

SAN FRANCISCO  
BAYKEEPER®



2010 ANNUAL REPORT

Berkeley Reef  
(Awash MLLW)

Fl G 2.5s 13ft 3M "1"

Fl R 4s 14ft 4M

5M "3"  
Ra Rel

Fl R 2.5s 5M "2"  
Q 12ft

7 QG 15

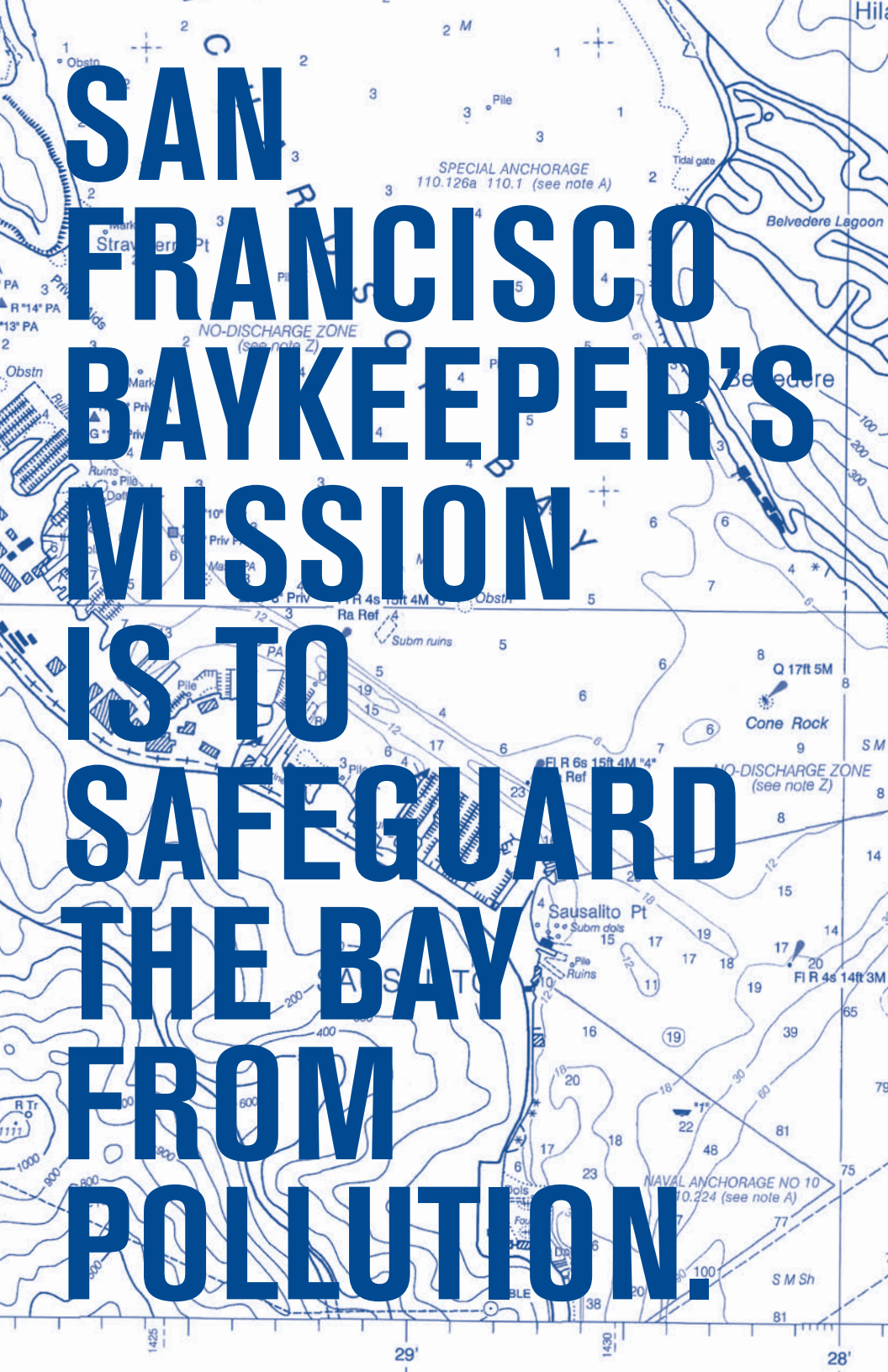
Fl G 4s 15ft 4M "3"

