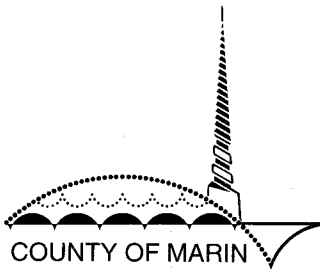


Appendix B
COMMENTS



THE BOARD OF SUPERVISORS OF MARIN

COUNTY OF MARIN

February 17, 2009

ADMINISTRATION BUILDING
3501 CIVIC CENTER DR., SUITE 329
SAN RAFAEL, CALIFORNIA 94903-4193
TELEPHONE (415) 499-7331
FAX (415) 499-3645
TTY (415) 499-6172
www.co.marin.ca.us/bos

FEB 27 2009

Ms. Dyan C. White
Assistant Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

Dear Ms. White,

Thank you for including funding for the Richardson Bay Audubon Center & Sanctuary's Aramburu Island habitat restoration in the recently announced settlement with the Sewerage Agency of Southern Marin. Your dedication of funding will launch important restoration and enhancement for this valuable conservation area that falls within the immediate area of sewage release.

Development around the entire San Francisco Bay, and along the Marin Coast in particular, has greatly limited the habitat options for native birds and wildlife. Aramburu island – created from dredge spoils and fill in the early 1960s – offers a rare opportunity to restore a variety of habitats on land that is relatively isolated from human disturbances and terrestrial predators. When completed, this restoration project should greatly improve habitat for resident and migratory birds, such as the San Pablo song sparrow, the salt marsh yellowthroat, shorebirds and terns, as well as mammals such as the harbor seal. It will also increase the cover of native plants, including regionally rare salt marsh annuals such as Point Reyes bird's-beak, salt marsh owl's clover, and smooth goldfields. In addition, erosion reduction measures may have indirect benefits for adjacent subtidal habitats, including native eelgrass that is likely to be limited by turbidity due to locally resuspended fine sediment. All of these actions will contribute to the regional restoration objectives presented in the Baylands Ecosystem Habitat Goals Report.

The Richardson Bay Audubon Center & Sanctuary has a nearly 50 year presence on Richardson Bay and has the staff and project management expertise to undertake this important restoration project. Moreover, as a Center with strong education programs they will help ensure that the Aramburu restoration will engage volunteers from the community and use it as an opportunity to help children and families learn more about the San Francisco Bay.

Word of your decision to fund the Aramburu restoration project is great news not only for the birds and health of Richardson Bay, but for the community around it that enjoy these waters and shorelines. Thank you for your partnership on this important project.

Sincerely,

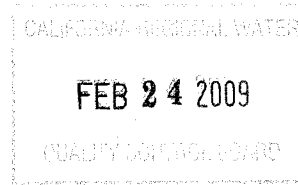
Charles McGlashan
Supervisor
County of Marin

2ND VICE-PRESIDENT	PRESIDENT		VICE-PRESIDENT	CLERK
SUSAN L. ADAMS	HAROLD C. BROWN	CHARLES MCGLASHAN	JUDY ARNOLD	MATTHEW H. HYMEL
SAN RAFAEL	SAN ANSELMO	MILL VALLEY	NOVATO	
1 ST DISTRICT	2 ND DISTRICT	3 RD DISTRICT	5 TH DISTRICT	
		STEVE KINSEY		
		SAN GERONIMO		
		4 TH DISTRICT		



February 17, 2009

Ms. Dyan C. White
Assistant Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612



Dear Ms. White:

I write to thank you for including funding for the Richardson Bay Audubon Center & Sanctuary's Aramburu Island habitat restoration in the recently announced settlement with the Sewerage Agency of Southern Marin. This funding will launch important restoration and enhancement for this valuable conservation area that falls within the immediate area of sewage release.

