

090571

Petitions and Communications received from April 28, 2009, through May 4, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 12, 2009.

From Muni, submitting request for waiver of Administrative Code Chapter 12B for Star Machine and Tool Company. (1)

From Department of Public Health, submitting notice that Swine Flu information is available at www.sfcdep.org and public inquiries can call 311. (2)

From Department of Emergency Management, submitting a Swine Influenza update as of 5:50 p.m. on April 27, 2009. (3)

From Pat Missud, regarding the dangerous intersection of Alemany Boulevard and San Juan Avenue. 2 letters (4)

From concerned citizens, submitting support for proposal to initiate the process of restoring Sharp Park to a natural area. 51 letters (5)

From concerned citizens, submitting support for full funding of public access television. File No. 090287. Copy: Each Supervisor. 11 letters (6)

From Shona Gochenaur, submitting support for proposed resolution urging a cessation of recent Drug Enforcement Administration raids on medical cannabis dispensaries. File No. 090486 (7)

From Office of the Controller, submitting the results of a review of the Department of Elections for services to other districts. Copy: Each Supervisor (8)

From Ahimsa Sumchai, congratulating City Attorney Dennis Herrera for standing up to Mirant's Corporation. (9)

From Joan Wood, urging the Board of Supervisors to reject the MTA budget for fiscal year 2009-2010. (10)

From Alan Moody, commenting on the absentee style of the mayor and that he resigns if he continues to be absent. Copy: Supervisor Elsbernd (11)

From Francisco Da Costa, submitting letter regarding California Senators and other San Francisco City Officials. (12)

From Francisco Da Costa, submitting letter regarding California natural resources and water panders to big developers. (13)

From concerned citizens, urging the Board to protect the habitat and open space at Candlestick Point State Recreation Area. (14)

From Round the Diamond, urging the Board of Education and the Board of Supervisors draft a resolution supporting the construction of a basketball education and career pathway arena, in collaboration with the Seawall Lot 337-development team, the Port of San Francisco and the City and County of San Francisco. Copy: Each Supervisor (15)

From State Senate Rules Committee, submitting reappointment of Margo Brown of Sacramento and Carole Migden of San Francisco as members of the California Integrated Waste Management Board. (16)

From Arthur Evans, commenting on proposed resolution regarding Medical Cannabis Dispensaries. (17)

From Shirley Jaeger, commenting on proposal to cutting more services and increasing transportation fees. (18)

From Robert Burke, asking what, if anything is being done to prepare for the current Swine flu alert, and is anything is being done to prepare for the Avian flu virus, should a mutant strain reassert itself? (19)

From Nikki Baker, submitting opposition to any increase for motorcycle parking in San Francisco. (20)

From State Fish and Game Commission, submitting notice of proposed regulatory action relative to Section 632, Title 14, California Code of Regulations, relating to Marine protected areas. (21)

Apr. 28. 2009 11:09AM

No. 1858 P. 1

Municipal Transportation Agency
Purchasing Department
One South Van Ness, Room 3097
San Francisco, CA 94103

**City and County of
San Francisco**

Memo

Date: April 28, 2009

To: Clerk, Board of Supervisors

(415) 554-5163

From: Hermilo Rodis, Purchaser *HR*
S.F. Municipal Transportation Agency

Subject: Award of Purchase Order to Non-Compliant Vendor (Equal Benefits)
(Reference RQPT09011013 / ITSF09000630SQ)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 APR 28 AM 11:39
BY *HR*

This memo serves as notification that an award of a purchase order for "Repair Star Model 53-DS" to Star Machine & Tool Co. will be made upon approval of the "No Potential Contractors Comply Waiver" by the Human Rights Commission.

Please reference the attached copies of the waiver request and supporting justification.

①

Apr. 28. 2009 11:10AM

No. 1859 P. 1

Municipal Transportation Agency
Purchasing Department
One South Van Ness, Room 3097
San Francisco, CA 94103

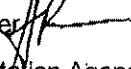
**City and County of
San Francisco**

Memo

Date: April 28, 2009

To: Tamra Winchester

FAX No. (415) 431-5764

From: Hermilo Rodis, Purchaser 
S.F. Municipal Transportation Agency

Subject: Waiver Request for Star Machine & Tool Co.: ITSF09000630/SQ – RQPT09011013

On Pril 14, 2009, the Office of Contract Administration publicly solicited for "Repair Star Model 53-DS", a repair requirement for the San Francisco Municipal Transportation Agency. The sole bid received was from Star Machine & Tool Co., a non-compliant vendor.

The vendor was sent a 10-day notification of NON-RESPONSIVENESS stating that they had to comply in 10-days with the requirements of San Francisco regarding the requirements of Admin. Code 12B. As of today's date, they did not respond and therefore continue to be non-compliant to the City's requirements.

To proceed with these requirements for the SFMTA, it is necessary to request that the Human Rights Commission grant a waiver per the requirements of Chapter 12B of the Admin. Code.

Once approved, please fax the waiver to my attention at 701-4729.

Thank You.

Apr. 28. 2009 11:10AM

No. 1859 P. 2



CITY AND COUNTY OF SAN FRANCISCO HUMAN RIGHTS COMMISSION

S.F. ADMINISTRATIVE CODE CHAPTERS 12B and 14B WAIVER REQUEST FORM (HRC Form 201)

FOR HRC USE ONLY
Request Number: _____

➤ **Section 1. Department Information**

Department Head Signature: *Hermilo Rodis*

Name of Department: Muni

Department Address: One South Van Ness, Rm 1058, San Francisco, CA 94103

Contact Person: Hermilo Rodis

Phone Number: (415) 701-4706 Fax Number: (415) 701-4729

➤ **Section 2. Contractor Information**

Contractor Name: Star Machine & Tool Co. Contact Person: Richard Wisti

Contractor Address: 215 6th St., SE, Minneapolis, MN 55414

Vendor Number (if known): 17602 Contact Phone No.: (612) 378-3232

➤ **Section 3. Transaction Information**

Date Waiver Request Submitted: 4/28/09 Type of Contract: Purchase Order

Contract Start Date: When approved End Date: 7days ARO Dollar Amount of Contract: \$8,415.83

➤ **Section 4. Administrative Code Chapter to be Waived (please check all that apply)**

- Chapter 12B
- Chapter 14B *Note: Employment and LBE subcontracting requirements may still be in force even when a 14B waiver (type A or B) is granted.*

➤ **Section 5. Waiver Type (Letter of Justification must be attached, see Check List on back of page.)**

- A. Sole Source
- B. Emergency (pursuant to Administrative Code §8.60 or 21.15)
- C. Public Entity
- D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 4/28/09
- E. Government Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on:
- F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on:
- G. Local Business Enterprise (LBE) (for contracts in excess of \$5 million; see Admin. Code §14B.7.1.3)
- H. Subcontracting Goals

HRC ACTION	
12B Waiver Granted: _____	14B Waiver Granted: _____
12B Waiver Denied: _____	14B Waiver Denied: _____
Reason for Action: _____	
HRC Staff: _____	Date: _____
HRC Staff: _____	Date: _____
HRC Director: _____	Date: _____
DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.	
Date Waiver Granted: _____	Contract Dollar Amount: _____

City and County of San Francisco



**Gavin Newsom
Mayor**

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 APR 29 PM 4:52

Department of Public Health

**Mitchell H. Katz, MD
Director of Health**

Swine Flu information available at www.sfdcp.org
Public inquiries can call 3-1-1

BY _____
The City and County of San Francisco, the State of California Department of Public Health and the Centers for Disease Control and Prevention are all working together to help the public understand swine flu and what all of us can do to protect ourselves and our families. As of Tuesday April 28, 2009, there are no cases of swine flu in San Francisco, and cases seen in the U.S. have very mild symptoms, similar to seasonal flu.

Facts:

- The Center for Disease Control in Atlanta has determined that this strain of swine flu is contagious and is spreading from human to human. Spread of this swine flu virus is thought to be happening in the same way that seasonal flu spreads. Flu viruses are spread mainly from person to person through coughing or sneezing by people who are already infected with the influenza virus.
- The symptoms of swine flu in people are similar to the symptoms of regular human flu and include fever, cough, sore throat, body aches, headache, chills and fatigue. Some people have reported diarrhea and vomiting associated with swine flu.
- Sometimes people may become infected by touching something with flu viruses on it and then touching their mouth or nose. Infected people may be able to infect others beginning 1 day before symptoms develop and up to 7 or more days after becoming sick.

How to Protect Yourself:

- First and most important: wash your hands or use hand sanitizer that contains at least 60 percent ethyl alcohol.
- There is currently no need to avoid general public gatherings, public transit, school, or to wear masks.
- Avoid close contact with people who are sick. Droplets from a cough or sneeze of an infected person move through the air. Some viruses can live up to 24 hours or longer on surfaces such as cafeteria tables, doorknobs, and desks. Frequent hand washing will help kill swine flu virus.
- If you are sick, stay home unless you are seriously ill and then call your doctor before seeking treatment.

Do I need to get tested for swine flu or have my children tested?

There is currently no need for the people to visit a doctor's office, emergency room, or hospital for swine flu testing. Individuals with mild flu symptoms should stay home, drink plenty of fluids, and treat their symptoms with over-the-counter medications. Seek medical care only if someone is experiencing difficulty breathing, has become dehydrated from long periods of vomiting or diarrhea or has a fever over 101 degrees Fahrenheit that does not respond to over the counter fever medications. Individuals who feel they need help should first call their doctor's office.

Excellent public information tools for the general public are widely available, including "How to Care for an Ill Family Member" - currently in English and Spanish and soon in Chinese. These can be found on the Web at: <http://sfdcp.org/swineflu.html>.

2

Amiee Albertson Alden
Policy and Planning Manager
SF Department of Emergency Management
1011 Turk Street
San Francisco, CA 94102
Phone: 415-558-3803
Fax: 415-558-3841
<http://www.sfgov.org/dem>

----- Forwarded by Amiee Albertson Alden/ECDEPT/SFGOV on 04/27/2009 06:28 PM -----



"CCSF info"
<information365@ccsf.alertsf.org>

To "CCSF ALERT" <SF@ccsf.alertsf.org>

cc

04/27/2009 05:50 PM

Subject Sit Rep - Swine Influenza update 1717 hours

Situation Briefing

Date: 04/27/09

Time: 1750

Subject/Event: Swine Influenza

Prepared By: Rob Dudgeon

Please Respond to: DEM Duty Officer

Orientation & Situation: As previously reported the City is currently responding to a flu threat. At this time there are still NO reported cases in SF. DPH has activated their Infectious Disease Response Plan and partially activated their Department Operations Center (DOC).

The DPH DOC is open from 0900 - 1700 hours at this time.

The Emergency Operations Center (EOC) has NOT been activated at this time, however DPH and DEM are coordinating with departments that will likely have a role in the response should EOC activation become necessary.

Mission: The Department of Emergency Management (DEM) is working with the Department of Public Health (DPH) and other key agencies to gather a situational awareness and coordinate a possible response.

Execution: **DPH is the lead agency for this event.**

DEM has activated their Virtual Command Center to monitor the situation as it progresses. DEM will also assist DPH through resource and departmental coordination.

311 is serving as the call center for all information inquiries from the public and from City Departments.

The Mayor's Office of Communications is responsible for public messaging and media relations. Please refer all media calls to them

3

Administration & Logistics: We are requesting Departments to review their Continuity of Operations Plans as well as remind employees the importance of staying home if feeling sick to minimize spread of illness.

Coordination & Communication: For general information please check the DPH web page: <http://www.sfcddcp.org/swineflu.html> or call 311 before calling the DPH DOC

The DPH DOC contact numbers are: 415-558-2713, 415-558-2733, 415-558-2783 or they can be reached at dphdoc@gmail.com

The DEM Duty Officer can be reached at 415-327-0543

The public at this time is being directed to 311 with any questions regarding the Swine Influenza.

Outlook & Contingencies: While there have been no confirmed cases of the influenza in the Bay Area at this time, it is highly probable that a case will appear in the coming days.

Other departments may be asked to support DPH and DEM in the coordination and response.

The City is coordinating with the CDC and other Federal and State partners in this response.

Attachments: N/A

Sent by Lucas Eckroad to Situation Briefing (E-mail accounts) through CCSF Alert

....powered by Cooper Notification's Roam Secure Alert Network

update your account (profile, devices, etc.) at <https://ccsf.alertsf.org>



pat missud

04/29/2009 07:58 AM

To cityattorney@sfgov.org, board.of.supervisors@sfgov.org,
lykaibarra@yahoo.com, maniwalya@gmail.com,
judson.true@sfmta.com, john@avalos08.com
cc wbuchanan@sfchronicle.com, jdoyle@sfchronicle.com

bcc

Subject Ultrahazardous Alemany and San Juan Intersection.

Good morning legislators and city agents,

I understand that an expensive traffic light at the above Intersection is expensive and may be a long time coming. I guarantee as a resident living just 50 feet from that Intersection, that there will at least be another major injury there before that light is installed. If the light costs only 1/2 million but prevents a multi million dollar law suit against the City which does have a duty to remedy ultrahazardous public facilities, the City has saved a bunch.

In the interim and to prevent loss of limbs, perhaps the City can extend the concrete islands, use some more red curb paint and add a right turn only sign since no one can see over those lush lavender plants for the oncoming North bound traffic from the slick when wet, topographically and grade-ially challenged San Juan Avenue.

Also, just last week there was another car on car at around Tingley and Alemany which T-boned a Honda. I took mental note of this accident which is within police archives to point out that a reduction in speed on the length of the corridor would likely at least have lessened that impact.

There are plenty of quick and inexpensive ways to prevent multi million dollar lawsuits from popping up along all 20 city blocks between Ocean and 280.

Cordially and on behalf of the pedestrians being mowed down, and drivers in their bumper cars,

Patrick Missud

4



pat missud

04/28/2009 12:21 PM

To cityattorney@sfgov.org, john@avalos08.com,
board.of.supervisors@sfgov.org
cc lykaibarra@yahoo.com, maniwahaya@gmail.com
bcc

Subject Alemany and San Juan intersection update

12:10, car on car. Apparently the Prius stopped for a pedestrian in the crosswalk and was rear ended by the Acura. The unmarked police shooed the drivers away and they quietly exchanged info at San Juan and Cayuga.

Prius' driver received my contact info and a letter explaining the dangerous nature of that intersection.

Something needs to be done soon perhaps?

Fred Rinne

**San Francisco, CA
94112**

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 APR 30 PM 1:46

BY



To: The San Francisco Board Of Supervisors

Re: Sharp Park Restoration Proposal

I am writing in support of supervisor Russ Mirkarimi's proposal to initiate the process of restoring Sharp Park to a natural area.

The San Francisco Garter Snake is on the verge of extinction. It has an estimated six major populations with four of those in decline. There is thus no margin of error available to this species. Sharp Park currently provides poor and narrowly constrained habitat for the remnant population of San Francisco Garter Snakes.

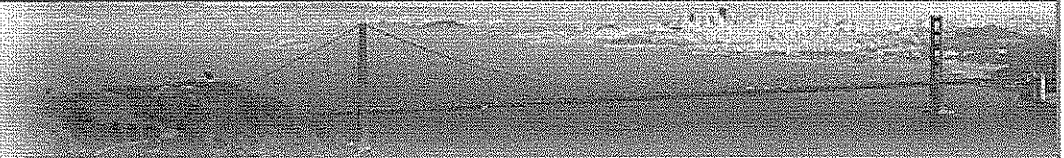
The golf course at Sharp Park cannot continue without a major capitol outlay on protection from surf and floods. There is no way San Francisco can ever recover the costs it would take to maintain this site as a golf course. The loss of a golf course is a tragedy to those concerned, but other opportunities for the sport abound. Regional alternatives, from San Jose to San Francisco provide 64 public and private golf courses.

