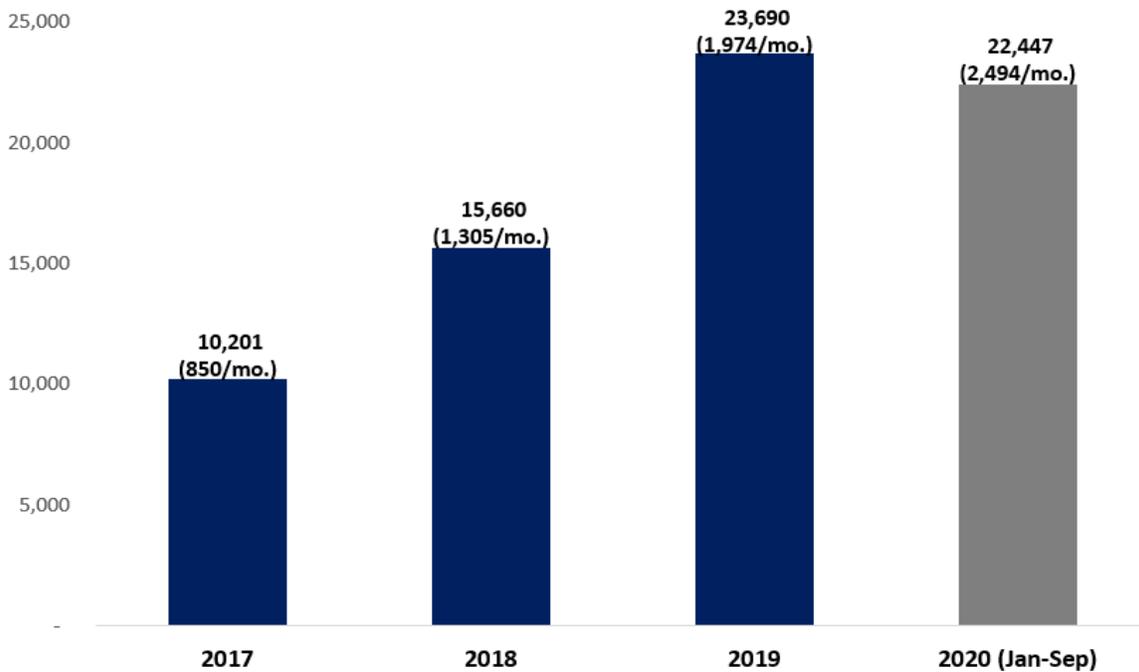
In recent years, the department has observed a major increase in service requests, a trend which continued in 2020. In 2017, the department received an average of 850 service requests

per month. **From January through September 2020, the department received an average of 2,494 requests per month, nearly triple the amount compared to 2017.**

Certain City Council Districts have seen substantial increases in the number of illegal dumping reports. From January through September 2020, Council Districts 2,3,4,6,7, and 9 saw the average number of service requests per month increase more than 250 percent compared to 2017.

The chart below shows the total number of illegal dumping service requests citywide from 2017 through September 2020, as well as the corresponding monthly average. It is important to note that multiple service requests can be received for the same illegal dumping site. See Appendix A for a full breakdown of service requests, including service requests in each Council District.

Illegal Dumping Service Requests Since 2017

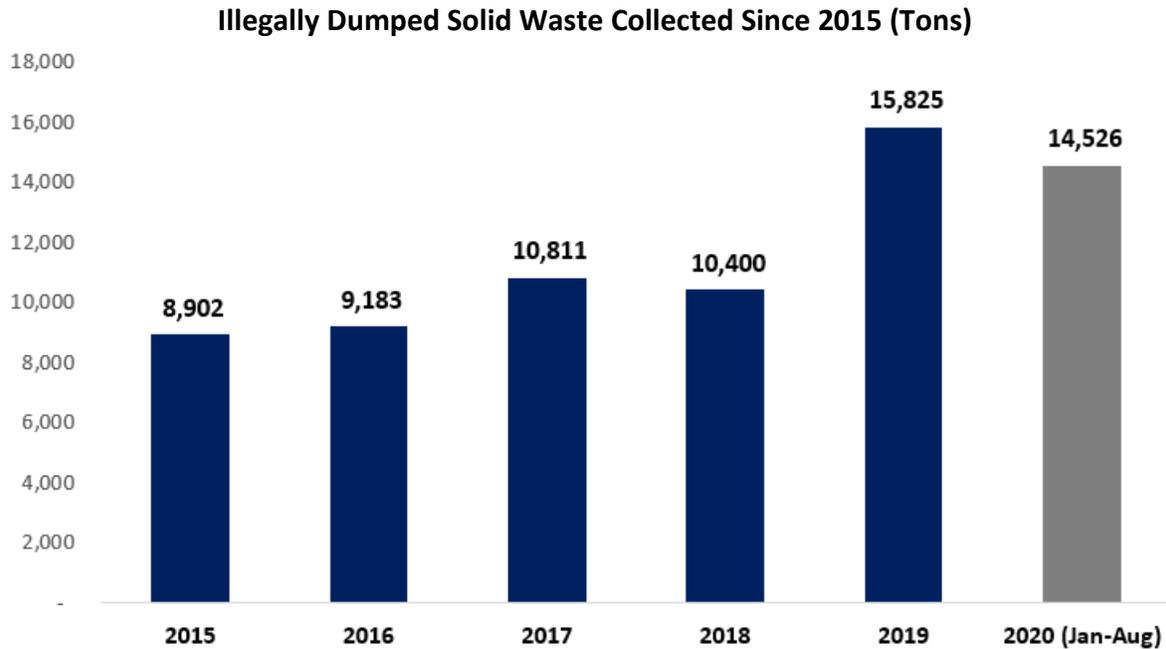


The increase in illegal dumping service requests has resulted in a substantial increase in the Livability Services Division’s workload. **This is in addition to the division’s homeless encampment cleanup responsibilities, which already strains resources. From January through September of 2020, the Livability Services Division was receiving an average of 4,020 encampment cleanup requests per month.**

Solid Waste Dumped in the PROW

Data provided by LASAN shows that the amount of waste picked up by LASAN crews has steadily increased in recent years. In 2015, the department picked up approximately 8,900 tons of illegally dumped waste. In 2019, the department picked up nearly 16,000 tons of illegally

dumped waste, and was on track to exceed that amount in 2020. The chart below shows the amount of solid waste picked up by Livability Services Division crews since 2015.



Importantly, illegal dumping in the PROW also impacts the City's unsheltered residents, as illegal dumpers sometimes target areas with encampments when illegally dumping waste and debris. This exacerbates poor sanitary conditions at encampments, creating additional health and safety risks. For example, LASAN estimates that from January through August of 2020, crews collected the following amounts and types of waste during homeless encampment cleanups:

- 5,661 tons of solid waste and debris;
- 34,340 lbs. of paint waste;
- 33,107 lbs. of oil waste; and
- 9,347 lbs. of corrosives (materials that can destroy body tissue).