Development around the entire San Francisco Bay and along the Marin Coast in particular, has greatly limited the habitat options for native birds and wildlife. Aramburu Island – created from dredge spoils and fill in the early 1960s – offers a rare opportunity to restore a variety of habitats on land that is relatively isolated from human disturbances and terrestrial predators. When completed, this restoration project should greatly improve habitat for resident and migratory birds, such as the San Pablo song sparrow, the salt marsh yellowthroat, shorebirds and terns, as well as mammals such as the harbor seal. It will also increase the cover of native plants, including regionally rare salt marsh annuals such as Point Reyes bird's-beak, salt marsh owl's clover, and smooth goldfields. In addition, erosion reduction measures may have indirect benefits for adjacent sub-tidal habitats, including native eelgrass that is likely to be limited by turbidity due to locally re-suspended fine sediment. All of these actions will contribute to the regional restoration objectives presented in the Baylands Ecosystem Habitat Goals Report.

The Richardson Bay Audubon Center & Sanctuary has a nearly 50 year presence on Richardson Bay and has the staff and project management expertise to undertake this important restoration project. Moreover, as a Center with strong education programs they will help ensure that the Aramburu restoration will engage volunteers from the community and use it as an opportunity to help children and families learn more about the San Francisco Bay. The Town of Tiburon considers the Audubon Center to be a tremendous resource for the entire community, and this project will only enhance their value to all concerned.

Alice Fredericks
Mayor

Miles Berger
Vice Mayor

Dick Collins
Councilmember

Tom Gram
Councilmember

Jeff Slavitz
Councilmember

Margaret A. Curran
Town Manager



This means your decision to fund the Aramburu restoration project is great news not only for the birds and health of Richardson Bay, but for the community around it that enjoy these waters and shorelines. Thank you for your partnership on this important project.

Sincerely,

A handwritten signature in cursive script that reads 'Peggy Curran'.

Peggy Curran
Town Manager

cc: Richardson Bay Audubon Center and Sanctuary
Tiburon Mayor and Town Council

350 Frank H. Ogawa Plaza, Suite 900
Oakland, CA 94612-2016

t. 510.452.9261
f. 510.452.9266

www.saveSFbay.org

February 19, 2009

Ms. Dyan C. White
Assistant Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

FEB 27 2009

Dear Ms. White:

Your inclusion of Richardson Bay Audubon's project in the recently announced settlement with the Sewerage Agency of Southern Marin is highly supported by Save The Bay. Save The Bay, the oldest and largest organization working exclusively to protect, restore and celebrate San Francisco Bay, strongly encourages all projects which aim to enhance and preserve vital salt marsh habitat in the San Francisco Bay. Scientists recommend that 100,000 acres of wetlands needs to be established and protected around the Bay for a sustainable ecosystem. Your dedication of funding will help make this goal a reality through of vital tidal and other important habitat.

Development around the entire San Francisco Bay, and along the Marin Coast in particular, has greatly limited the habitat options for native birds and wildlife. Aramburu island – created from dredge spoils and fill in the early 1960s – offers a rare opportunity to restore a variety of habitats on land that is relatively isolated from human disturbances and terrestrial predators. When completed, this restoration project should greatly improve habitat for resident and migratory birds, such as the San Pablo song sparrow, the salt marsh yellowthroat, shorebirds and terns, as well as mammals such as the harbor seal. It will also increase the cover of native plants, including marsh annuals such as Point Reyes bird's-beak, salt marsh owl's clover, and smooth goldfields that are rare in this region. In addition, the erosion reduction measures in this project may have indirect benefits for adjacent subtidal habitats, including native eelgrass that is likely to be limited by turbidity due to locally resuspended fine sediment. All of these actions will contribute to the regional restoration objectives presented in the Baylands Ecosystem Habitat Goals Report.

The Richardson Bay Audubon Center & Sanctuary has a 50-year presence on Richardson Bay and has the staff and project management expertise to undertake this important restoration project. Moreover, as a Center with strong education programs they will help ensure that the Aramburu restoration will engage volunteers from the community and use it as an opportunity to help children and families learn more about the San Francisco Bay.

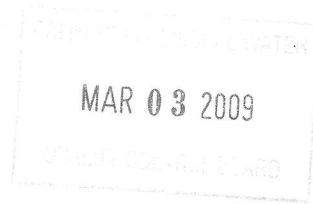
Your decision to fund the Aramburu restoration project is great news not only for Richardson Bay, but for the greater San Francisco Bay ecosystem. Thank you for your partnership on this important project.