Just because a human endeavor is historic doesn't mean it isn't a mistake. If it were proposed today, the golf course would never be built. It is time to abandon this expensive folly and work with the Golden Gate National Recreation Area to restore and enhance this site in the manner of Crissy Field, which now glorifies the surroundings and is visited by thousands.

Thank you for your time,

Fred Rinne

5



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: 421109

Apr 28 2009 6:37PM.

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

Location Information:

Incident Location:

Location Type:
Type Details:

Corner Information:

Location Description: Pacifica

Request Details:

Category: Other
Department: Board of Supervisors (BOS)
Sub-Division: Clerk of the Board

Additional Information:

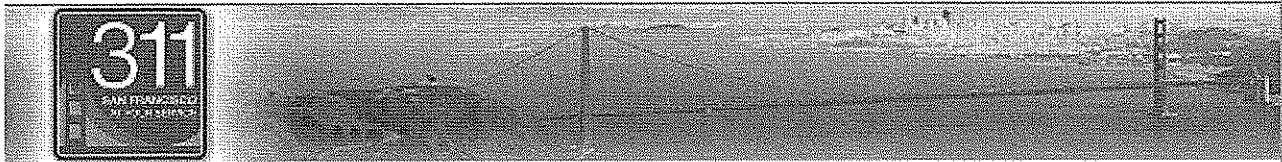
Additional Request Details: please preserve the historic sharp park golf course. It's a valuable resource for juniors, seniors, and working class golfers.

Customer Contact Information:

First Name: robert
Last Name: stowell
Primary Phone:
Alternate Phone:
Address Number:
Street Name:
City, State:
ZIP Code:
Email:

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

Print



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: 420974

Apr 28 2009 3:04PM.

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

Location Information:

Incident Location:

Location Type:
Type Details:

Corner Information:

Location Description: Sharps Park Golf Course

Request Details:

Category:	Complaint
Department:	Board of Supervisors (BOS)
Sub-Division:	Clerk of the Board

Additional Information:

Additional Request
Details:

Customer Contact Information:

First Name:	larry
Last Name:	argei
Primary Phone:	
Alternate Phone:	
Address Number:	
Street Name:	
City, State:	
ZIP Code:	
Email:	

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

Print



"Hans Schmid" <[redacted]>

05/02/2009 07:43 AM

To <board.of.supervisors@sfgov.org>
cc
bcc
Subject Support Sharp Park Golf Course

Members of the Board of Supervisors,

As a former resident of San Francisco/Pacifica and current resident of Hillsborough I would like to urge the Board of Supervisors to continue with the tradition of offering to less affluent residents of San Francisco and San Mateo County the opportunity to play golf at one of the few affordable, extra-ordinary golf courses at Sharps Park Golf Course in Pacifica. It is the place where I first learned the game of golf many years ago and where I love to play because is such a special place. Keep it going for future generations.

Thank you,
Hans Schmid
Hillsborough, CA.

5



perryd1@

04/29/2009 10:02 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject Thank You for Further Protecting Sharp Park

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689

Dear Supervisor,

I strongly support Supervisor Mirkarimi's proposed ordinance to transfer Sharp Park management to the National Park Service as part of Golden Gate National Recreation Area or to jointly manage the park with the Park Service. The ordinance would also require the city's Recreation and Parks Department to develop a plan, schedule, and budget for restoring Sharp Park habitat for endangered species on the site, a remarkable and timely opportunity to provide leadership in species protection.

I urge the city and county of San Francisco to restore Sharp Park as a coastal lagoon and wetland habitat for endangered species. Unfortunately, the current operation of the golf course harms wetland habitat and leads to illegal take of two federally listed species, the California red-legged frog and the San Francisco garter snake.

The National Park Service is a proven leader in managing environmentally sensitive lands while allowing for public enjoyment. Please transfer Sharp Park to the National Park Service, or jointly manage the property with the Park Service to restore Sharp Park as a coastal lagoon and wetland habitat for endangered species.

Thank you for considering my suggestions.

Sincerely,
David Perry

San Francisco, CA 94109)1

cc:
San Francisco Recreation and Parks Dept.



Margaret Laut

To board.of.supervisors@sfgov.org

cc

05/01/2009 11:18 AM

bcc

Please respond to

Subject Restore Sharp Park

Thank you for taking the first step to transform our publicly owned land at Sharp Park from an exclusive, underused, and budget-breaking golf course into a community-centered model for endangered species recovery, natural flood control, outdoor recreation, and sustainable land use.

I strongly support Supervisor Mirkarimi's proposed ordinance to transfer Sharp Park to the National Park Service as part of the Golden Gate National Recreation Area or to jointly manage the park with the Park Service. The ordinance would also require the city's Recreation and Parks Department to develop a plan, schedule, and budget for restoring Sharp Park habitat for endangered species on the site, a welcome change from the mismanagement of recent years. I urge the city and county of San Francisco to restore Sharp Park as a coastal lagoon and wetland habitat for endangered species. Please follow through by passing this important legislation.

Sharp Park Golf Course has a long history of environmental problems because of its poor design and unfortunate placement on a coastal lagoon. The course has had problems with flooding and drainage ever since opening, and the Department has created new and significant environmental impacts. The current operation of the golf course harms wetland habitat and causes illegal take of two federally listed species, the California red-legged frog and the San Francisco garter snake.

The golf course is a significant money-loser for San Francisco that makes no sense to maintain at a time when the city has cut the Recreation and Parks Department staff and the long-term golf prospects at the site are slim. Combine that with the problems with endangered species, wetland destruction, flooding, and sea-level rise, and it is clear that restoration of Sharp Park to a natural state is the best option for the area.

Ecological restoration is the most fiscally responsible method of managing Sharp Park and dealing with flood management issues at the site. Compared to the costs of implementing capital improvements necessary to maintain the golf course combined with the high potential for massive civil penalties for harming endangered species, restoration alternatives seem to be the most fiscally prudent method for retaining recreational uses of the area.

San Francisco's 2004 recreational study shows that the number-one recreational demand in San Francisco is more hiking and biking trails -- and golf came in 16th. San Francisco already has six public golf courses, and about 50 other golf courses are within a 45-minute drive of Sharp Park. Restoring Sharp Park will help meet recreational demand through hiking and biking trails, picnicking spots, camping facilities, a world-class nature center, a gateway to the San Mateo County Golden Gate National Recreation Area lands, and educational opportunities sorely needed in San Mateo County. Restoration will also ensure the continued existence and abundance of endangered species at Sharp Park.

Please transfer Sharp Park to the National Park Service or jointly manage the property with the Service to restore Sharp Park as a coastal lagoon and wetland habitat for endangered species.

Margaret Laut

DIX HILLS, NY 11746



ACTION FOR ANIMALS

C: Sup. Mirkarimi, Mar, Maxwell

AF cpage

RECEIVED

"We need a boundless ethics which will include the animals also."

--Dr. Albert Schweitzer

2009 APR 30 PM 12: 36

BY *EA*

P.O. Box 20184
Oakland, CA 94620
tel. - 510/652-5603
fax - 510/654-7432
e-mail - afa@mcn.org

April 30, 2009

SAN FRANCISCO BOARD OF SUPERVISORS
Government Audit and Oversight Committee

Dear Sirs/Madam:

My name is Eric Mills. I'm coordinator of Action for Animals, a non-profit based in Oakland, but with many members in San Francisco and San Mateo Counties.

I support the proposal to move Sharp Park under the umbrella of the Golden Gate National Recreation Area (GGNRA).

Reputable scientists estimate there are between ten and 30 million plant and animal species on the planet, most of them yet unidentified. An estimated 50,000 species go extinct every year, not due to normal evolution but due to human impact, especially human overpopulation and loss of habitat. Sharp Park presents an opportunity to slow that extinction rate, specifically regarding the red-legged frog and the San Francisco garter snake.

The City of San Francisco now has a population of over 800,000, the most in its history. It's estimated that in the next 40 years another 25 million people will be added to the state's current 34 million people who now reside here. If this comes to pass, the impact upon our wildlife and ourselves will be huge. It's critical that we set aside as much habitat for these plants and animals as we can to help offset the damage.

Extinction, as they say, is forever. Surely the continuing existence of the frogs and snakes should take precedence over a golf course, especially one like Sharp Park, with its high maintenance costs and ever-diminishing use. (I assume that Sharp Park, like most golf courses, is a heavy user of pesticides and herbicides, all of which are detrimental to wildlife. And ourselves.)

I believe that the GGNRA will do a better job by the environment, our beleaguered wildlife, and the citizens of the Bay Area with Sharp Park under its jurisdiction. Let's come down on the right side of history and help guarantee the continuing presence of these two threatened species and the Bay Area's quality of life.

Thank you for your consideration.

Sincerely,

Eric Mills, coordinator

5

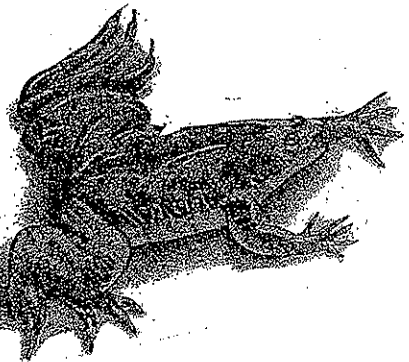


ACTION FOR ANIMALS

P.O. Box 20184
Oakland, CA 94620
tel. - 510/652-5603
fax - 510/654-7432
e-mail - afa@mcn.org

April 30, 2009

African
clawed
frog
Xenopus
laevis



WILDLIFE ALERT!

FOREIGN INVADERS TAKE OVER GOLDEN GATE PARK LAKE

A potential environmental disaster continues to simmer at the Lily Pond in Golden Gate Park. Back in June of 2003, Academy of Sciences personnel discovered a population of prohibited, highly-invasive AFRICAN CLAWED FROGS (ACFs) in the pond, probably refugees from a UCSF laboratory or the pet trade, nobody know for sure. But as Stanford researcher Dr. Sherril Green noted at the time:

"The feral Xenopus there remain unchecked, unmonitored, and very accessible to the public. Given the invasiveness of this species, it is likely that the population will thrive in this location and spread to other bodies of water in the park and, potentially, outside of the park."



There's a nearby population of protected red-legged frogs, which are put at risk by the ACFs. One can only imagine the environmental havoc should these exotics disperse into the Sacramento Delta. (Remember the Northern pike debacle at Lake Davis?) Dr. Green has estimated upwards of 10,000 ACFs in Lily Pond. These frogs have no known major predators here in the U.S., and they tend to displace and prey upon our native wildlife.

Worse, the African clawed frog is a known carrier of the dreaded chytrid fungus, a prime suspect as the cause of extinctions of dozens of amphibian species worldwide. And not only our wildlife is at risk. A 9/21/04 letter from the Department of Fish & Game states:

"San Francisco Recreation and Park Department must ensure that they (the ACFs) do not spread any further or they risk liability for damage caused to other property owners."

Both the City and the Dept. of Fish & Game are setting themselves up for expensive litigation, should this problem not be resolved, or if the frogs disperse. When the ACFs were first discovered in 6/03, the Dept. immediately responded with an operation to drain the pond and euthanize the non-natives. The operation was aborted at the last minute for political reasons. There is currently a sporadic and ineffective trapping program to contain the frogs, doomed to failure. The consensus is that the only viable solution is a "drain-and-strain" operation. So why the delay, pray?



WHAT YOU CAN DO TO HELP: Contact S.F. Mayor Gavin Newsom, tel. 415/554-6141; fax 554-6160; gavin.newsom@sfgov.org. And the S.F. Board of Supervisors (David Chiu, Pres.), tel. 415/554-7450; fax 554-7454; david.chiu@sfgov.org. All may be written c/o City Hall, Van Ness & McAllister, San Francisco, CA 94102.

Don Koch, Director, DFG, tel. 916/653-7667; fax 653-7387; director@dfg.ca.gov.
Mike Chrisman, Resources Secretary, tel. 916/653-5656; fax 653-8102; secretary@resources.ca.gov.
Both may be written at 1416 Ninth Street, Sacramento, CA 95814.



therese gaus

04/27/2009 04:36 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject save community media

File 090287
BOS-11
Gail
C page

Please support the ordinance to reform PEG funding. Thanks. Therese Gaus, SF resident,
District 5

6

File 090287



Lindsey Adams

m>

04/28/2009 04:24 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject SF Access

Dear Supervisors,

I am very concerned to hear that as of June 2009, funding to support public access television will be eliminated, thereby eliminating a crucial platform for students and for the general public. As your constituent, I strongly urge support your colleague Sup. Mirkarimi's ordinance to reform PEG funding. Thank you.

Sincerely,

Lindsey Adams

File 090287



Alex Herter

Sent by:

04/28/2009 04:42 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject Public Access Funding

Dear Supervisors,

I am very concerned to hear that as of June 2009, funding to support public access television will be eliminated, thereby eliminating a crucial platform for students and for the general public. As your constituent, I strongly urge support your colleague Sup. Mirkarimi's ordinance to reform PEG funding.

Thank You.

Sincerely,

Alex Herter



Anneke Banana

>

04/28/2009 04:50 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject Please Support Sup. Mirkarimi's Resolution to Reform PEG Funding

File

090287

C:Gail

Dear Supervisors,

I am very concerned to hear that Access SF, our community television station, might no longer exist as of June. Your colleague Sup. Ross Mirkarimi has proposed a resolution to reform the process that would allow us to keep our community programming. Without Access SF, students and other community voices would be left without a platform to express their voices and their right to speech.

As your constituent I urge you to **please** support the PEG Funding resolution. It's critical that we keep the media democratic and in the interest of our local community, not big cable franchises.

Thank you,

Anneke



CSB <sfsucsb@gmail.com>

04/29/2009 02:55 AM

To Board.of.Supervisors@sfgov.org

cc

bcc

Subject SUBJECT: Please Support the Ordinance to Reform PEG Funding

Dear Supervisor,

I am very concerned to hear that as of June 2009, funding to support public access television will be eliminated, thereby eliminating a crucial platform for students and for the general public. As your constituent, I strongly urge support your colleague Sup. Mirkarimi's ordinance to reform PEG funding. It is imperative that we maintain this platform, not only for the students and community voices who rely on it, but for our democracy as a whole.

Sincerely,

Alex Herter

College Students In Broadcasting President at
San Francisco State University

--

CSB meets every Wednesday at 6pm in Studio 1 (CA 128).

CSB Office Hours: by appointment in CA 120C

www.sfsucsb.ning.com

If you wish to no longer receive our e-mails, let us know.



Chris MacDougall

04/28/2009 08:39 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject public access television

Dear Supervisors,

I am very concerned to hear that as of June 2009, funding to support public access television will be eliminated, thereby eliminating a crucial platform for students and for the general public. As your constituent, I strongly urge you to support your colleague Sup. Mirkarimi's ordinance to reform PEG funding.

Thank you. Signed,
Chris MacDougall



Erica Brown

04/28/2009 10:34 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject public access television

Dear Supervisors,

I am very concerned to hear that as of June 2009, funding to support public access television will be eliminated, thereby eliminating a crucial platform for students and for the general public. As your constituent, I strongly urge you to support your colleague Sup. Mirkarimi's ordinance to reform PEG funding. Thank you.

Signed,

Erica Brown



"William D. Gaus '09"

04/28/2009 07:58 PM

To <board.of.supervisors@sfgov.org>

cc

bcc

Subject Public Access Funding

Dear Board of Supervisors,

I am very concerned to hear that as of June 2009, funding to support public access television will be eliminated, thereby eliminating a vital platform for students and for the general public that was established as the only local, non-commercial media platform we have. As your constituent, I strongly urge you to support your colleague Sup. Mirkarimi's ordinance to reform PEG funding. We need to do everything we can to support local, community media outside of the interests of large cable franchises.

Thank you.

