From: Board of Supervisors (BOS)

To: BOS-Supervisors; BOS-Legislative Aides

Cc: BOS-Operations; Carroll, John (BOS); Calvillo, Angela (BOS); De Asis, Edward (BOS); Entezari, Mehran (BOS);

Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS)

Subject:24 Letters Regarding File No. 240940Date:Thursday, October 17, 2024 12:12:26 PMAttachments:24 Letters Regarding File No. 240940.pdf

Hello,

Please see attached 24 letters regarding File No. 240940:

Resolution urging the City Attorney and the San Francisco Public Utilities Commission to immediately resolve its lawsuit regarding the Clean Water Act with the United States Environmental Protection Agency.

Regards,

John Bullock
Office of the Clerk of the Board
San Francisco Board of Supervisor
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
BOS@sfgov.org | www.sfbos.org

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

From: Board of Supervisors (BOS) on behalf of Board of Supervisors, (BOS)

To: BOS-Supervisors; BOS-Legislative Aides

Cc: Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Entezari, Mehran (BOS);

Carroll, John (BOS)

Subject: FW: STRONGLY SUPPORTING Land Use and Transportation Committee Agenda Item #4 and BOS Agenda Item

#22 [Urging to Resolve a San Francisco Public Utilities Commission Lawsuit with the United States Environmental

Protection Agency] File #240940

Date: Monday, October 7, 2024 10:19:00 AM

Dear Supervisors,

Please see the below communication from Eileen Boken regarding File No. 240940.

File No. 240940 - Resolution urging the City Attorney and the San Francisco Public Utilities Commission to immediately resolve its lawsuit regarding the Clean Water Act with the United States Environmental Protection Agency.

Thank you,

Eileen McHugh
Executive Assistant
Office of the Clerk of the Board
Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102-4689

Phone: (415) 554-7703 | Fax: (415) 554-5163 eileen.e.mchugh@sfgov.org| www.sfbos.org

From: aeboken <aeboken@gmail.com> Sent: Sunday, October 6, 2024 8:55 PM

To: BOS-Supervisors

bos-supervisors@sfgov.org>; BOS-Legislative Aides

bos-

legislative_aides@sfgov.org>

Subject: STRONGLY SUPPORTING Land Use and Transportation Committee Agenda Item #4 and BOS Agenda Item #22 [Urging to Resolve a San Francisco Public Utilities Commission Lawsuit with the United States Environmental Protection Agency] File #240940

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

TO: Board of Supervisors members

FROM: Eileen Boken, President

Sunset-Parkside Education and Action Committee (SPEAK)

RE: Urging to Resolve a San Francisco Public Utilities Commission Lawsuit with the United States Environmental Protection Agency File #240940

Position: Strongly supporting

This lawsuit threatens to gut the Clean Water Act (CWA) if it comes before the far right US Supreme Court.

The US Supreme Court is now more than willing to use this lawsuit to gut the CWA.

Should this lawsuit come before the US Supreme Court it would do irreparable harm to San Francisco's brand and credibility as an environmental champion.

###

Sent from my Verizon, Samsung Galaxy smartphone

From: <u>Peter Drekmeier</u>

To:Board of Supervisors (BOS)Subject:San Francisco vs. EPA

Date:Tuesday, October 15, 2024 9:35:48 AMAttachments:TRT Letter Re SF vs EPA Lawsuit.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

Please see the attached letter regarding the SF vs. EPA lawsuit.

Thank you.

-Peter

Peter Drekmeier Policy Director Tuolumne River Trust peter@tuolumne.org



October 15, 2024

OFFICES San Francisco

Modesto

Sonora

Mailing Address P.O. Box 3727 Sonora, CA 95370

Phone (415) 882-7252

Website www.tuolumne.org

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Brad Wurtz

President Aaron Peskin and Supervisors San Francisco Board of Supervisors Board.of.Supervisors@sfgov.org Sent via email

Dear President Peskin and Supervisors:

On October 4, 2024, San Francisco City Attorney David Chiu provided a memorandum to Mayor London Breed and the Board of Supervisors regarding the Environmental Protection Agency's (EPA) water pollution order and the San Francisco vs. EPA lawsuit. The memo stated:

"To even attempt to meet this standard, the City would need to spend over \$10 billion more on the Bayside alone to modify its stormwater and sewage infrastructure—even though those modifications would have a negligible impact on improving Bay water quality and would result in San Francisco ratepayers paying nearly \$9,000 per household annually in wastewater utility rates over the next 15 years—an average 10-fold increase of current rates."

