

2009 ANNUAL REPORT









A MESSAGE FROM THE BAYKEEPER

In our twenty years as the Bay's pollution watchdog, San Francisco Baykeeper has been working steadily to strengthen clean water laws and rein in polluters. With your help, we've picked up even more momentum over the last year, and I couldn't be prouder of what we've accomplished. From the national level to the local sphere, we've represented the Bay's interests—and yours—effectively, efficiently and strategically. That's why I'm excited to share with you Baykeeper's 2008-2009 annual report on all our recent victories.

Nationally, we achieved a banner year, winning two tough federal cases. The first groundbreaking case reversed a flawed Bush-era policy

claiming that pesticides applied directly to waters are not a pollutant and thus should not be regulated under the federal Clean Water Act. The other cemented EPA's duty to regulate invasive species as a pollutant under federal law. Both rulings expand the scope of national environmental laws and better protect San Francisco Bay—one of the most invaded water bodies in the world, and one that also is inundated with toxic pesticide pollution.

At the local level, Baykeeper has been working hard to prevent Bay pollution from city streets and industrial facilities. We developed new partnerships to educate local officials about better storm water pollution controls and promoted innovative techniques like using permeable pavement on parking lots and planting rain gardens that limit polluted runoff from buildings. And in addition to securing a comprehensive legal solution to stop sewage spills from three crumbling sewage systems on the Peninsula, we've educated and mobilized residents to take action to protect the Bay from sewage spills and storm water pollution.

On the water, we've increased our monitoring of pollution and reached out to recreational users who are in the water every day to serve as witnesses to the impacts of harmful toxins in the Bay. We've also initiated a systematic response to the increasing problem of abandoned recreational boats on the Bay, which are sinking and polluting the Bay in increasing numbers.

I hope you enjoy reading more about what we've achieved for the Bay in the past year. Thank you for being a part of our community and sharing our passion for San Francisco Bay. With your help, we'll continue our strategic initiatives to create an even more vibrant, healthy and flourishing San Francisco Bay.

SEJAL CHOKSI, BAYKEEPER AND DIRECTOR OF PROGRAMS



SAN FRANCISCO BAYKEEPER'S 2008-2009 WORK To protect san francisco bay from pollution

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KEEPING SEWAGE OUT OF THE BAY

Sewage spills and overflows continue to be a significant source of pollution to San Francisco Bay. Baykeeper has worked for more than a decade to stop sewage spills from Bay Area sewage treatment plants and sanitary sewer systems that are old and in dire need of upgrades.

Most sewer pipes around the Bay were constructed during the waves of housing development in the late 1920's and after World War II and suffer from decades of neglect; in addition, most were meant to serve a much smaller population. During the wet winter months, torrents of rain overflow from storm drains into crumbling sewer pipes, swelling the volume of water at treatment plants and overwhelming the system's capacity—leading to spills and overflows of hundreds of millions of gallons of partially treated and untreated sewage to local creeks and the Bay. Sewage and wastewater released from sewage treatment plants contain pollutants like pathogens, nutrients and toxic chemicals that pose serious health and environmental threats to the Bay's ecosystem and to local communities.

In 2008, Baykeeper launched a concerted Sick of Sewage campaign to hold polluters accountable, to raise public awareness and to pressure local agencies to invest in fixing the Bay Area's failing sewage infrastructure.

KEEPING SEWAGE OUT OF THE BAY 2008-2009 ANNUAL REPORT

We've successfully targeted some of the most egregious sewage overflow violators and will press forward with enforcement actions against additional polluting sewage systems in the coming year.

CURBING SEWAGE SPILLS FROM BURLINGAME AND ITS SATELLITES

In July 2009, Baykeeper reached agreements with the Town of Hillsborough and the Burlingame Hills sewer district to dramatically reduce sewage pollution to the Bay. These two systems are satellites of the City of Burlingame, which we successfully sued in 2008 to end rampant sewage spills and illegal offshore discharges to Coyote Point. When our investigations revealed that crumbling sewer pipes in Hillsborough and Burlingame Hills were contributing to Burlingame's sewage plant overflows, we filed two additional suits to address the multiple sources of the area's sewage problems.

Under our agreements,
Hillsborough and Burlingame
Hills will implement major
infrastructure improvements and
strict maintenance plans in
order to dramatically reduce
spills over the next five years.

Sewage and wastewater contain pollutants like pathogens, nutrients and toxic chemicals that pose serious health and environmental threats to the Bay's ecosystem and to local communities.