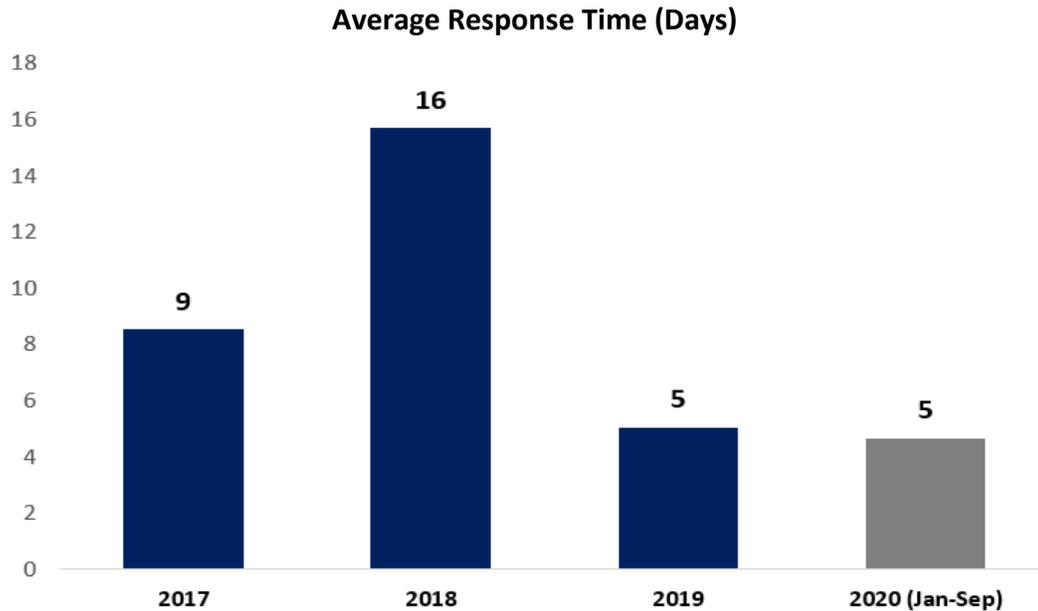
Some of this waste can be attributed to illegal dumping, and it contributes to the dangerous conditions unhoused Angelenos face while living on the streets. See Appendix B for a full breakdown of waste collected at encampments.

Cleanup Response Times

When LASAN receives an illegal dumping service request, an employee verifies the dumping site, and the request is then assigned to a Livability Services Division cleanup crew. Although illegal dumping incidents and cleanup requests are becoming more frequent, the establishment of the CARE program improved the ability of the Livability Services Division to respond to illegal

dumping. In 2017, it took LASAN an average of nine days to respond to an illegal dumping complaint. That number is down to five in 2020.

The chart below shows citywide average response times since 2017. See Appendix C for a full breakdown of response times in each Council District.



Improved response times are encouraging, and reflect the benefits of implementing new crews and deployment strategies. However, given the public safety, health, and environmental risks posed by illegally dumped waste, the City should consider how to further reduce response times and eliminate waste in public spaces.

Further Reducing LASAN Response Times

Opportunities may exist for LASAN to further reduce response times for illegal dumping cleanups, given the increasing workload demands associated with both illegal dumping, and the proliferation of encampments. **Prior to February 2021, when the division temporarily reorganized its operations due to budget constraints, the Livability Services Division did not have dedicated illegal dumping crews.** Instead, CARE+, CARE, and Operation Healthy Streets teams responded to illegal dumping sites within their geographic area of responsibility.

The Livability Services Division was able to deploy teams dedicated to illegal dumping in part because the City, consistent with U.S. Centers for Disease Control and Prevention COVID-19 guidance, has suspended most of its comprehensive homeless encampment cleanup operations. **Although this operational change has temporarily freed up staffing resources for illegal dumping activities, the City will need to balance encampment cleanup backlogs and illegal dumping cleanups when the pandemic subsides.**

To that end, LASAN should consider expanding its illegal dumping cleanup capacity, and increasing the number of permanent, dedicated illegal dumping cleanup crews it operates. The establishment of additional crews that would respond only to illegal dumping could improve the division's ability to quickly dispatch crews to illegal dumping sites. **It would also boost LASAN's cleanup capacity for homeless encampments by freeing up certain Livability Services Division crews to be fully dedicated to encampment cleanups.** Prior to March 2020, when the City suspended most encampment cleanups due to the COVID-19 pandemic, it was taking Livability Services Division crews 71 days to respond to encampment cleanup service requests, on average.

For FY 2020-21 the approximate cost of a standard CARE team is \$1.4 million, including benefits, indirect costs, and expenses. Crew operations are funded primarily through the City's General Fund, which supports a variety of core government functions like police and fire services. Though the City's General Fund and budget outlook are weaker as a result of COVID-19's dire economic impact, LASAN can examine the use of special fund revenue, specifically from the Stormwater Pollution Abatement Fund, to fund new, dedicated illegal dumping cleanup crews.

Los Angeles Municipal Code Section 64.51.11 authorizes the City to use Stormwater Pollution Abatement Fund monies for storm drainage purposes, including stormwater pollution control activities. Because illegally dumped waste pollutes the stormwater system and local bodies of water, crews dedicated solely to illegal dumping abatement would be dedicated to stormwater pollution control, consistent with Los Angeles Municipal Code requirements. The Stormwater Pollution Abatement Fund is discussed in further detail later in this report.

Recommendation

To improve the City's ability to respond to illegally dumped waste and related hazards, LASAN should:

- 1. Assess the feasibility of implementing new, dedicated illegal dumping cleanup crews, and explore the use of Stormwater Pollution Abatement Fund monies or other special funds to support the establishment of new crews.**

II. PRIORITIZING INVESTIGATIONS AND ENFORCEMENT

Blight and health and safety hazards are not the only problems posed by illegal dumping. The City of Los Angeles operates what is known as a municipal separate storm sewer system (MS4). An MS4 is a conveyance system in which stormwater runoff flows from impervious surfaces, including streets, sidewalks, and gutters, into a storm drain system that drains untreated into local waterways. **As stormwater flows over the City's streets and other impervious surfaces, it**

sweeps up pollutants such as oils, chemicals, pathogens, and sediments, which has a direct negative impact on water quality.

The impact of illegal dumping on the City's connected sewer system highlights the need to revamp the City's investigation and enforcement programs. This will improve its ability to identify and hold accountable individuals choosing to dump illegally.

Illegal Dumping Laws and Regulations

The City of Los Angeles operates its stormwater system under the County of Los Angeles' National Pollutant Discharge Elimination System MS4 permit, which is required by the federal Clean Water Act and issued by the Los Angeles Regional Water Quality Control Board. LASAN's Environmental Enforcement and Emergency Response Unit within the Watershed Protection Division is responsible for investigating illegal dumping and responding to hazardous waste incidents.

