

Baykeeper Completes Point Molate Toxic Debris Cleanup Point Molate Beach Park on Richmond Shoreline to Reopen



Baykeeper used light machinery that had minimum impact on the beach to haul debris off the Point Molate shoreline. The debris included huge contaminated logs, metal shards, tires, plastic, boat hulls, and parts of a run-down pier. Point Molate Beach Park will reopen soon.

Completing a months-long cleanup, Baykeeper has removed 96 tons of debris that has polluted San Francisco Bay waters and the shoreline at Point Molate in Richmond. The cleanup helped make it possible for the city of Richmond to reopen Point Molate Beach Park, which has been closed for a decade, soon.

For years, Point Molate's beach has been blighted by hundreds of pilings contaminated with creosote, a now-banned wood preservative that poses a threat to both wildlife and people. Baykeeper staff and volunteers cut these large piling logs into smaller chunks, using methods that kept the beach and water from being further contaminated with toxic sawdust. Teams then carried the chunks to a beach site near the parking lot where they could be removed more easily. We used light machinery that had minimum impact on the beach to haul out the debris, which also included metal shards, tires, plastic, boat hulls, and parts of a run-down pier. Finally, we took it all by truck to a landfill authorized to accept treated wood waste.

Baykeeper's cleanup has stopped the leaching of creosote into the water and shoreline soil. It will also make the area safer for fish **(Continued on page 3)**

More Victories in Our Bay-Safe Industry Campaign

As a result of Baykeeper's latest Bay-Safe Industry campaign lawsuits, four more industrial facilities will keep their contaminated runoff out of San Francisco Bay, bringing the total to thirteen. We're also continuing our efforts for cleanup at one of the Bay's worst industrial polluters, advocating for stronger statewide regulations on industrial runoff pollution, and identifying more companies that are polluting the Bay.

One recent victory will keep toxic brownish water from gushing toward San Francisco Bay from **Pacific Steel Casting Company** in Berkeley, the nation's fourth largest steel foundry. Baykeeper took action after seeing visibly polluted water being pumped from the site into the street; from there, the water flowed to storm drains that empty directly into the Bay. We also documented that the water was contaminated with heavy metals. Pacific Steel is now required to install new pollution controls that Baykeeper recommended specifically for the facility, and the company has stopped the pump that sent toxic water into the street.

Two San Jose recycling facilities and a Santa Clara steel fabricator are also halting their illegal runoff pollution. **GreenTeam of San Jose, GreenWaste Recovery, Inc., and SOS Steel Company, Inc.** were all releasing runoff containing **(Continued on page 5)**

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Letter from the Executive Director



Sometimes working for a healthy San Francisco Bay means going inland—to Sacramento! Over the past months, Baykeeper has been advocating for the Bay in the state capitol. On page 3, you can read about our efforts for **a state bill that funds vital oil spill response measures and the care and rescue of wildlife in an oil spill.**

The best protection for the Bay and its wildlife is to **keep oil spills from happening.** That means we need to prevent crashes like the incident in January, when an oil tanker hit the Bay Bridge. In the

Bay, large ships are steered not by their captains but by local bar pilots who are experienced with the Bay's currents, wind, and obstacles—like bridges. Almost all transits happen without incident, yet large ships have hit the Bay Bridge twice in six years. As a member of the San Francisco Bay Harbor Safety Committee, I've helped analyze additional navigation rules, pilot evaluation, and oversight that may help prevent future accidents. I'm advocating for more frequent evaluation of bar pilot performance to help prevent oil spills in the Bay.

In addition, Baykeeper is **opposing the Warriors basketball stadium proposed for a San Francisco pier just south of the Bay Bridge.** The behemoth arena would block precious open-water views that connect us all to San Francisco Bay. Reconstructing the rotten pier would pollute the Bay, too. I worked to help defeat a state bill that would undermine protections that preserve San Francisco's waterfront for maritime uses and public access. The fight to protect this shoreline area is ongoing.

