

# MISSION VALLEY RIVER PRESERVE

## TRANSFORMING A CRIMINAL REFUGE INTO A NATURE PRESERVE THROUGH COLLABORATIVE EFFORT

SAN DIEGO POLICE DEPARTMENT, CALIFORNIA, 1998

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- THE PROBLEM:** In June 1996, three San Diego Police officers were assigned to assist Environmental Services workers in a clean-up of portion of the San Diego River. Previous clean-up efforts resulted in short-lived effects.
- ANALYSIS:** The officers knew from their observations that the problems in this river were related to illegal lodging activity. Trespassers were using the river as a base for criminal activity and were damaging the rivers ecosystem. Arrests and clean-ups were not solving the problem. Dense vegetation, a lack of roads and public use, and the proximity of the river to major roads, businesses, and residences left the river as an attractive are to conceal criminal activities.
- RESPONSE:** The officers identified and consulted private and government agencies and stakeholders to address the problem. Research revealed that this portion of the river had great historical significance, was a refuge for endangered animal species and native plants were being threatened by non-native species. Agencies and stakeholders cooperated to turn the area into Nature Preserve to permanently solve the problems. After two years of hard work and cooperation, the area is now known as the *Mission Valley River Preserve*.
- ASSESSMENT:** The criminal element has been replaced with citizens who will protect and restore the river, both for the sake of nature and for future generations. The Preserve is the newest addition to the city's park system, a place to learn about nature and history, to be used by children, families, and college students.
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### SCANNING

The lower San Diego River stretches from about Sefton Park (a baseball Little League field) in the east to Interstate - 5 in the west, and is bordered by Interstate 8 on the south and Friars Road on the north. It encompasses about ten acres. The Western Division Police Station is along the north side of the river, at the intersection of Napa Street and Friars Road The San Diego Metropolitan Transit District has built a trolley station across the street from the Police Station. The trolley travels over the river

on raised tracks. These tracks traverse the river revealing beautiful views of the area.

Despite being one of the more scenic spots in Mission Valley, this section of the river was avoided by the public. The lack of legal, well-defined access points and trails, coupled with the presence of numerous transients illegally living in the river bottom—many engaged in criminal activities—undoubtedly contribute to this avoidance. This same illegal camping had periodically led to a buildup of unsightly trash, a proliferation of trails through

sensitive habitat, pollution of the riverbanks and water from toxic by-products of illegal recycling and other illegal activities. This has led to a steady degradation of the native vegetation in the area.

The area required a disproportionate allocation of police resources from the nearby Western Police Division. Illegal lodgers had plagued the area. These trespassers use the river as a base for criminal activity.

Those occupying the river were frequently arrested for a variety of criminal violations. These ranged from misdemeanor crimes such as illegal lodging to being under the influence of drugs and felony crimes including possession of controlled substances (illegal drugs) and burglary.

During inspections of this area, hundreds of bicycles were found. One campsite was notorious for having huge piles of bicycles, both assembled and in parts. It is not unlikely that most of these bicycles were stolen property.

From July of 1994 to July of 1996 the following police activity was documented:

1. 88 arrests were made for crimes ranging from assault with a deadly weapon to drug offenses to trespassing.
2. 147 criminal citations were issued for misdemeanor violations, loitering and city ordinances.
3. Officers suspecting illegal activity conducted 205 Field Interviews.

Interestingly, the amount of police activity was generated without routine police patrol (see San Diego Riverbed Police Activity in appendix). Moreover, the individuals involved in criminal incidents also damaged the river's environment. Most of the illegal inhabitants recycled to raise money and acquired, via unknown means, hundreds of feet of electrical wiring. The wire's insulation was removed by burning, and the fire department regularly responded to these blazes. The noxious odors and poisonous chemicals released by this activity damaged the river and created a hazard to the fire personnel.