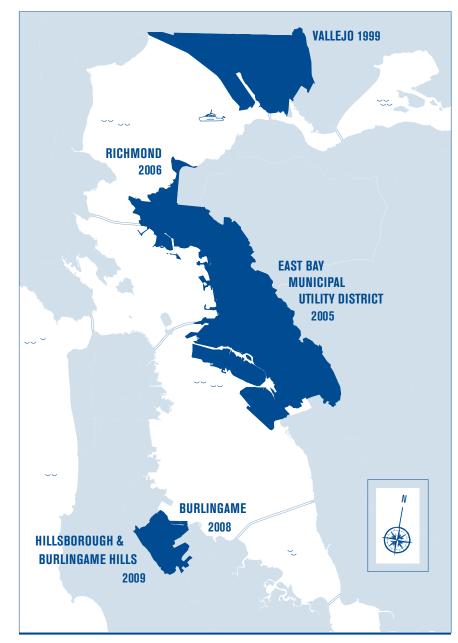
They will also fund mitigation payments to help restore the health of the Bay. The Town of Hillsborough will provide \$50,000 in funding to watershed protection projects, including a program to offer low-cost loans for residents to replace residential sewer pipes. The smaller Burlingame Hills sewer district has committed \$7,500 to fund watershed protection and \$7,500 to educating local residents about how they can help prevent sewage spills. Meanwhile, Baykeeper continues to monitor the City of Burlingame as it repairs its 80-year-old system, which frequently spilled untreated sewage into people's homes and city storm drains.

This year's settlements are an important part of an inclusive resolution to the sewage spills from these three Peninsula communities. By addressing the entirety of the systemic problem, Baykeeper has achieved a significant step toward



Windsurfers at Coyote Point, where sewage discharges from Burlingame, Hillsborough and Burlingame Hills will be reduced due to Baykeeper's successful settlements as part of our Sick of Sewage campaign.

KEEPING SEWAGE OUT OF THE BAY



Baykeeper's *Sick of Sewage* campaign is part of a decade-long effort to compel sewage polluters in the Bay Area to reduce spills and overflows. The map above shows where we've secured agreements to protect the Bay from sewage spills over the last ten years.

preventing the sewage contamination that's been endangering water quality, wildlife and people along the Peninsula shoreline.

ENSURING CONTINUED IMPROVEMENTS FROM PREVIOUS SETTLEMENTS

Baykeeper continues to monitor compliance with the terms of our previous legal settlements to address high rates of sewage spills from Vallejo, Richmond and the East Bay Municipal Utility District.

Vallejo. Baykeeper first brought suit against the City of Vallejo to eliminate the City's massive overflows caused by limited sewage treatment plant capacity. We won a strong ten-year settlement agreement in 1999, and the City has made important improvements in the last decade, including eliminating sewage overflows caused by insufficient capacity at the treatment plant. However, the City still experiences sewage backups into neighborhoods and creeks because of long-deferred maintenance to its vast network of corroded collection pipes. This year Baykeeper secured a new agreement with the City of Vallejo to implement immediate maintenance plans in order to prevent sewage spills to streets and creeks that empty into the Bay.

Richmond. In 2006, Baykeeper secured an agreement from the City of Richmond to complete major capital upgrades to a system with one of the highest rates of illegal sewage spills in the Bay Area. Richmond is now on target to meet its commitment to make \$21.25 million in capital upgrades and initiate a program to assist low-income homeowners with upgrading sewage lateral lines. Under the agreement, the City has also made \$250,000 in payments toward local watershed protection projects.

EBMUD. Baykeeper continues to work closely with the East Bay Municipal Utility District (EBMUD), which encompasses thousands of miles of dilapidated sewage pipes from eight cities (Alameda, Albany, Berkeley, Emeryville, El Cerrito, Kensington, Oakland, and Piedmont). Several years ago, Baykeeper secured a settlement agreement requiring EBMUD to study ways to compel the cities to reduce their inputs and thereby curtail massive overflows at EBMUD's treatment plants. As a member of the review panel, Baykeeper has been helping

KEEPING SEWAGE OUT OF THE BAY

EBMUD identify incentives, regulations and region-wide proposals to compel East Bay cities to upgrade their sewage infrastructure.

Baykeeper also continues to partner with EBMUD every winter to promote awareness of how the preparation and cleanup of rich holiday foods can lead to extra fats, oils and grease getting washed down the drain. This can cause backups and clogs in residential sewer lines and contribute to sewage spills into homes, yards, streets and the Bay. This year, Baykeeper published "Ten Tips for a Healthy Bay" to educate residents about ways they can help prevent pollution like sewage spills to the Bay.



