

New Baykeeper Victory for Reducing Sewage Spills to the Bay

San Francisco Baykeeper is continuing our decade-long campaign to confront a serious and recurring source of pollution to the Bay: sewage spills. In July, Baykeeper successfully settled our lawsuit against the City of Millbrae for spilling thousands of gallons of raw sewage in violation of the Clean Water Act. Millbrae has agreed to make substantial repairs and improvements to its sewer systems in order to curb sewage spills to the Bay.

"We are pleased that Millbrae has agreed to implement these overdue reforms of its sewer system," said Jason Flanders, Staff Attorney at San Francisco Baykeeper. "These new programs will put an end to Millbrae's frequent sewage spills, benefiting water quality and property values, as well as creating green infrastructure jobs for years to come."

Sewage spills are a major source of pollution to the Bay and surrounding creeks and shorelines. Sewage contains mercury, pharmaceuticals, nutrients, hormones and PBDEs, all of which can harm the Bay's delicate ecosystem, along with pathogens that can sicken wildlife, swimmers and windsurfers.

Baykeeper has recently multiplied our efforts to address the widespread problem of sewage spills to San Francisco Bay, with new lawsuits filed against twelve sewage polluters. These lawsuits are the latest in a string of Clean Water Act enforcement actions brought by Baykeeper over the past ten years to reduce sewage spills to local waterways.

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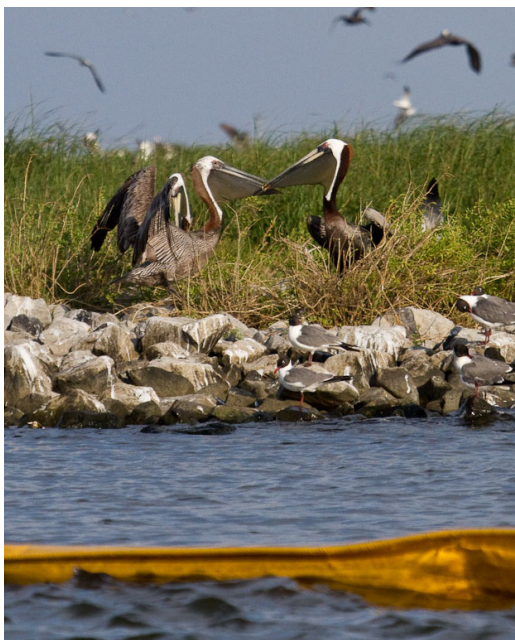
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BP Oil Spill in the Gulf: An Ongoing Disaster



Pelicans frolic in Grand Isle, Louisiana, where booms were set up to protect the shoreline from the spread of oil. Photo: Dubinsky Photography

With the explosion of the British Petroleum oil well in the Gulf of Mexico on April 20, 2010, one of the worst ecological disasters in the history of the U.S. began to unfold. Millions of gallons of crude oil have been released into the Gulf, with estimates ranging from five to 325 million. Damage to the fragile coastal ecosystems of Texas, Louisiana, Alabama, Mississippi and Florida is likely to be devastating, and impacts to the region's once-rich fisheries and tourist economies will be severe.

Tragically, the disaster was made much worse by allowing response efforts to be driven by BP's corporate interests rather than by the critical needs of the ecosystem and local communities. BP has finally sealed the gushing well, but the company's aggressive public relations campaign has prevented a full, scientific accounting of the ecological and public health damages created by its accident.

BP has effectively "disappeared" hundreds of millions of gallons of oil with the use of dispersants. Despite a clear surface, 75 percent of the oil remains unaccounted for, and it is likely dissolved into the deep marine environment of the Gulf of Mexico. With no way of removing the dissolved oil-dispersant mixture, and no way to calculate the underwater harm to the ecosystem, it will be extremely difficult to repair the damage or to hold BP financially accountable for it.

From the outset of this disaster, San Francisco Baykeeper has taken an active role supporting the local Waterkeepers along the Gulf Coast. As a veteran of the 2007 *Cosco Busan* oil spill, which dumped just over 50,000 gallons of oil into San Francisco Bay, Baykeeper has been

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Fall 2010



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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 the Bay ecosystem and Bay Area communities.

