

Polluters Agree To Curb Sewage Spills



Windsurfer near Coyote Point, where sewage spills will be significantly reduced by 2014. Photo by Chad H via Flickr.

Baykeeper Targeted Hillsborough and Burlingame Hills After A Successful Settlement Last Year with the Downstream City of Burlingame

Baykeeper's Sick of Sewage Campaign achieved two important legal victories this summer to reduce sewage spills from the San Mateo County communities of Hillsborough and Burlingame Hills. Baykeeper sued the nearby City of Burlingame two years ago to stop its sewage overflows and illegal offshore pipe that discharged sewage into recreational waters off Coyote Point, putting windsurfers, kiteboarders and other Bay users directly in the contact zone for pathogens and other dangerous contaminants. Baykeeper then looked upstream to the problems of Hillsborough and Burlingame Hills, whose crumbling

sewage collection pipes flow into Burlingame's treatment plant. We found that these "satellite" collection systems were poorly maintained and operated, causing frequent sewage spills to area creeks and adding to Burlingame's overflows.

After long negotiations, the Town of Hillsborough and the Burlingame Hills sewer district agreed to take steps that will dramatically reduce sewage spills by 2014 and generate funding for watershed protection projects to help restore the health of San Francisco Bay. Both Hillsborough and Burlingame Hills will make long-overdue infrastructure improvements over the next five years to meet strict targets for spill limits and will implement regular maintenance programs to keep sewer pipes clear of obstructions.

"These settlements are a crucial step toward fixing the Peninsula's sewage spill problem and stopping illegal discharges into the Bay," said Sejal Choksi, Baykeeper and Director of Programs for San Francisco Baykeeper. "And they'll help protect a critical stretch of the San Mateo

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What's So Bad about Sewage Spills in the Bay?

Examining the Harm to Waterways, Wildlife and Humans

Baykeeper has been working for ten years to reduce sewage spills to San Francisco Bay. Why? Because sewage causes a lot of harm to water quality, wildlife and recreational users in San Francisco Bay.

The wastewater that's released from sewage treatment plants carries pathogens, or micro-organisms that can cause disease. Very little is known about the impacts of pathogens on the health of marine animals, but one recent study by researchers at Woods Hole Oceanographic Institution found pathogens accumulating in the tissues of animals and in some cases causing infectious diseases. Additionally, pathogens can harm humans exposed to infected waterways: contamination at beaches and water recreation areas has been linked

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San Francisco Baykeeper is the pollution watchdog for San Francisco Bay, using science and advocacy to reform policy and enforce clean water laws for the benefit of our ecosystems and communities.

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Letter from the Baykeeper



Welcome to the first issue of Baykeeper News! San Francisco Baykeeper is marking our 20th anniversary this year with many exciting developments in our work to protect the Bay from pollution – and a revamped newsletter to help feature Baykeeper's new strategies and successes.

Baykeeper has **strengthened our role as pollution watchdog for the Bay**, boosting our ability to address local threats to the Bay. With new science, legal and communications capacity on

staff, we've made important strides in protecting the Bay, including reducing sewage spills and tackling the emerging threat of abandoned boats in the Bay (page 3).

The cover story highlights our most recent victory, **a pair of legal settlements** with Hillsborough and Burlingame Hills to reduce sewage spills to the Peninsula shoreline. We also secured a major federal court win to prevent aquatic pesticides from being exempted from regulation (page 3).

As part of a strategic initiative to reach out to recreational users of the Bay, we've joined with the **Dolphin Club** to raise awareness of water quality issues impacting swimmers. On September 18-20, seven Dolphin Club athletes will swim from Sacramento to San Francisco in honor of Baykeeper's work to protect the Bay (page 7). We're developing a new research program with the help of **Patagonia**, whose San Francisco retail store staff will be serving as Baykeeper volunteers this fall. Baykeeper is also co-hosting a Community Conversation with **Greenbelt Alliance** to engage San José residents in planning for clean water and healthy creeks in the South Bay.