Sincerely,
Darcie Collins PhD, Habitat Restoration Director

SAVE THE BAY



Marin Audubon Society



P.O. Box 599 | MILL VALLEY, CA 94942-0599 | MARINAUDUBON.ORG
February 27, 2009

Ms. Dyan C. White, Assistant Executive Officer
California Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, California 94612

Dear Ms. White:

Thank you for including funding for the Richardson Bay Audubon Center & Sanctuary's Aramburu Island habitat restoration in the recently announced settlement with the Sewerage Agency of Southern Marin. This funding will contribute to the restoration and enhancement of the island and benefit all of Richardson Bay wildlife.

Marin Audubon Society has a long history of trying to protect this habitat. We opposed the development of houses on the spit, the project that resulted in the creation of the island. The island was required by the County as a condition of approval for the development. It was intended to be mitigation for adverse impacts of the development, however, after the initial actions no management or oversight occurred and the island habitat degraded. To make matters worse, most adjacent habitats have been lost to urban development, even as recently as several years ago when seasonal marsh was filled at the nearby school.

This grant, when combined with other funding the Sanctuary has obtained, provides an opportunity to reverse the years of neglect and degradation of the island habitats by restoring some habitat elements that have been lost or degraded. Marin Audubon looks forward to being a part of the ongoing planning to improve and expand the habitats on Aramburu Island.

When successfully completed, this restoration project should greatly improve habitat for resident and migratory wildlife, including shorebirds, waterfowl, terns, and hopefully harbor seals. We anticipate that salt marsh, upland refugia and seasonal wetlands will be expanded and enhanced, and that unvegetated habitat will also be improved to benefit terns and marine mammals. The island should also provide refuge habitat, for the Bay's wildlife in times of need.

The Regional Board's decision to fund the Aramburu restoration project is wonderful news for the birds, for the health of Richardson Bay, and for all of San Francisco Bay. We thank the Regional Board for enabling this contribution to this important project.

Sincerely,



Barbara Salzman
President

From: Dyan Whyte
To: Tang, Lila
Date: 3/2/2009 11:03 AM
Subject: Fwd: in support of Richardson Bay Audubon

Dyan C. Whyte
Assistant Executive Officer

California Water Quality Control Board
San Francisco Bay Region
1515 Clay St., Suite 1400
Oakland, CA 94612

Tel: 510-622-2441
Email: dwhyte@waterboards.ca.gov

>>> "Grosholz, Ted" <tedgrosholz@ucdavis.edu> 02/24/2009 4:25 PM >>>

February 24, 2009

Ms. Dyan C. White
Assistant Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay St., Suite 1400
Oakland, CA 94612

Dear Ms. White:

I would like to thank you for your support of the Richardson Bay Audubon Center and your help with including funding for the Sanctuary's Aramburu Island restoration plan in the settlement with the Sewerage Agency of Southern Marin. This will help initiate a really important local restoration and enhancement project for this valuable conservation area located within the immediate area of the sewage release.

Development around San Francisco Bay, particularly the Marin coastline, has greatly reduced the habitat for native birds and other wildlife. Aramburu Island, which was created from dredge spoils in the early 1960s, provides a rare opportunity to restore important habitat that is relatively protected from human impacts. The planned restoration project would significantly improve habitat for resident and migratory birds such as the San Pablo Song Sparrow, the Salt Marsh Yellowthroat, various shorebirds and terns as well as marine mammals including the Harbor Seal. It will also increase the cover of native plants, including rare marsh annuals such as Point Reyes Bird's-Beak, Salt Marsh Owl's Clover, and Smooth Goldfields. In addition, by reducing erosion, this project will likely benefit adjacent subtidal habitats, including native eelgrass that is often limited by sediments in the water. All of these actions will contribute to the regional restoration objectives presented in the Baylands Ecosystem Habitat Goals Report.

The Richardson Bay Audubon Center & Sanctuary has a 50-year presence on Richardson Bay and has the staff and project management expertise to undertake this important restoration project. Moreover, as a Center with strong education programs they will help ensure that the Aramburu restoration will engage volunteers from the community and use it as an opportunity to help children and families learn more about the San Francisco Bay.

