



Water Resources Protection Zones Ordinance Update

Presented by: **Mark Bilski**, Assistant Officer | Valley Water Good Neighbor Program

Water Resources Protection Zones (WRPZ) Ordinance

- **Adoption:** Adopted on November 26, 2024, to address the environmental, health and safety challenges posed by encampments on Valley Water lands
- **Purpose:** Establish regulations prohibiting camping and related activities within WRPZs while outlining approaches for cleanup and enforcement
- **Scope:** Applies to all areas where Valley Water owns property, has easements, or maintenance obligations
- **Prohibited Activities:** Key restrictions include camping, trash dumping, hazardous activities, and possession of weapons or fireworks



WRPZ Ordinance Implementation Plan

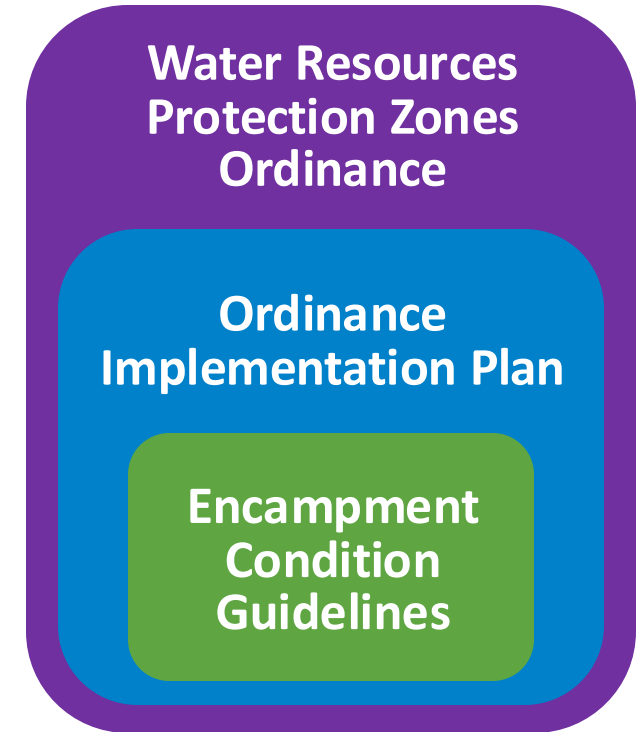
Principles

Valley Water aims to follow these principles when implementing the Ordinance:

1. People experiencing homelessness have the same civil rights as housed residents and deserve to be treated with dignity and respect.
2. Any relocation or removal of an encampment must follow clear procedures that respect unsheltered individuals' rights. Valley Water is committed to harm-reduction approaches to resolving problems associated with any particular encampment.
3. Valley Water is committed to assisting unsheltered people living along streams, in riparian corridors, or otherwise within the district's jurisdiction, to provide solutions or improve outcomes for the unsheltered individuals.
4. Valley Water intends for unsheltered individuals residing in encampments to be safely relocated to interim or permanent housing as these resources are available, and that social services from other local government partners be offered to individuals who may need them.

Ordinance Implementation

- **Implementation Plan and Encampment Condition Guidelines:** Provide framework for how ordinance will be implemented and enforced
- **Primary Goals:**
 1. Protect public health and safety with immediate enforcement where public or staff safety is at risk
 2. Promote safe and sanitary camping practices to minimize environmental harm
- **Educational Outreach:** Real-time education and communication with unsheltered individuals about ordinance and Encampment Condition Guidelines
- **Focus on Collaboration:** Valley Water will work with local agencies and private partners to find long-term solutions for unsheltered homelessness in Santa Clara County



Enforcement Strategy

Priority Levels: Ordinance Implementation Plan establishes cleanup and enforcement priority levels

- **High Priority:** Obstructions to Valley Water operations; extreme health, safety, and environmental hazards
- **Low Priority:** Encampments that comply with the Encampment Condition Guidelines

Progressive Enforcement Approach:

- Focuses on avoiding citations or arrests by encouraging positive actions and providing options for compliance
- Unsheltered individuals will receive education across multiple visits and have opportunities to self-remedy violations to stay low priority



Providing educational information on activities prohibited by the ordinance.



Assisting in identifying Valley Water lands where ordinance prohibitions apply.



Providing an opportunity to self-remedy any violations.

Request the violator cease the prohibited activity or activities.



Request the violator relocate an encampment.