We're delighted to welcome **Alpha Buie, Brian Drue, Francesca Koe** and **Jeff Russell** to our Board of Directors to help advise Baykeeper's program goals and strengthen our organization – while wishing former Board member **Nancy Sutley** well in her new role with the Obama Administration as the Chair of the White House Council on Environmental Quality. We've also recently added two new staff members: **Rosalind Becker** joined the program team as our Program Fellow, and the development team gained **Shannon Tracey** as our Development Associate this spring.

We're working harder than ever to ensure that polluters don't get away with poisoning our waterways. Thank you for sharing our vision of a healthy, thriving Bay that's safe for families, fish and wildlife. Your support has made possible the victories on the pages that follow, and your dedication will help us continue to take the steps necessary to protect and restore San Francisco Bay.

I hope you enjoy Baykeeper News as much as I enjoy serving as your Baykeeper!



Sejal Choksi
San Francisco Baykeeper
and Director of Programs



In a landmark ruling, the Sixth Circuit Court of Appeals agreed that aquatic pesticides must be regulated as pollutants.

Court Sides With Baykeeper On Aquatic Pesticides

When is pollution not pollution? Apparently, when the Environmental Protection Agency (EPA) changes the definition of pollution. That's what the Bush Administration claimed in 2006 when the EPA created a new loophole for the spraying of pesticides into waterways. The new rule stated that Clean Water Act oversight is not required for pesticides applied near or directly over waterways because pesticides approved for agricultural use are not considered "pollutants" under the law – a convenient way to sidestep regulatory oversight and allow those who use or manufacture pesticides off the hook for water pollution.

Of course, Baykeeper immediately challenged this attempt to gut federal oversight of aquatic spraying of pesticides and to call out aquatic pesticides for what they are: water pollutants harmful to human health and the environment. Pesticides are, by their very nature, toxic to aquatic life and often persist in the environment, even when applied correctly. Throughout the United States, pesticide-related fish kills have wiped out thousands of fish at a time, as well as frogs, turtles, water birds and other wildlife. Rare and endangered species such as the peregrine falcon, bald eagle and osprey have all been victims of pesticide poisoning.

Baykeeper and our environmental allies filed suit to prevent the new rule from going into effect, arguing that EPA should

work to protect the environment rather than pesticide companies. The U.S. Sixth Circuit Court of Appeals agreed. In a landmark decision, the Court ruled that pesticides cannot be exempted from Clean Water Act protections when applied on or near our nation's bays, lakes, rivers and streams.

As a result of this important decision, thousands of miles of waterways across the U.S. – and their fish, wildlife and surrounding communities – will be protected from toxic pesticide spraying under the Clean Water Act. Baykeeper will continue to monitor EPA as the agency develops a regulation process to ensure that meaningful controls are in place to protect people, fish and wildlife from pesticide spraying.

Learn more at www.baykeeper.org/work/toxics.



***Crop duster spraying pesticides in the Central Valley.
Photo by Scott Butner via Flickr.***

Baykeeper Takes The Lead In Cleaning Up Abandoned Boats

The San Francisco Examiner has called them "a nautical no-no." Latitude 38 magazine says they turn parts of the Bay into a "dumping ground," while KCBS Radio News notes that they are "more than just an eyesore. They can leak oil and other toxins." Abandoned boats are becoming an increasingly common plague to Bay waters, and Baykeeper is stepping up our efforts to address this growing source of pollution to San Francisco Bay.

In the current economic downturn, more and more boat owners are unable to afford the cost of maintaining a boat. In the first quarter of this year, the Coast Guard reported finding as many abandoned boats as in all of 2008. As these boats deteriorate and begin to sink, onboard toxic pollutants like oil, gas and sewage spread through the water, endangering wildlife and humans who come into contact with them.

In June, Baykeeper Program Director Sejal Choksi and Public Affairs Associate Sara Aminzadeh helped organize an

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Abandoned Boats Summit, which brought together more than 70 legislators, regulators, enforcement agency staff and harbor masters to discuss the challenges of addressing abandoned boat hazards. Co-sponsored by the Santa Clara Valley Water District, the summit identified strategic next steps for preventing and removing abandoned boats.