Your decision to support funding for the Aramburu restoration will greatly benefit not only the wildlife and overall health of Richardson Bay, but also the local communities around the bay who enjoy these waters and shoreline habitats. Thanks once again for your partnership on this important project.

Sincerely,

Edwin Grosholz
Alexander and Elizabeth Swantz Specialist in Cooperative Extension

Edwin D. Grosholz
Department of Environmental Science and Policy
One Shields Avenue
University of California, Davis
Davis, CA 95616 USA

From: "bill" <[REDACTED]>
To: "Bruce Wolfe" <BWolfe@waterboards.ca.gov>, "Dyan Whyte" <DWhyte@wate...
CC: <jstaats@marinij.com>, <rwhite@marinscope.com>, "Lila Tang" <LTang@wat...
Date: 2/13/2009 5:48 PM
Subject: Settlement Agreement for SASM

Per the instructions, comments regarding this proposed settlement are to be submitted to Bruce and Dyan.

My concern is the effectiveness, and appropriateness, of a large fine that will be paid for, not by the perpetrators of the spills, but by residents who were not responsible for the spills, and have little recourse to shape the behavior of the SASM.

As I see it:

A few specific individuals at a utility failed to do their jobs properly. The public was harmed. And the utility has settled a lawsuit for \$1.6 million.

Lawsuits sometimes work. In a competitive marketplace, if a business screws up and is successfully sued, its insurance premiums creep up. If said business screws up more often than industry average, eventually its higher insurance rates will give it a higher cost of doing business, and drive it out of business. So, even if the managers of the "bad" business don't personally pay any penalty for their ineptitude, the lawsuits can serve a public good, as poorly-run businesses are squeezed out of the marketplace.

But lawsuits don't always achieve this. Sometimes they're just deals that benefit the lawyers and a few special interests, without accomplishing what they claim as their noble purpose. I believe that this may be one such lawsuit.

SASM is a monopoly provider. Sure its insurance rates will go up, but if customers can't flee, then it's business as usual. This rate increase annoys me, but the ineffectiveness of this lawsuit "solution" should annoy those of you that really care about the Bay Area's water quality. I argue that this lawsuit provides NO incentive to reduce sewage spills. It just finances a few green projects.

Did specific individuals at SASM screw-up? If so, what price did they pay for their failure? Life is unfair, but in past careers I've had to fire individuals for a lot less than dumping a million gallons of sewage into the Bay. I'm asking you, what's likely to be more effective in reducing the screw-ups at SASM: A) fining me, a resident with no choice as to sewerage provider, or B) requiring SASM to terminate the individuals responsible for the spills?

Note: I understand that these are real people, with real families. I do not want to punish them, since I do not believe that they did anything wrong intentionally. But I did not do anything wrong either. So don't punish me, a captive customer.

Bill Fridl
Mill Valley, CA



March 8, 2009

Ms. Dyan C. White
Assistant Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

Dear Ms. White:

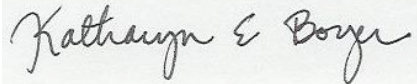
I am encouraged to hear of the potential for funding of the Richardson Bay Audubon Center & Sanctuary's Aramburu Island habitat restoration in a settlement with the Sewerage Agency of Southern Marin. This funding will launch important restoration and enhancement for this valuable conservation area that falls within the immediate area where the sewage was released.

Development around the entire San Francisco Bay, and along the Marin Coast in particular, has greatly limited the habitat options for native birds and wildlife. Aramburu island – created from dredge spoils and fill in the early 1960s – offers a rare opportunity to restore a variety of habitats on land that is relatively isolated from human disturbances and terrestrial predators. When completed, this restoration project should greatly improve habitat for resident and migratory birds, such as the San Pablo song sparrow, the salt marsh yellowthroat, shorebirds and terns, as well as mammals such as the harbor seal. It will also increase the cover of native plants, including marsh annuals such as Point Reyes bird's-beak, salt marsh owl's clover, and smooth goldfields that are rare in this region. In addition, the erosion reduction measures in this project may have indirect benefits for adjacent subtidal habitats, including native eelgrass that is likely to be limited by turbidity due to locally resuspended fine sediment. All of these actions will contribute to the regional restoration objectives presented in the Baylands Ecosystem Habitat Goals Report.