Berkeley Pier (Subm ruins)

GENERAL ANCHORAGE NO 6  
110.224 (see note A)

REGULATED NAVIGATION  
165.1185 (see

Fl R 4s 15ft 4M "2"



# SAN FRANCISCO BAYKEEPER'S MISSION IS TO SAFEGUARD THE BAY FROM POLLUTION.

**FOUNDED IN 1989**, Baykeeper is dedicated to protecting the health and vitality of the San Francisco Bay ecosystem. Thank you for supporting our vision of a thriving San Francisco Bay where the Bay Area community comes to swim, sail, kayak and surf, and where native plants and animals flourish.

Help support our work by making a contribution at [WWW.BAYKEEPER.ORG](http://WWW.BAYKEEPER.ORG)

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PHOTO: JULIE LEAVITT

## A MESSAGE FROM THE BAYKEEPER

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Like me, you probably think of the Bay Area as a spectacularly beautiful place to live and work. This year, having taken on the role of Baykeeper in addition to my chief executive duties, I worked on the Bay regularly, patrolling pollution hotspots and monitoring the Bay's ecosystem firsthand. The more time I spend on the Bay, the more I realize how much is going on beneath the surface and along the waterfront – and how proud I am of San Francisco Baykeeper's work to protect the Bay.

Baykeeper is singularly dedicated to protecting San Francisco Bay from pollution and making sure it is a healthy, vibrant home for all the life it sustains. It's been another big year for Baykeeper, with a number of critical victories that will improve the Bay's water quality for years to come. During the last year, we took our Sick of Sewage campaign to a new level and are now on our way to securing major improvements to

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the sewage collection infrastructure in twelve cities and sewage districts throughout the Bay Area. We also won an agreement to quickly clean up the Ghost Fleet in Suisun Bay, and we established new requirements for keeping trash and other pollutants out of storm water that flows to the Bay. From eradicating invasive species to reducing toxic pollution to the Bay, we are protecting and restoring the Bay's ecosystem and its communities.

In the last year, I've also had the opportunity to get to know some of the many people who spend their recreational hours on or by the Bay. It's been an honor to meet so many open water swimmers, boaters and shoreline walkers who have a personal stake in Baykeeper's work to protect our region's central treasure. I look forward to expanding our circle of community further and getting to know even more Baykeeper members personally. If you're interested in a boat trip to talk more about Baykeeper's programs, or to introduce a friend to Baykeeper, please let me know!

I'm always happy to talk with community members about Baykeeper's accomplishments, our strategic direction and our financial management. Through careful planning and management, I personally make sure that our resources are dedicated to the most important work to protect the Bay and that every dollar invested in Baykeeper's mission leverages the most important long-term change. Baykeeper doesn't take money from polluters, so we can remain the Bay's independent and credible advocates, using sound science and the law to solve the Bay's pollution problems.

Thank you so much for being a part of our mission to restore the Bay to a thriving, sustainable estuary. With your continued support, I look forward to many more years of successful work on behalf of San Francisco Bay.

Sincerely yours,

A handwritten signature in blue ink that reads "Deb Self". The signature is written in a cursive, flowing style.

Deb Self  
Baykeeper and Executive Director

# STOPPING SEWAGE SPILLS

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Sewage spills pose a serious threat to public health and the environment. Baykeeper's vigilance ensures the ecological health of the Bay and the health of those who play in and live near the Bay.

Sewage should never reach our Bay. Failing sewer systems are a major public health and water quality challenge facing the Bay Area. Over the last ten years, Baykeeper has worked to correct this problem in communities around the region, compelling cities to obey the law and fix their broken, polluting infrastructure.

**TRACKING SEWAGE SPILLS:** In winter 2010, Baykeeper analyzed regional sewage spill data, compiling a map showing the public and regulators where more than 200 million gallons of raw or undertreated sewage spilled into the Bay due to failures in the sewer infrastructure.