Prioritize an encampment for cleanup and or removal.



Request law enforcement involvement to address unlawful activity.



Progressive Enforcement for Violations of Prohibited Activities

- Valley Water is committed to non-criminal alternatives to enforcement, and to avoid citation and arrest wherever possible.
- Valley Water will delay or avoid pursuing infractions and misdemeanors and provide options to cure violations through positive actions such as education.
- The progressive enforcement model includes an educational approach:
 - Providing educational information on activities prohibited by the Ordinance;
 - Helping identify Valley Water lands where Ordinance prohibitions apply;
 - Providing an opportunity to self-remedy any violations.

Education & Outreach



ABOUT

- Valley Water adopted a **Water Resources Protection Zones (WRPZ)** Ordinance on Nov. 26, 2024 to address the environmental, health, and safety impacts of encampments on Valley Water lands.
- The ordinance **prohibits camping and encampment-related activities** on Valley Water lands.

DOES THIS IMPACT ME?

- If you **do not** have access to available housing or shelter, then **you must follow the new Encampment Condition Guidelines** to be considered low priority for enforcement.
- If you have access to available housing or shelter, you cannot camp on Valley Water lands.

ENFORCEMENT

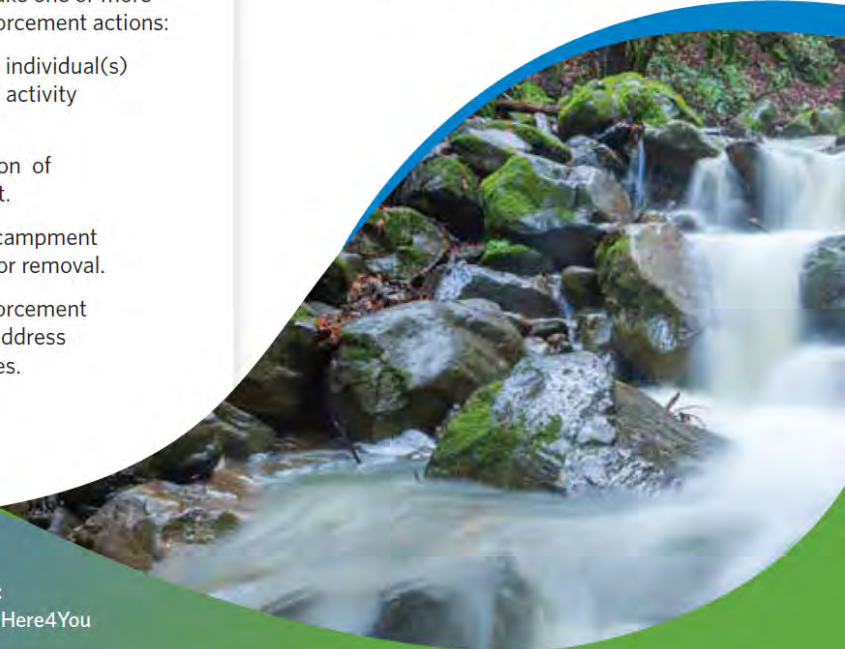
Encampments will be low priority for enforcement if they:

- Do not create operations or maintenance access issues for Valley Water projects; and
- Meet the Encampment Condition Guidelines.

In response to prohibited activities, Valley Water may take one or more of the following enforcement actions:


- Request that the individual(s) cease prohibited activity or activities.
- Request relocation of the encampment.
- Prioritize the encampment for cleanup and or removal.
- Request law enforcement involvement to address unlawful activities.

Water Resources Protection Zones Ordinance & Encampment Condition Guidelines



A photograph of a small waterfall cascading over mossy rocks in a lush forest setting.

Scan the QR code



delivr.com/2adim

or visit valleywater.org/encampments to read the ordinance and the full Encampment Condition Guidelines and view a map of Valley Water lands. You may also request hard copies from Valley Water staff.

If you need shelter services:
Call the Santa Clara County Here4You Hotline at 408-385-2400

If you are having a mental health crisis:
Call the Santa Clara County Suicide Hotline at 988 or 800-704-0900, or Santa Clara County Behavioral Health Services at 855-278-4204 or text 'RENEW' to 741741

This guide provides important information for those who are currently living in encampments on Valley Water lands.