Current laws that apply to boat abandonment and removal are part of the problem. Baykeeper is co-sponsoring California Assembly Bill 166, introduced by Assembly member Ted Lieu (D-Torrence), to provide a safe (and free) disposal option for boats and to raise the fines for boat abandonment.

Stay informed about AB 166 and learn more about Baykeeper's work to prevent abandoned boats at www.baykeeper.org/work/vesselpollution.

New Pair of Settlements Will Prevent Spills and Fund Bay Protection

(Continued from page 1) County shoreline from the frequent sewage spills that have been endangering people and wildlife every winter."

Prevention and Restoration

The settlements will also help promote Bay protection and restoration to mitigate the damage done by sewage spills along the Peninsula. Hillsborough has agreed to contribute \$50,000 to projects that help protect the San Francisco Bay and its watershed, including a program to provide low-cost loans for residents to replace failing sewer pipes.

Burlingame Hills will invest \$7,500 in watershed protection projects and another \$7,500 to educate residents about how they can help reduce sewage spills to the Bay. Prevention is a community-wide responsibility, as homeowners' choices can make or break a sewage system – particularly

during winter months when wet weather coincides with holiday cooking to create clogging conditions in wastewater pipes (see "Ten Tips for a Healthy Bay," Page 5).

By funding positive programs to help stop pollution, these communities will help address the multiple causes and impacts of sewage spills and make significant strides toward a cleaner, healthier San Francisco Bay.

Successful Sick of Sewage Initiative Moves Ahead

Baykeeper launched the Sick of Sewage Initiative last year to expand our long-standing efforts to stop sewage spills into a comprehensive focus on addressing the root causes of pollution from sewage systems around the Bay. We're using water quality monitoring, legal action, advocacy for new laws and public education to tackle both immediate sewage spill incidents and the systemic problem of inadequate sewage infrastructure in Bay Area communities.

Over the last ten years, our work to keep sewage out of the Bay has resulted in significant upgrades to faulty sewage systems around the Bay Area and prevented millions of gallons of sewage from flowing into the Bay (*map at left*). However, the aging collection pipes and growing populations of Bay Area cities require many more improvements to overcome our regional sewage problems. Baykeeper will continue to identify and rein in the worst sewage polluters – so that everyone who uses the Bay, from swimmers to sea lions, can be healthy and confident in our local waters.

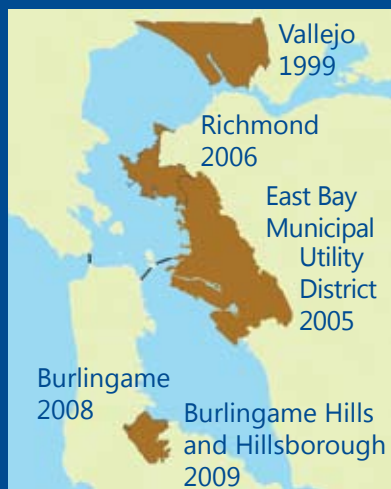


Hillsborough and Burlingame Hills agreed to dramatically reduce sewage spills and fund projects to protect the Bay.

Baykeeper's Sick of Sewage Successes

Baykeeper's recent legal victories are part of a ten-year effort to compel sewage polluters in the Bay Area to clean up their acts. The map at right shows where we've secured agreements to protect the Bay from sewage spills over the past decade.

Map by Jennifer Kovceses



Pathogens, Nutrients, New Contaminants Harm People & Wildlife

(Continued from page 1) to a range of human health problems including colds, fevers, sore throats, diarrhea and skin, ear, eye and respiratory infections.

Sewage also carries very high levels of the nutrients nitrogen and phosphorus that fuel excessive plant growth. When these nutrients are released into waterways, they cause "blooms" of algae, which use up oxygen in the water and make it harder for fish and other aquatic organisms to thrive.

