

120376 [Petitions and Communications]

Petitions and Communications received from April 10, 2012, through April 16, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 24, 2012.

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 will not be redacted.

From State Fish and Game Commission, regarding proposed regulatory action relating to Klamath-Trinity Rivers salmon sport fishing. (1)

From State Fish and Game Commission, regarding proposed regulatory action relating to ocean salmon sport fishing regulations for May to November 2012. (2)

From Abdalla Megahed, regarding his residence at 990 Polk Street. Copy: Each Supervisor (3)

From Abdalla Megahed, regarding a community meeting on April 25, 2012, at 990 Polk Street. Copy: Each Supervisor (4)

From Abdalla Megahed, regarding the owner of Jabena Coffee Shop at 990 Polk Street. Copy: Each Supervisor (5)

From concerned citizens, regarding the Mayor's appearance at the April 10, 2012, Board of Supervisors Meeting. Copy: Each Supervisor, 2 letters (6)

From State Fish and Game Commission, submitting notice of receipt of petition to list the Gray Wolf as endangered under the California Endangered Species Act. (7)

From James Chaffee, regarding members of the Library Commission. Copy: Each Supervisor (8)

From Law Office of Letty Litchfield, regarding community efforts to preserve the Gold Dust Lounge. Copy: Each Supervisor (9)

From Paul Nisbet, regarding pedestrian safety in San Francisco. Copy: Each Supervisor (10)

From concerned citizen, regarding California Pacific Medical Center. (11)

From Office of the City Attorney, regarding legal counsel for the Ethics Commission and the Board of Supervisors for official misconduct charges against Ross Mirkarimi. Copy: Each Supervisor (12)

From Office of the Mayor, submitting letter vetoing proposed legislation that establishes policy for participation in Federal counterterrorism activities. File No. 120046, Copy: Each Supervisor (13)

From SF Ocean Edge, regarding the proposed Beach Chalet project. Copy: Each Supervisor, 2 letters (14)

From Department of Children, Youth, and Their Families, submitting public notice of availability of funds. Copy: Each Supervisor (15)

From Office of the Mayor, submitting notice that Mayor Lee will be out of State from April 15-16, 2012. Supervisor Wiener will serve as Acting-Mayor. Copy: Each Supervisor (16)

From State Department of Toxic Substance Control, regarding the disaster victims hazardous waste fee exemption public hearing. (17)

From Francisco Da Costa, regarding the Redevelopment Agency. Copy: Each Supervisor (18)

From Susan Nutter, submitting support for State and Federal measures to protect homeowners and suspension of foreclosure activities in San Francisco. File No. 120286, Copy: Each Supervisor (19)

From Secretary of State's Election Division, submitting the California Voter Information Guide for the June 5, 2012, Presidential Primary Election. (20)

From Office of the Controller, submitting the February 2012 Government Barometer Report. (21)

*From Office of the Controller, submitting report regarding Municipal Transportation Agency's customer service center's cash-handling processes. (22)

From Molly Burke, regarding BART's Hayward Maintenance Yard. (23)

From Aaron Goodman, regarding sound planning principles. Copy: Each Supervisor, 2 letters (24)

From Bhanu Vikram, regarding the Beach Chalet Soccer Fields in Golden Gate Park. Copy: Each Supervisor (25)

From Victoria Tedder, regarding housing needs for tenants with disabilities. File No. 120158, Copy: Each Supervisor (26)

From concerned citizens, regarding the Clean Power SF Community Choice Program. Copy: Each Supervisor, 2 letters (27)

From Micki Jones, regarding proposed legislation concerning eating and drinking establishment definitions and controls. File No. 120084, Copy: Each Supervisor (28)

From Gina Shepard, addressing San Francisco General Hospital Medical Center's Budget. Copy: Each Supervisor (29)

From Stephanie Greenburg, regarding proposed legislation concerning eating and drinking establishment definitions and controls. File No. 120084, Copy: Each Supervisor (30)

From San Francisco Planning Department, submitting hearing notices for the following: (31)

- St. Luke's Medical Campus
- Davis Medical Campus
- California Pacific Medical Center Long Range Development Plan Project; Pacific Street Campus, California Street Campus, and Cathedral Hill Campus

From Office of the Clerk of the Board, the following individuals have submitted a Form 700 Statement: (32)

- Jackson West, SOTF - Annual
- Judy B., Legislative Aide - Assuming

From concerned citizen, regarding 8 Washington Street. File No. 120266, Copy: Each Supervisor (33)

From Office of the Mayor, submitting the following appointments: Copy: Rules Committee Clerk (34)
Health Commission
Cecilia Chung, term ending January 15, 2016
Commission on Aging
Michael DeNunzio, term ending January 15, 2016

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointments by the Mayor: (35)
Health Commission
Cecilia Chung, term ending January 15, 2016
Commission on Aging
Michael DeNunzio, term ending January 15, 2016

From Office of the Mayor, submitting the following appointments: Copy: Rules Committee Clerk (36)
Commission on Aging
Katie Loo, term ending January 15, 2016
Richard Ow, term ending January 15, 2016

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointments by the Mayor: (37)
Commission on Aging
Katie Loo, term ending January 15, 2016
Richard Ow, term ending January 15, 2016

*(An asterisked item represents the cover sheet to document that exceeds 25 pages. The complete document is available at the Clerk's Office Room 244, City Hall.)

ADJOURNMENT

C. Page

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RBR

Sonke Mastrup
EXECUTIVE DIRECTOR
1416 Ninth Street, Room 1320
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA

Fish and Game Commission

April 11, 2012

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of a continuation notice of proposed regulatory action relative to Section 7.50, Title 14, California Code of Regulations, relating to Klamath-Trinity Rivers salmon sport fishing.

Please note the date of the public hearing related to this matter and associated deadlines for receipt of written comments.

Mr. Curtis Milliron, Department of Fish and Game, Northern Region, phone (530) 225-2280, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena for

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment

①

TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations
(Continuation of California Notice Register 2012, No. 8-Z,
and Meetings of February 2, March 7 and April 11, 2012.)

NOTE: The Fish and Game Commission is exercising its powers under Section 202 of the Fish and Game Code as the following changes to the proposed regulations may not be available to the public for the full public comment period prior to adoption.

(**NOTE:** See Updated Informative Digest changes shown in **bold face type.**)

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 215, 220, 240, 315 and 316.5, of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 206, 215 and 316.5 of said Code, proposes to amend Section 7.50, Title 14, California Code of Regulations, relating to Klamath-Trinity Rivers salmon sport fishing.

Updated Informative Digest/Policy Statement Overview

The Klamath River System, which consists of the Klamath River and Trinity River basins, is managed through a cooperative system of State, Federal, and Tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean recreational, ocean commercial, river recreational and Tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon recreational (inside three miles) and the Klamath River System recreational fisheries which are consistent with federal fishery management goals.

Klamath River Fall-Run Chinook

Klamath River fall-run Chinook salmon (KRFC) harvest allocations and natural spawning escapement goals are established by the PFMC. The KRFC harvest allocation between Tribal and non-Tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

The 2012 KRFC in-river recreational fishery allocation recommended by the PFMC is currently unknown. All proposed closures for adult KRFC are designed to ensure sufficient spawning escapement in the Klamath basin and equitably distribute harvest while operating within annual allocations.

Klamath River Spring-Run Chinook

The Klamath River System also supports Klamath River spring-run Chinook salmon (KRSC). Naturally produced KRSC are both temporally and spatially separated from KRFC in most cases.

Presently, KRSC stocks are not managed or allocated by the PFMC. The in-river recreational fishery is managed by general basin seasons; daily bag limit and possession limit regulations.

KRFC Allocation Management

The 2011 allocation for the Klamath River System recreational harvest was 7,900 adult KRFC. Preseason stock projections of 2012 adult KRFC abundance will not be available from the PFMC until March 2012. The 2012 basin allocation will be recommended by the PFMC in April 2012 and presented to the Commission for adoption prior to its April 2012 meeting.

For public notice requirements, the Department recommends the Commission consider an allocation range of 0 – 40,000 adult KRFC in the Klamath River basin for the river recreational fishery.

Current Recreational Fishery Management

The KRFC in-river recreational harvest allocation is divided into geographic areas and harvest is monitored under real time sub-quota management. KRSC in-river recreational harvest is managed by general season, daily bag limit, and possession limit regulations.

The daily bag and possession limits apply to both stocks within the same sub-area and time period.

Proposed Changes

The Department is proposing the following changes to current regulations:

No changes are proposed for the general (KRSC) opening and closing season dates.

KRFC Season, Bag Limit, and Possession Limit

For public notice requirements, a range of KRFC bag and possession limits are proposed until the 2012 basin quota is adopted. As in previous years, no retention of adult KRFC salmon is proposed for the following areas, once the sub quota has been met.

The proposed open seasons and range of bag limits for KRFC salmon stocks are as follows:

1. Klamath River - August 15 to December 31
2. Trinity River - September 1 to December 31
3. Bag Limit - [0 - 4] Chinook salmon - only [0 - 3] fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length.

The possession limit is proposed as a range of [0 - 9] Chinook salmon of which [0 – 6] over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

The benefits of the proposed regulations are in concurrence with Federal law, sustainable management of Klamath River basin salmon resources, and promotion of businesses that rely on recreational salmon fishing in the Klamath River basin.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. No other State agency has the authority to promulgate sport fishing regulations.

The Pacific Fishery Management Council (PFMC) presented Recreational Salmon Management Alternatives and adopted a recommended harvest allocation range of 66,400 to 71,200 adult Klamath River Fall Chinook (KRFC) for the recreational fishery in the Klamath River System (Preseason Report II). The Department concurs with this allocation range and recommends that the Commission adopt the PFMC'S KRFC recreational harvest quota range and use 71,200 as the maximum adult KRFC for the basin quota, and based on this allocation maximum, adjust the sub quotas for the four geographic sub quota areas according to the percentages outlined in the Initial Statement of Reasons, adopt a daily bag limit of 4 salmon over 22 inches when the take of salmon over 22 inches is allowed, and adopt a possession limit of 8 salmon over 22 inches when the take of salmon over 22 inches is allowed.

In subsection 7.50(b)(91.1)(E)6.e., 2102 is changed to 2012 to reflect the current year.

No other changes to the orginially proposed language are proposed.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a teleconference originating in the Fish and Game Commission conference room, 1416 Ninth Street, Suite 1320, Sacramento, California, on Wednesday, April 18, 2012, at 10:00 a.m., or as soon thereafter as the matter may be heard. Interested persons may also participate at the following locations: Department of Fish and Game (DFG)-Santa Barbara Field Office and Laboratory, 1933 Cliff Drive, Suite 9, Santa Barbara, CA; DFG-Inland Deserts Region, 3602 Inland Empire Boulevard, Suite C-220, Ontario, CA; and DFG-Monterey Regional Office, 20 Lower Ragsdale Drive, Suite 100, Monterey, CA. Written comments may be submitted at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 17, 2012. All comments must be received no later than April 18, 2012, at one of the teleconference hearing locations listed above. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number.

Mr. Curtis Milliron, Department of Fish and Game, Northern Region, telephone

(530) 225-2280, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) **Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:**

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are projected have an unknown impact on the net revenues to businesses servicing sport fishermen. This is not likely to affect the ability of California businesses to compete with businesses in other states. The preservation of Klamath River salmon stocks is necessary for the success of lower and upper Klamath River Basin businesses which provide goods and services related to fishing. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

(b) **Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:**

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed regulations range from no salmon fishing on

adult Chinook salmon (>22 inches) in 2012 to a normal Klamath River Basin salmon season; therefore, the potential impacts range from 0 to 47 jobs. However, due to the fact that sport fishing for Chinook salmon will be allowed for grilse fall Chinook salmon, impacts to businesses will be less severe than under a complete closure of fishing. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, subsequently, the promotion and long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a salmon sport fishery encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission anticipates benefits to the environment by the sustainable management of California's salmon resources.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None.

(h) Effect on Housing Costs:

None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Sonke Mastrup
Executive Director

Date: April 11, 2012

Regulatory Language

KEY:

Language originally proposed to be added is shown in single underline format.

Language originally proposed to be deleted is shown in ~~strikeout format~~.

Language originally proposed to be added and now proposed to be deleted is shown in ~~single underline/double strikeout format~~.

Language newly proposed to be added is shown in double underline format.

Language newly proposed to be deleted is shown in ~~double strikeout format~~.

Subsection (b)(91.1) of Section 7.50 is amended to read:

(91.1) Anadromous Waters of the Klamath River Downstream of Iron Gate Dam (Lower Klamath River Basin). The regulations in this subsection apply only to waters of the Klamath River system which are accessible to anadromous salmonids. They do not apply to waters of the Klamath River which are inaccessible to anadromous salmon and trout, for example, portions of the Klamath River system upstream of Iron Gate Dam, portions of the Trinity River system upstream of Lewiston Dam, and the Shasta River and tributaries upstream of Dwinell Dam. Fishing in these waters is governed by the General Regulations for non-anadromous waters of the North Coast District (see Section 7.00(a)(5)).

(A) Hook and Weight Restrictions.

1. Only barbless hooks may be used. (For definitions regarding legal hook types, hook gaps and rigging see Chapter 2, Article 1, Section 2.10.)

2. During closures to the take of adult salmon, anglers shall not remove any adult Chinook salmon from the water by any means, such as by dragging the fish on shore or using a net.

(B) General Area Closures.

1. No fishing is allowed within 750 feet of any Department of Fish and Game fish-counting weir.

2. No fishing is allowed from the Ishi Pishi Falls road bridge upstream to and including Ishi Pishi Falls from August 15 through December 31. EXCEPTION: members of the Karuk Indian Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand-held dip nets.

3. No fishing is allowed from September 15 through December 31 in the Klamath River within 500 feet of the mouths of the Salmon, the Shasta and the Scott rivers.

(C) Klamath River Basin Possession Limits.

1. Trout Possession Limits.

a. The brown trout possession limit is 10 brown trout.

b. The hatchery trout or hatchery steelhead possession limits are as follows:

(i) Klamath River - 1 hatchery trout or hatchery steelhead.

(ii) Trinity River - 4 hatchery trout or hatchery steelhead.

2. Chinook Salmon Possession Limits.

a. Klamath River downstream of the Highway 96 bridge at Weitchpec from January 1 to August 14 and the Trinity River downstream of the Old Lewiston Bridge to the confluence of the South Fork Trinity River from January 1 to August 31.

(i) 2 Chinook salmon.

b. Klamath River from August 15 to December 31 and Trinity River from September 1 to December 31.

(i) 9 ~~[0-9]~~ Chinook salmon. No more than 6 ~~[0-6]~~ [0-8] Chinook salmon over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

(D) Klamath River Basin Chinook Salmon Quotas. The Klamath River fall Chinook salmon take is regulated using quotas. Accounting of the tribal and non-tribal harvest is closely monitored from

August 15 through December 31 each year. These quota areas are noted in subsection (b)(91.1)(E) with "Fall Run Quota" in the Open Season and Special Regulations column.

1. Quota for Entire Basin.

The 2011 2012 Klamath River Basin quota is 7,900 ~~[0-40,000]~~ [0-71,200] Klamath River fall Chinook salmon over 22 inches total length. The department shall inform the commission, and the public via the news media, prior to any implementation of restrictions triggered by the quotas. (NOTE: A department status report on progress toward the quotas for the various river sections is updated weekly, and available at 1-800-564-6479.)

2. Sub Quota Percentages.

a. The sub quota for the Klamath River upstream of the Highway 96 bridge at Weitchpec and the Trinity River is 50% of the total Klamath River Basin quota.

(i) The sub quota for the Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec is 17% of the total Klamath River Basin quota.

(ii) The sub quota for the Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat is 16.5% of the total Klamath River Basin quota

(iii) The sub quota for the Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River is 16.5% of the total Klamath River Basin quota

b. The sub quota for the Lower Klamath River downstream of the Highway 96 bridge at Weitchpec is 50% of the total Klamath River Basin quota.

(i) The sub quota for the Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) is 15% of the Lower Klamath River sub quota taken downstream of the Highway 101 bridge. (Note: This provision only applies if the department projects that the total Klamath River Basin quota will be met.)

(E) Klamath River Basin Open Seasons and Bag Limits. All anadromous waters of the Klamath River Basin are closed to all fishing for all year except those areas listed in the following table. Bag limits are for trout and Chinook salmon in combination unless otherwise specified.

Body of Water	Open Season and Special Regulations	Daily Bag Limit
1. Bogus Creek and tributaries.	Fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.	0
2. Klamath River main stem from 3,500 feet downstream of Iron Gate Dam to mouth.		
a. Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec.	January 1 to August 14.	0 Chinook salmon 1 hatchery trout or hatchery steelhead**
	Fall Run Quota 1,343 [0-6,900] <u>[0-12,104]</u> Chinook Salmon August 15 to December 31, 2011 <u>2012</u> .	3 <u>[0-4]</u> Chinook salmon - only <u>2</u> <u>[0-4]</u> fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length. 1 hatchery trout or hatchery steelhead**
	Fall Run Quota Exception: Chinook salmon over 22 inches total	

	length may be retained from 3,500 feet downstream of Iron Gate Dam to the Interstate 5 bridge when the department determines that the adult fall-run Chinook salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish. Daily bag and possession limits specified for fall-run Chinook salmon apply during this exception.	
b. Klamath River downstream of the Highway 96 bridge at Weitchpec.	January 1 to August 14.	2 Chinook salmon 1 hatchery trout or hatchery steelhead**
	Fall Run Quota 3,950 [0-20,000] <u>[0-35,600]</u> Chinook Salmon August 15 to December 31, 2011 <u>2012</u> .	3 [0-4] Chinook salmon - only 2 <u>[0-4]</u> fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length. 1 hatchery trout or hatchery steelhead**
	Fall Run Quota Exception: Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth). This area will be closed to all fishing after 15% of the Lower Klamath River sub quota has been met.	
3. Salmon River main stem, main stem of North Fork downstream of Sawyer's Bar bridge, and main stem of South Fork downstream of the confluence of the East Fork of the South Fork.	November 1 through February 28.	0
4. Scott River main stem downstream of the Fort Jones-Greenview bridge to the confluence with the Klamath River.	Fourth Saturday in May through February 28.	0
5. Shasta River main stem downstream of the Interstate 5 bridge north of Yreka to the confluence with the Klamath River.	Fourth Saturday in May through August 31 and November 16 through February 28.	0
6. Trinity River and tributaries.		
a. Trinity River main stem from 250 feet downstream of Lewiston Dam to the Old Lewiston Bridge.	April 1 through September 15. Only artificial flies with barbless hooks may be used.	0
b. Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat.	January 1 to August 31.	2 Chinook salmon 5 brown trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 1,304 [0-6,600] <u>[0-11,748]</u> Chinook Salmon	3 [0-4] Chinook salmon - only 2 [0-3] <u>[0-4]</u> fish over

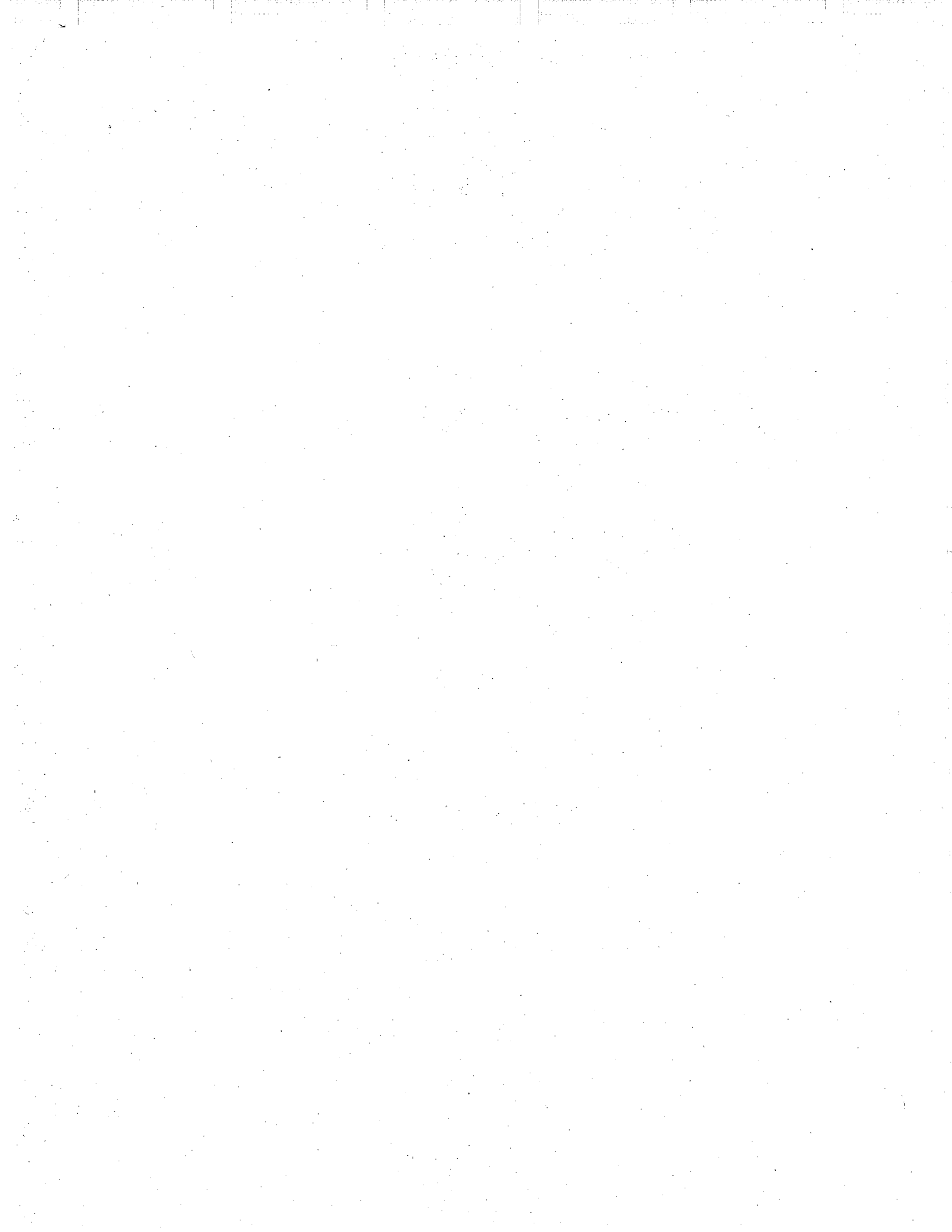
	September 1 through December 31, 2011 <u>2012</u> .	22 inches total length until sub quota is met, then 0 fish over 22 inches total length. 5 brown trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota Exception: Chinook salmon over 22 inches total length may be retained downstream of the Old Lewiston Bridge to the mouth of Indian Creek when the department determines that the adult fall-run Chinook salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish. Daily bag and possession limits specified for fall-run Chinook salmon apply during this exception.	
c. Trinity River main stem downstream of the Highway 299 West bridge at Cedar Flat to the Denny Road bridge at Hawkins Bar.	January 1 through August 31.	2 Chinook salmon, 5 brown trout 2 hatchery trout or hatchery steelhead**
	September 1 through December 31.	Closed to all fishing.
d. New River main stem downstream of the confluence of the East Fork to the confluence with the Trinity River.	September 15 through November 15. Only artificial lures with barbless hooks may be used.	0
e. Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to mouth of the South Fork Trinity River.	January 1 to August 31.	2 Chinook salmon 5 brown trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 1,303 [0-6,600] <u>[0-11,748]</u> Chinook Salmon September 1 through December 31, 2011 <u>2012</u> . This is the cumulative quota for subsections 6.e. and 6.f. of this table.	3 [0-3] <u>[0-4]</u> Chinook salmon - only 2 [0-3] <u>[0-4]</u> fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length. 5 brown trout 2 hatchery trout or hatchery steelhead**
f. Trinity River main stem downstream of the mouth of the South Fork Trinity River to the confluence with the Klamath River.	January 1 to August 31.	0 Chinook Salmon 5 brown trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 1,303 [0-6,600] <u>[0-11,748]</u> Chinook Salmon September 1 through December 31, 2011 <u>2012</u> . This is the cumulative quota for subsections	3 [0-3] <u>[0-4]</u> Chinook salmon - only 2 [0-3] <u>[0-4]</u> fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total

	6.e. and 6.f. of this table.	length. 5 brown trout 2 hatchery trout or hatchery steelhead**
g. Hayfork Creek main stem downstream of the Highway 3 bridge in Hayfork to the confluence with the South Fork Trinity River.	November 1 through March 31. Only artificial lures with barbless hooks may be used.	0
h. South Fork Trinity River downstream of the confluence with the East Fork of the South Fork Trinity River to the South Fork Trinity River bridge at Hyampom.	November 1 through March 31. Only artificial lures with barbless hooks may be used.	0
i. South Fork Trinity River downstream of the South Fork Trinity River bridge at Hyampom to the confluence with the Trinity River.	November 1 through March 31.	0 Chinook salmon 2 hatchery trout or hatchery steelhead**

* Wild Chinook salmon are those not showing a healed adipose fin clip and not showing a healed left ventral fin clip.

**Hatchery trout or steelhead are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip (adipose fin is present).

Note: Authority cited: Sections 200, 202, 205, 215, 220, 240, 315 and 316.5, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 215 and 316.5, Fish and Game Code.



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SAN FRANCISCO

APR 13 PM 2:59
GOVERNOR
RBC

my
Sonke Mastrup
EXECUTIVE DIRECTOR
1416 Ninth Street, Room 1320
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA

Fish and Game Commission

April 11, 2012

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the continuation notice of proposed regulatory action relative to Section 27.80, Title 14, California Code of Regulations, relating to ocean salmon sport fishing regulations for May to November 2012.

Please note the date of the public hearing related to this matter and associated deadlines for receipt of written comments.

Ms. Marija Vojkovich, Marine Region Manager, Department of Fish and Game, phone (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena for
Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment

TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations
(Continuation of California Notice Register 2012, No. 6-Z,
and Meetings of December 15, 2011, March 7, 2012, and April 11, 2012.)

NOTE: The Fish and Game Commission is exercising its powers under Section 202 of the Fish and Game Code as the following changes to the proposed regulations may not be available to the public for the full public comment period prior to adoption.

(**NOTE:** See Updated Informative Digest changes shown in **bold face** type.)

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 220, 240, 316.5 and 2084 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 316.5 and 2084 of said Code, proposes to amend Section 27.80, Title 14, California Code of Regulations, relating to ocean salmon sport fishing after April 30, 2012.

Updated Informative Digest/Policy Statement Overview

The Pacific Fishery Management Council (PFMC) coordinates west coast management of recreational and commercial ocean salmon fisheries in the Federal fishery management zone (three to 200 miles offshore) off Washington, Oregon and California. The annual PFMC ocean salmon regulation recommendations are subsequently implemented in federal regulation by the National Marine Fisheries Service (NMFS) by May 1 of each year.

The Fish and Game Commission (Commission) adopts regulations for the ocean salmon recreational fishery in State waters (zero to three miles offshore) which are consistent with these Federal fishery management goals and regulations each year.

PFMC Regulatory Outlook

On March 7, 2012, the PFMC will propose a suite of ocean salmon fishery regulatory options. These options will go out for public review and the final PFMC recommendations for federal waters will be made on April 6, 2012. The federal regulations will go into effect on or after May 1, 2012 and may include:

1. the minimum size of salmon that may be retained;
2. the number of rods anglers may use (e.g., one, two, or unlimited);
3. the type of bait and/or terminal gear that may be used (e.g., amount of weight, hook type, and type of bait or no bait);
4. the number of salmon that may be retained per angler-day or period of days;
5. the definition of catch limits to allow for combined boat limits versus individual angler limits;

6. the allowable fishing dates and areas; and
7. the overall number of salmon that may be harvested, by species and area.

Commission Regulatory Outlook

Although there are no PFMC regulatory options to consider until March, the 2012 ocean salmon sport regulations could range from no fishing in all areas off California to limited salmon fishing for varied areas and dates to be determined between May 1, 2012 and November 11, 2012.