TEN TIPS FOR A HEALTHY BAY

In Your Home

- > Don't pour fats, oils and grease down the drain.
- > Don't use toxic products in your household and yard.
- > Don't pour hazardous products down the drain or into street gutters.
- > Don't put unwanted medications down the sink or toilet.
- > Reduce your use of products containing the chemical triclosan.

In Your Yard and Driveway

- > Don't wash your car in your driveway or street, and check regularly for oil and gas leaks.
- > Reuse rainwater by capturing it in cisterns or buckets for later use around your home and yard.
- > Plant a rain garden that limits storm water runoff from your home and yard.

In Your Community

- > Encourage your city to build Bay-friendly sewage and storm water systems.
- > Become a supporter of San Francisco Baykeeper!



REDUCING STORM WATER POLLUTION TO THE BAY

Every day, trash, oil, bacteria, pesticides and fertilizers are washed into the Bay through neighborhood storm drains. Litter and contaminants are picked up by rainwater rushing across paved roads and parking lots, then carried through storm drains to be dumped into creeks and sloughs that empty into the Bay.

Storm water runoff from city streets is the largest source of pollution to San Francisco Bay. Trash like plastic bags suffocate and disable marine animals; bacteria and pathogens can sicken swimmers and wildlife alike; automotive fluids, pesticides and fertilizers poison the Bay's food web.

San Francisco Baykeeper has worked for twenty years to reduce storm water pollution to the Bay by challenging weak regulations of storm water at the municipal and regional levels. Our targeted advocacy has improved storm water regulations in Alameda, Contra Costa and San Mateo Counties and helped spur the development of a single region-wide regulation of storm water pollution from cities in Alameda, Contra Costa, Santa Clara and San Mateo Counties. While many hours were spent in the last year advocating for a strong region-wide permit, Baykeeper also began

REDUCING STORM WATER POLLUTION TO THE BAY



Low impact development aims to limit storm water pollution with features that mimic nature's way of processing rainwater – letting it slowly percolate, filter and trickle into the ground. One example of a low impact development feature is a vegetated storm drain, where plants slow the flow of rain to the storm drain.

an initiative to help Bay Area cities and residents learn about best practices for controlling storm water pollution.

CONTROLLING STORM WATER WITH LOW IMPACT DEVELOPMENT

In 2008-2009, Baykeeper expanded our storm water reduction efforts to support a growing movement to prevent storm water pollution through low impact development techniques. Low impact development aims to limit storm water pollution at its source by designing buildings, roads and public areas with features that mimic nature's way of processing rainwater—letting it percolate, filter and slowly trickle into the ground and local creeks. Low impact development techniques prevent rainwater from rushing across paved surfaces and picking up pollution that is carried to storm drains and into local waterways.

EDUCATING CITIES TO REDUCE STORM WATER POLLUTION

Baykeeper has been partnering with cities and counties in the Bay Area to change the way local governments address storm water pollution. We're educating city officials about ways to incorporate low impact development requirements into planning for all future construction projects, so that new or redeveloped buildings, parking lots and roads will be designed to reduce storm water pollution to the Bay. In 2008-2009, we advocated for specific storm water reduction measures to be included in several Bay Area cities' General Plans (policy documents that outline a city's building and redevelopment activities).

Examples of low impact development techniques include:

- > planting a roof garden that absorbs rainwater into the soil;
- > using rain barrels or cisterns to collect rainwater from gutters and roofs
- > paving driveways and sidewalks with bricks or stones that allow rainwater to soak into the soil below.

Baykeeper also hosted a successful workshop to bring together key stakeholders to discuss obstacles and solutions to implementing low impact development techniques across the Bay Area. Local experts in green building and municipal codes presented to participants from the California Coastal Commission, National Oceanic and Atmospheric Administration, Bay Area municipalities, the private sector and partner nonprofit organizations. Through this outreach, Baykeeper has helped foster important partnerships across several disciplines and has become involved with coalitions including the California Water and Land Use Partnership and the Bay Area Water Forum.

Baykeeper also created an online resource guide to aid city staff in understanding and implementing low impact development requirements, available at www.baykeeper.org. We'll continue going city by city to help local officials implement low impact development techniques that will help all the communities of the Bay Area to protect the Bay.

HELPING RESIDENTS TAKE ACTION TO REDUCE STORM WATER POLLUTION

Baykeeper works to educate residents about what they can do in their homes, yards and communities to prevent storm water pollution to the Bay. Many residents don't realize that their household practices can contribute to storm water pollution, so we published a guide on household low impact development techniques that can help significantly reduce pollution from homes, yards and driveways. The complete guide is available at www.baykeeper.org.