I strongly encourage you to direct the City Attorney and SFPUC to provide you with the data and calculations used to produce the figures cited by the City Attorney.

My suspicion is that the SFPUC provided the City Attorney with numbers that include wastewater expenditures that are already planned, or in some other way are inflated.

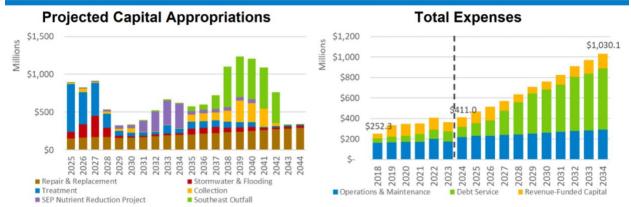
You'll see from the following slide from the January 22, 2024 SFPUC budget hearing² that the SFPUC was already expecting to issue \$13 billion in revenue bonds for the Wastewater Enterprise over the next 20 years. The City Attorney's memo suggests the EPA order would require an additional \$10 billion in spending.

¹ City Attorney memo, October 4, 2024 – https://www.sfcityattorney.org/wp-content/uploads/2024/10/2024.10.04-EPA-Public-memo_FINAL_2024.10.04.pdf

² SFPUC budget hearing, January 22, 2024, slide 44 – https://sfpuc.sharefile.com/share/view/s88ba5fa8c40842e0936b7158825f5b5e



Financial Plan – Wastewater Enterprise



- Massive capital investment, driven by replacement of aging infrastructure and regulatory requirements
 - 9.6% average annual growth in expenses over next 10 years
 - Debt service grows from 24.0% to 57.8% of total expenses in 10 years
 - Issuing \$13.0 billion in revenue bonds over next 20 years

While the SFPUC expects to issue \$13 billion in revenue bonds for wastewater over the next 20 years, the annual 2044 wastewater bill is projected to be \$3,993.³ How could an additional \$10 billion in expenditures (as cited by the City Attorney) result in \$9,000/year wastewater bills in 15 years (2039)? The math doesn't add up. Either the \$9,000 figure cited by the City Attorney is wrong or there's a major error in the SFPUC budget.

The SFPUC has a long history of inflating numbers to serve political purposes.

For example, on May 28, 2021, while still serving as City Attorney, Dennis Herrera had a guest editorial published in the San Francisco Chronicle. Referring to requirements the State Water Resources Control Board had proposed for inclusion in a new operating license for Don Pedro Dam on the Tuolumne River (owned and operated by the Modesto and Turlock Irrigation Districts), he stated:

"Under current customer demand levels, the SFPUC estimates its regional water system would experience shortages equivalent to approximately 75% rationing during a drought under these new state requirements."

³ See SFPUC FY25 Financial Models - Average Bill Calculations.

⁴ Opinion: *Dennis Herrera: Why I sued the California water board*, San Francisco Chronicle, May 28, 2021 – https://www.sfchronicle.com/opinion/openforum/article/Dennis-Herrera-Why-I-sued-the-California-water-16211334.php

The rationing figure cited by Mr. Herrera first appeared in a letter the SFPUC submitted to the State Water Board earlier in the year. It included the following table.

Table 1: Summary of SFPUC Water Supply Rationing⁷

Table 1: Summary of SFPUC water Supply Rationing							
SFPUC Service Area Demand (MGD)	Base Case	Voluntary Agreement for the Tuolumne River (T-VA)	401 Water Quality Certification				
Water Supply Rationing Required During Droughts Assuming Existing Side Agreement							
238	10%	10% to 20%	75% to 90%				
265	10% to 20%	10% to 25%	80% to 90%				
287	15% to 30%	20% to 35%	90%				
Water Supply Rationing Required During Droughts Assuming No Side Agreement							
238	10% to 20%	20% to 30%	greater than 95%				
265	10% to 25%	20% to 35%	greater than 95%				
287	20% to 35%	30% to 45%	greater than 95%				

(Red highlight box added.)