Present Regulations

Current regulations authorized recreational ocean salmon fishing north of Horse Mountain including Humboldt Bay from May 14 to September 5, 2011. Between Horse Mountain and Pigeon Point, fishing was authorized from April 2 to October 30, 2011. All areas south of Pigeon Point had an ocean salmon recreational fishing season from April 2 to September 18, 2011. For all areas in 2011, the bag limit was two fish per day (all species except coho) and the minimum size limit was 24 inches total length. All recreational fishing for ocean salmon is currently closed until further action by the PFMC and/or the Commission.

The ocean salmon sport fishing regulations for April 1-30, 2012 are being considered in a separate rulemaking package, as described in OAL Notice No. Z-2011-1227-03.

Proposed Regulations

For public notice purposes and to facilitate Commission discussion, the Department is proposing three regulatory options which encompass all possible actions that would, or would not allow for salmon fishing on or after May 1 in various areas of California for Commission consideration:

Option 1 – Varied season dates and regulations in all areas. The date ranges in the following areas are proposed to encapsulate all possibilities that might be considered for Federal ocean salmon regulations in effect on or after May 1, 2012. This approach will allow final State ocean salmon recreational fishing regulations to conform to those in effect in federal ocean waters.

- (1) For all waters of the ocean north of Horse Mountain and in Humboldt Bay: The season, if any, may occur within the range of May 15 through September 15, 2012.
- (2) For the area between Horse Mountain and Point Arena: The season, if any, may occur within the range of May 1 to November 11, 2012.
- (3) For the area between Point Arena and Pigeon Point: The season, if any, may occur within the range of May 1 to November 11, 2012.
- (4) For the area between Pigeon Point and Point Sur: The season, if any, may occur within the range of May 1 to October 7, 2012.
- (5) For the areas south of Point Sur: The season, if any, may occur within the range of May 1 to October 7, 2012.

For all areas, the proposed bag limit will be from one to two fish and the proposed minimum size will be from 20 to 26 inches total length. The exact opening and closing dates, along with bag

limit, minimum size, and days of the week open will be determined in April and may be different for each sub-area.

Option 2 - No fishing in all areas. If adopted, the regulatory text of Option 2 would specifically establish 2012 closed areas.

Option 3 - A possible combination of Option 1 and 2 may be developed after more information is available from the NMFS and PFMC. This may include different opening and closing dates, bag limits, size limits, days of the week open and periodic closures among areas.

The benefits of the proposed regulations are in concurrence with Federal law, sustainable management of ocean salmon resources, and promotion of businesses that rely on recreational ocean salmon fishing.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

The proposed regulations are neither inconsistent nor incompatible with existing state regulations.

At its April meeting, the PFMC approved a May 1 opening date for federal waters of the California Klamath Management Zone (KMZ; area north of Horse Mountain to the Oregon border and in Humboldt Bay). In this rulemaking, the Commission will consider adoption of conforming regulations for state waters. In order to achieve conformance, a modification is needed to the range of opening dates available for consideration in the California KMZ. In addition, the regulatory language has been revised to include different size limits during the open season in waters south of Point Arena.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a teleconference originating in the Fish and Game Commission conference room, 1416 Ninth Street, Suite 1320, Sacramento, California, on Wednesday, April 18, 2012, at 10:00 a.m., or as soon thereafter as the matter may be heard. Interested persons may also participate at the following locations: Department of Fish and Game (DFG)-Santa Barbara Field Office and Laboratory, 1933 Cliff Drive, Suite 9, Santa Barbara, CA; DFG-Inland Deserts Region, 3602 Inland Empire Boulevard, Suite C-220, Ontario, CA; and DFG-Monterey Regional Office, 20 Lower Ragsdale Drive, Suite 100, Monterey, CA. Written comments may be submitted at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 17, 2012. All comments must be received no later than April 18, 2012, at one of the teleconference hearing locations listed above. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct

inquiries to Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Ms. Marija Vojkovich, Regional Manager, Marine Region, Department of Fish and Game, telephone (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) **Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:**

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

- (b) **Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:**

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed regulations range from no salmon fishing in 2012 to a normal ocean salmon season; therefore, the potential impacts range from 0 to 1,400 jobs depending on which option is ultimately adopted by the Commission. The impacted businesses are generally small businesses employing few individuals and, like

all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, subsequently, the promotion and long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for an ocean salmon sport fishery encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission anticipates benefits to the environment by the sustainable management of California's ocean salmon resources.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None.

(h) Effect on Housing Costs:

None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Sonke Mastrup
Executive Director

Date: April 11, 2012

Regulatory Language

KEY:

Language originally proposed to be added is shown in single underline format.

Language originally proposed to be deleted is shown in ~~strikeout format~~.

Language originally proposed to be added and now proposed to be deleted is shown in ~~single underline/double strikeout format~~.

Language newly proposed to be added is shown in double underline format.

Language newly proposed to be deleted is shown in ~~double strikeout format~~.

Section 27.80(d), Title 14, CCR is added to read:

Option 1: Add subsection (d) language to include open season dates and fishing regulations commencing May 1, 2012.

§27.80. Salmon.

...

(d) Open Fishing Days, Bag Limits, and Minimum Size in effect on or after May 1, 2012.

(1) North of Horse Mountain (40°05'00" N. lat.) and in Humboldt Bay.

(A) All ocean waters open to salmon fishing [varied dates within the range from ~~May 15~~ May 1 to September 15, may include periodic closures], 2012. Fishing is authorized [1-7] days per week [specify open days of week and date range as needed].

(B) Bag Limit: [1-2] salmon per day. See subsection (b) above and Section 1.17.

(C) Minimum Size: [20-26] inches total length.

(2) Between Horse Mountain and Point Arena (38°57'30" N. lat.).

(A) All ocean waters open to salmon fishing [varied dates within the range from May 1 to November 11, may include periodic closures], 2012. Fishing is authorized [1-7] days per week [specify open days of week and date range as needed].

(B) Bag Limit: [1-2] salmon per day. See subsection (b) above and Section 1.17.

(C) Minimum Size: [20-26] inches total length.

(3) Between Point Arena and Pigeon Point (37°11'00" N. lat.).

(A) All ocean waters open to salmon fishing [varied dates within the range from May 1 to November 11, may include periodic closures], 2012. Fishing is authorized [1-7] days per week [specify open days of week and date range as needed].

(B) Bag Limit: [1-2] salmon per day. See subsection (b) above and Section 1.17.

(C) Minimum Size: [20-26] inches total length [size limit may be different for portions of the open season].

(4) Between Pigeon Point and Point Sur (36°18'00" N. lat.).

(A) All ocean waters open to salmon fishing [varied dates within the range from May 1 to October 7, may include periodic closures], 2012. Fishing is authorized [1-7] days per week [specify open days of week and date range as needed].

(B) Bag Limit: [1-2] salmon per day. See subsection (b) above and Section 1.17.

(C) Minimum Size: [20-26] inches total length [size limit may be different for portions of the open season].

(5) South of Point Sur.

(A) All ocean waters open to salmon fishing [varied dates within the range from May 1 to October 7, may include periodic closures], 2012. Fishing is authorized [1-7] days per week [specify open days of week and date range as needed].

(B) Bag Limit: [1-2] salmon per day. See subsection (b) above and Section 1.17.

(C) Minimum Size: [20-26] inches total length [size limit may be different for portions of the open season].

Note: Authority cited: Sections 200, 202, 205, 220, 240, 316.5 and 2084, Fish and Game Code. Reference: Sections 200, 202, 205, 316.5 and 2084, Fish and Game Code.

Option 2: Add subsection (d) language to specify salmon closures in designated areas commencing May 1, 2012.

§27.80. Salmon.

...

(d) Open Fishing Days, Bag Limits, and Size Limits in effect on or after May 1, 2012.

(1) North of Horse Mountain (40°05'00" N. lat.) and in Humboldt Bay.

(A) Closed to salmon fishing.

(2) Between Horse Mountain and Point Arena (38°57'30" N. lat.).

(A) Closed to salmon fishing.

(3) Between Point Arena and Pigeon Point (37°11'00" N. lat.).

(A) Closed to salmon fishing.

(4) Between Pigeon Point and Point Sur (36°18'00" N. lat.).

(A) Closed to salmon fishing.

(5) South of Point Sur.

(A) Closed to salmon fishing.

Note: Authority cited: Sections 200, 202, 205, 220, 240, 316.5 and 2084, Fish and Game Code. Reference: Sections 200, 202, 205, 316.5 and 2084, Fish and Game Code.

Option 3: A possible combination of Option 1 and 2 may be developed after more information is available from the NMFS and PFMC. This may include different opening and closing dates, bag limits, size limits, days of week open and periodic closures among management areas.

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SUPERVISORS
SAN FRANCISCO

4/10/2012

To: Mayor Ed Lee and the Board of Supervisors

From: Abdalla Megahed, Community Activist and Homeless Advocate for 28 years

2012 APR 10 PM 3:24
BY AK

I hope you will help us disabled seniors at 990 Polk St. (110 units). Most of us are elderly, disabled, and in bad shape like myself. Approximately two weeks ago, the owner of Jebena Coffee Shop at 990 Polk St. put down bark in front of the building. We never saw any permit granting him permission to do this. He also did not seek permission from us. He has endangered our lives by covering three metered spaces in front of the building with the bark. This is where ambulances park. It seems bizarre to me that he thinks he can spread bark into the city streets. This bark is now disrupting a bike lane and, as I mentioned, covers three parking spaces. It even looks like he might put a fence around the area in an attempt to expand the space in front of his store in which his customers can sit and enjoy their coffee.

This coffee shop owner has a history of problems that shows that he has no respect for City laws. These problems have affected the tenants of 990 Polk and neighboring businesses. First, he gave free coffee to SFPD officers in order to bribe them into covering up his transgressions. He has also used homeless people to remove his garbage so that he can avoid paying city garbage collection fees. Furthermore, he put garbage in a neighboring business' (California Produce's) dumpster until that business contacted the police to stop him.

I wish that our Mayor, the Board of Supervisors, the City Attorney, the District Attorney, the SFPD, the FBI, and California Governor Jerry Brown would act before this individual causes one of us to die. I have personally suffered eight heart attacks and had six heart operations and so the likelihood that I will need an ambulance to come to my place of residence is high. Our District 6 Supervisor Jane Kim and the rest of the Board should personally come and see what the owner has done at 900 Polk and at his other coffee shop, The Nile, on Jones St. They must come immediately in order for them to gain an understanding of how the owner has taken advantage of us for his own profit through crooked actions and put us in harm's way.

Sincerely,

Abdalla Megahed



cc: City Attorney, District Attorney, the SFPD, the FBI, California Governor Jerry Brown

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13 April 2012

San Francisco Mayor Edwin Lee and Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco CA 94102

Letter written by Abdalla Megahed Community Activist and Homeless Advocate for 28 years

Dear Mayor and Board of Supervisors,

During the time I live in United States for the last 30 years I spend 28 years of my life to be homeless advocate, fight for the poor people who can't fight for themselves. The community activist for my lovely city to thank and appreciate every success happened by our residents. Yes, I have argument with former Mayor including the Supervisor time to time to open their own eyes for what my city and the tenant needed for them. Many time I succeeded not for myself but for the serious problem I try to resolve with them. The cities problems I try to resolve with them. Today I am coming to City Hall to invite you and to let you get involved with us on our community meeting on April 25th at 4:00 p.m. in our building **990 Polk Street**, which we are going to have special party for the tenant of this building who have a birthday in this month, which I am one of them. In the meantime I remind you that you promised me 2 months ago that you would like to be with us that day. The people in your office are responsible to remind you of the day and time. Our District 6 Supervisor Jane Kim including David Campos and Senator Mark Leno and my sister, assembly woman Fiona Ma, they are going to be with us at the time with you. I wish and hope that you have time to allow me to give you a tour of our building at least you can see the senior disabled tenant of this building and how they love each other and how they treat each other like family. Miss Adrienne Wynacht, the nurse of our building works hard to save our lives. She is going to be responsible for the party and is our host for that evening. She is going to organize everything and your meeting with few of our tenants who live with us as Chinese, Russian, Arab, and American, all as one family. Our family misses you and our family waiting for you on this day. Please don't put me down. You have time enough to organize your time to show up at that time with us. We have also given tours before in our home and most found it very interesting. Case manager, workers, in this building is dependent on your visit. Thank you very much.

Sincerely

Abdalla Megahed Community Activist and Homeless Advocate for 28 years
Cc: Senator Mark Leno, Fiona Ma, Jane Kim, David Campos, etc...

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BOARD OF SUPERVISORS
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MAYOR'S OFFICE
4/11/2012

12 APR 11 PM 2:07

To: Mayor Ed Lee and the Board of Supervisors

From: Abdalla Megahed, Community Activist and Homeless Advocate for 28 years

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BOARD OF SUPERVISORS
SAN FRANCISCO
12 APR 11 PM 3:09
AK

Dear Mayor and Board of Supervisors,

This is my second letter to you on this issue. I hope it will convince you to take action to correct the injustice committed by Mr. Kannanny, the owner of Jabena Coffee which is located on the ground floor of our disabled senior housing building at **990 Polk Street**. The problem is that Mr. Kannanny has built a parklet in front of our building. This parklet blocks the two parking spaces directly in front of the entrance to our building. Mr. Kannanny also takes up a third space (semi-permanently) by parking his Mercedes or his wife's BMW in an adjacent spot illegally using his mother's disabled parking placard. I say semi-permanently because when he decides to move whichever car happens to be parked there he immediately parks the other car there and transfers the disabled parking placard.

Mr. Kannanny never posted any notification of his decision to install the parklet. The building manager also never informed the tenants of the construction or asked for our approval. This parklet is a serious threat to my fellow senior residents. One of my neighbors in Apartment 320 experienced a heart problem yesterday. He called for his son to rush him to the hospital but the son was forced to park two blocks away due to the parklet blocking street access in front of the building. My neighbor's wife had to support him so that he could walk the two blocks to the car. Imagine what would happen if someone in the building needed emergency care? Is an ambulance supposed to park two blocks away while someone is in need of urgent care?

I cannot understand why the City permitted Mr. Kannanny and the building manager to build such a dangerous parklet. I have informed District Attorney George Gascon of the situation and requested that he get involved through the Victim Services program. I hope that his assistance will soon be forthcoming. In the meantime, I have contacted Confidential Secretary to the Mayor Olga Ryerson, Project Manager of the Mayor Jane Gong, Legislative Aides to Jane Kim Sunny Angulo, April Veneracion, and Victor Lim, and Judson True, a Legislative Aide to President of the Board of Supervisors David Chiu.

Mr. Kannanny has a history of problems that shows that he has no respect for City laws. These problems have affected the tenants of 990 Polk Street as well as neighboring businesses. First, Mr. Kannanny gave free coffee to SFPD officers in order to bribe them into covering up his transgressions. He has also used homeless people to remove his garbage so that he could avoid paying city garbage collection fees. Furthermore, he put garbage in a neighboring business' (California Produce's) dumpster until that business contacted the police to stop him – the veracity of this can be ascertained by looking up police records.

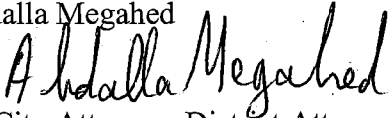
Finally, I would like to remind you about the crooked former Supervisor Ed Jew who extorted money from small business owners in his district and was captured by the FBI in 2007. This

5

situation with Mr. Kannanny raises my suspicions that perhaps Mr. Jew wasn't the only crooked Supervisor on the Board. For this reason I have requested that the FBI and other law enforcement look into the situation to make sure that Mr. Kannanny hasn't taken advantage of further Board corruption.

Sincerely,

Abdalla Megahed

A handwritten signature in black ink that reads "Abdalla Megahed". The signature is written in a cursive style with a large initial 'A'.

cc: City Attorney, District Attorney, the SFPD, the FBI,
California Governor Jerry Brown

BOS-11
C-page

Dear Supervisors,

Mayor Lee's appearance before the
Supervisor's was nothing but a staged event.

It sounded as if Mayor Lee, had the
questions and answers prepared in advance
before the meeting. Listening on the radio I
could tell it was a staged event, very
obvious.

-Fran

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C Pages
BOS 11

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BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR 13 PM 2:57
BY FB

**LEONARD GALANT
356 DAY STREET
SAN FRANCISCO
CALIFORNIA 94131**

APRIL 11, 2012

**SAN FRANCISCO SUPERVISORS
CITY HALL ROOM 244
SAN FRANCISCO, CALIFORNIA 94102**

DEAR SAN FRANCISCO SUPERVISORS:

I APPRECIATE YOUR SUPERVISORS MEETINGS. I HAVE BEEN LISTENING FOR THE LAST THREE WEEKS ON KPOO RADIO STATION. I USE TO LISTEN TO THE SUPERVISORS MEETINGS YEARS AGO.

MAYOR ED LEE CAME BEFORE THE SUPERVISORS THIS PAST TUESDAY APRIL 10, 2012. THE SUPERVISORS HAD QUESTIONS FOR THE MAYOR. WHILE LISTENING TO THE MEETING IT WAS EASY TO TELL THAT THE MAYOR HAD ALL OF THE QUESTIONS BEFORE HAND.

IT DID NOT SOUND GOOD AT ALL. IT SOUNDS LIKE A FRAUD.

OTHER THAN THAT IT WAS A GOOD MEETING.

SINCERELY,



LEONARD GALANT

COMMISSIONERS
Daniel W. Richards, President
Upland
Michael Sutton, Vice President
Monterey
Jim Kellogg, Member
Discovery Bay
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles



Claggs

Sonke Mastrup
EXECUTIVE DIRECTOR
1416 Ninth Street, Room 1320
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA
Fish and Game Commission

April 10, 2012

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BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR 11 PM 3:02
[Signature]

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Receipt of Petition to list the Gray Wolf (*Canis lupus*) as endangered under the California Endangered Species Act. This notice will appear in the California Regulatory Notice Register on April 13, 2012.

Sincerely,

[Signature: Sheri Tiemann]
Sheri Tiemann
Staff Services Analyst

Attachment

COMMISSIONERS

Daniel W. Richards, President
Upland
Michael Sutton, Vice President
Monterey
Jim Kellogg, Member
Discovery Bay
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles

EDMUND G. BROWN, JR.



Governor

Sonke Mastrup
EXECUTIVE DIRECTOR
1416 Ninth Street, Room 1320
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA

Fish and Game Commission

**CALIFORNIA FISH AND GAME COMMISSION
NOTICE OF RECEIPT OF PETITION**

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission, on March 12, 2012 received a petition from the Center for Biological Diversity, Big Wildlife, Klamath-Siskiyou Wildlands Center and Brett Hartl to list the Gray wolf (*Canis lupus*) as endangered under the California Endangered Species Act.

Pursuant to Section 2073 of the Fish and Game Code, on March 13, 2012 the Commission transmitted the petition to the Department of Fish and Game for review pursuant to Section 2073.5 of said code. It is anticipated that the Department's evaluation and recommendation relating to the petition will be received by the Commission at its June or August 2012 meeting. Interested parties may contact Dr. Eric Loft, Wildlife Branch, Department of Fish and Game, 1812 Ninth Street, Sacramento, CA 95811, or email to WildlifeMgt@dfg.ca.gov for information on the petition or to submit information to the Department relating to the petitioned species.

April 3, 2012

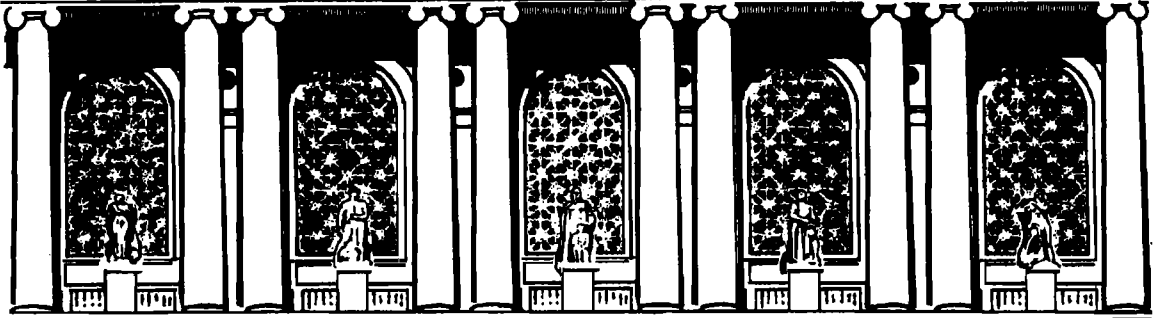
Fish and Game Commission

Sonke Mastrup
Executive Director

BOS-11
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THE PUBLIC LIBRARY OF THE CITY AND COUNTY OF SAN FRANCISCO
FOUNDED A.D. MDCCCLXXVIII ERRECTED A.D. MDCCCXXVI
MAY THIS STRUCTURE THRONED ON IMPERISHABLE BOOKS BE MAINTAINED AND CHERISHED FROM GENERATION
TO GENERATION FOR THE IMPROVEMENT AND DELIGHT OF MANKIND



April 13, 2012

The Original Library Movement

James Chaffee
63 Stoneybrook Avenue
San Francisco, CA 94132

Member, Board of Supervisors
City Hall
San Francisco, CA 94102

Re: The President of the Library Commission --
The Only Harm Is to Democracy

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
APR 13 2012
PM 4:35
PC

Dear Supervisor:

A member of the public recently pointed out at a Library Commission meeting that Library Commissioners are comparable to ancient Roman Emperors who remained in office until assassinated.

Before anything else is said, we need to explain why this is fair comment. Who elects a president "after" she has been found guilty of official misconduct by the San Francisco Ethics Commission? Why, the San Francisco Library Commission, of course. This is not after the reprehensible conduct, or after she has been charged, but after she has been found guilty. This is an imperious disdain for the only accountability that she is subject to, and reference to the damage to society that such disdain has caused is a vitally important thing to be able to say. Even President Kennedy said, "Those who make peaceful revolution impossible will make violent revolution inevitable."

With that as a preface, let us review how we got to this situation.

1. On June 4, 2009, Library Commission president Jewelle Gomez violated someone's right to make public comment and shouted her down in a most intimidating manner.
2. Based on the fact that Ms. Gomez did not condescend to take any responsibility for her actions except a statement through the Secretary of the Library Commission that she "stood by her actions," the Sunshine Task Force

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found her conduct constituted a "willful failure" to comply with the Sunshine Ordinance, and also cited her for failure to attend hearings, and referred the violation to the Ethics Commission for enforcement on January 13, 2010.

3. The Ethics Commission held a hearing where a DVD of Ms. Gomez' conduct was reviewed and issued a letter to the Mayor on July 18, 2011, which stated her "actions fell below the standards appropriate for a public official. . . . The Commission voted to recommend that you consider taking steps to remove Ms. Gomez from her appointed office in light of her actions."

4. At the Ethics Commission meeting where she was found guilty, an activist named Patrick Monette-Shaw testified that Ms. Gomez swatted him with her jacket. I was not there, but I have heard testimony that it was very aggressive. The point is that such offensiveness in City Hall cannot be dismissed. When someone attempts to strike another person, the recipient does not know if the jacket conceals a much more serious weapon. It may be the diversion before the real attack. Someone may sense peril and may react instinctively to the attack. From that there is a risk of escalation. For that reason, legally there does not have to be battery for there to be assault. Such offensive gestures and the defensive gestures they precipitate are not trivial. But, again, I was not there.

5. At the Library Commission meeting of February 2, 2012, the Library Commission, while refusing to acknowledge the finding of official misconduct in any way, and without any suggestion of wrongdoing or need to reform this conduct, reelected Jewelle Gomez as the president of the Library Commission.

6. At that meeting, an activist named Mr. Ray Hartz said -- transcribed from the tape -- "Maybe what you should do is what they used to do in the old Roman Republic -- elect Ms. Gomez for the position of dictator for life and then at least the rest of us would have the hope an assassination might result in a change of leadership." There is no question that this is well within the scope of protected free speech. The speaker explained that it was a metaphor, but the only way that comment could be even metaphorically threatening is if they considered themselves at risk exactly because they do consider themselves Roman Emperors.

7. After the meeting of February 2, 2012, Ms. Gomez and the other library commissioners planned their retaliation in profane and violent language. That conversation was captured by the recording of the meeting and posted on the Public Library website. The recording captured Ms. Gomez clearly stating that she could have the citizen buried, that she used to care a straight razor, that she could stab him and garrote him with the microphone cord while she and her fellow commissioner cackled obscenely. Some of the really ugly stuff is barely discernible because of the crosstalk and the quality of the recording. What does it mean that she will cut off that little thing he carries around? That is

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April 13, 2012
Page 3

what I think it means too. The recording was taken down from the Public Library website, but it is still available on the SF Examiner website. I have attached hereto the SF Examiner article and my letter to the editor.

8. It was after this that Ms. Gomez filed a police complaint claiming that she was in "fear for my safety now and in the future." She played the victim to the hilt with all kinds of manufactured embellishments including that over the past year the citizen being complained against would get "more agitated" (untrue), his speeches would be "hateful and loud" (untrue), his agitation has often been unnerving" (untrue), this time he grew more red in the face and really loud" (untrue), and "the facility manager called in a guard to keep an eye on him." I don't know if that was true at this meeting, but it was true at the subsequent meeting.

This is a blatant example of using police power for purposes of political retaliation. As such, it is an unconscionable abuse of the right to free speech. This is from a Library Commission that has a long tradition of preemptively attacking citizens for exercising their free speech rights. This is from a president of the Library Commission who has continued that tradition to the extent of being found guilty of "official misconduct" by the Ethics Commission. This has come in retaliation for speaking what is obviously and simply the truth regarding the harsh judgment that history has for those who exhibit the imperious disdain shown by Ms. Gomez and her fellow Library Commissioners.

It is now clear that it is Mayor Edwin Lee who is showing a similar imperious disdain by continuing to support her and refusing to remove her from the position that he appoints.

Now Mayor Edwin Lee has preferred charges of official misconduct against an elected official, Ross Mirkarimi, without acting on the findings in a previous case in front of him. Whatever one may think of the Ross Mirkarimi case, is the mayor saying that when the actions take place at a public meeting and the only victim is democracy itself that is not to be taken seriously? By refusing to remove Ms. Gomez, Mayor Lee is ratifying this conduct as part of his administration. As much as we see the breakdown of civil conduct in our society, we are crossing a barrier to say that it is acceptable in public officials after due process and official findings from the only ethics accountability we have. Does the Mayor want to say that recourse to the Ethics Commission is a waste of time? I hope not.

Very truly yours,

James Chaffee
cc: Interested citizens & media

Taped comment stirs controversy

By Joshua Sabatini
S.F. Examiner Staff Writer

Ray Hartz frequently gets under the skin of city officials with his challenging comments during meetings, but recently, the San Francisco resident might have crossed the line when criticizing the Public Library Commission's choice last month to keep Jewelle Gomez as president.

"I know 12 people who would f--- bury him if I could walk out of here today," Gomez said of the gadfly whose public testimony she thought was threatening, according to a city audio recording that picked up her private conversation moments after the Feb. 2 meeting adjourned.

Gomez was reacting to what Hartz said during the meeting: "Maybe what you should do is do what they used to do in the old Roman republic — elect Ms. Gomez to the position of dictator for life and then at least

the rest of us would have the hope an assassination might result in a change of leadership."

Gomez reacted in the public meeting by calling the comment inappropriate and said the audience "might not appreciate that kind of violence."

Hartz later said he was using a "literary device" and was in no way suggesting an actual assassination.

After the meeting adjourned, Gomez can be heard on the audio recording talking to staffers about her safety, but she also seems to threaten Hartz.

"He doesn't even know who he is f--- with," Gomez said. "I speak very nicely now, but I did grow up in the ghetto and I used to carry a straight razor."

An unidentified voice asks, "Everything is off, right?"

Gomez reported a "suspicious occurrence" to police Feb. 4. On

Feb. 6, Hartz said two police inspectors showed up at his home unannounced to ask about the meeting. However, no charges are expected to be filed.