**TAKING NEW LEGAL ACTION:** Baykeeper filed five lawsuits in San Mateo County and brought a lawsuit against six East Bay cities and one sewage district for illegal sewage spills.

**WINNING UPGRADES:** Baykeeper settled cases against San Carlos and Millbrae, requiring those cities to make systemic infrastructure repairs to prevent sewage spills to the Bay. The cities also agreed to make mitigation payments totaling more than half a million dollars to watershed protection projects.

# PREVENTING STORM WATER POLLUTION

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Polluted storm water runoff is the single largest source of water pollution in the Bay Area. Baykeeper's advocacy and expertise are helping create effective solutions.

Rain that falls on our urban landscape picks up oil, grease, trash, pesticides, heavy metals and industrial pollutants before washing into storm drains that empty into the Bay without being filtered or treated. But storm water can be captured and cleaned with simple techniques implemented through better urban planning, creative landscaping and improved industrial practices.

**SECURING HIGH STANDARDS FOR THE BAY AREA:** After Baykeeper's long campaign to secure progressive storm water regulations for the Bay Area, a region-wide set of requirements was finally established in 2009. The new regulations – created as a result of Baykeeper's previous lawsuits against counties with unacceptable storm water management – include many new requirements for municipalities to keep pesticides, toxic runoff and trash out of creeks and storm drains. Baykeeper will be closely monitoring implementation of the new standards and encouraging cities to incorporate more “low impact design” features in development projects.

**ADVISING CITIES ON GOOD POLICY:** As cities go through the process of revising their General Plans, Baykeeper recommends specific ways that low impact design requirements can be incorporated into local land use policies. Baykeeper provided expert advice on storm water pollution prevention to planning departments in Richmond, Hayward, Pinole, Redwood City and Santa Clara during the last year.

**ENFORCING THE LAW AGAINST INDUSTRIAL POLLUTERS:** Baykeeper has a long history of enforcing the Clean Water Act against industrial facilities that allow polluted storm water to drain into the Bay. Runoff from industrial facilities typically contains very high concentrations of toxic metals and petroleum hydrocarbons. Most recently we successfully sued Cemex over polluted runoff from its three Bay Area cement and asphalt facilities. The company agreed to better practices, and we are now monitoring its implementation of new storm water controls required by our agreement.

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# CONTAINING VESSEL POLLUTION

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Shipping is vital to the economy of the Bay Area, but it poses risks to the Bay's ecosystem. Baykeeper is on watch, ensuring that our waters are used without harm to the many rare and important species and ecosystems of the Bay.

**CLEANING UP THE GHOST FLEET:** In March 2010, Baykeeper secured an agreement to remove the "Ghost Fleet" of Suisun Bay, stopping pollution from more than 50 decommissioned, deteriorating military vessels responsible for leaching an estimated 20 tons of heavy metals into the Bay. The federal government is now taking immediate action to clean up pollution from these WWII and Korean War-era ships and will remove them from the Bay entirely by 2017.

**CLEARING OUR WATERWAYS OF ABANDONED BOATS:** In October 2009, Governor Schwarzenegger signed into law a bill sponsored by Baykeeper creating a statewide turn-in program for unwanted recreational boats and increasing

the penalty for abandoning boats in California waterways. The law encourages responsible behavior by those who can't afford to maintain their boats and protects our waterways from dangerous pollutants released when boats are abandoned.

**CONTROLLING THE SPREAD OF INVASIVE SPECIES:** In July 2008, Baykeeper won a legal victory forcing the federal government to regulate ballast water discharges from ships that bring invasive species into local habitats from around the world. Baykeeper is now working with a broad coalition of environmental groups to stop efforts in U.S. Congress to reverse the decision and to ensure that U.S. EPA adopts rules that will stop this pollution.

**PREVENTING OIL SPILLS:** Oil spills such as the 2009 *Dubai Star* and 2007 *Cosco Busan* can cause extensive ecological damage to marine and shoreline ecosystems. Baykeeper is taking a lead role engaging the Coast Guard and local agencies to strengthen policies that will prevent spills, improve response and communications and protect the most sensitive areas of the Bay when spills do occur.



