



Clean Water Action

sustainer news

VOL. 17, NO. 1 CALIFORNIA, SUMMER 2007

CWA Members Help Win Big Victory

by Andria Ventura

Clean Water Action and its allies marked a big victory on July 17th when the State Water Resources Control Board adopted a plan to address mercury contamination in San Francisco Bay that included almost all of the features for which we have been advocating. Readers of this newsletter will recall our struggle over the last 4 years to stop the adoption of an initially inadequate plan passed by the Regional Water Board, and to develop a comprehensive plan that would hold polluters accountable, reduce the bleeding of new mercury into the watershed, and protect subsistence fishing communities that face particular health risks. Our goals were to ensure the eventual clean up of the Bay, and to set a high standard through this campaign for future clean up plans in other parts of the state or that address other water contaminants.



San Francisco Bay

A key turning point in this long struggle came in September 2005 when we presented a letter to the State Board, **signed by 2,500 of our Bay Area members**, demanding that a stringent clean up plan be adopted, including such measures as enforceable limits for each facility discharging mercury into the Bay, the

development of programs to address impacts on low income communities and communities of color with high levels of subsistence fishing, actions to identify and prioritize impacts from mines leaching mercury into water, and the requirement that the region's refineries account for all of the mercury leaving their facilities and impacting the local environment. All of these strategies have been included in the plan itself, or are being acted on by the Regional Board through other policy mechanisms.

While it will take many decades to reduce the high levels of mercury in the Bay, the adopted plan will be a major step forward in making the water once again safe for wildlife, fishing, and other beneficial uses. In order to ensure similar successes in other parts of the state, we are connecting with local advocacy groups dealing with mercury contamination in their regions, we are advocating for stronger actions in a mercury plan for the Delta, and we will be involved as plans are proposed to clean up the Bay's other toxic contaminants.

Thank you to all our members for the support you've given us so that we could win this groundbreaking victory.

The Opposition Is Not Going Away Quietly

Though the revised mercury clean up plan for San Francisco Bay is a major victory, we are working hard to ensure it is implemented properly. CWA and its allies are fighting a petition from the region's refineries to the State Board that seeks to reverse a Regional Board requirement that they monitor the mercury content of their crude oil in order to determine what happens to an estimated **1,700 kilograms per year of mercury that is unaccounted for**. While the State Board will not make its final decision until 2008, they did, at our urging, deny a stay for the refineries. This means that the oil companies must move forward in fulfilling the Regional Board's directive in the interim. Be assured that we will continue to push the water boards to stand firm against these well funded companies.

IN THIS ISSUE:

2

CALIFORNIA
LEGISLATIVE UPDATES

3

NATIONAL
LEGISLATIVE UPDATES

4

GREEN CHEMISTRY
INITIATIVE

BOTTLED AND VENDED WATER:
WE HAVE A RIGHT TO KNOW!

5

NOTES FROM THE FIELD

STAFF SPOTLIGHT

6

PUC WATER SYSTEM
IMPROVEMENT PROGRAM

7

SPECIAL
ACKNOWLEDGEMENTS

NOW HIRING!

8

CAMPAIGN LETTER

CALIFORNIA LEGISLATIVE UPDATES

Bill Information

Clean Water Action's Legislative Program works in two major policy arenas;

- **Our Water Program** supports bills that improve water quality and promote smart water management in California.

- **Our Environmental Health Program** supports bills that reduce the use of toxic chemicals in products, ensure workers are protected from chemical exposures, and expand our knowledge of chemicals that are being used in our state.

For both programs, a major priority is ensuring public access to the information needed to make healthy and sustainable decisions for themselves and their families.

Among our priorities, Clean Water Action is actively working to pass the following bills in the California State Legislature:

SB 220 (Corbett) — Bottled/vended water accountability. Seventy percent of Californians rely on bottled water or water vending machines for all or part of their drinking water supply. Studies have shown that Latino and immigrant communities are even more likely to rely on these alternatives. Yet, despite the high cost of bottled and vended water, regulatory oversight of these product lags far behind that of tap water. SB 220 addresses this issue and seeks to ensure that consumers have the ability to make informed choices about their drinking water.

Clean Water Action is sponsoring this bill in partnership with Latino Issues Forum, the Environmental Justice Coalition for Water, the East Bay Municipal Utility District and the Consumer Federation. Please see the article on this bill later in the newsletter, and consider sending a letter of support to Governor Schwarzenegger.