The trespassers also brought in a variety of chemicals (paints, solvents, batteries, etc.). Used items were dumped in the river or its banks. Traditionally, these problems were addressed with "sweeps". Law enforcement, working alone or teaming with Environmental Services, the city agency responsible for waste management, would sweep the river, ask the trespassers to leave or made arrests and cleaned the area up. Such tactics were only effective for a short period of time. After the police left the area, the violators always returned

## ANALYSIS

In June 1996, Officers Patrick Vinson, Theresa Kinney, and Robb McCracken began to analyze this problem with the assistance of Code Compliance Officers L.C. Wright and Mark Wedenhoff during a clean-up/sweep. Code Compliance Officers are the enforcement branch of the Environmental Services Department. One hundred tons of trash was removed from this section of the river. An additional three tons were removed each week thereafter. The dumping fee alone for this amount of refuse was \$4,200. This does not include the cost of worker salaries or equipment use.

The analysis turned into a brainstorming session between the police and code compliance officers. The discussion focused on eliminating the unproductive cycle of the clean-up projects. McCracken and Kinney pointed out that the area must have significance for its wildlife and plants. Vinson had already conducted preliminary historical research on the river revealing that the river's role in San Diego's past and the formation of the city. Considering the biological and historical perspectives, the river was perfectly suited to become a preserve. Code Compliance Officers Wright and Wedenhoff agreed.

Further analysis was conducted to determine why the river was suffering from the aforementioned problems. It was agreed that the river presented criminals these primary benefits:

1. **Concealment**—The brush/vegetation was dense, providing privacy for criminal acts. Only the larger camps

were visible from the bridges, streets, or freeways.

2. **Lack of access**—The absence of roads or paths made it difficult for the police to access the area. The general public did not use the area.
3. **Location**—The area is located near businesses and residences.

In order to solve the current problem, the officers would have to address the issues of concealment and lack of access. If these issues were rectified, the location would work in their favor. Another major problem was discovered. Although nice condominiums and a thriving commercial area surround the river, no one seemed to have an interest in the river. Complaints were received about the activity in the river, but generally, due to the concealment provided by the brush, it was an "out of sight - out of mind" problem.

The surrounding area offered many possibilities. The University of San Diego is a highly respected private college. It is located about one half mile away from the river. The officers held a meeting with Dr. Michael Mayer, Professor of Biology, and discussed their plans for the river. As it turns out, Dr. Mayer had been interested in the river for quite some time and had even obtained plant samples from the river, but limited his trips to the river due to the criminal element he had observed there. Dr. Mayer felt the river would be a wonderful opportunity for his students to receive hands-on experience with urban river water systems and restoration efforts. Dr. Mayer introduced us to the head of the Biology Department, Dr. Hugh Ellis. Dr. Ellis was also enthusiastic about the river's future and the role it could serve in education.

The Presidio Museum was located on a hill overlooking the river, just across from Interstate 8. The Presidio is a circa 1920's replica of the original mission built by Spaniards on their discovery of San Diego. The San Diego Historical Society operates the museum, which is the centerpiece of Presidio Park. The Park is also home to archeological digs searching for and revealing the original foundations of the

adobes built and lived in by people 200 to 300 years ago.

Old Town, the original site of the City of San Diego is located near the park. Richard Henry Dana describes the area in his classic novel "Two Years before the Mast". The park has an on-going program that is run in conjunction with San Diego City schools. Every city school's fourth grade student spends two school weeks in the park. The focus is on history and the different cultures and peoples that inhabited the area. The research indicated that Presidio Park was, in a historical sense, connected to the river. Educational programs at the Presidio could easily add the river to the curriculum.

The river originally flowed into what is now Mission Bay and San Diego Harbor (see attached maps in appendix). The original inhabitants of the Presidio used this section of the river for water and irrigation. The Mission was moved east, to the Mission Gorge area because this section of river could not be counted on for water. It would sometimes become a dry, sandy riverbed with no flowing water.