## HELPING GULF COAST WATERKEEPERS RESPOND TO THE BP OIL DISASTER



San Francisco Baykeeper joined with other oil spill veterans in Waterkeeper Alliance to provide technical support and assistance to the Waterkeepers of the Gulf Coast when the BP oil disaster began. Last summer we sent two of our own staff members to the Gulf Coast to assist in response, organizing and advocacy. We continue working closely with the Gulf Coast Waterkeepers, as well as advocating for stronger national regulations of offshore drilling.

# CONTROLLING TOXIC POLLUTION

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As the center of a densely built and heavily industrialized urban area, San Francisco Bay receives major amounts of toxic chemicals in everyday runoff. Securing better controls on toxic pollution is a core part of Baykeeper's success in protecting the long-term health of the Bay.

**KEEPING PESTICIDES OUT OF THE BAY:** In January 2009, Baykeeper won an important victory when a federal court ruled that pesticides are indeed pollutants that harm the environment and human health and that the U.S. EPA may not exempt pesticides from Clean Water Act protections. In February 2010, the Supreme Court refused to hear an appeal of this ruling, and EPA is now beginning to regulate pesticides sprayed near waterways.

**MONITORING INDUSTRIAL WASTE WATER DISCHARGES:** Industrial facilities release significant amounts of pollution, including heavy metals and industrial chemicals, through waste water discharges to the Bay. Every year, Baykeeper analyzes pollution regulations for industrial facilities around the Bay, tightening standards and ensuring that regulators are enforcing pollution protection laws.

**REMOVING MERCURY FROM THE BAY:** Mercury is a toxic heavy metal that collects in the food chain and harms fish, birds, marine mammals and humans. Since winning a major lawsuit in 2007 to strengthen the Bay mercury cleanup plan, Baykeeper has worked to strengthen the implementation of this plan. In addition, we have begun researching patterns of toxic air deposition of mercury. This groundbreaking work will potentially stop a major source of pollution to the Bay and protect our local communities from toxic air pollution.

# PROTECTING FISH & MARINE LIFE

The Bay is home to hundreds of rare and endangered species, including harbor seals, sea lions, leopard sharks, Dungeness crab, brown pelicans and snowy plovers. Baykeeper is taking on the most pressing threats to the health of the Bay's marine life.

**STOPPING FISH KILLS AT POWER PLANTS:** Baykeeper has spent several years fighting the destructive power plant cooling technology that kills billions of marine animals each year. We are working on strategies to end once-through cooling at two plants in Suisun Bay after helping secure a strong new policy by the State Water Board to phase out once-through cooling throughout California.

**PROTECTING CALIFORNIA'S SALMON AND SMELT:** Baykeeper is a member of environmental and fishing coalitions fighting a contentious court battle to protect California's salmon and Delta smelt populations from increased water diversions in the Sacramento-San Joaquin Delta. Since the increased diversions began, California's salmon and smelt populations have plummeted dramatically. Commercial water districts and agricultural interests continue to challenge the protections we've secured in federal court.



# FUNDING WATERSHED PROTECTION

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Through Baykeeper's successful legal actions over the last twenty years, we have leveraged millions of dollars for projects that are creating a healthier San Francisco Bay and more sustainable Bay Area communities.

When Baykeeper settles lawsuits with polluters, we seek mitigation payments to offset the damage done by illegal pollution to the Bay. These payments are placed in a fund at the Rose Foundation for Communities and the Environment, which supplies grants to organizations working to protect and restore the Bay watershed through strategies that include: preserving wetlands around the Bay; advocating for healthy urban habitat in disadvantaged communities; educating children about the importance of environmental stewardship; and protecting fishers and their families from toxic pollution, among other worthy causes.

In 2009-2010, Baykeeper's successful legal settlements provided funding to the following organizations:

**STUDENT CONSERVATION ASSOCIATION \$10,000**

To support at-risk Bay Area teens conducting habitat restoration projects in San Mateo County.

**ECOLOGICAL RIGHTS FOUNDATION \$25,000**

For community participation in the development of the Bay cleanup plan for dioxin contamination.

**CITIZENS COMMITTEE TO COMPLETE THE REFUGE \$25,000**

For protection of 1,400 acres of former Cargill Salt Ponds from large-scale development.