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Letter from the Executive Director



Welcome to the Fall 2010 issue of Baykeeper News! San Francisco Baykeeper has been very busy over the spring and summer protecting the Bay from pollution, with important new settlements to clean up the Ghost Fleet and prevent sewage spills to the Bay. I'm also very proud of our special initiative to assist the Gulf Coast Waterkeepers with their efforts to respond to the BP oil spill in the Gulf.

I'm excited to say that we have also been laying the groundwork for the next stage of our work, having completed an extensive program planning session this spring to re-examine the top threats to the health of the Bay and the most effective ways to address them. With renewed insight into the data around historic, current and emerging pollutants, we're designing new strategies to keep Baykeeper on the cutting-edge of protecting the Bay from pollution.

The Baykeeper team is ready for the challenge. We're expanding our legal and advocacy staff this fall by welcoming associate attorney **Naomi Kim Melver** and legal associate **Andrea Kopecky**, who are both divers! And we've combined the Executive Director and Baykeeper roles, meaning I'm spending more time out patrolling the Bay and advocating before city governments for its protection. Sejal Choksi, our longtime Baykeeper, is spending more time at home with her two young children and continues to share her expertise as Senior Program Advisor.

I'm also thrilled to announce that we recently welcomed circumnavigating sailor **Doreen Gounard** and longtime environmental justice advocate **Anuja Mendiratta** to Baykeeper's Board of Directors. **Gary Groff**, Vice President of New Resource Bank, and **Tim Kochis**, Chairman of Aspiriant, have joined our Advisory Council.

Be sure to check out our upcoming events listing on the last page. I want to encourage you to support Baykeeper's inaugural TransBay Relay on September 19 – either as a swimmer or with a contribution from dry land! And many thanks go out to Baykeeper Board member Jeff Russell and swimmer Tom Keller for organizing the Dolphin Club's Golden Gate Medley swim in August, which raised more than \$10,000 for Baykeeper.

I am delighted to see all the great support for Baykeeper in our community. Thank you for making it possible for Baykeeper to do our critical work to protect the Bay. We look forward to updating you again in our next newsletter, and in the meantime, you can keep up to date by following us on Facebook and Twitter and signing up for our e-newsletter at www.baykeeper.org.



Above: Deb speaks at a rally against Proposition 23 to oppose suspending California's landmark global warming regulations.

Photo: Ian Wren, Baykeeper Staff Scientist

Deb Self
Executive Director

Two Wins for Wildlife in the Bay

Cleaning Up the Toxic Ghost Fleet of Suisun Bay



A ship from the Ghost Fleet gets towed to San Francisco, where the exterior will be cleaned in a contained dry dock.
Photo: Jason Flanders, Baykeeper Staff Attorney

The deteriorating ships, anchored in Suisun Bay since World War II and the Korean War, have polluted the surrounding sediment with an estimated 20 tons of heavy metals, and projections estimate that 50 more tons would be released if the ships remain in the Bay. Suisun Bay provides habitat for several species of endangered fish, including Chinook salmon and Delta smelt, and is an important feeding stop along the Pacific Flyway for migrating waterfowl. Cleaning up the Ghost Fleet will help restore the health of this important Bay habitat.

In March, San Francisco Baykeeper successfully settled our lawsuit against the Maritime Administration to force the clean-up of the toxic Ghost Fleet of Suisun Bay. The agency agreed to permanently remove the ships by 2017 and to clean up the vessels' peeling paint within the year.



Phasing Out Deadly Power Plant Technology

San Francisco Baykeeper helped secure an improved policy this spring for phasing out the use of once-through cooling at power plants in California. This destructive technology kills billions of marine animals every year at power plants throughout California, including the Potrero Power Plant in San Francisco and two plants in the Delta at Pittsburg and Antioch.

Baykeeper and our fellow California Waterkeepers, led by the California Coastkeeper Alliance, mobilized to secure a strong policy that will improve how quickly and how effectively power plants must replace their once-through cooling systems. Ending the use of once-through cooling at California's coastal power plants will help make all our coastal waterways safer for marine life.



This power plant in Pittsburg uses once-through cooling, which kills millions of marine organisms annually.

Photo: achesonblog (Flickr/CC)

BP Oil Disaster in the Gulf

(Continued from page 1) working over the past two and a half years to raise the bar for oil spill response by investigating the Coast Guard's role, recommending critical policy changes and helping pass seven statewide oil spill bills. As a result, we've been able to provide key technical expertise to the Gulf Coast Waterkeepers.