First of all, water demand in the SFPUC service area in 2021 was 194 million gallons per day (MGD), not 238 MGD as listed. (Water demand has been under 200 MGD for the past 10 years.)

Second, SFPUC staff refused to reveal how they came up with the rationing figure of 75% to 90%. I filed a Sunshine Ordinance request asking for the data and calculations used to produce the numbers, and was denied based on "attorney-client communications" (Dennis Herrera had become the General Manager of the SFPUC by that time). I then filed a complaint with the Sunshine Ordinance Task Force. By a unanimous vote, they issued the following decision:

Action: Moved by Member Stein seconded by Member Padmanabhan, to find that the San Francisco Public Utilities Commission, violated Administrative Code, (Sunshine Ordinance), Section 67.21(b), by failing to provide records in a timely manner. The SOTF orders the release of any public records or public information that would help explain the water rationing calculation numbers as requested by the Complainant. The SOTF refers the matter to the Compliance and Amendments Committee to monitor compliances with the SOTF Order.⁵

The SFPUC never provided me with the information, and suffered no consequences.

Following is another example of the SFPUC intentionally disseminating disinformation.

⁵ Minutes of the February 1, 2023 Sunshine Ordinance Task Force meeting – https://www.sfgov.org/sunshine/sites/default/files/sotf 020123 minutes.pdf

On October 9, 2016, then SFPUC General Manager Harlan Kelly and Bay Area Water Supply and Conservation Agency (BAWSCA) CEO Nicole Sandkulla had a guest editorial published in the San Francisco Chronicle.⁶ It stated:

"Our initial economic analysis of the first iteration of this plan forecast up to 51 percent rationing, resulting in 140,000 to 188,000 jobs lost in the Bay Area. These same forecasts also show between \$37 billion and \$49 billion in decreased sales transactions."

Two years prior to this editorial, the SFPUC's socioeconomics consultant, David Sunding of the Brattle Group, had produced a draft report with much lower projections. When I asked SFPUC staff where they got the numbers cited in the editorial, they said they were from a 2009 report produced by the same author. When I asked why they hadn't used his updated figures, they said it was because the 2009 report was final and the 2014 report was just a draft.

The same author took an additional five years to flesh out his study (which had been rushed in 2009), yet the SFPUC chose to cite the most alarming numbers they could. Sound familiar?

Following is a table that includes the various projections. The cells highlighted in red show that the figures cited in the 2016 editorial basically matched those from the 2009 report. You'll see that when the 2014 report was finalized in 2018, the 2014 numbers had changed very little.

Water Supply Reduction	2009 Report		2014 Report		2016 OpEd		2018 Report	
	Jobs	\$	Jobs	\$	Jobs	\$	Jobs	\$
10%	4	2	3	>1	x	х	3	>1
20%	7	3	8	2	x	x	7	2
30%	х	x	25	7	x	X	22	6
40/41%	139	37	54	15	140	37	56	15
50/51%	188	49	71	21	188	49	72	21

Jobs = Projected job losses in thousands.

\$ = Projected financial losses in billions of dollars.

Source: Data from SFPUC, table by TRT

⁶ Opinion: *San Francisco to state on water-use cutbacks: How low can we go?*, by Harlan L. Kelly Jr. and Nicole Sandkulla, San Francisco Chronicle, October 9, 2016 – https://www.sfchronicle.com/opinion/article/San-Francisco-to-state-on-water-use-cutbacks-How-9940351.php

The SFPUC and BAWSCA had cited figures that were 2.5 times greater than what had been projected in the most recent socioeconomics study and report.

Real world experience proved that both report projections were highly-inflated. Between 2010 and 2016, San Francisco and San Mateo Counties combined saw a 27% increase in jobs, while at the same time water demand declined by 23%.

The SFPUC never corrected the record.

Conclusion

It is imperative that the Board of Supervisors direct the City Attorney and SFPUC to provide the data and calculations used to determine that the EPA order would cost San Francisco an additional \$10 billion. Please don't allow them to deny you the information based on attorney-client communications.

