

FILE NO. 140058

Petitions and Communications received from January 27, 2014, through February 3, 2014, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on February 11, 2014.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From Clerk of the Board, reporting the following individuals have submitted Form 700 Statements: (1)

Carol Mo - Legislative Aide - Leaving

*From Environment, regarding 2013 Annual Report. (2)

*From Zachs & Freedman, P.C., submitting petition for writ of mandate. File No. 130783. Copy: Each Supervisor. (3)

From Johnny Schenone, regarding a ban on all car washing facilities. (4)

From Human Services, regarding the February 4, 2014 Community Budget meeting. (5)

From David Khan, regarding ride sharing. (6)

From Zacks & Freedman, P.C., submitting notice of intent to file CEQA petition. File No. 130783. Copy: Each Supervisor. (7)

From Fish and Wildlife, submitting public notice on the status review of the Northern spotted owl. Copy: Each Supervisor. (8)

*From Controller, regarding FY2012-2013 Annual Overtime report. (9)

From Fish and Game, regarding notice of proposed regulatory action relative to subsection (b)(91.1) of Section 7.50, Title 14. (10)

*From Planning, transmitting Balboa Park Station Area Plan Monitoring Report for 2007-2011. Copy: Each Supervisor. (11)

From City Administrator, regarding the Earthquake Safety and Emergency Response Bond. Copy: Each Supervisor. (12)

From concerned citizens, submitting signatures for petition regarding Woodhouse on Marina Green. File No. 120987. 500 signatures. (13)

From David Fielding, regarding CleanPowerSF. (14)

From Building Standards, regarding Ordinance Nos. 256-13 through 258-13. File Nos. 130837, 130838, 130839, and 130840. (15)

From Chamber of Commerce, regarding "Fair Chance" legislation. File No. 131192. Copy: Each Supervisor. (16)

From Public Health, submitting 2013 Medical Cannabis Dispensary Program report. (17)

From Fish and Game, submitting notice of regulatory action relating to mammal hunting. Copy: Each Supervisor. (18)

From Highway Patrol, regarding hazardous materials spill. Copy: Each Supervisor. (19)

From Fish and Game, submitting notice of regulatory action relating to marine protected areas. Copy: Each Supervisor. (20)

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

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

MEMORANDUM

Date: January 31, 2014
To: Honorable Members, Board of Supervisors
From: Angela Calvillo, Clerk of the Board
Subject: Form 700

This is to inform you that the following individual has submitted a Form 700 Statement:

Carol Mo – Legislative Aide - Leaving

To: BOS-Supervisors
Subject: FW: Department of the Environment's 2013 Annual Report
Attachments: sfe_ou_annualReport_2013_sm.pdf

From: Nutter, Melanie [mailto:melanie.nutter@sfgov.org]
Sent: Sunday, February 02, 2014 5:45 PM
To: Department Heads
Cc: Department Head Assistant
Subject: Department of the Environment's 2013 Annual Report

Dear Colleagues,

Please see attached for the Department of the Environment and the Commission on the Environment's 2013 Annual Report. I'm very proud of all that we've accomplished and appreciate the partnership with and leadership of your agencies on the sustainability achievements made to date.

Starting on Monday, February 2, please contact David Assmann, Interim Director at 415-355-3702 or david.assmann@sfgov.org for any department related inquiries.

It's been a pleasure working with you and serving the City and County of San Francisco. My personal contact info is below. I look forward to staying in touch.

Best wishes,
Melanie

Melanie Nutter | Director

San Francisco Department of the Environment
1455 Market Street, Suite 1200, San Francisco, CA 94103
Melanie.Nutter@sfgov.org Personal: melanie.nutter@gmail.com
T: (415) 355-3701 C: (415) 235-4076



SF Environment

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Please consider the environment before printing this email.

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

1 ANDREW M. ZACKS (SBN 147794)
2 JAMES B. KRAUS (SBN 184118)
3 RYAN J. PATTERSON (SBN 277971)
4 ZACKS & FREEDMAN, P.C.
5 235 Montgomery Street, Suite 400
6 San Francisco, CA 94104
7 Tel: (415) 956-8100
8 Fax: (415) 288-9755

9 Attorneys for Petitioner and Plaintiff
10 SMALL PROPERTY OWNERS OF SAN FRANCISCO INSTITUTE

File 130783

*orig: COB
c: Leg Dep, BOS-11
Dep City Atty, cage*

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF SAN FRANCISCO – UNLIMITED CIVIL JURISDICTION

13 SMALL PROPERTY OWNERS OF SAN
14 FRANCISCO INSTITUTE, a California
15 corporation,

16 Petitioner and Plaintiff,

17 vs.

18 CITY AND COUNTY OF SAN
19 FRANCISCO, a municipal corporation,
20 BOARD OF SUPERVISORS OF THE CITY
21 AND COUNTY OF SAN FRANCISCO, SAN
22 FRANCISCO PLANNING COMMISSION,
23 and SAN FRANCISCO PLANNING
24 DEPARTMENT, inclusive,

25 Respondents and Defendants.

Case No.: CPF-14 513453

NOTICE TO ATTORNEY GENERAL

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2014 FEB - 3 AM 10:55

26 To the Attorney General of the State of California:

27 **PLEASE TAKE NOTICE**, under Public Resources Code § 21167.7 and Code of
28 Civil Procedure § 388, that on January 28, 2014, SMALL PROPERTY OWNERS OF
SAN FRANCISCO INSTITUTE, a California corporation, filed a petition for writ of
mandate and complaint for declaratory relief against the CITY AND COUNTY OF SAN
FRANCISCO, a municipal corporation, BOARD OF SUPERVISORS OF THE CITY

ZACKS & FREEDMAN, P.C.
235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

From: Board of Supervisors
To: BOS-Supervisors
Subject: FW: EMERGENCY MEASURE

From: johnny schenone [mailto:schenone13@sbcglobal.net]
Sent: Monday, February 03, 2014 12:10 PM
To: Board of Supervisors
Subject: EMERGENCY MEASURE

Under current circumstance, perhaps the collective mentality of the bored of STUIPVISORS just might conclude an immediate ban on ALL car washing, both public and private is in order? As is evident through out city government, revenue enhancement, extortion, gouging and the like are very much in fashion. Coincidentally, scofflaws who fail to comply with the ban provide further opportunity by way of punitive measurers, proving once again, necessity is the mother of invention.

I can appreciate that the rational for IMMEDIATELY implementing the ban is most likely going to be very hard for many of you to conceptualize, but with varying degrees of effort, perhaps some divine intervention and lots and lots of luck, the realization, the necessity may occur to you, collectively? Maybe not?

I am not spending my uncompensated time here today to critique this *legislative* (🤔)

body that is virtually ALWAYS entwined with the ridiculous. My purpose today is to point out the obvious that even a blind moron can appreciate. I am well aware, this matter does not pander to any of your individual special interest groups, but maybe, just this once, you can accomplish something that benefits ALL San Franciscans? What a concept, huh?

I certainly hope I have made myself perfectly clear on what needs to be done, and done IMMEDIATELY!
Let me emphatically, unequivocally, categorically, and unconditionally point out, the matter of this ban is far more important than anything you have engaged in, EVER!