Meanwhile, **another threat looms—fracking.** This oil and gas extraction technology involves injecting millions of gallons of water, sand, and chemicals underground at high pressure. The oil industry's plan to increase fracking in California will increase the risk of oil spills in the Bay. Baykeeper is working to stop fracking in California, and, in the interim, make sure that any fracking is disclosed to the public. We are also working to stop the overland import of vast amounts of fracked petroleum, including from Canadian tar sands, into the Bay Area for refining and export. Pressure from Waterkeepers has stopped coal export facilities from being opened in the state of Washington, and we hope to deny a Bay Area outlet for fracked oil.

Turning to organizational news, I want to say a big thank you to outgoing Board member and former chair **Susan Cleveland-Knowles**, for her nine years of outstanding leadership. We're also delighted to have two new partners join our Advisory Council, Dolphin Club President **Diane Walton** and California Water Law Symposium member **Thomas Hicks.**

On staff, we've recently added a new position of Finance and Administration Manager, and are excited to welcome **Jeremy Nelson** in that role. We also recently promoted two staff members who have made great contributions to Baykeeper's work, **Andrea Kopecky** to Staff Attorney and **Judy MacLean** to Communications Manager.

Baykeeper's Board, staff, and volunteers are an amazing team working on your behalf to protect the Bay. Thank you for being part of Baykeeper's generous community of supporters who stand with us for a clean and healthy San Francisco Bay!

Deb Self
San Francisco Baykeeper
Executive Director

Baykeeper is advocating for better oversight of the pilots who steer large ships in and out of San Francisco Bay.



Photo by Hudson Henry

Assuring Funding for Rescue of Wildlife During Oil Spills

Continued Advocacy to Pass AB 811

A shutdown has been averted—for now—of the California program that rescues and cares for birds, seals, and other wildlife that get coated with oil during an oil spill into the Bay and other coastal waters. Baykeeper advocated this year for state bill AB 811, authored by Wesley Chesbro, to provide funding to keep open the Oiled Wildlife Care Network and also to maintain other effective oil spill prevention and preparedness programs.

While AB 881 passed in the Assembly and some Senate committees, it is being held over in the Senate Appropriations Committee for reconsideration in the second year of this legislative session. Baykeeper is hopeful that Governor Brown will ensure interim funding until we succeed in winning passage of a revised bill next year.

Funding for oiled wildlife care is essential. Being exposed to oil (even an area as small as a quarter) can be fatal to wildlife, without expert veterinary care. The Oiled Wildlife Care Network,

a nonprofit organization run by UC Davis, maintains more than twelve specialized veterinarian facilities in a constant state of readiness statewide. It also includes 30 member groups prepared to find and rescue oiled wildlife all along California's coast. In 2007, when the *Cosco Busan* container ship spilled 53,000 gallons of oil into San Francisco Bay, the network rescued and cared for nearly 8,000 oiled birds and mammals.

Other programs to be funded by AB 881 include critical drills and exercises, monitoring of on-the-water fuel transfers to ships on the Bay, and seismic retrofitting of old marine oil terminals at risk for failure during an earthquake or tsunami. The passage of AB 881 next year will be essential to all of California's oil spill prevention and response preparedness programs.

Baykeeper plays a key role in improving oil spill response policy in the Bay Area, statewide, and across the country. We will continue working toward San Francisco Bay having the best possible protection from oil spills and the most effective response if spills occur. 

Toxic Debris Cleanup At Point Molate

(continued from page 1)



and harbor seals, improve the health of sub-tidal eelgrass beds along the beach, and allow the sandy beach area to naturally expand inland.

Point Molate is one of the last remaining undeveloped sites along San Francisco Bay. For several years, this rare, wild shoreline was considered as a site for a mega-casino. Baykeeper helped defeat that proposal. Now, we are pleased to have helped make one of the largest sandy beaches on the Bay's eastern shoreline accessible to the public. The park will be a true treasure for Richmond residents, who have

borne a disproportionate share of the Bay Area's toxic pollution, and for all visitors to this lovely shoreline location.