The Richardson Bay Audubon Center & Sanctuary has a 50-year presence on Richardson Bay and has the staff and project management expertise to undertake this important restoration project. Moreover, as a Center with strong education programs they will help ensure that the Aramburu restoration will engage volunteers from the community and use it as an opportunity to help children and families learn more about the San Francisco Bay. I have worked closely with the scientists and staff at the center and am very confident of their abilities and motivation to conserve and restore vital habitats in Richardson Bay and beyond.

I am thrilled to hear of your interest in funding the Aramburu restoration project. This is truly a “silver lining” that will help to offset impacts of human damages, and great news not only for the birds and health of Richardson Bay, but for the community around it that enjoy these waters and shorelines. Thank you for your partnership on this important project.

Sincerely,

A handwritten signature in black ink on a light-colored background. The signature reads "Katharyn E Boyer" in a cursive script.

Katharyn E. Boyer, Ph.D.
Assistant Professor of Biology
Romberg Tiburon Center
San Francisco State University
katboyer@sfsu.edu



Smithsonian Environmental Research Center

March 10, 2009

Ms. Dyan C. White
Assistant Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

Dear Ms. White:

I am writing to thank you for including funding for the Richardson Bay Audubon Center & Sanctuary's Aramburu Island habitat restoration in the recently announced settlement with the Sewerage Agency of Southern Marin. These funds will help launch an exciting project which involves the restoration and enhancement of a valuable conservation area within the area where the sewage was released.

As I am sure you are aware, development around the entire San Francisco Bay, and along the Marin Coast in particular, has greatly limited the habitat options for native birds and other wildlife. Aramburu Island offers a rare opportunity to restore a variety of habitats on land that is relatively isolated from human disturbances and terrestrial predators. When completed, this restoration project should greatly improve habitat for resident and migratory birds, such as the San Pablo song sparrow, the salt marsh yellowthroat, shorebirds and terns, as well as marine mammals such as the harbor seal. It will also increase the cover of native plants, including marsh annuals such as Point Reyes bird's-beak, salt marsh owl's clover, and smooth goldfields that are rare in this region. In addition, the erosion reduction measures in this project may have indirect benefits for adjacent subtidal habitats, including native eelgrass that is likely to be limited by turbidity due to locally resuspended fine sediment. All of these actions will contribute to the regional restoration objectives presented in the Baylands Ecosystem Habitat Goals Report.

We at the Smithsonian Environmental Research Center in Tiburon have had the pleasure of working with the Richardson Bay Audubon Center & Sanctuary on a community-based invasive species monitoring program for the past two years and on native oyster restoration-related research for the past three years. This has given us a firsthand view of the level of staff commitment and project management expertise at the Center. I have complete confidence the Center's ability to undertake this important restoration project. In addition, the Center's strong education and community outreach programs will help ensure that the Aramburu Island restoration will engage volunteers from the community and use it as an opportunity to help children and families learn more about the San Francisco Bay.

Word of your decision to fund the Aramburu restoration project is great news not only for the birds and health of Richardson Bay, but for the many members of the community around it that enjoys these waters and shorelines. Thank you for your partnership on this important project.

Sincerely,

Chela Zabin

Chela Zabin, PhD
Smithsonian Environmental Research Center
3152 Paradise Drive
Tiburon, CA 94920



San Francisco Bay National Estuarine Research Reserve

*San Francisco State University, 3152 Paradise Drive, Tiburon, CA 94920-1205
Tel (415) 338-3707 Fax (415) 435-7120 Web: www.sfbaynerr.org*



March 12, 2009

Ms. Dyan C. White, Assistant Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

Dear Ms. White:

Thank you for including funding for the Richardson Bay Audubon Center and Sanctuary's Aramburu Island habitat restoration in the settlement with the Sewerage Agency of Southern Marin. This funding enables important restoration and enhancement for this valuable conservation area in the Marin Coast where habitat options for native birds and wildlife are limited by development.