For those of you who are incapable of comprehending this "no brainer", you might approach me for further clarification, for elaboration that even a five year old could understand, for a more piercing explanation that would make a sailor blush. Please don't be bashful.

With this matter of enabling the apparently handicapped on this matter of civic urgency amnd the publics resource, I will look forward to seeing extremely prompt fiduciary action, or as promptly as a dilatory government bureaucracy like the bored of stupidvisors is capable of.

Oh yeah, have a nice day

From: Board of Supervisors
To: BOS-Supervisors
Subject: FW: Notice of HSA Community Budget Meeting 2/4/2014 at 3:30PM, 170 Otis-Born Auditorium
Attachments: HSA FY 1415 mtg announcement 020414.pdf

From: Caroline Serrano [mailto:Caroline.Serrano@sfgov.org]
Sent: Friday, January 31, 2014 1:25 PM
Subject: Notice of HSA Community Budget Meeting 2/4/2014 at 3:30PM, 170 Otis-Born Auditorium

Hello all,

You are invited to the Human Services Agency's Community Budget Meeting on the FY 2014-15 and FY2015-16 Budgets. It will be held on Tuesday, February 4, 2014 at 3:30 p.m. in the Born Auditorium at 170 Otis Street.

Because some of you were not made aware of our first Community Budget Meeting held this past Wednesday, January 29, we will be presenting the same information at this upcoming meeting. We apologize for the short notice but wanted to provide an additional opportunity for input prior to the upcoming Aging & Adult Services and Human Services Commission meetings.

If you are unable to attend on Tuesday, we encourage you to attend the Aging & Adult Services Commission meetings scheduled for February 5 and February 26 and the Human Services Commission meetings scheduled for February 12 and February 27. Additionally, the material presented is posted on HSA's website: <http://www.sfhsa.org/4689.htm>.

Regards,

Derek L Chu
Budget Director
SF/Human Services Agency
derek.chu@sfgov.org
415.557.5661

From: Board of Supervisors
To: BOS-Supervisors
Subject: FW: Batlyft?
Attachments: photo.JPG; ATT00001.txt

-----Original Message-----

From: David K [mailto:david_khan415@yahoo.com]
Sent: Sunday, February 02, 2014 7:22 PM
To: Hayashi, Christiane; Board of Supervisors; Lee, Mayor; Samantha J. Roberts (MTA)
Cc: Trevor Johnson; Robert Mason; Richholt, Eric; Bate Tar; John Han; Douglas O'connor; info@yellowcabsf.com; info@sftowntaxi.com
Subject: Batlyft?

Its a car with the decal "Batlyft" on Sunday. There are more Lyft, UberX and sidecar on the streets than before. As a cab, I couldnt find a ride for about 40Min on Saturday night but those are occupied.

I saw empty cabs driving around and can see the driver's frustration and worry about their livelihoods as the illegal activities flooded the streets and causing traffic hazards. As a taxi driver whom refuses to involve in unlawful activities, I am having hard time paying my bills and I am worry that I might not be able to keep my family under the roof.

Seems like everyone forgot that the Taxi industry generate revenue for the public transit systems, maintenance of the roadways and funding the paratransit programs.

As the companies using the term "Ride Share" and operate as livery services without regulations just creat congestions, accidents and pollutions by undermining the authority of the local governments. The CPUC doesn't have man power to enforce any of the transportation services and yet knowingly approved the illegal operations by prioritizing money over public safety, violating constitutional rights of the taxi and limousine industry with strict regulations and heavy cost to operate to compete with the services violate the codes more than a thousand times per day without any requirements.

The accident on new years eve that costs a 6 years old Sofia Liu's life by the Uber driver proved the lack of responsibility from all parties including the CPUC, the law enforcement, the city and counties those failed to regulate. It is a wake up call for the decision making people that they all need to care for the people instead of a handful of corporate personnels.

I hope there will be some whistle blower to expose all the scheme behind this problem and the responsible parties and personnels are prosecuted to the extense of law.

orig leg clerk, CO, B -
File 130783 Leg Dep BOS-11
Dep City Attny page

NOTICE OF INTENT TO FILE CEQA PETITION

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2014 JAN 29 PM 2:39


To CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation, BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO PLANNING COMMISSION, and SAN FRANCISCO PLANNING DEPARTMENT:

PLEASE TAKE NOTICE, under Public resources Code Section 21167.5, that petitioner and plaintiff SMALL PROPERTY OWNERS OF SAN FRANCISCO INSTITUTE, a California corporation, intends to file a petition and complaint under the provisions of the California Environmental Quality Act against respondent and defendant CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation, BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO PLANNING COMMISSION, and SAN FRANCISCO PLANNING DEPARTMENT, *inter alia*, challenging its failure to conduct environmental review of San Francisco Ordinance Number 286-13 (the "Ordinance"), as amended; its failure to refer the Ordinance, as amended, back to the Planning Commission; and approval of San Francisco Ordinance Number 286-13, as amended.

The petition and complaint will seek the following relief:

- 1: Writ compelling respondent and defendant to set aside the actions approving the Ordinance and all related approvals; to conduct environmental review of the Ordinance, as amended; and to prohibit respondent and defendant from enforcing the Ordinance until such review is completed.
2. Writ compelling respondent and defendant to refer the Ordinance, as amended, to the Planning Commission for its review and recommendations.
3. Writ barring respondent and defendant from enforcing the November 11, 2013 and December 10, 2013 amendments to the Ordinance as to properties that have been withdrawn from residential rental use under the Ellis Act.
4. Judgment barring respondent and defendant from enforcing the November 11, 2013 and December 10, 2013 amendments to the Ordinance at all.
5. A declaration of the parties' rights and duties vis-a-vis the Ordinance; and attorneys' fees, including pursuant to Code of Civil Procedure Section 1021.5, for costs of suit, and for such other and further relief as the Court may deem just and proper.

ZACKS & FREEDMAN, P.C.



By: Andrew M. Zacks

Attorneys for petitioner and plaintiff

SMALL PROPERTY OWNERS OF
SAN FRANCISCO INSTITUTE

Date: January 28, 2014



Bos-11, page

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2014 JAN 31 PM 3:34

PUBLIC NOTICE

January 27, 2014

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that the California Department of Fish and Wildlife has initiated a status review of the Northern spotted owl (*Strix occidentalis caurina*) pursuant to Fish and Game Code section 2074.6, and is providing this notice pursuant to Fish and Game Code section 2074.4 to solicit data and comments on the petitioned action from interested and affected parties.

The Department has initiated status review following related action by the Fish and Game Commission. Having provided notice, the Northern spotted owl is now a candidate species under the California Endangered Species Act (Cal. Reg. Notice Reg. 2013, No. 52-Z, pp. 2085-2092; see also Fish & G. Code, §§ 2074.2, 2085).

The Department has 12 months to review the petition, evaluate the available information, and report back to the Commission whether or not the petitioned action is warranted (Fish & G. Code, § 2074.6). The Department's recommendation must be based on the best scientific information available to the Department.