Many of the medicines and personal care products we use end up in the Bay as well. These "emerging contaminants" from soaps, medications and household products include acetaminophen, blood pressure medicine, allergy treatments, antibiotics, hormones and sunscreen ingredients. Some studies have indicated that these pollutants cause reproductive disorders and "feminization" of male fish. Triclosan, a widely used antibacterial agent in hand soap, detergents, toothpaste and deodorants, is toxic to aquatic organisms and isn't removed during wastewater treatment. Wastewater from treatment plants also contains chemical flame retar-

dants called polybrominated diphenyl ethers, or PBDEs, that make their way from electronics, textiles and furnishings into the Bay and have been linked to toxicity in liver, embryo and brain tissues. In San Francisco Bay, fish, birds and marine mammals all show extremely high levels of PBDEs contamination.

For all these reasons, San Francisco Baykeeper is working to reduce sewage contamination to the Bay. For the sake of our waterways, local wildlife and recreational users, it's time to clean up the Bay!

Are You an Oakland Resident Who's Been Impacted by Sewage Spills?

Baykeeper is beginning outreach to residents of Oakland who have experienced sewage spills to their properties, neighborhoods or local creeks. We need you to speak up on behalf of a clean and healthy Oakland! For more information, contact Sara Aminzadeh, Public Affairs Associate, at 415-856-0444 x109 or sara@baykeeper.org.

Pitch In For Bay Protection

Though we might not like to think so, a significant source of Bay pollution is...us! Our personal habits as consumers, homeowners and residents create pollution each day that harms the health of the Bay. Household chemicals and pharmaceuticals that are flushed down the drain can poison fish and other wildlife. Car oil dripping onto the street flows into storm drains and ends up in the Bay. Together, the combined effect of our daily practices adds up to a big source of pollution threatening the Bay.

Luckily, it's easy to make a difference when the cause of the problem is so close to home. Small changes in our daily lives can make a big impact on the health of the Bay. You can help prevent sewage spills, limit the spread of toxic chemicals and protect Bay wildlife by following these basic pollution prevention tips every day.

Tear out the "Ten Tips" bookmark and post it where it can remind you to help protect the Bay from pollution. You can help even more by sharing this information with friends and neighbors – contact Baykeeper at 415-856-0444 x112 or info@baykeeper.org for additional copies of the Ten Tips!

Have a Bay-Friendly Holiday: Recycle Your Cooking Oil

Most people don't realize that the preparation and cleanup of rich holiday meals is a primary cause of sewage spills in winter months. Cooking foods like turkey and gravy creates fats, oil and grease that get washed down the drain during cleanup of pots, pans and fryers. Oil and greasy scraps stick to the inside of sewer lines and build up over time, causing clogs.

These clogs can lead to sewage backing up in your home, backyard or neighborhood. When backups occur, untreated sewage can flow to storm drains and local creeks that feed into San Francisco Bay, where it harms the marine ecosystem and wildlife that depend on healthy water.

San Francisco Baykeeper and the East Bay Municipal Utility District (EBMUD) work together during the holiday season to raise awareness about sewage backups caused by fats, oil and grease, aka "FOG." Visit www.baykeeper.org/action/FOG.html for a list of recycling locations where you can properly dispose of cooking oil and grease.



**Look for the FOG signs in
grocery stores this fall!**

Ten Tips for a



Healthy Bay

Small changes in our daily lives can make a big impact on the health of San Francisco Bay. You can help prevent sewage spills, reduce storm water pollution and reduce the amount of toxic chemicals that enter the Bay by following these basic pollution prevention tips around your household.