The San Francisco Bay National Estuarine Research Reserve is a state-federal partnership that focuses on research, education and stewardship of the Bay. We work closely with the Richardson Bay Audubon Center and Sanctuary on a variety of programs. We know that they have demonstrated clearly that they have the staff and project management expertise to undertake this important restoration project. Moreover, as a Center with strong education programs, Audubon will help ensure that the Aramburu restoration engages volunteers from the community and use it as an opportunity to help children and families learn more about the San Francisco Bay.

Aramburu Island offers an important opportunity to restore a variety of habitats on land that is relatively isolated from human disturbances and terrestrial predators. This restoration project should greatly improve habitat for resident and migratory birds, such as the San Pablo song sparrow, the salt marsh yellowthroat, shorebirds and terns, as well as mammals such as the harbor seal. It will also increase the cover of native plants, including marsh annuals such as Point Reyes bird's-beak, salt marsh owl's clover, and smooth goldfields that are rare in this region. In addition, the erosion reduction measures in this project may have indirect benefits for adjacent subtidal habitats, including native eelgrass that is likely to be limited by turbidity due to locally resuspended fine sediment. All of these actions will contribute to the regional restoration objectives presented in the Baylands Ecosystem Habitat Goals Report.

Thank you for your decision to fund the Aramburu restoration project. Both the natural communities of the Bay as well as the human communities that enjoy these waters and shorelines will benefit.

Sincerely,
Jaime C. Kooser, Ph.D.
Manager, San Francisco Bay National Estuarine Research Reserve



San Francisco Bay National Estuarine Research Reserve is a partnership among National Oceanic and Atmospheric Administration, San Francisco State University, California State Parks, Solano Land Trust and the Bay Conservation and Development Commission.



March 13, 2009

Ms. Dyan C. White
Assistant Executive Officer
California Regional Water Quality Control Board,
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

Dear Ms. White:

I am writing on behalf of San Francisco Baykeeper and its 2000 members to state our support for the inclusion of funding for the Richardson Bay Audubon Center & Sanctuary's Aramburu Island habitat restoration project in the recently announced settlement with the Sewerage Agency of Southern Marin. San Francisco Baykeeper strongly believes in the value of Supplemental Environmental Projects in enforcement actions. Your dedication of this funding will launch important restoration and enhancement for this valuable conservation area that falls within the immediate area where the sewage was released. Projects like the Aramburu Island project will contribute enormously to increasing the ecosystem integrity of the Bay.

Development around the entire San Francisco Bay has greatly limited the habitat options for native birds and wildlife. Aramburu Island – created from dredge spoils and fill in the early 1960s – offers a rare opportunity to restore a variety of habitats on land that is relatively isolated from human disturbances and terrestrial predators. When completed, this restoration project should greatly improve habitat for resident and migratory birds, such as the San Pablo song sparrow, the salt marsh yellowthroat, shorebirds and terns, as well as mammals such as the harbor seal. It will also increase the cover of native plants, including marsh annuals such as Point Reyes bird's-beak, salt marsh owl's clover, and smooth goldfields that are rare in this region. In addition, the erosion reduction measures in this project may have indirect benefits for adjacent subtidal habitats, including native eelgrass that is likely to be limited by turbidity due to locally resuspended fine sediment. All of these actions will contribute to the regional restoration objectives presented in the Baylands Ecosystem Habitat Goals Report.

The Richardson Bay Audubon Center & Sanctuary has a 50-year presence on Richardson Bay and has the staff and project management expertise to undertake this important restoration project. Moreover, as a Center with strong education programs they will help ensure that the Aramburu restoration will engage volunteers from the community and use it as an opportunity to help children and families learn more about the San Francisco Bay.

Word of your decision to fund the Aramburu Island restoration project is great news not only for the birds and health of Richardson Bay, but for the community around it that enjoy these waters and shorelines. Thank you for your partnership on this important project.

Sincerely,



Jennifer Kovacs
Staff Scientist, San Francisco Baykeeper