SB 966 (Simitian) — Pharmaceutical Take-Back Programs. Pharmaceutical products such as prescription drugs and over the counter medications are being increasingly detected in California's waterways, as wastewater treatment plants find themselves ill-equipped to remove them from the waste

stream. While the quantities detected currently are very small, and the impact on human health is thought to be minimal at this time, there is evidence of impacts on aquatic life. An obvious step to reduce the amount of pharmaceuticals in our waterways is to prevent them entering in the first place, by supporting the proper disposal of unused medications. Senator Joe Simitian (D-Palo Alto) has introduced SB 966, a constituent bill resulting from his annual "There Ought To Be a Law" contest. CWA has been working to garner support for SB 966, which creates a voluntary pilot project, developed through the California Integrated Waste Management Board, to test and evaluate model programs for the collection and proper disposal of drug waste. This pilot project will be the first important step toward developing and implementing a statewide program for residents to conveniently and safely dispose of out of date or unwanted pharmaceutical products at no cost to the consumer." The bill passed the Senate with the minimum 21 votes, and is now working its way through the Assembly. **CWA members are urged to call their Assembly members and tell them to support SB 966.**

Note: Unwanted medications should never be disposed down household drains or toilets. Until drop off programs are established, they should be disposed of as hazardous waste.

AB 558 (Feuer) — Toxic Use Reduction. AB 558 is modeled on a 1998 Massachusetts law, supported by Clean Water Action's New England office, that requires manufacturing companies using some 900 toxics above a threshold amount to file a report describing their use of the toxic, and to develop plans to reduce their use. In Massachusetts, the law has resulted in a reduction of toxic chemical use by some 40%, chemical waste by 60% and chemical emissions by 80%, while saving industry \$14 million (excluding health benefits). In California, advocates are working to update and tailor this law to fit California's

continued on next page

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Clean Water Action (CWA), founded in 1972, is a national citizens' organization working for clean, safe and affordable water, prevention of health-threatening pollution, creation of environmentally-safe jobs and businesses, and empowerment of people to make democracy work. CWA organizes strong grassroots groups, coalitions and campaigns to elect environmental candidates, and to protect our environment, health, economic well-being and community quality of life.

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CA Legislative Updates, *cont. from page 2*

existing reporting and monitoring requirements.

AB 558 takes an important step in closing the data gap about chemical use in the state, and begins the process of reforming our industries and economy. The bill has passed the Assembly and is currently under consideration by the Senate Appropriations Committee.

The State Legislature finishes its session on September 14th. All bills that have passed both houses will be sent to Governor Schwarzenegger for his signature. The Governor has 30 days to decide whether to sign or veto each bill.

NATIONAL LEGISLATIVE UPDATES

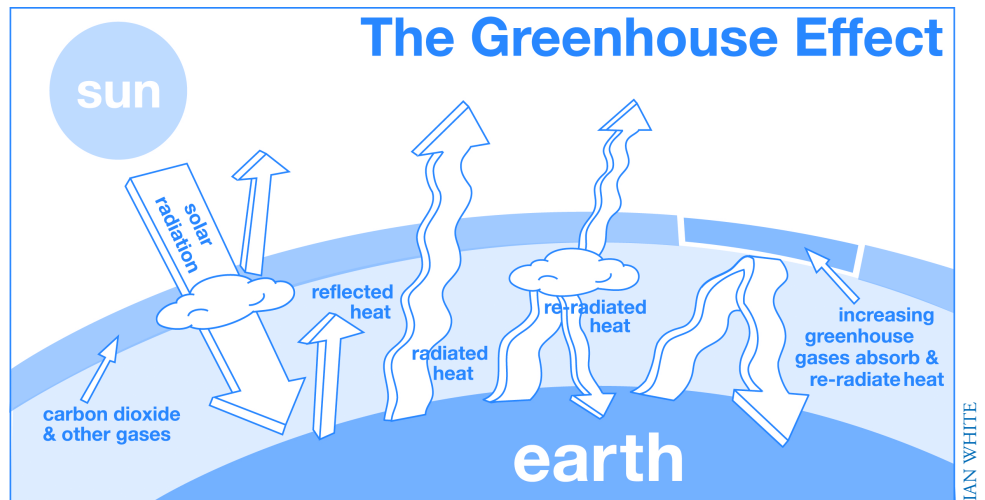
Act Now on Climate Change!