Trash is a major component of storm water pollution to the Bay. For the last two years, Baykeeper has hosted a beach cleanup at India Basin Shoreline Park for California Coastal Cleanup Day. In 2008, 75 volunteers and staff members collected more than 900 pounds of trash, and in 2009, 40 volunteers and staff members came out to pick up more than 1000 pounds of recyclables and trash, from plastic bags and cigarette butts to car batteries and shopping carts. By keeping this litter out of the Bay, Baykeeper volunteers are helping prevent harm to the Bay's ecosystem and local wildlife.



Volunteers at Baykeeper's 2009 Coastal Cleanup collected almost 1000 pounds of litter from a neighborhood shoreline park–keeping nearly a half-ton of garbage out of the Bay.



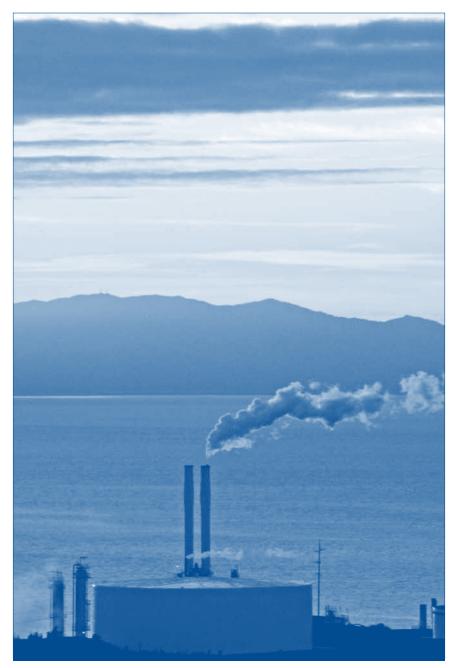
STRENGTHENING CONTROLS ON TOXIC POLLUTION

The Bay is surrounded by an extensive network of housing, transit, public space, retail and industry that supports the nearly seven million people who live in the Bay Area. This dense urban area contributes toxic pollution like mercury, pesticides, PCBs and other chemicals to San Francisco Bay. Baykeeper works to prevent toxic pollution from entering the Bay.

HOLDING REFINERIES ACCOUNTABLE FOR AERIAL MERCURY POLLUTION

In 2008-2009, Baykeeper continued our long fight to create regulations to control aerial mercury pollution to the Bay. Five local oil refineries are a potential source of mercury pollution through aerial depositions, yet no regulatory system exists for controlling water pollution that results from air emissions that end up in the Bay. In 2007, at our urging, the San Francisco Bay Regional Water Board asked the facilities to study and account for their mercury emissions within one year. In early 2009, the refineries finally delivered a report of the study—created and conducted entirely by refinery personnel—claiming that the refineries are not a significant source of mercury pollution to the Bay. Baykeeper is now conducting our own review to highlight the skewed findings and poor methodology of the refineries' study.

STRENGTHENING CONTROLS ON TOXIC POLLUTION 2008-2009 ANNUAL REPORT



Oil refineries around the Bay Area are suspected to be a major source of mercury pollution to the Bay.

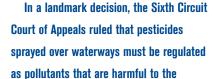
We will advocate for the Regional Board to ask for a third-party assessment or an entirely new study. It is vital that these polluters be forced to account for the vast amount of mercury pollution they may be contributing to the Bay's ecosystem.

KEEPING PESTICIDES OUT OF WATERWAYS

Baykeeper has been working to reduce pesticide poisoning in waterways for nearly 15 years. Our early initiatives to establish the first-ever regulations to control spraying of pesticides into California water bodies led to our role as the lead plaintiff in a pivotal lawsuit against the Environmental Protection Agency (EPA). In 2006, EPA undermined previous protections put in place by Baykeeper, California and several other states by redefining the word "pollutant" to exclude pesticides from its own jurisdiction. This new definition allowed the spraying of pesticides into waterways to continue with no regulatory oversight—despite the

fact that pesticides are pollutants that are inherently toxic to aquatic life and often persist in the ecosystem, even when applied correctly.

In January 2009, the U.S. Court of Appeals for the Sixth Circuit sided with Baykeeper and issued a landmark decision protecting waterways and



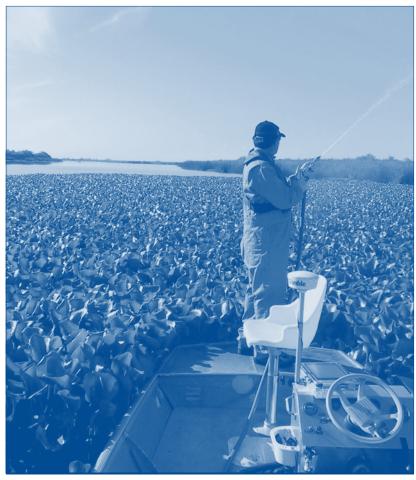
environment and human health.

wildlife from pesticide spraying. The ruling affirmed that pesticides are in fact pollutants and that EPA cannot exempt pesticides from Clean Water Act protections when they are applied on or near our nation's waterways. The Baykeeper decision sent a strong message to EPA and pesticide manufacturers that pesticides must be appropriately regulated as toxic substances when applied to bays, lakes, rivers and streams. Baykeeper is now monitoring EPA's development of a regulatory framework to protect people, fish and wildlife from pesticides sprayed in waterways.

