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San Francisco Bay Chapter

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REPLY TO: 802 Balra Drive
El Cerrito, CA 94530

November 19, 2007

Honorable John Muller
& Members of the Board
San Francisco Regional Water
Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Re: Permit(s) for Dredging or Storm Drain Water Flow
At Berkeley's Aquatic Park

Dear Chair Muller and Board Members:

The Sierra Club is very concerned about what has happened at Berkeley's Aquatic Park. Recent actions call into question the wisdom and appropriateness of the Board issuing permits to Berkeley either to dredge Aquatic Park or to permit it to run city storm water into the lagoon at Aquatic Park.

Recently, the city allowed dredging to take place in the lagoon during the migratory bird season. This, in and of itself was not permissible or appropriate. Moreover, the city then allowed the dredge spoil to be dumped adjacent to the lagoon resulting in spoil running off into the lagoon. Again, this occurred at a critical seasonal period when disturbance of the lagoon for water fowl should not take place because it jeopardizes the birds' health and well being. Moreover, the dredging allowed for potential toxics in the sediment to mix with the lagoon water and pollute the water and the food chain for the birds. In sum, the dredging work

was a huge error with actual or potential significant environmental impacts on habitat and wildlife.

The City has not demonstrated an ability to know what it is doing and how its actions affect the habitat and wildlife of Aquatic Park. Before any further work is allowed and before the City is granted any further permits for any work, it should provide the Board and public with sufficient bona fides that it knows what it is doing, that it knows when it should or should not be doing it, and that it has the proper level of staff support in terms of numbers of staff and expertise to adequately handle any work it wants to do in Aquatic Park. Until then, the Board should not permit any work to go forward.

Sincerely yours,

Norman La Force, Chair
East Bay Public Lands Committee