By Bethani Cameron

Scientists, politicians, and everyday people know that global warming impacts are real. Our use of fossil fuels (coal, natural gas, and petroleum) is the primary source of the greenhouse gas emissions that causes global warming. Fossil fuel emissions also pollute the air and water, exposing our children to mercury and other toxins. The good news is that if we act now, we can turn this terrible problem around and protect our future generations. A new study by the Environmental Law and Policy Center found that cutting greenhouse gas emissions can reduce the pollutants that cause acid rain and smog by 71 percent!

Clean Water Action is organizing our membership to lobby Congress in support of two bills that will take the important first steps to combat global warming and other pollutants: Senate Bill 309 (Sanders, I-VT), and House Resolution 1590 (Waxman, D-CA). Senate Bill 309, also known as the 'Global Warming Pollution Reduction Act', will scale greenhouse gas emissions back to 1990 levels-similar to the Kyoto Protocol. It will also encourage energy efficiency and the use of renewable energy by establishing a renewable and energy efficiency portfolio standards.

House Resolution 1590, the 'Safe Climate Act of 2007,' will also slash greenhouse gas production and raise the CAFÉ standards



Cutting greenhouse gas emissions can reduce the pollutants that cause acid rain and smog by 71 percent!

that regulate car emissions. This bill creates a national renewable energy quota, which can be an economic windfall to states that are able to generate and sell renewable energy.

We encourage all of our members to tell their legislators to support both Senate Bill 309 and House Resolution 1590. By acting

now, we can prevent the catastrophic events forecasted to begin mid-century, while at the same time creating sustainable jobs and stimulating an industry of clean, renewable energy.

continued on page 7

Green Chemistry Initiative

By Andria Ventura

Have you noticed that the words “natural,” “organic,” and “non-toxic” are becoming key marketing messages for products? This is in response to a growing awareness that we are constantly being exposed to a complex cocktail of chemicals that may not be good for us. While everything, including natural products, is made of chemicals, the 20th Century explosion of chemical development has resulted in approximately 80,000 chemicals in commercial use, 3,000 of which are used in high volumes in many products and processes.

Many Americans assume that our laws protect us from serious risks; that chemicals can't be very dangerous if they are on the market or in the workplace. In reality, the U.S. lags behind many parts of the world. Little health information is required to bring a chemical or product containing chemicals to market, and even less is understood about how they are used. Consequently, the cleaners you use, the paint on your walls, the pesticides you spray, the cosmetics you wear, your computer, your clothes,



even your bed may contain chemicals about which we have little information.

While not all chemicals are harmful and many provide important benefits, there is a growing body of evidence linking chemical exposures over time to health impacts such as cancer, reproductive problems, neurological disorders, and respiratory disease. Not surprisingly, children are the most vulnerable, even after short term exposures to some chemicals. Under current law, however, regulatory agencies such as the Environmental

Protection Agency are limited in their ability to take proactive action to protect the public and environment. Only when a health or severe environmental problem manifests itself can they act to ban or limit a chemical's use, and problem chemicals are often replaced by equally toxic alternatives.

Clean Water Action (CWA) believes that we need a fundamental shift in how we regulate chemicals by:

- Shifting the burden of proof so that instead of agencies or the public having to prove that a chemical caused harm by being on the market, producers or users of chemicals must demonstrate that their chemicals and products are safe before they can be put into commerce.
- Creating policies to promote the development of green chemistry as a means of preventing harm and growing our economy.

In simple terms, green chemistry is the

continued on next page

Bottled and Vended Water: We Have A Right To Know!

By Bethani Cameron & Nigel Dent

How many calories does that bottle of water have? How much fat? Check the nutrition label on the bottle — zero! So how much arsenic? Lead? What — nothing there?

Bottled water companies are required by law to test the quality of their product regularly, but are not required to tell us what they find. While consumers can find such useless information as the number of calories on the label of their bottled water, they cannot determine whether water from that company has been found to contain potentially harmful contaminants. Unlike the water agency that supplies your tap water, these companies are not required to make public information about their water quality

Vended water machines are a frequently overlooked drinking water source found outside every grocery store, dispensing filtered tap water by the gallon into containers provided by the customer. Though filtered tap water should be safe, filters are only effective if they are changed

We believe we have a right to know and a need to know what is in our water, for our health and the health of our families.



regularly and the machines are serviced — and there is currently no specific requirement that this be done in a timely fashion. In addition, the Department of Public Health, the agency responsible for monitoring these machines, lacks the resources to maintain even the most basic oversight.