On Tuesday, Gomez said she didn't remember what she said and wouldn't address the specifics.

"Those were private comments not meant for the public following a very emotional meeting where I felt like my life had been threatened," Gomez said. "In a city in which Harvey Milk and George Moscone were assassinated as public officials, I felt threatened. So my anxiety and fear resulted in those comments, which I assumed were off the record because the meeting was over."

This isn't the first controversy for Gomez. In 2009, she shouted down a public commentator. The incident prompted the Ethics Commission in 2011 to recommend Mayor Ed Lee remove her from the post. Lee did not take that action.



COURTESY OF JEWELLE GOMEZ

Reaction: Jewelle Gomez of the Public Library Commission says she felt threatened by a commenter's words.

City Librarian Luis Herrera called the incident "very regrettable," but said Gomez was "letting off steam after a very challenging meeting. She felt threatened."

Herrera praised Gomez overall. "She just has been tremendously supportive of the library and does her work remarkably well," he said.

jsabatini@sfoxaminer.com

Fair comment at the Library Commission

The context for Ray Hartz's comparison of library commissioners to Roman emperors was that Jewelle Gomez had been re-elected president of the commission after she had been found guilty of "official misconduct" by the Ethics Commission ("Taped comment stirs controversy," Wednesday).

That finding was not only for willfully violating someone's right to public comment, but abusively shouting them down.

The finding of Gomez's official misconduct is the only process of accountability that she is subject to, and when the mayor failed to act to remove her in the first place and tolerated someone found guilty of official misconduct in his administration, he was basically encouraging it.

The library commissioners could have responded that they don't consider themselves to be Roman emperors. The only way Hartz's comment could be even metaphorically threatening was if they considered themselves at risk precisely because they do consider themselves Roman emperors. That it was merely a metaphor was unmistakable, but it was clarified anyway.

But the crucial issue is that after proclaiming her retaliation in profane and violent language, she used her position as a public official to seek her revenge by swearing out a police complaint.

That is the misuse of police power as retaliation against free speech — free speech that was unquestionably fair comment.

If that is not grounds for termination, what would be?

James Chaffee
San Francisco

@ Pages
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APRIL 10, 2012

Clerk of the Board
Board of Supervisors
City & County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RE: Community Efforts to Preserve the Gold Dust Lounge
Business Location: 247 Powell Street, San Francisco

Dear Honorable Supervisors:

Please consider this letter in support of the community efforts to preserve the Gold Dust Lounge located at 247 Powell Street in San Francisco. Places of cultural significance matter.

I attended the April 4, 2012 San Francisco Historic Preservation Commission hearing on this matter to show my support for preservation of this place of business that is an historic representation of San Francisco's nightlife culture. I believe that co-owner, Jim Bovis, has said that at one time 247 Powell was one of six such clubs operating on that street, and the Gold Dust Lounge is now the only one of the six remaining. Its significance to Powell Street, and to Union Square, speaks for itself.

In 1985, the building this business is housed in, 301 Geary Street, the Elkan Gunst Building, was designated as a Category 1 Significant Landmark. This fact alone should be cause for serious consideration that 247 Powell with its historical features, and/or the historical business inside 247 Powell, be given Landmark designation.

The interior and exterior of 247 Powell as it exists today best serves the 1985 designation of the Elkan Gunst Building as a Category 1 Significant Landmark. It seems that replacing it with a contemporary business might so significantly change this space within the Landmark as to conflict with the building's designation. As it now exists, the space supports the purpose of state and national Registers: preventing the destruction or damage of historic resources.

Even the San Francisco Planning Department's website provides on its "Historic Preservation" page: "Historic preservation is a strategy for conserving significant **elements** of the built environment in order to maintain a tangible physical connection to the past." The Gold Dust is an "element" of the built environment. The Gold Dust Lounge is a physical record of its time, place and use. It gives character, attitude and flair to Union Square.

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SAN FRANCISCO
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The SF Historic Preservation Commission voted to send a letter to your Board setting forth the reasons for their decision denying the request for a Landmark designation, and informing you that those voting against (5-2 vote) the designation felt the Commission was limited by the National Register Criteria. I addressed the Commissioners, especially thanking Commissioner Martinez for his thoughtful consideration of the issue, and thanking the Commissioners for their efforts in carrying this matter forward to your Board.

There appears to be a genuine need for in-depth examination and analysis of this type of situation. Perhaps your Board will establish a committee to explore how often a business operating under a lease agreement with a Category 1 Significant Landmark building owner has been granted a Landmark designation. Perhaps the SF Historic Preservation Commission could undertake to make such an investigation. Do the circumstances warrant making an exception to the criteria being used? Should a special category of Landmark designations be created? Can the 301 Geary Street Designation be amended to include 247 Powell? Perhaps your Board will suggest that the Commission reconsider this matter after further investigation. Perhaps the Commission will, on its own motion for reconsideration, find that the Gold Dust does in fact meet the criteria of the National Register.

A similar situation exists in Harlem, New York. The historic Lenox Lounge, a legendary jazz club in Harlem, is the subject of gentrification. The Lenox Lounge operates under a lease agreement with the building owner. The famous Billie Holiday first performed the very important song, "Strange Fruit" in the Zebra Room at the Lenox.

Perhaps with your interest and concern for classic, long-standing businesses, such as the Gold Dust Lounge, San Francisco will set a much-needed precedent in this category, and take action to see that America does not lose these precious clubs.

The Gold Dust Lounge has a unique sense of place. One finds international tourists and business travelers returning to downtown San Francisco for the experience of the place which is more akin to a social club, than a bar. The Gold Dust offers diversity in more ways than one. It is a social gathering place. One can find comraderie there amongst persons of many ancestral backgrounds. The reasonable prices are inclusive rather than exclusive.

In closing, I hope that the building owner and the tenant can reach a compromise in light of the local and international community interest in keeping the Gold Dust Lounge operating at its present location. In the meantime, your consideration and efforts are greatly appreciated.

Respectfully Submitted,



Letty Litchfield

Page
BOS-11

More Pedestrians are Killed by Muni Each Year than Bicycles

Paul Nisbett

to:

david.chiu, board.of.supervisors, ed lee

04/11/2012 10:53 AM

Show Details

Supervisor Chui,

It is great to see you once again pandering to the latest trendy political wind.

The reality is more pedestrians are killed by Muni each year than bicycles.

Targeting and ticketing people on bicycles is just more political b.s. coming out of city hall.

You won't deal with Muni safety issues because they pay for your political campaigns.

You won't think about ticketing pedestrians who walk out in the middle of the street blocks without looking because it is not politically convenient to do so.

I ride my bike through Chinatown to and from work every day and every day I get an average 4 people wandering between cars and directly into my path without looking.

Yet I see no outreach to pedestrians in Chinatown for people to actually look where the hell they are going and that there is actually a difference between sidewalks and streets in terms of where people walk.

No, that won't happen because it is not politically convenient for you to say anything or call a press conference about that.

The guy who ran into a crosswalk in the Castro last week is a jackass, as is the guy last year who killed the woman on the Embarcadero last year.

Targeting everyone else who are actually following your "Transit First" policies is not a solution.

Perhaps your energies might be better spent looking up how many people were killed by Muni in the last year and actually calling a press conference about that.

-Paul Nisbett -District 3

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Dear Supervisors:

April 5, 2012

Please stand up for healthcare justice by opposing CPMC's "Master Plan" for St. Luke's Hospital and the new Cathedral Hill facility.

California Pacific Medical Center (CPMC) plans on shrinking St. Luke's Hospital by 62 percent and segregating most services in the Cathedral Hill area. St. Luke's patients would be offered a lower standard of care. This would be a crippling loss of healthcare resources for our city. CPMC's plans amount to medical redlining, and would be a tragedy for the many families around St. Luke's Hospital in need of access to quality healthcare services in our community. A healthy San Francisco cannot discriminate!

I urge you to NOT support CPMC's Master Plan unless 1) CPMC agrees to rebuild St. Luke's Hospital at an appropriate size to meet community needs and to provide equal standard of care for all patients, and 2) CPMC signs a binding agreement with the community to treat local residents and businesses, patients, nurses, and hospital staff with the respect we all deserve.

This city has too many hospitals clumped together.

Why I care about St. Luke's Hospital / Why I am against CPMC's current plan:

Please make sure that rich Sutter Health Corp helps the South of Market area. In traffic it takes forever to get to Cathedral Hill area.

SIGNATURE

Mr. Bijan Yarjani

DATE

YOUR ADDRESS

B. Yarjani
Warrison St. / San Francisco, CA



San Francisco Board of Supervisors

+ Mayor Ed Lee

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

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THERESE M. STEWART
Chief Deputy City
Attorney

DIRECT DIAL: (415) 554-4708
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MEMORANDUM

TO: MEMBERS, Board of Supervisors
MEMBERS, Ethics Commission

CC: Angela Calvillo, Clerk, Board of Supervisors
John St. Croix, Executive Director, Ethics Commission

FROM: Therese M. Stewart *TMS*
Chief Deputy City Attorney
Cheryl Adams *CA*
General Counsel, Board of Supervisors

DATE: April 12, 2012

RE: Legal Counsel for Ethics Commission and Board of Supervisors for Official
Misconduct Charges

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR 12 AM 9:36
AK

We write to confirm that the Board of Supervisors ("Board") and the Ethics Commission ("Commission") will retain outside counsel for the upcoming hearings on Mayor Lee's official misconduct charges against Sheriff Mirkarimi. The City Attorney's Office has determined that it will not provide legal advice or representation to the Board or Commission with respect to the Mayor's official misconduct charges against Sheriff Mirkarimi. In our stead, we have arranged for Scott Emblidge, and the firm of Moscone, Emblidge & Sater, to provide you with legal counsel during this proceeding. At your request, we will provide you a form contract for formal retention of Mr. Emblidge and his firm.

Mr. Emblidge and his colleagues have substantial experience in municipal law, and represent many public entities in the course of their practice. Even in light of the significant commitment a representation like this will entail, Mr. Emblidge and his firm will provide legal representation to the Board and the Commission without compensation. We understand that the Commission will conduct its first hearing in the misconduct proceedings on April 23, 2012. Mr. Emblidge is prepared to advise the Commission at that hearing, and is available to offer counsel to members of the Board and the Commission in advance of that date.

As you know, our office established a screen at the outset of the matter to separate attorneys representing the Mayor from those attorneys and staff whom it was anticipated might advise the Board and Commission. Subject to that screen, we have avoided communicating about the official misconduct proceeding with our colleagues in this office who have advised the Mayor regarding misconduct charges.

Over the last few weeks, we have provided general legal advice to the Board and the Commission regarding the official misconduct process. However, our primary focus during this period has been to locate and secure appropriate outside counsel for the Board and the Commission.

Now that we have arranged for outside counsel, we do not plan to communicate with you or your staff regarding the substance of this matter any further. We intend to leave the screen in

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Memorandum

TO: MEMBERS, Board of Supervisors
MEMBERS, Ethics Commission
DATE: April 12, 2012
PAGE: 2
RE: Legal Counsel for Ethics Commission and Board of Supervisors for Official
Misconduct Charges

place and to avoid communicating with the attorneys who are working with the Mayor on the official misconduct process. Nonetheless, we request that you and your staff avoid communicating with any employees of the City Attorney's Office regarding the matter, ourselves included, unless counsel for Sheriff Mirkarimi is party to the communication. If you have any questions, you may direct them to Mr. Emblidge.

We are confident that the Board and the Commission will be well served by Mr. Emblidge and his firm. We are also confident that, with Mr. Emblidge's assistance, the Board and the Commission will carry out their Charter-mandated duties in a fair, neutral, and impartial manner.

You may contact Mr. Emblidge and his colleagues at:

Moscone Emblidge & Sater LLP
220 Montgomery Street, Suite 2100
San Francisco, California 94104
Telephone: 415-362-3599
Fax: 415-362-2006

OFFICE OF THE MAYOR
SAN FRANCISCO



File No. 120046

BSS-11

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EDWIN M. LEE
MAYOR

April 10, 2012

Members, Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR 10 PM 4:02
AK

Dear Supervisors,

This letter communicates my veto of the ordinance pending in File Number 120046, finally passed by the Board of Supervisors on April 2, 2012. This ordinance intends to amend the Administrative Code to require the San Francisco Police Department to either terminate a counterterrorism Memorandum of Understanding with the Federal Bureau of Investigation or materially restrict the interaction between the two law enforcement bodies.

Since I am vetoing this ordinance today, I feel a responsibility to signal what I would support. To that end, I specifically point to a set of amendments to the Administrative Code introduced by Supervisors Kim, Wiener, Cohen, and Olague and others to enshrine accountability and transparency in the process of adopting future agreements pertaining to the Joint Terrorism Task Force (JTTF).

I am encouraged by the fact that advocates representing a wide spectrum of interested constituencies came together to craft a consensus, working alongside the Police Department and various members of the Board of Supervisors. When we work together to create solutions that represent our shared values, we make San Francisco a safer, better City together.

While the civil rights goals of the ordinance that I am vetoing are laudable, the restrictions it places on our Police Department overly constrain their ability to protect our City from very real threats.

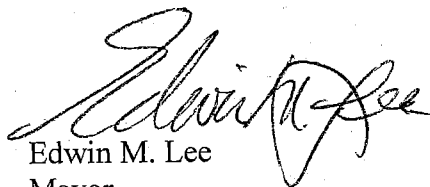
Recently, the United States Department of Homeland Security raised San Francisco's risk rating – we are now considered the fourth-highest terrorism target risk in the nation along with cities like New York and Washington, DC. Protecting San Franciscans is the most important responsibility I have as Mayor. This goal, however, does not justify a trampling of constitutionally protected principles, and we have a governmental structure in place to ensure this dichotomy never materializes.

I have faith in the Police Chief, the Department's General Orders, and the Police Commission. I trust that through a combination of governmental and civilian oversight, the Police Department can cooperate with the FBI on counterterrorism while simultaneously upholding the constitutional principles of freedom of speech and assembly, prohibitions on illegal search and seizure, and due process of law.

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When the consensus ordinance, which was introduced earlier today, finally passes, I look forward to signing it. The Police Department already has strong policies protecting civil liberties, and I believe that there is much value in being transparent about these Departmental rules for public inspection and input.

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin M. Lee". The signature is fluid and cursive, with the first name being the most prominent.

Edwin M. Lee
Mayor

cc: Angela Calvillo, Clerk of the Board of Supervisors

BULLETIN

19



RS

SF Ocean Edge ©

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2012 APR -9 PM 12: 29

Where Golden Gate Park meets Ocean Beach....

www.sfoceanedge.org

Ak

April 9, 2012

“... The Myoporum perform a critical function at the extreme west end of Golden Gate Park ...”

Roy C. Leggitt, III, Consulting Arborist and Plant Scientist
Certified Arborist
Certified Tree Risk Assessor, ISA

The Beach Chalet Athletic Fields project will remove over 55 trees and “tall shrubs.”

Arborist Roy C. Leggitt, III, analyzed *the Hortscience Tree and Large Shrub Report*, which is the official tree study for the Draft Environmental Impact Report. His study and other comments on the incompleteness and inaccuracy of the Draft EIR are included in the attached letter. In his Arborist Memorandum, Leggitt states:

“... The assignment from R&P was slanted to meet the criteria for an approved project, not toward an objective study. . . This part of the study is flawed. . .”

“... Myoporum laetum is a tree species . . .” [not a shrub!]

“... The Myoporum perform a critical function at the extreme west end of Golden Gate Park. This species is one of only a few that can survive in the prevailing winds off the ocean that are moist and salt-laden. The removal of the Myoporum will cause foliar salt to kill trees within the park that are currently protected . . . **With the removal of the Myoporum, the very well-being and utility of GGP is threatened. . .**”

“... Root Losses from Trenching: Trees could be lost due to root losses that cause trees to become unsafe or fall over. . . .”

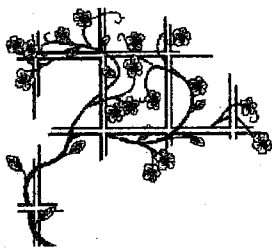
Other comments on the DEIR and flaws in the vegetation study are in the full letter attached. (*Emphasis added*).

*For more information, contact:
Katherine Howard, Member,
Steering Committee,
SF Ocean Edge, 415-710-2402*

Our Mission Statement

SF Ocean Edge supports active recreation and parkland with a win-win solution:

- Renovation of the existing Beach Chalet grass playing fields with natural grass, better field construction, and better maintenance;
- Use of the remainder of the \$12 million funding for other playing fields and parks, providing recreation opportunities for youth all over San Francisco;
- Preserving Golden Gate Park's woodland and meadows as wildlife habitat and as a parkland heritage for future generations.



Katherine Howard

LANDSCAPE ARCHITECT
Ca. Lic. # 4279

1243 42nd Avenue
San Francisco, Ca 94122
(415) 710-2402

December 11, 2011

Mr. Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission St. Room 400
San Francisco, CA 94103

Re: COMMENT ON BIOLOGICAL RESOURCES
Public Comment on the Draft Environmental Impact Report (DEIR)
Beach Chalet Athletic Fields Renovation
Planning Department Case No. 2010.0016E
State Clearinghouse No. 2011044005

Dear Mr. Wycko,

The DEIR is incomplete and/or inaccurate in the following categories. These should be corrected in the Final EIR in order to accurately assess the impact of this project on Golden Gate Park.

- A. **Impact of wind and fog:** The DEIR states, "*An Initial Study (IS) was also distributed for review, describing the proposed project and identifying potential environmental effects of the project (see Appendix A). The IS identified impact topics that were determined not to apply to the proposed project and impact topics where the project would have no impact or a less-than-significant impact. These topics, summarized below, are not addressed in this EIR (see Section I.C, Organization of the Draft EIR, for a summary of environmental topics addressed in this EIR):*

"Wind and Shadow—alteration of wind or creation of shadows that substantially affect public areas." ¹

The constant wind off of the Pacific Ocean and the often accompanying fog are both defining features of the western end of Golden Gate Park and should be included in all categories of the DEIR analysis.

- B. **Impact on tree preservation:** The DEIR states: "*Impact BI-3: The proposed project could potentially conflict with applicable local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Less than Significant with Mitigation).*" ² However, the project impacts are significant and the proposed mitigations are inadequate as follows.

¹ Beach Chalet Athletic Fields, DEIR, p. I-2 [DEIR]

² DEIR, p. IV.F-23

1. **Myoporum are trees:** The DEIR is based on the project proponent's "Tree and Large Shrub Report"³. The "Tree and Large Shrub Report" [Tree Report] states that Myoporum laetum are "tall shrubs" and not trees. However, in his "Arborist Memorandum," Consulting Arborist Roy Leggitt III⁴ reviews the Tree Report and states:

- "Characterization of Trees and Shrubs: Myoporum laetum is a tree species. Trees are either single stemmed or multi-stemmed. Woody plants of 20 to 30 feet tall are certainly trees, and are recognized as such under the Article 16 of the DPW code definition of Significant Trees."⁵
- See **Figure 1** for a photo of a few of these Myoporum.

On what technical criteria does the "Tree and Large Shrub Report" base its conclusions that the Myoporum laetum, often 20 to 30 feet tall, in the project area are shrubs instead of trees? The DEIR must state the source documents and the independent experts that support this designation.

2. **Impact on Windbreak:** Myoporum laetum are part of the windbreak that protects the western end of Golden Gate Park.

- Leggitt states: "The Myoporum perform a critical function at the extreme west end of Golden Gate Park. This species is one of only a few that can survive in the prevailing winds off the Ocean that are moist and salt-laden. The removal of the Myoporum will cause foliar salt to kill trees within the park that are currently protected. The 1980 study of GGP identified the significance of the Myoporum, and their function and importance to the park has not changed since that time. With the removal of the Myoporum, the very wellbeing and utility of GGP is threatened."⁶
- Leggitt further quotes the importance of the western windbreak as documented in the "Golden Gate Park Forest Management Plan"⁷.
 - *"Three major observations have been documented by this study. First, wind is the controlling factor in tree survival in this area. Second, under these conditions, certain species perform better than others. Finally, the better the initial condition of a tree, the higher its chances of survival.*
 - *"The effect of wind was extremely pronounced, where proximity to the ocean results in heavily salt-laden winds. Highly exposed trees were covered with a visible salty residue. This combination of salt and wind was so detrimental, that wind protection was found to be imperative for tree survival. This protection is required in a continuous, more or less solid form running along the western edge, rather than individual tree protection...the protection provided from a continuous "wall" of brush...was successful.*

³ City Fields Foundation, "Tree and Large Shrub Report," March 31, 2010.

⁴ Leggitt III, Roy C. C.V. (Appendix B - attached).

⁵ Leggitt III, Roy C. "Arborist Memorandum," 4/19/10. page 1 (Appendix A - attached)

⁶ Leggitt III, Roy C. "Arborist Memorandum," 4/19/10. page 1 (Appendix A - attached).

⁷ Golden Gate Park Forest Management Plan, State of California Department of Forestry, 1980. pp 53, 54.

- "Some form of wind-protection must be provided for the trees...can be provided by wind and salt-resistant shrubs."
- Leggitt concludes: "... a diagram for windbreak design specifies *Myoporum laetum* to be planted as the front line defense, even before fencing. The City successfully installed this windbreak , and it has served us well for about 30 years." ⁸
- The proposed project will remove 16 "trees", 43 *Myoporum*, and one *Pittosporum* . ⁹
What will be the impact on the windbreak of the removal of these trees and "tall shrubs?" Where will the replacement trees be planted to maintain the windbreak? What will be the species and size of these trees? Will they be resistant to salt air? How many years will pass before they are of a size to adequately function as a windbreak?

3. **Cumulative impacts with Westside Water Treatment Plant:** The DEIR states, "*Impact C-BI: The proposed project in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a cumulatively considerable impact on biological resources. (Less than Significant)*"¹⁰ The Westside Water Treatment Plant project will remove or have an impact on over 200 trees in the area adjacent to the Beach Chalet Athletic Fields project. ¹¹ (Figure 2).

What will be the cumulative impact of the tree removal occasioned by these two projects on a) the character of the western end of Golden Gate Park as a landscape park 2) the overall efficacy of the windbreak for the remainder of the park in general and the trees immediately on the eastern side of these trees in particular? 3) vegetative screening of these facilities from the roads? (Figure 4) 4) vegetative screening between the two projects?

4. **Tree protection measures are inadequate:** The DEIR states, "*Improvement Measure I-BI-3: . . . the following measures could be implemented to provide protection for trees and shrubs to be retained onsite during construction activities for the Beach Chalet Athletic Fields Renovation Project.*"¹²
- "Establish a Tree Protection Zone (TPZ) around any tree or group of trees to be retained. The formula typically used is defined as 1.5 times the radius of the dripline or 5 feet from the edge of any grading, whichever is greater. The TPZ may be adjusted on a case-by-case basis after consultation with a Certified Arborist."
 - "Prohibit construction-related activities, including grading, trenching, construction, demolition, or other work within the TPZ. No heavy equipment or machinery should be operated within the TPZ. No construction materials, equipment, machinery, or other supplies should be stored within a TPZ. No wires or signs should be attached to any tree. Any modifications should be approved and monitored by a Certified Arborist."

⁸ Leggitt III, Roy C. "Arborist Memorandum," 4/19/10. page 2 (Appendix A - attached).

⁹ DEIR, page IV.F-32, Table IV.F-3

¹⁰ DEIR, page IV.F-34

¹¹ "San Francisco Westside Recycled Water Project, Tree and Large Shrub Assessment Report," ESA, SFPUC, December 2010.

¹² DEIR, page IV.F-33)

These regulations may be appropriate on a large site, where the trees are a safe distance from the construction; however, many of the largest trees at Beach Chalet are at the edge of the construction and are even labeled in the Tree Report as being at the edge of the grading. (Figure 4) Construction is not a neat and tidy business that takes place only within the boundaries of a line on a plan. Due to the location of the trees, the size of the trees, and their location next to an irrigated area that will attract tree roots, and the fact that grading will take place near the trees, it is probable that the project will have a major impact on the trees roots for these primary boundary trees.

The DEIR must take into account the close location of the project next to all trees, the extensive use of heavy construction equipment, and the probable location of the tree roots within the current field and surrounding grass areas, and more accurately describe the possible damage to each tree individually and the proposed mitigations for either the loss of or the damage to each tree.

5. **Removal of non-native species is not justified:** Both the DEIR for this project and the plans for the Westside Water Treatment Plant¹³ propose removing *Myoporum laetum*, because they are not a native species or are considered an invasive species. Invasive species have value as tough plants that can survive in areas such as the coastal area. This area of the park is not designated as part of the Natural Areas Program. **Why are hundreds of trees being removed from this area for other than construction reasons?**

6. **Tree replacement/mitigation measures inadequate:** The Draft EIR states, "*Mitigation Measure M-BI-3: Plant Replacement Trees. The SFRPD shall replace the trees removed within SFRPD - managed lands with trees of equivalent ecological value (i.e., similar species) to the trees removed. If trees of equivalent ecological value are not feasible or available, removed trees shall be replaced at a ratio of 1 inch for 1 inch of the diameter at breast height of the removed tree.*"¹⁴
 - The location of the replacement trees is not stated. SFRPD manages thousands of acres in San Francisco as well as Sharp Park and Camp Mather. **Where will the replacement trees be planted? How can planting in another park mitigate the damage to Golden Gate Park's habitat, windbreak, or the landscape character of Golden Gate Park? The Final EIR must show the location for the planting of the replacement trees and the impact on the windbreak.**
 - The DEIR defines equivalent value as "similar species." **What is the definition of "similar species"? Why is only ecological value a criteria for replacement?**
 - The names of the replacement species are not listed in the DEIR. It has taken many years and trial and error for different species of plants for Golden Gate Park's landscape to be established in what was originally sand dunes with few trees. Furthermore, some species will take much longer to grow in to replace the current trees and "tall shrubs." **To know how both the character and the habitat of the park will be impacted, the EIR needs to list the species that will be used as replacements.**

¹³ "San Francisco Westside Recycled Water Project, Tree and Large Shrub Assessment Report," ESA, SFPUC, December 2010.

¹⁴ DEIR IV.F-33

- All replacement trees should also support and enhance Golden Gate Park's design as a landscape park. **The DEIR must list not only the replacement trees and their locations, but also how they would support and enhance Golden Gate Park's design as a landscape park.**
- A "similar species" that is only 4 feet tall and 1 inch in diameter does not have the ecological value of a mature tree. **The DEIR must quantify the loss in ecological value of removing so many mature trees.**
- The use of the word "feasible" is a typical development term for "We aren't really going to do this." **The DEIR should explain what actions the City shall commit to performing. The word feasible should be taken out of the report.**
- The use of the term "available" is also subject to scrutiny. This project is planned to take place over a few years; replacement trees can be contract-grown to meet the projected needs. This process can be started at any time; surely the trees that would be attractive for this location could be used in other park locations if this project is not completed as the DEIR envisions it. **The DEIR should list the proposed replacement trees and their current availability as well as plans for contract growing them if they are not currently available.**
- Why are certain trees replaced at the ratio of 1 inch to 1 inch diameter and others are not? All trees removed should be replaced at the ratio of 1 inch for 1 inch of the diameter at breast height. A tree with a diameter of 1" cannot replace either aesthetically or ecologically a Monterey Cypress that is 48" in diameter. **The DEIR must justify this mitigation measure.**
- The replacement policy refers only to "trees." The report erroneously classifies the Myoporum as shrubs. If this classification is used for the replacement policy, then there will be limited vegetation replacement. According to our calculations, based on the diameters of trees to be removed as listed in the "Tree Report," a total of 831 inches of "tall shrubs" and 250 inches of "trees" in diameter will be lost. The loss of this amount of mature vegetation has an impact not only visually but also in terms of habitat and other ecological values.

The DEIR should list all trees and "tall shrubs" to be removed and give the total amount of diameter of trees and "tall shrubs" that will be lost.