Thanks to all the volunteers who helped get the toxic debris off Point Molate Beach! Our cleanup effort was funded in part by the National Oceanic and Atmospheric Administration (NOAA), under the Marine Debris Removal program, and made possible by the hard work of Baykeeper's Staff Scientist Ian Wren and Head Skipper Geoff Potter. Thank you! 

Swim for the Bay

support a healthy San Francisco Bay

BENEFIT SWIM FOR SAN FRANCISCO BAYKEEPER

Sunday, October 20

Coming up—the 2013 Swim for the Bay! This noncompetitive 9-mile swim from the Golden Gate to the East Bay is a benefit to support Baykeeper's work for a healthy San Francisco Bay. Thanks to all this year's participants who are helping to raise funds for a Bay that's clean and safe for swimmers! Donate to support their efforts at baykeeper.org.

And, join us to celebrate the Swim for the Bay with dinner and drinks at the Dolphin Club, October 20 at 5 pm. Tickets are \$50 or included with a \$50 donation to a swimmer.

To donate, register, or volunteer, please visit baykeeper.org.



Photo by Susanne Friedrich

How Baykeeper Cleans Up Industrial Facilities That Are Po

There are more than 1,300 industrial facilities in the Bay Area, and many are not doing what's required to keep pollution from being washed into San Francisco Bay by rain. Runoff from industrial facilities often contains high concentrations of pollutants such as toxic metals and petroleum hydrocarbons. These contaminants harm wildlife and people who spend time in and around the Bay.

Baykeeper's Bay-Safe Industry Campaign is targeting the widespread problem of toxic industrial runoff by cleaning up local industrial facilities one-by-one. Here's how we do it.

1. Identify Possible Polluters



We find potential polluters by researching data on which industrial facilities report high levels of pollution running off their sites. Then, we conduct an on-the-ground investigation by examining the perimeter of the facility, either from the Baykeeper boat or on foot.

2. Gather Evidence of Pollution



When it's raining, we go to industrial facilities and collect samples of runoff water from the site perimeters. Then we have the water tested for pollutants at a certified lab. Above, Baykeeper Executive Director Deb Self collects a sample of contaminated runoff last winter from Pacific Steel in Berkeley.

3. Notify the Polluter and File Suit

We notify the polluter that they are harming San Francisco Bay, to begin discussion of what they must do to comply with the law. We then file suit under the federal Clean Water Act to ensure that we reach a legally-binding cleanup agreement.

4. Determine Specific Pollution Controls for the Facility



Baykeeper's expert staff visit the site and recommend controls that will be most effective at reducing the facility's runoff pollution. Above, former Baykeeper Managing Attorney Amanda Garcia discusses pollution cleanup efforts with staff at GreenWaste Recovery, Inc. in San Jose.

5. Secure a Legally-Binding Pollution Cleanup Agreement

Once the facility operators agree to take specified actions to stop contamination of the Bay, we sign a legally-binding agreement that outlines their requirements and how we will monitor their progress. Generally, we settle Clean Water Act lawsuits without going to trial, and cleanup begins right away, but we are always prepared to go to trial if necessary.

6. Require the Polluter to Help Repair the Damage They Caused



Photo by dotpolka Flickr/CC

To make up in part for the harm caused by past pollution, we require polluters to provide funds to other local nonprofits for projects to restore the Bay watershed. Above, the Don Edwards National Wildlife Refuge, site of some of these projects.

Polluting San Francisco Bay

7. Make Sure the Polluter Prevents Future Contamination of the Bay



Over the next several years, Baykeeper monitors closely to make sure polluters implement the required pollution controls. Above, we're monitoring BAE Systems Ship Repair on San Francisco's eastern waterfront from the Baykeeper boat. BAE agreed in 2011 to install new pollution controls, including this giant tarp that protects San Francisco Bay from airborne toxic paint dust when old paint is being blasted off large ships.