In 1769, Spanish explorers noted that 3540 Indians inhabited the river. The vegetation noted in this report consisted of poplar, willow and alder trees. The earliest photo we have been able to locate showing this area is from 1880. It shows a view looking south from what we guess to be the area of 5200 Friars Road. The photo shows Presidio Hill. In the foreground is a riverbed with no trees or vegetation.

An 1874 view shows Mission Valley looking east from Presidio Hill. It shows sparse vegetation.

Early inhabitants of Presidio Hill and Old Town relied on this section of river for their water. When the river was dry, wood buckets or crates were lowered into the sand to extract the water. Wells were also dug in the riverbed. What is now Palm Canyon (located directly behind the Museum) was at once a water works facility, supplying water to Old Town and New Town.

As early as 1852, the United States Military was becoming concerned about the river. Sand

flowing from the river had rendered what is now Mission Bay completely useless as a port for sea going vessels. The rivers course was also depositing sand into San Diego Bay. If the river were not turned, San Diego Bay would also be rendered useless. George Derby, Lieutenant with the Topographical Engineers, was assigned the task of surveying the river and building a levee to change its course.

Excerpts from his report to the 33rd Congress (18534) are quoted as follows:

"The entire bed or the river from source to mouth, with the exception of two points, is of light drifting sand, the banks are low, alluvial bottoms, varying in width from one to five miles, and mostly destitute of forests or shrubbery."

Lt. Derby notes that at the time of the founding of the Presidio, the valley was "covered with a dense forest of sycamore, willow, cottonwood, with an undergrowth of various kinds of shrubbery, among which the wild grape was the most abundant. At this time the river ran through the most northerly part of the plain, skirting the hills represented on the plan, and emptied into False Bay. This course continued until 1811, when, by the continued deposit of sand, its bed was so much elevated that it altered its channel to the southwest, still however emptying into False Bay, until 1825, when a great freshet occurring it overflowed its bank destroying many gardens and much property, and formed a new channel discharging into the harbor of San Diego. From the continued accumulation of sand its course has somewhat fluctuated, but has never been essentially altered since that period."

Lt. Derby recommended that the river be permanently directed into False Bay (currently called Mission Bay). He proposed building a bulkhead or levee. This levee would run from Presidio Hill to the larger sloughs. This levee would be eight feet high to insure that the river would not overrun it. Lt. Derby submitted several versions of his plan, each slightly different. This offered a range of costs that could be selected from by the government. Lt. Derby described this work as of "much importance, preserving from utter destruction one of the finest harbors of the Pacific coast."

The levee was built. It became known as "Derby's Dike". However, due to a lack of funding the dike was not built to the highest standards outlined by Lt. Derby. Construction began in 1853. It was washed out due to heavy rains in 1855, but was rebuilt. Lt. Derby was married in Old Town in 1854. The wedding took place in what is now known as the Derby-Pendleton House. Besides his service to the U.S. Topographical Corps, he was also a humorist and caricaturist. He was published under the names "John P. Phoenix" and "Squibob". His writings and cartoons became very popular. The center of Old Town was at one time named "Squibob Square" in honor of Lt. Derby.

While the "Derby Dike" may not be rebuilt, the preceding illustrates the rich historical value of this land. Had the military not taken an interest in preserving the harbor, where would San Diego be today? This educational and historical theme would draw schools and others into a properly restored river.

Officer McCracken had worked with Senior Park Ranger Tracey Walker on an earlier project. Ranger walker was responsible for the Tecolote Nature Center and Preserve. Tecolote is a canyon preserve located about a mile and a half north of the river. The offers solicited Ranger Walker for his expertise on plant and wildlife and advise on how to turn the river preserve into a reality. Ranger Walker is highly respected regarding both the issues of native plant and wildlife preservation and the restoration and managing of public use preserves.

Ranger Walker agreed that the river would be a prefect preserve. The native species restoration would benefit the area ecology. The preserve would be an asset and compliment to the city's existing preserve system.