The Final EIR needs to change this policy to replacing all trees and large shrubs at the ratio of inch for each one inch of diameter lost.

The Final EIR needs to show where these new trees will be planted, including the species, the size (for example, 15 gallon, 24" box), the location and the committed maintenance budget and watering plans for these new trees. The latter are especially important, since one of the reasons given for the project in public meetings by the project proponents has been the lack of staffing at the Recreation and Park Department.

7. In another section of the DEIR, it states, "*In addition, the proposed project includes replacement of each tree removed at a one-to-one or greater ratio.*"¹⁵ Replacing a mature tree with a small tree is not an equivalent replacement. **Replacements should be an equal number of trees to**

¹⁵ DEIR, page IV.F-24

replicate the diameter of trees lost and to quickly replace the windbreak and fog drip characteristics of the trees being cut down.

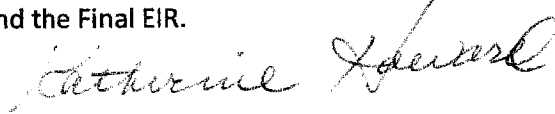
8. **Relationship of the reforestation program to the project is missing:** The DEIR does not explain the current reforestation program for the western end of Golden Gate Park and how the loss of trees and replanting of new trees will fit into that plan.

All replacement trees planted as mitigation must be in addition to trees already planned for as part of any reforestation efforts. The project should not substitute mitigation plans for reforestation efforts that are needed to maintain the forest and western windbreak of the Park.

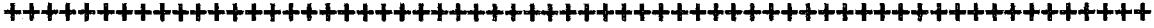
9. **Potential for native plants in the area not accurate:** The DEIR states that " . . .the overall potential of the site to support special -status plant species is considered low based on the lack of native plants and native plant habitats, and on the disturbed and heavily managed condition of the area." (DEIR p. IV.F-8) This sentence makes the area sound like a former strip mine or other environmentally devastated area. In fact, the western end of Golden Gate Park has supported a variety of vegetation and, before the park was established, did have a selection of native plants growing on the dunes. Today, there is a native plant restoration area immediately adjacent to the Beach Chalet Athletic Fields. If those plants can survive, then it is possible that other native plants could exist or will come in to the area, given the opportunity.

The EIR needs to be corrected to include this local native plant area and the potential for native plants to grow in and around the site, as do now.

Thank you for your attention to these questions. Please mail to me the printed copies of the Comments and Responses and the Final EIR.



Katherine Howard, ASLA
1243 42nd Avenue
San Francisco, CA 94122



FIGURES



Figure 1 -

Border of trees and "tall shrubs" (*Myoporum Laetum*) along the western edge of the Beach Chalet Athletic Fields



Figure 4

Monterey Cypress at south-western edge of the current playing field. What will be the impact of the construction on the root system of this tree? How many branches will be lost to the construction? If this tree is removed, what species and size of tree(s) will replace it?

SF Ocean Edge

Attn: Katherine Howard
c/o 1243 42nd Avenue
San Francisco, CA 94122

Project: Soccer Fields
Golden Gate Park, Western End

Date: 4/19/10

ARBORIST MEMORANDUM

Findings

Flawed Tree Study

Exemption from Environmental Review, page 8

HortScience *Tree and Large Shrub Report* assignment: assess tree hazard potential under new uses. This is not a measure of existing conditions nor is it an assessment of existing value and function. The assignment from R&P was slanted to meet the criteria for an approved project, not toward an objective study. The R&P Commission has cited this aspect of the study in the Exemption of Environmental Review, and this part of the study is flawed.

Characterization of Trees and Shrubs

Myoporum laetum is a tree species. Trees are either single stemmed or multi-stemmed. Woody plants of 20 to 30 feet tall are certainly trees, and are recognized as such under the Article 16 of DPW code definition of Significant Trees.

Flat-topped Monterey Cypress are normal for an area of prevailing winds. This is not a defect, but rather is adaptive and is an advantage. These trees are crucial in their function as a windbreak.

Myoporum Windbreak

The *Myoporum* perform a critical function at the extreme west end of Golden Gate Park. This species is one of only a few that can survive in the prevailing winds off the Ocean that are moist and salt-laden. The removal of the *Myoporum* will cause foliar salt to kill trees within the park that are currently protected. The 1980 study of GGP identified the significance of the *Myoporum*, and their function and importance to the park has not changed since that time. With the removal of the *Myoporum*, the very wellbeing and utility of GGP is threatened.

APPENDIX A: ARBORIST MEMORANDUM - PAGE 2

Golden Gate Park Forest Management Plan, State of California Department of Forestry, 1980 relates the importance of the western windbreak on pages 53 and 54:

“Three major observations have been documented by this study. First, wind is the controlling factor in tree survival in this area. Second, under these conditions, certain species perform better than others. Finally, the better the initial condition of a tree, the higher its chances of survival.

The effect of wind was extremely pronounced, where proximity to the ocean results in heavily salt-laden winds. Highly exposed trees were covered with a visible salty residue. This combination of salt and wind was so detrimental, that wind protection was found to be imperative for tree survival. This protection is required in a continuous, more or less solid form running along the western edge, rather than individual tree protection...the protection provided from a continuous “wall” of brush...was successful.

Some form of wind-protection must be provided for the trees...can be provided by wind and salt-resistant shrubs.”

On page 57 of this report, a diagram for windbreak design specifies *Myoporum laetum* to be planted as the **front line defense**, even before fencing. The City successfully installed this windbreak, and it has served us well for about 30 years.

Root Losses From Trenching

Impacts to tree roots from trenching for underground utilities have been omitted. Trees could be lost due to root losses that cause trees to become unsafe or fall over.



SF Ocean Edge

Where Golden Gate Park meets Ocean Beach.....

www.sfoceanedge.org

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****April 12, 2012****

GGNRA recommends alternatives "...including renovating other athletic fields not adjacent to Ocean Beach, improving the Beach Chalet fields without the proposed lighting ..."

Frank Dean, General Superintendent
Golden Gate National Recreation Area

The Department of the Interior has submitted letters about the Beach Chalet athletic fields project and the potential negative impacts that this project will have on Ocean Beach:

"... Recommend the EIR consider a reasonable range of alternatives with associated mitigation measures, including **renovating other athletic fields not adjacent to Ocean Beach; improving the Beach Chalet fields without the proposed lighting**; reschedule games earlier in the day in order to achieve the desired total hours of play time before sunset, and seasonal lighting limitation to avoid adding night lighting to the area during the times of bird migration as well as snowy plover presence..." (2011)

"...The NPS is concerned that increased nighttime use could impact Ocean Beach resources." (2011)

"... We encourage the Environmental Impact Report (EIR) to treat Dark night Skies as a unique resource in the environmental setting of the project..." (2012)

"... When urban areas interface with natural habitat areas, the value of breeding and wintering habitat to native species may be diminished by increased levels of illumination at night..." (2012)

"... Shorebirds and seabirds, which migrate and forage in the vicinity of Ocean Beach, are known to be sensitive to artificial light, which can affect their behavior. Birds resting or foraging on the beach could be affected by the lights at the athletic fields..." (2012)

Other comments on the project and flaws in the DEIR study are in the letters attached. *(Emphasis added).*

For more information, contact:
Katherine Howard, Member,
Steering Committee,
SF Ocean Edge, 415-710-2402

Our Mission Statement

SF Ocean Edge supports active recreation and parkland with a win-win solution:

- Renovation of the existing Beach Chalet grass playing fields with natural grass, better field construction, and better maintenance;
- Use of the remainder of the \$12 million funding for other playing fields and parks, providing recreation opportunities for youth all over San Francisco;
- Preserving Golden Gate Park's woodland and meadows as wildlife habitat and as a parkland heritage for future generations.



United States Department of the Interior

NATIONAL PARK SERVICE
Golden Gate National Recreation Area
Fort Mason, San Francisco, California 94123

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MAR 07 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

IN REPLY REFER TO:

L76 (GOGA-PLAN)

March 4, 2011

Mr. Bill Wycko
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: National Park Service Scoping Comments for the NOP of an EIR for the Beach Chalet Athletic Fields Renovation, Case No. 2010.0016E

Dear Mr. Wycko:

Thank you for this opportunity to review and comment on the NOP for renovating the Beach Chalet Athletic Fields. Golden Gate National Recreation Area (GGNRA), a unit of the National Park Service (NPS), is providing the following comments on the proposed improvements because the project area is adjacent to Ocean Beach, which is managed by the GGNRA.

General Comments

- This project should be informed by the Ocean Beach Master Planning process that the San Francisco Planning and Urban Research Association (SPUR) is leading, and should complement that effort, because there is a potential for that plan to recommend changes in uses in the vicinity of Ocean Beach.
- Include Ocean Beach (shoreline and offshore) in the study area, and evaluate it as a National Park resource.
- Recommend the EIR consider a reasonable range of alternatives with associated mitigation measures, including renovating other athletic fields not adjacent to Ocean Beach; improving the Beach Chalet fields without the proposed lighting; reschedule games earlier in the day in order to achieve the desired total hours of play time before sunset; and seasonal lighting limitations to avoid adding night lighting to the area during the times of bird migration as well as snowy plover presence.
- Include a Greenhouse Gas Emission (GHG) impacts of adding proposed lighting
- Evaluate whether there would be traffic or parking affects on adjacent areas, including Ocean Beach.
- The Project Objective: *"Improve safety and increase nighttime use of the west end of Golden Gate Park"* should be amended to add – *while minimizing impacts to adjacent undeveloped open space areas*. The NPs is concerned that increased nighttime use could impact Ocean Beach resources.

- Since this project affects the Coastal Zone, please inform the NPS regarding consultations with the California Coastal Commission.

Lighting

1. The proposed project is behind the old dune line and surrounded by low trees and other vegetation. Although Golden Gate Park and the beach have much less outdoor lighting than typical of urban areas, there is existing degradation of the natural lightscape due to streetlights and automobile traffic on the Great Highway, as well as other lighting in the city. The proposed sports lighting is likely to have measurable impacts on Ocean Beach, as well as Land's End which is also within the GGNRA.
2. The northern portion of Ocean beach, which lies directly across the Great Highway from the project area is designated as a Snowy Plover Protection Area. In addition, Ocean Beach is one of the most important wintering and migratory shorebird areas along the outer coast of Central California. Due to the high level of recreational disturbance to snowy plovers and shorebirds during the day, natural conditions at night are particularly important for the resting and feeding activities that allow these species to build reserves necessary for migration and nesting activities.
3. Seabirds, which migrate and nest in the vicinity of Ocean Beach, are also known to be sensitive to artificial light, which can affect their choice of nesting locations, predation, and navigation. While the specific thresholds and critical times of disturbance from artificial light are not known for these species, it is prudent to reduce the cumulative effects of artificial light on these habitat areas.
4. The following statement and recommendations are from the U.S. Fish and Wildlife Service Recovery Plan for the Western Snowy Plover:
 - "When urban areas interface with natural habitat areas, the value of breeding and wintering habitat to native species may be diminished by increased levels of illumination at night (e.g., building and parking lot lights) (Kelly and Rotenberry 1996/1997)."
 - "When beach development cannot be avoided, the following protections should be implemented: ... (4) lights for parking areas and other facilities should not shine on western snowy plover habitat, (5) sources of noise that would disturb western snowy plovers should be avoided, and (6) the establishment of predator perches and nesting sites should be avoided when designing facilities."
5. NPS policy for lightscape management on and adjacent to NPS lands is to "...seek cooperation of park visitors, neighbors and local government agencies to prevent or minimize the intrusion of artificial light into the night scene of the ecosystems of parks." (NPS Management Policies 2006)
6. The area around Sutro Heights Park and Lands End is one of the darkest areas in the city and is emerging as a stargazing location for the public. Though the eastern skyline is dominated by the light from San Francisco, nearby lighting has the potential to measurably degrade the entire night sky quality as it is only 1.0 mile away. As a rule of thumb, lights that are half the distance exert 6x more impact upon the night sky. Thus a single light at the project site would have the same impact on this area as 55 lights of the same design in downtown San Francisco.
7. Sports lighting is often a significant contributor to the total luminous flux of a city and can be an even greater contributor to the light pollution. A study in Flagstaff (Luginbuhl et al. 2009) calculated that sports lighting accounted for 32% of all outdoor lighting lumens. Flagstaff is somewhat of an anomaly as it is primarily residential with most outdoor lighting

well shielded; so a simple extrapolation of what the percentage of sports lighting would be in San Francisco is estimated at 15%. Therefore, mitigating sports lighting can be one of the most effective methods to reduce the total light footprint of a city.

8. Illumination diagrams of the project show the installation of 40 luminaries per field, for each of four soccer/lacrosse fields. The luminaries appear to be stock Musco Light Structure Green fixtures, 1500 watt metal halide lamps, 3700K color temperature (warm-white), each producing 134,000 lumens. Each field produces the same amount of light as 186 250-watt high pressure sodium streetlights. The four fields are proposed to be lit by 21.4 million lumens, for a lighting density of 3.2 million lumens per acre. This is roughly 13x more lumen density than atypical city.
9. The horizontal illumination levels depicted on the provided diagram average 51.1 fc across the playing surface. This level of illumination is what would normally be prescribed for Class II sports lighting (suitable for NCAA televised events), not Class IV recreational sports. Additionally, the CV metric of 0.16 and uniformity ratio of 1.89 is in line with Class II sports lighting. Illuminating Engineering Society (IES) Recommended Practices RP-6 guidelines discusses the need for extra illumination at Class II sports facilities is related to the number of spectators and the need for high speed television cameras. If the Beach Chalet fields had thousands of visitors set back from the fields in bleachers, the added distance to the action would necessitate increased illumination. However, it appears that the fields are for recreational and high school tournament play, which would have fewer spectators that would be close to the sidelines. The following table is from IES RP-6 for soccer and lacrosse.

	Class II	Class III	Class IV
Illumination Level	50 fc	30 fc	20 fc
Uniformity (Max:Min)	4:1	3:1	2.5:1

10. Increased level of illumination is primarily necessitated by high numbers of spectators and broadcasting, which does not appear to be appropriate for the Beach Chalet project. IES recommendations and correspondence with other lighting specialists indicates that the illumination levels can be reduced by more than half and still provide the desired level of safety and playability.
11. A diagram of uplight provided earlier to the NPS, generally showed 0.03 footcandles uplight at 60 feet above the field, depicts this small percentage of uplight. This method is difficult to evaluate uplight impacts, due to the grid spacing and the extreme cosine-theta samples. A far better method would be to conduct a radiative calculation showing luminous flux by angle. Musco does produce a "Flagstaff shield" for the Light Structure Green series that reduces the uplight to the maximum extent. Though this may not make a discernable difference for viewers on the beach, it should improve the night sky and lessen the visibility for distant observers, such as those at Sutro Heights Park. A recent paper (Luginbuhl et al. 2010) shows the relative importance of uplight; one percent of uplight directed near the horizon can produce a 10% increase in skyglow.
12. Given the questionable treatment of ground reflectivity and unverifiable uplight numbers provided to the public, NPS believes the nighttime simulations provided by City Fields, www.cityfieldsfoundation.org/images/resources/documents/Beach_PPT_Dec_09_09L.pdf should be seen as rough approximations. Moreover, radiative transfer modeling of light pollution is fairly complex and highly dependent on atmospheric conditions. Hazy conditions or ground fog will amplify the glow over the sports fields for close observers, while

attenuating if for distant observers. If the marine layer has a few hundred feet of clear air beneath it, it will also amplify the lights for all but very distant observers. It is possible to build and utilize computer models that will accurately depict the direct and indirect uplight, handle various atmospheric conditions, and put results in perspective with existing outdoor lighting. However, this approach is expensive and still difficult to define thresholds of acceptability in the end. A different approach of maximizing reasonable mitigations is recommended. This should result in an off-site impact level that is on the same order as other existing lighting, such as auto headlights, street lighting, and the general glow from San Francisco. If future wildlife studies or visitor use patterns dictate the further reduction in light pollution, there are other opportunities where mitigations can be more effective.

13. It appears that illumination levels were designed for Class II standards, whereas Class IV standards would be much more appropriate for the intended use of the facility. The Class IV standard for lacrosse and soccer is 20 footcandles, which is roughly the brightness of a modestly lit office. NPS understanding of the Musco product is that illumination levels can be reduced through using a lower wattage lamp while still maintaining a high uniformity that would pass Class II uniformity standards. This would reduce operator electrical cost, minimize uplight, reduce visual intrusion, and would still fully meet the objectives of the sports facility.
14. The proposed fixtures provide excellent control of light pattern on ground. Uplight control can be enhanced by using the optional "Flagstaff Shield" on the LSG fixture. This would likely reduce uplight to near zero. Although the NPS estimates the majority of light pollution will be caused by bounce light, total off-site impact can be reduced by using this shield.
15. It appears that the other outdoor lighting at the facility, including parking lot and pathway lighting, uses shielded fixtures. NPS recommends that these be classified as "full cut-off" and use the appropriate level of illumination given the activity level and ambient surroundings. NPS recommends that some of the pathway and parking lot lighting be turned off after use hours. This should provide adequate security for late night times and will save a significant amount of energy and reduce light pollution to the more sensitive environments that surround the sports facility.
16. This table summarizes NPS lighting analysis and recommended mitigations.

Parameter	Analysis	Mitigation
Illumination Level	51 fc is appropriate for Class II standards, but excessive for the proposed facility	Maintained illumination levels should fall between 20-25 fc
Lamp Color	Recommended range is 3000K-3800K (Warm White). 3700K is acceptable	none
Light Trespass/Lateral Light	Fixtures are well controlled and vegetation provides additional blocking	none
Pole Height	60' is a good choice for both lighting quality and minimizing off-site impacts	none
Fixture Type	Musco LSG is one of the most	Swapping out stock shield

	advanced and well controlled fixtures	with "Flagstaff Shield" to reduce direct uplight and visibility from Sutro/Lands End area
Other Facility Lighting	Appears to be shielded.	Ensure that parking lot and path lighting is fully shielded, with dimmers and/or timers.

Aesthetics

- The desired nighttime views from the east toward the ocean, as well as from the west toward Golden Gate Park should be considered.
- Impact AE-2 states that there are no scenic resources adjacent to the project site. Ocean Beach and the ocean should be considered scenic resources.
- Evaluate the visual impact of the proposed 16' high black vinyl fencing.

Geology and Soils

Consider adding dune habitat restoration to the proposed renovations.

Noise

NPS disagrees that Noise during well attended athletic events could increase ambient noise levels and have an effect on wildlife and visitor enjoyment on adjacent open space areas.

Air Quality and Greenhouse Gas Emissions (GHGs)

Include assessment of GHGs of the proposed lighting.

Note: Energy consumption for lighting 10 poles x 40 luminaires per pole x 1500 W per luminaire = 600 KW

¹ 0.275 metric tons CO₂/MWH

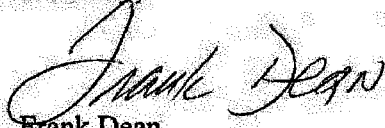
² 0.165 metric tons CO₂/hr x 3hrs x 365 days = 180 metric tons CO₂/yr

Restrooms

Restrooms should incorporate current technologies for water and energy conservation.

Thank you for the opportunity to comment and we look forward to your continued coordination with the GGNRA on this project. Please contact Larry Miranda (415) 561-2842 if you have any questions regarding our comments.

Sincerely,



Frank Dean
General Superintendent

¹ <http://www.eia.doe.gov/oiaf/1605/pdf/EFactors1998-2000.pdf>

² As a comparison, the City's 2005 estimated GHG emissions is 7.82 million metric tons CO₂.



United States Department of the Interior

NATIONAL PARK SERVICE
Golden Gate National Recreation Area
Fort Mason, San Francisco, California 94123

IN REPLY REFER TO:
L76 (GOGA-PLAN)
FEB 1 2012

Mr. Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Ste. 400
San Francisco, California 94103

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FEB 07 2012

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

Re: Comments on the Draft Environmental Impact Report for the Beach Chalet Athletic Fields Renovation Project, San Francisco Planning Department File No. 2010.0016E

Dear Mr. Wycko:

Golden Gate National Recreation Area (GGNRA) has reviewed the Draft Environmental Impact Report (DEIR) for the Beach Chalet Athletic Fields Renovation Project. We have an interest in this project because the athletic fields are approximately 450 feet from parklands which are owned and managed by GGNRA. Our specific comments on the DEIR are enclosed.

We encourage the Environmental Impact Report (EIR) to treat Dark Night Skies as a unique resource¹ in the environmental setting of the project. The EIR should describe the Dark Night Sky baseline condition at Ocean Beach and, as part of the environmental setting, describe Ocean Beach and adjacent coastal areas (Lands End, Sutro Heights Park, and Lincoln Park) of San Francisco as having much lower outdoor lighting intensity than the interior and urban center of the city. For this coastal area, it is important that the environmental setting describe Lands End as the core of the city's dark sky zone and its use as a gathering area by local astronomers for night sky observing. Sufficient darkness in these sections of the sky is very rare elsewhere in the heavily light-polluted inner bay area. This visitor use is promoted and is a management emphasis under our National Park Service (NPS) Management Policy on Dark Skies².

This policy emphasizes that improper outdoor lighting can impede the view and visitor enjoyment, as well as disrupt natural resource processes. The EIR should address the level of light intrusion onto Ocean Beach that will occur as a result of the project and, based on the level of light intrusion, include an analysis of how this will affect visitor views of the dark night sky and nocturnal behavior and biology of Ocean Beach shorebirds based on published literature.

The coastal areas managed by NPS surrounding San Francisco are protected from light intrusion because they are managed by the NPS to achieve our Dark Night Sky management policies. NPS Management Policies direct us to work cooperatively with neighbors and local government agencies to

¹ CEQA Guidelines sec. 15125

² NPS Management Policies 2006. Section 4.10

prevent or minimize the intrusion of artificial light into the night scene of the ecosystems of parks. Through the EIR, NPS hopes to gain an understanding of the light intrusion that will affect Ocean Beach and work with San Francisco Recreation and Parks Department (SFRPD) to minimize this intrusion.

We understand the proposed project's objectives and SFRPD's desire to upgrade the Beach Chalet fields. We encourage SFRPD to actively collaborate with our staff on resolving the impacts this project will have on NPS land and resources. If you have questions or require further clarification regarding our comments, please contact Nancy Horner, Planning Division Chief, at (415) 561-4937.

Sincerely,



Frank Dean
General Superintendent

Enclosure (1); NPS Comments on Beach Chalet Athletic Fields Renovation DEIR

NPS Comments on Beach Chalet Athletic Fields Renovation DEIR

General Comments

- Dark night skies are an important attribute and resource at Ocean Beach and throughout GGNRA. Dark night skies should be identified as a unique resource (CEQA Guidelines sec. 15125) in the EIR.
- Page III-10: Revise "Golden Gate National Recreation Area Policies 2006" to read "National Park Service Management Policies (2006)."
- Page IVA-3: 1st sentence. According to Figure IV.A-1, it appears the Great Highway is approximately 250' away from the project site.
- Page IV.F-4: The beach and nearshore ocean ecosystems should be included in the affected habitat types.
- NPS suggests including the impacts of additional lighting on Greenhouse Gas Emissions

Lighting

- The DEIR acknowledges NPS lightscape/night skies policy, but does not quantify the light intrusion that would occur along Ocean Beach directly adjacent to the project. The DEIR's consideration and analysis of lighting impacts is focused primarily on Golden Gate Park and lands east of the Great Highway. Although the EIR states, "... the project would noticeably illuminate the project site as compared to existing conditions, light spillover into the adjacent areas, including Ocean Beach, would not be substantial." there is no quantifiable information or analysis in the EIR that supports this statement.
- NPS recommends the City provide lighting with the least impact that meets its project objectives. Illuminating Engineers Society's (IES) RP-6 standards, suggest that the Beach Chalet athletic fields only warrant Class IV lighting for general use, with Class III lighting only used for tournament events. Please provide the rationale to explain why the preferred lighting design is brighter than IES standards, and why the Class IV lighting cannot be used for general use.
- IV.B-33: This seems to be a typo intended to be "134,000 lumens per light," (not 134 lumens).
- Page IVB-10: The site is clearly visible from Sutro Heights Park and the West Fort Miley area of Lands End, and would be particularly visible with the proposed lighting. It is important to mention the potential impact to the visitors looking in this direction from Land's End, considered to be the center of the San Francisco's dark sky zone. Similarly, the nighttime view from the paved Ocean Beach walkway or promenade could be affected by light spilling over from the Proposed Project because, as stated in the DEIR, the light standards would be visible from the Ocean Beach promenade adjacent to the project area. Please append Table IV.B-1 to include a line item for Ocean Beach views from along the promenade.

- Impact AE-3: The DEIR only provides two evening view simulations, none of which includes Ocean Beach. We encourage the DEIR to provide an evening visual simulation from Ocean Beach promenade; at a location directly perpendicular from the midpoint of the Beach Chalet Fields (approximately 1,000 ft. north of Viewpoint C). From this viewpoint the EIR should quantify the amount of light spillover that will occur, and then based on these illumination levels and glare from the proposed project, analyze and discuss the effects of this light spillover from a visitor use and biological perspective (primarily shorebird nocturnal behavior discussed below). Without this quantification and analysis, we are unsure the conclusion statement (page IV.B-37), "*Based on the discussion above, the development of the proposed project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area or that would substantially affect other people or properties.*" is supportable.

Biological Resources

- The negative effect of fugitive light on the Western Snowy Plover, a federally threatened species, and shorebirds at Ocean Beach may be of concern if the project increases light intrusion into their foraging habitat. Although Ocean Beach is one of the most important wintering and migratory shorebird areas along the outer coast of Central California, the DEIR focuses primarily on terrestrial habitat immediately adjacent to the athletic fields. As part of the affected environment, we feel the EIR should provide a more in-depth description of Ocean Beach's importance as shorebird habitat.
- Please address how the Proposed Project is consistent with the Western Snowy Plover Recovery Plan (2007), which includes the following discussion on the effect of lighting on the plover:
 - a) "When urban areas interface with natural habitat areas, the value of breeding and wintering habitat to native species may be diminished by increased levels of illumination at night (e.g., building and parking lot lights) (Kelly and Rotenberry 1996/1997)."
 - b) "When beach development cannot be avoided, the following protections should be implemented: (4) lights for parking areas and other facilities should not shine on western snowy plover habitat, (5) sources of noise that would disturb western snowy plovers should be avoided, and (6) the establishment of predator perches and nesting sites should be avoided when designing facilities."
- Page IV.F-28-29: Shorebirds and seabirds, which migrate and forage in the vicinity of Ocean Beach, are known to be sensitive to artificial light, which can affect their behavior. Birds resting or foraging on the beach could be affected by the lights at the athletic fields. Please address and provide impact analysis of the Proposed Project for shorebirds.

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Maria Su, Psy.D.
DIRECTOR

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Gavin Newsom
MAYOR

April 13, 2012

Ms. Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlet Place
San Francisco, CA 94102-4689

Dear Ms. Calvillo,

The U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant Program FY 2012 Local Solicitation. The Department of Children, Youth and Their Families, in partnership with the Adult Probation Department, the District Attorney's Office, the Police Department, the Public Defender's Office, and the Sheriff's Department, intend to apply for these Federal grant funds to support San Francisco's Drug Elimination Team (DET). The DET is a multidisciplinary partnership that focuses on the prevention, reduction and suppression of drug-related criminal activity through a coordinated approach.

The Bureau of Justice Assistance requires the applicant agency to make the grant application available for review by the governing body not fewer than 30 days before the application is submitted. In accordance with this requirement, we respectfully request that you disseminate a copy of this correspondence along with the attached Edward Byrne Memorial Justice Assistance Grant Program FY 2012 Local Solicitation to each member of the Board of Supervisors for review.

Thank you in advance for your assistance with this matter. The Department of Children, Youth and Their Families and all of our City partners are committed to complying with all applicable requirements pertaining to the Edward Byrne Memorial Justice Assistance Grant. If you have any questions, please contact me at (415) 554-8419 or Diana@dcyf.org.