In the case of both bottled and vended water, consumers purchase the product in the belief that it is as safe, if not safer, than tap water. In fact, there is no way to know the water's quality.

Senate Bill 220 (Corbett, San Leandro)

requires that bottled water providers disclose the results of their water quality tests, and that their labels identify the source of the water and provide specific information on how consumers can obtain water quality information. SB 220 also creates and funds (through license fees) a monitoring program for the more than 7500 vended water machines located in California, including bilingual labeling that provides a toll-free complaint number as well as the date on which the machine was last serviced.

This bill, currently in the Assembly, will reach the Governor's desk in mid-September. He then has 30 days to sign or veto it. Phone organizers are talking to California Clean Water Action members about this issue; if you haven't already written to the governor urging him to sign this bill, please take a moment now to review the sample letter at the back of the newsletter and drop him a line. We have a right and a need to know what is in our water, for our health and the health of our families.

Green Chemistry, *cont. from page 4*

design, manufacture, and use of non-hazardous chemical products. It also involves such principles as reducing waste, sustainability, and using less energy. Fortunately, there are those in the business sector who see this shift as an economic opportunity. Reduction of toxic materials has been demonstrated to significantly reduce costs and liability for companies. Furthermore, with major markets like the European Union, Canada, and Japan setting more stringent regulations on chemicals in products, California companies can gain a competitive advantage in the global marketplace by embracing sustainable production and implementing green chemistry practices.

Nationally, CWA is a leader in the State Alliance for Federal Reform of Chemicals Policy (SAFER), focusing on state level efforts to reduce

toxic chemical use. Our California staff is working on a number of state initiatives, including:

- A 2006 research project on the concerns of industry, government, public interest, investment, academic, and labor stakeholders in promoting green chemistry, in order to set the stage for open and effective communication on the issue.
- Active participation in Californians for a Healthy and Green Economy (CHANGE), a diverse coalition of environmental, social justice, labor, health, and community groups working to reform state chemical policy.
- Involvement in the California Department of Toxic Substance Control's (DTSC) public dialogue on how best to

structure a state Green Chemistry Initiative, the goal of which is "to fundamentally change the way [California] deals with its chemicals and waste" and "keeping California in the forefront of protecting health and the environment in a robust economy." Interested CWA members are encouraged to visit the DTSC website to read what CWA is saying and to participate in the public discussion online at www.dtsc.ca.gov/PollutionPrevention/GreenChemistryInitiative/index.cfm.

Want to learn how to reduce toxic chemicals at home and even save money?

Visit the Clean Water Fund website (www.cleanwaterfund.org) and click on the *Home Safe Home* link.

Clean Water Action Field Organizers Are On the Move!

Notes from the field:

Knock knock: Who's there? It's a Clean Water Action (CWA) field organizer stopping by for their annual visit!

The summertime is always a busy season for the CWA Field team. While some politicians and the polluters that support them are scheming up ways to cut environmental and health protections, our field staff is dedicated to spreading the word on important environmental issues.

"I love the fact that the campaigns I work on with Clean Water Action are all based on common sense," says Andrew Grinberg, Field Canvass manager. "Educating people and letting them come to the right decision themselves is a great tool to combat the idea that activism and protecting the environment are radical things."

Many news outlets seem to entirely overlook important environmental issues. Politicians are just beginning to realize that Americans really do care about the environment, public health, and our quality of life. CWA organizers know how relevant environmental issues have become to everyday people, and are excited about discussing these issues with them.

The strength in numbers strategy executed by our field outreach team is CWA's tactic and has enabled us to win campaigns for over 35 years. The more people that field organizers can educate and mobilize means more pressure on our elected officials to move on crucial environmental issues.

So answer that door (and let your neighbors know they should too!) when the organizer comes around: it's your democracy knocking!
— Scott Seeborg

STAFF SPOTLIGHT

Name: Lana Litvinchuk
With CWA Since: 2005
Position: Staff Director



Lana, the staff and outreach director for Clean Water Action San Francisco is happy to fight for environmental issues every day. In fact, besides international travel and dancing, there are few things she would rather be doing with her time.

Growing up in the 1980s U.S.S.R., Lana was witness to one of the most devastating environmental disasters in world history: Chernobyl. As a young child Lana and her family spent their summers camping along the banks of the Dnepr River. Once the Chernobyl disaster devastated her hometown and the environment around it, her family immigrated to the U.S. in search of a different life.