Sincerely,

Peter Drekmeier Policy Director

peter@tuolumne.org

Peter Dulimeier

From: Molly McGettigan (molly6@pacbell.net) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Thursday, October 3, 2024 6:42:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

The EPA has tried to prevent San Francisco from dumping raw sewage into the ocean. But instead of working to find a solution to control its pollution of our home, the City is asking the Supreme Court to take away the EPA?s power to require the City to keep our coastline safe and clean. The Supreme Court?whose recent decisions have consistently and dramatically undermined the nation?s bedrock environmental laws?will hear the case in October, threatening the Clean Water Act and the EPA?s ability to regulate water pollution. Pursuing this case will likely produce a dangerous precedent that will weaken the country?s ability to protect the public from further water pollution?and the pollution of our air and lands?in San Francisco, the Bay Area, and the entire nation.

I thought San Francisco was supposed to be a progressive leader. But with this suit, San Francisco is representing the interests of polluters who value profit over people. By continuing to pursue the case the City is hurting residents, the Bay Area, and the country. There are more responsible pathways forward that would cost-effectively keep San Francisco?s shores clean without jeopardizing one of the country?s most important environmental laws. This disastrous case must be stopped.

As the City?s elected leaders, you must stand up to your colleagues to stop this dangerous lawsuit and direct City labor and resources towards cleaning up its messes, instead of wasting our taxpayer money on expensive litigation. It is your duty to use your power as the elected leaders of San Francisco to protect people's right to clean water and a healthy and safe place to live. We only have a short time before the Supreme Court hears this case. Stop this lawsuit now!

Sincerely,

Molly McGettigan 536 Virginia Drive BEL TIBURON, CA 94920 molly6@pacbell.net (415) 699-8031

From: John Hagopian (tortoise48@netscape.net) Sent You a Personal Message

To: <u>Board of Supervisors (BOS)</u>

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Friday, October 4, 2024 2:31:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

John Hagopian 1405 Blake St Berkeley, CA 94702 tortoise48@netscape.net (510) 644-2415

From: KMG 365

To: Board of Supervisors (BOS)

Subject: re: SF Board of Supervisers vote

Date: Friday, October 4, 2024 5:07:12 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources

Dear Supervisors,

Has our Cityb een taken over by Trumpanzees? I can not comprehend how this rejection of the Clean Water Act even got to a

stage where you are voting on keeping it intact vs. corporate gains! Our City has always prided itself on environmental issues

while doing what is best for our citizens and people that visit from all over the world. Who among you sincerely believes that

allowing the water we need to survive to become tainted is a good thing? If this is what you are going to allow I personally, as well

as tens of thousands of San Franciscans, will do our very best to unseat each and evetry one of you. I am a proud $5^{\rm th}$ generation

San Franciscan. Please don't tarnish that for corporate greed. WE, you and I are so much better than that!

Sincerely, Kevin M. Granfield 415-336-9033

From: Kathryn Hyde (rekathryn@gmail.com) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 7:38:25 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

SF must support the EPA requirements and enhance a healthy system to treat our water and any leaks.

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

The EPA has tried to prevent San Francisco from dumping raw sewage into the ocean. But instead of working to find a solution to control its pollution of our home, the City is asking the Supreme Court to take away the EPA?s power to require the City to keep our coastline safe and clean. The Supreme Court?whose recent decisions have consistently and dramatically undermined the nation?s bedrock environmental laws?will hear the case in October, threatening the Clean Water Act and the EPA?s ability to regulate water pollution. Pursuing this case will likely produce a dangerous precedent that will weaken the country?s ability to protect the public from further water pollution?and the pollution of our air and lands?in San Francisco, the Bay Area, and the entire nation.

I thought San Francisco was supposed to be a progressive leader. But with this suit, San Francisco is representing the interests of polluters who value profit over people. By continuing to pursue the case the City is hurting residents, the Bay Area, and the country. There are more responsible pathways forward that would cost-effectively keep San Francisco?s shores clean without jeopardizing one of the country?s most important environmental laws. This disastrous case must be stopped.