Diana Oliva-Aroche
Planning and Policy Manager, Violence Prevention and Intervention
Department of Children Youth and Their Families

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U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance



The U.S. Department of Justice (DOJ), Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) is pleased to announce that it is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence.

Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2012 Local Solicitation

Eligibility

Applicants are limited to units of local government appearing on the FY 2012 JAG Allocations List. To view this list, go to www.bja.gov/programs/jag/12jagallocations.html. For JAG program purposes, a unit of local government is: a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may also be a federally recognized Indian tribe that performs law enforcement functions (as determined by the Secretary of the Interior). Otherwise a unit of local government may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes. In Louisiana, a unit of local government means a district attorney or parish sheriff. In the District of Columbia or any United States Trust Territory, a unit of local government is any agency of the District of Columbia or federal government performing law enforcement functions for the District of Columbia or Trust Territories of the United States.

Deadline

Applicants must register in OJP's Grants Management System (GMS) prior to submitting application for this funding opportunity. Select the "Apply Online" button associated with the solicitation title. (See "How To Apply," page 14.) All registrations and applications are due by 8:00 p.m. eastern time on May 14, 2012. (See "Deadlines: Registration and Application," page 4.)

Contact Information

For technical assistance with submitting the application, contact the Grants Management System Support Hotline at 1-888-549-9901, option 3, or via e-mail to GMS.HelpDesk@usdoj.gov.

Note: The GMS Support Hotline hours of operation are Monday-Friday from 6:00 a.m. to 12 midnight eastern time, except federal holidays.

For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 1-877-927-5657, via e-mail to JIC@telesishq.com, or by live web chat. The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, and 8:30 a.m. to 8:00 p.m. eastern time, Monday through Friday, on the solicitation close date.

Funding opportunity number assigned to announcement: BJA-2012-3256

Release date: March 28, 2012

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Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local Solicitation CFDA #16.738

Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG-funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

Deadlines: Registration and Application

Applicants must register in GMS prior to submitting an application for this funding opportunity. The deadline to register in GMS is 8:00 p.m. eastern time on May 14, 2012, and the deadline to apply for funding under this announcement is 8:00 p.m. eastern time on May 14, 2012. See the "How To Apply" section on page 14 for more details.

Eligibility

Refer to the cover page of this solicitation for eligibility under this program.

JAG Program—Specific Information

Formula

Once each fiscal year's overall JAG Program funding level is determined, BJA partners with the Bureau of Justice Statistics (BJS) to begin a four-step grant award calculation process which consists of:

1. Computing an initial JAG allocation for each state and territory, based on their share of violent crime and population (weighted equally).
2. Reviewing the initial JAG allocation amount to determine if the state or territory allocation is less than the minimum ("de minimus") award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state or territory is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining states receives the minimum award plus an additional amount based on their share of violent crime and population.
3. Dividing each state's final award amount (except for the territories and District of Columbia) between state and local governments at a rate of 60 and 40 percent, respectively.

4. Determining local unit of government award allocations, which are based on their proportion of the state's three-year violent crime average. If a local eligible award amount is less than \$10,000, the funds are returned to the state to be awarded to these local units of government through the state agency. If the eligible award amount is \$10,000 or more, then the local government is eligible to apply for a JAG award directly from BJA.

Award Amount

Eligible award amounts under JAG are posted annually to BJA's JAG web page: www.bja.gov/ProgramDetails.aspx?Program_ID=59.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

Purpose Areas

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation, data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

- Law enforcement programs.
- Prosecution and court programs.
- Prevention and education programs.
- Corrections and community corrections programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation).

JAG funds may also be used to address key statutory requirements that may not be otherwise funded, including requirements from the state and federal level, such as addressing limited English proficiency requirements and other similar mandates.

Responsibilities

The Chief Executive Officer (CEO) of an eligible unit of local government or other officer designated by the CEO must submit the application for JAG funds. A unit of local government receiving a JAG award will be responsible for the administration of the funds including: distributing the funds; monitoring the award; submitting quarterly financial status (SF-425) and performance metrics reports and annual programmatic reports; and providing ongoing oversight and assistance to any subrecipients of the funds.

Length of Awards

Awards are made in the first fiscal year of the appropriation and may be expended during the following 3 years, for a total grant period of 4 years. Extensions beyond this period may be made on a case-by-case basis at the discretion of the Director of BJA and must be requested via the Grants Management System (GMS) **no less than 30 days prior to the grant end date.**

Administrative Funds

A unit of local government may use up to 10 percent of the award, plus any interest accrued, for costs associated with administering JAG funds.

Disparate Certification

A disparate allocation occurs when a city or municipality is allocated one-and-one-half times (150 percent) more than the county, while the county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crimes. A disparate allocation also occurs when multiple cities or municipalities are collectively allocated four times (400 percent) more than the county, and the county bears more than 50 percent of the collective costs associated with prosecution or incarceration of each municipality's Part 1 violent crimes.

- ★ Jurisdictions certified as disparate must identify a fiscal agent that will submit a **joint application** for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds, must be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to www.bja.gov/Funding/JAGMOU.pdf.

Governing Body Review

The applicant agency (fiscal agent in disparate situations) must make the grant application available for review by the governing body (or to the organization designated by the governing body) not fewer than 30 days before the application is submitted to BJA.

Public Comment

The applicant agency (the fiscal agent in disparate situations) must include a statement that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and to neighborhood or community-based organizations.

Supplanting

Federal funds must be used to supplement existing funds for program activities and cannot replace or supplant nonfederal funds that have been appropriated for the same purpose. Supplanting is prohibited under JAG. See BJA's [JAG web page](#) and the updated JAG FAQs for examples of supplanting.

Trust Fund

Award recipients may draw down JAG funds in advance. To do so, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds. This trust fund requirement only applies to direct JAG award recipients as well as subrecipients that are not on a reimbursement basis.

Match Requirement

While match is not required with the JAG Program, match is as an effective strategy for states and units of local government to expand justice funds and build buy-in for local criminal justice initiatives. If an applicant proposes a voluntary match amount, the match amount incorporated into the OJP-approved budget becomes mandatory and subject to audit.

Prohibited Uses

No JAG funds may be expended outside of JAG purpose areas. Even within these purpose areas, however, JAG funds cannot be used directly or indirectly for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Nor may JAG funds be used directly or indirectly to provide for any of the following matters unless BJA certifies* that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:

- **Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters).
- Luxury items.
- Real estate.
- Construction projects (other than penal or correctional institutions).
- Any similar matters.

***For information related to requesting a waiver to use funds for any prohibited item, refer to the updated JAG FAQs on BJA's [JAG web page](#).**

****Police cruisers may include a police pursuit vehicle (PPV) or system support vehicle (SSV). Examples include sedans and sport utility vehicles (SUVs).**

Budget Information

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. The 2012 salary table for SES employees is available at www.opm.gov/oca/12tables/indexSES.asp. Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Assistant Attorney General (AAG) for OJP. An applicant requesting a waiver should include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit its budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

Minimization of Conference Costs

No OJP funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such sustenance is not otherwise available (i.e., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be obtained. Such an exception would require prior approval from the BJA Director. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

Updated Department of Justice and OJP guidance on conference planning, minimization of costs, and conference cost reporting will be forthcoming and will be accessible on the OJP web site at www.ojp.usdoj.gov/funding/funding.htm.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits by individuals with limited English proficiency may be allowable costs. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section of the OJP "Other Requirements for OJP Applications" web page (www.ojp.usdoj.gov/funding/other_requirements.htm).

Updated Requirements

Bulletproof Vest Certification

Bulletproof vests can be funded through two BJA-administered programs: the JAG Program and the Bulletproof Vest Partnership (BVP) Program.

- BVP is a program designed to provide a critical resource to state and local law enforcement through the purchase of ballistic-resistant and stab-resistant body armor. A jurisdiction is able to request up to 50 percent of the cost of a vest with BVP funds. For more information on the BVP Program, including eligibility and application, refer to the [BVP web page](#).

- JAG funds may also be used to purchase vests for an agency, but they may not be used to pay for that portion of the bulletproof vest (50 percent) that is not covered by BVP funds. Unlike BVP, JAG funds used to purchase vests do not require a 50 percent match.
- Bulletproof vests purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice ballistic or stab standards. In addition, bulletproof vests purchased must be American-made. The latest NIJ standard information can be found at: www.nij.gov/topics/technology/body-armor/safety-initiative.htm.
- As is the case in BVP, grantees that wish to purchase vests with JAG funds **must certify** that law enforcement agencies receiving vests have a written "mandatory wear" policy in effect. FAQs related to the mandatory wear policy and certifications can be found at www.bja.gov/Funding/JAGFAQ.pdf. This policy must be in place for at least all uniformed officers before any FY 2012 funding can be used by the agency for vests. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. A *mandatory wear concept and issues paper* and a *model policy* are available by contacting the BVP Customer Support Center at vests@usdoj.gov or toll free at 1-877-758-3787.
- A copy of the certification related to the mandatory wear can be found at: www.bja.gov/Funding/12JAGBVPCert.pdf.

Interoperable Communications Guidance

- Grantees (including subgrantees) that are using FY 2012 JAG Program funds to support emergency communications activities must comply with the *FY 2012 SAFECOM Guidance for Emergency Communication Grants*, including provisions on technical standards that ensure and enhance interoperable communications. Emergency communications activities include the purchase of Interoperable Communications Equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order. SAFECOM guidance can be found at www.safecomprogram.gov.
- Grantees interested in developing a public safety broadband network in the 700 MHz band in their jurisdictions must adhere to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band. The recipient shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC) in the state of the project. As the central coordination point for their state's interoperability effort, the SWIC plays a critical role, and can serve as a valuable resource. SWICs are responsible for the implementation of the SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office of Emergency Communications maintains a list of SWICs for each of the 56 states and territories. Contact OEC@hq.dhs.gov if you are not familiar with your state or territory's SWIC. If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the recipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure

coordination. Grantees (and sub-grantees) must provide a listing of all communications equipment purchased with grant award funding (plus the quantity purchased of each item) to their assigned BJA State Policy Advisor once items are procured during any periodic programmatic progress reports.

DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database

If JAG program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS), by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. For more information, refer to the NIJ FY 2012 DNA Backlog Reduction Program, available at ncjrs.gov/pdffiles1/nij/sI000989.pdf

Reporting Requirements

Once an award is accepted, award recipients must submit quarterly financial status (SF-425) and annual programmatic reports through GMS, quarterly performance metrics reports (see Performance Measures section below) through BJA's Performance Measurement Tool (PMT), and Federal Funding Accountability and Transparency Act (FFATA) reports through the FFATA Sub-award Reporting System (FSRS) as necessary (see FFATA section below).

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act of 1993 (GPRA), P.L. 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants who receive funding under this solicitation must provide data that measures the results of their work. Quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) web site: www.bjaperformancetools.org. The performance measure can be found at: www.bjaperformancetools.org/help/ARRAJAGandJAGCombinedIndicatorGrid.pdf.

All JAG recipients should be aware that BJA is currently making changes to the JAG performance reporting processes, including measures. While state administering agencies are playing a role in the process, recipients are advised that the reporting requirements noted above may be subject to modification through this process.

Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section "What an Application Should Include" on page 16 for additional information.

Note on Project Evaluations

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do

not constitute "research." Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge." 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "Research and the Protection of Human Subjects" section of the OJP Other Requirements for OJP Applications" web page (www.ojp.usdoj.gov/funding/other_requirements.htm). Applicants whose proposals may involve a research or statistical component also should review the "Confidentiality" section on that web page.

Notice of Post-Award FFATA Reporting Requirement

Applicants should anticipate that OJP will require all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at www.fsr.gov.

Note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

Priorities

BJA recognizes that the downturn in the economy has resulted in significant pressures on state and local criminal justice systems. In these challenging times, shared priorities and leveraged resources can make a significant impact. In light of this, it is important to make SAAs and local JAG recipients aware of several areas of priority that may be of help in maximizing the effectiveness of JAG funding at the state and local level.

As an overall framework for success, we encourage both state and local comprehensive justice planning, bringing all of the system stakeholders together—including law enforcement, courts, prosecutors, defenders, corrections officials, and other stakeholders (including victims and victim advocates)—to create a comprehensive and strategic justice plan to ensure coordination and a more effective justice system.

In addition to our longstanding and unwavering commitment to keeping violent crime at its lowest level in decades, the following priorities represent key areas where we will be focusing nationally and invite each state and local JAG recipient to join us in addressing these challenges as a part of our JAG partnership.

Funding Evidence-Based Programs

BJA strongly encourages state and local planners to fund programs that are evidence-based and have been proven effective. In the current difficult budgetary climate, it is more critical than ever that JAG dollars are spent on programs with proven effectiveness.

Questions often arise about what is meant by evidence-based programs. OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence (generally obtained through one or more outcome evaluations). Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

In 2011, OJP made an excellent online tool available to criminal justice practitioners and policy makers to identify evidence based programs that are effective or promising. CrimeSolutions.gov is the OJP online resource about what works in criminal justice, juvenile justice, and crime victim services. Using certified expert reviewers, CrimeSolutions.gov provides detailed information and evidence ratings of programs that may fall within the JAG purpose areas. Launched in June 2011, CrimeSolutions.gov features multiple, user-friendly search options; easy to read program profiles and evaluation summaries from over three decades of research; and recognizable evidence ratings by certified reviewers with research and subject area expertise. CrimeSolutions.gov is intended to increase the use of evidence-based programs in criminal justice, juvenile justice and victim services settings; inform practitioners and policy makers about what works using the best available evidence; and help state and local jurisdictions address crime effectively and efficiently. BJA urges SAAs and local jurisdictions to use information available in CrimeSolutions.gov in making funding decisions.

Criminal Justice Planning

Jurisdictions are strongly encouraged to use JAG funding to support their existing strategic plan. If such a plan does not now exist, jurisdictions are encouraged to develop and undertake a strategic planning process, using a community engagement model, in order to guide spending under this and future fiscal year allocations. Training and technical assistance (TTA) is available from BJA's TTA providers to assist localities with the development of their strategic planning process and their plan to fund evidence-based projects. To ensure that the impact of Byrne JAG funding decisions is considered across the entire criminal justice system, we are redoubling our efforts to encourage state and local jurisdictions to bring all system stakeholders together in the strategic planning process. Our recommended guidelines are that at a minimum, the strategic planning process includes law enforcement, courts, prosecutors, indigent defense providers, victim advocates, and corrections and community corrections officials. BJA will continue to provide valuable technical assistance in 2012 through the National Criminal Justice Association (NCJA) for comprehensive criminal justice planning that includes bringing all criminal justice stakeholders to the table to develop innovative strategies to improve the fair administration of justice. For more information, see the [National Center for Justice Planning web site](#).

Recidivism Reduction and Community Corrections

In this time of fiscal austerity and smaller state and local budgets, reducing the overall costs of incarceration in a manner that promotes public safety is a paramount goal. Effective community supervision coupled with evidence-based program interventions can result in significant reductions in recidivism. A priority funding area is the implementation of effective pre-trial services programs and innovative programs and approaches in probation and parole supervision that improve services to offenders and increase collaborative efforts among community supervision agencies with law enforcement and the courts. This includes development and implementation of strategies for the identification, supervision, and treatment of medium- to high-risk offenders that demonstrate the integration, use, and efficacy of evidenced-based practices and principles in the improvement of the delivery of probation and/or parole supervision strategies and practices.

Indigent Defense

Another key priority area is ensuring that justice is truly done in the criminal justice system is support for indigent defense. BJA continues to encourage states and SAAs to use JAG funds to support the vital needs of the indigent defense community. Attorney General Holder has consistently stressed that the crisis in indigent defense reform is a serious concern which must be addressed if true justice is to be achieved in our nation. In 2002, the American Bar Association (ABA) published Ten Principles of a Public Defense Delivery System which represent fundamental building blocks for implementing quality legal representation for indigent defendants. (See [ABA Ten Principles](#).)

Evidence-Based “Smart Policing” Programs

As a result of the current fiscal crisis, many police departments are experiencing unprecedented budget cuts, layoffs and reductions in force. These challenges must be met by making wider use of advancements in the law enforcement field in the last several decades which rely on use of data, crime analysis, crime mapping and other analytic tools, cutting edge technology, and research and evaluations regarding effective policing strategies and programs. A useful matrix of evidence-based policing programs and strategies is available through the [Center for Evidence-Based Policy](#) at George Mason University and provides valuable information on policing strategies and programs that work. BJA encourages states to use JAG funds to support these “smart policing” strategies, including a focus on real time crime analysis centers (CACs), and effective partnerships with universities and research partners and with non-traditional criminal justice partners. Counterterrorism continues to be the number one priority for the Department of Justice. At the state and local level, high functioning, evidence-based, data driven public safety agencies are a critical component of our nation’s “all crimes” strategy. In addition, the JAG Program has long supported effective and collaborative multi-jurisdictional task forces and justice information sharing programs, which continue as a priority in order to maintain our nation’s historic reductions in violent crime.

Officer Safety and Wellness

Law enforcement safety and wellness issues are an important priority for the Department of Justice, have become highly visible as recent trends have shown an increase in law enforcement deaths. According to the National Law Enforcement Officers Memorial Fund, 2011 showed a 16 percent increase in law enforcement fatalities with a 20 percent increase in

firearms-related fatalities. The Department of Justice is taking a holistic approach to addressing officer safety and wellness by providing training and technical assistance to state and local law enforcement, as well as studying law enforcement injuries. BJA encourages states and local jurisdictions to use JAG funds to support this priority area by providing training—such as paying for tuition and travel expenses related to attending trainings like the VALOR training—as well as providing start-up funding for health and wellness programs to law enforcement agencies.

How To Apply

Applications are submitted through OJP's Grants Management System (GMS). GMS is a web-based, data-driven computer application that provides cradle to grave support for the application, award, and management of awards at OJP. Applicants must register in GMS for each specific funding opportunity and should begin the process immediately to meet the GMS registration deadline, especially if this is the first time using the system. Complete instructions on how to register and submit an application in GMS can be found at www.ojp.usdoj.gov/gmscbt/. If the applicant experiences technical difficulties at any point during this process, e-mail GMS.HelpDesk@usdoj.gov or call 888-549-9901 (option 3), Monday–Friday from 6:00 a.m. to midnight eastern time, except federal holidays. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants should complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their application for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866-705-5711 or by applying online at www.dnb.com. A DUNS number is usually received within 1-2 business days.
2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.
3. **Acquire a GMS username and password.** A new user must create a GMS profile by selecting the "First Time User" link under the sign-in box of the GMS home page. For more information on how to register in GMS, go to www.ojp.usdoj.gov/gmscbt/.

4. **Verify the CCR registration in GMS.** OJP requests that all applicants verify their CCR registration in GMS. Once logged into GMS, click the “CCR Claim” link on the left side of the default screen. Click the submit button to verify the CCR registration.
5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the “Funding Opportunities” link on the left side of the page. Select the Bureau of Justice Assistance and the Edward Byrne Memorial Justice Assistance Grant (JAG) Program—Local Solicitation.
6. **Register by selecting the “Apply Online” button associated with the solicitation title.** The search results from step 5 will display the solicitation title along with the registration and application deadlines for this funding opportunity. Select the “Apply Online” button in the “Action” column to register for this solicitation and create an application in the system.
7. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information and submit the form in GMS. An applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). An applicant that does not expend any funds for lobbying activities should enter “N/A” in the required highlighted fields. Access the form at www.ojp.gov/funding/forms/disclosure.pdf.
8. **Submit an application consistent with this solicitation by following the directions in GMS.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, an applicant must wait for GMS approval before submitting an application. Applicants are urged to submit the application **at least 72 hours prior** to the due date of the application.

Note: OJP’s Grants Management System (GMS) does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.”

Note: Duplicate Applications

If an applicant submits multiple versions of an application, BJA will review the most recent version submitted.

Experiencing Unforeseen GMS Technical Issues

If an applicant experiences unforeseen GMS technical issues beyond the applicant’s control that prevent submission of its application by the deadline, the applicant must contact the BJA Programs Office staff **within 24 hours after the deadline** and request approval to submit the application. At that time, BJA Programs Office staff will instruct the applicant to submit specific information detailing the technical difficulties. The applicant must e-mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and GMS Help Desk tracking number(s) received. **Note: Requests are not automatically approved by BJA.** After the program office reviews all of the information submitted, and contacts the GMS Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow GMS instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment, including firewalls.

Notifications regarding known technical problems with GMS, if any, are posted at the top of the OJP funding web page, www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Should Include

Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application and, should a decision be made to make an award, will result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Refer to the BJA Grant Writing and Management Academy and OJP 101 for an overview of what should be included in each application requirement. These trainings can be found at bj.ncjrs.gov/gwma/index.html and www.ojp.gov/grants101/.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Memoranda of Understanding," etc.) for all required attachments.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant's profile to populate the fields on this form.

2. Program Narrative

Applicants **must** submit a program narrative that generally describes the proposed program activities for the four year grant period. The narrative must outline the type of programs to be funded by the JAG award and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds. Certified disparate jurisdictions submitting a **joint application** must specify the funding distribution to each disparate unit of local government and the purposes for which the funds will be used.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

3. Budget and Budget Narrative

Applicants **must** submit a budget and budget narrative outlining how JAG funds, including administrative funds if applicable, will be used to support and implement the program. This narrative should include a full breakdown of administrative costs, as well as an overview of how funds will be allocated across approved JAG purpose areas. Applicants should utilize the following approved budget categories to label the requested expenditures: Personnel, Fringe Benefits, Travel, Equipment, Supplies, Consultants/Contracts, and an Other

category. For informational purposes only, a sample budget form may be found at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

4. Review Narrative

Applicants **must** submit information documenting that the date the JAG application was made available for review to the governing body, or to an organization designated by that governing body, on a date not less than 30 days before the application was submitted to BJA. The attachment must also specify that an opportunity to comment was provided to citizens to the extent applicable law or established procedures make such opportunity available.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

5. Abstract

Applicants **must** provide an abstract that includes the applicant's name, title of the project, goals of the project, and a description of the strategies to be used. In addition, above or below the abstract narrative, applicants **must identify up to five project identifiers** that would be associated with proposed project activities. The list of all identifiers can be found at www.bja.gov/programs/jag/jag12/12JAGIdentifiers.pdf. The abstract **should not** exceed a half-page, or 400-500 words.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

6. Tribal Authorizing Resolution (if applicable)

If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution (or comparable legal documentation, as may be applicable) from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions (or comparable legal documentation).

If an applicant is unable to obtain and submit with its application a fully-executed (*i.e.*, signed) copy of a tribal resolution or other, comparable legal documentation as may be consistent with the tribe's governance structure, then, at minimum, the applicant should submit an unsigned, draft version of such legal documentation as part of its application

(except in cases where, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, use of and access to funds will be contingent on receipt of the fully-executed tribal resolution or other, comparable legal documentation.

7. Additional Attachments (if applicable)

Jurisdictions certified as disparate **must** identify a fiscal agent that will submit a **joint application** for the aggregate eligible allocation to all disparate municipalities. The joint application **must** determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds, **must** be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU **must** be attached to the application. For a sample MOU, go to www.bja.gov/Funding/JAGMOU.pdf.

Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process.

8. Other Standard Forms

Additional forms that may be required in connection with an award are available on OJP's funding page at www.ojp.usdoj.gov/funding/forms.htm. For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms:

a. Standard Assurances

Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.

b. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants must read, certify and submit in GMS prior to the receipt of any award funds.

c. Accounting System and Financial Capability Questionnaire (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and submitted)

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. Applications for formula awards will be reviewed to ensure statutory requirements have been met.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG).

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each requirement can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Nonsupplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs Financial Guide
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of \$5,000,000 – federal taxes certification requirement
- Active CCR Registration

Provide Feedback to OJP on This Solicitation

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, application submission process, and/or the application review/peer review process. Feedback can be provided to OJPSolicitationFeedback@usdoj.gov.

Application Checklist
FY 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) Program:
Local Solicitation

The application checklist has been created to assist in developing an application.

Eligibility Requirement:

- The jurisdiction listed as the legal name on the application corresponds with the eligible jurisdiction listed on BJA's JAG web page
- The federal amount requested is within the allowable limit of the FY 2012 JAG Allocations List as listed on BJA's JAG web page

What an Applications Should Include:

- Standard 424 Form (see page 16)
- Program Narrative (see page 16)
- Budget and Budget Narrative (see page 16)
- Review Narrative (the date the JAG application was made available to the governing body for review and that it was provided to the public for comment) (see page 17)
- Abstract (see page 17)
- Tribal Authorizing Resolution (if applicable) (see page 17)
- Disclosure of Lobbying Activities (SF-LLL) (see page 15)
- Additional Attachments (if applicable) (see page 18);
- Other Standard Forms as applicable (see page 18), including:
 - Accounting System and Financial Capability Questionnaire (if applicable)
- DUNS Number (see page 14)
- CCR Registration (see page 14)

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

Box-11
COR
CA
Deputy Dir
C pages

April 13, 2012

Ms. Angela Calvillo
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102


RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR 12 PM 2:23
BY _____
AK

Dear Ms. Calvillo,

Pursuant to Charter Section 3.100, I hereby designate Supervisor Scott Wiener as Acting-Mayor from the time I leave the State of California on Sunday, April 15, 2012 at 7:00 a.m., until I return on Monday, April 16, 2012 at 10:40 p.m.

In the event I am delayed, I designate Supervisor Wiener to continue to be the Acting-Mayor until my return to California.

Sincerely,


Edwin M. Lee
Mayor

cc: Mr. Dennis Herrera, City Attorney



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Edmund G. Brown, Jr.
Governor

RECEIVED
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TITLE 22

45-DAY PUBLIC NOTICE AND COMMENT PERIOD

DISASTER VICTIMS HAZARDOUS WASTE FEE EXEMPTION

Department Reference Number: R-2011-05

Office of Administrative Law Notice File Number: Z-2012-0328-01

NOTICE IS HEREBY GIVEN that the Department of Toxic Substances Control (DTSC) proposes to adopt Section 66269.2 into the California Code of Regulations, Title 22, Division 4.5, Chapter 19.

PUBLIC HEARING

A written comment period has been established commencing on April 13, 2012, and closing on May 29, 2012. DTSC has not scheduled a public hearing on the proposed regulation. However, pursuant to Government Code section 11346.8, any interested person or his or her duly authorized representative may request a hearing, no later than May 14, 2012. Please submit written comments on this proposal to the contact person listed at the end of this notice no later than 5:00 p.m. on May 29, 2012. Comments submitted after this time will not be considered.

Notice to Hearing Impaired - Accessibility. If you have special accommodation or language needs, please contact Reasonable Accommodation Coordinator, Adrian Recio, at (916) 324-3095 or by e-mail at arecio@dtsc.ca.gov as soon as you receive this document. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

AUTHORITY AND REFERENCE

This regulation is being proposed under the following authorities:

Health and Safety Code section 25150. This section grants DTSC authority to adopt standards dealing with the management of hazardous waste.

Health and Safety Code section 25205.5.1. This section grants DTSC authority to adopt regulations exempting victims of disasters from the hazardous waste disposal fee imposed pursuant to Section 25174.1 and the generator fee imposed pursuant to Section 25205.5.

Health and Safety Code section 58012. (Added by Gov. Reorg. Plan No. 1, §146, eff. July 17, 1991.) This section grants DTSC authority to adopt regulations to execute its duties.

This regulation implements, interprets, or makes specific the following:

Health and Safety Code section 25205.5.1 that authorizes DTSC to adopt regulations exempting victims of disasters from the hazardous waste disposal fee imposed pursuant to Section 25174.1 and the generator fee imposed pursuant to Section 25205.5.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Policy Statement Overview

The objective of the proposed regulation is to exempt victims of disasters as authorized in Health & Safety Code Section 25205.5.1 from paying state hazardous waste generator and disposal fees generated as a result of a disaster in a geographical area identified in a state of emergency proclamation by the Governor due to fire, flood, storm, earthquake, riot, or civil unrest. The proposed regulation would exempt disaster victims from having to pay state hazardous waste generator and disposal fees. To qualify for an exemption the hazardous waste must have been generated as a result of a disaster in a geographical area identified in a state of emergency proclamation by the Governor and must be disposed of within 365 days from the initial disaster proclamation date.