Bill Gaus

File 090287



Benjamin DeBonis

m>

04/29/2009 02:14 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject re. Public access television funding

Dear Supervisors, I am very concerned to hear that as of June 2009, funding to support public access television will be eliminated, thereby eliminating a crucial platform for students and for the general public. As your constituent, I strongly urge you to support your colleague Sup. Mirkarimi's ordinance to reform PEG funding. Thank you.

--

With Loving Kindness
Benjamin DeBonis



Justin Pittman

04/29/2009 12:59 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject PUBLIC ACCESS TELEVISION

*File # 090287
gail cpage*

Dear Supervisors,

I am very concerned to hear that as of June 2009, funding to support public access television will be eliminated, thereby eliminating a crucial platform for students and for the general public.

As your constituent, I strongly urge you to support your colleague Sup. Mirkarimi's ordinance to reform PEG funding.

Thank you.

Signed,

Justin Paul Pittman

--

Justin P. Pittman
New York, NY / San Francisco, CA

File 090287
cpayc



Elizabeth Martin-Craig

04/29/2009 01:44 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject PEG funding

Dear Supervisors,

I am very concerned to hear that as of June 2009, funding to support public access television will be eliminated, thereby eliminating a crucial platform for students and for the general public. As your constituent, I strongly urge you to support your colleague Sup. Mirkarimi's ordinance to reform PEG funding. Thank you.

Sincerely,
Elizabeth

--

Elizabeth



rtgrcw:
04/28/2009 11:30 AM

To ah(, nberkhills(
ellen@
mirabai: , martin(
cc
bcc

Subject SF Board of Supes

FOR IMMEDIATE RELEASE

Contact: Shona Gochenaur
Executive Director, Axis of Love San Francisco
(415) 240-5247
axisoflovesf@gmail.com

SAN FRANCISCO BOARD OF SUPERVISORS HOLDS PRESS CONFERENCE

New Resolution Urges: End of DEA Raids on Medical Cannabis Patient
Collectives, Appointment of New DEA Administrator &
Written Clarification of President Obama's New Federal Medical Cannabis
Policy

SAN FRANCISCO - April 27, 2009 - San Francisco Supervisor David Campos
will address concerned citizens and the media Wednesday, April 29, 2009,
at 12 p.m. on the Polk Street steps of San Francisco City Hall regarding
the ongoing threat by federal authorities on the City's medical
cannabis
patient collectives. Last week Supervisor Campos introduced a
resolution
to address these concerns.

On Tuesday, April 28, 2009, the San Francisco Board of Supervisors will
vote on a "Resolution Urging A Cessation Of Recent Drug Enforcement
Administration Raids On Medical Cannabis Dispensaries." The resolution
seeks clarification from President Obama and US Attorney General Holder
regarding statements made about ending the federal raids and
prosecutions
on state compliant medical cannabis collectives, to end aggressive DEA
raids, appointment of the new DEA Administrator and dismissal of cases
against patients operating in compliance with state and local laws. The
resolution is expected to pass without issue.

"We need to have a clear and=2
transparent written statement from
President
Obama and Attorney General Holder regarding this 'New American Policy'
for
state approved medical cannabis dispensaries," states Shona Gochenaur,
executive director of Axis of Love San Francisco, a medical cannabis
patient advocacy and social service organization. "A clear policy can
only serve to protect patients from unwarranted DEA raids and from
exploitative practices as well," Gochenaur continues.

Other participants and co-sponsors include Harvey Milk Club Cannabis
Caucus, Patient Advocacy Network and other local advocates. An updated
press release will follow the Supervisors' vote.

7



**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER**

BOS-11
gail
page AC

**Ben Rosenfield
Controller**

**Monique Zmuda
Deputy Controller**

SPECIAL REPORT

DEPARTMENT OF ELECTIONS COST RECOVERY REVIEW

DATE: April 29, 2009
TO: Supervisor Ross Mirkarimi, Vice Chair, Budget and Finance Subcommittee, and Members of the Board of Supervisors
FROM: Monique Zmuda, Deputy Controller *MZ*
SUBJECT: Department of Elections Billings for Services to Other Districts

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 APR 29 PM 2:16
BY *PS*

This memorandum discloses results of a review of the Department of Elections (Department). The review determined whether the Department billed and was paid for all reimbursable services for the period 2002 through 2008; and included billings and payments received through April 20, 2009.

The review revealed that the Department did not consistently bill or collect for reimbursable services for elections from November 5, 2002 through November 4, 2008. Specifically, the review established that: (See Table 1)

- The Department's reimbursable services grand total is \$4,504,386. Of that amount, \$3,001,876, or 67 percent was billed and \$2,134,984 was paid, leaving an unrecovered total of \$2,369,402.
- Of this unrecovered total, the Department has not billed for \$1,502,510, or 33 percent of total reimbursable services.

Two educational districts owe a combined total of \$2,349,259, or 99 percent of the \$2,369,402 unrecovered balance :

- The San Francisco Unified School District owes \$1,479,710, or 62 percent of the total outstanding amount owed to the Department. Of that amount owed, \$851,303 was actually billed.
- The Community College District owes \$869,549, or 37 percent of the total outstanding amount unrecovered by the Department. Of that amount owed, \$734,386 was actually billed.

This review also found the Department has no formal, verifiable system for tracking the reimbursable costs incurred and due from the districts served.

8

BACKGROUND

The Department provides elections services to educational and other districts and to two elected boards of the City and County of San Francisco. Services generally include providing space on regular election ballots or printing separate ballots, providing printed voter information materials, mailing and postage, and tabulating and reporting election results. Under the California Elections and Education Codes, the Department is authorized to bill for costs of providing these services. For the period reviewed, the Department provided services to the San Francisco Unified School District (School District), the San Francisco Community College District (Community College), the San Francisco City Employee's Retirement System Board (Retirement System), the San Francisco Employee's Health Services Board (Health Services), the Bay Area Rapid Transit System District (BART), Business Improvement Districts (BIDs), and the Metropolitan Transportation Commission.

Elections for these entities, in most cases, are for candidates seeking placement on boards, but some elections are held for voter approval of bond measures. Elections for BIDs seek approval for their initial formation by voters residing in the areas to be served by them. The process of forming a BID is governed by state statute and local ordinance and is initiated through an application process managed by the Office of Workforce and Economic Development (Economic Development). Economic Development makes grants to the BIDs for certain costs of formation and pays the administrative costs to the Department of putting a BID up for a vote.

Elections for the School District, Community College, and BART boards are biennial and appear on regular ballots for primary and general elections. Retirement and Health Services elections are only open to City employees and occur when the Department receives a request for services from those agencies. For Retirement, Health Services, and BIDs, separate ballots are created, distributed, and tabulated by the Department.

According to Department staff, costs for the School District, Community College, and BART elections is in part based on the space used on the regular election ballot, calculated as a percentage of the ballot's total area. For services provided to entities that use their own ballots, such as the Retirement System, Health Services, and BIDs, the total costs of those elections is calculated to generate an invoice.

SCOPE and METHODOLOGY

This review verified which elections were held from 2002 through 2008, including elections for the School District, Community College, BART, Retirement and Health Services, and the BIDs and any other entities that were billable by the Department. This review also examined supporting documentation provided by the Department indicating which of these entities were billed for services, which had paid, and whether payments recorded by the Department were reflected in the City's accounting system. Examples of documents examined include invoicing letters sent by the Department, copies of checks received, and

the Department's cost allocation spreadsheets. This review did not confirm that the costs of services recorded by the Department were accurate because its staff could not provide an approved allocation methodology or a reconciliation of costs recoverable to the total costs for each election.

FINDINGS and RECOMMENDATIONS

For the seven-year period reviewed, the Department recorded a grand total of \$4,504,386 for reimbursable services, but billed only \$3,001,876, or 67 percent. The department has been paid \$2,134,984, but \$2,369,402 remains unrecovered. Of this amount, the Department has not billed for \$1,502,510, or 33 percent of the total. The remaining amount of \$866,892 that has been billed and not paid includes \$339,729 for the November 7, 2006 Community College election and \$277,185 for the November 4, 2008 School District election.

Table 1 documents amounts recoverable, billed and paid, and balance due, as well as amounts due that are unbilled and billed as of April 20, 2009. See Appendix A for more detailed information of elections and costs for each calendar year.

Table 1
Department of Elections
Amounts Recoverable, Billed, Paid, Unbilled and Due
Calendar Years 2002 through 2008, as of 4/20/09

Election	Total Amount Recoverable	Amount Billed	Amount Paid	Balance Due At 4/20/09	Balance Due Consists of:	
					Unbilled At 4/20/09	Billed At 4/20/09
San Francisco Unified School District	\$1,806,480	\$851,303	\$326,770	\$1,479,710	\$955,177	\$524,533
Community College District	\$1,264,206	\$734,386	\$394,657	\$869,549	\$529,820	\$339,729
BART	\$701,853	\$701,853	\$701,853	\$0	\$0	\$0
Health Service Board	\$149,615	\$132,102	\$132,102	\$17,513	\$17,513	\$0
Retirement Board	\$197,145	\$197,145	\$197,035	\$110	\$0	\$110
Business Improvement Districts	\$68,085	\$68,085	\$65,565	\$2,520	\$0	\$2,520
Metropolitan Transportation Commission *	\$317,002	\$317,002	\$317,002	\$0	\$0	\$0
TOTAL	\$4,504,386	\$3,001,876	\$2,134,984	\$2,369,402	\$1,502,510	\$866,892

* Transportation funding measure for 3/2/04 election billed to Metropolitan Transportation Commission.

The total recoverable amount does not include costs for a November 5, 2002 BART board election because the Department had not calculated the cost. However, the cost of a BART bond measure election on that date was calculated and is included in the review. The review

also could not confirm that the amount billed and paid by the school district for the November 7, 2006 election included costs for both the bond measure and board election on that ballot.

Board of Supervisors Budget Analyst's Report

On April 1, 2009, the Budget Analyst for the San Francisco Board of Supervisors presented an analysis of the Department's supplemental appropriation request of \$4,385,681 for fiscal year 2008-09. The Budget Analyst included in the report a table showing the Department's budgeted reimbursement amounts, actual reimbursable costs, actual amounts reimbursed, amounts due, and deficit-to-budget amounts, based upon information obtained from the Department.

The Budget Analyst's report noted that the outstanding amount of \$82,000 for Retirement is incorrect because there was no Retirement System election in Fiscal Year 2007-08 and this amount was erroneously carried forward. However, the Controller's review found that additional information provided to the Budget Analyst by the Department for the table was incorrect. Specifically, the \$78,500 shown as reimbursed from Health Services was incorrect because an election for FY 2008-09 is not scheduled to take place until May 22, 2009. An additional difference is that \$277,185 shown as reimbursed by the School District was not received by the Department as of March 31, 2009. Table 2, below, restates the table in the Budget Analyst's report and shows the total actual reimbursable cost incurred decreased to \$750,428, the total amount reimbursed decreased to \$226,082, and the total amount due increased to \$524,346.

Table 2
Reimbursement Revenue
Budget Analyst Restated for FY 2008-09

Jurisdiction	Budgeted Reimbursement Revenue	Actual Reimbursable Costs Incurred	Actual Amount Reimbursed	Amount Due
Retirement Board	\$164,000	\$0	\$0	\$0
Health Service	\$78,500	\$0	\$0	\$0
BART	\$195,447	\$203,447	\$203,447	\$0
Community College of San Francisco	\$198,161	\$247,161	\$0	\$247,161
San Francisco Unified School District	\$201,392	\$277,185	\$0	\$277,185
Treasure Island & Yerba Buena	\$0	\$2,520	\$2,520	\$0
Tourism Improvement District	\$0	\$17,539	\$17,539	\$0
Yerba Buena & Broadway Central Business District	\$0	\$2,576	\$2,576	\$0
Total	\$837,500	\$750,428	\$226,082	\$524,346

Controller's Recommendations

The Department of Elections should take the following steps to ensure that its costs for elections services provided to Districts, Boards, BIDs and other entities are reimbursed to the extent possible:

- Recover all reimbursable amounts, billed and unbilled, that are due to the Department.
- Develop a written policy that documents and explains the reasonableness of the Department's methodology for allocating election costs to all districts and city departments it serves.
- Formally account for all recoverable costs receivable for each election and retain documentation of the cumulative balances due from each entity. Appropriate staff should monitor balances periodically.

cc: Ben Rosenfield, Controller
Tonia Lediju, Audits Director, CSA
Nani Coloretti, Budget Director, Mayor's Office
Angela Calvillo, Clerk of the Board
Harvey Rose, Budget Analyst, Board of Supervisors
John Arntz, Director, Department of Elections

APPENDIX

ELECTION YEAR		Amount Paid (as of 4/20/09)	Amount Due
2008	Amount Owed		
11/4/08 BART	\$203,447	\$203,447	\$0
11/4/08 Community College	\$247,161	\$247,161	\$0
11/4/08 SFUSD	\$277,185	\$0	\$277,185
6/3/08 SFUSD	\$247,348	\$0	\$247,348
5/23/08 Health Service Board	\$67,374	\$67,374	\$0
BID/CBD Elections:	\$22,635	\$20,115	\$2,520
Total	\$1,065,150	\$538,097	\$527,053
2007			
1/30/2007 Retirement Board	\$67,905	\$67,905	\$0
Total	\$67,905	\$67,905	\$0
2006			
11/7/06 SFUSD	\$326,770	\$326,770	\$0
11/7/06 Community College	\$339,729	\$0	\$339,729
11/7/06 BART	\$146,659	\$146,659	\$0
1/30/06 Retirement Board	\$69,130	\$69,130	\$0
5/26/06 Health Services Board	\$17,513	\$0	\$17,513
BID/CBD Elections:	\$10,450	\$10,450	\$0
Total	\$910,251	\$553,009	\$357,242
2005			
11/8/05 Community College	\$147,496	\$147,496	\$0
May 2005 Health Services Board	\$64,728	\$64,728	\$0
1/31/05 Retirement Board	\$60,110	\$60,000	\$110
BID/CBD Elections:	\$35,000	\$35,000	\$0
Total	\$307,334	\$307,224	\$110
2004			
11/2/04 Community College	\$310,329	\$0	\$310,329
11/2/04 SFUSD	\$391,083	\$0	\$391,083
11/2/04 BART	\$221,592	\$221,592	\$0
3/2/04 MTC (Regional Measure 2)	\$317,002	\$317,002	\$0
Total	\$1,240,006	\$538,594	\$701,412
2003			
11/4/03 SFUSD	\$339,457	\$0	\$339,457
Total	\$339,457	\$0	\$339,457
2002			
11/5/02 Community College	\$219,491	\$0	\$219,491
11/5/02 SFUSD	\$224,637	\$0	\$224,637
11/5/02 BART	\$130,155	\$130,155	\$0
Total	\$574,283	\$130,155	\$444,128
GRAND TOTAL	\$4,504,386	\$2,134,984	\$2,369,402



"Dr. Ahimsa Sumchai"

04/29/2009 12:31 PM

To Parkside Listserve <communityfirstcoalition@sfbayview.com>, Mesha Ratcliff
cc <editor@sfbayview.com>, "Tim Redmond"
bcc
Subject SF Disaster Preparedness: Herrera blasts Mirant's Deplorable Corporate Citizenship' with Seismic Safety Lawsuit

Congratulations to City Attorney Herrera for having the guts, balls and moral compass to stand up to the big polluters! The Mirant plant is the most polluting point source in San Francisco. It affects, not only children suffering from asthma in Bayview Hunters Point, but the air quality of the entire Bay Area! Blow for freedom!

AHIMSA PORTER SUMCHAI, M.D. 