"The opportunity to hold representatives accountable and ensure a good quality of life is extremely important to me," says Lana, standing at the front of a room crowded with organizers, addressing her staff.

"By having what it takes to educate and mobilize people around environmental issues each of you are leaving behind a legacy of activism. Each person you organize will take that knowledge with them to the store, the coffee shop AND the voting booth where we really need it. So rock out tonight!" She says enthusiastically.

As the staff file out of the crew room wielding clipboards and iced coffees, Lana looks on proudly knowing her work that day is making a real difference in people's lives. Lana is planning a trip back to her childhood home within the next year. "It will be great to re-connect with the place that really got me into protecting the environment in the first place." We're glad she'll be enjoying some of that environment she so tirelessly protects.

— Scott Seeborg

PUC Water System Improvement Program

by Jennifer Clary

The San Francisco Public Utilities Commission (SFPUC) has produced a draft report that sets the stage for further diversions from the Tuolumne River watershed. Not only will this proposal further erode the health of the Tuolumne River ecosystem, but it also increases the SFPUC's vulnerability to drought.

Since 2002, Clean Water Action has tracked the progress of the SFPUC in renovating its aging water infrastructure, which provides drinking water to 2.4 million customers in the San Francisco Bay Area. Decades of deferred maintenance have left the 75-year old system at risk of failure in the event of earthquakes.

To address this, the SFPUC has developed a capital program called the Water System Improvement Program (WSIP). This program outlines specific goals and performance targets that the system must meet by the year 2030. In addition to important goals for ensuring seismic safety and drought reliability, the WSIP proposes to increase its diversions from the Tuolumne River by 25 million gallons per day by 2030. The river already provides 85 percent of the system's water, currently an average of about 225 million gallons per day.

Clean Water Action, in partnership with a number of community and environmental organizations that are collectively known as the Bay Area Water Stewards (BAWS), is working to defeat this proposal. BAWS instead promotes stewardship of the watersheds that provide the SFPUC's water supply and advocates meeting future water needs through sustainable practices such as water conservation, groundwater management, and recycling.



Tuolumne River

The proposal to increase diversions from the Tuolumne is shortsighted for several reasons:

- **More than half (61%) of the Tuolumne's flow is already diverted for urban and agricultural uses.** The SFPUC diverts water high in the watershed (at Hetch Hetchy Reservoir), so its actions impact almost the entire length of the river, which is home to native trout, bald eagles, and several endangered species. The Tuolumne is also the largest tributary of the San Joaquin River, providing much needed fresh water to the San Francisco Bay-Delta, where several fish species hover dangerously near extinction.
- **Climate Change** is expected to shrink the Sierra snowpack by 25% by the year 2050. Spring runoff will occur earlier and be of shorter duration, and extreme weather events, both droughts and floods, will occur more frequently. Increasing our reliance on a single water source makes our water supply more vulnerable to these effects.

- **Technological advances** in water conservation and recycling offer feasible, affordable and environmentally sustainable alternatives to new water supplies.

Clean Water Action, with its BAWS partners, is asking the SFPUC and the water agencies that it supplies (28 agencies in San Mateo, Santa Clara, and Alameda counties) to make a commitment to cap or reduce their water use. This is in line with achievements both in the Bay Area, and in other areas of the country. For example:

- The Bay Area uses about the same amount of water today as it did in 1976, despite a 30% increase in population.
- Seattle reduced per-capita demand by 30% between 1975 and 2005, and has committed to reducing water use by an additional 1% annually.
- Metropolitan Water District of Southern California decreased water use by 16 percent between 1990 to 2003, despite a 14 percent increase in population.

Next Steps

The WSIP is currently undergoing environmental review by the San Francisco Planning Department. This review must evaluate the overall impacts of the program on the environment, including the impact of increasing diversions from the Tuolumne River. A draft report has been published, and public comments are being accepted until October 1. Several public hearings will be held throughout the service area in the month of September. For more information, go to www.sfgov.org/site/uploadedfiles/planning/WSIP%20PEIR%20NOA.pdf, or contact the Planning Department at 1-866-231-1337. The environmental review, once approved, will form the basis for water management decisions through 2030, including the decision on whether or when to take more water from the river.

You can help save the Tuolumne River! Write to your local elected officials and ask them to make a pledge to not take additional water from the Tuolumne and instead to look at local sources and conservation to address additional need.

Time to Conserve!!!