Several federal, State, and local laws prohibit dumping waste illegally in public spaces. The Environmental Enforcement and Emergency Response Unit is a law enforcement and compliance unit within LASAN, and can cite individuals or develop cases for criminal prosecution under any applicable illegal dumping or pollution runoff control law. There are four laws that are central to illegal dumping enforcement activities.

LA Municipal Code 64.70.02	<i>Prohibits the discharge of any solid waste or hazardous waste, including toxic materials and dangerous liquids, into the storm drain system or receiving waters</i>
LA Municipal Code 66.25	<i>Prohibits depositing solid waste of any kind whatsoever upon or in any street or any premises within the City, or in the Los Angeles River</i>
CA Penal Code 374.3	<i>States it is unlawful to dump or cause to be dumped waste matter in or upon a public or private highway or road, including any portion of the right-of-way, or upon a public park or other public property</i>
CA Penal Code 374.8	<i>States that it is unlawful for any person to knowingly deposit any hazardous substance into or upon any road, street, highway, alley, or railroad right-of-way, or into the waters of the State</i>

When the City identifies an individual that has illegally dumped waste in the PROW, it can enforce illegal dumping laws in one of several ways based on the severity of the violation, and the discretion of code enforcement officers, law enforcement officers, or prosecutors working on the case. Illegal dumping laws are usually punished as infractions or misdemeanors, though prosecutors can develop felony cases for egregious violations.

Generally, illegal dumping violations of the Municipal Code considered to be infractions (similar to a traffic ticket) are punishable by fines of up to \$200 for the first violation, and \$250 for the second violation, while violations prosecuted as misdemeanors are punishable by fines of up to \$1,000 and up to six months imprisonment in jail. Violators are also liable for cleanup costs. Fines and jail time prescribed in the City's illegal dumping codes are limited by State laws and the Los Angeles Municipal Code.

The California Penal Code laws covering illegal dumping offer stricter fines than the Municipal Code, in addition to possible imprisonment. Under the Penal Code, cases prosecuted as infractions are typically punishable by a fine of between \$250-\$1,000 for the first violation, \$500-\$1,500 for the second violation, and \$750-\$3,000 for a third violation. Illegally dumping waste in commercial quantities is punishable as a misdemeanor, and subject to fines of up to \$10,000. Dumping hazardous waste is also subject to fines of up to \$10,000.

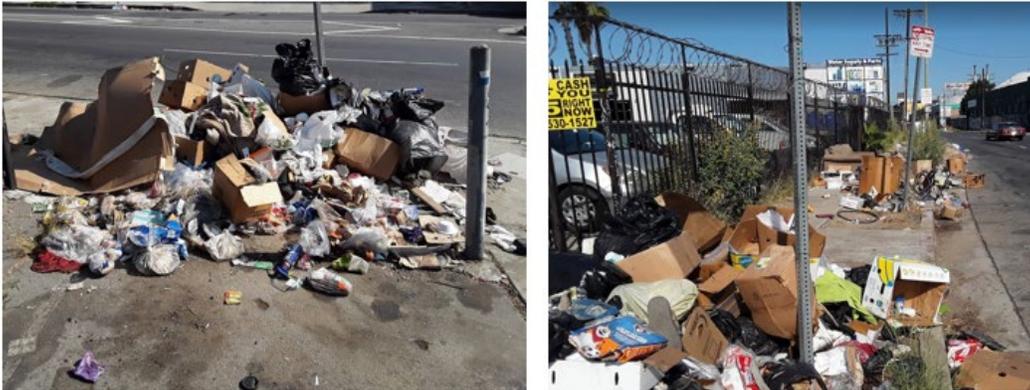
In lieu of infraction and misdemeanor cases, which are processed in the court system, the City's investigators and prosecutors can process some Municipal Code violations through the City Attorney's Administrative Citation Enforcement (ACE) program. The ACE program is a noncriminal approach to nuisance abatement and quality of life offenses. The program assesses fines, rather than arrests, incarceration, and criminal records, for people who violate the Municipal Code. The ACE program fines for LAMC 64.70.02 and LAMC 66.25 violations range from \$250-\$500 for the first offense, \$500-\$750 for the second offense, and \$1,000 for the third and any subsequent offense.

The Environmental Enforcement and Emergency Response Unit within LASAN's Watershed Protection Division is the lead organization within the City responsible for investigating illegal dumping. However LAPD and BSS can also investigate illegal dumping in criminal and administrative capacities.

The City's Capacity to Investigate Illegal Dumping is Insufficient

Illegal dumping occurs when residents and businesses choose not to pay proper waste disposal fees, or fail to take their waste and bulky items to a registered disposal facility or dump. This could be a business owner who does not pay for a large enough dumpster and illegally dumps excess waste, or an unlicensed contractor who abandons demolition materials rather than take it to a facility that accepts construction waste.

Illegally Dumped Waste in Los Angeles



Every time a person chooses to illegally dump waste, they are harming the community, and burdening taxpayers because the City must mobilize resources to collect the trash. **This is why it is critically important that the City not only identify and cite violators, but deter people from turning City streets into disposal sites.**

Investigation Responsibilities Were Recently Consolidated Under LASAN

Although LASAN's Environmental Enforcement and Emergency Response Unit is currently responsible for investigating illegal dumping, until recently there were two City departments taking a lead role in investigating illegal dumping. Up until 2019, the BSS Investigation and Enforcement Division, which investigates code violations and safety issues in the PROW, was the lead agency responsible for investigating LAMC 66.25 violations (prohibits dumping solid waste upon any street or in the Los Angeles River).

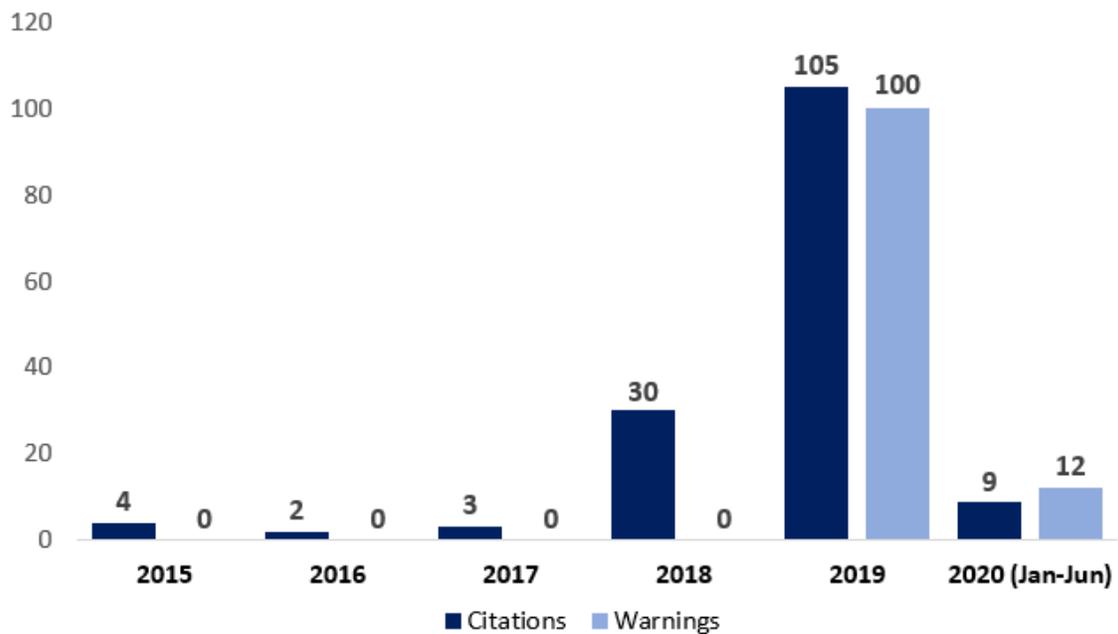
However, in an effort to consolidate investigative activities under one bureau, BSS ceded this responsibility to LASAN, which investigates violations of LAMC 64.70.02 (prohibits dumping waste and hazardous liquids into the storm drain system), as well as State and federal environmental protection laws. BSS still investigates illegal dumping, but this typically occurs only when the illegal dumping is connected to a separate violation.