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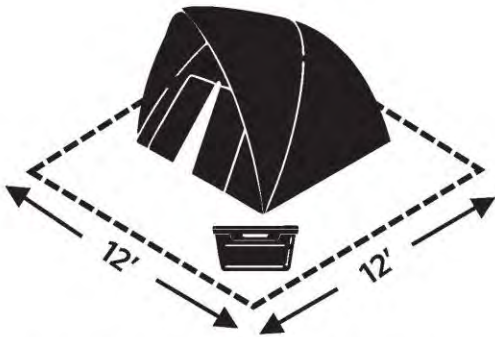
valleywater.org

Education & Outreach

ENCAMPMENT CONDITION GUIDELINES*

Adhering to the guidelines will enhance the health and safety of you and your neighbors and help to protect the natural environment.

**NOTE: This handout provides a summary of the guidelines. Please refer to the full list of guidelines at valleywater.org/encampments or request a copy from Valley Water staff.*



Keep your shelter and personal belongings in a 12'x12' area and keep food in closed containers



Do not build structures out of wood, metal, or other hard materials



No open fires



Pets must be kept under control and leashed; Dispose of pet waste



No loudspeakers or sound amplifiers; No other unreasonable noise disturbances



No possession or use of firearms, ammunition, or weapons



No illegal drug possession or distribution, or other criminal activities



No possession or use of fireworks or explosives



No threats or acts of violence



Do not trespass or dump debris on neighboring properties



No unauthorized vehicles



No dumping trash, debris, hazardous waste, or human or animal waste on Valley Water lands or in waterways



No digging, excavating, or terracing soil, or altering the natural environment



Keep all belongings off maintenance access roads, ramps, and trails



No tapping into electrical or water utility lines



Do not damage or remove vegetation, including trees



Do not capture fish or harm wildlife

Disclaimer: This brochure is for informational purposes only. Adhering to the Encampment Condition Guidelines does not guarantee that an encampment will not be subject to enforcement under the ordinance. The ordinance prohibits camping and encampment-related activities on Valley Water land, and Valley Water reserves the right to remove an encampment regardless of priority level.

Education & Outreach

FACT SHEET

Water Resources Protection Zones Ordinance



OVERVIEW

Valley Water's Water Resources Protection Zones (WRPZ) Ordinance was adopted Nov. 26, 2024, to address the environmental, health, and safety impacts of encampments of unsheltered individuals living on Valley Water lands. The WRPZ Ordinance establishes new regulations prohibiting camping and encampment-related activities on Valley Water lands and outlines Valley Water's approach to encampment cleanup, removal, and enforcement related to violations of the regulations.

IMPLEMENTATION

The WRPZ Ordinance will enable Valley Water to better manage encampment impacts while continuing to work with local agencies and private partners to implement long-term solutions to address unsheltered homelessness within Santa Clara County. To read the full WRPZ Ordinance and Ordinance Implementation Plan and view a map of Valley Water lands, visit valleywater.org/encampments.

ENFORCEMENT PRIORITY LEVELS

Implementation of the ordinance uniformly across all Valley Water lands would displace unsheltered people from encampments before adequate safe relocation sites, shelter, and housing options are available in Santa Clara County. In consideration of this reality, Valley Water will establish priority levels for encampment cleanup and removal under the ordinance. See reverse for priority levels.

ENCAMPMENT CONDITION GUIDELINES

The Ordinance Implementation Plan includes Encampment Condition Guidelines that establish basic parameters by which unsheltered individuals living in encampments on Valley Water lands can minimize negative environmental, health, and safety impacts by promoting positive camping practices and discouraging harmful actions. Valley Water will monitor encampments to ensure that conditions are safe and sanitary. Observations or complaints will be addressed with the unsheltered individuals living in an encampment where complaints or observations occur.

PROGRESSIVE ENFORCEMENT

Encampments that do not create operations or maintenance access issues and that meet the Encampment Condition Guidelines will be considered low priority for cleanup and removal. Valley Water is committed to alternatives to enforcement that avoid citation and arrest wherever possible. Valley Water will strive to provide options to remedy violations through positive actions such as education.

WATER RESOURCES PROTECTION ZONES ORDINANCE

PROHIBITED ACTIVITIES UNDER THE ORDINANCE*

The ordinance prohibits camping within Water Resources Protection Zones, which encompass all lands where Valley Water owns property in fee title, has an easement or has maintenance obligations.