8. Improve the Long-Term Health of the Bay, Watershed, and Wildlife



By reducing toxic runoff from industrial facilities, Baykeeper's Bay-Safe Industry Campaign is helping improve the long-term health and sustainability of San Francisco Bay. ♻️

More Victories in Baykeeper's Bay-Safe Industry Campaign

(continued from page 1)

metals toxic to fish into Bay tributaries near the sensitive ecosystem of the Don Edwards National Wildlife Refuge. Recycling companies like GreenTeam and GreenWaste provide a valuable environmental service by diverting solid waste from landfills—but if they operate in a way that generates pollution, it undermines the value of what they do. All three facilities will now use new controls and better practices to prevent runoff pollution.

In addition, Baykeeper is continuing to pursue a Clean Water Act lawsuit against one of the Bay's worst industrial polluters, the **Levin-Richmond Terminal Corporation**. This shipping terminal stores hundreds of thousands of tons of materials, including metallurgical coke, often in huge exposed piles on the shoreline. This allows dust that contains cancer-causing chemicals to be washed and blown into the Bay. Rather than upgrading the decades-old equipment that causes their pollution problem, Levin is spending money to draw out litigation with Baykeeper. We will continue to pursue a legally-binding agreement that requires Levin to keep its contamination out of the Bay.

In other action, Baykeeper has been advocating for **stronger statewide regulations governing industrial runoff pollution**. The regulations are being revised after many years of delay, and the latest draft, despite two years of advocacy from Baykeeper, includes industry-sponsored changes that maintain the status quo or weaken pollution controls. Baykeeper recently activated our online network to send messages urging the regulators to improve, not weaken, regulations that protect California waters from polluted industrial runoff. Thanks to everyone who took part in our Action Alert, which was part of a statewide effort by California Waterkeepers and other environmental groups that generated more than 6,000 messages urging stronger controls in industrial storm water runoff.

We're also continuing to identify more of San Francisco Bay's industrial polluters. Baykeeper recently trained a new team of **Volunteer Pollution Investigators** who have been surveying the edges of industrial sites in dry weather. They have taken photos and looked for indications that pollution is being washed off the site and into the Bay when rain falls. Staff members or volunteers will then return later, when it's raining, to collect samples of runoff to test for pollutants.

Baykeeper's multi-year Bay-Safe Industry Campaign targets widespread, illegal runoff that flows into San Francisco Bay from most of the Bay Area's 1,300 industrial facilities. In addition to legal action against facilities found to be significantly polluting the Bay, the campaign includes outreach and education to industrial facilities, and advocacy to strengthen controls on industrial storm water. ♻️

Sick of Sewage Campaign: Ensuring That Bay Area Sewer Systems Cut Their Pollution of the Bay

With the coming of the rainy season, Baykeeper is preparing to monitor the results of sewer system improvements to reduce sewage spills into San Francisco Bay and into creeks and storm drains that flow to the Bay. As a result of our successful Sick of Sewage campaign, twenty of the Bay Area's worst performing sewer agencies have been making repairs so that the Bay won't be hit by wet weather spills and overflows of raw and undertreated sewage. After collecting another round of data from this year's rainy season, we'll find out which sewer agencies are meeting their targets to reduce sewage pollution, and we'll work with those who haven't yet achieved their goals.

We launched the Sick of Sewage campaign because for years, Bay Area sewage systems with crumbling pipes have been spilling millions of gallons of sewage into the Bay and its watershed. In 2012, we reached a critical milestone in our campaign, having secured settlement agreements that compel sewage systems serving twenty Bay Area cities to make needed upgrades. These agencies are legally required to repair leaky pipes and replace outdated infrastructure. Now Baykeeper is staying on the case, and making sure the sewer agencies follow through.

During the last rainy season, some sewer systems on the Peninsula, where we reached some of our first cleanup agreements, had reduced spills by 75%. One city, South San Francisco, finished its repairs three years early and is no longer causing sewage pollution problems in the Bay.