Although LASAN and BSS have historically investigated different illegal dumping laws, it is important to note that any illegal dumping activity is a violation of LAMC 64.70.02 because all illegally dumped waste in the PROW impacts the City's storm drain system. The LAPD can also cite individuals that illegally dump, but the organization has a formal agreement designating LASAN as the primary law enforcement authority for illegal dumping crimes.

LASAN and BSS managers said the consolidation of illegal dumping investigations under LASAN allowed a single department with illegal dumping specialists to manage investigations and strategy, rather than having two departments investigating similar crimes due to overlapping responsibilities.

LASAN’s Environmental Enforcement and Emergency Response Unit prioritized illegal dumping enforcement in 2019 after becoming the lead investigative agency, and in response to the increase of illegal dumping across the City. **In 2019, the enforcement unit issued 205 criminal citations and written warnings for illegal dumping offenses, which was up from 30 in 2018.** The enforcement unit reported that in 2019, it issued a total of 710 criminal citations and written warnings for the various stormwater and pollution laws it enforces. See Appendix D for a full breakdown of the Environmental Enforcement and Emergency Response Unit’s 2019 enforcement metrics.

LASAN Illegal Dumping Criminal Citations and Warnings



However, as described below, the increase in enforcement operations initiated in 2019 is likely unsustainable due to staffing constraints and competing priorities within the Environmental Enforcement and Emergency Response Unit. In the first half of 2020, Environmental Compliance Officers issued 21 criminal citations and written warnings.

LASAN’s Staffing Model and Resources Do Not Meet Its Complex Role and Workload

The Environmental Enforcement and Emergency Response Unit’s duties are required by the National Pollutant Discharge Elimination System MS4 permit held by Los Angeles County.

Investigating illegal dumping is one of several distinct responsibilities of the unit. In addition, the unit:

- investigates illicit discharges and leaks impacting the storm drain system and the Los Angeles River;

- conducts inspections at industrial and commercial facilities that store harmful or hazardous substances that pose public safety and watershed pollution risks; and
- acts as a first responder for hazardous materials spills and related incidents.

The Environmental Enforcement and Emergency Response Unit's direct salary budget for FY 2020-21 is approximately \$2.3 million, and the unit is authorized for a total of 28 Environmental Compliance Inspectors, at both senior and junior levels. However, due to hiring and staff retention issues, the unit has just 16 inspectors, four of which are on loan to the Livability Services Division to support encampment and illegal dumping cleanup operations.

According to Environmental Enforcement and Emergency Response Unit managers, the unit's 12 fully dedicated employees are too few to carry out the organization's mission, and limits LASAN's ability to investigate illegal dumping incidents and carry out undercover surveillance activities that aim to catch violators in the act. The unit is also struggling to carry out inspections of an estimated 90,000 businesses and facilities covered by the industrial and commercial facility inspection program. The MS4 permit that the City operates under requires LASAN to inspect these facilities two times every five years.

Environmental Enforcement and Emergency Response Unit staffing limitations are further compounded by the fact that just five of the unit's Environmental Compliance Inspectors are designated as Environmental Compliance Officers – sworn public officers with limited peace officer powers and the authority to conduct criminal investigations, issue citations, and make arrests. According to the unit's managers, converting Environmental Compliance Inspectors to public officers presents challenges because employees are hired for investigative roles, but sometimes either fail to pass law enforcement background checks, or fail to complete their law enforcement training program. The division must then reassign the employee to a different role.

These challenges highlight shortcomings of the unit's staffing model, which does not clearly reflect its multidisciplinary role. **Changes are needed if the department is to effectively carry out all of its environmental protection duties.** Specifically, LASAN should work with the City's Personnel Department to develop a new, sworn public officer classification to improve the Environmental Enforcement and Emergency Response Unit's ability to hire and retain investigators.

Certain organizational changes could also improve the Environmental Enforcement and Emergency Response Unit's investigative capacity and boost efficiency. LASAN should conduct a formal staffing needs assessment to determine how many Environmental Compliance Inspectors and Officers are needed to fully support the unit's investigation, inspection, and emergency response mandates. It should also consider reorganizing the unit to create a section dedicated to emergency response and illegal dumping investigations, and a section dedicated to regulatory inspections of industrial and commercial facilities.

Illegal Dumping Surveillance Camera Coverage is Limited

Investigating illegal dumping cases, and implementing surveillance operations with undercover Environmental Compliance Officers, is labor intensive and requires a large amount of staff time. **Complicated investigations can be time consuming and lengthy, and require Environmental Compliance Officers to vet multiple leads, while undercover surveillance requires plainclothes and hidden officers to hide out to identify illegal dumping crimes in progress.**

Based on the staffing resources needed to investigate illegal dumping cases, Environmental Enforcement and Emergency Response Unit managers stressed the need for a strengthened illegal dumping surveillance camera program. The California Department of Resources Recycling and Recovery, which manages the State's waste management initiatives, has also emphasized the value of camera surveillance programs as an important enforcement tool. Specifically, cameras can:

- serve as a cost-effective, passive monitoring tool that requires less staffing resources than undercover operations;
- collect evidence against violators that can be used to support criminal prosecutions, administrative citations, or the issuance of formal warnings; and
- protect communities by deterring individuals from illegally dumping waste.

The Environmental Enforcement and Emergency Response Unit currently has just 19 surveillance cameras deployed across the City's 470 square miles of land area, and estimated 6,500 miles of roadway.

While cities' use of surveillance cameras vary widely based on budget, privacy, and operational factors, some large cities have made cameras a central element of their illegal dumping programs. The City of Philadelphia, which manages approximately 2,200 miles of roadway, has deployed just over 100 illegal dumping cameras. The City of Phoenix, which manages approximately 4,900 miles of roadway, has deployed 26 cameras.