As the City?s elected leaders, you must stand up to your colleagues to stop this dangerous lawsuit and direct City labor and resources towards cleaning up its messes, instead of wasting our taxpayer money on expensive litigation. It is your duty to use your power as the elected leaders of San Francisco to protect people's right to clean water and a healthy and safe place to live. We only have a short time before the Supreme Court hears this case. Stop this lawsuit now!

Sincerely,

Kathryn Hyde 130 Frederick Street #305 San Francisco, CA 94117 rekathryn@gmail.com (415) 359-7971

From: Ogie Strogatz (ogstrogatz@gmail.com) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 8:10:23 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Ogie Strogatz 189 Miramonte Road Walnut Creek, CA 94597 ogstrogatz@gmail.com (925) 451-9359

From: Elinor Mattern (emattern@baaqmd.gov) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 9:07:53 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

As a San Francisco public health practitioner, parent, and homeowner, I urge you to stop the lawsuit to avoid cleaning up the pollution of our water.

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Elinor Mattern 375 Beale Street San Francisco, CA 94105 emattern@baaqmd.gov (415) 238-3696

From: Nora Privitera (noraprivitera@comcast.net) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 11:21:42 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

San Francisco was my home for 18 years. I moved there because I thought it was a progressive, forward thinking city. This lawsuit is an abomination. San Francisco should be ashamed, and should withdraw it immediately. Pumping raw sewage into our precious bay is disgusting and dangerous, both to people and wildlife. San Francisco used to be an environmental champion. How can it support such an environmental disaster?

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Nora Privitera 3242 Kansas Street Oakland, CA 94602 noraprivitera@comcast.net (510) 484-5992

From: Nancy Hollander (nancychollander@gmail.com) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 12:21:29 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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I thought San Francisco was supposed to be a progressive leader. But with this suit, San Francisco is representing the interests of polluters who value profit over people. By continuing to pursue the case the City is hurting residents, the Bay Area, and the country. There are more responsible pathways forward that would cost-effectively keep San Francisco?s shores clean without jeopardizing one of the country?s most important environmental laws. This disastrous case must be stopped.

As the City?s elected leaders, you must stand up to your colleagues to stop this dangerous lawsuit and direct City labor and resources towards cleaning up its messes, instead of wasting our taxpayer money on expensive litigation. It is your duty to use your power as the elected leaders of San Francisco to protect people's right to clean water and a healthy and safe place to live. We only have a short time before the Supreme Court hears this case. Stop this lawsuit now!

Sincerely,

Nancy Hollander 5748 Ivanhoe Rd Oakland, CA 94618 nancychollander@gmail.com (510) 808-5028

From: Ellen Leng (lengedmd@gmail.com) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 12:53:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

Really, we in the Bay Area are asking the Supreme Court to weaken the water standards!! PLEASE STOP THE LAWSUIT!!

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Ellen Leng 71 Picardy Ct., Walnut Creek, CA 94597 lengedmd@gmail.com (925) 817-8148

From: Marilyn Price (mprice@the-acorn.com) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 1:20:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Marilyn Price 138 Sunnyside Ave. Mill Valley, CA 94941 mprice@the-acorn.com (415) 381-2941

From: Karen Kirschling (kumasong@icloud.com) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 1:55:16 PM

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Dear San Francisco Board of Supervisors,

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Karen Kirschling 633 Oak SF, CA 94117 kumasong@icloud.com (555) 555-5555

From: <u>Janice Cecil (jancecil8@gmail.com) Sent You a Personal Message</u>

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 2:41:31 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Janice Cecil 2923, Ashby Avenue Berkeley, CA 94705 jancecil8@gmail.com (510) 549-3509

From: <u>Janet Parks (janet@janetparks.com) Sent You a Personal Message</u>

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 2:46:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

We need to do right by our water.

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Janet Parks 204 Arlington Avenue Kensington, CA 94707 janet@janetparks.com (510) 684-0464

From: Sabine Kroeber (skroeber@astound.net) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 4:39:54 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

I am absolutely shocked by San Francisco's lawsuit against the Clean Water Act. This is not what San Francisco, the Bay Area or California stands for.