Therefore, **NOTICE IS FURTHER GIVEN** that anyone with data or comments on the taxonomic status, ecology, biology, life history, management recommendations, distribution, abundance, threats, habitat that may be essential for the species, or other factors related to the status of the above species, is hereby requested to provide such data or comments to:

California Department of Fish and Wildlife
Nongame Wildlife Program
Attn: Neil Clipperton
1812 9th Street
Sacramento, California 95811

Please submit two hard copies and a digital/electronic copy if submitting by surface mail. Comments may also be sent via email to: wildlifemgt@wildlife.ca.gov. If submitting by email, please include "Northern spotted owl" in the subject heading.

Responses and information received by **May 1, 2014** will be evaluated for possible incorporation in the Department's final report to the Fish and Game Commission. The Department's written report will indicate, based on the best scientific information available, whether the Department concludes that the petitioned action is warranted or not warranted. Receipt of the report will be placed on the agenda for the next available meeting of the Commission after delivery. The report will be made available to the public at that time. Following receipt of the Department's report, the Commission will allow a 30-day public comment period prior to taking any action on the Department's recommendation.

If you have any questions, please contact Neil Clipperton at (916) 445-9753 or Carie Battistone at (916) 445-3615 or the Department via email at wildlifemgt@wildlife.ca.gov or at the address above.

As a candidate species, the Northern spotted owl receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, § 2085). Research on Northern spotted owl requires appropriate permits issued pursuant to Fish and Game Code Section 2081(a). Interested researchers should contact Esther Burkett at Esther.Burkett@wildlife.ca.gov for more information. Detection information on Northern spotted owl should be sent directly to the Spotted Owl Database Manager at OwlObs@wildlife.ca.gov. General database information and additional contact information can be found at: http://www.dfg.ca.gov/biogeodata/cnddb/spotted_owl_info.asp

10

From: Toy, Debbie [debbie.toy@sfgov.org]
Sent: Friday, January 31, 2014 10:48 AM
To: Calvillo, Angela; BOS-Supervisors; BOS-Legislative Aides; Kawa, Steve; Leung, Sally; Howard, Kate; Volberding, Emily; Falvey, Christine; Rose, Harvey; Campbell, Severin; Newman, Debra; sfdocs@sfpl.info; Gannon, Maureen; Corso, Mark; Wagner, Greg; Petrucione, Katharine; aura.mendieta@sfgov.org; Jacobo, Carlos; mgutierrez@famsf.org; Chu, Derek; Dawson, Julia; McGuire, Catherine; Mawhorter, Bree; Elliott, Jason
Cc: Sandler, Risa; Rosenfield, Ben; Lane, Maura; Zmuda, Monique
Subject: Controller's Office Report: FY 2012-13 ANNUAL OVERTIME REPORT

FY 2012-13 ANNUAL OVERTIME REPORT:

Administrative Code Section 18.13-1 requires the Controller to submit overtime reports to the Board of Supervisors and the Mayor's Budget Director at the time of the six-month and nine-month reports, and annually. This annual report displays overtime budgets, total expenditures, and overtime hours for FY 2012-13. The report also addresses departmental compliance with permissible overtime limits by employee.

Overtime expenditures in FY 2012-13 were \$163.8 million, which was \$7.0 million higher than budget, and \$9.7 million or 6.3% greater than in FY 2011-12. A total of 384 employees exceeded the maximum overtime threshold.

<http://sfcontroller.org/modules/showdocument.aspx?documentid=5090>

CCSF Controller's Office
1 Dr. Carlton B. Goodlett Place
City Hall, Room 316
San Francisco, CA 94102
Tel: 415-554-7500
Fax: 415-554-7466
Email: controller@sfgov.org

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

BDS-11, cpage

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

Fish and Game Commission



Commissioners
Michael Sutton, President
Monterey
Richard Rogers, Vice President
Santa Barbara
Jim Kellogg, Member
Discovery Bay
Jack Baylis, Member
Los Angeles
Jacque Hostler-Carmesin, Member
McKinleyville

January 30, 2014

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2014 JAN 30 PM 2:42

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to subsection (b)(91.1) of Section 7.50, Title 14, California Code of Regulations, relating to Klamath/Trinity rivers sport fishing, which will be published in the California Regulatory Notice Register on January 31, 2014.

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

Mr. Stafford Lehr, Chief of Fisheries Branch, Department of Fish and Wildlife, telephone number (916) 327-8840, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment

**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, 205, 215, 220, 240, 315 and 316.5 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 206, 215 and 316.5 of said Code, proposes to amend subsection (b)(91.1) of Section 7.50, Title 14, California Code of Regulations, relating to Klamath/Trinity rivers sport fishing.

Informative Digest/Policy Statement Overview

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

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

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

For the purpose of PFMC mixed-stock fishery modeling and salmon stock assessment, salmon greater than 22 inches are defined as adult salmon (ages 3-5) and salmon less than or equal to 22 inches are defined as grilse salmon (age 2).

Klamath River Fall-Run Chinook

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

The 2014 KRFC in-river recreational fishery allocation recommended by the PFMC is currently unknown. All proposed closures for adult KRFC are designed to ensure sufficient spawning escapement in the Klamath Basin and equitably distribute harvest while operating within annual allocations.

Klamath River Spring-Run Chinook

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

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

KRFC Allocation Management

The PFMC 2013 allocation for the Klamath River System recreational harvest was 40,006 adult KRFC. Preseason stock projections of 2014 adult KRFC abundance will not be available from the PFMC until March 2014. The 2014 Klamath Basin allocation will be recommended by the PFMC in April 2014 and presented to the Commission for adoption prior to its April 2014 meeting.

For public notice requirements, the Department of Fish and Wildlife (Department) recommends the Commission consider an allocation range of 0 – 67,600 adult KRFC in the Klamath River Basin for the river recreational fishery.

Current Recreational Fishery Management

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

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

Proposed Changes

No changes are proposed for the general (KRSC) opening and closing season dates, and bag, possession and size limits.

The following changes to current regulations are proposed:

KRFC QUOTA MANAGEMENT: Seasons, Bag and Possession Limits

For public notice requirements, a range of KRFC bag and possession limits are proposed until the 2014 Klamath Basin quota is adopted. As in previous years, no retention of adult KRFC salmon is proposed for the following areas, once the subquota has been met.

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

1. Klamath River - August 15 to December 31
2. Trinity River - September 1 to December 31
3. Bag Limit - [0-4] Chinook salmon of which no more than [0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.
4. Possession limit - [0-12] Chinook salmon of which [0-12] over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

SPIT AREA MANAGEMENT

Current regulations specify that the spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closes to all fishing after 15 percent of the Lower Klamath River subquota has been taken downstream of the Highway 101 bridge. This provision only applies if the Department projects that the total Klamath River System recreational fishery allocation will be met.

The following three options are provided for Commission consideration.

Option 1 will close the spit area to all fishing after 15 percent of the total Klamath River Basin quota has been taken (instead of after 15 percent of the Lower Klamath River subquota has been taken) downstream of the Highway 101 bridge. This option also removes the provision that the spit area will close only if the Department projects that the total Klamath River System recreational fishery allocation will be met.

Option 2 will retain the language specifying that the spit area will close after 15 percent of the Lower Klamath River subquota has been taken downstream of the Highway 101 bridge, but will remove the provision that the spit area will close only if the Department projects that the total Klamath River System recreational fishery allocation will be met.

Option 3 will close the spit area to all fishing all year.