**COMMUNITIES FOR A BETTER ENVIRONMENT \$25,000**

To reduce the ecological impacts of power plants in the San Mateo/San Francisco area.

**GREENACTION FOR HEALTH AND ENVIRONMENTAL JUSTICE \$20,000**

To educate residents about toxic contamination at a Bayside PG&E facility near the Midway Village.

**ACTERRA – YOUNG EARTH STEWARDS \$17,000**

Involves students in creek restoration in San Mateo County.

**ARC ECOLOGY \$23,000**

To promote environmentally sound development plans for Hunters Point and Candlestick Point.

**CENTER FOR ENVIRONMENTAL HEALTH \$20,000**

To reduce diesel pollution exposure coming from ports and freight shipping in the Bay Area.

**EARTHTEAM \$20,000**

To educate 300 East Bay students about local watersheds.

**GOLDEN GATE UNIVERSITY ENVIRONMENTAL LAW & JUSTICE LAW CLINIC \$20,000**

To support community efforts to improve San Francisco's main sewage treatment plant.

**SAN BRUNO MOUNTAIN WATCH CONSERVANCY \$20,000**

Supports a challenge to a proposed large-scale residential development on San Bruno Mountain.



# BAYKEEPER STAFF

AS OF JANUARY 1, 2011

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## **Deb Self**

Baykeeper and Executive Director

## **Sejal Choksi, JD**

Senior Program Advisor

## **Jason Flanders, JD**

Staff Attorney

## **Tracy Corbin**

Membership Coordinator

## **Eliet Henderson**

Development Director

## **Andrea Kopecky**

Legal Associate

## **Ian Wren**

Staff Scientist

# BAYKEEPER BOARD OF DIRECTORS

AS OF JANUARY 1, 2011

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Chair

**Brian Drue**

Treasurer

**Alpha Buie**

Secretary

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**Francesca Koe**

**James A. Kuhns**

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**William A. Newsom, JD**

**Leo P. O'Brien, JD**

**Robert M. Reed**

**Jeff Russell, JD**

**Owen P. O'Donnell, JD**

Board Member emeritus; nine-year term ended June 30, 2010

## BAYKEEPER ADVISORY COUNCIL

AS OF JUNE 30, 2010

**Gary Groff**

**Michael J. Herz**

Founder of San Francisco Baykeeper

**Janelle Kellman, JD**

**Tim Kochis**

**Felicia Marcus, JD**

**Sylvia McLaughlin**

**Kent Smith**

**Terry Tamminen**

Special Advisor to the Board