From: home@prosf.org
To: home@prosf.org
Subject: SF Disaster Preparedness: Herrera blasts Mirant's Deplorable Corporate Citizenship' with Seismic Safety Lawsuit
Date: Wed, 29 Apr 2009 11:00:07 -0700



Panhandle Residents Organization San Francisco Serving The Panhandle Since 1971: Serving All of SF Since 2003

Address: 250 Ashbury St. SF 94117: E W <http://www>
Supporting Freedom of Information, Government Transparency & Local and State Sunshine Laws. Providing Public Information To The Taxpayers and Residents of the City and County of San Francisco

From: Matt Dorsey [mailto:matt.dorsey@sfgov.org]
Sent: Monday, April 27, 2009 12:19 PM
To:
Subject: Herrera blasts Mirant's 'deplorable corporate citizenship' with seismic safety lawsuit

9

**Board of
Supervisors/BOS/SFGOV**

04/29/2009 04:03 PM

To Gail Johnson/BOS/SFGOV, John Avalos/BOS/SFGOV, Ross
Mirkarimi/BOS/SFGOV, Carmen Chu/BOS/SFGOV, David
Campos/BOS/SFGOV, Bevan Dufty/BOS/SFGOV,

cc

bcc

Subject MTA budget



Joan Joaquin-Wood

04/29/2009 02:00 PM

Please respond to
Joan Joaquin-Wood

To "Bd.of Supes S.F." <board.of.supervisors@sfgov.org>

cc

Subject MTA budget

Bevan Dufty and all of you:

Please support my District Supervisor David Chiu's legislation to reject the MTA budget as modified, since MTA continues to ignore the fact that they have a \$10M earmark described as for the "Third Street Light Railway." It was added on to the stimulus package by our Senators and Representative Ms. Pelosi for the Central Subway. However, the Subway overall plan has recently been extended by two years to 2018 for operation, so remains in the distant future. Meanwhile, the \$10M will go a long way in reducing MTA's projected deficit. Thank you. Joan Wood, North Beach

Joan Wood

10



Francisco Da Costa

04/29/2009 09:19 AM

To Leland Yee <leland.yee@sen.ca.gov>, Tom Ammiano
<tom.ammiano@asm.ca.gov>, "Ma, Fiona"
<fiona.ma@asm.ca.gov>, Racheel Francis

cc

bcc

Subject California Senators and other dubious SF City Officials want
radiological elements - capped. Go figure!

**California Senators led by FRAN PAVLEY encourage
capping of very
toxic radiological elements at Hunters Point Naval
Shipyard:**

http://www.sfbg.com/printable_entry.php?entry_id=847

1

**Francisco Da Costa
Director
Environmental Justice Advocacy**

12



Francisco Da Costa

04/29/2009 06:58 AM

To Francisco Da Costa

cc

bcc Board of Supervisors/BOS/SFGOV

Subject California Natural Resources and Water panders to to Big Developers.

Fran Pavley and California Natural Resources and Water committee panders to Big Developers and Land Grabbing machinations:

<http://www.indybay.org/newsitems/2009/04/29/18591778.php?printable=true>

Francisco Da Costa

13

DEAR BOARD OF SUPERVISORS.

THE CONQUESTIC POINT STATE RECREATION AREA IS
A SANCTUARY IN A NEIGHBORHOOD KNOWN FOR ITS
ENVIRONMENTAL, SOCIAL, & ECONOMIC CHALLENGES

NOT PROTECTING THIS HABITAT & OPEN SPACE
WOULD FURTHER HARM AN ALREADY UNDER-SERVED
AREA. PLEASE DO NOT TAKE ANY ACTION OR
ENDORSE LENNAR'S DEVELOPMENT PLAN WITHOUT
AN ENVIRONMENTAL IMPACT REPORT!

THANK YOU,

ANDREW KLAUS

SF. CA. 94114

BY

[Signature]

2009 APR 28 AM 11:40

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

14

Dear Board of Supervisors,

The Candlestick Point State Recreation Area is a sanctuary in a neighborhood known for its environmental, social, and economic challenges.

Not protecting this habitat and open space would further harm an already under-served area.

Please do not take any action or endorse Lennar's development plan without an Environmental Impact Report!

Thank you,

Michael McLaughlin

Michael McLaughlin

Berkeley, CA 94707

BY

SB

2009 APR 28 AM 11:40

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

(H)

Dear Board of Supervisors,

The Cadelstick Point State Recreation Area
is a Sanctuary in a neighborhood. Known for its
environmental, social, and economic challenges.

Not protecting this habitat and open space
would further harm an already under-served
area. Please do not take any action or
endorse Lennar's development plan without
an Environmental Impact Report!!

Thank you.



Dan Lloyd

Besteler at 94703

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 APR 28 AM 11:40
BY WJL

ROUND THE DIAMOND
Sports & Public Service Pathways
Consulting & Educational Services

Team & Sports
Psychology



College & Career
Guidance

Dennis G. MacKenzie, M.A.

www.RoundTheDiamond.com

DennisMacKenzie@RoundTheDiamond.com

346 Precita • San Francisco, CA 94110 USA • Ph/Fax (415) 648-5655

BOS-11
cpage
Linda Laws

April 23, 2009

City and County of San Francisco / San Francisco Board of Education

City and School District Select Committee:
Honorable Sean Elsbernd, Chairman
Honorable Bevan Dufty, Vice Chairman
Honorable John Avalos, Member

Honorable Norman Yee, Chairman
Honorable Sandra Lee Fewer, Vice Chairwoman
Honorable Kim-Shree Maufas, Member

C/o Ms. Linda Laws, Committee Clerk
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Resolution to Support Public – Private Partnership
Education Reform / College, Career, Business and Community Development

San Francisco Unified School District / City and County of San Francisco
Port of San Francisco / Seawall Lot 337 Development Team

Basketball Education and Career Pathway Arena
Sports Management & Facility Operations Pathway

Dear Supervisors and Commissioners,

I respectfully request that the San Francisco Unified School District, the San Francisco Board of Education and the San Francisco Board of Supervisors write a Resolution to support the construction of a Basketball Education and Career Pathway Arena, in collaboration with the Seawall Lot 337 development team, the Port of San Francisco and the City and County of San Francisco.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 APR 27 PM 3:00
BY *WLB*

15

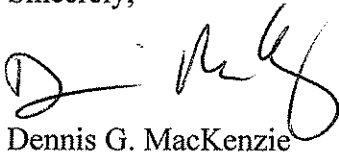
As seed money from the SFUSD, I believe one of the district's surplus properties can be utilized to contribute to the creation of a public-private partnership with the Seawall Lot 337 developers and the Port of San Francisco, and initiate matching fund support from local, state and federal agencies, as well as non-profit foundations, Seawall Lot 337 investors, and San Francisco Chamber of Commerce business leaders. Providing equal access for our public high school students, teachers and district school-to-career Academies, this Basketball facility can offer a year-round, comprehensive resource for the mutual benefit of all our youth, as well as the evolving Mission Bay neighborhood and our entire San Francisco community.

The public transportation necessary for our youth and students to travel to this location is in place and expanding, and the opportunity for students to tour and visit the San Francisco Giants AT&T Ballpark offers a unique opportunity to develop a collaborative Sports Management and Facility Operations Pathway that can provide our youth with relevant, real-world experiences and incentives to explore numerous potential college and career options and alternatives involved in the public and private sectors – including sports and public service professions.

Please review my proposal material I have provided to you recently, and let me know how best the SFUSD and the City and County of San Francisco can initiate a partnership worthy of gaining State and Federal support as well.

I look forward to hearing from you regarding your suggestions and guidance in order to develop a model, public-private project for the benefit of all concerned. Once again, thank you for your time, consideration, and support.

Sincerely,



Dennis G. MacKenzie

CC:

Seawall Lot 337 - Proposed Developers:

San Francisco Giants

Wilson Meany Sullivan

Kenwood Investments

The Cordish Company

Stockbridge Capital

Farallon Capital Management, LLC

Honorable Rodney A. Fong, President, San Francisco Port Commission;

C/o Ms. Amy Quesada, Commission Secretary

Ms. Monique Moyer, Executive Director; Port of San Francisco

Honorable Gavin Newsom, Mayor; City and County of San Francisco

Honorable David Chiu, President, and Members, San Francisco Board of Supervisors;

C/o Ms. Angela Calvillo, Clerk of the Board

Mr. Carlos Garcia, Superintendent; San Francisco Unified School District

Ms. Kim-Shree Maufus, President; San Francisco Board of Education;

C/o Ms. Esther V. Casco, Executive Assistant to the Board of Education

Mr. Dennis Kelly, President; United Educators of San Francisco

Mr. Don Collins, Commissioner of Athletics; CIF-San Francisco Section / SFUSD

Ms. Susan C. Saunders, Assistant Principal; George Washington High School, SFUSD

Mr. Val Cubales, Athletic Director / P.E. Teacher / Basketball & Volleyball Coach;

Balboa High School, SFUSD

Mr. Michael Rosenberg, Teacher / Social Science, In.Tech, Law; Balboa High School

Mr. Mark Fanderl, Athletic Director / Sociology, Government Teacher; Wallenberg H.S.

Mr. Pat Mulligan, P.E. Teacher / Basketball Coach; Wallenberg High School, SFUSD

Mr. Ethan Winterling, Athletic Director / P.E. Teacher;

Galileo Academy of Science & Technology

CALIFORNIA LEGISLATURE

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NETTIE SABELHAUS
APPOINTMENTS DIRECTOR

SENATE RULES COMMITTEE

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 MAY -4 AM 11:37
BY JS

April 27, 2009

San Francisco Board of Supervisors
Clerk Of The Board
1 Carlton B Goodlett Pl Ste 244
San Francisco, CA 94102-4604

Dear Friends:

Governor Arnold Schwarzenegger has reappointed Margo R. Brown of Sacramento and appointed former State Senator Carole V. Migden of San Francisco as members of the California Integrated Waste Management Board. Ms. Brown has served on the board since 2006 and has a term ending date of January 1, 2013. Senator Migden replaces Jeffrey A. Danzinger on the board and has a term ending date of January 1, 2012. They receive annual compensation of \$132,179.

Please refer to the enclosed information sheets that summarize the appointees' professional and educational backgrounds.

These appointments require Senate confirmation. A confirmation hearing will be held on May 6, 2009. If you have a position or would like to comment on the appointees, the Senate Rules Committee would like to hear from you.

Please direct your response to my attention in Room 420 of the State Capitol. Thank you for your assistance.

Sincerely,

NETTIE SABELHAUS
Appointments Director

NS: cm
Enc.

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Margo R. Brown
California Integrated Waste Management Board

CURRENT EMPLOYMENT: 01/2006-Present: Member, California Integrated Waste Management Board

PAST EMPLOYMENT: 2004-2005: Director of Scheduling, Office of Governor Arnold Schwarzenegger
2002-2004: Founder and President, Capitol Ideas Development Corporation
1991-1999: Director of Scheduling, Office of Governor Pete Wilson
1985-1990: Personal Assistant/Scheduler, Office of U.S. Senator Pete Wilson

EDUCATION: 1985: B.A., International Relations/Political Science, University of Southern California

ORGANIZATIONS: Child Abuse Prevention Council of Sacramento, Inc., Member (2001-08)
Green California Summit, Board of Directors, Member (2006-present)
Junior League of Sacramento, Board of Directors, Member (1989-present); President (1999-2000)
Keep California Beautiful, Board of Directors, Member (2006-present)
Sacramento Capitol Club, Board of Directors, Member (1994-97)

Carole V. Migden
California Integrated Waste Management Board

**CURRENT
EMPLOYMENT:**

12/2008-Present: Member, California Integrated Waste
Management Board

PAST EMPLOYMENT:

2004-11/2008: Senator, California State Senate
2002-2004: Chair, State Board of Equalization
1996-2002: Assemblymember, California State Assembly
1990-1996: County Supervisor, San Francisco County Board
of Supervisors

EDUCATION:

1978: M.A., Psychology, Sonoma State University
1970: B.A., English, Adelphi University

Board of
Supervisors/BOS/SFGOV
05/01/2009 11:45 AM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Fw: David Campos's Revision Is Still Out of Balance



04/30/2009 08:07 PM

To board.of.supervisors@sfgov.org
cc
Subject David Campos's Revision Is Still Out of Balance

Dear Friends and Neighbors,

Supervisor David Campos has altered the text of his resolution on behalf of Medical Cannabis Dispensaries (MCDs), according to material submitted to the board's clerk today, April 30.

Although there is some improvement, two of the resolution's four points would still give away the store to drug dealers.

Why should the feds stop enforcing federal laws in regard to MCDs until the Drug Enforcement Administration has a new administrator?

What other industry has ever gotten a break like this from the federal government?

Why should courts exempt MCDs from federal laws if the MCDs are in compliance with state laws?

This requirement, as written, would cancel enforcement of federal laws dealing with the environment, workers' rights, and tax payment, provided the MCDs are in compliance with state laws on these matters.

What other industry has ever gotten a break like this from the federal government?

And there's a big omission. The resolution makes no mention of the need to prosecute MCDs that violate laws regarding money laundering, profiteering, and infiltration by organized crime.

Campos's resolution pretends that such things have never happened.

This resolution is still out of balance. It should be put into balance or else rejected.

Click on the link below and go down to item #22:

http://www.sfgov.org/site/bdsupvrs_page.asp?id=103419

Yours for rationality in government,

Arthur Evans

* * * * *

Big savings on Dell XPS Laptops and Desktops!

To the Bd of Supervisors:
Congratulations!! You have
just earned the title of
1st class leeches for your
action of cutting more services
& increasing transportation
fees. Your actions are deplorable
It is obvious you do not have
the population of San Francisco
in mind, or that is the way
most citizens feel

A disgusted Voter,
Taxpayer & Citizen

Sherley A. Jager

BY

RS

2009 MAY -4 AM 11:45

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

18

Board of
Supervisors/BOS/SFGOV

05/01/2009 11:39 AM

To BOS Constituent Mail Distribution,

cc

bcc

Subject Fw: SF County Preparation for Flu Pandemic



Robert Burke

04/30/2009 02:11 PM

To Board.of.Supervisors@sfgov.org

cc

Subject SF County Preparation for Flu Pandemic

Dear Angela Calvillo & Members of the San Francisco Board of Supervisors,

I have just finished watching the TEDBlog by [Laurie Garrett, Science Journalist](#), who gave a wonderful overview of the current nascent, mutating and threatening H5N1 Avian flu virus that has seriously effected world health.

In light of the current Swine epidemic, I am asking the SF Board of Supervisors, what, if anything is being done to prepare for the current Swine flu alert; and furthermore, if anything is being done to prepare for the Avian flu virus, should a mutant strain reassert itself?

Ms. Garrett gave the following presentation on --> [Lessons Learned from the 1918 Flu Pandemic](#) 2 years ago back in February 2007 to a small Ted university audience in Monterey, California.

It is possible, should the pandemic take root, that 380 million people world wide could die from the virus.

Although her presentation did not present any definitive practical measures, she did advocate *community planning and organizing* as a primary means of addressing the pandemic flu issue.

I am asking you to please take the 20 minutes to watch her presentation, 2nd link above, and check her credentials in the 1st link. Then, to consider how best the City of San Francisco can prepare for such an epidemic.

Surprisingly, to me, it is not so much the elderly that will be hit the hardest should we have the misfortune to deal directly with the H5N1 bird flu (and its variants); but rather, the burden will be on the vitality of young adults in our city who will suffer and die.

I have not heard anything recently in the news regarding the status of Avian flu, and it has been over two years since Ms Garrett's presentation, so the virus may have attenuated somewhat; but we are now being revisited with a similar threat in the form of Swine flu, so I think appropriate preparedness needs to be in our consciousness and that real plans need to be in place.

I realize, this is probably, more appropriately an issue for SF County Public Health; but I realize

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your authority may provide the necessary impetus to prioritize a mobilization plan, if nothing viable exists, to minimize the threat of such a pandemic.