In addition to spending many hours on the phone offering technical support and advice, Baykeeper sent Staff Scientist Ian Wren to Louisiana to help Louisiana Bayoukeeper and Lower Mississippi Riverkeeper with mapping, outreach and documentation efforts. Baykeeper Field Coordinator Rosalind Becker was sent to Pensacola for a month to help the Emerald Coastkeeper with volunteer coordination and field surveys along the Florida panhandle.

One critical lesson learned from the Coast Guard's response to the *Cosco Busan* oil spill was that the federal and state government must work closely with local experts (like Baykeeper) who are most knowledgeable about the area's waterways and resources. Gulf Waterkeepers have generally been met with a chilly response from BP or have been locked out of response planning entirely. As a result, they have turned their attention to documenting the impacts to local communi-

ties and shorelines and handing out protective gear to fishermen helping with the cleanup.

Another key lesson from the *Cosco Busan* spill was the need to send large, highly trained wildlife crews into the field to rescue oiled animals. Unfortunately, the Coast Guard deferred wildlife operations to the State of Louisiana, failing in its duty to ensure that oiled wildlife is rescued. Very few sea turtles and birds are being rescued now, while hundreds perish in the field.



Baykeeper Staff Scientist Ian Wren surveys the Louisiana coastline with Michael and Paul Orr of Lower Mississippi Riverkeeper. Photo: Dubinsky Photography

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Baykeeper will continue to work closely with the Gulf Coast Waterkeepers to assist with their efforts to deal with the ongoing impacts of the Gulf oil spill. We're also partnering with the Waterkeeper Alliance, Turtle Island Restoration Network and Center for Biological Diversity to reform offshore drilling regulations to prevent future disasters. Here in the Bay Area, Baykeeper will continue our groundbreaking work to improve oil spill response policies for San Francisco Bay. It is vital that we remain dedicated to preventing another disaster on the scale of the BP oil spill in the Gulf. 

Storm Water Pollution in San Francisco Bay



RESIDENTIAL

Residential storm water runoff contains pesticides, fertilizers, and household chemicals, as well as bacteria and pathogens from faulty septic systems and cracked lateral lines.

INDUSTRY

Industrial storm water can include oil, grease, toxic chemicals and heavy metals such as lead, nickel and chromium.

ROADWAYS

Runoff from roadways contains oil, grease, trash, and heavy metals such as copper released from vehicle brake pads.

COMMERCIAL CENTERS & PARKING LOTS

Trash, oil, grease, toxic chemicals, fertilizers, herbicides and insecticides are contained in runoff from commercial centers and parking lots.

STORM WATER DISCHARGE PIPE

Storm water collects pollutants as it rushes over homes, buildings, parking lots and roadways. Unlike sewer systems, water collected in storm drains does not get sent to a treatment plant before it enters the Bay.

SEWER PIPES

In winter, overloaded storm water pipes leak into sewage pipes, contributing to sewage spills in the Bay.

Designer: Tania Kac

Storm Water Pollution: Low-Profile But High-Impact

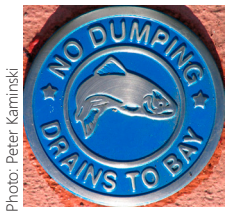


Photo: Peter Kaminski

Every day, pollution like trash, oil, pesticides, fertilizers, heavy metals and household chemicals are washed into the Bay. As rainwater and water from our spouts, sprinklers and hoses rushes over concrete and asphalt surfaces into storm drains, it picks up pollution from our homes, buildings and streets. Storm drains then empty the water – and all the pollution it has


picked up along the way – into creeks and sloughs that empty into the Bay, without being filtered or treated.

Storm water pollution is now the leading cause of water quality impairment in the Bay Area (and in virtually every other urban area in the nation). When the Clean Water Act was adopted in 1972, it primarily addressed single-point sources of pollution, such as a discharge pipe from a wastewater treatment plant. After scientists and regulators realized the importance of regulating non-point sources of pollution, the Act was amended in 1987 to address storm water from municipal storm water systems and from industrial sites.

Since then, municipalities have been required to monitor storm water and to reduce runoff-related pollution through methods such as street cleaning or installing storm drain traps to collect trash. However, given the diffuse nature of pollutants found in storm water and the difficulties in regulating each individual source, many pollutants still reach local waterways.