As one of the few organizations in the country addressing the impact of pesticides on water quality, Baykeeper often steps forward to serve as an important voice for

STRENGTHENING CONTROLS ON TOXIC POLLUTION

protecting waterways from poor government oversight and industry pressure. Baykeeper continues to press for improvements to pesticide regulations in the Bay Area and California. This year we are working with community health allies to support two bills in the state legislature that would help protect residential areas from aerial pesticide spraying and reduce the level of dangerous compounds permitted in pesticides.



Applying aquatic pesticides to a mat of water hyacinth in the Sacramento-San Joaquin Delta. As a result of Baykeeper's successful federal suit, pesticides used in waterways must now be regulated as a pollutant under the Clean Water Act.



CONTAINING VESSEL POLLUTION

Shipping and boating are important parts of the Bay's history, identity and economy. The Bay is a hub for commercial shipping and supports numerous ports, including the Port of Oakland, the fourth busiest in the U.S. Baykeeper works to ensure that vessels in the Bay aren't polluting the local ecosystem.

CLEARING OUR WATERWAYS OF ABANDONED BOATS

Baykeeper has been monitoring pollution caused by abandoned boats in the Bay and Sacramento-San Joaquin Delta for many years—but the problem has dramatically increased this year as a weakened economy has left more and more boat owners unable to afford the expense of maintaining their boats. The U.S. Coast Guard reported finding as many abandoned boats in the first quarter of 2009 as in all of 2008. As these abandoned vessels deteriorate and sink, they release pollutants like oil, gas and sewage, damaging the ecosystem and endangering wildlife and humans who come into contact with the contaminants.

To address this growing source of pollution to the Bay, Baykeeper partnered with the Santa Clara Valley Water District and U.S. Fish and Wildlife to hold an Abandoned Boats Summit in June 2009. More than 70 participants from federal, state and local agencies around the Bay Area, including the Coast Guard, Army Corps of Engineers and representatives from the California

CONTAINING VESSEL POLLUTION 2008-2009 ANNUAL REPORT



As abandoned boats deteriorate and sink, they release pollutants like oil, gas and sewage into the Bay. Baykeeper is working with federal, state and local agencies to keep abandoned boats off of the Bay.

Legislature, gathered to discuss the obstacles and potential solutions to abandoned boats in the Bay and Delta. Baykeeper staff presented on the environmental hazards caused by abandoned boats and facilitated new partnerships to improve agency coordination.

Baykeeper also sponsored a bill in the state legislature to increase the fines for boat abandonment and create a safe disposal program for boat owners who cannot maintain their boats. In October 2009, Governor Schwarzenegger signed the bill into law. By providing a responsible disposal option for unwanted vessels, the bill will help keep derelict boats—and their pollution—out of the Bay and Delta.

IMPROVING OIL SPILL RESPONSE AND PREVENTION POLICIES

Baykeeper was a lead responder to the tragic *Cosco Busan* oil spill in November 2007, operating around the clock for two weeks to document the extent of the oil spill, generate political pressure to utilize local volunteer resources and evaluate the work of the Coast Guard and state response agencies. Baykeeper helped draft a package of state legislation to improve oil spill preparation and response, seven of which were signed into law in September 2008. Baykeeper continues to press for the implementation of major policy reforms for responding to oil spills in the

Bay through our work with local governments in oil spill planning; on the San Francisco Bay Region Harbor Safety Committee; and through our position on the technical advisory committee for the California Office of Spill Prevention and Response. Our advocacy so

Baykeeper is committed to the longterm strengthening of oil spill response and prevention policies in order to protect the Bay from future oil spills.

far has resulted in the drafting of an innovative plan to integrate volunteers and local government representatives into response to future oil spills (and in fact, the plan may be replicated by the Coast Guard in port communities across the country). Baykeeper remains the only nongovernmental agency engaged in the oil spill planning effort and is committed to the long-term project of strengthening and implementing key reforms in oil spill response and prevention policies.