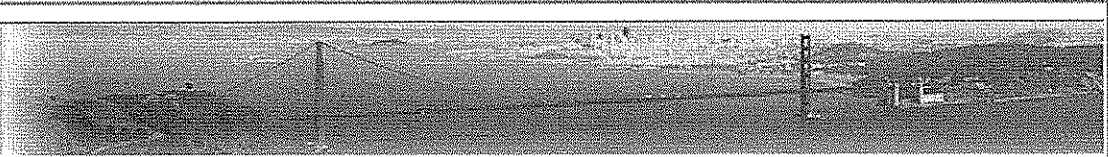
Please let me know what preparedness action plans have already been implemented, or what county agencies are currently on alert, as the Federal Government is, regarding the current Swine flu epidemic.

Thank you very much for your attention in this matter.

Sincerely,

Robert V. Burke

San Francisco, CA 94110



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: 424634

May 4 2009 10:38AM.

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

Location Information:

Incident Location:

Location Type:
Type Details:

Corner Information:

Location Description:

Request Details:

Category: Complaint
Department: Board of Supervisors (BOS)
Sub-Division: Clerk of the Board

Additional Information:

Additional Request Details: I understand that there is a proposal to increase the cost of motorcycle parking from 25 cents/hour to \$1/hour. I STRONGLY oppose this increase, as it completely changes the economic incentives to drive a motorcycle to work. This increase would mean that parking a motorcycle in the financial district would cost almost as much as parking a car (most nearby lots have parking for ~\$15/day for cars). I ride my motorcycle because it reduces congestion in the city, and is better for the environment, but also because it's much cheaper than parking my car. If you raise the cost by 4X, then it will make me much more likely to just drive my car. Moreover, when many people are suffering from pay cuts or job loss in this economy, increasing the cost of commuting by 4X without significant warning is an extremely unfair thing to do. Many people have purchased motorcycles/scooters as a cost effective way to get to/from work. Suddenly having to pay \$10/day to park near work is a serious cost for some people. If you feel that motorcycle parking is too cheap right now, a modest raise might be reasonable - perhaps to 35 or 50 cents/hour. But quadrupling the rate is unreasonable.

Customer Contact Information:

First Name: Nikki
Last Name: Baker
Primary Phone:
Alternate Phone:
Address Number:
Street Name:
City, State:
ZIP Code:
Email:

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

Print

20

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(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA
Fish and Game Commission

May 1, 2009

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to Section 632, Title 14, California Code of Regulations, relating to Marine protected areas, which will be published in the California Regulatory Notice Register on May 1, 2009.

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

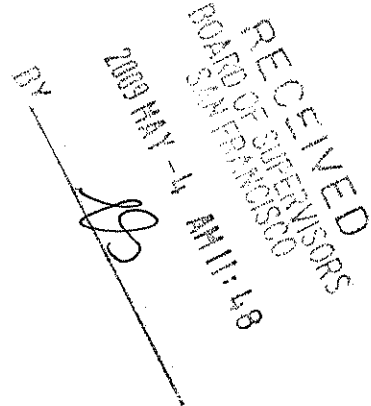
Ms. Marija Vojkovich, Regional Manager, Marine Region, Department of Fish and Game, (805) 568-1246 has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment



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**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203.1, 205(c), 219, 220, 1590, 1591, 2860, 2861, and 6750, Fish and Game Code; and sections 36725(a) and 36725(e), Public Resources Code and to implement, interpret or make specific sections 200, 202, 203.1, 205(c), 219, 220, 1580, 1583, 2861, 5521, 6653, 8420(e), and 8500, Fish and Game Code; and sections 36700(e), 36710(e), 36725(a) and 36725(e), Public Resources Code, proposes to amend Section 632, Title 14, California Code of Regulations, relating to Marine Protected Areas.

Informative Digest/Policy Statement Overview

The Marine Life Management Act (MLMA, Stats. 1998, ch. 1052) created a broad programmatic framework for managing fisheries through a variety of conservation measures, including Marine Protected Areas (MPAs). The Marine Life Protection Act (MLPA, Stats. 1999, ch. 1015) established a programmatic framework for designating such MPAs in the form of a statewide network. AB 2800 (Stats. 2000, ch. 385) enacted the Marine Managed Areas Improvement Act (MMAIA), among other things, to standardize the designation of Marine Managed Areas (MMAs), which include MPAs. The overriding goal of these acts is to ensure the conservation, sustainable use, and restoration of California's marine resources. Unlike previous laws, which focused on individual species, the acts focus on maintaining the health of marine ecosystems and biodiversity in order to sustain resources.

The proposed regulation change is intended to meet the goals described in the Marine Life Protection Act (MLPA, Stats. 1999, ch. 1015) within a portion of California's State waters. The area covered in this proposal is the north central coast region, defined as State waters between Alder Creek, near Point Arena (Mendocino County) and Pigeon Point (San Mateo County). The MLPA goals address an overall concept of ecosystem-based management and the intent to improve upon California's existing array of marine protected areas (MPAs). The MLPA specifically requires that the Department of Fish and Game (Department) prepare a master plan and that the Fish and Game Commission (Commission) adopt regulations based on the plan to achieve the MLPA goals. These goals are:

- To protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems.
- To help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted.
- To improve recreational, educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity.
- To protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic value.
- To ensure that California's MPAs have clearly defined objectives, effective management measures, and adequate enforcement, and are based on sound scientific guidelines.
- To ensure that the State's MPAs are designed and managed, to the extent possible, as a network.

The Network Concept:

Important in developing the proposed regulation was the consideration for the north central coast MPAs to form a component of a statewide network. By definition in the MLPA, a network is applied to a biogeographical region. The revised draft Master Plan for MPAs adopted by the Commission recognizes two biogeographical regions in California, with a boundary at Point Conception. The biological network concept calls for connectivity between MPAs through adult movements and larval transport of the species most likely to benefit from establishing MPAs. This includes marine plants, sedentary fishes and invertebrates, and species which are not highly mobile or migratory. This approach is consistent with the guidance provided in the MLPA [Fish and Game Code subsection 2853(b)(6)]. Networks may also be connected through consistency in the method of establishment, goals, objectives, and management and enforcement measures.

The proposed regulation establishes a network component of MPAs designed to include all representative north central coast habitats and major oceanic conditions. Unique and critical habitats were considered separately to guarantee both representation and protection.

From an ecological perspective, the proposed regulation creates a network component of MPAs consistent with the goals of the MLPA. From an economic and social perspective, the proposed regulation attempts to minimize potential negative socio-economic impacts and optimize potential positive socio-economic impacts for all users, to the extent possible.

Implementation of the Marine Life Protection Act in the North Central Coast Region:

Existing regulations (the no-project alternative) provide for 13 MPAs covering an area of approximately 26.8 square miles, representing approximately 3.5 percent of state waters within the north central coast region. Of this, less than one percent of the area is within no-take state marine reserves covering approximately 0.3 square miles or approximately 0.1 percent of state waters within the north central coast region.

The proposed regulations (the Commission preferred alternative, i.e., the Integrated Preferred Alternative), along with alternatives 2 and 3, include one or more areas recommended by stakeholders as new state marine parks. However, because the Commission does not have statutory authority to establish state marine parks, the proposed regulation designates these areas as state marine conservation areas. These areas can later be designated as marine parks at the discretion of the Parks and Recreation Commission. The proposed regulations also remove or retain, re-designate and redesign certain MPAs previously classified as state marine parks to an appropriate MPA designation consistent with the MMAIA. These retained areas can later be designated as marine parks at the discretion of the Parks and Recreation Commission.

The Commission's preferred alternative includes a state marine recreational management area (SMRMA) in Russian River, Estero Americano, and Estero de San Antonio, to allow for continued waterfowl hunting where it traditionally occurred, while providing SMR-like protection subtidally. SMRMAs were recommended by the Department, to the NCCRSR and BRTF in its feasibility guidance and evaluations of MPA proposals, as the appropriate designation for proposed SMRs in estuarine areas where waterfowl hunting is currently allowed. This recommendation was to allow for continued waterfowl hunting while providing SMR-like protection subtidally. The BRTF, in its development of the Integrated Preferred Alternative (IPA), applied the Department's designation recommendation and used a SMRMA designation for Estero Americano and Estero de San Antonio, two estuaries where waterfowl hunting was known to occur. The BRTF did not use this designation for the proposed Russian River SMR due to Department understanding that development had precluded waterfowl hunting along the

estuary. Subsequent to BRTF submission of the IPA to the Commission, the Department became aware that waterfowl hunting did occur in a portion of the proposed Russian River SMR. Therefore, for the proposed regulation contained herein, and consistent with BRTF intention to follow Department guidance, the designation was changed to a SMRMA for Russian River.

One of the three alternatives (alternative 2) to the proposed regulation includes proposed SMRMAs in three locations where waterfowl hunting traditionally occurs. This includes Russian River estuary, Estero Americano, and Estero de San Antonio. The remaining two alternatives to the proposed regulation propose SMRs where waterfowl hunting traditionally occurs. This includes Russian River estuary, Estero Americano and Estero de San Antonio in alternatives 1 and 3, and Tomales Bay in alternative 3. In Department feasibility guidance and evaluations of MPA proposals provided to the NCCRSR in crafting these alternatives, the Department recommended proposed SMRs in estuarine areas where waterfowl hunting is currently allowed to be re-designated as SMRMAs to account for waterfowl hunting while providing SMR-like protection subtidally. These recommendations were applied by NCCRSR members to alternative 2. However, NCCRSR members that crafted alternatives 1 and 3 chose to focus only on MPA designations and to defer to the Commission for consideration of other MMA designations that account for existing activities outside MLPA. To facilitate the Commission's consideration of this deferred decision, an option is provided in alternatives 1 and 3 to assign a SMRMA designation in these locations.

Special closures were used in areas of significant importance to seabirds and marine mammals as part of the marine ecosystem. This special closure category works in conjunction with the MPA designation process and was used to provide further protections that would not otherwise be afforded by MPA designation within the same geographical location. This includes minimizing disturbance of seabirds and marine mammals at nesting, roosting, and haul-out sites, through special restrictions on boating and access in areas generally smaller than MPAs, either within an MPA or outside. Four to six special closures are proposed in the Commission's preferred proposal and alternatives (Attachment 11).

PROPOSED REGULATION:

Integrated Preferred Alternative (IPA) - The proposed regulation, also known as the Integrated Preferred Alternative (IPA) includes a total of 21 MPAs, three marine managed areas (SMRMAs) for the north central coast region (Table 1, Figure 1, and Attachment 2) and seven special closures (four along mainland; cluster of three at Farallon Islands; Attachment 11). Ten existing MPAs are included and/or have been expanded. Although the proposed regulation contains 21 new MPAs, 15 are directly adjacent to, or include portions of, existing MPAs and can be considered expansions of the area. In these 15 cases, the incorporation and/or additional expansion are within a marine protected area with some allowed take. Thus, the proposed regulation includes 9 MPAs that are in geographical areas previously not designated as MPAs. One proposed SMR provides sub-options for alternate names: Option 1) "Montara" refers to the adjacent geography, and Option 2) "Fitzgerald" is the locally-popular historic name of the existing intertidal MPA proposed for expansion in the IPA. There is no other difference between the sub-options.

Table 1. Proposed regulation (Integrated Preferred Alternative) for marine protected areas, marine managed areas and special closures in the north central coast, including proposed allowed take and Science Advisory Team (SAT) assigned level of protection. Areas arranged geographically from north to south.

MPA Name	Proposed Allowed Take	SAT level of protection ¹
*Point Arena State Marine Reserve	Take of all living marine resources is prohibited	Very High
*Point Arena State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT the recreational take of salmon by trolling and the commercial take of salmon with troll fishing gear	High
*Sea Lion Cove State Marine Conservation Area	The recreational and commercial take of all marine invertebrates and marine aquatic plants is prohibited. Take of all other species is allowed	Mod-low
Saunders Reef State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of salmon by trolling 2. The commercial take of salmon with troll fishing gear, and urchin	Mod-low
Del Mar Landing State Marine Reserve	Take of all living marine resources is prohibited	Very High
*Stewarts Point State Marine Reserve	Take of all living marine resources is prohibited	Very High
Salt Point State Marine Conservation Area ²	Take of all living marine resources is prohibited EXCEPT: the recreational take of abalone and finfish ⁴	Moderate-low
Gerstle Cove State Marine Reserve	Take of all living marine resources is prohibited	Very High
*Russian River State Marine Recreational Management Area	Take of all living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
*Russian River State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT : 1. The recreational take of Dungeness crab by trap, and surf smelt by hand-held dip net or beach net. 2. The commercial take of Dungeness crab by trap	Moderate
Bodega Head State Marine Reserve	Take of all living marine resources is prohibited	Very High

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Bodega Head State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT:	Mod-high
	<ol style="list-style-type: none"> 1. The recreational take of pelagic finfish³ by trolling, Dungeness crab by trap and market squid by hand-held dip net 2. The commercial take of pelagic finfish³ with troll fishing gear or round haul net, Dungeness crab by trap, and market squid by round haul net 	
*Estero Americano State Marine Recreational Management Area	Take of all living marine resources is prohibited EXCEPT: the recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
*Estero de San Antonio State Marine Recreational Management Area	Take of all living marine resources is prohibited EXCEPT: the recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
Point Reyes State Marine Reserve	Take of all living marine resources is prohibited	Very High
Point Reyes State Marine Conservation Area	Take of all living marine resources is prohibited, EXCEPT: <ol style="list-style-type: none"> 1. The recreational take of salmon by trolling, and Dungeness crab by trap 2. The commercial take of salmon with trolling gear, and Dungeness crab by trap 	Mod-high
*Estero de Limantour State Marine Reserve	Take of all living marine resources is prohibited	Very High
Drakes Estero State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: <ol style="list-style-type: none"> 1. The recreational take of clams 2. The commercial aquaculture of shellfish pursuant to a valid State Water Bottom Lease and stocking permit 	Low
Duxbury Reef State Marine Conservation Area ²	Take of all living marine resources is prohibited EXCEPT: the recreational take of finfish ⁴ from shore only, and the recreational take of abalone	Moderate
^ Option 1: Montara State Marine Reserve	Take of all living marine resources is prohibited	Very High
^ Option 2: Fitzgerald State Marine Reserve	Take of all living marine resources is prohibited	Very High

MPA Name	Proposed Allowed Take	SAT level of protection¹
Pillar Point State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of pelagic finfish ³ by trolling, Dungeness crab by trap and market squid by hand-held dip net 2. The commercial take of pelagic finfish ³ with troll fishing gear or round haul net, Dungeness crab by trap and market squid by round haul net	Mod-high
North Farallon Islands State Marine Reserve	Take of all living marine resources is prohibited	Very High
Southeast Farallon Island State Marine Reserve	Take of all living marine resources is prohibited	Very High
Southeast Farallon Island State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational take of salmon by trolling and the commercial take of salmon with troll fishing gear	High
Special Closures		
Point Reyes Headlands Special Closure	1000 ft closure; year round	
Point Resistance Rock Special Closure	300 ft closure; year round	
Double Point/Stormy Stack Rock Special Closure	300 ft closure; year round	
North Farallon Islands Special Closure	1000 ft closure at North Farallon Island and 300 ft closure at the southern islets including the Isle of St. James; year round.	
	Boating restrictions and fishing activity modifications to reduce noise within 1 mile of all islands: 5 mph speed limit within 1000 feet of all islands; year round	
Southeast Farallon Island Special Closure	300 ft closure at Southeast Farallon Island, except Fisherman's Bay and East Landing; year round except for a seasonal closure on the southeast side of Saddle (Seal) Rock, from Dec 1 to Sep 14. Boating restrictions within 1 mile of all islands; 5 mph speed limit within 1000 feet of Southeast Farallon Island, fishing activity modifications to reduce noise; year round	
Egg (Devil's Slide) Rock to Devil's Slide Special Closure	300 ft closure around island rocks and no transit in area between Egg (Devil's Slide) Rock and mainland; year round	

* New MPAs that are not direct expansion of an existing area.