Ranger Walker explained that there were native plant and animal species in the river. However these species were threatened by the growing expansion of non-native species, specifically a bamboo like grass named *Arundo Donar*. *Arundo* is a rapid, aggressive grower that is difficult to eliminate. It must be cut down. The

remaining stump must then be sprayed with poison or it will regroup. The illegal lodgers used *Arundo* to build their shelters and functioned as the primary source of concealment for illegal activity. Elimination of the *Arundo* would be ecologically sound, while decreasing the area's appeal as a criminal base of operations. Among the animal species inhabiting the river is the Least Bell Vireo, a small migratory bird, which is an endangered species.

The Police Department's Crime Analysis Unit was consulted. The river presented specific problems in the area of analyzing calls for service and other data used in measuring the needs and success's of more traditional projects. The river has no streets. The only reference points were streets running along its boundaries. It did not exist as a Park or public place so it had no common name or location that could be used. This resulted in no single address being used to document the area's activity.

Analyst Ann Carter discussed these problems with the officers and accompanied them on a "walk-along." Carter obtained first hand knowledge of the area and its problems. During her visit, one of the river's chronic offenders was arrested for possession of stolen property. This suspect was uncooperative and resisted being taken into custody. This incident gave Ann insight on not only the crime problems but also the logistical and geographical problems we faced in taking enforcement action in the river. The suspect, though not seriously hurt had to be carried over rough, brush-covered terrain to reach Paramedics on Friars Rd.

To overcome the data problem Ann advised us to encourage all officers to use the common address of 5200 Friars Road for the river. Ann compiled statistics from existing data relating to arrests and crime in the river.

Having both the education and historic designations researched, and having some environmental information, the officers went to Lieutenant Ron Newman, having already received the approval of their immediate supervisor, Sergeant Robert Gilbert. Lt. Newman encouraged the effort by suggesting that we contact the area's Council member, Valerie Stallings. He advised that a group, the

River Task Force, was already in place assigned with solving the river's problems. Council member Valerie Stallings' office was contacted and invited the officers to give a presentation of the analysis and research at the next meeting of the River Task Force.

## RESPONSE

A meeting was organized with the purpose of bringing together representatives from the existing Riverbed Task and those that we had identified as probable shareholder leaders for the proposed river preserve.

This meeting took place on July 16, 1996 at the Tecocote Nature Center. The attendance list included:

1. Marilyn Marrasoul, Aide to Deputy Mayor / Council member Valerie Stallings
2. Mike Kelly, California Native Plant Society
3. Jennifer Champa, City of San Diego Community and Economic Development
4. Mike Mayer, University of San Diego Biology Department
5. Sara Grey, University of San Diego
6. Robin Strively, City of San Diego Environmental Services
7. Lisa Wood, City of San Diego Environmental Services
8. Tracey Walker, City of San Diego Park and Recreation, Senior Park Ranger

Everyone in attendance was supportive of the proposal of turning this section of the river into a preserve.

On July 26 we were invited to attend and give a presentation to a meeting of the Riverbed Task Force. Invited participants included:

1. Jim Hecht, Metropolitan Transit District
2. Greg Peters, California Regional Water Quality Control
3. Sherilyn Sarb, California Coastal Commission
4. David Zoutendyk, Army Corps of Engineers
5. Nancy Acevedo, City Park and Recreation Department, Open Space Division
6. Bob Collins, Director of Real Estate Assets, City of San Diego
7. Tracey Walker, Senior Park Ranger

8. Carol Bariks, City Attorney Office
9. Jeff Chione, San Diego Police Department, Northern Division
10. Charles Hansen, The Salvation Army
11. Helen Heim, Environmental Services, Programs Division
12. Tom Leslie, Homeless Services
13. Harvey Mandell, St. Vincent de Paul Village, Inc.
14. Ron Newman, San Diego Police Department, Western Division
15. Richard Schnell, San Diego Police Department, Northern Division
16. Pat Shields, County Mental Health Services
17. Diane Silva-Martinez, City Attorney's Office
18. Lisa Wood, Environmental Services
19. Mike Kelly, California Native Plant Society
20. Jennifer Champa, City of San Diego Community and Economic Development
21. Mike Mayer, USD Biology Department
22. Robin Stribley, Park & Recreation Department