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Sabine Kroeber 3443 Tupelo Drive Walnut Creek, CA 94598 skroeber@astound.net (925) 407-6263

From: ray cooper (raycooper120@gmail.com) Sent You a Personal Message

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 5:31:01 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

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Sincerely,

ray cooper 3745 N. fremont ave springfield, MO 65803 raycooper120@gmail.com (417) 370-1399

From: <u>Julia Dashe (jdashe@mac.com) Sent You a Personal Message</u>

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 7:08:31 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

As an educator whose students care about a healthy ecosystem for their future families and other species, we demand San Francisco care about the cleanliness of the water system for healthy people and all living things.

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Julia Dashe 439 49th street Apt. 26 oakland, CA 94609 jdashe@mac.com (510) 420-1355

From: <u>Lin Griffith (oak2acorns@yahoo.com) Sent You a Personal Message</u>

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 9:03:39 PM

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Dear San Francisco Board of Supervisors,

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Sincerely,

Lin Griffith 3937 High St Oakland, CA 94619 oak2acorns@yahoo.com (510) 765-4321

From: Elias Welsh (eliaswelsh@yahoo.com) Sent You a Personal Message

To: <u>Board of Supervisors (BOS)</u>

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 9:32:37 PM

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Dear San Francisco Board of Supervisors,

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Sincerely,

Elias Welsh 1940 Hearst Ave Berkeley, CA 94709 eliaswelsh@yahoo.com (510) 847-7453

From: <u>Elias Welsh (eliaswelsh@yahoo.com) Sent You a Personal Message</u>

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Monday, October 7, 2024 9:36:53 PM

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Dear San Francisco Board of Supervisors,

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Elias Welsh 1940 Hearst Ave Berkeley, CA 94709 eliaswelsh@yahoo.com (510) 847-7453

From: <u>Laura Chantri (laura.chantri@gmail.com) Sent You a Personal Message</u>

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Tuesday, October 8, 2024 2:19:34 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

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Sincerely,

Laura Chantri 2090 Esperanza Dr Concord, CA 94519 laura.chantri@gmail.com (925) 228-9769

From: <u>Jonathan Weisman</u>

To: Breed, Mayor London (MYR); Environment, ENV (ENV); David.Chiu@sfgov.org; Board of Supervisors (BOS)

Cc: Krista.Pfefferkorn@sen.ca.gov

Subject: Please stop pursing SF vs. EPA

Date: Tuesday, October 8, 2024 2:26:51 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To our city leadership:

Please stop the madness of litigating against the EPA about the city's responsibility for clean water. San Francisco is better than this and I will say absolutely this lawsuit does not represent the wishes or will of the residents of the city.

By its actions here, San Francisco will sharply expand polluters' power to destroy public trust and harm vulnerable communities nationwide. As climate change and the biodiversity crisis wreak havoc on the country, we should look to San Francisco for leadership. We urge you to uphold this responsibility and not contribute to the problem, as the consequences for these communities could be dire.

I am disappointed that having voted for London Breed and David Chiu that you have betrayed our trust. You ran on platforms of integrity and progressive values. This lawsuit is the opposite of that. Stop it now.

Sincerely,

Jonathan Weisman and several residents of Bernal Heights

From: <u>Ellen Koivisto (offstage@earthlink.net) Sent You a Personal Message</u>

To: Board of Supervisors (BOS)

Subject: Stop the lawsuit to protect our local waters and the Clean Water Act

Date: Tuesday, October 8, 2024 8:46:19 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

Stop with the gaslighting, please. This is a short-sighted and frankly insane action for SF to be taking.

I?m writing to you today as a Bay Area resident grateful to live by the Bay and Pacific Ocean. I?m appalled that the City of San Francisco hasn?t put a stop to letting raw sewage be released into the ocean and Bay, alongside where we live, work, and recreate. Clean water is a basic right that everyone deserves. I and my neighbors shouldn?t have to worry about pollution disrupting our livelihood or getting sick from spending time in or by the water. This is unacceptable, and San Francisco needs to do better.