IN YOUR HOME

-  Don't wash fats, oils and grease down the drain. When leftover oil and grease are poured down the drain, they can clog sewer pipes and lead to sewage spills in the Bay. Instead, wipe oily pots and pans with a paper towel or put excess grease into a can, and put it in the trash. Take large quantities of oil and grease to a collection site. Visit CalFOG.org for locations.
-  Don't use toxic products in your household and yard. Limit your purchase and use of harsh chemical cleaning products and of paint, pesticides and fertilizers that contain hazardous chemicals. Instead, buy less toxic alternatives or make your own natural cleaners. Find guides on less toxic gardening, pest control and home cleaning methods by clicking on "Pollution Prevention Guides for your Home" at sfwater.org.
-  Don't pour hazardous products down the drain or into street gutters. Once they enter the sewer system, many hazardous chemicals used in commercial cleaning and yard products end up in the Bay, harming fish, birds and other wildlife. Always take toxic household and yard products to a hazardous waste collection facility. Visit Earth911.com for locations.
-  Don't put unwanted medications down the sink or toilet. When medications like antibiotics, antidepressants and birth control are flushed down the toilet, they aren't removed by the wastewater treatment process. These pharmaceuticals persist in the environment, altering the natural state of the Bay and endangering both aquatic life and people that are exposed to the drugs in Bay waters. Take unused medication to a proper disposal facility or place them in a sealed container in the trash. Visit Baywise.org to find a collection site in your area.

Healthy Bay

Reduce your use of products containing the chemical triclosan. Triclosan is an antibacterial agent linked to serious human health problems and is toxic to aquatic life. Check the labels of products like toothpaste, soaps, detergents and deodorant, and opt for versions that don't contain triclosan. For a list of products containing triclosan, see the triclosan factsheet at BeyondPesticides.org.

IN YOUR YARD AND DRIVEWAY

Practice Bay-friendly car maintenance. When you wash your car in your driveway or street, harmful chemicals flow into storm drains and end up in the Bay. Instead, take your car to a car wash facility where the water is diverted to a wastewater treatment plant. Check your car regularly for leaks – oil and gas leaks leave residues on the road that will eventually be flushed into the Bay.

Reuse rainwater. Reduce your water consumption and storm water pollution by capturing rainwater in cisterns or buckets outside your home for reuse later. Learn more at the storm water section of SFwater.org.

Plant a rain garden. Direct the rainwater from your roof, driveway and walkways to a garden containing native and drought-resistant plants. A rain garden absorbs rainwater and breaks down pollutants naturally instead of allowing polluted water to flow to the Bay. For instructions on how to create a rain garden, visit RainGardenNetwork.com.

IN YOUR COMMUNITY

Help your city build Bay-friendly sewage and storm water systems. Learn more about the sewer and storm water systems where you live, and support funding increases for infrastructure repairs and upgrades. It's important that we invest in maintaining effective sewer pipes and storm drains in order to reduce pollution to the Bay. Find your local storm water program at the Bay Area Stormwater Management Agencies Association website, BASMAA.org.

Become a supporter of San Francisco Baykeeper. We've been the Bay's pollution watchdog since 1989, strengthening clean water laws and holding polluters accountable. Support a healthy, thriving San Francisco Bay by making a contribution today. Learn more at www.baykeeper.org.

Bay Species Spotlight

Leopard Shark

Triakis semifasciata



Photo by Peter Bryant

Did you know there's a large population of sharks living in San Francisco Bay? Leopard sharks, that is! Leopard sharks are the most common of several shark species found in the Bay. Leopard sharks live all along the Pacific Coast from Central Mexico to Oregon, but most of them live right here in the Bay. Here, they face less risk from predators like the great white shark, which doesn't like the shallow, warm water of the Bay.

The leopard shark is slender, with silvery-bronze skin and dark ovals arranged in neat rows across its back. They can grow up to seven feet, but most leopard sharks in the Bay are two to three feet long.

Leopard sharks live in the shallow waters of sloughs and mudflats at the edges of the Bay, where they feast on small invertebrates such as clams, worms and crabs, as well as small fish, eggs and the occasional Bay Rat. A leopard shark can pluck prey right off the mud with its bottom-facing mouth, or shovel its nose into the sediment to dig for hidden meals.

But don't worry – leopard sharks aren't interested in snacking on humans. Instead, they have to watch out for us! Leopard sharks are fished both commercially and recreationally, with recreational fishing accounting for the majority of the catch. While currently abundant in the Bay, leopard sharks grow so slowly that overfishing could deplete the population.

If you fish for leopard sharks, help protect this Bay species. Comply with the law and release any sharks smaller than 36 inches.