Increasingly, cities are turning to new urban development strategies that reduce the amount of storm water washing into storm drains

from urbanized areas – thereby reducing the pollutant pathway at its source. By implementing sustainable drainage systems such as green roofs, swales and rainwater collection systems, the amount of urban runoff reaching the Bay is reduced, while also beautifying the area and reducing freshwater consumption. These “low impact development” techniques can both reduce the quantity and improve the quality of storm water that reaches the Bay.

San Francisco Baykeeper advocates for cities and regulators to adopt a low impact development approach to storm water management. In the last year, we have worked closely with several Bay Area cities to incorporate low impact development requirements into plans for future residential and commercial growth. With more effective management of storm water, the Bay Area can achieve a major reduction in pollution to San Francisco Bay. 



Low impact design strategies, like this green roof at the California Academy of Sciences, help minimize storm water pollution in the Bay.

Photo: Jamiriquai (Flickr/CC)

How You Can Help Prevent Storm Water Pollution to the Bay

Learn what you can do around your home, in your yard and in the community to help reduce the flow of storm water pollution to the Bay. Find more details at www.baykeeper.org.

- ◆ **Limit your pesticide and fertilizer use.** Pesticides can harm aquatic life such as fish and amphibians, and fertilizer releases phosphorus into our waterways, which can cause algal blooms that deplete oxygen and block sunlight in the water.
- ◆ **Reuse rainwater.** Reduce your water consumption and storm water pollution to the Bay by capturing rainwater in cisterns or buckets outside your home for later reuse.
- ◆ **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. Also, check your car regularly for leaks – oil and gas leave residues on the road that will eventually be flushed into the Bay.
- ◆ **Don't pour hazardous products down sink or storm drains.** 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.
- ◆ **Plant a rain garden.** Direct the rainwater from your roof, driveway and walkways to a garden containing native, drought-resistant plants. A rain garden absorbs water and breaks down pollutants naturally instead of allowing polluted water to flow to the Bay.
- ◆ **Use ashtrays.** Cigarette butts are one of the most common types of trash found on our shorelines.

- ◆ **Clean up litter when you see it.** Whatever trash makes its way to our gutters gets washed into the Bay when it rains. Always put trash in a trash bin, and keep the lids on your trash and recycle bins firmly closed.
- ◆ **Pick up after your pet.** Bacteria, parasites and viruses from pet waste can easily wash into storm drains and end up in the Bay without being treated.
- ◆ **Help your city build Bay-friendly storm water systems.** Learn more about the storm water systems where you live, and support funding increases for infrastructure repairs and upgrades. It's important that we invest in maintaining effective storm drains in order to reduce Bay pollution.
- ◆ **Report pollution to Baykeeper.** If you see suspicious drainage from a construction site or industrial facility, report it to Baykeeper's pollution incident hotline at 1-800-KEEP-BAY or hotline@baykeeper.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 clean and healthy Bay for all by making a contribution today.



The use of rain barrels can help reduce storm water pollution to the Bay. Photo: Pug Freak (Flickr/CC)

Baykeeper Victory to Clean Up Sewage Spills in Millbrae

(Continued from page 1) Last winter, more than 12 million gallons in sewage spills were reported from cities across the Bay Area, and more than 170 million gallons of undertreated sewage were released into the Bay from overflow facilities in the East Bay. Sewer systems in the Bay Area – many of which are 50 to 80 years old – continue to suffer from years of neglect. Every winter, rainwater infiltrates these failing sewer systems, spiking the volume of wastewater traveling through the collection pipes and sewer mains, which leads to spills and overflows from old and unrepaired collection pipes.


Under our new agreement, the City of Millbrae will make substantial improvements to its aging infrastructure over the next six years and perform regular maintenance to reduce sewage spills. The City has also agreed to invest \$525,000 in projects to help restore the health of the Bay watershed. One project will offer financial support to property owners who replace broken private sewer lines that contribute to sewage spills or who implement low impact development features

– such as collecting rainwater for reuse and replacing concrete with permeable surfaces – in order to reduce the flow of storm water runoff to storm drains and sewer pipes.