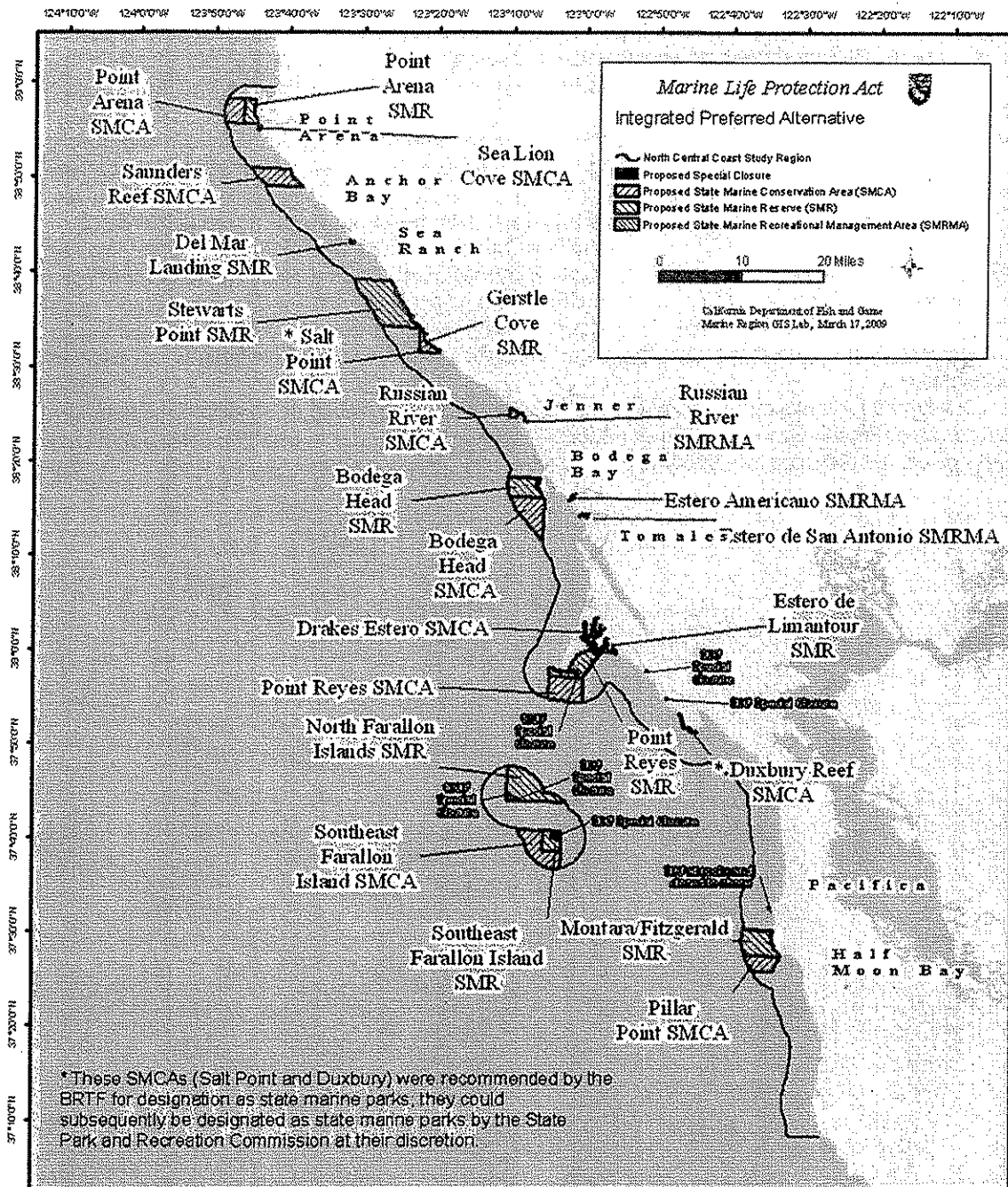
[^] Sub-option exists for retaining the historic name of Fitzgerald, or the geographic reference of Montara.

¹ In order to analyze the differences between no-take reserves and limited take conservation areas and recommended parks, the SAT developed a ranking for level of protection described in the Master Plan based on impact of allowed uses on ecological and ecosystem structure. Levels of protection are modified for each study region for evaluation purposes; and are appended to the Master Plan upon adoption of MPA proposals (Attachment 10).

² These areas, recommended by stakeholders to become state marine parks, will be designated as state marine conservation areas, and could subsequently be designated as state marine parks at the discretion of the State Park and Recreation Commission.

³ Pelagic Finfish are defined in subsection 632(a)(3) as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena* spp.), billfishes* (family *Istiophoridae*), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasii*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus* spp.), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias* spp.), swordfish (*Xiphias gladius*), tunas (family *Scombridae*), and yellowtail (*Seriola lalandi*). *Marlin is not allowed for commercial take.

⁴ Finfish are defined in subsection 632(a)(2) as: any species of bony fish or cartilaginous fish (sharks, skates and rays). Finfish do not include amphibians, invertebrates, plants or algae. The definition of finfish provided in Section 159 does not apply to this Section.



North Central Coast Study Region

California Fish and Game Commission Preferred Alternative

This marine protected area (MPA) proposal was selected on June 11, 2008 by the California Fish and Game Commission (CFG) as its preferred alternative. This proposal integrates elements from three proposals developed by the North Central Coast Regional Stakeholder Group (NCCSRG) (proposals 1-3, 2-XA, and 4). These NCCSRG proposals were selected in their entirety as CFG alternatives 1, 2, and 3. Further information on each MPA proposal can be found in the associated text document with the same MPA proposal name.



Figure 1. Marine protected areas in the proposed regulation (Integrated Preferred Alternative)

The 21 MPAs and three marine managed areas in the proposed regulation cover an area of approximately 153.3 square miles, representing approximately 20.1 percent of state waters within the north central coast region (Figure 2, Attachment 3). Of this, more than half the area is within no-take state marine reserves covering approximately 85.8 square miles or approximately 11.2 percent of state waters within the north central coast region (Figure 2). The remaining areas are primarily state marine conservation areas. Two of these SMCAs (Salt Point and Duxbury) were recommended for designation as state marine parks with restrictions consistent with this designation, and could subsequently be designated as state marine parks at the discretion of the State Park and Recreation Commission. Many of the SMCAs allow the take of either all pelagic finfish (defined above) or salmon and were considered by the SAT to offer high ecosystem protection (Figure 3). In some state marine conservation areas, take of other species such as squid, abalone and urchin, are also allowed. With a few exceptions, the state marine conservation areas protect benthic fishes and invertebrates most likely to from area protection.

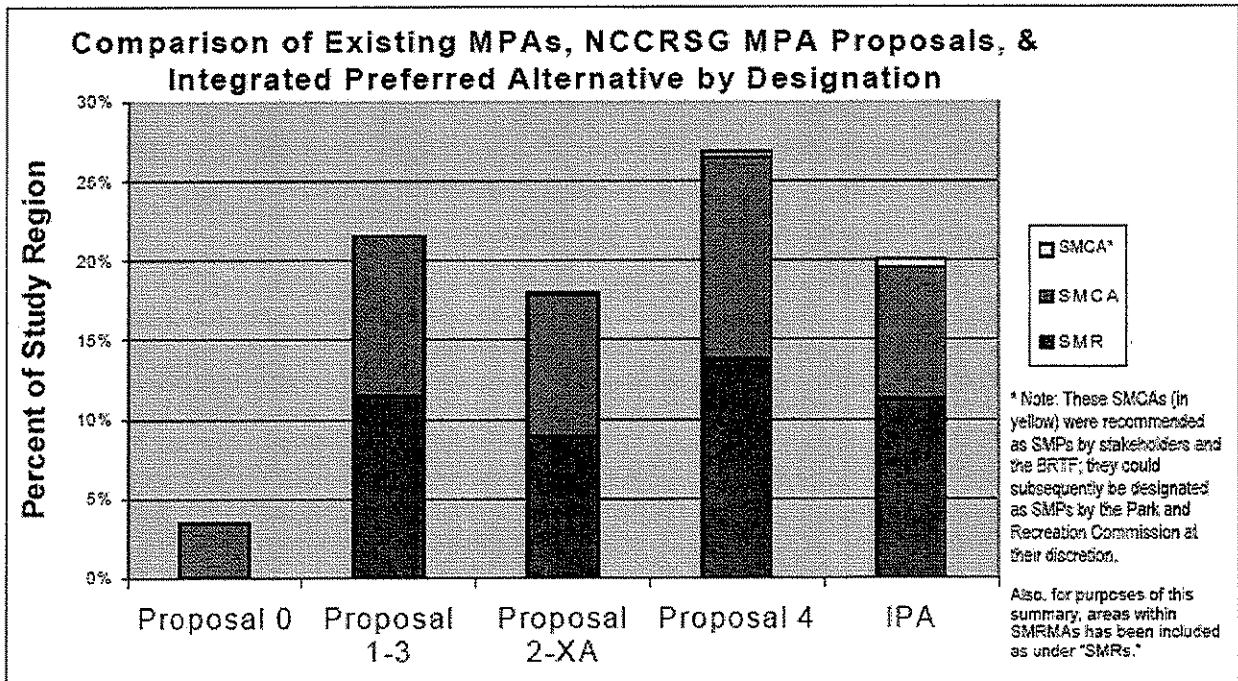


Figure 2. Percent of the north central coast study region included in the proposed regulation (Integrated Preferred Alternative) as compared to existing MPAs in the No-Project Alternative (Proposal 0) and alternative proposals [alternative 1 (Proposals 1-3), alternative 2 (Proposal 2-XA), alternative 3 (Proposal 4) and the IPA]. SMP = state marine park, SMCA = state marine conservation area, and SMR = state marine reserve. Note that two state recreational management areas (Estero Americano and Estero de San Antonio) are included in the calculations as SMRs based on their relative level of protection. Note that SMCAs represented in yellow were recommended as SMPs by stakeholders and the BRTF. While they would be adopted as SMCAs, they could be subsequently designated also as SMPs by the Park and Recreation Commission at their discretion.

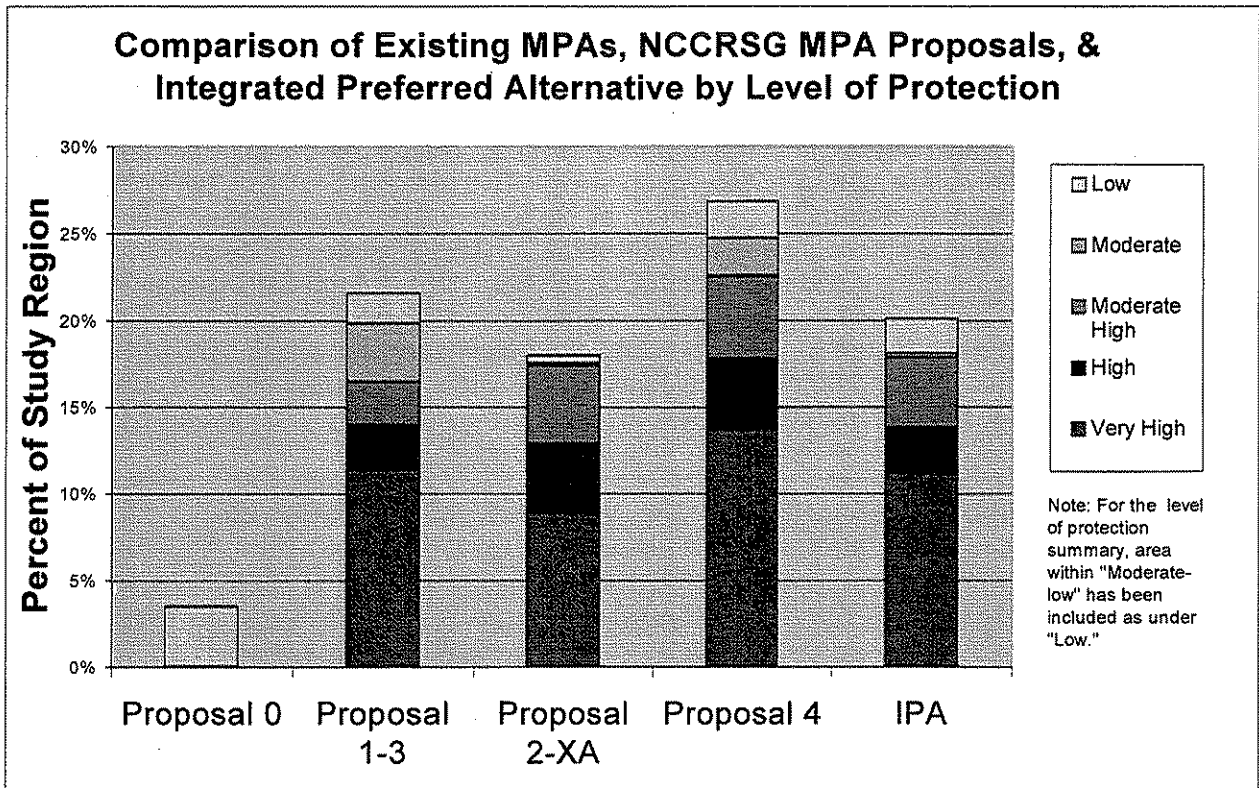


Figure 3. Percent of the north central coast study region included in the proposed regulation (Integrated Preferred Alternative) as compared to existing MPAs in the No-Project Alternative (Proposal 0) and alternative proposals [alternative 1 (Proposals 1-3), alternative 2 (Proposal 2-XA), alternative 3 (Proposal 4) and the IPA]. Level of protection (LOP) is noted as defined by the SAT in the Master Plan as modified by the SAT for refined evaluations of north central coast proposals. LOP rankings used for the north central coast will be appended to the Master Plan upon adoption of regulations. Note that two state marine recreational management areas (Estero Americano and Estero de San Antonio) are included in the calculations as SMRMs based on their relative level of protection.

ALTERNATIVES:

Alternative 1 – This is the North Central Coast Regional Stakeholder Group (NCCRSG) “Proposal 1-3”, developed within RSG workgroups by constituents representing a variety of consumptive, non-consumptive, and environmental interests. It consists of 23 MPAs, with the sub-option three MPAs become marine management areas (SMRMAs) covering an area of approximately 164.6 square miles, representing approximately 21.6 percent of state waters within the north central coast region (Table 3 and attachments 3, 4, and 5) and seven special closures. Of this, over one half of the area is within no-take state marine reserves covering approximately 87.2 square miles or approximately 11.4 percent of state waters within the north central coast region (Figure 2).

Table 3. Alternative 1 proposal for marine protected areas, marine managed areas and special closures in the north central coast, including proposed allowed take and SAT assigned level of protection. Areas arranged geographically from north to south.