The EPA has tried to prevent San Francisco from dumping raw sewage into the ocean. But instead of working to find a solution to control its pollution of our home, the City is asking the Supreme Court to take away the EPA?s power to require the City to keep our coastline safe and clean. The Supreme Court?whose recent decisions have consistently and dramatically undermined the nation?s bedrock environmental laws?will hear the case in October, threatening the Clean Water Act and the EPA?s ability to regulate water pollution. Pursuing this case will likely produce a dangerous precedent that will weaken the country?s ability to protect the public from further water pollution?and the pollution of our air and lands?in San Francisco, the Bay Area, and the entire nation.

I thought San Francisco was supposed to be a progressive leader. But with this suit, San Francisco is representing the interests of polluters who value profit over people. By continuing to pursue the case the City is hurting residents, the Bay Area, and the country. There are more responsible pathways forward that would cost-effectively keep San Francisco?s shores clean without jeopardizing one of the country?s most important environmental laws. This disastrous case must be stopped.

As the City?s elected leaders, you must stand up to your colleagues to stop this dangerous lawsuit and direct City labor and resources towards cleaning up its messes, instead of wasting our taxpayer money on expensive litigation. It is your duty to use your power as the elected leaders of San Francisco to protect people's right to clean water and a healthy and safe place to live. We only have a short time before the Supreme Court hears this case. Stop this lawsuit now!

Sincerely,

Ellen Koivisto 1556 Great Hwy SF, CA 94122 offstage@earthlink.net (415) 555-1212

From: Board of Supervisors (BOS)

To: <u>BOS-Supervisors</u>; <u>BOS-Legislative Aides</u>

Cc: Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS); Entezari, Mehran (BOS);

Carroll, John (BOS)

Subject: FW: STRONGLY SUPPORTING Land Use and Transportation Committee Agenda Item #4 and BOS Agenda Item

#22 [Urging to Resolve a San Francisco Public Utilities Commission Lawsuit with the United States Environmental

Protection Agency] File #240940

Date: Monday, October 7, 2024 10:19:22 AM

Dear Supervisors,

Please see the below communication from Eileen Boken regarding File No. 240940.

File No. 240940 - Resolution urging the City Attorney and the San Francisco Public Utilities Commission to immediately resolve its lawsuit regarding the Clean Water Act with the United States Environmental Protection Agency.

Thank you,

Eileen McHugh
Executive Assistant
Office of the Clerk of the Board
Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102-4689

Phone: (415) 554-7703 | Fax: (415) 554-5163 eileen.e.mchugh@sfgov.org| www.sfbos.org

From: aeboken <aeboken@gmail.com> Sent: Sunday, October 6, 2024 8:55 PM

To: BOS-Supervisors

bos-supervisors@sfgov.org>; BOS-Legislative Aides

bos-

legislative_aides@sfgov.org>

Subject: STRONGLY SUPPORTING Land Use and Transportation Committee Agenda Item #4 and BOS Agenda Item #22 [Urging to Resolve a San Francisco Public Utilities Commission Lawsuit with the United States Environmental Protection Agency] File #240940

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

TO: Board of Supervisors members

FROM: Eileen Boken, President

Sunset-Parkside Education and Action Committee (SPEAK)

RE: Urging to Resolve a San Francisco Public Utilities Commission Lawsuit with the United States Environmental Protection Agency File #240940

Position: Strongly supporting

This lawsuit threatens to gut the Clean Water Act (CWA) if it comes before the far right US Supreme Court.

The US Supreme Court is now more than willing to use this lawsuit to gut the CWA.

Should this lawsuit come before the US Supreme Court it would do irreparable harm to San Francisco's brand and credibility as an environmental champion.

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Sent from my Verizon, Samsung Galaxy smartphone

From: TJ Brown

To: <u>Carroll, John (BOS)</u>
Subject: SF EPA Lawsuit

Date: Monday, October 7, 2024 1:50:37 PM

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Hi John,

I unfortunately was not able to make it down to City Hall today, but I wanted to reach out to reiterate and echo the sentiment of my fellow SF residents who protested the EPA lawsuit today.

SF is supposed to be an environmental leader in this country, but if Mayor Breed and David Chiu hand the Clean Water Act to the far right Supreme Court on a silver platter, that reputation will be completely compromised -- there's not a single person in the local environmental community who's on board with this lawsuit. The fact that Mayor Breed would even think about aligning herself with the National Mining Association, American Petroleum Institute, and American Chemistry Council, among other groups with such horrific records in terms of pollution and greenhouse gas emissions demonstrates to me that she has zero regard for the sentiment of her local environmental groups.