Benefits of the Proposed Regulations

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

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. The Legislature has delegated authority to the Commission to promulgate sport fishing regulations (sections 200, 202, 205, 315, and 316.5, Fish and Game Code). Commission staff has searched the California Code of Regulations and has found no other State regulations related to the recreational take of Chinook salmon in the Lower Klamath River Basin.

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, First Floor Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 5, 2014, at 8:00 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 at the Crowne Plaza Ventura Beach Hotel, 450 E. Harbor Blvd., Ventura, California, on Wednesday, April 16, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard. Written comments may be submitted at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office must be received before 5:00 p.m. on April 11, 2014. All comments must be received no later than April 16, 2014, at the hearing in Ventura, 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, Sonke Mastrup, 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 Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Stafford Lehr, Chief of the Fisheries Branch, Department of Fish and Wildlife,**

phone (916) 327-8840, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

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

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

Impact of Regulatory Action/Results of the Economic Impact Analysis

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

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are projected to have some impact on the net revenues to local businesses servicing sport fishermen. Visitor spending may be reduced and in the absence of the emergence of alternative visitor activities, the drop in spending could induce business contraction. However, this will not likely affect the ability of California businesses to compete with businesses in other states. The preservation of Klamath River salmon stocks is necessary for the success of lower and upper Klamath River Basin businesses which provide goods and services related to fishing. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

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

The Commission anticipates some impact on the creation or elimination of jobs in California. The Commission does not anticipate any impacts on the creation, elimination

or expansion of businesses in California. The proposed regulations range from the closure of the spit area to fishing of all sizes for the entire year; to no fishing of adult KRFC salmon in 2014; to a normal Klamath River Basin salmon season. The potential employment impacts range from 0 to 28 jobs which are not expected to create, eliminate or expand businesses in California. Adverse impacts to jobs and/or businesses would be less for the option that permits fishing of grilse KRFC salmon than under the complete closure to all fishing in the spit area. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, subsequently, the promotion and long-term viability of these same small businesses.

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

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

The Commission does not anticipate any benefits to worker safety.

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

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action regarding KRFC quota management (seasons, bag and possession limits. However options under consideration to close the spit area to fishing are anticipated to reduce visitor spending and revenue to area businesses. Spit Area Option 1 could reduce direct spending by \$132,000; Spit Area Option 2 could reduce direct spending by \$210,000; and Spit Area Option 3 could reduce spending by \$279,000 compared to an average year from 1999 to 2013. Revenue losses are expected to be shared by an estimated 30 businesses that support angler activities.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs Mandated on Local Agencies or School Districts: None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

(h) Effect on Housing Costs: None.

Effect on Small Business

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

Consideration of Alternatives

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

FISH AND GAME COMMISSION

Dated: January 17, 2014

Sonke Mastrup
Executive Director



SAN FRANCISCO PLANNING DEPARTMENT

BDS-11, c pages
(Full Report Available on C pages +
in the office of the Clerk)

MEMO

Transmittal Memo to the Board of Supervisors

Balboa Park Station Area Plan Monitoring Report 2007-2011

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: January 30, 2014

Project Name: Balboa Park Station Area Plan Monitoring Report 2007-2011

Project Sponsor: Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94102

Staff Contact: Audrey Desmuke
(415) 575-9136
audrey.desmuke@sfgov.org

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 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2014 JAN 28 PM 3:40
 AK

TRANSMITTAL

Transmitting 2007-2011 Balboa Park Station Area Plan Monitoring Report. There will be no hearing for this report.

PROJECT DESCRIPTION

San Francisco Administrative Code Section 10E requires that a five year time series monitoring report on the Balboa Park Station Area Plan be done by July 1st two years following the plan's adoption and approval and on July 1st every five years hence. The area plan was adopted and approved in 2009 and the *Balboa Park Station Area Plan Monitoring Report, 2007-2011* is the first in the series. It details development activity, housing construction, and infrastructure improvements in the area as mandated and covers the two years before the plan's approval and three years hence. The Report also discusses implementation of proposed programming including fees collected, community improvements, and historic preservation.

Highlights of the *Balboa Park Station Area Plan Monitoring Report, 2007-2011* include:

COMMERCIAL DEVELOPMENT

- **New Construction:** Between 2007 and 2011, commercial development construction in Balboa Park totaled 8,185 square feet or less than 1% of net new commercial development citywide
- **Development Pipeline:** Balboa Park's contribution to new commercial development in San Francisco will be minor with 30,000 sq. ft. or less than 1% of proposed commercial development square footage Citywide.

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

BOS-11 (directly by City Adm.)



OFFICE OF THE CITY ADMINISTRATOR

Edwin M. Lee, Mayor
Naomi M. Kelly, City Administrator



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
JAN 30 AM 11:23

January 29, 2014

Dear Supervisors,

I wanted to contact you to clarify Brian Strong's comments regarding street lights in the Capital Plan during yesterday's discussion of the Earthquake Safety and Emergency Response Bond. Street lights are identified in the Capital Plan and can be found on pages 49, 60, 71, and page 78 (attached). They are listed as an asset as well as an enhancement item to be funded by Hetch Hetchy Power enterprise revenue at \$46.4 million over 10-years.

At the time of the current Plan's adoption, the SFPUC reported that it was in the process of performing an assessment of the existing streetlight system and preparing a retrofit/replacement program that would include recommendations to address identified needs and a timeline for implementing the program. No further information on the scope, need or future costs was provided at that time.

The Capital Plan does not include any proposal to pay for street lights using General Obligation bonds, nor is there any discussion of Pacific Gas & Electric's role in the street light program. These policy discussions are certainly within the purview of the Board of Supervisors.

I believe in the Capital Planning process, and look forward to working with each of you to address your priorities.

Sincerely,

Naomi Kelly
Chair, Capital Planning Committee

Brian Strong
Director
Capital Planning Program

Office of the City Administrator
City & County of San Francisco
30 Van Ness Avenue, Suite 4100
San Francisco, CA 94102-6028

Tel: 415-558-4558
Fax: 415-557-4701
brian.strong@sfgov.org
www.onesanfrancisco.org

Building Our Future
There's only one San Francisco. Let's take care of it.

12

Infrastructure and Streets

The City and County of San Francisco is responsible for operating and maintaining a complex infrastructure network that supports the delivery of critical services to San Francisco residents, businesses and visitors. While the San Francisco Public Utilities Commission (SFPUC) primarily manages underground infrastructure, the Department of Public Works (DPW) focuses on above ground infrastructure such as roadways, sidewalks, landscaping and street structures.

The SFPUC is responsible for providing and distributing water to 2.4 million customers; wastewater treatment, effluent discharge, and biosolids disposal; and supplying electric power to operate Muni streetcars and electric buses, street and traffic lights, and municipal buildings. Under contractual agreement with 28 wholesale water agencies, the SFPUC also supplies water to customers in Alameda, Santa Clara and San Mateo counties.

The City maintains approximately 850 miles of streets and roadways comprising 12,458 street segments or blocks; 37 miles of roadway within the City's Park System; certain special streets such as the Embarcadero and Doyle Drive; sidewalks adjoining City, State and Federal properties; 340 street structures; and more than 34,000 street trees.