Given the staffing and cost implications of manned surveillance operations, **LASAN should expand its surveillance camera network to cover additional illegal dumping hotspot areas.** The number and location of additional cameras should be based on existing service request and investigations data. As with any expansion of video surveillance technology, the department should also ensure adequate privacy safeguards are in place to protect civil rights and liberties.

Improving Interdepartmental Coordination and Planning

Given how difficult it is to deter illegal dumping, and identify individuals that are illegally dumping, the City could benefit from developing a coordinated illegal dumping enforcement strategy. **The City does not currently have a comprehensive illegal dumping strategy or coordination mechanism, and while LASAN is the lead agency for illegal dumping mitigation**

programs, BSS, LAPD, and the City Attorney's Office all play key supporting roles, highlighting the need for coordinated strategies and enforcement programs.

There are also opportunities for other City departments to enhance their role in combating illegal dumping. For example, the Los Angeles Department of Building and Safety (LADBS) receives and investigates code compliance complaints for illicit construction activities, or projects that are otherwise not properly permitted. According to LADBS managers, unpermitted construction projects and work performed by unlicensed contractors are a source of illegally dumped construction waste. LADBS could support LASAN by referring cases involving unpermitted projects, unlicensed contractors, and unlicensed waste haulers to LASAN enforcement units for possible follow-up.

To that end, the City should develop a working group that meets consistently to evaluate trends and develop enforcement programs. Specifically, a working group would develop strategies addressing the following:

- the identification of illegal dumping root causes;
- coordination of enforcement activities and case referrals;
- information and data sharing; and
- enhanced enforcement of waste hauling regulations to ensure businesses and residents properly dispose of waste.

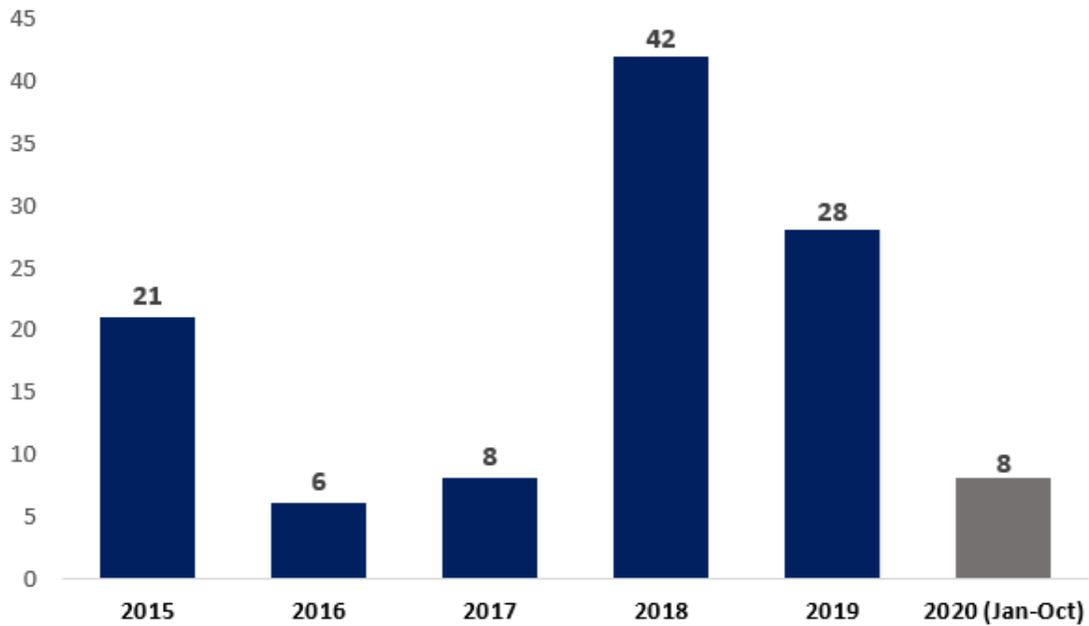
The scope of illegal dumping represents a major challenge for the City, and it will require LASAN working in conjunction with multiple departments to enhance enforcement, and address the root causes.

More Aggressive Administrative Citation Fines

Illegal dumping fines for criminal citations, as established in the Municipal Code, carry maximum financial penalties of \$250 for infractions and \$1,000 for misdemeanors. **These fine levels may not be sufficient given the impact illegal dumping is having on Angelenos.** While fine levels in the LAMC for criminal citations, which are processed by the courts, are generally restricted to current levels by State laws and the Municipal Code, the City's ACE program may offer more flexibility.

According to the City Attorney's Office, ACE program administrative citations for certain lower level offenses are an important enforcement tool, and an effective alternative to criminal citations. Currently only BSS and LAPD issue administrative citations for illegal dumping offenses. However, the City Council is considering a motion that would allow LASAN staff in enforcement and compliance roles to issue administrative citations and participate in the ACE program.

Administrative Citations for Illegal Dumping (2015-2020)



Given the impact illegal dumping has on both the environment and local communities, the City should consider increasing administrative fine amounts in order to deter would-be violators, and assess a fine that reflects the seriousness of the violation. In evaluating whether to increase administrative penalties for LAMC 64.70.02 and 66.25 violations, City officials should consider the fine levels established by the State’s Penal Code.

ACE Administrative Citation Fine Comparison

Violation	LAMC 64.70.02	LAMC 66.25	CA Penal Code 374.3*
First Violation	\$250	\$500	\$250 - \$1,000
Second Violation	\$500	\$750	\$500 - \$1,500
Third and Each Subsequent Violation	\$1,000	\$1,000	\$750 - \$3,000

**Illegal dumping fines are doubled for used tires, and up to \$10,000 if in commercial quantities. Per CA Penal Code 374.8, the fine is up to \$10,000 if the waste is hazardous.*

According to the California Department of Resources Recycling and Recovery, local jurisdictions in the State are finding that administrative citations are an effective mechanism for administering penalties and obtaining timely monetary settlements. The Sacramento County Code authorizes administrative citation fines in line with California Penal Code Section 374.3 – \$1,000 for the first citation, \$1,500 for the second citation, and \$3,000 for the third citation.

Recommendations

To improve the City's ability to investigate illegal dumping cases and hold violators accountable, LASAN should:

2. Consider reorganizing the Environmental Enforcement and Emergency Response Unit. The reorganization should include dedicated units for (1) illegal dumping investigations and other environmental enforcement activities and (2) MS4 industrial and commercial facility inspections.
3. Create a dedicated, sworn public officer classification for Environmental Compliance Officer positions to improve recruitment and retention.
4. Expand the illegal dumping surveillance camera program to ensure additional coverage of illegal dumping hotspots.

To enhance coordination among departments and allow for the development of a comprehensive illegal dumping mitigation strategy, LASAN, BSS, LAPD, and other City departments involved in illegal dumping enforcement should:

5. Establish an interdepartmental working group or task force to identify and share trends, coordinate illegal dumping enforcement activities, and develop strategies.