During this meeting, the officers discovered found that the existing task force had tried to help those illegally lodging in the river. The Salvation Army, The City Homeless Services, St. Vincent De Paul Village and County Mental Health Services were all requested to offer their services to those individuals.

Of the individuals contacted by representatives of these groups none took advantage of the services offered this further illustrated the extent of the problem and the individuals involved in the criminal activity. Even when services and Officers of help were brought to them in the river they declined. This proved that we were not dealing with a "homeless/displaced" problem, (the people living in the river were not there because of economic or societal problems beyond their control ) , but they were there by their own choice.

The proposal of turning the river into a nature preserve was discussed. Though everyone agreed that the preserve idea had its merits, there would be problems to overcome. Among the challenges were:

1. Land ownership. Who actually owned the river property?

2. Preserve boundaries. What area were we talking about?
3. Cost. Who would pay for the development?
4. Coastal wetlands. Was it legal to do anything at all in this area?
5. Protected species, both plant and animal. Again, could we legally do anything in this area?

These were difficult, complicated problems and issues. To come up with the answers to these and other hurdles that might later arise would take many meetings and discussions with local, State and Federal government agencies.

Council member Stallings embraced the concept of turning the river into a preserve. The preserve idea paralleled her vision for the area. It was agreed that Ruther study into the proposal would be needed but that no problem was too great to overcome.

Marilyn Mirrasoul was charged with coordinating future meetings. Agencies responsible for coastal and species protection were contacted for the necessary approvals.

Mike Kelly, from the Native Plant Society, had first hand experience in turning neglected areas such as this section of the river into preserves. He is also involved with the Rancho Penasquitos Preserve. This is a canyon preserve that is located about twenty miles north of the river. It is open to the public for holding type recreation activity and education. Mike Kelly's experience and dedication to seeing this river preserve project completed proved to be invaluable. He knew not only the legal and regulatory rules involving protected native plants and animals, but also had solid, practical experience in these matters.

Mike Mayer's knowledge of area plants and his role as Professor at University of San Diego added the strong education theme that was needed for success in this project.

The following initial stakeholders were identified. These initial stakeholders all had a

responsibility for the area. Before the preserve could be brought to the public these groups would have to work out solutions to the identified initial problems. Only after initial problems were solved would we be able to bring this to the public and have the ability to answer the public's questions about the preserve (see Stake Holders and Responsibility in appendix).

Throughout 1996 and 1997 meetings were held to solve the earlier listed problems. Participants also met at the river. Mike Mayer and Mike Kelly used Global Positioning Satellite technology to map out the river and enter the location of the different plant species. This data created a map that was used at ensuing meetings. The non-native plants were identified. These included Eucalyptus and Palm Trees, castor bean, Brazilian Pepper trees and the previously noted *Arundo*.

The officers discovered "Mitigation credits." Mitigation is a process required of any party building in a sensitive area. The party must rehabilitate the area with native species in exchange for being able to build in the area. In the case of this project Metropolitan Transit District Board (MTDB), because of its trolley extension through the river, had been assigned mitigation. This mitigation included the re-planting and irrigation of native willow and the elimination of *Arundo*.

One of the primary concerns was: Would public access be detrimental to native animal and plant species? The Army Corps and U.S. Fish and Wildlife had concerns about constructing trails or opening the area for general recreation. Mike Kelly and Mike Mayer were instrumental in solving this problem. They pointed out that more than enough trails already existed because of the illegal activity that had been occurring for years in the river. Rather than creating new trails, the project would identify existing trails for public use that would not interfere with the species. Trails detrimental to wildlife would be blocked off by use of native plantings.