Hetch Hetchy Power Accomplishments

Streetlights

- Secured funds for the engineering and construction costs to install new street lights as part of the Van Ness Bus Rapid Transit Project.
- Repaired 3,075 street light outages and 35 requests to improve illumination of street lights.
- Restored thirty-seven (37) street light pole knockdowns; 95% were completed within 21-day level of service.
- Converted 2,670 feet of Sweeney high voltage series loop circuits into standard service voltages.
- Approved the design of ninety-two (92) decorative-type energy efficient, light emitting diode (LED) street and pedestrian light installations on Redevelopment areas in Rincon Hill, Hunters View Phase 1 and Hunters Point Phase 1; 34 luminaries and poles have been installed.

Transmission & Distribution

- Completed approximately 100 electric service connections for City facilities in FY 2012.
- Entered into a memorandum of understanding (MOU) with the Port of San Francisco on June 21, 2012 to continue to provide electric service and deliver clean municipal electric power to the Port.
- Performed a feasibility study to determine the merits of the City and County of San Francisco to provide electric services exclusively to the Transbay Joint Powers Authority's Transbay Transit Center facility in San Francisco, California.
- Installed Electric Vehicle charging stations at the SFO International Airport (21), Treasure Island (3), City-owned parking garages (27) and 3 charging stations at our new SFPUC Headquarters (525 Golden Gate Ave) including the first public accessible curbside charger in San Francisco.

Renewable Energy Generation

- Installed three solar photovoltaic rooftop projects at Chinatown Public Health Center, Muni Woods Coach and Alvarado School.
- Completed a conceptual design feasibility study for an Ocean Energy project.
- Finished environmental permitting submittal for a 10kW wind energy project on Twin Peaks.
- Made significant progress on planning, environmental and design for the 240 kW University Mound Small Hydroelectric Project.
- Started the planning phase for the 1,000 kW Calaveras Small Hydroelectric Project



O'Shaughnessy Dam

SFPUC - Hetch Hetchy Water & Power

1. Renewal and Replacement Program

Totaling \$612.2 million, the renewal and replacement program investments are entirely for the Hetchy Water Enterprise.

Water Infrastructure. The Water Infrastructure capital renewal and replacement program include concept, development, design and upgrades for operating, managing, and maintaining the Hetch Hetchy Water Infrastructure. In general, this includes water facilities from Hetch Hetchy Reservoir to Alameda East. The new and upgraded systems will have increased coverage, capacity or reliability, or improve employee safety and/or operating efficiency for those projects. Renewal and replacement projects include continued rehabilitation to the San Joaquin Pipelines, Mountain Tunnel Water Quality, and assessment of the Coast Range Tunnel.

Power Infrastructure – Powerhouse. Hetchy Power infrastructure, facilities and equipment have reached their life expectancy. Power generation will become less reliable if upgrades are not performed.

The Capital Plan provides funding for various generation renewal and replacement projects at the Holm, Kirkwood, Moccasin, and Moccasin Low Head Powerhouses. Projects include upgrades to the powerhouse protection, control, and monitoring systems, replacing step-up transformers and replacement of pumps which divert water from Eleanor to Cherry Reservoir. Also, the Plan will cover secondary containment system for the transformers in order to minimize the risk of oil spill and avoid environmental impacts.

Power Infrastructure – Transmission Lines and Switchyards. The Capital Plan includes rehabilitation of transmission lines, a condition assessment of the lines to reduce the risk of failure, replacement of large transformers at switchyards that have exceeded their expected life, and renewal and replacement of switchyard and substation components including an inadequate grounding system that may result in potential electrical hazards. The facilities also need to be upgraded to ensure compliance with the electric power reliability standards by North American Electric Reliability Corporation (NERC) and Western Electricity Coordination Council (WECC). Hetchy must maintain these assets to ensure electricity grid reliability and avoid transmission line failure resulting in costly repairs and revenue loss.



Moccasin Powerhouse

Joint Projects – Water Infrastructure. The Capital Plan includes rehabilitation of Hetchy penstocks, reservoirs outlets, tunnel adit, and the condition assessment of Hetchy dams. Failure of the penstocks could cause flooding, impact the ability to generate power and maintain reliability of the water supply to SFPUC customers.

The findings from the dam condition assessments will be used to identify and prioritize work to be performed. Failure to upgrade these facilities could jeopardize the system resulting in loss of storage or conveyance and may impact the SFPUC's water supply reliability and/or the ability to deliver water and generate power.

Facilities/Roads/Rights-of-Way. This is a multi-year project to renew and/or replace the infrastructure required for operating and maintaining the Hetch Hetchy Water delivery and transmission systems. The Plan includes investments for rehabilitating roads and bridges; upgrading existing and constructing new structures, facilities, security, and communication systems. These improvements will allow Hetchy to meet California Building Code (CBC) requirements and address life-safety issues.

2. Enhancement Program (FY2014 – FY2023)

The capital improvement program for the Power Enterprise totals \$115.9 million.

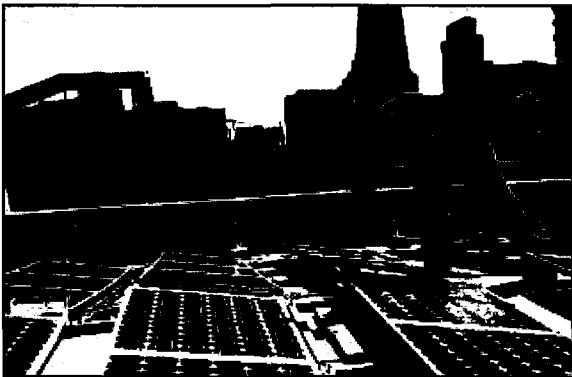
- **Streetlights.** Hetchy provides power to all of San Francisco's 44,528 streetlights and maintains the 25,509 owned by the City. It also coordinates and funds the maintenance of the 19,019 streetlights owned by Pacific Gas & Electric (PG&E). Hetchy Power is in the process of performing an assessment of the existing streetlight system, particularly City-owned



LED Streetlight Installation

facilities over 60 years old, and preparing a retrofit/replacement program that will include specific recommendations, strategies for capital recovery, and an implementation schedule. The plan also includes funding for a portion of the engineering and construction costs associated with the installation of new streetlights as part of the Van Ness Bus Rapid Transit (BRT) Project.

- **Transmission and Distribution.** Transmission and Distribution (T&D) projects address the SFPUC's ability to assess and develop City-owned transmission and distribution assets as well as evaluate its reliance on assets owned by a third-party. Projects support the SFPUC's responsibility to provide long-term electric reliability options and services for the City. Projects include the following:
 - » A condition assessment of existing third-party T&D systems, construction and ownership of new T&D systems and renewal and replacement of existing systems.
 - » A project to evaluate the feasibility of two scenarios: (1) replacing all or a portion of the 2000 Pacific Gas & Electric Company (PG&E) meters used to serve the SFPUC's municipal load customers with meters that would be owned by the Power Enterprise; and (2) SFPUC purchasing these meters from PG&E.
 - » Transbay Center Project - Provide construction and permanent electric services to the new Transbay Transit Center, including adjacent bus ramps, and the new bus storage facility at Stillman Street, in San Francisco. The SFPUC, in agreement with the Transbay Joint Powers Authority will provide electric service to the Transit Center by installing two 12-kilovolt (kV) electric circuits, 12-kV switchgear, transformers, and other electrical equipment.