To determine whether penalties for illegal dumping are consistent with the severity of the violation, the City Council should:

6. Request that the City Attorney's Office, in conjunction with LASAN, report to the Council with options for increasing administrative citation fines for illegal dumping violations, and an assessment of whether the fines should reflect illegal dumping fine amounts established under State law.

III. PREVENTING ILLEGAL DUMPING

On any given day, LASAN crews collect a wide variety of trash and debris from public spaces. Generally, illegally dumped waste is generated by businesses and residents that choose not to maintain a sufficient level of trash service, and those who fail to take large quantities of waste, debris, and junk to a registered dump or recycling center. Unlicensed junk haulers and construction projects also play a role in the accumulation of waste on City streets.

LASAN conducts quarterly assessments of all of the City's streets and alleyways as part of its CleanStat program, which collects data on the cleanliness of City streets that can be used to evaluate sanitation conditions over time, and aid in resource planning and strategy development. CleanStat data indicates the most common illegally dumped waste is bulky items, such as furniture, mattresses, and household appliances. However, data also shows that a large

amount of general trash and loose debris is dumped in the PROW, as well as waste associated with construction projects.

The chart below shows the most common types of illegally dumped waste, based on CleanStat data from July 2019, when LASAN began collecting data on the types of waste dumped on City streets, through March 2020, when the department temporarily suspended cleanliness assessments. The information reflected in the chart is based on observed illegal dumping incidents, and does not factor volume or weight.

Commonly Dumped Materials	
Bulky Items/Appliances	61%
General Debris/Trash	30%
Construction/Demolition	6%
Brush	2%
Produce	<1%

While enhancing LASAN’s illegal dumping investigations and enforcement programs will be central in eliminating the accumulation of waste in public spaces, the City should also consider taking certain proactive steps to eliminate illegal dumping root causes, and advise residents and businesses of their responsibilities with regard to keeping Los Angeles clean and safe.

Improve Public Awareness and Encourage the Use of the City’s Free and Low-Cost Services

Improving public awareness about illegal dumping and its impact on the community is an important element of illegal dumping mitigation programs. Specifically, the City could benefit from a concerted and coordinated public awareness campaign that accomplishes the following:

- educates the general public on the harmful impacts of illegal dumping and the need to properly dispose of business and household waste;
- notifies illegal dumpers they are committing a crime and face punishment when caught; and
- encourages people to report illegal dumping and provide crime tips.

Perhaps most importantly, any City campaign would need to make Angelenos aware of free and low-cost options for disposing of excess waste and bulky items. LASAN offers residents several services in the event they have extra waste, bulky items, or hazardous waste in need of disposal. The services and sites listed below are examples of services available to City residents.

- **Central Los Angeles Recycling and Transfer Station (CLARTS)** – CLARTS is a waste transfer center open to commercial businesses and the general public. The cost to dispose of waste is \$70 per ton, or \$80 per ton for hard to handle bulky items.
- **S.A.F.E. Centers** – S.A.F.E Centers are sites where residents can dispose of household hazardous waste, such as electronic equipment, paint, cleaners and solvents, and used oil, at no cost. Some small businesses may also drop off hazardous waste, for a fee.
- **Free Bulky Item Collection** – LASAN collects at no additional charge bulky household items such as mattresses, couches, doors, carpet, toilets, electrical waste, and other furniture from residents in single and multifamily housing units that are serviced by LASAN.
- **Extra Capacity Tags** – In the event a household has more trash than can fit in their LASAN-issued trash can, customers can purchase extra capacity tags. Customers can simply attach the tag to their extra bag or bags of trash. The tags are \$2 each.

There are several different ways that the City could reach residents and business owners. For example, City agencies can communicate illegal dumping messages via existing social media platforms, email, websites, utility bills, and through traditional broadcast channels like radio and television public service announcements. The City could also expand signage in the PROW to deter dumping violations and advertise reporting options.

The California Department of Resources Recycling and Recovery best management practices for illegal dumping stress the need for effective outreach campaigns because they improve the success of enforcement programs and help address certain root causes. For example, the City of Oakland launched in January 2020 a new campaign called Oaktown PROUD – Prevent and Report Our Unlawful Dumping. This program aims to educate residents about the right way to dispose of trash, encourage people to report illegal dumping, and involve members of the community. The campaign also includes a student ambassador program, where young people conduct outreach activities and educate peers.

Consider New Solid Waste Disposal Options for Residents

Though the City offers residents several free and low-cost opportunities to dispose of waste, the City may need to explore new ways to help residents legally dispose of household solid waste and junk. Developing new avenues that make it easier to dispose of unneeded items and trash reduces the likelihood that a person will resort to abandoning waste in public spaces.

For example, some local jurisdictions periodically offer community dumpster days, where a city or county will schedule neighborhood cleanup days in advance and provide dumpsters so that residents can gather and get rid of unneeded items and waste. Other jurisdictions will offer free dump days, or vouchers that allow certain residents to discard solid household waste at a

dump, at no cost. Los Angeles County implemented a free landfill voucher program in the Antelope Valley, an area in the county's northern region, which for years has been impacted by chronic illegal dumping.

Developing programs such as these may result in less illegal dumping, especially if they are specifically offered in neighborhoods where the illegal dumping of household waste and bulky items is common.

Proactive Inspections for LASAN's Commercial Customers

For commercial customers and certain multifamily residential customers, the City operates an exclusive franchise hauling system known as recycLA. Under this system, the City is divided into 11 zones, and recycLA customers in each zone are exclusively serviced by an assigned franchise service provider. LAMC Section 66.03 requires all businesses, commercial establishments, and multifamily dwellings in the City to subscribe to waste collection services. Those customers must ensure they carry an adequate minimum level of service based on the amount of waste generated at the location. LAMC Section 66.17.1 also requires customers to be able to furnish proof of service.

Businesses and other organizations that do not have an adequate level of trash service are more likely to illegally dispose of waste. These organizations might choose to illegally dump waste to avoid fees imposed by franchise service providers when a site generates more trash than there is capacity for, or to avoid paying for additional levels of trash service.

RecycLA Inspectors from LASAN's Solid Resources Commercial Franchise Division are responsible for evaluating both customers' compliance with City waste management regulations, and franchise service providers' compliance with City regulations and franchise agreements. Issues inspectors will evaluate include, but are not limited to, the following:

- levels and frequency of service needed for a site;
- bin size and capacity needs;
- opportunities for recycling;
- adequacy of service provided by franchise waste haulers; and
- customer billing disputes.