MPA Name	Proposed Allowed Take	SAT level of protection¹
Point Arena State Marine Reserve	Take of all living marine resources is prohibited	Very High
Point Arena State Marine Conservation Area	Take of all living marine resources is prohibited	High
Saunders Reef State Marine Conservation Area	EXCEPT: the recreational take of salmon by trolling and commercial take of salmon with troll fishing gear Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of salmon by trolling, abalone, and finfish ² by hook and line or by spear from shore only 2. The commercial take of salmon with troll fishing gear, and urchin	Mod-low
Del Mar Landing State Marine Conservation Area ⁵	Take of all living marine resources is prohibited, EXCEPT: the recreational take of finfish ² by hook and line or spear	Mod-low
Rocky Pt to Horseshoe Pt State Marine Reserve	Take of all living marine resources is prohibited	Very High
Gerstle Cove State Marine Reserve	Take of all living marine resources is prohibited	Very High
^Russian River Option 1: State Marine Reserve	Take of all living marine resources is prohibited	Very High
^Russian River Option 2: State Marine Recreational Management Area	Take of all living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
Russian River State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of Dungeness crab by trap, and surf smelt by hand-held dip net or beach net 2. The commercial take of Dungeness crab by trap	Moderate
Bodega Head State Marine Reserve	Take of all living marine resources is prohibited	Very High
Bodega Head State Marine Conservation Area	Take of all living marine resources is prohibited, EXCEPT: the recreational take of pelagic finfish ³ by hook and line except for recreational salmon take by trolling, and Dungeness crab by trap; and the commercial take of pelagic finfish ³ by troll fishing gear and Dungeness crab by trap.	Mod-high
^Estero Americano Option 1: State Marine Reserve	Take of all living marine resources is prohibited	Very High

MPA Name	Proposed Allowed Take	SAT level of protection ¹
^Estero Americano Option 2: State Marine Recreational Management Area	Take of all living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
^Estero de San Antonio Option 1: State Marine Reserve	Take of all living marine resources is prohibited	Very High
^Estero de San Antonio Option 2: State Marine Recreational Management Area	Take of all living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
Point Reyes State Marine Reserve	Take of all living marine resources is prohibited	Very High
Point Reyes State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of salmon by trolling, and Dungeness crab by trap 2. The commercial take of salmon with troll fishing gear, and Dungeness crab by trap	Mod-high
Drakes Estero/Estero de Limantour State Marine Reserve	Take of all living marine resources is prohibited	Very High
Drakes Estero State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of clams 2. The commercial aquaculture of shellfish pursuant to a valid State Water Bottom Lease and stocking permit	Low
Double Point State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational and commercial take of salmon, Dungeness crab by trap, halibut by hook and line, and coastal pelagic species ⁴ except market squid by hook and line	Moderate
Duxbury Reef State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational take of finfish ² by hook and line from shore only	Moderate
Fitzgerald State Marine Reserve	Take of all living marine resources is prohibited	Very High
Montara State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of salmon by trolling, Dungeness crab by trap, coastal pelagic species and halibut by hook and line 2. The commercial take of salmon with troll fishing gear, Dungeness crab by trap, and coastal pelagic species and halibut by hook and line	Moderate
North Farallon Islands State Marine Reserve	Take of all living marine resources is prohibited	Very High

MPA Name	Proposed Allowed Take	SAT level of protection¹
Southeast Farallon Island State Marine Reserve	Take of all living marine resources is prohibited	Very High
Southeast Farallon Island State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational take of salmon by trolling and commercial take of salmon with troll fishing gear	High
Special Closures		
Point Reyes Headlands Special Closure	1000 ft closure; year round	
Point Resistance Rock Special Closure	500 ft closure; year round	
Double Point/ Stormy Stack Rock Special Closure	300 ft closure; year round	
North Farallon Islands Special Closure	1000 ft closure at North Farallon Island and 300 ft closure at the southern islets including the Isle of St. James; year round.	
Southeast Farallon Island Special Closure	Boating restrictions and fishing activity modifications to reduce noise within 1 mile of all islands: 5 mph speed limit within 1000 feet of all islands; year round 300 ft closure at Southeast Farallon Island, except Fisherman's Bay and East Landing; year round except for a seasonal closure on the southeast side of Saddle (Seal) Rock, from Dec 1 to Sep 14.	
Egg (Devil's Slide) Rock Special Closure	Boating restrictions within one mile of all islands; five mph speed limit within 1000 feet of Southeast Farallon Island, fishing activity modifications to reduce noise; year round	
Bean Hollow Special Closure	1000 ft closure from any shoreline of the three rocks; year round	
	300 ft closure; seasonal (Feb-Aug)	

[^] Options exist for designation as a state marine reserve, or as a state marine recreational management area to allow recreational hunting of waterfowl to continue (sections 502, 550, 551, and 552).

¹ In order to analyze the differences between no-take reserves and limited take conservation areas and recommended parks, the SAT developed a ranking for level of protection described in the Master Plan based on impact of allowed uses on ecological and ecosystem structure. Levels of protection are modified for each study region for evaluation purposes; and are appended to the Master Plan upon adoption of MPA proposals (Attachment 10).

² Pelagic Finfish are defined in subsection 632(a)(3) as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena* spp.), billfishes* (family Istiophoridae), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasii*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus* spp.), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias* spp.), swordfish (*Xiphias gladius*), tunas (family Scombridae), and yellowtail (*Seriola lalandi*). *Marlin is not allowed for commercial take.

³ Finfish are defined in subsection 632(a)(2) as: any species of bony fish or cartilaginous fish (sharks, skates and rays). Finfish do not include amphibians, invertebrates, plants or algae. The definition of finfish provided in Section 159 does not apply to this Section.

⁴ Coastal Pelagic Species are defined in Section 1.39 as: northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific mackerel (*Scomber japonicus*), jack mackerel (*Trachurus symmetricus*), and market squid (*Loligo opalescens*).

⁵ These areas, recommended by stakeholders as state marine parks, will be designated as state marine conservation areas, and could subsequently be designated as state marine parks at the discretion of the State Park and Recreation Commission.

Alternative 2 – This is the “NCCRSR Proposal 2-XA”, developed both in RSG workgroups and groups external to the RSG process, by constituents representing commercial and recreational fishing interests along the north central coast. It consists of 18 MPAs and three marine managed areas (SMRMAs) covering an area of approximately 137.2 square miles, representing approximately 18.0 percent of state waters within the north central coast region (Table 4 and attachments 3, 4, and 6), and five special closures. Of this, approximately half of the area is within no-take state marine reserves covering approximately 68.1 square miles or approximately 8.9 percent of state waters within the north central coast region (Figure 2).

Table 4. Alternative 2 proposal for marine protected areas, marine managed areas and special closures in the north central coast, including proposed allowed take and SAT assigned level of protection. Areas arranged geographically from north to south.

MPA Name	Proposed Allowed Take	SAT level of protection¹
Pt Arena State Marine Reserve	Take of all living marine resources is prohibited	Very High
Pt Arena State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational take of pelagic finfish ³ by hook and line (salmon by trolling only) and commercial take of pelagic finfish ³ by hook and line (salmon by troll fishing gear only), and coastal pelagic species ⁴ except market squid, by round haul net	High
Black Point State Marine Reserve	Take of all living marine resources is prohibited	Very High
Black Point State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational take of pelagic finfish ³ by hook and line (salmon by trolling only) and commercial take of pelagic finfish ³ by hook and line (salmon by troll fishing gear only), and coastal pelagic species ⁴ except market squid, by round haul net	High
Gerstle Cove State Marine Reserve	Take of all living marine resources is prohibited	Very High
Russian River Estuary State Marine Recreational Management Area	Take of all living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Russian River State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of marine invertebrates and finfish ⁵ except for Chinook salmon 2. The commercial take of marine invertebrates except for abalone, and finfish ⁵ except for Chinook salmon	Low
Bodega Head State Marine Reserve	Take of all living marine resources is prohibited	Very High
Bodega Head State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of pelagic finfish ³ by trolling, Dungeness crab by trap, and market squid by hand-held dip net 2. The commercial take of pelagic finfish ³ by troll fishing gear or round haul net, Dungeness crab by trap, and market squid by round haul net	Mod-high
Estero Americano State Marine Recreational Management Area	Take of all living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
Estero de San Antonio State Marine Recreational Management Area	All take of living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
Point Reyes Headlands State Marine Reserve	Take of all living marine resources is prohibited	Very High
Point Reyes Headlands State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of pelagic finfish ³ by hook and line (salmon by trolling only), and Dungeness crab by trap 2. The commercial take of pelagic finfish ³ by hook and line (salmon with troll fishing gear only), coastal pelagic species ⁴ by round haul net, and Dungeness crab by trap	Mod-high
Estero de Limantour State Marine Reserve	Take of all living marine resources is prohibited	Very High
Drakes Estero State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of clams 2. The commercial aquaculture of shellfish pursuant to a valid State Water Bottom Lease and stocking permit	Low
Duxbury State Marine Conservation Area ²	Take of all living marine resources is prohibited EXCEPT: the recreational take of finfish ⁵ from shore only, and the recreational take of abalone	Moderate
Montara State Marine Reserve	Take of all living marine resources is prohibited	Very High

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Pillar Point State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of pelagic finfish ³ by trolling, Dungeness crab by trap, and market squid by hand-held dip net 2. The commercial take of pelagic finfish ³ with troll fishing gear or round haul net, Dungeness crab by trap and market squid by round haul net	Mod-high
North Farallon Islands State Marine Reserve Southeast Farallon Island State Marine Reserve	Take of all living marine resources is prohibited Take of all living marine resources is prohibited	Very High Very High
Southeast Farallon Island State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of pelagic finfish ³ by hook and line (except for salmon by trolling only) and coastal pelagic species ⁴ except for market squid by hook and line 2. The commercial take of pelagic finfish ³ by hook and line (except for salmon with troll fishing gear only) and coastal pelagic species ⁴ except market squid, by round haul net	High
Special Closures		
Point Resistance Rock Special Closure Double Point/ Stormy Stack Rock Special Closure	300 ft closure; year round 300 ft closure; year round	
North Farallon Islands Special Closure	300 ft closure at North Farallon Island, and southern islets including the Isle of St. James; year round. Boating restrictions and fishing activity modifications to reduce noise within 1 mile of all islands: 5 mph speed limit within 1000 feet of all islands; year round 300 ft closure at Southeast Farallon Island, except between Fisherman's Bay and East Landing; year-round.	
Southeast Farallon Island Special Closure	Boating restrictions within one mile of all islands; five mph speed limit within 1000 feet of Southeast Farallon Island, fishing activity modifications to reduce noise; year round	
Egg (Devil's Slide) Rock Special Closure	300 ft closure from any shoreline of the three rocks; year round	

¹ In order to analyze the differences between no-take reserves and limited take conservation areas and recommended parks, the SAT developed a ranking for level of protection described in the Master Plan based on impact of allowed uses on ecological and ecosystem structure. Levels of protection are modified for each study region for evaluation purposes; and are appended to the Master Plan upon

adoption of MPA proposals (Attachment 10).

² These areas, recommended by stakeholders to become state marine parks, will be designated as state marine conservation areas, and could subsequently be designated as state marine parks at the discretion of the State Park and Recreation Commission.

³ Pelagic Finfish are defined in subsection 632(a)(3) as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena* spp.), billfishes* (family *Istiophoridae*), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasii*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus* spp.), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias* spp.), swordfish (*Xiphias gladius*), tunas (family *Scombridae*), and yellowtail (*Seriola lalandi*). *Marlin is not allowed for commercial take.

⁴ Coastal Pelagic Species are defined in Section 1.39 as: northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific mackerel (*Scomber japonicus*), jack mackerel (*Trachurus symmetricus*), and market squid (*Loligo opalescens*).

⁵ Finfish are defined in subsection 632(a)(2) as: any species of bony fish or cartilaginous fish (sharks, skates and rays). Finfish do not include amphibians, invertebrates, plants or algae. The definition of finfish provided in Section 159 does not apply to this Section.

Alternative 3 – This is the NCCRSG “Proposal 4,” developed within RSG workgroups by constituents primarily representing non-consumptive and environmental interests along the north central coast. It consists of 28 MPAs with the sub-option that three MPAs become marine managed areas (SMRMAs) covering an area of approximately 204.9 square miles, representing approximately 26.9 percent of state waters within the north central coast region (Table 5 and attachments 3, 4, and 7) and seven special closures. Of this, more than half of the area is within no-take state marine reserves covering approximately 105.0 square miles or approximately 13.8 percent of state waters within the north central coast region (Figure 2).

Table 5. Alternative 3 proposal for marine protected areas, marine managed areas, and special closures in the north central coast, including proposed allowed take and Science Advisory Team (SAT) assigned level of protection. Areas arranged geographically from north to south.

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Point Arena State Marine Reserve	Take of all living marine resources is prohibited	Very High
Point Arena State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational take of salmon by trolling only, and the commercial take of salmon with troll fishing gear only	High
Sea Lion Cove State Marine Conservation Area	Commercial and recreational take of marine invertebrates and marine aquatic plants is prohibited. Take of all other species is allowed.	Mod-low
Saunders Reef State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of salmon by trolling 2. The commercial take of salmon with troll fishing gear, and urchin	Mod-low
Del Mar Landing State Marine Reserve	Take of all living marine resources is prohibited	Very High
Stewarts Point State Marine Reserve	Take of all living marine resources is prohibited	Very High

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Salt Point State Marine Conservation Area ²	Take of all living marine resources is prohibited EXCEPT: the recreational take of finfish ³ and abalone	Moderate-low
Gerstle Cove State Marine Reserve	Take of all living marine resources is prohibited	Very High
^Russian River Estuary Option 1: State Marine Reserve	Take of all living marine resources is prohibited	Very High
^Russian River Estuary Option 2: State Marine Recreational Management Area	Take of all living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
Russian River State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: 1. The recreational take of Dungeness crab by trap, and surf smelt by hand-held dip net or beach net from shore only 2. The commercial take of Dungeness crab by trap	Very High
Bodega Head State Marine Reserve	Take of all living marine resources is prohibited	Very High
Bodega Head State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational take of salmon by trolling only and the commercial take of salmon with troll fishing gear only	High
^Estero Americano Option 1: State Marine Reserve	Take of all living marine resources is prohibited	Very High
^Estero Americano Option 2: State Marine Recreational Management Area	Take of all living marine resources is prohibited EXCEPT: recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
^Estero de San Antonio Option 1: State Marine Reserve	Take of all living marine resources is prohibited	Very High
^Estero de San Antonio Option 2: State Marine Recreational Management Area	Take of all living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
^Tomales Bay State Option 1: Marine Reserve	Take of all living marine resources is prohibited	Very High
^Tomales Bay State Option 2: Marine Recreational Management Area	Take of all living marine resources is prohibited except recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552)	Very High
Point Reyes State Marine Reserve	Take of all living marine resources is prohibited	Very High

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Point Reyes State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT:	Mod-High
Drakes Estero State Marine Reserve	1. The recreational take of salmon by trolling, and Dungeness crab by trap 2. The commercial take of salmon with troll fishing gear, and Dungeness crab by trap Take of all living marine resources is prohibited	Very High
Drakes Estero State Marine Conservation Area	Take of all living marine resources is prohibited, EXCEPT: The commercial aquaculture of shellfish pursuant to a valid State Water Bottom Lease and stocking permit	Low
Double Point State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational take of salmon by trolling and the commercial take of salmon with troll fishing gear Take of all living marine resources is prohibited EXCEPT:	Mod-High
Duxbury State Marine Conservation Area	1. The recreational take of salmon by trolling, Dungeness crab by trap, and finfish by hook and line from shore only 2. The commercial take of salmon with troll fishing gear, Dungeness crab by trap, and halibut Take of all living marine resources is prohibited EXCEPT:	Moderate
Agate Beach Intertidal State Marine Conservation Area	1. The recreational take of salmon by trolling, Dungeness crab by trap, and finfish by hook and line from shore only 2. The commercial take of salmon with troll fishing gear, Dungeness crab by trap, and halibut Take of all living marine resources is prohibited, EXCEPT:	Moderate
Devil's Slide State Marine Conservation Area	1. The recreational take of salmon by trolling, Dungeness crab by trap, and coastal pelagic species by hook and line 2. The commercial take of salmon with troll fishing gear, Dungeness crab by trap, and coastal pelagic species by round haul net	Mod-High
Fitzgerald State Marine Reserve	Take of all living marine resources is prohibited	Very High
San Gregorio State Marine Reserve	Take of all living marine resources is prohibited	Very High
North Farallon Islands State Marine Reserve	Take of all living marine resources is prohibited	Very High
Southeast Farallon Island State Marine Reserve	Take of all living marine resources is prohibited	Very High

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Southeast Farallon Island State Marine Conservation Area	Take of all living marine resources is prohibited EXCEPT: the recreational take of salmon by trolling and the commercial take of salmon with troll fishing gear	High
Special Closures		
Arched Rock Special Closure	300 ft closure; year round	
Gull Rock Special Closure	300 ft closure; year round	
Point Reyes Headlands Special Closure	1000 ft closure; year round	
Double Point/ Stormy Stack Rock Special Closure	300 ft closure; year round	
North Farallon Islands Special Closure	1000 ft closure around North Farallon Island and 300 ft closure around the southern islets including the Isle of St. James; year round.	
Southeast Farallon Island Special Closure	Boating restrictions and fishing activity modifications to reduce noise within 1 mile of all islands: 5 mph speed limit within 1000 feet of all islands; year round 300 ft closure at Southeast Farallon Island, except Fisherman's Bay and East Landing; year round except for a seasonal closure on the southeast side of Saddle (Seal) Rock, from Dec 1 to Sep 14.	
Egg (Devil's Slide) Rock Special Closure	Boating restrictions within one mile of all islands; five mph speed limit within 1000 feet of Southeast Farallon Island, fishing activity modifications to reduce noise; year round 1000 ft closure from any shoreline of the three rocks; year round	

¹ Sub-option exists for designation as a state marine reserve, or a state marine recreational management area to allow recreational hunting of waterfowl to continue (sections 502, 550, 551, and 552).