CONTAINING VESSEL POLLUTION 2008-2009 ANNUAL REPORT

CONTROLLING THE SPREAD OF INVASIVE SPECIES

Baykeeper has a long history of advocating for stronger controls on the spread of invasive species brought to the U.S. by international ships. Ballast water from international vessels (used for balance on high seas, then released at port) is a major source of invasive species, which spread throughout waterways to take over food chains and squeeze out local species. In July 2008, Baykeeper won a landmark decision establishing EPA's responsibility to control the spread of invasive species in U.S. waterways. The U.S. Court of Appeals for the Ninth Circuit declared that EPA must regulate ballast

water discharges, and as a result, EPA recently issued a national permitting process for this major source of invasive species to U.S. waters, including the San Francisco Bay-Delta estuary. We are now monitoring California agencies' arrangements to implement

The Ninth Circuit Court of Appeals sided with Baykeeper, declaring that EPA must regulate invasive species in ballast water discharges.

the new EPA ballast water regulations in the Bay Area. Additionally, we are working with the State Lands Commission—the agency charged with implementing California's state-specific ballast water regulations—to improve monitoring of international vessels as they enter the Bay.

CLEANING UP THE GHOST FLEET OF SUISUN BAY

More than fifty decommissioned and deteriorating military vessels are leaching toxic paint and heavy metals into the water and sediment of Suisun Bay. Nearly 20 tons of heavy metals are estimated to lie beneath the boats, poisoning the Bay's food chain. Baykeeper is determined to ensure that these vessels—coined the "Ghost Fleet"—are cleaned up in an environmentally sound manner and not left to remain a floating junkyard in the Bay. In October 2007, Baykeeper, along with Arc Ecology and Natural Resources Defense Council, challenged the U.S. Maritime Administration for its failure to protect the waters of the San Francisco Bay and Delta from pollution

created by the abandoned fleet of ships. We are preparing for trial now as the federal agency continues to resist Baykeeper's efforts to press for a sound cleanup plan.



The Ghost Fleet - a group of more than fifty decaying military vessels anchored together in Suisun Bay - continues to leach paint and heavy metals into the Bay's food web. Baykeeper is pressing for a sound clean-up plan that will protect the Bay and its wildlife from this dangerous source of pollution.



PROTECTING FISH AND WILDLIFE

Even in the middle of a dense urban environment, San Francisco Bay is home to harbor seals, sea lions, leopard sharks, Dungeness crab, brown pelicans and snowy plovers. Hundreds of rare and endangered species live in the Bay or pass through as they travel from the upper reaches of Sacramento-San Joaquin Delta through the Golden Gate and to the ocean beyond. Baykeeper works to protect the health of the Bay watershed's wildlife and habitat.

ENDING FISH KILLS AT CALIFORNIA'S POWER PLANTS

Baykeeper has been advocating for several years to end the use of "once through cooling" at three power plants located on the shorelines of the Bay. Once through cooling is an outdated technology that pulls in water to cool heated machinery and in the process kills millions of fish and other aquatic organisms. In 2008-2009, we worked with the California Coastkeeper Alliance (our statewide network of sister Waterkeeper organizations) to advocate to advocate at the state level for policies to end once through cooling throughout California. We are also supporting a bill in the state legislature to require the State Water Resources Control Board to completely phase out the use of once through cooling at all California power plants.

PROTECTING CALIFORNIA'S COASTAL HABITAT

Baykeeper is an active stakeholder in the ongoing region-by-region process to establish Marine Protected Areas off the coast of California. Ideally, these Marine Protected Areas will protect diverse habitat and allow fish and marine wildlife to thrive, but some

industry opponents are fighting new restrictions. In August 2008, due to the advocacy of Baykeeper, our members and many others supporting the creation of undersea wilderness areas, strong protections were approved for Point Reyes, the Farallon Islands, Fitzgerald



Marine Reserve and other critical areas off the North Central Coast. Next year, the process will focus on San Francisco Bay proper, and Baykeeper will be advocating for robust protections for the key habitat and sensitive areas within the Bay.

SAVING DELTA FISH FROM MASSIVE WATER WITHDRAWALS

Many fish species depend on the San Francisco Bay-Delta estuary for habitat and spawning grounds, but water diversions to farms and cities south of the Delta are contributing to its ecological collapse. In the last several years,



increased water withdrawals have led to plummeting numbers in the populations of Delta smelt and California's Chinook salmon. As a member of the coalition fighting to protect the smelt and salmon, last year Baykeeper secured court orders to prevent increased water withdrawals that threaten the smelt and salmon

with extinction. Baykeeper and partners continue to fight appeals of the rulings to ensure that adequate water is left in the Delta for the fish to survive.