Solar Panel Installation

- **Renewable/Generation Power.** In accordance with City policies and directives to increase renewable energy and reduce greenhouse gases, Hetchy Power is continuously developing and implementing new renewable generation resources. The Capital Plan proposes a series of small municipal and energy development projects including solar photovoltaic (PV), solar thermal, wind projects, and other renewable energy projects

The Capital Plan funds portions of the long-term development of cost-effective, small hydroelectricity projects. Small hydro provides the potential for relatively low generation costs, sustainability, and good stewardship of SFPUC's resource. As part of this program the SFPUC is installing a small hydro project to capture clean renewable energy from Hetchy Water System pipelines that serve the University Mound Reservoir. The Plan also provides funding for the GoSolar program administered by Hetchy Power that provides a City incentive payment towards non-municipal solar projects in San Francisco.

- **Energy Efficiency.** Energy efficiency improvements are an important component of an electric utility's resource portfolio. These investments reduce facility operating costs and electric bills for customers, improve system functionality, and reduce the environmental impact of energy use. The Plan proposes funding for lighting and mechanical system efficiency upgrades. These investments are consistent with State policies that place emphasis on energy efficiency and that support greenhouse gas reduction.
 - » General Fund Departments – Funding for General Fund facilities for the planning, design and construction of energy efficiency projects. Energy retrofits include lighting, heating and ventilation, and energy management systems and demand response projects. The capital budget funds efficiency projects in municipal facilities including departments such as Real Estate, Public Health, Sheriff's Department, Fine Arts and Human Services Agency.
 - » Civic Center District - Planning, design and construction of projects in the green energy district in the Civic Center in accordance with the partnership Memorandum of Understanding (MOU) with the Clinton Global Initiative. This effort will employ new technologies in energy efficiency and obtain Leadership in Energy and Environmental Design (LEED) certification for upgraded buildings from the US Green Building Council. The plan funds, for example, the Civic Center Garage ventilation upgrades and Green Building Certification for the Main Library and the Asian Art Museum.

SPENDING PLAN

Lighting

Streetlight	11,574	394	2,489	4,662	4,662	22,648	46,429
Transit Signalization	7,233	1,000	5,233				6,499
Renewable/Generation	3,200	3,200	3,200	3,200	3,200	6,000	22,000
Energy Efficiency	2,100	600	100	600	600	3,500	3,125
Treasure Island	3,900	10,550	5,800	2,100	2,100	8,400	32,850
Hetch Hetchy Subtotal	28,007	18,744	18,722	10,662	11,162	40,548	119,898

Hetchy Water

Water Infrastructure	16,000	14,000	14,750	10,920	27,300	108,000	109,700
Power Infrastructure - Powerhouse	12,902	13,150	12,560	6,920	6,250	19,025	70,807
Water Infrastructure - Pipes, Reservoirs, Dams	17,000	28,000	18,000	11,200	10,000	72,000	107,000
Joint Projects - Water Infrastructure	3,800	10,932	16,258	19,450	24,450	53,550	128,440
Water Infrastructure - Other (Highlands, etc.)	6,000	24,000	10,000	24,000	10,000	38,000	110,000
Hetchy Water Subtotal	49,064	84,022	73,358	78,030	90,340	237,395	612,209
Water	18,000	18,000	18,000	18,000	18,000	27,000	18,000

REVENUES

Hetch Hetchy Water Bonds-45% Joint Assets	15,915	29,333	29,455	33,342	46,687	152,377	307,108
Local Property Tax	2,478	2,478	2,478	2,478	2,478	2,478	2,478
Fund Balance	17,393						17,393
Water	2,478	2,478	2,478	2,478	2,478	2,478	2,478
Total San Francisco Jobs/Year	661	892	774	791	900	2,477	6,495

From: Board of Supervisors
To: BOS-Supervisors; Dayrit, Erica
Subject: File 120987 - 25 more people signed: Gene Weinbeck, charity frye...

From: Gene Weinbeck [mailto:mail@changemail.org]
Sent: Monday, January 27, 2014 4:59 PM
To: Board of Supervisors
Subject: 25 more people signed: Gene Weinbeck, charity frye...

25 people recently add their names to Dylan MacNiven's petition "Yes to Woodhouse on Marina Green!". That means more than 500 people have signed on.

There are now 650 signatures on this petition. Read reasons why people are signing, and respond to Dylan MacNiven by clicking here:

<http://www.change.org/petitions/yes-to-woodhouse-on-marina-green/responses/new?response=9272c59f571d>

Dear San Francisco Board of Supervisors,

Please support the Woodhouse Fish Company lease for the Degaussing Station on the Marina Green.

Sincerely,

650. Gene Weinbeck West Plains, Missouri
649. charity frye Hershey, Pennsylvania
648. Jon Rutkowske Missoula, Montana
647. Bernice Fuller Somerville, Alabama
646. Ronnale Irons Port Austin, Michigan
645. david shell hudson, North Carolina
644. Bunchie Tyler reno, Nevada
643. kristy tarleton lexington, North Carolina
642. Elisa Faulkner-Uriarte Santa Maria, California
641. Marcia cleveland colfax, North Carolina
639. Beverly Stewart Locust Grove, Georgia
637. Mark Cramer San Francisco, California
636. Steven Fayne San Francisco, California
635. Chris Vale San Francisco, California
633. Jessica Hewson San Francisco, California
632. maria hermanussen san francisco, California
630. Victor Colborn San Francisco, California
629. Dan Krebs SF, California
628. William Pendergast San Francisco, California
627. Shannon Kaiser San Francisco, California
626. Rachel Connors San Francisco, California
625. Marc Wittenberg Santa Rosa, California
624. Fred Wittenberg Santa Rosa Francisco, California
623. Heidi Wittenberg San Francisco, California
622. Sarah Ovies San francisco, California

From: Board of Supervisors
To: BOS Supervisors; Major, Erica
Subject: File 120987: 25 more people signed: daisy harmon, martha Leahy...

From: daisy harmon [mailto:mail@changemail.org]
Sent: Monday, January 27, 2014 5:30 PM
To: Board of Supervisors
Subject: 25 more people signed: daisy harmon, martha Leahy...

25 people recently add their names to Dylan MacNiven's petition "[Yes to Woodhouse on Marina Green!](#)". That means more than 500 people have signed on.

There are now 673 signatures on this petition. Read reasons why people are signing, and respond to Dylan MacNiven by clicking here:

<http://www.change.org/petitions/yes-to-woodhouse-on-marina-green/responses/new?response=9272c59f571d>

Dear San Francisco Board of Supervisors,

Please support the Woodhouse Fish Company lease for the Degaussing Station on the Marina Green.