Health & Safety Code Section 25205.5.1 authorizes DTSC to adopt regulations exempting victims of disaster from hazardous waste disposal and generator fees. Without adoption of an implementing regulation, victims of major disasters are required to pay state generator and disposal fees for removal of hazardous wastes generated as a result of disasters. These fees are costs added to the other unavoidable losses suffered by the victims as a result of the disaster. Government agencies and their contractors are exempt from paying hazardous waste disposal fees and generator fees generated as a result of disasters per Health and Safety Code section 25174.7(a)(1). Since the legislature has expressed its intent to extend a fee exemption to disaster victims, DTSC deems it equitable and necessary to promulgate this regulation to exempt victims of disasters as authorized in Health & Safety Code Section 25205.5.1 from paying state hazardous waste generator and disposal fees for wastes generated by a disaster.

Existing Laws and Regulations

Health and Safety Code section 25174.7(a)(1) exempts a government agency, or its contractors, from hazardous waste disposal fees and generator fees for removal or remediation of hazardous waste as a result of a release caused by another person. The

fee exemption has not been extended to private firms engaged in cleanup activities as a result of a release caused by another person. However, in 1996 the Legislature expressed its intent in A.B. 645, to provide some fee relief to private parties by adding Health and Safety Code section 25205.5.1.

Relation to Existing Federal Law

As the federal government does not impose hazardous waste disposal and generator fees, this regulation is not based on, identical to, or in conflict with any federal regulations.

Relation to Existing State Regulations

The proposed regulation is not inconsistent or incompatible with any existing state regulations. An automated search of Title 18, 22 and 26 using the following keywords "disaster", "disaster victim", "emergency proclamation", and "fee exemption" was conducted via Westlaw and yielded no conflicting state regulations. In addition, DTSC consulted with The State Board of Equalization (BOE) which administers six hazardous waste fee programs to ensure that this rulemaking is in accordance with BOE's regulations.

CONSIDERATION OF ALTERNATIVES

DTSC must determine that no reasonable alternative considered or otherwise identified and brought to the attention of DTSC would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The creation of the regulation assists victims of disaster by providing authority to make the exemption available to them. This regulation essentially adopts statutory language from Health and Safety Code Section 25205.5.1 to new regulation Section 66269.2 of the California Code of Regulations, title 22, division 4.5, chapter 19.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS

DTSC has made a determination that adoption of this regulation will not impose a local mandate or result in costs subject to reimbursement pursuant to part 7 of division 4, commencing with section 17500, of the Government Code or other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO STATE OR LOCAL AGENCIES, OR SCHOOL DISTRICTS SUBJECT TO REIMBURSEMENT

DTSC has determined that the proposed regulation will not impose costs or savings, on any state agency, or any cost to any local agency or school district that is required to be reimbursed under Section 17500 of the Government Code, or other nondiscretionary

cost or savings imposed on local agencies, and the cost or savings in federal funding to the state.

DETERMINATION OF ADVERSE STATEWIDE ECONOMIC IMPACT

DTSC has made a determination that the proposed regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability to compete with businesses in other states. This proposed regulation exempts victims of disasters, including affected businesses, from paying hazardous waste disposal and generator fees under certain qualifying circumstances. To the extent this proposal has an economic impact, that impact is a favorable one.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

DTSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

RESULTS OF REGULATORY ECONOMIC IMPACT ANALYSIS

Per the economic impact assessment required by Government Code section 11346.3, DTSC has made a determination that no businesses or jobs will be created, expanded or eliminated in California as a result of the proposed regulation. The rulemaking does not benefit the health and welfare of California residents, worker safety, and the state's environment. It does, however, allow all victims of disaster, including affected businesses, not just government agencies and its contractors, to be exempt from paying hazardous waste disposal and generator fees under certain qualifying circumstances. The rulemaking would therefore help to promote fairness and minimize the negative economic impact on businesses that a disaster might otherwise cause.

EFFECT ON HOUSING COSTS

DTSC has made an initial determination that the proposed regulation will have no significant effect on housing costs.

EFFECT ON SMALL BUSINESSES (1 CCR 4)

DTSC has determined that the proposed rulemaking will not have an effect on small businesses. Rather, the proposed regulation would exempt affected small businesses and other victims of disaster from paying hazardous waste disposal and generator fees under certain qualifying circumstances. To the extent this proposal has an economic impact, that impact is a favorable one.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

DTSC has found this rulemaking to be exempt under the California Environmental

Quality Act (Public Resources Code section 21000, et seq.). This rulemaking meets the statutory exemption available under subdivision (b)(8) of Public Resources Code section 21080. A draft Notice of Exemption is available for review with the rulemaking file and will be filed with the State Clearinghouse when the regulations are adopted.

PEER REVIEW

Under the provisions of Health and Safety Code section 57004, peer review is not required because the proposed regulations do not establish a regulatory level, standard or other requirement subject to scientific peer review.

CONTACT PERSONS

Inquiries regarding technical aspects of the proposed regulations or CEQA documents may be directed to *Kryisia Von Burg* of DTSC at (916) 324-2810 or, if unavailable, Jon Cordova of DTSC at (916) 324-7193. However, such oral inquiries are not part of the rulemaking record.

A public comment period for this proposed regulation has been established commencing on April 13, 2012, and closing on **May 29, 2012** for statements, arguments, or contentions regarding the rulemaking and/or supporting documents that must be submitted in writing or may be presented orally or in writing at the public hearing in order for them to be considered by DTSC before it adopts this regulation.

AVAILABILITY OF TEXT OF REGULATION AND STATEMENT OF REASONS

Copies of the Notice, Initial Statement of Reasons, the text of the proposed regulation, all information upon which its proposal is based, and the express terms of the proposed regulation are posted to DTSC's Internet site at <http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/index.cfm> or may be obtained from *Kryisia Von Burg* of DTSC's Regulations Section as specified below.

After the close of the comment period, DTSC may adopt the proposed regulation. If substantial changes are made, the modified full text will be made available for comment for at least 15 days prior to adoption. Only persons who request the specific proposed regulation, attend the hearing, or provide written comments on this specific regulation will be sent a copy of the modified text if substantive changes are made.

Once the regulation has been adopted, DTSC prepares a Final Statement of Reasons which updates the Initial Statement of Reasons, summarizes how DTSC addressed comments and includes other materials, as required by Government Code section 11346.9. Copies of the Final Statement of Reasons may be obtained from *Kryisia Von Burg* at the address listed below. A copy of the Final Statement of Reasons will also be posted on DTSC's Internet site at <http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/index.cfm>, along with the date the rulemaking is filed with the Secretary of State and the effective date of the regulation.

To be included in this regulation package's mailing list and to receive updates of this rulemaking, please visit <http://www.dtsc.ca.gov/ContactDTSC/ELists.cfm> and subscribe to the applicable EList. or e-mail: regs@dtsc.ca.gov.

Please direct all written comments, procedural inquiries, and requests for documents by mail, e-mail, or fax to:

Kryisia Von Burg, Regulations Coordinator
Regulations Section
Department of Toxic Substances Control

Mailing Address: P.O. Box 806
Sacramento, CA 95812-0806

E-mail Address: regs@dtsc.ca.gov

Fax Number: (916) 324-1808

Ms. Von Burg's phone number is (916) 324-2810. If Ms. Von Burg is unavailable, please call Mr. Cordova at (916) 324-7193.



Matthew Rodriguez
Secretary for
Environmental Protection

Department of Toxic Substances Control

Deborah O. Raphael, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Edmund G. Brown Jr.
Governor

April 5, 2012

Notice

Dear Regulations List Subscriber:

Department of Toxic Substances Control (DTSC) is purging all out-dated addresses from our rulemaking subscription/ mailing list and is in the process of converting from paper mailings to e-mail delivery of rulemaking notices in order to reduce costs, save resources, and work more efficiently. We urge you to convert your regular mail subscription request to our e-mail notification list. You can do this by going to our dedicated regulations e-mail address at regs@dtsc.ca.gov. Once there, submit a statement that you wish to change your regular mail subscription to an e-mail subscription, and please give us the exact mailing information as it appears on the envelope we last mailed to you. We need this exact information in order to locate you among the other 1,300 addresses on our regular mailing list. E-mail notifications will contain a link to review the regulations proposal Notice and Text documents.

Paper mailings of proposed rulemakings will include only the Notice document, not the initial statement of reasons or text. Although these items can still be requested once you receive a notice, DTSC encourages use of our web site, <http://www.dtsc.ca.gov>, to save time and resources. All rulemaking public notices, initial statements of reason, and proposed regulations text documents are located in the "Laws, Regs, & Policies" link on the DTSC website.

Please contact Krysia Von Burg at 916-324-2810 or at regs@dtsc.ca.gov if you have any concerns or questions about this notice or the process.

Sincerely,

Jon Cordova, Regulations Process Manager
Office of Policy



Poor performance and inaccurate information.

Francisco Da Costa

to:

RedevelopAdmin Finance

04/11/2012 09:39 AM

Cc:

Espanola Jackson, Naomi Kelly, Nadia Sesay, Rex Tabora, Edwin Lee, Dennis Herrera, John Rahaim, Bob Muscat, Archbishop King, Ernie Jackson, Renee Saucedo, Miles Muhammad, Alex Toeaina, SFBOS BOS, Tom Ammiano, Mark Leno, Leland Yee, "Ma, Fiona", SecretaryState Bowen, Secretary SFGHCommission, Steve Kawa, Christine Falvey, Tony Winnicker, Carmen Chu, David Chiu, "\"David Campos\"", Ben Rosenfield, James Whitiker

Show Details

The public that follows the proceedings linked to the Successor to San Francisco Redevelopment Agency (SFRA) is not providing us the accurate information on time. Also making us jump through hurdles. We the constituents are not paid - we volunteer our time - and take advantage of our Democracy and the Freedom; that we enjoy in United States of America. I served my Nation working for the Sixth U.S. Army and Presidio of San Francisco as the last Congressional Liaison.

I fully comprehend the working on the Legislative and Executive Branch. I can discern - quickly evaluate - and adjudicate bodies that do not work and more do not serve the constituents who pay taxes in San Francisco.

One member of the Oversight Board representing the Bay Area Rapid Transit (BART) continues to ask too many mundane questions - drawing out the Oversight Board meetings and wasting the time of those constituents - that have better things to do.

I am requesting that you send a monitor to these meetings. There must be some check and balances. Some standard that serve those on the Oversight Board and the members of the general community.

In the past the SFRA has hoodwinked the community, favoring a Rogue Developer Lennar - who bombarded our community with Asbestos Structures and adversely impacted our children and elders.

Today, the SFRA has convinced the City and County of San Francisco to hire - the SFRA employees - most of whom did disservice to the community at large in San Francisco - and in particular the Western Addition and Bayview Hunters Point communities - adversely affecting people of color.

My sacrifice to monitor these corrupt employees and the related Board created - is to represent the children and the elders who were adversely impacted.

Down the line they will be coming down with chronic diseases - Asbestosis. Some one has BLOOD on their hands.

Two pertinent factors must be addressed quickly:

18

- 1. The meetings must be noticed with the public having access to the agenda. The website does not favor those that use Chrome - this issue has been brought before the Oversight Board Chair and others. To date - nothing has been done. Technically, if the public cannot read the Agenda - and reasonable sound notice not provided - under the Brown Act - these meetings are null and void.**
- 2. While no expense has been curtailed to provide - past inept, shallow, employees from the SFRA with job and other opportunities. Some of these past employees making in excess of \$150,000 plus benefits - are getting all this at the expense of the tax payers. The tax payers of San Francisco - cannot be given the pertinent documents in time - cannot access the agenda - that is posted on the Internet.**

In years past the now dead SFRA has taken the community for a ride.

Not this time. I bring this to your attention for quick attention. If something is not ratified quickly - we will follow the other processes available to us - even taking this Successor Agency and the dead San Francisco Redevelopment Agency to court.

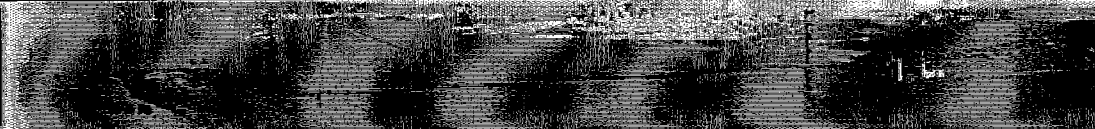
**Francisco Da Costa
Director
Environmental Justice Advocacy**

**4009 Third Street
San Francisco, CA 94124**

www.hunterspointnavalshipyard.com

www.franciscodacosta.org

<http://sfgsa.org/index.aspx?page=5205>



Request for City Services - Clerk of the Board

Enter Personal Details > Enter Service Request Details > Review & Submit > Attach Photo(s) / File(s) > **Print & Track**

Successfully Submitted

Thank you for your submission. You will receive an email confirmation with a link to follow the progress of your submission.

If you have any additional requests or questions, you can call us 7 days a week, 24 hours a day at 311 (for calls outside of San Francisco please dial 415-701-2311).

Your Tracking Number is: 1102320

Apr 10 2012 12:38PM.

Please print a copy for your records. You may close your browser when done.

Location Information:

Location Description:

Request Details:

Category: Request for Service
Department: Board of Supervisors (BOS)
Sub-Division: Clerk of the Board

Additional Information:

Additional Request Details: Please vote for a Moratorium on Foreclosures tonight. The tsunami of foreclosures is just starting again and we need to keep people in their homes until the fraudulent practices by the lending institutions is stopped. Thank you.

Customer Contact Information:

First Name: susan
Last Name: nutter
Primary Phone: 415-285-8484
Alternate Phone:
Address Number: 78
Street Name: Harper St.
City, State: San Francisco, CA
ZIP Code: 94131
Email: sanutter@mcn.org

Customer requested to be contacted by the department servicing their request:

BACK OFFICE USE ONLY

Source Agency Request Number:	<input type="text"/>	Responsible Agency Request Number:	<input type="text"/>
Service Request Work Status:	<input type="text"/>	Work Status Updated:	<input type="text"/>



19



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

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**Document is available
at the Clerk's Office
Room 244, City Hall**

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR -5 PM 3:19
AK

To Whom It May Concern:

We are pleased to provide the California Voter Information Guide for the June 5, 2012, Presidential Primary Election, which has been prepared by this office to assist California voters in determining how to cast their votes on statewide ballot measures on Election Day. These guides are being distributed to you as required by Section 9096 of the California Elections Code.

If you would like additional copies of the guide, please contact the Secretary of State's Elections Division at (916) 657-2166.



Issued: Controller's Office Government Barometer - February 2012

Reports, Controller

to:

Calvillo, Angela, Nevin, Peggy, BOS-Supervisors, BOS-Legislative Aides, Kawa, Steve, Weiland, Maggie, Howard, Kate, Falvey, Christine, Elliott, Jason, Campbell, Severin, Newman, Debra, sfdocs@sfpl.info, home@prosf.com, Con, Performance, CON-PERF DEPT CONTACTS, Robertson, Bruce, millsapsmel@yahoo.com, CON-EVERYONE, CON-CCSF Dept Heads, CON-Finance Officers

04/16/2012 11:30 AM

Sent by:

"McGuire, Kristen" <kristen.mcguire@sfgov.org>

Cc:

"Committee, CGOBO", "McGuire, Kristen"

Hide Details

From: "Reports, Controller" <controller.reports@sfgov.org> Sort List...

To: "Calvillo, Angela" <angela.calvillo@sfgov.org>, "Nevin, Peggy"

<peggy.nevin@sfgov.org>, BOS-Supervisors <bos-

supervisors.bp2ln@sfgov.microsoftonline.com>, BOS-Legislative Aides <bos-

legislativeaides.bp2ln@sfgov.microsoftonline.com>, "Kawa, Steve"

<steve.kawa@sfgov.org>, "Weiland, Maggie" <maggie.weiland@sfgov.org>, "Howard,

Kate" <kate.howard@sfgov.org>, "Falvey, Christine" <christine.falvey@sfgov.org>,

"Elliott, Jason" <jason.elliott@sfgov.org>, "Campbell, Severin"

<severin.campbell@sfgov.org>, "Newman, Debra" <debra.newman@sfgov.org>,

"sfdocs@sfpl.info" <sfdocs@sfpl.info>, "home@prosf.com" <home@prosf.com>, "Con,

Performance" <performance.con@sfgov.org>, CON-PERF DEPT CONTACTS <con-

perfdeptcontacts.bp2ln@sfgov.microsoftonline.com>, "Robertson, Bruce"

<bruce.robertson@flysfo.com>, "millsapsmel@yahoo.com" <millsapsmel@yahoo.com>,

CON-EVERYONE <con-everyone.bp2ln@sfgov.microsoftonline.com>, CON-CCSF Dept

Heads <con-ccsfdeptheads.bp2ln@sfgov.microsoftonline.com>, CON-Finance Officers

<confinanceofficers.bp2ln@sfgov.microsoftonline.com>,

Cc: "Committee, CGOBO" <cgobo.committee@sfgov.org>, "McGuire, Kristen"

<kristen.mcguire@sfgov.org>

Sent by: "McGuire, Kristen" <kristen.mcguire@sfgov.org>

The Office of the Controller has issued the Government Barometer February 2012 to share key performance and activity information with the public in order to increase transparency, create dialog, and build the public's confidence regarding the City's management of public business. The report lists measures in major service areas, such as public safety, health and human services, streets and public works, public transit, recreation, environment, and customer service. Recent data and trend information are included. This is a recurring report - the April 2012 report is scheduled to be issued in late May 2012.

To view the full report, please visit our website at: <http://co.sfgov.org/webreports/details.aspx?id=1406>

You can also access the report on the Controller's website (<http://www.sfcontroller.org/>) under the News & Events section and on the Citywide Performance Measurement Program website (www.sfgov.org/controller/performance) under the Performance Reports section.

For more information please contact:

Office of the Controller
City Services Auditor Division
Phone: 415-554-7463

(21)

Email: CSA.ProjectManager@sfgov.org

This is a send-only email address.

Thank you.

City and County of San Francisco

Office of the Controller – City Services Auditor

GOVERNMENT BAROMETER

February 2012



April 16, 2012

**CONTROLLER'S OFFICE
CITY SERVICES AUDITOR**

The City Services Auditor was created within the Controller's Office through an amendment to the City Charter that was approved by voters in November 2003. Under Appendix F to the City Charter, the City Services Auditor has broad authority for:

- Reporting on the level and effectiveness of San Francisco's public services and benchmarking the city to other public agencies and jurisdictions.
- Conducting financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
- Operating a whistleblower hotline and website and investigating reports of waste, fraud, and abuse of city resources.
- Ensuring the financial integrity and improving the overall performance and efficiency of city government.

About the Government Barometer:

The purpose of the Government Barometer is to share key performance and activity information with the public in order to increase transparency, create dialog, and build the public's confidence regarding the City's management of public business. The report lists measures in major service areas, such as public safety, health and human services, streets and public works, public transit, recreation, environment, and customer service. This is a recurring report. The April 2012 report is scheduled to be issued in late May 2012.

For more information, please contact the Office of the Controller, City Services Auditor Division.

Phone: 415-554-7463

Email: CSA.ProjectManager@sfgov.org

Internet: www.sfgov.org/controller/performance

Program Team:

Peg Stevenson, Director
Andrew Murray, Deputy Director
Sherman Luk, Project Manager
Dennis McCormick, Performance Analyst
Kyle Burns, Performance Analyst
Wylie Timmerman, City Hall Fellow
Richard Kurylo, Operations Analyst
Department Performance Measurement Staff

Government Barometer – February 2012

Summary

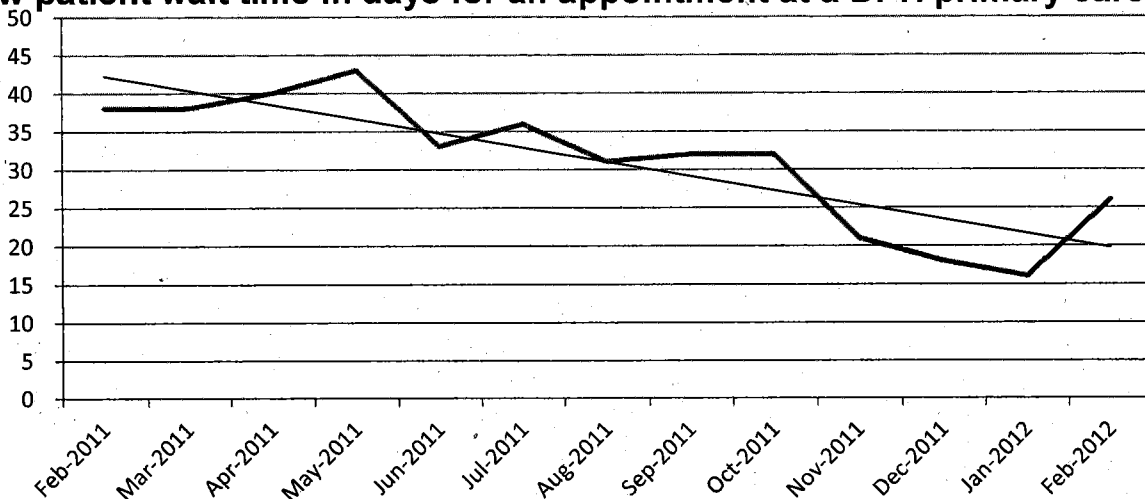
The Office of the Controller has issued the Government Barometer February 2012. Significant changes reported in February 2012 include the following:

- The value of construction projects for which new building permits were issued declined by 41.8 percent from December 2011 to February 2012. An increase of 6.5 percent was seen for the year-to-year period from February 2011 to February 2012. The value of construction projects is driven by the number of projects approved for construction, major developments, and the overall economic climate.
- The average daily county jail population increased by 9.4 percent from December 2011 to February 2012. The increase is due largely to the state's decision to realign prisoner responsibilities; this decision is transferring prisoners from state prisons to county jails. The Sheriff's Department noted that although the total population increased the increase is not as high as expected since local arrest rates remain low.
- Total number of individuals currently registered in recreation courses increased by 21.9 from a year ago and by 21.2 percent from December 2011. The Recreation and Parks Department attributes the increase to efforts to better tailor class offerings to the public.
- Percentage of street cleaning requests responded to within 48 hours improved for the sixth consecutive month, reaching 95 percent.
- The Planning Department will no longer be reporting the percentage of all applications for variance from the Planning Code decided within 120 days. According to the Planning Department, the measure fluctuates greatly from month to month, such that reporting the information in the Government Barometer does not represent a true measure of performance.
- Percentage of 311 calls answered by call takers within 60 seconds declined by 10.3 percent from December 2011 to February 2012. This decline is partially attributable to an unusually high staff absence rate, including long-term medical leave.
- The total number of Healthy San Francisco participants decreased by 14.8 percent from February 2011 primarily due to a transition in July 2011 of over 10,000 Healthy San Francisco participants to San Francisco Provides Access to Healthcare (SF PATH), a federally-supported health access program that provides affordable health care services for some low income people living in San Francisco. Correcting for this transition, Healthy San Francisco enrollment is continuing to increase, but at a slower pace.

Measure Highlight

Department of Public Health (DPH) new patient wait time increased to 26 days in February. Over the last year, the wait time has been trending down from a high of 43 in May 2011 to a low of 18 in December. The recent increase in patient wait times is due to the implementation of electronic medical records systems at primary care clinics. Physician productivity is at a decreased level while they are trained to use the new system; over the longer term the electronic medical records system is expected to decrease wait times and increase productivity.

New patient wait time in days for an appointment at a DPH primary care clinic



The measure shows the number of calendar days that a new patient would have to wait for a routine primary care appointment and/or examination. This assumes that the patient is not reporting any health issue and is not yet established with a primary care provider.

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City and County of San Francisco
 Controller's Office
 Government Barometer (February 2012)



Activity or Performance Measure	Prior Year	Prior Period	Current Period	Period-to-Period		Year-to-Year	
	Feb-2011	Dec-2011	Feb-2012	% Change	Trend	% Change	Trend
Public Safety							
Total number of serious violent crimes reported (homicide, forcible rape, robbery, and aggravated assault, per 100,000 population)	59.1	69.5	59.1	-15.0%	Positive	0.0%	Neutral
Total number of serious property crimes reported (burglary, larceny-theft, motor vehicle theft, and arson, per 100,000 population)	302.6	332.1	320.3	-3.6%	Positive	5.8%	Negative
Percentage of fire/medical emergency calls responded to within 5 minutes	91.4%	92.3%	88.0%	-4.6%	Negative	-3.7%	Negative
Average daily county jail population	1,800	1,516	1,659	9.4%	Negative	-7.8%	Positive
Percentage of 9-1-1 calls answered within 10 seconds	92%	88%	88%	0.0%	Neutral	-4.3%	Negative
Average 9-1-1 daily call volume	1,402	1,494	1,482	-0.8%	Neutral	5.7%	Negative
Health and Human Services							
Average daily population of San Francisco General Hospital	422	397	411	3.5%	Negative	-2.6%	Neutral
Average daily population of Laguna Honda Hospital	750	746	748	0.3%	Neutral	-0.3%	Neutral
Total number of Healthy San Francisco participants	54,616	45,749	46,543	1.7%	Positive	-14.8%	Negative
New patient wait time in days for an appointment at a DPH primary care clinic	38	18	26	44.4%	Negative	-31.6%	Positive
Current active CalWORKs caseload	5,024	4,712	4,648	-1.4%	Positive	-7.5%	Positive
Current active County Adult Assistance Program (CAAP) caseload	7,416	7,165	7,007	-2.2%	Positive	-5.5%	Positive
Current active Non-Assistance Food Stamps (NAFS) caseload	25,624	27,532	27,651	0.4%	Neutral	7.9%	Neutral
Percentage of all available homeless shelter beds used	93.0%	96.0%	90.0%	-6.2%	Negative	-3.2%	Negative
Average nightly homeless shelter bed use	1,076	1,089	1,025	-5.9%	Positive	-4.7%	Positive
Total number of children in foster care	1,251	1,103	1,074	-2.6%	Positive	-14.1%	Positive
Streets and Public Works							
Average score of streets inspected using street maintenance litter standards (1 = acceptably clean to 3 = very dirty)	N/A	0.00	0.00	N/A	N/A	N/A	N/A
Percentage of street cleaning requests responded to within 48 hours	90.9%	91.0%	95.0%	4.4%	Positive	4.5%	Positive
Percentage of graffiti requests on public property responded to within 48 hours	65.4%	80.0%	81.0%	1.3%	Positive	23.9%	Positive
Percentage of pothole requests repaired within 72 hours	89.9%	100.0%	94.0%	-6.0%	Negative	4.6%	Positive

City and County of San Francisco
 Controller's Office
 Government Barometer (February 2012)



Activity or Performance Measure	Prior Year	Prior Period	Current Period	Period-to-Period		Year-to-Year	
	Feb-2011	Dec-2011	Feb-2012	% Change	Trend	% Change	Trend
Public Transit							
Percentage of Muni buses and trains that adhere to posted schedules	71.1%	72.0%	71.2%	-1.1%	Negative	0.1%	Neutral
Average daily number of Muni customer complaints regarding safety, negligence, discourtesy, and service delivery	45.4	36.1	40.6	12.5%	Negative	-10.6%	Positive
Recreation, Arts, and Culture							
Average score of parks inspected using park maintenance standards	92.0%	91.3%	91.3%	0.0%	Neutral	-0.8%	Neutral
Total number of individuals currently registered in recreation courses	7,087	7,133	8,642	21.2%	Positive	21.9%	Positive
Total number of park facility (picnic tables, sites, recreation facilities, fields, etc.) bookings	3,575	2,467	4,236	71.7%	Positive	18.5%	Positive
Total number of visitors at public fine art museums (Asian Art Museum, Legion of Honor, and de Young)	100,527	126,320	115,330	-8.7%	Negative	14.7%	Positive
Total circulation of materials at main and branch libraries	818,392	867,894	875,783	0.9%	Neutral	7.0%	Positive
Environment, Energy, and Utilities							
Drinking water reservoirs storage as a percentage of normal for this month	124.2%	117.1%	118.9%	1.6%	Positive	-4.2%	Negative
Average monthly water use by City departments (in millions of gallons)	123.6	116.1	118.7	2.3%	Negative	-4.0%	Positive
Average daily residential per capita water usage (in gallons)	50.3	49.6	50.8	2.4%	Negative	1.1%	Neutral
Average monthly energy usage by City departments (in million kilowatt hours)	72.1	72.9	72.7	-0.2%	Neutral	0.8%	Neutral
Average workday tons of trash going to primary landfill	1,381.2	1,441.7	1,340.0	-7.1%	Positive	-3.0%	Neutral
Percentage of curbside refuse diverted from landfill	58.5%	58.7%	58.9%	0.3%	Neutral	0.7%	Neutral
Permitting and Inspection							
Value (estimated cost, in millions) of construction projects for which new building permits were issued	\$99.3	\$181.7	\$105.8	-41.8%	Negative	6.5%	Positive
Percentage of all building permits involving new construction and major alterations review that are approved or disapproved within 90 days	54%	68%	64%	-5.9%	Negative	18.5%	Positive
Percentage of all applications for variance from the Planning Code decided within 120 days	38%	22%	N/A	N/A	N/A	N/A	N/A
Percentage of life hazard or lack of heat complaints responded to within one business day	96.0%	100.0%	84.0%	-16.0%	Negative	-12.5%	Negative
Percentage of customer-requested construction permit inspections completed within two business days of requested date	98.0%	96.0%	98.0%	2.1%	Positive	0.0%	Neutral

City and County of San Francisco
 Controller's Office
 Government Barometer (February 2012)



Activity or Performance Measure	Prior Year	Prior Period	Current Period	Period-to-Period		Year-to-Year	
	Feb-2011	Dec-2011	Feb-2012	% Change	Trend	% Change	Trend
Customer Service							
Average daily number of 311 contacts, across all contact channels	8,052	6,972	7,255	4.1%	Positive	-9.9%	Negative
Percentage of 311 calls answered by call takers within 60 seconds	81.4%	80.0%	71.8%	-10.3%	Negative	-11.8%	Negative

Notes:

The Government Barometer is currently issued every other month, covering even months.