DEFENDING THE DELTA FROM UNSUSTAINABLE FARMING

The waters of the Sacramento-San Joaquin Delta provide irrigation for more than seven million acres of agriculture in the Central Valley and drinking water for 25 million Californians. But the unsustainable practices of industrial agriculture have drained the Delta's headwaters while polluting groundwater and downstream flows. Baykeeper works to control agricultural pollution to preserve the Delta for the future of California's farms, wildlife and human communities.



ADVOCATING FOR POLLUTION CONTROLS ON IRRIGATED AGRICULTURE

Pesticide-laden runoff from irrigated cropland is the largest source of water pollution in California, yet it has gone unregulated for more than twenty years because of

the agricultural industry's political and economic power. Baykeeper has been steadily working to establish controls on agricultural pollution over the last ten years, and we've attained a number of key victories—but we are still pressing for our ultimate goal of securing strong regulations to significantly reduce pollution from large agricultural operations. Our lawsuit against the State for renewing the waivers that excuse agricultural discharges is ongoing as we seek enforceable controls for these polluters.



REGULATING POLLUTION FROM CENTRAL VALLEY DAIRY FARMS

Confined feedlots in the Central Valley create as much polluted waste as a city of 20 million people. Runoff

from these dairies contains raw manure and chemicals such as bovine growth hormones and antibiotics that severely pollute drinking water wells, creeks and canals throughout the Central Valley. In 2008, Baykeeper (along with the Waterkeeper Alliance and Sierra Club) filed suit against the State for its illegal exemption of confined feedlots from the requirements of the Clean Water Act. We are working to ensure the State creates an enforceable program for reducing pollution from Central Valley mega-dairies.

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BAYKEEPER SKIPPERS

AS OF JUNE 30, 2009

Baykeeper skippers are on-the-water volunteers who patrol San Francisco Bay for signs of pollution and assist with water quality monitoring.

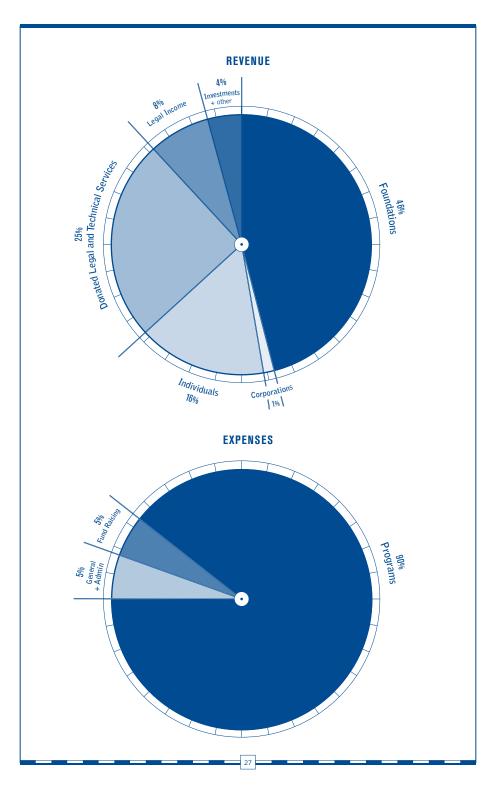
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STATEMENT OF ACTIVITIES

YEAR ENDED JUNE 30, 2009

	UNRESTRICTED	TEMPORARILY RESTRICTED	TOTAL
Revenues			
Grants and Contributions			
Foundations and Corporate	\$ 479,006	\$ _	\$ 479,006
Board and Individuals	\$ 160,782	\$ _	\$ 160,782
Donated Services	\$ 253,676	\$ _	\$ 253,676
Total Grants and Contributions	\$ 893,464	\$ -	\$ 893,464
Fee awards and settlements	\$ 67,272	\$ _	\$ 67,272
Contract Income	\$ 9,380	\$ _	\$ 9,380
Interest and Other	\$ 11,069	\$ _	\$ 11,069
Gain on Sale of Assets	\$ 30,781	\$ _	\$ 30,78
Net Assets Released from Restrictions	\$ 11,447	\$ (11,447)	\$ -
Total Revenues	\$ 1,023,413	\$ (11,447)	\$ 1,011,966
Expenses			
Program Services	\$ 948,586	\$ _	\$ 948,586
General and Administrative	\$ 57,490	\$ _	\$ 57,490
Fund Raising	\$ 53,605	\$ _	\$ 53,60
Total Expenses	\$ 1,059,681	\$ _	\$ 1,059,68
Unrealized Gains (losses)	\$ (42,746)	\$ _	\$ (42,746
Realized Gains (losses)	\$ 705	\$ _	\$ 705
Change in Net Assets	\$ (78,309)	\$ (11,447)	\$ (89,756
Net Assets, Beginning of Year	\$ 737,241	\$ 142,407	\$ 879,648
Net Assets, End of Year	\$ 658,932	\$ 130,960	\$ 789,89