2007 is an exceptionally dry year and residents around the state are being asked to reduce their water use. Significant amounts of conservation can be achieved with modest actions, like turning off the faucet while brushing your teeth, shaving, and washing dishes, by washing only full loads in the dishwasher or washing machine, and by limiting outdoor watering (landscape irrigation is the largest water use in most homes).

The drought also serves as a reminder to replace inefficient or outdated appliances. Water agencies offer generous rebates for high-efficiency toilets and washing machines, and some give away aerated faucets or showerheads. New advances in landscape controls can save large amounts of water while at the same time improving the health of your plants.

Contact your water agency today to find out how you can save water...and money!

National Legislative Updates, *cont. from p. 3*

Clean Water Restoration Act

By Jennifer Clary

Not since the Clean Water Act was passed in 1972 have the nation's waters been in greater jeopardy. Recent U.S. Supreme Court decisions and administration actions are jeopardizing federal water quality protections for many small streams and wetlands around the country by essentially repealing Clean Water Act protections for seasonal water bodies. Together, small streams and those that do not flow year-round make up the majority of the nation's river miles.

To address these threats, the Clean Water Restoration Act (HR 2421), a bipartisan bill has been introduced in Congress. It reaffirms and clarifies Congress' intent to protect all streams, wetlands, ponds, and rivers throughout the United States from unregulated pollution. The legislation is sponsored by Representative James Oberstar (D-MN), Chairman of the Transportation & Infrastructure Committee, Representative Vernon Ehlers (R-MI) and Representative John Dingell (D-MI) and currently has 165 cosponsors. (A companion bill, S.1870, been introduced in the Senate by Senator Russ Feingold (D-WI)). It is expected that the House Committee will take up the bill when Congress returns from its recess in September.

California members have shown strong support for this legislation. Thank you for your letters! As this bill moves forward, we will be contacting you for additional assistance to ensure passage of this important bill.

Perchlorate

Three bills have been introduced in Congress by California legislators to address the U.S. Environmental Protection Agency's refusal to set a drinking water standard for perchlorate, the primary ingredient in solid rocket fuel that contaminates the California drinking water sources serving up to 20 million people. Senate bill 150 (Senators Boxer, Feinstein, and Lautenberg) and House bill 1747 (Congresswoman Solis from Los Angeles County) would both require EPA to establish a health protective drinking water standard for perchlorate, while the Senator's other bill, S. 24 would reinstate perchlorate on the list of substances water providers must monitor in drinking water and ensure public notification if it is detected. EPA had previously removed the chemical from the monitoring list.

Perchlorate can impact the thyroid and impair brain development in fetuses, infants, and small children. With no federal standard, the California Office of Environmental Health Hazard Assessment (OEHHA) has set the public health goal, the first step in establishing a state drinking water standard, at 6 ppb. However, a recent study from the Centers of Disease Control (CDC) demonstrated that much lower levels of perchlorate could have severe impacts on a significant portion of the population. For this reason CWA supports a drinking water standard no higher than 1 ppb. Since OEHHA has refused to reconsider its public health goal, despite the CDC findings, we are looking to the federal process as a key means to advocate for a standard that will protect our most vulnerable populations, especially our children.

Special Acknowledgements

The Clean Water Action family would like to extend a big thank-you to all of the amazing local businesses who have made generous donations supporting our environmental and health programs. These include:

- Sports Basement
- The California Pizza Kitchen
- Sushi Bistro
- Live Nation
- Q-Quickie Café
- Art Bistro
- Yummie Ice Cream

We would like to extend a special thank-you to **Method Home** who donated a variety of household cleaning products which ensure we have a clean, non-toxic office environment for our staff.

Clean Water Action is a member supported organization — the money raised is vital to our work in securing a clean, safe environment for all Californians. We thank you for your continued support of our efforts.

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SCOTT SEEBORG

TAKE ACTION NOW!

Contact Governor Arnold Schwarzenegger!

- Consumers have a right to know and a need to know that the water they drink is safe.
- Governor Arnold Schwarzenegger has the opportunity to sign legislation that will grant this fundamental human right: clean and safe drinking water for all.

Dear Governor Schwarzenegger:

I urge you to sign Senate Bill 220 to provide oversight and accountability for bottled water and vended water. I am outraged by the lack of water quality information on bottled and vended water. Consumers have a right to know what is in their drinking water! Vended water machines also need regular maintenance and cleaning to ensure a reduction in water-related illness. Please sign Senate Bill 220 to make these changes and to protect Californians now and in the future.

I look forward to your reply.

Sincerely,

Your Name and Address

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