## BAYKEEPER SKIPPERS

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

**Geoff Potter**

Head Skipper

**Ed Essick**

**Robert Fairbank**

**Mike Kerwin**

**Phil Kipper**

**Peter Molnar**

**Robert Philkill**

**Adam Simmonds**

**Jeff Wasserman**

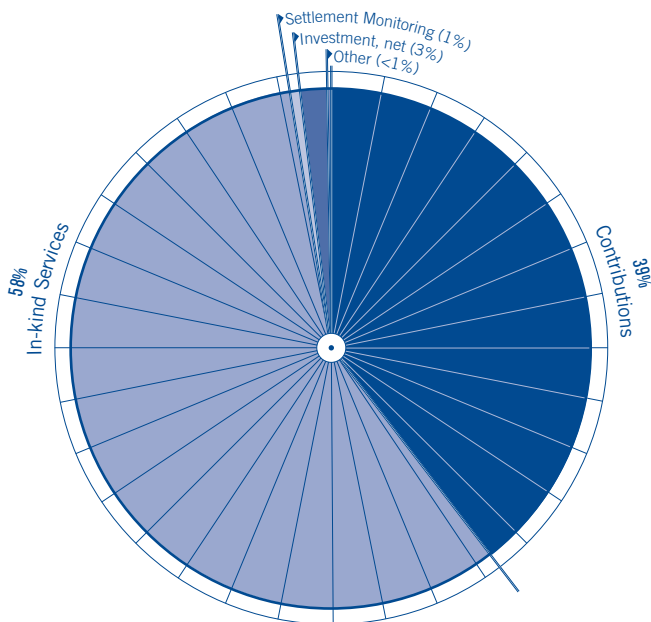
**Bob Wertz**

# STATEMENT OF ACTIVITIES

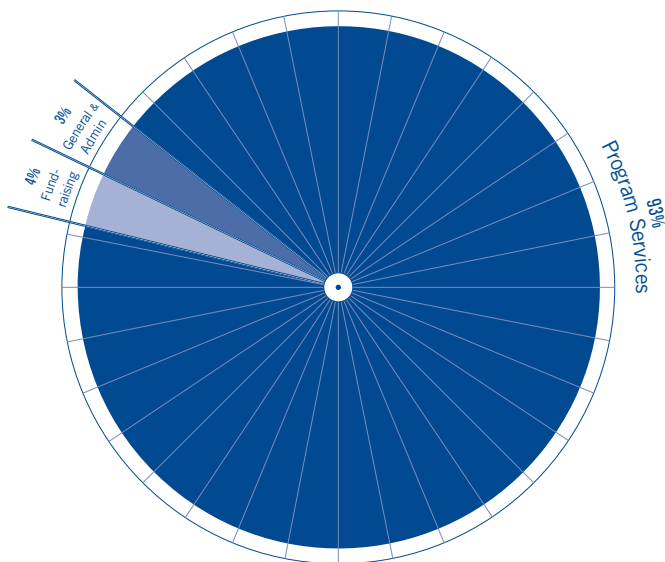
YEAR ENDED JUNE 30, 2010

	UNRESTRICTED	TEMPORARILY RESTRICTED	TOTAL
<b>SUPPORT AND REVENUE</b>			
Contributions	\$ 754,529	\$ 55,000	\$ 809,529
In-kind services	\$ 1,189,571	\$ –	\$ 1,189,571
Fee and cost recovery	\$ (652)	\$ –	\$ (652)
Settlement monitoring	\$ 12,478	\$ –	\$ 12,478
Investment, net	\$ 33,966	\$ –	\$ 33,966
Other	\$ 3,653	\$ –	\$ 3,653
Net assets released from restrictions	\$ 20,885	\$ (20,885 )	\$ –
Total support and revenue	\$ 2,014,430	\$ 34,115	\$ 2,048,545
<b>EXPENSES</b>			
Program services	\$ 1,930,280	\$ –	\$ 1,930,280
Management and general	\$ 69,432	\$ –	\$ 69,432
Fundraising	\$ 74,294	\$ –	\$ 74,294
Total expenses	\$ 2,074,006	\$ –	\$ 2,074,006
<b>Change in Net Assets</b>	<b>\$ (59,576)</b>	<b>\$ 34,115</b>	<b>\$ (25,461)</b>
<b>Net Assets, Beginning of Year</b>	<b>\$ 658,932</b>	<b>\$ 130,960</b>	<b>\$ 789,892</b>
<b>Net Assets, End of Year</b>	<b>\$ 599,356</b>	<b>\$ 165,075</b>	<b>\$ 764,431</b>

# SUPPORT AND REVENUE



# EXPENSES



# STATEMENT OF FINANCIAL POSITION

AS OF JUNE 30, 2010

## ASSETS

Cash and cash equivalents	\$ 438,917
Investments	\$ 319,787
Grants and pledges receivable	\$ 25,300
Settlements receivable	\$ 46,500
Accounts receivable	\$ –
Prepaid expenses	\$ 18,909
Property and equipment, net of accumulated depreciation of \$259,913 (2009 – \$248,181)	\$ 19,060
Cash and cash equivalents – Restricted	\$ 3,854
Attorney-client trust accounts	\$ 195,291
Settlements receivable – Long-term	\$ 41,000
Deposits	\$ 9,858
<b>Total Assets</b>	<b>\$ 1,118,476</b>

## LIABILITIES AND NET ASSETS

### Liabilities

Accounts payable and accrued expenses	\$ 118,320
Reserve	\$ 3,854
Deferred revenue	\$ 231,871
<b>Total liabilities</b>	<b>\$ 354,045</b>