² In order to analyze the differences between no-take reserves and limited take conservation areas and recommended parks, the SAT developed a ranking for level of protection described in the Master Plan based on impact of allowed uses on ecological and ecosystem structure. Levels of protection are modified for each study region for evaluation purposes; and are appended to the Master Plan upon adoption of MPA proposals (Attachment 10).

³ These areas, recommended by stakeholders to become state marine parks, will be designated as state marine conservation areas, and could subsequently be designated as state marine parks at the discretion of the State Park and Recreation Commission.

⁴ Finfish are defined in subsection 632(a)(2) as: any species of bony fish or cartilaginous fish (sharks, skates and rays). Finfish do not include amphibians, invertebrates, plants or algae. The definition of finfish provided in Section 159 does not apply to this Section.

⁵ Coastal Pelagic Species are defined in Section 1.39 as: northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific mackerel (*Scomber japonicus*), jack mackerel (*Trachurus symmetricus*), and market squid (*Loligo opalescens*).

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Thursday, May 14, 2009, at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Yolo Fliers Club Ballroom, 17980 County Road 94B, Woodland, California, on Wednesday, August 5, 2009, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 31, 2009 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 August 3, 2009.** All comments must be received no later than August 5, 2009, at the hearing in Woodland, CA. 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, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sherrie Fonbuena at the preceding address or phone number. **Ms. Marija Vojkovich, Regional Manager, Department of Fish and Game, phone (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. 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 the 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 Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed regulation 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. Each alternative may have negative short-term impacts on commercial and recreational fishing businesses. The impacts presented here do not

represent a complete socioeconomic impact analysis, but rather what is generally referred to as a Step 1 analysis or "maximum potential loss." This analysis simply sums up the activity that currently takes place within a given alternative and translates these activities into corresponding economic values. Maximum potential loss does not take into account other management strategies/regulations and human behavioral changes, such as moving to other areas or changing fishing gear, that may mitigate, offset, or make matters better or worse. In addition, maximum potential loss does not consider possible future benefits.

The estimates of maximum potential impact shown here rely on the survey work and subsequent geographic information system (GIS) data analysis conducted by Ecotrust and reported in various documents to the SAT, RSG, and BRTF. Ecotrust interviewed fishermen to determine both location of fishing activities and the relative importance of each location. Ecotrust's importance indices were combined with cost share information from secondary sources to measure the maximum potential impacts of prospective closures on expected net economic values from commercial fishing. The methodology used to determine maximum potential impacts for Alternatives 1, 2 and 3 as well as for the Proposed Regulation (IPA) are described in Attachment 8. The estimates of the maximum potential annual losses for the four alternatives considered here (in real 2006 dollars) are approximately: \$465,153 (Alternative 1); \$396,583 (Alternative 2); \$696,094 (Alternative 3) and \$525,865 (Proposed Regulation) (Table 6). These are relative to average annual real 2000-2006 baseline gross revenues of approximately \$15,889,359 and net economic values of about \$8,336,602. They represent maximum potential percentage reductions in net pre-MPA economic values of: 5.6 percent (Alternative 1); 4.8 percent (Alternative 2); 8.3 percent (Alternative 3) and 6.3 percent (Proposed Regulation) (Table 7).

It should be noted, however, that due to the methodology and need to maintain confidentiality of individual fishermen's financial data, the average impacts across fisheries may not be representative of the true maximum potential impact to an individual and may underestimate the maximum potential impact to individuals.

That said, Ecotrust, as part of their assessment, was asked to provide summary information on any disproportionate impacts on individuals and/or particular fisheries. This was based on lessons learned in the central coast study region, where significant disproportionate impacts were only discovered in the implementation phase, leaving limited options to lessen these impacts.

Of note in the North Central Coast Study region proposed regulations are potential disproportionate impacts to fishing areas of stated importance for one fishery and three individual fishermen.

In Bodega Bay, the proposed regulation may experience a disproportionate impact on that fishery's closest and most valuable fishing grounds. Proposal IPA has a projected annual net economic impact there of \$64,000, or a 43 percent reduction in profits. By contrast, the overall estimated net economic impact for the entire study region was only 6.3 percent. However, it should be noted that sea urchin landings in Bodega Bay have dropped dramatically due to market conditions, though they appear to be improving. Average landings over the last 5 years (2004-2008) have dropped to just 2.7 percent of the average landings from the 5 preceding years. Projected impacts from the Ecotrust evaluation assume a fully recovered market and landings at past levels.

Regarding potential individual impacts, Ecotrust evaluation results also show that there are three commercial fishermen who may be substantially and disproportionately impacted.

One fisherman may be disproportionately impacted by all four proposals being considered. One hundred percent of the fisherman's income comes from fishing and the estimated annual impact is:

- Proposal IPA: between 20–40% loss of ex-vessel revenue and > \$20K loss
- Alternative 1: between 20–40% loss of ex-vessel revenue and \$15K–\$20K loss
- Alternative 2: between 20–40% loss of ex-vessel revenue and \$15K–\$20K loss
- Alternative 3: between 40–60% loss of ex-vessel revenue and > \$20K loss

Additionally, two other individuals are estimated to be potentially disproportionately impacted by two proposals each.

Individual 1 (100% of income from fishing):

- Proposal 4: between 20–40% loss of ex-vessel revenue and > \$20K loss
- Proposal IPA: between 20–40% loss of ex-vessel revenue and > \$20K loss

Individual 2 (75% of income from fishing):

- Proposal 4: between 20–40% loss of ex-vessel revenue and \$15–20K loss
- Proposal IPA: between 20–40% loss of ex-vessel revenue and \$15–20K loss

For the commercial deeper nearshore and nearshore rockfish fisheries, Ecotrust also evaluated the additional impacts that potentially occur when considering the existing fishery management area closures and/or fishery exclusion zones, specifically the 2007 and 2008 Non-Trawl Rockfish Conservation Area (RCA) persistent closure (30 fm – 150 fm) and the closure between the shoreline and 10 fm around the Farallon Islands (Southeast Farallon Island, Middle Farallon Island, North Farallon Island, and Noon Day Rock). Ecotrust also considered the proposed 2009 Non-Trawl RCA persistent closure (20 fm – 150 fm).

Of particular note is the estimated impact on Bolinas deeper nearshore rockfish fishing grounds. Based on the 2008 RCA, 72.3 percent of the existing value (fishing grounds) was not available to the Bolinas rockfish fishermen and 81.8 percent is not available in 2009. Due to RCAs, just 20 percent of the original fishery value is available. Of the remaining 18.2 percent of their original deeper nearshore rockfish fishing grounds area, Proposal IPA will have an estimated 24 percent impact.

Table 6. Estimated annual maximum potential net economic value losses¹ relative to base scenario. NCCRSG proposal names are reflected in parenthesis

Fishery	Alternative 1 (1-3) ²	Alternative 1 (2-XA) ²	Alternative 1 (4) ²	Proposed Regulation (IPA)
California Halibut	\$4,744	\$5,750	\$13,224	\$5,749

Fishery	Alternative 1 (1-3) ²	Alternative 1 (2-XA) ²	Alternative 1 (4) ²	Proposed Regulation (IPA)
Coastal Pelagics	\$64	\$40	\$63	\$59
Squid	\$865	\$736	\$22,876	\$653
Deep Nearshore Rockfish	\$15,638	\$11,292	\$18,796	\$12,200
Nearshore Rockfish	\$21,510	\$11,285	\$26,703	\$22,514
Urchin	\$68,950	\$62,109	\$136,040	\$118,307
Dungeness Crab	\$218,139	\$193,574	\$331,896	\$232,494
Salmon	\$135,242	\$111,798	\$146,497	\$133,888
Total	\$465,153	\$396,583	\$696,094	\$525,865

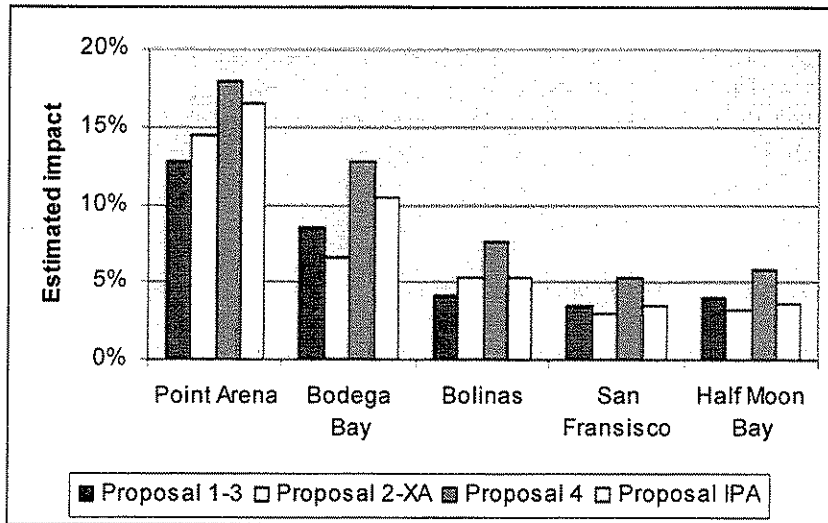
¹ Losses are calculated in 2006 dollars.

² NCCRSR proposal names are reflected in parentheses.

Table 7. Estimated annual maximum potential net value losses in percentage terms.

Fishery	Alternative 1 (1-3) ²	Alternative 2 (2-XA) ²	Alternative 3 (4) ²	Proposed Regulation (IPA)
California Halibut	3.1%	3.8%	8.7%	3.8%
Coastal Pelagics	0.5%	0.3%	0.5%	0.5%
Squid	0.7%	0.6%	18.8%	0.5%
Deep Nearshore Rockfish	29.5%	21.3%	35.5%	23.0%
Nearshore Rockfish	28.7%	15.1%	35.6%	30.1%
Urchin	13.2%	11.9%	26.0%	22.6%
Dungeness Crab	5.0%	4.5%	7.7%	5.4%
Salmon	4.4%	3.6%	4.8%	4.4%
Total	5.6%	4.8%	8.3%	6.3%

It should also be noted, that, on average, the estimated percentage impact is greatest in Point Arena, the northernmost port and decreases as one moves north to south through the study region (see Figure 1).



Ecotrust also analyzed the maximum potential loss to recreational fishing area in terms of percentage of the fishing grounds within the study region, and percentage of stated importance values of the fishing grounds within the study region. Estimates represent areas of stated importance and not level of effort. Similar to the commercial estimates of maximum potential loss, these estimates assume all fishing activity that previously occurred in a closed area is "lost" and not replaced by movement to another location. Little or no data was collected from recreational fishermen north of Bodega Bay. Subregions surveyed include Region 1 (Ocean Beach in San Francisco County), Region 2 (San Francisco Bay access points to Point Reyes), and Region 3 (Point Reyes north to Alter Creek).

Among the three sub-regions surveyed for recreational fishing grounds within the study region, none of the alternatives had greater than a 32.5 percent impact for rockfish, 17.9 percent impact for salmon, 21.5 percent impact for Dungeness crab, or greater than a 22.6 percent impact for California halibut for the fishing modes surveyed (CPFV, private vessels, kayak anglers and pier/shore). None of the estimated impacts to areas of value to recreational fisheries grounds within the study region exceeded 35 percent among all modes and sub-regions surveyed. While not economic losses, if realized, the loss in recreational fishing activity could lead to decreases in revenues to recreational fishing dependent businesses.

In the long term, the potential negative impacts are expected to be balanced by the positive impacts of sustainable fisheries, non-consumptive benefits, and ecosystem function in the reserve areas. In addition, potential benefits may be realized through adult fish spillover to areas adjacent to marine reserves and state marine conservation areas which prohibit bottom fishing for finfish, as well as through transport to distant sites.

- (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:

Each alternative has potential impacts on the creation and elimination of jobs related to commercial and recreational fishing and non-consumptive activities. Estimates of the numbers of jobs eliminated as a direct result of the proposed action are difficult to

determine. Commercial fishing operations 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 stocks and subsequently the long-term viability of these same small businesses.

Jobs related to the non-consumptive tourism and recreational industries would be expected to increase over time by some unknown factor based on expected improvements in site quality and increased visitation to certain locations.

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

The Commission 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:

Additional costs to State agencies for enforcement, monitoring, and management of MPAs are difficult to estimate and are dependent on not only the impacts of the proposed regulation, but also other regulations and processes. Funding for the Department of Fish and Game (Department) has already been impacted due to a state budget crisis and prospects for additional impacts are unknown. However, partnerships with state and federal agencies, academic institutions and non-profit organizations are likely to continue to play an important role in assisting with MLPA implementation in coming years.

Current cooperative efforts with the Monterey Bay National Marine Sanctuary and Gulf of the Farallones National Marine Sanctuary have provided funding for some existing State costs, and contributions are expected to increase with the adoption of this regulation. In addition to agency partnerships, during planning and implementation of the first MLPA study region (i.e., central coast study region), substantial funding (in the millions) was contributed by private fund sources including MLPA Initiative partners, and through bond money distributed through the Ocean Protection Council (OPC). These contributions supported costs for baseline science and socioeconomic data collection, signage, and outreach and education, among other things, and allowed for a greater outcome than may have been possible with Department funding alone. While it is difficult to quantify the level of support that will be provided by partnerships in future years, the Department will continue to actively pursue and maximize such assistance.

While the actual costs to the Department to implement the proposed regulations in the north central coast are unknown, experience in implementing MPAs in the northern Channel Islands and the MLPA central coast region can inform prospective near-term expenditures using existing Department funds, and contributions from partners:

- For the Northern Channel Islands, which was the first portion of the MLPA South Coast Study Region to adopt MPAs, the Department spent approximately \$3.6 million on post-design one-time costs, and an additional \$0.9 million per year since 2004 for implementation, management, and enforcement of the central coast MPAs. Partners contributed approximately \$2.2 million in one-time costs, and \$2.7 annually since the design phase was completed.
- In the MLPA central coast study region, the Department spent approximately \$4.5 million on post-design one-time costs, and an additional \$0.4 million per year since 2007 for implementation, management, and enforcement of the central coast MPAs. Partners have contributed approximately \$2.4 million since the design phase was completed.

The Department costs reference above utilized available funds to the Department at that time. Certainly, changes requiring additional enforcement, monitoring or management will increase the recurring costs to the Department as compared to the current efforts, and total state costs would increase as new study regions are designated and become operational. For the north central coast, the near-term cost to implement the proposed MPAs will include both one-time startup and baseline data collection costs, and recurring annual costs. A baseline data collection program methodology is currently being developed through the MPA Monitoring Enterprise. The costs associated with baseline data collection and future monitoring will be determined through that process and therefore cannot be estimated at this time. In light of uncertainty regarding the cost for monitoring, and the level of future funding from external partners, the estimated new funding requirements by the state for MLPA in the north central coast are unknown at this time.

- (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 or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

John Carlson, Jr.
Executive Director

Dated: April 21, 2009