Sincerely,

675. daisy harmon troy, New York
673. martha Leahy winchester, Massachusetts
672. Marilyn Rivera Cleveland, Ohio
671. Jimie Casteel Newaygo, Michigan
670. Edith Coleman Wilmington, Delaware
669. Peyton Gibbs D.C., District Of Columbia
668. amanda soares arlington, Massachusetts
667. crissianna spragg Pensacola, Florida
666. Mike Gould Austin, Texas
665. Sonya Roberts Gunnison, Colorado
664. Lois McDade Beaverton, Oregon
663. Robert Lewis Malden, Massachusetts
662. Karla Mackey Bend, Oregon
661. Pat Mimeau San Francisco, California
660. Helene Sapadin New Haven, Connecticut
659. Larry Enlow Belleville, Wisconsin
658. Gina Santonas Brooklym, New York
657. Dori Butterick Dalton, Georgia
656. Leslie Worrell Wagener, South Carolina
655. Thomas Meador Knoxville, Tennessee
654. Charmaine Pattee Eugene, Oregon
653. Laura Solomon Newark, Delaware
652. Aida Shirley Las Vegas, Nevada
651. rhonda smith irving, Texas
650. Gene Weinbeck West Plains, Missouri

From: Board of Supervisors
To: BOS-Supervisors
Subject: FW: CleanPowerSF - get it started!

-----Original Message-----

From: David Fielding [mailto:dhfielding@mindspring.com]
Sent: Thursday, January 30, 2014 9:36 PM
To: Board of Supervisors
Subject: CleanPowerSF - get it started!

Dear Supervisors,

Mayor Lee has tried to get the SFPUC to delay starting the CleanPowerSF program. It is crucial to worldwide efforts to reverse the climate crisis that San Francisco take a strong lead in local clean energy installation and green jobs as quickly as possible.

Please begin the CleanPowerSF program immediately.

Also, please make sure that CleanPowerSF will run San Francisco on 50% locally generated clean electricity within the next decade, so that the program will deliver legitimate climate benefits and thousands of local jobs.

Thank You,

David Fielding
14 Parsons Street
San Francisco, CA 94118

BUILDING STANDARDS COMMISSION2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

page

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January 22, 2014

2014 JAN 31 AM 9:54

Angela Calvillo
Clerk of the Board
The City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance 255-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city/county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analystcc: Chron
Local Filings

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

page

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SAN FRANCISCO



January 22, 2014

2014 JAN 31 AM 9:54

Angela Calvillo
Clerk of the Board
The City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

SAB

RE: Ordinance 256-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

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If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

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015: File 130839
CPK



January 22, 2014

2014 JAN 31 AM 9:55
SMB

Angela Calvillo
Clerk of the Board
The City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance 257-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

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If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

orig = File 130840
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BOARD OF SUPERVISORS
SAN FRANCISCO
epaz



January 22, 2014

2014 JAN 31 AM 9:55
BT THB

Angela Calvillo
Clerk of the Board
The City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance 258-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city/county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

File 131192
BOS-11
LU clerk
cpa.g



SAN FRANCISCO CHAMBER OF COMMERCE
Our City. Your Business.

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BOARD OF SUPERVISORS
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2014 JAN 28 PM 2:03

January 28, 2014

The Honorable David Chiu, President
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, #244
San Francisco, CA 94102

RE: Support File #131192: Considering Criminal History in Employment and Housing Decisions

Dear President Chiu:

The San Francisco Chamber of Commerce, representing over 1,500 local businesses, is pleased to support the "Fair Chance" legislation (File #131192) co-sponsored by Supervisors Jane Kim and Malia Cohen, that gives people with past criminal convictions a fair chance at securing jobs and housing.

The Chamber appreciates having had the opportunity to work with the supervisors, their staff, and fair hire/housing advocates to craft language in the legislation that will minimize burdensome impacts to San Francisco employers while eliminating the "box" on applications that may make it difficult for those with past convictions to obtain jobs and housing needed to become productive members of society.

This legislation helps ensure that employers can fill job openings with qualified applicants in a timely manner and balances that with the right of applicants to be judged on their suitability for available positions early in the hiring process. Individual employers are free to make the best hiring decisions for their businesses without second-guessing by the city or threat of private right of action.

We commend Supervisors Kim and Cohen for creating balanced and reasonable legislation that will benefit both potential employees and employers. The San Francisco Chamber of Commerce supports the "Fair Chance" ordinance and urges the Board of Supervisors to support it as well.

Sincerely,

Jim Lazarus
Senior Vice President for Public Policy

cc: Clerk of the Board (to be distributed to all members of the Board of Supervisors); Mayor Ed Lee

From: Board of Supervisors
To: BOS-Supervisors
Subject: FW: 2013 Medical Cannabis Dispensary Program Report
Attachments: MCD 2013 Report.pdf; Annual Report 2013 Memo.pdf

From: Ryan Clausnitzer [mailto:Ryan.Clausnitzer@sfdph.org]
Sent: Wednesday, January 29, 2014 5:54 PM
To: Board of Supervisors
Subject: 2013 Medical Cannabis Dispensary Program Report

Good Afternoon Ms. Calvillo

Attached is the 2013 Medical Cannabis Dispensary Program report and accompanying memo. Please let me know if you have any questions.

Sincerely,

Ryan Clausnitzer, REHS
Environmental Health Inspector
Environmental Health Branch
Population Health Division
1390 Market Street, Suite 210
San Francisco CA 94102
(415) 252-3856
(415) 252-3842 fax



San Francisco City and County
Department of Public Health
Environmental Health Branch

Ed Lee, Mayor
Barbara Garcia,
Director of Health

Richard Lee
Acting Director of Environmental
Health

MEMORANDUM

TO: Clerk of the Board, San Francisco Board of Supervisors
FROM: Ryan Clausnitzer, REHS *RC*
Senior Environmental Health Inspector
THROUGH: Richard J. Lee, MPH, CIH, REHS *RJL*
Acting Director of Environmental Health
Environmental Health Branch
DATE: January 27, 2014
RE: Medical Cannabis 2013 Annual Report

This memo was prepared by the Environmental Health Branch, Medical Cannabis Dispensary Program in response to Article 33 section 3321 of the San Francisco Health and Safety Code. This section requires the Director of Environmental Health to make an annual report to the board of supervisors on the status of the Medical Cannabis Dispensary Program.

Then attached report includes: the number and locations of dispensaries currently permitted and operating in the city, an estimate of the number of patients in San Francisco, an analysis of the adequacy of the current permitting and operating requirements meeting the needs of the patients, and a summary on the past year's violations.

2013 Annual Director's Report on Medicinal Cannabis Dispensaries

Introduction:

The Director of Environmental Health (DPH) shall make a report to the Board of Supervisors per Article 33 section 3321 of the San Francisco Health and Safety Code¹. This Article also defines the rules and regulations by DPH and its relationships with other city departments in the permitting and operating procedures. This report will summarize how patients obtain medical cannabis, how the program regulates this operation and will also describe trends in Medical Cannabis that may require further regulations.

Program Overview:

There are 28 Permitted Medical Cannabis Dispensaries (MCD) operating in the City and County of San Francisco². The Department of Public Health issues a permit to operate an MCD once approvals are granted by the Department of Building Inspection, Planning Department, Fire Department and The Mayor's Office of Disability. A permit does not overrule state and federal laws regarding cannabis enforcement.

In order to obtain Medical Cannabis from a licensed MCD, a patient must first obtain a doctor's recommendation for medical cannabis. The patient must then become a member of a dispensary organized as either a collective or cooperative. The patient must have a valid government issued ID to ensure they are a California resident and are over the age of 18, along with a verified doctor's recommendation. A patient may be a member of more than one dispensary. Dispensaries' membership numbers range widely from 1,000 to 60,000 members.