In San Mateo County, many cities have long deferred the necessary repair and maintenance of sewer pipes, leading to a protracted regional problem with sewage spills. Baykeeper has filed suit against the Cities of Millbrae, San Carlos, San Bruno and South San Francisco, and the West Bay Sanitation District – all areas with dilapidated sewage collection systems and high rates of upland

spills that impact the Bay, including popular recreation spots at Corkscrew Slough and Bair Island. In February, Baykeeper successfully settled our lawsuit against the City of San Carlos, which agreed to invest millions of dollars in making collection system improvements in order to reduce sewage spills and to invest \$200,000 in funding for watershed restoration projects.

In the East Bay, Baykeeper has joined an Environmental Protection Agency lawsuit against six cities and one sewage district – Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont and the Stege Sanitary District – that are satellite systems of the East Bay Municipal Utility District (EBMUD). This enforcement action is the culmination of years of Baykeeper efforts to hold the cities accountable for leaky sewage collection systems that inundate EBMUD treatment plants with massive amounts of rainwater and sewage, leading to major sewage overflows to the Bay.

Baykeeper urges all Bay Area communities to invest in Bay-friendly sewage systems, and in the meantime, we'll keep pressing forward with our efforts to hold the worst polluters accountable. 

How Can You Help? Recycle Your Cooking Oil This Holiday Season

The preparation and cleanup of rich holiday meals is a leading cause of sewage spills in winter months. When washing oily pots and pans, first wipe them out with a paper towel and dispose of it in the trash. And if you have a fryer-full of used cooking oil, don't pour it down the drain – recycle it! We'll announce cooking oil recycling locations for the holiday season at www.baykeeper.org.



Baykeeper's Recent Lawsuits to Stop Sewage Spills to the Bay



Bay Species Spotlight: California Brown Pelican

One of the most common and easily identifiable birds around San Francisco Bay is the California brown pelican. Found on beaches, harbors, marinas, bays, estuaries and offshore islands, it is one of the largest bird species in the Bay Area, measuring an average of 4 feet from beak to tail and with an average wingspan of 7 feet. Ranging from Mexico to Washington State, they can be found in the Bay Area mainly during the fall and winter months.

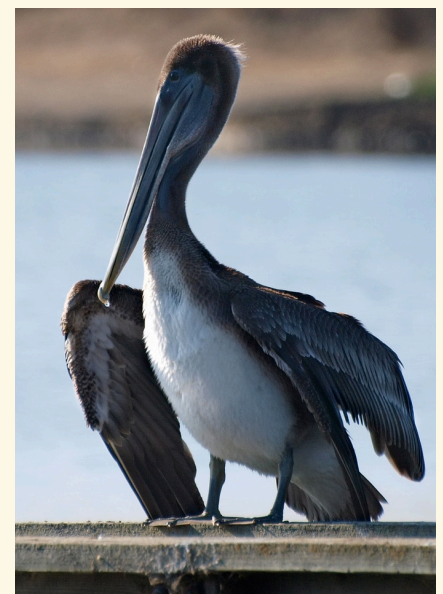
The California brown pelican is a plunge diver, feeding primarily off anchovies and other small fish found in the waters of the Bay and ocean. Using its large bill pouch as a net, a pelican can dive from as high as 65 feet in the air, scooping up water and prey as it lands on the surface. A pelican's pouch can hold up to 3 gallons of water! The pelican then strains out the water from the side of its bill and gulps down the meal that remains.

California brown pelicans breed on rocky islands such as the Channel Islands and islands off the Mexican coast. Male pelicans gather twigs, reeds and grass while females construct the nest, where a brood of 2 to 4 eggs is laid. The eggs are incubated by both parents, and the young birds leave the nest between two and three months of age. Brown pelicans can live to be 25 to 30 years old.

In the 1960s, the use of the pesticide DDT caused the population of the California brown pelican to decline precipitously, and in 1970,

they were listed as an endangered species. The poison caused the shells of the birds' eggs to thin, preventing the embryo from maturing. After the use of DDT was banned in the 1970s, the population of brown pelicans gradually made a comeback, and the bird was removed from the Endangered Species List in 2009. Happily, there are now about 8,000 breeding pairs in California.

Today, the Louisiana brown pelican, cousin to the California brown pelican, is facing a grave threat from the BP oil spill disaster (see article about Baykeeper's work in the Gulf on page 1 of this issue).