Meanwhile, Baykeeper has been pressing sewer agencies in the East Bay to do more to reduce sewage spills and overflows.

Sewer agencies in the East Bay still need to do more to keep sewage out of the Bay.

The cities of Oakland, Berkeley, Alameda, Albany, Emeryville, Piedmont, Kensington, El Cerrito, and the Richmond Annex section of Richmond all send sewage to the East Bay Municipal Utility District plants for treatment. Our goal is to improve the agencies' plans for reducing sewage spills and contaminated overflows, and to ensure that the proposed repairs will get the job done.

Sewage pollution in the Bay is a serious threat. It can cause skin infections and stomach disorders in those who come in contact with the water, including windsurfers, swimmers, boaters, and people who fish. Sewage also threatens seals, other sea creatures, and plant life.

Baykeeper's watchdogging of Bay Area sewage systems will ensure that they make required repairs and upgrades, until sewage is no longer a major pollution problem for the Bay. 

Rainy-Season Tips To Protect San Francisco Bay

Baykeeper is getting ready for the rainy season. Our volunteers are out doing advance surveys of Bay Area industrial facilities to find out which ones are polluting San Francisco Bay with toxic runoff (see page 5). We'll be watching sewer agencies that have made repairs to keep sewage pollution out of the Bay, to assure that the Bay is actually being protected.

You can use the tips below to get ready for the rainy season, and protect the Bay when rain starts to fall.

When it's raining, try to minimize water use. During heavy rain, sewer pipes are often flooded by rainwater, increasing the chance of sewage spills. Wait to wash



clothes or run the dishwasher until the rain stops, to lessen the burden on the sewer system. Reduce wastewater year-round by installing low-flow toilets and shower heads, and turn off the water when you shave or brush your teeth.

Don't pour fats, oils, and grease down the drain.

When leftover oil and grease are rinsed down the drain, they can clog sewer pipes and lead to sewage spills that get into the Bay. Instead, wipe oily pots and pans with a paper towel or put excess grease in a can, and put it in the trash. Take large amounts of cooking oil—like used oil from a fryer—to a grease recycling site.

Don't use pesticides in your yard or garden. Rain will wash these chemicals off your lawn or garden, and ultimately into the Bay. Urban pesticide use is a major source of water pollution that kills fish, aquatic plants, and insects. Many weeds and pests are better repelled by physical removal or by beneficial plants and insects that naturally control pest populations.

Reuse rainwater. Reduce both your water consumption and storm water runoff to the Bay by capturing rainwater in barrels or cisterns outside your home for later reuse.

Plant a rain garden. Direct the rainwater from your roof, driveway, and walkways to a garden of native, drought-resistant plants. A rain garden absorbs rainwater and breaks down pollutants naturally, keeping rainwater from flowing off your property and picking up pollutants on the way to the Bay.

Baykeeper Earns 3rd Four-Star Rating from Charity Navigator



For the third year in a row, Charity Navigator, the nation's leading evaluator of nonprofit organizations' financial performance, has awarded San Francisco Baykeeper its top 4-star rating for our effective use of resources in pursuing our mission to protect and restore San Francisco Bay.

Only 11% of the charities rated by Charity Navigator have received at least three consecutive 4-star evaluations. "This 'exceptional' designation from Charity Navigator differentiates San Francisco Baykeeper from its peers and demonstrates to the public it is worthy of their trust," wrote Charity Navigator President and CEO Ken Berger, in a letter announcing the rating.

Using data-driven analysis, Charity Navigator awards only the most fiscally responsible organizations a 4-star rating. The rating is based on criteria that include fundraising efficiency, revenue growth, and percentage spent on program costs. Charity

Navigator also checks for good governance practices, such as having independent voting board members and financials that are audited by an independent accountant.

Baykeeper is dedicated to protecting the Bay in the most effective ways possible, and that includes using our resources efficiently. We're honored to be among the few nonprofits to receive a third top rating from Charity Navigator, and proud to be recognized for providing a sound investment in a healthy San Francisco Bay.