I urge you and everyone else in the city government to pressure Mayor Breed and David Chiu to drop this lawsuit immediately.

Take care, TJ From: regina sneed

To: Carroll, John (BOS)

 Cc:
 Peskin, Aaron (BOS); Preston, Dean (BOS); MelgarStaff (BOS); StefaniStaff (BOS)

 Subject:
 BOS file number 240940: Resolution concerning SFPUC Vs, EPA lawsuit: support passage.

Date: Friday, October 4, 2024 7:44:04 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

I am unable to attend the Land Use Committee to testify in person due to health reasons. I support the resolution to resolve this lawsuit without an appeal to the U.S. Supreme Court for the many reasons offered by the coalition of environmental and community organizations.

Does San Francisco want to risk the strong possibility that an appeal could weaken water quality standards for the nation. Our State Attorney General has filed an amicus brief in support of preserving the clean water laws. This is what our city should be doing in alignment with our values.

I have lived in San Francisco since 1971. This issue is not new. I served on the Board of San Francisco Tomorrow. We urged the city to address this problem for years.

I worked to establish the San Francisco Commission on the Environment and served on the Commission after it was formed. We adopted a set of precautionary principles that say we should do no harm. This appeal to the Supreme Court will do harm.

I urge the Board to adopt this resolution at its October 8, 2024 meeting.

Thank you.

Regina Sneed District Two resident Sent from my iPad From: Carroll, John (BOS)
To: anna.riek22@gmail.com

Cc: Crayton, Monique (BOS); Melgar, Myrna (BOS); Low, Jen (BOS); Preston, Dean (BOS); Kilgore, Preston (BOS);

Peskin, Aaron (BOS); Horrell, Nate (BOS)

Subject: RE: REPEAL Breed and Chiu"s Lawsuit against the EPA - BOS File No. 240940

Date: Wednesday, October 2, 2024 10:30:00 AM

Attachments: <u>image001.png</u>

Thank you for your comment letter.

I am forwarding your comments to the members of the LUT committee, and I will include your comments in the file for this resolution matter.

I invite you to review the entire matter on our <u>Legislative Research Center</u> by following the link below:

Board of Supervisors File No. 240940

John Carroll Assistant Clerk

Board of Supervisors San Francisco City Hall, Room 244 San Francisco, CA 94102 (415)554-4445



Click <u>here</u> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

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From: Crayton, Monique (BOS) <monique.crayton@sfgov.org>

Sent: Wednesday, October 2, 2024 9:37 AM **To:** Carroll, John (BOS) <john.carroll@sfgov.org>

Subject: FW: REPEAL Breed and Chiu's Lawsuit against the EPA

Monique C. Crayton (she/her)

Assistant Clerk

Board of Supervisors - Clerk's Office 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102 (415) 554-7750 | Fax: (415) 554-5163 monique.crayton@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

From: Anna Riek < anna.riek22@gmail.com > Sent: Friday, September 27, 2024 11:31 AM

To: Crayton, Monique (BOS) < monique.crayton@sfgov.org > **Subject:** REPEAL Breed and Chiu's Lawsuit against the EPA

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Monique,

My name is Anna Riek, and I am a resident of San Francisco Supervisorial District 1. I am writing to you to express my discontent with the lawsuit against the EPA over sewage and stormwater treatment. This lawsuit undermines our fundamental rights under the Clean Water Act.

Please pass on to the Board of Supervisors that I strongly condemn releasing sewage into the ocean and siding with polluters to sue the EPA to continue polluting our waters. I don't support this lawsuit and our city shouldn't either.

The Board of Supervisors is supposed to represent us and should be protecting our families from pollution on our beaches and in our water. Please stop the lawsuit and clean up its mess.

Thank you.

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Anna Riek

(she/her)

(406) 599-6822 | Seattle, WA | <u>LinkedIn</u>

Washington University in St. Louis | Olin Business School B.S.B.A. in Org. and Strat. Mgmt., German | Class of 2023