The period-to-period change reflects the change since the last even month (e.g., for Feb 2012, change since Dec 2011).

The year-to-year change reflects the change since the same month last year (e.g., for Feb 2012, change since Feb 2011).

A period-to-period change of less than or equal to +/-1% and a year-to-year change of less than or equal to +/-3% is considered "Neutral."

Data reported for the most recent month is either data for that month or the most recent data available, please see the attached Government Barometer Measure Details for more information.

For additional detail on measure definitions and department information, please see the attached Government Barometer Measure Details.

Values for prior periods (e.g. Dec 2011 or Feb 2011) may be revised in this report relative to their original publication.

To prepare this report, the Citywide Performance Measurement Program has used performance data supplied by City Departments. The Departments are responsible for ensuring that such performance data is accurate and complete. Although the Citywide Performance Measurement Program has reviewed the data for overall reasonableness and consistency, the Program has not audited the data provided by the Departments.



Report Issued: SFMTA: The Customer Service Center's Cash-handling Processes Are Generally Adequate but Need Some Improvement
Reports, Controller

to:

Calvillo, Angela, Nevin, Peggy, BOS-Supervisors, BOS-Legislative Aides, Kawa, Steve, Howard, Kate, Falvey, Christine, Elliott, Jason, Boomer, Roberta, Sakelaris, Kathleen, Hammons, Diana, Mawhorter, Bree, CON-EVERYONE, CON-Finance Officers, CON-CCSF Dept Heads, Newman, Debra, Campbell, Severin, Ed.Reiskin@sfmta.com, edward.Reiskin@sfmta.com

04/05/2012 10:45 AM

Sent by:

"McGuire, Kristen" <kristen.mcguire@sfgov.org>

Hide Details

From: "Reports, Controller" <controller.reports@sfgov.org> Sort List...

To: "Calvillo, Angela" <angela.calvillo@sfgov.org>, "Nevin, Peggy" <peggy.nevin@sfgov.org>, BOS-Supervisors <bos-supervisors.bp2ln@sfgov.microsoftonline.com>, BOS-Legislative Aides <bos-legislativeaides.bp2ln@sfgov.microsoftonline.com>, "Kawa, Steve" <steve.kawa@sfgov.org>, "Howard, Kate" <kate.howard@sfgov.org>, "Falvey, Christine" <christine.falvey@sfgov.org>, "Elliott, Jason" <jason.elliott@sfgov.org>, "Boomer, Roberta" <roberta.boomer@sfmta.com>, "Sakelaris, Kathleen" <kathleen.sakelaris@sfmta.com>, "Hammons, Diana" <IMCEAEX-

O=MICROSOFTONLINE OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29 CN=RECIPIENTS_CN=7e3a51e1-0c73-4b37-8488-322e83b2c911@RED001.local>, "Mawhorter, Bree" <bree.mawhorter@sfmta.com>, CON-EVERYONE <con-everyone.bp2ln@sfgov.microsoftonline.com>, CON-Finance Officers <confinanceofficers.bp2ln@sfgov.microsoftonline.com>, CON-CCSF Dept Heads <con-ccsfdeptheads.bp2ln@sfgov.microsoftonline.com>, "Newman, Debra" <debra.newman@sfgov.org>, "Campbell, Severin" <severin.campbell@sfgov.org>, "Ed.Reiskin@sfmta.com" <Ed.Reiskin@sfmta.com>, "edward.Reiskin@sfmta.com" <edward.Reiskin@sfmta.com>, Sent by: "McGuire, Kristen" <kristen.mcguire@sfgov.org>

1 Attachment



-WRD000.jpg

The Office of the Controller's City Services Auditor Division (CSA) has issued an audit report on the SFMTA's Customer Service Center's cash-handling processes. The audit found that although the center's cash-handling processes are generally adequate, they could be improved in some areas. For example, SFMTA should:

- Develop and implement procedures for managers to review daily transaction reports that detail reductions or adjustments to citations and resolve any discrepancies.
- Periodically review access levels in the electronic ticket information management system (eTIMS) to determine whether they are appropriate.
- Incorporate the review of account discrepancies in the daily and monthly reconciliations and investigate as necessary.
- Promptly post revenue earned from all transaction types, including Internet and phone systems.

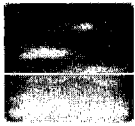
To view the full report, please visit our website at: <http://co.sfgov.org/webreports/details.aspx?id=1404>

This is a send-only email address.

For questions regarding the report, please contact Director of Audits Tonia Lediju at Tonia.Lediju@sfgov.org or 415-554-5393 or CSA at 415-554-7469.

**Document is available
at the Clerk's Office
Room 244, City Hall**

22



To:
Cc:
Bcc:
Subject: Federal Officials Highlight Benefits of Maintaining Aging Transit Systems

From: Molly M Burke <MBurke@bart.gov>
To:
Date: 04/12/2012 10:34 AM
Subject: Federal Officials Highlight Benefits of Maintaining Aging Transit Systems

Federal Transit Administrator Rogoff Tours BART's Hayward Maintenance Yard to Highlight Value of Maintaining Nation's Aging Transit Systems

(Embedded image moved to file: pic10271.jpg)

4/11/2012

HAYWARD, Calif. - Federal Transit Administrator Peter Rogoff today got a first-hand look at what it takes to maintain and repair hundreds of rail cars that are the backbone of the Bay Area Rapid Transit (BART) rail system. The BART system carries more than 370,000 passengers a day on rail cars that are, on average, nearly 35 years old, making it one of the oldest fleets in the nation. The Hayward maintenance yard, one of BART's original repair facilities, is teeming with workers who help ensure the aging equipment is safe and reliable.

"With transit ridership at its highest level in five years, the Obama Administration understands the value and importance of continuing to invest in commuter and light rail systems, buses, streetcars and other public transit options," said U.S. Transportation Secretary Ray LaHood. "But it's equally important to preserve and maintain the transit infrastructure we've already built, to keep it safe and dependable for millions who take transit today and in the future."

One of the Federal Transit Administration's (FTA) top priorities is to balance investments in new transit systems with the need to reinvest in legacy systems. Nationwide, there is an estimated \$78 billion backlog in critical rail transit repair needs in cities such as New York, Atlanta, Philadelphia, and Chicago, as well as smaller towns and suburbs nationwide. The San Francisco Bay Area alone faces a \$4 billion to \$6 billion backlog on repairs and upgrades needed now. FTA has committed more than \$2.1 billion in discretionary funds over three years for more than 300 projects to replace or rehabilitate our aging transit infrastructure.

"The Hayward maintenance yard is where transit's real future must begin-with preserving and protecting the legacy systems we've already built," Rogoff said. "Only by reinvesting in what we have, and by committing to preserve the integrity of the entire system, end to end, can we hope to attract a new generation of riders who want to take transit that's reliable and desirable."

Administrator Rogoff called on Congress to pass a good, multi-year transportation bill with reliable funding sources to ensure that our nation can make the transportation investments we need for today and tomorrow.

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"It's time to put aside partisan posturing, end the gridlock, and do what's right for the American people," Administrator Rogoff added.

Kerry Hamill
Department Manager, Gov't & Community Relations
300 Lakeside Drive
Oakland, CA 94604-2688
510 464-6153
cellular 510 915-7941

Molly M. Burke
BART
Government & Community Relations



(510) 464-6172 [pic10271.jpg](#)

BOS 11

41 Million vs. Sound Planning Principles

Aaron Goodman

to:

linda.avery

04/10/2012 10:48 AM

Cc:

board.of.supervisors, asross, jkdineen

Show Details

April 10, 2012 - "Hot 'Spec' deal 1st in SF since 07" - Andrew S. Ross SFGate

SF Board of Supervisors & SF Planning Commissioners

Amazingly the article misses the boat on what is being proposed, what was originally approved, and how the changes being allowed conceptually (Planning/Architecturally) ruin a prior approved project with little review. The prioritizing of a "spec-deal" for office space, vs. adequately addressing the reason they built the low-scale original design, floor plates max. office area layout for tech firms in the original buildings, and the impact of a tower vs. the original low-scale curved roof intersection, ignores what impact the buildings changes will have on the original design. We consistently see buildings going up in SF that lack true planning/architectural concept generation when it comes to large scale moves. We also see consistent ruination of designs due to value engineering and material changes (ex: CPMC on Van Ness) there is a significant need to ensure that buildings approved and designed maintain there original conceptual layout or buildout and the integrity of the original vision be upheld. Its like having an owner of a single family home decide 2 months into building the second floor deciding he wants to add 40 stories to maximize profits. If real estate principles and tax base are all that matter, than fill in the plaza in front of city hall with a 50 story full sized build out tech-hall on the open-space at city hall. Urban planning principles, architectural concepts and the need to toe-the-line on the follow through of projects is what is severely lacking currently in this proposal. Too many buildings in SF are being designed individually without a larger conceptual basis. When large scale planning is submitted its usually with a wrecking ball. Here you have the opportunity to see a vision through and instead profits trump sound reasoning.

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/04/09/BUET1O0RN2.DTL>

Andrew Ross missed the entire "concept" of planning boat on this article.

a) the development originally was a FOUR block intersection with four similar planned and designed elements integrated to form part of a masterplanned intersection at 1st and howard.

b) the new building proposed on the empty lot currently a parking lot, is being CHANGED to a tower building that will ruin the architectural concept of the 4-block original design.

c) Studio's Architecture designed the 4 block intersection and the original concept was for a green-breathing building with a tech-wall that included operable windows along the inside internal space that allowed passive-heating and cooling systems at the perimeter. This was unfortunately value-engineered out of the three prior buildings built to date.

d) the changes proposed on the last block will "kill" effectively the original concept, for one means only \$\$\$\$\$\$\$\$. Planning changes to concepts should not be permitted unless the moves proposed are aesthetically also valued. Otherwise we have a rincon hill tower marquee on a prior well designed and integrated 4-block design.

e) Tishman Speyer's glass pavillion tower should be moved to another block more suited to adjoining towers, and leave the original masterplanned concept to the prior well-thought out design, one of the few in san francisco.

Read more: <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/04/09/BUET1O0RN2.DTL#ixzz1ret0weWn>

24

BOS-11

Re: 41 Million vs. Sound Planning Principles

J.K. Dineen

to:

Aaron Goodman, linda.avery

04/10/2012 11:03 AM

Cc:

board.of.supervisors, asross

Show Details

History: This message has been forwarded.

Aaron

I think you are confused.

Tishman Speyer is building the Foundry Square building EXACTLY as entitled and designed by Studios Architecture. It's an 8 story building with large floor plates, just just the other three completed buildings.

In ADDITION, Tishman Speyer owns a parking lot at 222 Second St. (at Howard) that is entitled for a taller tower. That project will likely break ground early next year.

JK

From: Aaron Goodman <amgodman@yahoo.com>

Date: Tue, 10 Apr 2012 10:48:47 -0700 (PDT)

To: <linda.avery@sfgov.org>

Cc: <board.of.supervisors@sfgov.org>, <asross@sfnchronicle.com>, San Francisco Business Times <jkdineen@bizjournals.com>

Subject: 41 Million vs. Sound Planning Principles

April 10, 2012 - "Hot 'Spec' deal 1st in SF since 07" - Andrew S. Ross SFGate

SF Board of Supervisors & SF Planning Commissioners

Amazingly the article misses the boat on what is being proposed, what was originally approved, and how the changes being allowed conceptually (Planning/Architecturally) ruin a prior approved project with little review. The prioritizing of a "spec-deal" for office space, vs. adequately addressing the reason they built the low-scale original design, floor plates max. office area layout for tech firms in the original buildings, and the impact of a tower vs. the original low-scale curved roof intersection, ignores what impact the buildings changes will have on the original design. We consistently see buildings going up in SF that lack true planning/architectural concept generation when it comes to large scale moves. We also see consistent ruination of designs due to value engineering and material changes (ex: CPMC on Van Ness) there is a significant need to ensure that buildings approved and designed maintain their original conceptual layout or buildout and the integrity of the original vision be upheld. Its like having an owner of a single family home decide 2 months into building the second floor deciding he wants to add 40 stories to maximize profits. If real estate principles and tax base are all that matter, than fill in the plaza in front of city hall with a 50 story full sized build out tech-hall on the open-space at city hall. Urban planning principles, architectural concepts and the need to toe-the-line on the follow through of projects is what is severely lacking currently in this proposal. Too many buildings in SF are being designed individually without a larger conceptual basis. When large scale planning is submitted its usually with a wrecking ball. Here you have the opportunity to see a vision through and instead profits trump sound reasoning.

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Read more: <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/04/09/BUET1O0RN2.DTL#ixzz1ret0weWn>

BDS-11
C-page



Golden Gate Park

Bhanu Vikram to: board.of.supervisors, mayoredwinlee

Cc: sfoceanedge

04/09/2012 06:58 PM

History: This message has been forwarded.

Dear Sirs and Madams,

I hereby request you to please stop the artificial turf and the super-bright lights which are being discussed for the Beach Chalet Soccer Fields in the Golden Gate Park near the Ocean Beach.

The most unacceptable aspect of this plan is uprooting many trees.

I truly hope you will take the necessary steps to preserve and protect our trees, parks and wildlife.

Sincerely,

Bhanu Vikram

268 Bush Street 3826

San Francisco CA 94104

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File No. 120158
Page 1 of 1
BOS-11
@ Pages
hu-cc



Housing Needs of Tenants with Disabilities

Victoria Tedder

to:

Board.of.Supervisors@sfgov.org

04/09/2012 04:13 PM

Show Details

1 Attachment



Housing Needs of Tenants with Disabilities.docx

Attached is the information I will present to the Land Use and Economic Development Committee today, which can be made available to the other Board members.

Victoria Tedder

ILRCFS

543-6222

26

Housing Needs of Tenants with Disabilities
Presented to the San Francisco Board of Supervisors
April 9, 2012

What could work:

Increased state funding for affordable housing: SB 1220 will be heard by the CA Senate Transportation/Housing, Appropriations, and Governance/Finance committees next week.

Federal Section 811 funds for housing for people with disabilities, for which SF nonprofits will be able to qualify when they become available.

Any other deeply subsidized unit for persons with incomes under 20% of Area Median Income, if it is not targeted by age or family status. This would include project-based Section 8 vouchers.

What could work, IF...:

Housing built with Federal homeless (McKinney) funds, if the providers accept a variety of documentation of homelessness. Most people with disabilities are targeted for bullying in homeless shelters and avoid them whenever possible. (One client reported to us, "After I was attacked, I realized I would be safer sleeping in my car.")

Public housing, if SF Housing Authority's "homeless in City shelter" waitlist preference is widened or eliminated. (See above paragraph.)

Currently rent-controlled housing, if funds are made available to both renters and owners to make the property more accessible (current funds are available to property owners only).

Less expensive tax credit /inclusionary units, if minimum income requirements are modified. Minimum income requirement should not exceed twice monthly rent, and applicants who receive Medi-Cal should get a \$200-300 credit for the cash value of their non-cash benefits.

Older (pre-1990) "senior" units built with Federal Section 202 funds, if they follow Federal rules about accepting younger people with disabilities and if they are transparent about opening their waiting lists. HUD should require all buildings receiving Federal funds to inform a central point (MOH web page?) two weeks before their lists open.

What doesn't work:

Most housing in San Francisco, including Federally-funded housing built before 1994, is either not wheelchair accessible, or minimally accessible (may have elevators but no accessible bathrooms). This includes most of the housing used for the City's master lease programs.

Newer multifamily housing built after 1994 is accessible, but most of it is too expensive for most persons with disabilities. This includes most inclusionary units (an inclusionary unit for 50, 60, 80 or 120% AMI is no help to an SSI recipient whose income is 15% AMI).

Section 8 vouchers (if not connected to housing units) are quite difficult to use, as people with disabilities are forced to compete in the "open market" against other applicants with more income, possibly better credit, and no governmental agency (SF Housing Authority) to deal with.

Newer (post-1992) "senior" housing does not accept any persons with disabilities under the target age(s), regardless of type or severity of disability. This includes both age 62+ housing built with Federal Section 202 funds and age 55+ housing built with other funds.

Presented by Victoria Tedder
Independent Living Resource Center San Francisco
victoria@ilrcsf.org

BDS-11
c-page



Support Clean Power
Gregory Karr to: board.of.supervisors
Cc: mayoredwinlee

04/12/2012 09:23 AM

History: This message has been forwarded.

Dear Mr. Lee and Board Members,

Please do the right thing for the environment and vote for the Clean Power SF Community Choice Program. Do whatever you can to stop PG&E from trying to defeat this program.

Gregory M. Karr
Rolling Hills Realty
(415) 695-0254 direct

27

BDS-11
C-page



clean power sf
maria jedynak to: Board.of.Supervisors@sfgov.org
Please respond to maria jedynak

04/12/2012 11:32 AM

History: This message has been forwarded.

Dear Board of Supervisors,
I am a big supporter of the green energy for our city.
Please, help us to pass this law.
Thank you

Maria Jedynak



Restaurant legislation and Planning Code amendments
sffd22 to: Board.of.Supervisors

BDS-11
C-page
File #120094
Item # 37
04/10/2012 12:09 PM

Dear Supervisors,

While the idea of streamlining the process of opening and operating a restaurant in San Francisco is a good one, the current proposal needs to return to committee for modification. I live in North Beach and this legislation intentionally omits North Beach for much of this "streamlining" and supports the status quo. That is not acceptable. The neighborhood has an abundance of empty storefronts that generate no sales tax or business tax, attract no tourists or locals, but do attract crime and blight. Not only are these empty storefronts an eyesore, but they make it more difficult for surrounding businesses to flourish. The limitation of new restaurants to 25% of the storefronts per block will not help this situation. Neither will the decrease in the amount of months before former North Beach restaurants lose their conditional use permits as restaurants.

For too many years, the views of a small minority of persons in North Beach have been overly influential. They do not represent the majority of those who live and work in North Beach. The same persons that want to micro-manage North Beach businesses have no suggestions on how to create a vibrant business climate. They instead discourage businesses of all kinds, including the ones they claim they would approve of here, like hardware store owners and other non-restaurant businesses. Recently a successful hardware store owner adamantly refused to even consider the idea of trying to invest in this over-regulated district. It has gained the reputation of being non-business friendly through the over-reaching efforts of an influential minority.

The amendments to the Planning Code do not provide the same special exceptions or provisions for the Marina's Chestnut Street, Cow Hollow's Union Street, nor for Noe Valley's 24th Street. Those are similar commercial corridors that appear to have less business restrictions and less empty storefronts. Please remove the wording specific to North Beach that continues to limit the business possibilities for my neighborhood. We expect our Supervisors to do all they can to improve the business climate in our City, not perpetuate failed policies.

Sincerely,

Micki Jones
North Beach



San Francisco General Hospital
 Medical Center
 1001 Potrero Avenue
 San Francisco, CA 94110

3/18/2012 Bas 11 Claps

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 APR 9 PM 3:32

Dear Mayor Lee and members of the Board of Supervisors:

I am a nurse in the Labor and Delivery department at San Francisco General Hospital. I have been wanting to address this issue for years, but tonight it became imperative to communicate with you.

We often have patients from the jail. They are always accompanied by guards. Tonight, we have a patient who is handcuffed to the bed, which I have never seen in my 10 years of working here. Obviously, she cannot leave, but she is accompanied by not 1, but 2 guards, who are sitting at the door playing with their cell phones. This is outrageous at any time, but especially now, in the budget crisis that we find ourselves in. While important services are being cut left and right, and city employees who actually work are losing benefits, it is absolutely unconscionable to pay deputies exorbitant salaries for doing nothing. Are you all afraid of them or their so-called union? We are all running around working hard and dealing with life and death issues, while they laze around collecting salaries probably higher than ours. This is a perfect place to make some cuts.

Also, most of us here find it completely immoral to chain people to their beds. Is this the Middle Ages? If they have 2 officers outside the door, why does she

need to be handcrafted.)

I would like a response to this letter.
You can reach me at 510 749 4160 or
532 Palace Ct., Alameda, CA 94701.

Sincerely,
Gina Shepard R.N.

Page 003

North Beach restaurant restrictions
stephanie greenburg
to:
David.Chiu
04/10/2012 10:55 AM
Show Details

History: This message has been forwarded.
Hi David,

I am sure you received my note yesterday where I voiced my opposition to severe restrictions on new North Beach Restaurants. I did want to follow up with a case in point...Valencia Street. Everyone must acknowledge that Valencia has been extremely successful in recent years, in part due to beautification efforts (I wish we had tree-lined streets like that in North Beach) but also because it is extremely welcoming to viable local businesses. That said, the majority of those new businesses which have led to Valencia's rebirth are RESTAURANTS. The area has become a dining destination, which has improved the quality of life for residents while bringing in needed tax dollars from visitors drawn to this booming neighborhood strip. This benefits the neighborhood AND San Francisco. Grant Ave and North Beach deserve the same opportunity to thrive, even if it is more restaurants that make that happen.

Thank you again,

Stephanie Greenburg, North Beach

--
Steph

30



SAN FRANCISCO PLANNING DEPARTMENT

Utag

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Date: April 6, 2012

2012 APR -9 PM 3:33
hoo

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

The attached notice is provided under the Planning Code. It concerns property located at the **St. Luke's Medical Campus: 3555, 3615 Cesar Chavez Street, 1580 Valencia Street, 555 San Jose Avenue, Case No. 2009.0886EMTZCBRKS; 2012.0403W.** A hearing may occur, a right to request review may expire or a development approval may become final unless appealed by **April 26, 2012.**

To obtain information about this notice in Spanish, please call (415) 558-6378, or in Chinese, please call (415) 558-6378. Please be advised that the Planning Department will require at least one business day to respond to any call.

附上的是三藩市城市規劃局的通告。

此通告是與位於 at the St. Luke's Medical Campus: 3555, 3615 Cesar Chavez Street, 1580 Valencia Street, 555 San Jose Avenue, Case No. 2009.0886EMTZCBRKS; 2012.0403W 的建築計劃有關。如果在 April 26, 2012.

之前沒有人申請聽證會來檢討這一個建築計劃, 這計劃可會被核准。

如果你需要用華語獲得關於這通告的細節, 請電415-558-6378.

規劃部門將需要至少一個工作天回應。華語資料提供只是城市規劃局的一項服務, 此項服務不會提供額外的權利或延伸任何要求檢討的期限。

El documento adjunto es referente a la siguiente dirección: **at the St. Luke's Medical Campus: 3555, 3615 Cesar Chavez Street, 1580 Valencia Street, 555 San Jose Avenue, Case No. 2009.0886EMTZCBRKS; 2012.0403W.** Es un requisito del Código de Planeación (Planning Code). La posibilidad de una audiencia puede ocurrir. El derecho para revisar el archivo de este proyecto puede expirar o una decisión puede ser final si usted no presenta un documento de apelación antes de **April 26, 2012.**

Para obtener más información en Español acerca de este proyecto, llame al siguiente telefono (415) 558-6378. Por favor tome en cuenta que le contestaremos su llamada en un periodo de 24 horas. El servicio en Español es proporcionado por el Departamento de Planeación (Planning Department) de la ciudad de San Francisco. Eso no garantiza ningun derecho adicional o extensión del tiempo requerido por la ley.



SAN FRANCISCO PLANNING DEPARTMENT

BOARD OF SUPERVISORS
SAN FRANCISCO

Date: April 6, 2012

2012 APR -9 PM 3:33
RBC

The attached notice is provided under the Planning Code. It concerns property located at **3698, 3700, 3838, 3848-3850 California Street, 460 Cherry Street, 3773, 3801, 3901, 3905 Sacramento Street, Case No. 2012.0403W.** A hearing may occur, a right to request review may expire or a development approval may become final unless appealed by **April 26, 2012.**

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1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

附上的是三藩市城市規劃局的通告。

此通告是與位於 at 3698, 3700, 3838, 3848-3850 California Street, 460 Cherry Street, 3773, 3801, 3901, 3905 Sacramento Street, Case No. 2012.0403W 的建築計劃有關。如果在 April 26, 2012. 之前沒有人申請聽證會來檢討這一個建築計劃, 這計劃可會被核准。

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**SAN FRANCISCO
PLANNING DEPARTMENT**

BOARD OF SUPERVISORS
SAN FRANCISCO

2012 APR -9 PM 3:33
HOC

Date: April 6, 2012

The attached notice is provided under the Planning Code. It concerns property located at **2315, 2333 Buchanan Street, 2300 California Street, 2330, 2340-2360, 2351, 2400, 2405 Clay Street, 2315, 2323, 2324, 2329, 2395 Sacramento Street, 2018, 2200 Webster Street, Case No. 2012.0403W.** A hearing may occur, a right to request review may expire or a development approval may become final unless appealed by **April 26, 2012.**

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SAN FRANCISCO PLANNING DEPARTMENT

BOARD OF SUPERVISORS
SAN FRANCISCO

Crage

Date: April 6, 2012

2012 APR -9 PM 3:33

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

The attached notice is provided under the Planning Code. It concerns property located at **Davies Medical Campus, 45 Castro Street, Case No. 2004.0603EC, 2012.0403W**. A hearing may occur, a right to request review may expire or a development approval may become final unless appealed by **April 26, 2012**.

To obtain information about this notice in Spanish, please call (415) 558-6378, or in Chinese, please call (415) 558-6378. Please be advised that the Planning Department will require at least one business day to respond to any call.

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如果你需要用華語獲得關於這通告的細節, 請電415-558-6378.