Make a Gift Today By Mail, Online, Or From Work

It's easy to make your gift by mail using the enclosed envelope. To donate online, please visit www.baykeeper.org/donate.

And if your employer offers charitable giving through payroll deduction, please sign up to support San Francisco Baykeeper! You can donate to Baykeeper through your employer's **EarthShare California** campaign. Federal employees can support Baykeeper through the Combined Federal Campaign, using **CFC code 26266**. California State Employees can support Baykeeper using **CSECC code 1522**.

Bay Species Spotlight: Western Grebe (*Aechmophorus occidentalis*)

On autumn nights, flocks of Western Grebes end their migration by alighting on San Francisco Bay, their seasonal home. These strikingly beautiful birds are about two and half feet long, black on top with white undersides. They have yellow beaks, bright red eyes, and long, swanlike necks. Migrating by night, Western Grebes (*Aechmophorus occidentalis*) arrive here between September and November, and stay until May.

Like herons, grebes spear their fish with a quick thrust of the neck. They feast on the Bay's winter runs of herring, and also eat other small fish, insects, and crabs.

The majority of the Bay's grebes are Western Grebes, but they often swim in mixed flocks with Clark's Grebes. The two birds look very similar, but the Western has a straight yellow-green beak and black feathers around the eyes, while the Clark's has an upturned, bright yellow beak and white feathers around the eyes.

Many of the Western Grebes arriving in San Francisco Bay come from summer nesting sites at Eagle Lake in northeastern California, according to Bob Lewis, Adult Education Chair of the Golden Gate Audubon Society. Clear Lake, north of the Bay Area, is another major summer nesting site. Western Grebes also fly here from lakes in the Sierras, the Midwest, and even as far away as Manitoba, Canada. A small number of non-breeding grebes stay on the Bay year-round.

The official term for a flock of these birds is "a water dance of Western Grebes." Perhaps this is because of their courtship ritual. A pair dances in the water, flexing their necks in unison. Then they run rapidly side by side on the water, and dive in together head first.

Western Grebes were hunted in the early 20th century for their silky white feathers, which were used in clothing and hats. They are sensitive to pesticides and other types of pollution, but the biggest danger lurking in the Bay is the risk of oil spills.

Western Grebes are one of the species most impacted by oil spills. Most oil spills in San Francisco Bay occur during the stormy, foggy months when grebes live here. In addition, grebe feet are almost useless for walking on land, so the birds can't escape onto land from oily water. Thousands of Western Grebes died after being coated with oil when the *Cosco Busan* tanker spilled fuel into the Bay in 2007. Baykeeper is working to protect Western Grebes and all the Bay's wildlife from the threat of oil spills (see page 3). 



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Fall/Winter 2013 Baykeeper News

Only 13 of Original 57 Ghost Fleet Ships Left to Clean Up



The cleanup of the Ghost Fleet—57 decaying military ships that poisoned the San Francisco Bay ecosystem for 40 years—is two years ahead of schedule. In 2010, Baykeeper successfully reached a settlement agreement requiring the federal government to clean up the rusting ships, which had released more than 20 tons of toxic metals into Suisun Bay, an inlet of San Francisco Bay.

Now, 44 of the original 57 ships have been removed, with the worst ships removed first. The federal agency responsible for the cleanup, the Maritime Administration, is using effective pollution control techniques to protect the Bay from most of the remaining ships. On our inspection in August, Baykeeper found some serious problems with three remaining ships, and these will be remedied soon. The Ghost Fleet now poses a much smaller threat to the Bay and local wildlife, and a pair of osprey are even nesting atop a ship's mast.

Above, Ghost Fleet ships anchored in Suisun Bay. Top right, Baykeeper attorneys Sejal Choksi-Chugh and Andrea Kopecky on Ghost Fleet cleanup inspection. Bottom right, Sejal Choksi-Chugh examines one of the pollution controls being used to protect the Bay from the ships not yet removed. The white cover over these exposed machine parts keeps rain from washing oil into the Bay.



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