The California brown pelican is often spotted around marinas and harbors in the Bay Area. Photo: Ingrid Taylar (Flickr/CC)

Upcoming Events

TransBay Relay

benefit swim for SAN FRANCISCO BAYKEEPER.
A WATERKEEPER SPLASH EVENT

Join the TransBay Relay
Sunday, September 19, 8 am

Open water swimmers take on the challenge of crossing San Francisco Bay to raise money and awareness for San Francisco Baykeeper. The 9-mile 3-person relay swim begins in the shadow of the Golden Gate Bridge and ends in the East Bay at the Emeryville Marina. Celebration and award ceremony to follow. To register, donate or volunteer, visit www.baykeeper.org/transbayrelay.



Volunteer for Coastal Cleanup Day
Saturday, September 25th, 9 am – noon

Baykeeper is hosting a beach cleanup at India Basin Shoreline Park for California's annual Coastal Cleanup Day, and we need your help. Last year, volunteers picked up over half a ton of trash from this park! Sign up to volunteer online at www.signuptocleanup.org, email volunteer@baykeeper.org or contact Membership Coordinator Tracy Corbin at 415-856-0444 x112.

Wine & Spirits top 100

Attend the Wine & Spirits Top 100 Benefit
Wednesday, October 13, 6:00 – 8:00 pm
Galleria at the SF Design Center

Taste wine from this year's top 100 wineries while supporting Baykeeper's work to protect the Bay at the Wine & Spirits Top 100 Tasting. Meet the winemakers and feast on delicious bites from Bay Area restaurants, including fresh oysters, local cheeses and artisan specialties. Tickets to benefit Baykeeper are available for purchase at www.wineandspiritsmagazine.com.

Make your donation to support San Francisco Baykeeper today!



Baykeeper has been San Francisco Bay's pollution watchdog for more than twenty years. Our small, highly skilled staff uses science, advocacy and the courts to strengthen clean water laws and hold polluters accountable. **As the only on-the-water nonprofit dedicated to protecting the Bay from pollution, we're proud to work on behalf of**

the Bay Area community to improve the health and sustainability of San Francisco Bay.

With your help, we have:

- Secured strong agreements to stop sewage spills from polluting cities;
- Cleaned up the Ghost Fleet of Suisun Bay;
- Improved management of storm water pollution in Bay Area cities;
- Passed a law to help clean up abandoned boats that are polluting our waterways;
- Forced EPA to regulate pesticides sprayed into waterways across the nation;
- Improved oil spill response policies for the Bay; and
- Protected the vibrancy, health and wildlife of our beloved San Francisco Bay.



Photo: Hudson Henry

It's the contributions of individuals like you that has enabled us to do this critical work. **We are your San Francisco Baykeeper.** With your continued support, we look forward to even more exciting successes on behalf of the Bay.

Please use the enclosed envelope to make your donation today, and help continue our efforts to defend the Bay from pollution. Thank you for your support!

Have you heard about Baykeeper's new Bay Stewards program for monthly donors? By making regular monthly donations to Baykeeper, you can simplify your giving while helping reduce our administrative costs, so that each dollar goes even further toward protecting the Bay.

It takes only a small contribution of your monthly budget – but it makes a big difference for the health of the Bay. Becoming a Bay Steward is the most effective way to support our mission of protecting San Francisco Bay. Use the enclosed envelope or make a recurring gift at www.baykeeper.org. **Sign up today!**



Fall 2010 Baykeeper News



VIEWS AROUND THE BAY

Above: On August 3, swimmers from San Francisco's Dolphin Club swam laps beneath the Golden Gate Bridge using butterfly, backstroke, breaststroke and freestyle strokes. One swimmer completed over 2 miles in handcuffs! The athletes tackled this adventure to raise awareness of how pollution impacts swimmers in the Bay and to raise funds for San Francisco Baykeeper. Thank you to all of the swimmers, pilots and supporters who helped make this event a great success for Baykeeper and the Bay!

Photo: Deb Self, Baykeeper Executive Director

Right: Mission Creek Park in San Francisco implements low impact design methods such as bioswales, native plants and permeable walkways to reduce storm water pollution to the Bay. Read more about the impacts of storm water pollution on pages 4-5 of this issue. Photo: SFCityScape (Flickr/CC)