STATEMENT OF FINANCIAL POSITION

AS OF JUNE 30, 2009

ASSETS Current assets	U	NRESTRICTED		EMPORARILY RESTRICTED		TOTAL
Cash and cash equivalents	\$	187,117	\$-	130,960	\$	318,077
Cash restricted to funds in reserves	\$	3,841	\$		\$	
Current grants receivable	\$	20,000	\$	_	\$	
Pledges receivable	\$	9,800	\$	_	\$	
Accounts receivable	\$	25,107	\$	_		25,107
Attorney client trust accounts		123,144	\$	_		123,144
Prepaid expenses	\$	22,786	\$	_		22,786
Investments held in Permanent Reserve Fund		282,720	\$	_		282,720
Total Current Assets		674,515		130,960		805,475
Non-current assets	Ψ	074,313	Ψ.	150,900	Ψ	005,475
Property and equipment, at cost						
Boats and equipment	\$	227,222	\$	_	\$	227,222
Office Equipment	\$	35,734	\$	_	\$	
Leasehold improvements	\$	1,500	\$	_	\$	
Total boats and equipment		264,456	\$	_		264,456
Less accumulated depreciation		248,181	\$	_		248,181
Net boats and equipment	\$	16,275	\$	_	\$	
Long term grants receivable	\$	20,000	\$	_	\$	
Settlement receivable	\$	25,000	\$	_	\$	
Deposits	\$	9,858	\$	_	\$	
Total non-current assets	\$	71,133	\$	_	\$	71,133
Total Assets	\$	745,648	\$	130,960	\$	876,608
LIABILITIES AND NET ASSETS Current liabilities Accounts payable Accrued liabilities Funds held in reserves	\$ \$	22,094	\$ \$ \$	- - -	\$ \$ \$	22,094
Total current liabilities	\$	33,7371	\$	_	\$	33,737
Deferred revenues	\$	52,979	\$	_	\$	
Total liabilities	\$	86,716	\$	_	\$	86,716
Net assets	т	00/120	т.		т.	55/125
Unrestricted	\$	376,212	\$	_	\$	376,212
Board designated - permanent reserve	\$	282,720	\$	_		282,720
Temporarily restricted	\$	_		130,960		130,960
Total net assets		658,932		130,960		789,892
Total liabilities and net assets	\$	745,648	\$	130,960	\$	876,608

STATEMENT OF CASH FLOWS

YEAR ENDED JUNE 30, 2009

	UNRESTRICTED	TEMPORARILY RESTRICTED		
Cash flows from operating activities: Change in net assets	\$(78,309)	\$(11,447)	\$ (89,756)	
Adjustments to reconcile change in net assets to net cash provided (used) by operating activities:				
Depreciation	\$ 18,300	\$ -	\$ 18,300	
Net unrealized gains on investments	\$ 42,746	\$ -	\$ 42,746	
Gain on sale of assets	\$(30,781)	\$ -	\$ (30,781)	
Decrease (increase) in assets:	# F 0 F 00		
Grants receivable	\$ 50,500		\$ 50,500	
Pledges receivable Accounts receivable	\$ 7,700 \$ 27,893	\$ - \$ -	\$ 7,700 \$ 27,893	
Prepaid expenses	\$ (2,393)	•	\$ (2,393)	
Attorney client trust accounts	\$ (2,393)		\$ (2,393)	
Deposits	\$ 1,300		\$ 1,300	
Increase (decrease) in liabilities: Accounts payable	\$(12,480)		\$ (12,480)	
Accrued liabilities	\$ 7,753		\$ 7,753	
Deferred revenues	\$ 16,979	\$ -	\$ 16,979	
Net cash provided (used) by operating activities Cash flows from investing activities:	\$ 57,185	\$(11,447)	\$ 45,738	
Sale of assets	\$ 31,900	•	\$ 31,900	
Reinvested interest and dividend income	\$ (3,565)	\$ -	\$ (3,565)	
Net cash used by investing activities Cash flows from financing activities:	\$ 28,335	\$ -	\$ 28,335	
Net cash provided by financing activities	\$ -	\$ -	\$ -	
Increase (decrease) in cash and cash equivalents	\$ 85,520	\$(11,447)	\$ 74,073	
Cach and each equivalent beginning of year	\$101,597	\$ 142,407	\$ 244,004	
Cash and cash equivalent, beginning of year	¢ 107 117	\$ 130,960	\$ 318,077	

Donated marketable securities \$26,113

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