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www.twitter.com/SFBaykeeper

Take Action with Baykeeper to Protect the Bay

Volunteer for Coastal Cleanup Day

Saturday, Sept 19

9:00 am to noon

Baykeeper will host a beach cleanup at India Basin Shoreline Park for the 25th Annual Coastal Cleanup Day, and we need your help! Last year, Baykeeper volunteers picked up 900 pounds of trash from this park. Sign up to volunteer online at www.baykeeper.org, email volunteer@baykeeper.org or contact Development Associate Shannon Tracey at 415-856-0444 x112.



Speak Up for Clean Water in San José



Tuesday, Sept 22

6:00 to 8:00 pm

Dr. Roberto Cruz Alum Roc Library

Baykeeper is co-hosting a Community Conversation with Greenbelt Alliance on water issues and community planning in San José. If you live in the San José area and want to learn more about policies and planning tools that can promote clean water and healthy creeks in your community, please come out to join the conversation. Contact Public Affairs Associate Sara Aminzadeh at sara@baykeeper.org or 415-856-0444 x109.

Support the Upcoming Relay for the Bay

On Sept 18-20, seven intrepid swimmers from the San Francisco-based Dolphin Club will relay swim 100 miles over 40 hours to raise awareness and funding for Baykeeper's work to protect San Francisco Bay from pollution. Support their efforts by making a gift to Baykeeper today! Join the Facebook Cause and spread the word to your friends.



Vote Baykeeper in Patagonia's Voice Your Choice



Sept 24 to Oct 24

770 N Point St, San Francisco

Baykeeper has a chance to win up to \$2,500 in the Patagonia San Francisco store's Voice Your Choice contest. The group with the most customer votes wins, so stop by the North Beach location and vote for Baykeeper!

Attend the Wine & Spirits Top 100 Benefit



Wednesday, Oct 14

6:30 to 8:30 pm

Galleria at the SF Design Center

Enjoy this year's top 100 wines while supporting Baykeeper's work to protect the Bay. The Wine & Spirits Top 100 offers tastings from top wine choices for the year and delicious bites from local restaurants. Tickets are \$95 to \$125, available at www.wineandspiritsmagazine.com.

Join
the



**Help launch another twenty years of
San Francisco Baykeeper!**

Since 1989, Baykeeper has been the pollution watchdog for San Francisco Bay, using science and advocacy to strengthen clean water laws and hold polluters accountable. **As the only on-the-water nonprofit dedicated to safeguarding the Bay from pollution, we're your advocate for a healthy, vibrant San Francisco Bay.** From winning legal cases against major sewage polluters to preventing toxic pollution that poisons our waters to

ensuring effective policies for oil spill prevention and response, Baykeeper has been leveraging powerful action on behalf of the Bay for twenty years.

In honor of our 20th Anniversary, we're offering a new way to help sustain Baykeeper's work to defend the Bay from pollution. Our Bay Stewards program allows you to make recurring donations that help Baykeeper save money on administrative costs, so each dollar goes even further toward helping protect the Bay from pollution.

Becoming a Bay Steward is a simple, effective way to invest in long-term Bay protection.

Join our 20th Anniversary Campaign with a gift in support of Baykeeper's work to protect and restore San Francisco Bay. Become a Bay Steward and make your contribution go even further. Use the enclosed envelope to make your gift today!

Thanks to the following charter Bay Stewards!

Kevin Lingerfelt, Sean Tempesta, Justin Allamano, Moira Noiseux, Wendy Lu, Amy Morton and Chris Vulpe.

Swimmer photo by Hudson Henry. Bay Stewards logo by Flashdrivers class of AiCA-SF.

VIEWS AROUND THE BAY

LEFT: Baykeeper Staff Scientist Jen Kovecses, Staff Attorney Amy Chastain and Rena Obernolte restore native oyster habitat in the Central Bay. Photo by Chris Lim. BELOW: A butterfly enjoys the flora near a Bay-friendly storm drain. Low impact development practices such as native landscaping near storm drains slow the flow of pollution to the Bay. Photo by Baykeeper Program Fellow Rosalind Becker.



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