Evaluations of customers' waste service levels are a useful tool for ensuring businesses have adequate trash capacity and service, thereby reducing the likelihood businesses will resort to improperly disposing of trash and debris. Since the establishment of its enforcement program in May 2018, through December 2020, the Solid Resources Commercial Franchise Division has identified a total of 1,487 addresses that may not be compliant with recycLA regulations. These sites have been identified through canvassing efforts, and through referrals from recycLA service providers, customers, members of the public, and community organizations such as

Business Improvement Districts. **Inspectors have completed 1,384 site inspections and found that 661 sites (48 percent) should have been subscribed to recycLA services but were not, or were otherwise not in compliance with the City's commercial waste hauling requirements.**

To reduce the likelihood businesses will resort to illegal dumping, LASAN should expand its inspections program and develop a formal, proactive waste assessment program to evaluate commercial customers' compliance with LAMC Sections 66.03 and 66.17.1, as well as other applicable waste regulations. A proactive evaluation program should focus on geographic areas impacted by businesses waste, and business sectors generating the types of waste commonly dumped on City streets and alleyways.

According to Solid Resources Commercial Franchise Division managers, the recycLA inspections group has preliminary plans to increase the number of proactive, routine inspections it conducts, but is currently limited by staffing constraints. The unit is currently staffed by 32 inspectors, and there are 14 vacancies. These inspectors are responsible for nearly 64,000 accounts.

The establishment of a proactive inspections program would also be timely, as the City Council is currently considering a motion that would allow recycLA inspectors to issue administrative citations to those customers that fail to maintain adequate levels of trash service.

Expanding Oversight of Construction and Demolition Waste

Although it is not the most common type of illegally dumped waste, LASAN commonly encounters waste associated with construction projects. Consistent with requirements established by the California Integrated Waste Management Act, LAMC Section 66.32 requires construction and demolition waste haulers, including construction services that haul their own waste, to maintain a valid, LASAN-issued Solid Waste Hauler Permit. Permitted haulers must also transport construction waste to a certified construction and demolition waste processing facility.

LADBS is the City's lead department for enforcing ordinances and laws related to the construction, alteration, repair, demolition, and removal of buildings and structures. While the department does not play a central role in waste management enforcement, it does verify that construction companies and other firms properly dispose of construction and demolition waste for projects subject to the Los Angeles Green Building Code.

The Los Angeles Green Building Code, which is based on the State mandated California Green Building Code, was developed to achieve consistent green building standards across California jurisdictions. The Los Angeles Green Building Code aims to reduce buildings' energy and water use, waste accumulation, and carbon footprints. The following projects are subject to the code's requirements:

- all new buildings (residential and non-residential);
- all additions (residential and non-residential);
- alterations with building valuations of \$200,000 or more (residential and non-residential); and
- residential alterations that increase a building's conditioned volume.

For projects subject to the Los Angeles Green Building Code, permit applicants must submit to LADBS a waste management plan and list the certified waste hauler to be used. LADBS staff later verify waste hauling documentation during the inspection process.

LADBS should consider whether to expand its verification of waste hauling documentation beyond projects subject to the Los Angeles Green Building Code in order to verify that construction and demolition waste associated with smaller projects is taken to a certified processing facility. While it may not be feasible or efficient to evaluate all building alterations, the department, in conjunction with LASAN, should examine if additional project types should undergo waste hauling verification by LADBS staff.

Recommendations

To reduce the likelihood that individuals will resort to illegally dumping waste, LASAN should:

7. **Develop a public awareness campaign to educate the public about illegal dumping laws, fines and punishments, and available free and low-cost waste disposal services offered by the City.**
8. **Evaluate the feasibility of new, community-based solid waste collection initiatives, such as dumpster days or landfill voucher programs, in areas heavily impacted by illegal dumping.**
9. **Expedite the development of a proactive waste management inspection program for commercial (recycLA) customers to ensure sites are maintaining an appropriate level of waste services.**

To reduce the amount of construction related waste dumped in the PROW, the City Council should:

10. **Instruct LADBS to report to the Council with an assessment on the feasibility of expanding construction and demolition waste hauling verification to smaller projects not currently covered by the Los Angeles Green Building Code.**

IV. FUNDING ILLEGAL DUMPING MITIGATION PROGRAMS

The City should consider new, sustainable funding solutions that allow LASAN to expand and maintain its illegal dumping mitigation and response programs. Specifically, new revenue may be needed to develop a robust investigation and enforcement program, and to ramp up federally-mandated MS4 inspections at industrial facilities. New funds may also be needed to support the expansion of illegal dumping response crews. Though LASAN should first complete formal staffing and equipment needs assessments, policymakers should specifically consider two revenue sources to support future watershed protection activities.

Stormwater Pollution Abatement Charge

The main funding source for LASAN's stormwater protection and water quality programs, including the Environmental Enforcement and Emergency Response Unit, is the Stormwater Pollution Abatement Fund. The primary revenue source of the fund is the Stormwater Pollution Abatement Charge (SPAC) fee, which is assessed on each parcel in the City for the receiving, transporting, pumping, treatment, and disposal of storm drainage through the storm drain system.

While the SPAC fee varies by parcel, it is assessed with a base charge of \$23 per Equivalent Dwelling Unit. **This fee has not been adjusted since 1993—nearly 30 years ago—despite LASAN facing increasing operating costs and investment needs within its stormwater management program.** Adjusting only for inflation, the base charge established in 1993 has a 2021 dollar value of \$41, based on U.S. Bureau of Labor Statistics data.

Some new revenue streams supporting stormwater pollution control programs have become available since 1993. In 2004, City residents approved Proposition O, which authorized up \$500 million of general obligation bonds for City of Los Angeles projects that prevent and remove pollutants from our regional waterways and the ocean. In 2018, Los Angeles County residents approved Measure W to establish a parcel tax of 2.5¢ per square foot of impermeable area. A portion of that revenue is set aside for local municipalities, including the City of Los Angeles.

However, Proposition O and Measure W funds primarily support infrastructure projects as opposed to enforcement operations. The City is also expected to receive less Measure W revenue than expected, due in part to the impacts of COVID-19. To ensure the SPAC fee revenues are sufficient to cover costs associated with LASAN's pollution control, enforcement, and education activities, the City needs to examine whether to adjust the fee.

Establishment of an MS4 Inspection Fee

When carrying out inspections of industrial and commercial facilities, Environmental Enforcement and Emergency Response Unit staff are conducting a necessary environmental

protection activity required by Los Angeles County's federal MS4 permit. **Currently, LASAN does not impose a fee for MS4 inspections to help cover the cost of the inspection services, which means the unit's limited resources must cover illegal dumping enforcement, and regulatory inspection operations.**

Without an inspection fee, or re-inspection fee for businesses that require a second review, LASAN's enforcement unit will struggle to identify the resources needed to conduct MS4 inspections. Based on the MS4 permit requirement that the City inspect approximately 90,000 businesses twice within a five year period, LASAN should be inspecting approximately 36,000 each year.

Inspection fees are not uncommon in the City, as City departments typically assess fees for inspections and other municipal services in order to recover costs. For example the:

- Department of Building and Safety charges fees for building permit reviews and inspections;
- Fire Department charges fees for building plan reviews and fire inspections; and
- Housing and Community Investment Department charges fees for its residential rental property inspection program.