Recreation would not be an issue. The area would be clearly designated as a preserve and lawn areas or sport type sections would not be developed. The creation of the preserve would enhance, not interfere with the native species.

This enhancement would come about through the education and involvement of concerned citizens. Other preserves in the City park system have citizen volunteer groups. These groups work at identifying and restoring native plant species while removing non-native invaders. They enhance and protect the area for protected animal species. A volunteer group would be formed for this new preserve.

Don Steele of the Park and Recreation Department was appointed Project Director. Don coordinated the transfer of the property from City Open Spaces Division of Real Estate Assets to Park and Recreation control. He obtained a kiosk and had it installed at the intersection of Napa Street and Friars Road to mark public access to the preserve and post information regarding native plants and animals.

The Police Department implemented regular patrol of the area during this time to deter illegal activity and prevent the criminal element from re-establishing a hold in the area. During efforts in years past, after the initial sweep the police would not revisit the area for months allowing the criminals time to build massive camps and virtually establish a criminal society within the confines of river.

This enforcement was coordinated with Environmental Services. Camps and trash were taken away on a regular basis to prevent the formation of camps. Officers noticed a marked decline in the number of people contacted. Large camps full of stolen property no longer existed.

## ASSESSMENT

Through the diligent efforts of all those involved the Mission Valley Preserve was created- On May 23, 1998 the opening ceremonies were held in the front lot of the Western Police Station. Council Member Stallings officiated at the event. News media, Park and Recreation personnel, Police personnel, and most important, members of the Community attended the event.

Following the brief ceremonies those in attendance went on guided tours of the preserve. Mike Kelly pointed out native and non-native plant species. Volunteers then grabbed tools and

trash bags for the first clean-up of the area by citizen volunteers.

This project accomplished its goals:

1. All three originally identified core problems were resolved.
2. A neglected but valuable resource was identified and promoted.
3. The area was taken from a striving criminal community and turned into an asset to the City.
4. The huge, illegal campsites no longer exist.
5. The Preserve plans include use as an education resource for elementary and college level classes.
6. The Preserve is now recognized for its previously ignored historical relevance.
7. The Community now has an acknowledged and vested interest in the Preserve.
8. The Community now has the ability to participate in the restoration of the area.
9. Transient activity in the surrounding area has markedly decreased.

New partnerships were formed that will continue into the future. The Preserve will be a never-ending project. Work is now in progress forming a "Friends of the Preserve" group. This group will be modeled after the successful citizen volunteer groups already active in other city preserves.

The next Preserve event is already under discussion. It will be a "Kids Day at the Mission Valley Preserve". Tentatively planned as an invitation to children and their adults. Children will be given tours of the Preserve. They will be taught about the native plants, how both native inhabitants and the Europeans that followed used the river and plants and a history lesson on

how the river affected the course of local history.