"Camping" is defined as unauthorized sleeping, erecting a shelter of any type, storing, using, maintaining, or placing personal property.

The WRPZ Ordinance also prohibits:

- Dumping trash, debris, and/or other hazardous pollutants
- Activities that could create a hazard to Valley Water employees or the public, or that could interfere with the safe operation of Valley Water facilities
- Unlawful activities, and possession of firearms, ammunition, or fireworks

*Refer to the full ordinance for a complete list of prohibited activities

Scan the QR code to read the WRPZ Ordinance, Implementation Plan, and Encampment Condition Guidelines and to view a map of Valley Water lands.

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EDUCATION AND OUTREACH

Valley Water staff will inform and educate unsheltered people living within Water Resources Protection Zones (WRPZ) on the ordinance and Encampment Condition Guidelines on a real-time, continual basis during encampment site visits.

VALLEY WATER RESPONSE TO PROHIBITED ACTIVITIES

Valley Water will take an educational approach to enforcing the ordinance by:

 Providing educational information on activities prohibited by the ordinance.	 Assisting in identifying Valley Water lands where ordinance prohibitions apply.	 Providing an opportunity to self-remedy any violations.
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Valley Water may take one or more of the following actions in response to activities prohibited by the ordinance:

 Request the violator cease the prohibited activity or activities.	 Request the violator relocate an encampment.
 Prioritize an encampment for cleanup and/or removal.	 Request law enforcement involvement to address unlawful activity.



Guadalupe River encampment cleanup at Willow Street in San José.

ENFORCEMENT PRIORITY LEVELS

Valley Water will prioritize encampment cleanup and removal as necessary to protect employees and public safety and to carry out Valley Water business.

HIGH PRIORITY FOR ENFORCEMENT

An encampment will be prioritized as high priority for cleanup and removal under any of the following conditions.

- The encampment is located in the path of or obstructing access to flood protection or water infrastructure facilities or projects; or designated restoration or vegetation management sites.
- The encampment is located within an area with posted signage listing restrictions on camping or re-encamping.
- The encampment poses an immediate safety risk, including situations that involve Valley Water staff safety or public safety issues, as determined by government agencies and their police or fire departments.
- The encampment is associated with extreme environmental hazards, including impacts to fish and wildlife or imminent human health or fire hazards.

In addition, unauthorized motor vehicles and trailers located within a Water Resources Protection Zone will be classified as high priority for cleanup and removal.

LOW PRIORITY FOR ENFORCEMENT

Encampments that meet the Encampment Condition Guidelines and maintain an external footprint, including all belongings, of 12 feet by 12 feet or less and do not create operations or maintenance access issues.

ENCAMPMENT REMOVAL PROTOCOL

When cleanup and removal action is warranted, per the priority levels described above, Valley Water staff will follow an encampment removal protocol:

 Post the encampment for cleanup and removal.	 Provide 72 hours notice before cleanup and removal.
 Collaborate with local agencies for offers of available services and/or housing or shelter.	
 Arrange for processing and storage of personal belongings.	 Perform encampment cleanup and removal.

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Progressive Enforcement Response

Valley Water Response to Prohibited Activities

Valley Water may take one or more enforcement actions:

1. Request that a violator of the Ordinance cease a prohibited activity or activities
2. Request that a violator of the Ordinance relocate an encampment
3. Prioritize an encampment for cleanup and/or removal
4. Request law enforcement involvement to address unlawful activities

Progressive Enforcement Response

When cleanup and removal action is warranted, Valley Water staff will follow an encampment removal protocol:

- Posting the encampment for cleanup and removal;
- Providing a minimum of 72 hours notice prior to cleanup and removal;
- Requesting that outreach providers visit the unsheltered individual(s) residing in the encampment to offer services and/or available housing or shelter options;
- Collaborating with other local agencies;
- Arranging for the processing and storage of identifiable personal belongings; and
- Performing encampment cleanup and removal.

Ordinance Implementation Timeline

- **Ordinance adoption:**
November 26, 2024
- **Ordinance goes into effect:**
December 26, 2024
- **Public education and outreach campaign:**
November 27, 2024 – December 31, 2025
- **Ordinance enforcement begins:**
January 2, 2025
- **Progressive ordinance enforcement in conjunction with ongoing education:**
January 2 – December 31, 2025



QUESTIONS