### Net assets

Unrestricted:	
Undesignated	\$ 288,644
Board designated	\$ 310,712
<b>Total unrestricted</b>	<b>\$ 599,356</b>
Temporarily restricted	\$ 165,075
<b>Total net assets</b>	<b>\$ 764,431</b>

<b>Total liabilities and net assets</b>	<b>\$ 1,118,476</b>
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# STATEMENT OF CASH FLOWS

YEAR ENDED JUNE 30, 2010

## Cash flows from operating activities:

Change in net assets	\$	(25,461)
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Adjustments to reconcile change in net assets with  
cash flows provided by operating activities:

Realized (gains) losses and unrealized (appreciation) depreciation of investments	\$	(26,895)
Contributions of investments	\$	(10,732)
(Gains) losses from sale of property and equipment	\$	(200)
Depreciation	\$	11,731

Changes in assets and liabilities:

Grants and pledges receivable	\$	4,500
Settlements receivable	\$	(17,500)
Accounts receivable	\$	107
Prepaid expenses	\$	3,877
Attorney-client trust accounts	\$	(72,147)
Accounts payable and accrued expenses	\$	88,424
Deferred revenue	\$	178,892

Net cash provided (used) by operating activities	\$	134,596
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Cash flows from investing activities:	\$	85,520
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Purchases of investments	\$	(1,076)
Proceeds from sale of investments	\$	1,636
Purchases of property and equipment	\$	(14,516)
Proceeds from sale of property and equipment	\$	200
Net change in deposits	\$	—

Net cash provided (used) by investing activities	\$	(13,756)
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<b>Net change in cash and cash equivalents</b>	<b>\$</b>	<b>120,840</b>
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<b>Cash and cash equivalents, beginning of year</b>	<b>\$</b>	<b>318,077</b>
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<b>Cash and cash equivalents, end of year</b>	<b>\$</b>	<b>438,917</b>
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# SAN FRANCISCO BAYKEEPER SUPPORTERS

The following donors made gifts to San Francisco Baykeeper between July 1, 2009 and June 30, 2010. We thank them for their generous support and investment in our work to protect San Francisco Bay.

## **GIFTS OF \$60,000 AND GREATER**

Keith Campbell Foundation for the Environment

Richard and Rhoda Goldman Fund

Rose Foundation for Communities and the Environment

Saveri & Saveri, Inc.\*

## **GIFTS OF \$10,000 – \$25,000**

Aquarium of the Bay Foundation

The Big D. Foundation

The David B. Gold Foundation

Mellam Family Foundation

San Francisco Foundation

True North Foundation

## **GIFTS OF \$5,000 – \$9,999**

Virginia King

The Leavens Foundation

Jim and Linda Kuhns

J.E.C. Foundation

Pisces Foundation

Stephen M. Silberstein

Sunshine Polka-Dot Foundation

Barbara Veconi

\* proceeds of a class action settlement unrelated to Baykeeper's work.

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**GIFTS OF**  
**\$2,500 –**  
**\$4,999**

Apple Lane Foundation  
Doc's Clock  
Keker & Van Nest  
The Lee and Linda Meier Family Foundation  
New Resource Bank  
Norcross Wildlife Foundation, Inc  
Waterkeeper Alliance  
Wine & Spirits Magazine

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**GIFTS OF**  
**\$1,000 –**  
**\$2,499**

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ecoAmerica  
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Mardi Kildebeck

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Patricia Koren and Robert

Siegel

Sherie Koshover

Martha Kuhl and Phil

Gross

Elmirea Lake

Lane Lines to Shore Lines LLC

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Dune Lankard

Shawn Layden

Jane and Herbert Lazerow

Jill Legg

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Lind

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Edward Wood-Prince  
Stephen Young  
Steve, Jan, Joan, and  
Geoff Zovickian

## GIFTS OF \$1-99

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Dr. Jeri Bighee  
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Barbara Affonso  
Donna-Jean Agnew  
Dan A. Alex  
Barbara Alexander  
Susan J. Allen  
Chris Ames  
Sara Aminzadeh  
Helen Anawalt  
Lindsay Anderson  
Dina Angress  
Tessie Arenas  
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recycled paper, using soy-  
based inks, chemistry-free  
plates, all wind power and  
union labor.  
Julie Leavitt  
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