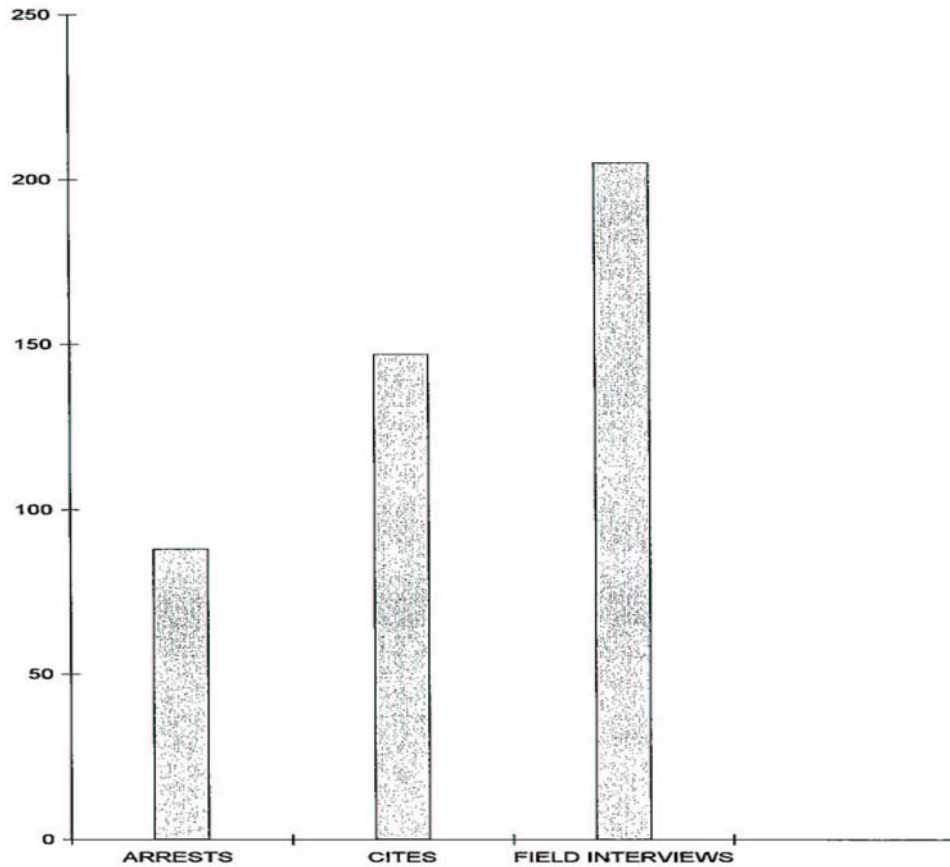
## NOTES

1. Police service to the Preserve will be no more than is currently needed at other city Parks and Preserves.
2. The cost issues were addressed by simply moving forward. The formation of this Preserve had no funded budget. Meetings took place during city employees normal work hours. Those attending meetings during non-work hours or spending time researching or writing out proposals did so on volunteer basis.
3. The kiosk was donated by the Natural History Museum of San Diego.
4. The Parks and Recreation Department will address funding issues. Due to the ecological concerns, grant opportunities that are being researched.
5. One eventual goal is to have a City Park Ranger assigned to this Preserve. This Ranger would be a wetlands specialist, taking over not only this Preserve but nearby wetland areas as well.
6. This project demonstrates that Officers can and should become involved in what in the past may have been considered non-traditional projects. When problem-solving Officers should use their imagination and all their skills, not just the skills acquired and honed as Police Officers.
7. Creativity and citizen involvement is the key to solving the core reasons that cause problems to exist and thrive.
8. By bringing together concerned, responsible citizens with expertise in specialties outside law enforcement, a chronic, unsolvable problem was solved.

# APPENDIX

JULY 28, 1994 TO JULY 27, 1996

## SAN DIEGO RIVERBED POLICE ACTIVITY



### **STAKEHOLDER**

- City Council
- University of San Diego
- U. S. Army Corps of Engineers
- City of S.D. Park and Recreation
- City of S.D. Biologist
- City Environmental Services
- S.D. Data Processing
- S.D. Police Crime Analysis
- California Native Plant Society
- U.S. Fish and Wildlife
- California Regional Water Quality
- California Coastal Commission
- City Attorneys Office
- Metropolitan Waste Water
- MTDB S.D. Trolley

### **RESPONSIBILITY**

- Leadership and coordination
- Educational uses, asset in identifying species
- Wetland protection
- Management of Parks
- Identification of protected species
- Clean up of trash, elimination of illegal camps
- Creation of maps
- Gathering of data regarding police / crime
- Identifying native and non-native species
- Regulatory agency involving protected species
- Condition of river
- Regulatory agencies involving river
- Prosecution of those arrested in river
- Condition of river water
- Public transportation. trolley tracks in / above river

# SAN DIEGO RIVERBED

## ARREST BY TYPE LAST TWO YEARS