規劃部門將需要至少一個工作天回應。華語資料提供只是城市規劃局的一項服務, 此項服務不會提供額外的權利或延伸任何要求檢討的期限。

El documento adjunto es referente a la siguiente dirección: **at Davies Medical Campus, 45 Castro Street, Case No. 2004.0603EC, 2012.0403W**. Es un requisito del Código de Planeación (Planning Code). La posibilidad de una audiencia puede ocurrir. El derecho para revisar el archivo de este proyecto puede expirar o una decisión puede ser final si usted no presenta un documento de apelación antes de **April 26, 2012**.

Para obtener más información en Español acerca de este proyecto, llame al siguiente telefono (415) 558-6378. Por favor tome en cuenta que le contestaremos su llamada en un periodo de 24 horas. El servicio en Español es proporcionado por el Departamento de Planeación (Planning Department) de la ciudad de San Francisco. Eso no garantiza ningun derecho adicional o extensión del tiempo requerido por la ley.



SAN FRANCISCO PLANNING DEPARTMENT

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Date: April 6, 2012

2012 APR -9 PM 3:33

The attached notice is provided under the Planning Code. It concerns property located at **1100, 1101 Van Ness Ave., 1255 Post Street, 1020, 1028-1030, 1034-36, 1040-1052, 1054-1060, 1062 Geary Street, 1375 Sutter Street, Case No. 2009.0885EMTZCBRKS, 2012.0403W.** A hearing may occur, a right to request review may expire or a development approval may become final unless appealed by **April 26, 2012.**

To obtain information about this notice in Spanish, please call (415) 558-6378, or in Chinese, please call (415) 558-6378. Please be advised that the Planning Department will require at least one business day to respond to any call.

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

附上的是三藩市城市規劃局的通告。

此通告是與位於 at 1100, 1101 Van Ness Ave., 1255 Post Street, 1020, 1028-1030, 1034-36, 1040-1052, 1054-1060, 1062 Geary Street, Case No. 2009.0885EMTZCBRKS, 2012.0403W 的建築計劃有關。如果在 April 26, 2012. 之前沒有人申請聽證會來檢討這一個建築計劃, 這計劃可會被核准。

如果你需要用華語獲得關於這通告的細節, 請電415-558-6378.

規劃部門將需要至少一個工作天回應。華語資料提供只是城市規劃局的一項服務, 此項服務不會提供額外的權利或延伸任何要求檢討的期限。

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Para obtener más información en Español acerca de este proyecto, llame al siguiente telefono (415) 558-6378. Por favor tome en cuenta que le contestaremos su llamada en un periodo de 24 horas. El servicio en Español es proporcionado por el Departamento de Planeación (Planning Department) de la ciudad de San Francisco. Eso no garantiza ningun derecho adicional o extensión del tiempo requerido por la ley.



SAN FRANCISCO PLANNING DEPARTMENT

SAN FRANCISCO PLANNING COMMISSION NOTICE OF HEARING

Notice is hereby given to the general public that an application involving the properties described below has been filed with the Planning Department for review as set forth in the Planning Code. The Planning Commission will hold a **PUBLIC HEARING** on these items and on other matters on **Thursday, April 26, 2012, beginning at 10:00 a.m. or later at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400.**

2012.0403W: California Pacific Medical Center Long Range Development Plan Project; California Campus; generally bounded by Cherry Street, Spruce Street, Sacramento Street and California Street (Assessor's Block 1015-001, 1015-016, 1015-052, 1015-053, 1015-054, 1016-001, 1016-002, 1016-003, 1016-004, 1016-005, 1016-006, 1016-007, 1016-008, 1016-009, 1017-027, 1017-028). CPMC currently operates a four-campus hospital system with four acute care hospitals and emergency departments, one each on the St. Luke's, Davies, Pacific and California Campuses. To comply with State seismic safety laws regarding acute care hospitals, CPMC plans to modernize its facilities through a city-wide system of care on five campuses, including a new campus on Van Ness Avenue known as the Cathedral Hill Campus (the "Project"). The Project does not include any Near-Term or Long-Term Projects (as defined in the proposed Development Agreement referenced below) at the California Campus.

Request that the Board of Supervisors approve a Development Agreement pursuant to Chapter 56 of the San Francisco Administrative Code ("Chapter 56"), and make certain modifications to Chapter 56.

The proposed Development Agreement is a contract between the City and Sutter West Bay Hospitals, a California nonprofit public benefit corporation doing business as California Pacific Medical Center, pursuant to the authority of Section 65864 of the California Government Code and Chapter 56, and affecting CPMC's existing St. Luke's, Davies, Pacific and California Campuses and proposed Cathedral Hill Campus. The Development Agreement has a term of ten (10) years from its Effective Date (as defined in the proposed Development Agreement), unless extended or earlier terminated, and sets forth certain rights and obligations of the City and CPMC with respect to the Project. Public benefits proposed in the Development Agreement include but are not limited to the rebuilding of St. Luke's Hospital and the implementation of healthcare, workforce development, housing, public improvement and transportation programs.

Please note: You are receiving this Notice because your property is located within a 300-foot radius of the California Campus. This Notice fulfills the noticing requirements for the approval of the proposed Development Agreement and associated modifications to Administrative Code Chapter 56

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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SAN FRANCISCO PLANNING DEPARTMENT

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2004.0603EC; 2012.0403W: California Pacific Medical Center Long Range Development Plan Project; Davies Campus; generally bounded by Castro Street, Noe Street, 14th Street and Duboce Avenue (Assessor's Block 3539-001). CPMC currently operates a four-campus hospital system with four acute care hospitals and emergency departments, one each on the St. Luke's, Davies, Pacific and California Campuses. To comply with State seismic safety laws regarding acute care hospitals, CPMC plans to modernize its facilities through a city-wide system of care on five campuses, including a new campus on Van Ness Avenue known as the Cathedral Hill Campus (the "Project"). The Project includes, but is not limited to the following: demolition of an existing surface parking lot and removal of associated vehicular access, and construction of a new approximately 46,006 gsf Neurosciences Institute building, associated patient drop-off area, courtyard and entry plaza, and various sidewalk, streetscape, and landscape improvements. A Long-Term Project is proposed for the Davies Campus, as described in the Development Agreement, but the Development Agreement does not authorize development of the Long-Term Project and thus no Long-Term Project approvals are being sought.

1) Request for Conditional Use Authorization to: modify the existing Planned Unit Development for the Davies Campus to allow for construction of the Neurosciences Institute building (Section 134, 209.3(a), 209.9(b), 303, 304); the PUD would provide an exception from rear yard requirements (Section 134).

2) Request that the Board of Supervisors approve a Development Agreement pursuant to Chapter 56 of the San Francisco Administrative Code ("Chapter 56"), and make certain modifications to Chapter 56.

The proposed Development Agreement is a contract between the City and Sutter West Bay Hospitals, a California nonprofit public benefit corporation doing business as California Pacific Medical Center, pursuant to the authority of Section 65864 of the California Government Code and Chapter 56, and affecting CPMC's existing St. Luke's, Davies, Pacific and California Campuses and proposed Cathedral Hill Campus. The Development Agreement has a term of ten (10) years from its Effective Date (as defined in the proposed Development Agreement), unless extended or earlier terminated, and sets forth certain rights and obligations of the City and CPMC with respect to the Project. Public benefits proposed in the Development Agreement include but are not limited to the rebuilding of

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SAN FRANCISCO PLANNING DEPARTMENT

SAN FRANCISCO PLANNING COMMISSION NOTICE OF HEARING

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2009.0885EMTZCBRKS; 2012.0403W: California Pacific Medical Center Long Range Development Plan Project; Cathedral Hill Campus; generally bounded by Franklin Street, Polk Street, Geary Street/Boulevard and Sutter Street (Assessor's Blocks 0690-016, 0694-005, 0694-006, 0694-007, 0694-008, 0694-009, 0694-009A, 0694-010, 0695-005, 0695-006). CPMC currently operates a four-campus hospital system with four acute care hospitals and emergency departments, one each on the St. Luke's, Davies, Pacific and California Campuses. To comply with State seismic safety laws regarding acute care hospitals, CPMC plans to modernize its facilities through a city-wide system of care on five campuses, including a new campus on Van Ness Avenue known as the Cathedral Hill Campus (the "Project"). The Project includes, but is not limited to the following: demolition of the existing vacant Cathedral Hill Hotel and Office Building located on Assessor's Blocks 0695-005 and 0695-006 and construction of a new, approximately 875,378 g.s.f acute care hospital ("Cathedral Hill Hospital") with 513 underground parking spaces, a pedestrian entry plaza, main drive-through vehicular access area and passenger drop-off zone connecting Geary Boulevard with Post Street, and Emergency Department and loading dock vehicular access from Franklin Street, with ambulance access from Post Street. The Project also includes demolition of seven existing, vacant residential and commercial buildings (Assessor's Blocks 0694-005, 0694-006, 0694-007, 0694-008, 0694-009, 0694-009A, 0694-010) and construction of a new, approximately 261,691 g.s.f medical office building ("Cathedral Hill MOB") with 542 underground parking spaces, conversion of Cedar Street to two-way operation west of the Cathedral Hill MOB garage access to Cedar Street, vehicular patient drop-off and vehicular loading access to the Cathedral Hill MOB on Cedar Street; construction of a pedestrian tunnel under Van Ness Avenue to connect the Cathedral Hill Hospital and Cathedral Hill MOB; interior renovation and reuse of an existing medical office/office building at 1375 Sutter Street as medical office; various utility, streetscape, sidewalk, and landscape improvements; and other implementation activities regarding transfer of medical uses.

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

Date: April 16, 2012
To: Honorable Members, Board of Supervisors
From: Angela Calvillo, Clerk of the Board
Subject: Form 700

This is to inform you that the following individuals have submitted a Form 700 Statement:

Jackson West, SOTF – Annual
Judy B., Legislative Aide - Assuming

File No. 120266
BOS 11
C pages

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BOARD OF SUPERVISORS
SAN FRANCISCO

Board of Supervisors

2012 APR -9 PM 3:32

District 11

With over 1200 apartments at The Gateway

Silent
550 Battery St.,
San Francisco, CA 94111



8 Washington

OPEN FORUM *On San Francisco Development*

We tore down the Embarcadero Freeway for this?

By Art Agnos

When I made the decision to demolish the monstrous double-deck Embarcadero Freeway in 1990, it cost me votes when I ran for re-election. I lost, but the ever-more-beautiful waterfront has become a magnificent destination for visitors and residents alike.

Now there is a proposal to set aside one section of the waterfront for exclusive housing for the wealthiest and, in the process, create a 136-foot high wall on the Embarcadero's edge — 80 feet higher than the original double deck freeway. It's called 8 Washington.

City leaders have been lamenting recently the continuing flight of families from San Francisco. Chronicle stories state a family earning \$111,000 a year could afford only 23 percent of the houses for sale primarily in the city's

southern neighborhoods. Each year it gets worse. The response is civic hand wringing.

8 Washington, a project that combines public and private land, is a perfect place to begin a new policy by insisting that any residential development involving public land include middle-class family housing on the site.

The current proposal is for a vertical gated community of luxury condos selling at \$2.5 million to \$7.5 million each. To get the best views, the developer is asking for the first height increase on northern waterfront in more than 40 years, from the current limit of 84 feet to 136 feet, as well as doubling the allowed bulk to make the project as wide as a football field.

The developer claims the project will meet the city requirement to fund 27 units of affordable housing — but somewhere else in the city, not on this

partially city-owned lot. This deal also requires the city to continue to turn a blind eye to the loss of more than 100 rental apartments that have been converted to hotel use as corporate and vacation rentals. Those units are part of the Golden Gateway apartment complex, which is providing 30 percent of the 8 Washington site as a partner in the project. The result is that we accept an ongoing loss of affordable housing in order to aid in the development of luxury housing on the waterfront.

The opening of the waterfront made possible billions of dollars in investments in housing, restaurants, small businesses and entertainment. My city policy treated this as an opportunity for all of us, not just the wealthiest, by supporting development of Delancey Street, and by contracting with Bridge Housing to build more than 100 units of low-income housing at Steamboat

Point on the waterfront.

The Embarcadero and the Ferry Building have become visitor destinations in our city, drawing rave reviews across the country. Today it is unimaginable that there was ever a freeway that obliterated it.

Opposition to 8 Washington is city-wide and growing, from SF Tomorrow, SF Tenants Union, Coalition of SF Neighborhoods, Friends of Golden Gateway and many more.

We support an alternative plan that creates more jobs and tax revenue through a mix of hotels, restaurants, retail and a Downtown Transit & Bicycle Center on the Port of San Francisco's remaining seawall lots, including 8 Washington. Join us in supporting that plan, not 8 Washington.

Art Agnos is a former mayor of San Francisco.

Save my pool

I am writing about saving Golden Gateway pool ("Luxury condos get key approvals," March 23).

I loved this pool ever since I could remember. I grew up with it, and it is where I learned to swim. It is a family pool, and it is like no other.

I hope we can find a way to keep Golden Gateway how it is.

Edwin
April 7, San Francisco

Opposition to 8 Washington is city-wide and growing, from SF Tomorrow, SF Tenants Union, Coalition of SF Neighborhoods, Friends of Golden Gateway and many more. We support an alternative plan that creates more jobs and tax revenue through a mix of hotels, restaurants, retail and a Downtown Transit & Bicycle Center on the Port of San Francisco's remaining seawall lots, including 8 Washington. Join us in supporting that plan, not 8 Washington.

Art Agnos is a former mayor of San Francisco.

Orig - Rules
COB, c - Page

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

Notice of Appointment

April 3, 2012

San Francisco Board of Supervisors
City Hall, Room 244
1 Carlton B. Goodlett Place
San Francisco, California 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR - 3 PM 4:34

Honorable Board of Supervisors:

Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointments:

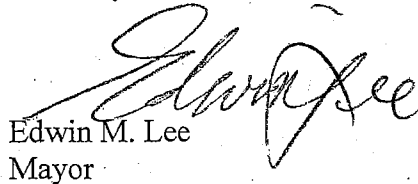
Cecilia Chung to the Health Commission, assuming the seat formerly held by Steven Tierney, for a term ending January 15, 2016;

Michael DeNunzio to the Commission on Aging, assuming the seat formerly held by Bette Landis, for a term ending January 15, 2016; and

I am confident that Ms. Chung, and Mr. DeNunzio, both CCSF electors, will serve our community well. Attached are their qualifications to serve, which demonstrate how these appointment represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to these appointments, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,


Edwin M. Lee
Mayor

DP19- Rules Clerk
COB, C-page

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

April 3, 2012

Angela Calvillo
Clerk of the Board, Board of Supervisors
San Francisco City Hall
1 Carlton B. Goodlett Place
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR - 3 PM 4:34
ML

Dear Ms. Calvillo,

Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

Cecilia Chung to the Health Commission, assuming the seat formerly held by Steven Tierney, for a term ending January 15, 2016;

Michael DeNunzio to the Commission on Aging, assuming the seat formerly held by Bette Landis, for a term ending January 15, 2016; and

I am confident that Ms. Chung, and Mr. DeNunzio, both CCSF electors, will serve our community well. Attached are their qualifications to serve, which demonstrate how these appointment represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

Handwritten signature of Edwin M. Lee in cursive.
Edwin M. Lee
Mayor

43A Harrington Street,
San Francisco, CA 94112

Cecilia Chung

Email:cecilia.chung@me.com
Phone:415-902-0216
Fax:415-586-3796

Areas of Specialty

- Homeless issues and LGBT health policy
- Community organizing and mobilizing
- Capacity building
- HIV prevention, education and policy
- Community and organizational leadership
- Coalition development with various communities

Experience

Cecilia Chung Consulting
Principal

2009 - Current

Provide excellent non-profit program development, implementation, and replication advice to various sized non-profits serving underserved communities. Augment staff capacity to build systems and resources. Train staff to continue program at high level after completion of the consultation agreement. Assist leadership with Board relations and development.

San Francisco Human Rights Commission
Commissioner

2004 - Current

Help set direction of Commission and Commission staff. Chaired regular meetings of Commission and manage agenda. Increased efficiency of subcommittees by reducing the number of advisory committees. Oversaw efforts to increase awareness about issues related to Native Americans, unrecognized familial structures, members of the intersex community, and bisexual visibility through production of reports and hearings. Work with San Francisco officials to support mission and funding of Commission. Instrumental in the establishing of taskforce on LGBT aging by the Board of Supervisors.

Transgender Law Center
Deputy Director

2005 - 2008

Managed TLC's individual donor campaigns, economic development initiative, and leadership programming. Oversaw multiple projects and advocate for policy changes on local and state level. Produced communications materials and designed and maintained website. Coordinated vendor relations and evaluated work product. Represented TLC at events around California and U.S. Designed economic survey to assess economic health and employment needs of the transgender community; conceptualized and launched Transgender Economic Empowerment Initiative with collaborative partners by securing funding from San Francisco Board of Supervisors. Spearheaded the health access project in Bay Area, including the publishing of the *How to Start a Transgender Clinic Guide*.

Asian Pacific Islander American Health Forum
HIV Program Coordinator

2004 - 2005

Funded by Center for Disease Control (CDC) to provide Capacity Building Assistance to Asian American members in Community Planning for HIV prevention. Responsible for development of training curriculum and training the trainers in all regions in US. Served as consultant to CDC and State Health Departments on Transgender issues and HIV prevention strategies.

Treatment Access Project, SFPDPH, City & County of San Francisco Assessment and Placement Officer IIII	2002 - 2004
--	-------------

Worked in multi disciplinary setting to provide assessment and linkage counseling for multiple-diagnosed clients to authorize treatment placement for SFGH patients. Worked closely with clients' probation/parole officers to ensure clients' compliance. Provided treatment referrals.

Education

Undergraduate Studies in International Management Golden Gate University	1988-1992
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Community Service Activities

Alice B. Toklas LGBT Democratic Club Board Member / Policy Committee Co-Chair	Current
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Program Committee, Horizons Foundation Member	Current
---	---------

Global Network of People Living with HIV/AIDS, North America Board Member / US Vice-Chair	Current
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Just Detention International Board Member / Committee Chair	Current
---	---------

Women Organized in Response to Life-Threatening Disease Board Member	Current
--	---------

Joint Commission LGBT Field Guide – Advisory Panel	2010
---	------

San Francisco Human Rights Commission Commission Chair	2008-2011
--	-----------

California Democratic Party - LGBT Caucus Treasurer	2007-2010
---	-----------

CHRP- Visioning Change Initiatives	2007-2010
---	-----------

HRSA's Nation Quality Center – Community Advisory Board	2008-2010
--	-----------

National AIDS Strategy Campaign	2009
--	------

California Democratic Party – Executive Board	2006-2009
--	-----------

Harvey Milk LGBT Democratic Club Board Member	2004-2006
---	-----------

Asian & Pacific Islander Wellness Center Board Member	2001-2007
---	-----------

San Francisco LGBT Pride Celebration Committee Board Member	1998-2006
---	-----------

HIV Service Planning Council	2000-2004
-------------------------------------	-----------

Trans March San Francisco – Founder/Producer	2004, 2005
---	------------

SF Transgender Empowerment Advocacy and Leadership Founding Member	2002- 2008
--	------------

Recognition

W.O.R.L.D. 20th Anniversary Community Activist Award	2012
KGO-TV Asian Pacific Islander Heritage Month	2011
Recognition by California LGBT Legislative Caucus	2010
A&PI Wellness Center Public Policy Award	2008
KQED Local Hero Award	2006
Community Hero Award, St Francis Hospital Foundation	2003
AIDS Hero Award	2002

Speaking

Queer and Asian Conference – Key Speaker	2011
Asian Psychology Association Conference	2010
Transgender Leadership Summit - Speaker	2010
US Conference on AIDS – Speaker	
Opening Plenary	2009
National HIV Prevention Conference – Speaker	
Opening Plenary	2009
Transgender Leadership Summit - Speaker	
Closing Plenary	2009
Harvard University – Speaker/Presenter	
TransLaw Conference	2008
Illinois State University – Keynote/Presenter	
Boundaries of Gender	2007

MICHAEL A. DENUNZIO
mdenun@aol.com 415-317-0155

Michael (Mike) DeNunzio is a development consultant to non-profit organizations. He has guided multi million dollar capital -endowment projects for healthcare, educational, social, cultural, civic and religious causes throughout the USA, and in Canada, Europe, Central America, and Pacific Basin. Local projects include the Archdiocese of San Francisco Scholarship Fund, the Campaign to Save the Cable Cars, and the Restoration of Fort Mason Center.

Mike is a former member of the California Commission on Aging appointed by Governor Schwarzenegger and a former San Francisco Commissioner on Aging -Adult Services appointed by Mayor Willie Brown and reappointed by Mayor Gavin Newsom, He also served as finance chair of the Mayors Council to End Chronic Homelessness and assisted Angela Alioto who wrote the San Francisco Plan for Supportive Housing. He is a past Chairman of the San Francisco Republican Party and was a candidate for Congress and Supervisor

Commissioner DeNunzio serves on the boards of the "Handicapables" of Northern California, the American Institute of Ethics and is an advisor to a Foundation for the Developmentally Disabled. He is a Commander in the Equestrian Order of the Knights of the Holy Sepulcher of Jerusalem.

Commissioner DeNunzio is married to Annette DeNunzio-a member of the Little Sisters of the Poor Auxillary, and the Italian-American Community Service Agency. He is a graduate of St. John's University, Queens, New York, taught law and economics at McClancy College Preparatory and served six years as a Personnel Specialist in the U.S. Army Reserves.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

Date: April 4, 2012
To: Honorable Members, Board of Supervisors
From: *AC* Angela Calvillo, Clerk of the Board
Subject: APPOINTMENTS BY THE MAYOR

The Mayor has submitted appointments to the following bodies:

- Cecilia Chung, Health Commission, term ending January 15, 2016
- Michael DeNunzio, Commission on Aging, term ending January 15, 2016

Under the Board's Rules of Order Section 2.24, a Supervisor can request a hearing on an appointment by notifying the Clerk in writing.

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within thirty days of the appointment as provided in Section 3.100(18) of the Charter.

Please notify me in writing by **5:00 p.m. Monday, April 9, 2012**, if you would like to request a hearing on any appointment.

Attachments

35

OFFICE OF THE MAYOR
SAN FRANCISCO



C: CAB, Deputy Clerk

EDWIN M. LEE
MAYOR

Notice of Appointment

April 4, 2012

San Francisco Board of Supervisors
City Hall, Room 244
1 Carlton B. Goodlett Place
San Francisco, California 94102

Honorable Board of Supervisors:

Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointments:

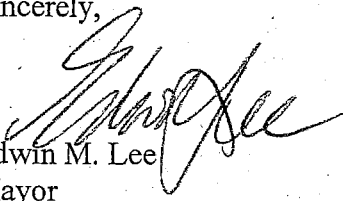
Katie Loo to the Commission on Aging, assuming the seat formerly held by Veneracion Zamora, for a term ending January 15, 2016;

Richard Ow to the Commission on Aging, for a term ending January 15, 2016

I am confident that Ms. Loo and Mr. Ow, both CCSF electors, will serve our community well. Attached are their qualifications to serve, which demonstrate how these appointments represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to these appointments, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,


Edwin M. Lee
Mayor

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BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR -4 PM 4:25

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

April 4, 2012

Angela Calvillo
Clerk of the Board, Board of Supervisors
San Francisco City Hall
1 Carlton B. Goodlett Place
San Francisco, CA 94102

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BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR -4 PM 4:25
RSC

Dear Ms. Calvillo,

Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointments:

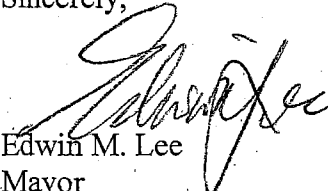
Katie Loo to the Commission on Aging, assuming the seat formerly held by Veneracion Zamora, for a term ending January 15, 2016;

Richard Ow to the Commission on Aging, for a term ending January 15, 2016

I am confident that Ms. Loo and Mr. Ow, both CCSF electors, will serve our community well. Attached are their qualifications to serve, which demonstrate how these appointments represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,


Edwin M. Lee
Mayor

Katie Loo
86 Rockaway Ave
San Francisco, CA 94127
(415) 664-1288

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BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR -4 PM 4:25

PROFESSIONAL EXPERIENCE

- 1991-1995 **PROGRAM ANALYST, COMMUNITY SUBSTANCE ABUSE SERVICES.** Monitored prevention, outpatient and residential drug and alcohol treatment programs.
- 1983-1991 **PROGRAM DIRECTOR, STAFF DEVELOPMENT COORDINATOR, LAGUNA HONDA HOSPITAL.** Developed and coordinated senior nutrition program and special events for seniors. Trained non-nursing staff in areas such as Safety and Confidentiality.
- 1980-1983 **PROGRAM DIRECTOR, CONSULTATION, EDUCATION AND INFORMATION.** Supervised an administrative budget and staff of three full time employees. Coordinated the production of informational literature on mental health services in multi-languages: Chinese, English, Japanese, Korean, Russian and Tagalog. Supervised the production of bilingual slide shows and video tapes.
- 1974-1980 Worked with various community-based organizations on projects dealing with senior health, housing and nutrition. Coordinated training for professionals and para-professionals working in senior services.

VOLUNTEER EXPERIENCE

- 1993-Present **FINANCIAL CONSULTANT.** Provide free consultation to colleagues and friends on investment strategies.

EDUCATION

- 1973 University of California
Berkeley, California
MPH in Health Education

1970 Utah State University
 Logan, Utah
 B.Sc. in Social Work and History

AFFILIATIONS

1974 Member, UC Alumni Association
 Berkeley, California

1994 Member, The City Club of San Francisco
 San Francisco, California

2010 Auditor, Dolores Park Church
 San Francisco, California

2011 Member of Property Commission, Dolores Park Church
 (Overseeing 21 Housing Units)
 San Francisco, California

OTHER LANGUAGES

Fluent in oral and written Chinese (Cantonese, Mandarin and Shanghainese)

OTHER PERTINENT INFORMATION

I have experience in pioneering, developing and implementing new programs. I also have a wide range of skills and responsibilities in directing and supervising staff and volunteers, preparing proposals and financial/statistical reports, and developing /producing skits for televisions. I have traveled extensively in Asia, Australia, Canada, Europe and North America. Since my retirement in 1995, I have continued my pursuit in biblical knowledge by attending bible study groups. I also take classes on topics/issues related to seniors from San Francisco City College and start taking piano lessons recently. In 2012, I will participate in the kitchen renovation project of Dolores Park Church.

Richard Ow

(415) 850-6444

Owrichard06@yahoo.com

1950 – Served in the US Army in Korea

1951 - Served in the US Army in Japan

1953 – Attended SF City College

1990 – Retired from the Post Office after 30 years

1997 to 2004 – Appointed to the Immigrant Rights Commission (worked on getting more interpreters for new immigrants seeking city services)

2004 – Served on the Mayor's Disability Council (Worked on (1) better care for seniors and disability persons in homeless housing; and (2) muni and pedestrian safety).

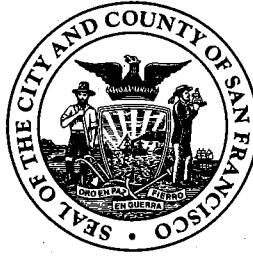
Life membership in the American Legion, Cathay Post, #384

Life membership in the VFW, Chinatown Post, #4816

Life membership in the American Postal Union

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
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MEMORANDUM

Date: April 5, 2012
To: Honorable Members, Board of Supervisors
From: Angela Calvillo, Clerk of the Board
Subject: APPOINTMENTS BY THE MAYOR

The Mayor has submitted appointments to the following body:

- Katie Loo, Commission on Aging, term ending January 15, 2016
- Richard Ow, Commission on Aging, term ending January 15, 2016

Under the Board's Rules of Order Section 2.24, a Supervisor can request a hearing on an appointment by notifying the Clerk in writing.

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within thirty days of the appointment as provided in Section 3.100(18) of the Charter.

Please notify me in writing by **12:00 p.m. Tuesday, April 10, 2012**, if you would like to request a hearing on any appointment.

Attachments