City officials and Policymakers have considered developing an MS4 inspection fee program in the past, but no fee has ever been implemented. The City should revisit the need for a new inspection fee, which could provide a sustainable funding source for the environmental inspection mission of LASAN's watershed protection program.

Recommendations

To determine whether the City's illegal dumping enforcement and abatement programs have sufficient and sustainable resources, the City Council should:

11. Instruct LASAN to report to the Council to provide a formal staffing, operational, and equipment needs assessment for the department's enforcement unit, and the adequacy of current funding levels.
12. Instruct LASAN to, with assistance from the City Attorney's Office, report to the Council with an assessment on the feasibility of increasing the Stormwater Pollution Abatement Charge.
13. Instruct LASAN to, with assistance from the City Attorney's Office, report to the Council with an assessment on the feasibility of establishing an inspection fee for federally-mandated commercial facility inspections to help recover the cost of inspection services.

CONCLUSION

The City's streets, sidewalks, and alleyways are such an essential part of day-to-day life in Los Angeles. Unfortunately, too many communities are impacted by the blight and hazards caused by illegal dumping. By implementing the strategies proposed in this report, the City can be more aggressive with its cleanup response and enforcement programs, and begin to address illegal dumping root causes so that less trash ends up in the PROW. Doing so will help hold illegal dumpers accountable, and ensure the water that drains into the storm drain system is cleaner and safer for the environment.

RECOMMENDATION TABLE

Number	Recommendation
<i>Responsible Entity: City Council</i>	
6	Request that the City Attorney’s Office, in conjunction with LASAN, report to the Council with options for increasing administrative citation fines for illegal dumping violations, and an assessment of whether the fines should reflect illegal dumping fine amounts established under State law.
10	Instruct LADBS to report to the Council with an assessment on the feasibility of expanding construction and demolition waste hauling verification to smaller projects not currently covered by the Los Angeles Green Building Code.
11	Instruct LASAN to report to the Council to provide a formal staffing, operational, and equipment needs assessment for the department’s enforcement unit, and the adequacy of current funding levels.
12	Instruct LASAN to, with assistance from the City Attorney’s Office, report to the Council with an assessment on the feasibility of increasing the Stormwater Pollution Abatement Charge.
13	Instruct LASAN to, with assistance from the City Attorney’s Office, report to the Council with an assessment on the feasibility of establishing an inspection fee for federally-mandated commercial facility inspections to help recover the cost of inspection services.
<i>Responsible Entity: LASAN</i>	
1	Assess the feasibility of implementing new, dedicated illegal dumping cleanup crews, and explore the use of Stormwater Pollution Abatement Fund monies or other special funds to support the establishment of new crews.
2	Consider reorganizing the Environmental Enforcement and Emergency Response Unit. The reorganization should include dedicated units for (1) illegal dumping investigations and other environmental enforcement activities and (2) MS4 industrial and commercial facility inspections.
3	Create a dedicated, sworn public officer classification for Environmental Compliance Officer positions to improve recruitment and retention.
4	Expand the illegal dumping surveillance camera program to ensure additional coverage of illegal dumping hotspots.

7	Develop a public awareness campaign to educate the public about illegal dumping laws, fines and punishments, and available free and low-cost waste disposal services offered by the City.
8	Evaluate the feasibility of new, community-based solid waste collection initiatives, such as dumpster days or landfill voucher programs, in areas heavily impacted by illegal dumping.
9	Expedite the development of a proactive waste management inspection program for commercial (recycLA) customers to ensure sites are maintaining an appropriate level of waste services.
Responsible Entity: Multiple Departments	
5	LASAN, BSS, LAPD, and other City departments involved in illegal dumping enforcement should establish an interdepartmental working group or task force to identify and share trends, coordinate illegal dumping enforcement activities, and develop strategies.

Appendix A

Average Monthly Illegal Dumping Cleanup Service Requests by Council District

Council District*	2017	2018	2019	2020 (Jan-Sep)	Avg. Monthly Increase (2017 vs. 2020)
1	67	94	157	172	158%
2	29	86	156	154	422%
3	21	23	50	89	328%
4	19	31	60	143	673%
5	39	25	39	71	82%
6	40	117	221	243	507%
7	35	89	187	219	529%
8	93	146	208	304	227%
9	84	188	252	296	251%
10	48	52	59	93	93%
11	54	39	53	54	-1%
12	17	24	34	60	246%
13	83	80	74	123	49%
14	139	173	224	248	78%
15	80	132	182	169	111%

*This analysis excludes 805 service requests that did not have an assigned Council District

Appendix B

Encampment Cleanup Metrics

Cleanup Estimates	2016	2017	2018	2019	2020 (Jan-Aug)
Encampments/Tents Processed	3,195	3,644	9,148	16,499	6,147
Bags/Items Sent To Storage	1,040	835	1,186	2,555	1,112
Solid Waste (tons)	1,935	2,100	3,690	5,230	5,661
Solid Waste (lbs.)	3,869,242	4,199,264	7,380,509	10,459,987	11,322,458
Human Waste	10,344	50,587	44,237	138,801	156,428
Feces (lbs.)	3,343	46,462	22,590	66,591	83,918
Urine (lbs.)	7,001	4,125	21,647	72,211	72,510
Non RCRA Paint Waste (lbs.)*	9,882	6,603	24,831	28,942	34,340
Non RCRA Waste Oil (lbs.)*	7,281	3,260	19,843	25,149	33,107
Number of Sharps	18,242	11,711	38,724	56,920	50,892
Number of Drug Paraphernalia	1,534	620	2,306	4,234	7,221
Reactive (lbs.)	132	274	984	978	1,081
Ignitable (lbs.)	6,531	3,477	20,481	48,394	60,619
Corrosive (lbs.)	373	601	3,936	6,145	9,347
Locations with Rodents	322	435	1,195	2,236	1,834
Locations with Parasites	73	39	313	1,155	1,203
Locations With Dead Animals	64	51	148	480	338
Location With Cockroaches	257	214	874	2,691	2,122

*Waste not considered a regulated hazardous material under the U.S. Resource Conservation and Recovery Act

Appendix C

Average Illegal Dumping Cleanup Response Times by Council District (Days)*

Council District	2017	2018	2019	2020 (Jan-Sep)
1	8	11	3	4
2	9	13	5	5
3	9	11	4	3
4	9	10	6	2
5	6	10	5	3
6	10	14	5	4
7	10	12	5	4
8	9	25	6	6
9	10	20	5	5
10	9	13	6	6
11	7	13	7	6
12	8	9	6	4
13	8	13	6	6
14	8	16	4	4
15	8	17	6	7

*This analysis excludes a limited number of service requests that contained either a blank close out date, or a close out date that preceded the service request creation date.

Appendix D

LASAN Environmental Enforcement and Emergency Response Unit Metrics for 2019