Annual Performance by San Francisco Dispensaries:

The permit holder must follow Article 33 section 3308 as a condition of their permit. In 2013, there were 16 public complaints that were either abated onsite or during a follow-up inspection. All violations were abated voluntarily within the allotted time put forth in Article 33. Typical complaints and violations included: improperly labeled edible cannabis, current business licenses not posted, intake procedure and record keeping inadequate, measurement devices inaccurate and general nuisances.

Locations of MCDs are not approved by DPH but through a referral from the Department of Planning. There are pending changes to the San Francisco Planning code which address patients' access and neighborhood concerns. Existing locations, though approved by San Francisco Planning, may now be in non-conforming use based on more recent Planning regulations.

Conclusion and Future Planning:

Due to the developing local, state and national policies regarding cannabis and this program's vanguard nature there are few regulatory precedents. There are several areas of Medical Cannabis that are currently unregulated including the cultivation, edible and concentrate production.

The risks from unregulated cultivation include fires, contamination of the drinking water supply, hazardous waste use and disposal, contamination of cannabis and public safety. Unregulated edible production may cause food-borne illnesses, varied dosages and unintended ingestion by children and non-patients. Concentrates are growing in use and the production is dangerous, sometimes illegal per state case law. Dangers include fires, contamination of cannabis and public safety.

The industry desires further regulation of their processes. With cooperation of city agencies, the industry and the public, these regulations can address the current needs and plan for the future.

Notes:

¹ SEC. 3321. ANNUAL REPORT BY DIRECTOR.

(a) Once a year, commencing in January 2007, the Director shall make a report to the Board of Supervisors that:

- (1) Sets forth the number and location of medical cannabis dispensaries currently permitted and operating in the City;
- (2) Sets forth an estimate of the number of medical cannabis patients currently active in the City;
- (3) Provides an analysis of the adequacy of the currently permitted and operating medical cannabis dispensaries in the City in meeting the medical needs of patients;
- (4) Provides a summary of the past year's violations of this Article and penalties assessed.

(b) Upon receipt of this Report, the Board of Supervisors shall hold a hearing to consider whether any changes to City law, including but not limited to amendments to the Health Code or Planning Code, are warranted.

(Added by Ord. 275-05, File No. 051250, App. 11/30/2005)

2

Dispensary name	Address	Dispensary Name	Address
Seventy Second Street	70 2nd St	SPARC	1256 Mission St
San Francisco Med Cannabis Clinic	122 10th St.	Re-leaf Herbal	1284 Mission St
Green Cross	230 11th St	Med Thrive Co-op	1933 Mission St
San Francisco Foundation on Going Green	211 12th St	Shambala Healing Center	2441 Mission St
Love Shack	502 14th St	Purple Star MCD Collective	2522 Mission St
Bernal Heights Collective	33 29th St.	Mission Herbal Care	3139 Mission St
Hemp Center	4811 Geary St	The Green Cross	4218 Mission St
BASA	1328 Grove St	Tree-Med, Inc	5234 Mission St
Good Fellows Cannabis Club	473 Haight St.	Mission Organic Center	5258 Mission St
Igzactly Health Center	527 Howard St	Waterfall Wellness Cooperative	1545 Ocean Ave
Green Door, the	843 Howard St	1944 Ocean Dispensary	1944 Ocean Ave
Bloom Room	471 Jessie St	Grass Roots	1077 Post St
The Apothecary	2095 Market St	Ketama Collective	14 Valencia St.
Barbary Coast Collective	952 Mission St	Valencia Street Caregivers	208 Valencia St.

Bostell
cp age

Commissioners
Michael Sutton, President
Monterey
Richard Rogers, Vice President
Santa Barbara
Jim Kellogg, Member
Discovery Bay
Jack Baylis, Member
Los Angeles
Jacque Hostler-Carmesin, Member
McKinleyville

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission



Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

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JAN 27 PM 2:57

January 24, 2014

This is to provide you with a copy of the notice of proposed regulatory action relative to Amending Sections 360, 361, 362, 363 and 364, Title 14, California Code of Regulations, relating to Mammal Hunting Regulations for the 2014-2015 season, which are published in the California Regulatory Notice Register on January 24, 2014.

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

Additional information and all associated documents may be found on the Fish and Game Commission website at www.fgc.ca.gov.

Mr. Craig Stowers, Department of Fish and Wildlife, phone (916) 445-3553, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Jon D. Snellstrom
Associate Governmental Program Analyst

Attachment

**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, 215, 219, 220, 331, 332, 460, 1050, 1572, 3452, 3453, 4302, 4334, 4902 and 10502; reference sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 458, 459, 460, 713, 1050, 1570, 1571, 1572, 1575, 2005, 3452, 3453, 3950, 3951, 4302, 4334, 4902, 10500 and 10502, Fish and Game Code; proposes to Amend Sections 360, 361, 362, 363 and 364, Title 14, California Code of Regulations (CCR), relating to Mammal Hunting Regulations for the 2014-2015 season.

Informative Digest/Policy Statement Overview

Subsection 360(a)

Existing regulations provide for the number of license tags available for the A, B, C, and D Zones. This regulatory proposal changes the number of tags for all existing zones to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Deer: § 360(a) A, B, C, and D Zone Hunts Tag Allocations		
Zone	Current	Proposed
A	65,000	30,000-65,000
B	35,000	35,000-65,000
C	8,150	5,000-15,000
D3-5	33,000	30,000-40,000
D-6	10,000	6,000-16,000
D-7	9,000	4,000-10,000
D-8	8,000	5,000-10,000
D-9	2,000	1,000-2,500
D-10	700	400-800
D-11	5,500	2,500-6,000
D-12	950	100-1,500
D-13	4,000	2,000-5,000
D-14	3,000	2,000-3,500
D-15	1,500	500-2,000
D-16	3,000	1,000-3,500
D-17	500	100-800
D-19	1,500	500-2,000

A minor editorial correction to highway nomenclature was also made.

Subsection 360(b)

Existing regulations provide for the number of hunting tags for the X zones. The proposal changes the number of tags for all existing zones to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Deer: § 360(b) X-Zone Hunts Tag Allocations		
Zone	Current	Proposed
X-1	935	900-6,000
X-2	180	50-500
X-3a	295	100-1,200
X-3b	835	200-3,000
X-4	395	100-1,200
X-5a	75	25-200
X-5b	55	50-500
X-6a	320	100-1,200
X-6b	310	100-1,200
X-7a	220	50-500
X-7b	130	25-200
X-8	220	100-750
X-9a	650	100-1,200
X-9b	325	100-600
X-9c	325	100-600
X-10	400	100-600
X-12	680	100-1,200

Subsection 360(c)

Existing regulations provide for the number of hunting tags in the Additional Hunts. The proposal changes the number of tags for all existing hunts to a series of ranges as indicated in the table below. The proposal provides a range of tag numbers for each hunt from which a final number will be determined, based on the post-winter status of each deer herd. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Due to this, the final recommended quotas may fall below the current proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Existing regulations for Additional Hunts G-8 (Fort Hunter Liggett Antlerless Deer Hunt) and J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt) provide for hunting to begin on October 5 and continue for two (2) consecutive days and reopen on October 12 and continue for three (3) consecutive days in order to accommodate for Base operations and other hunt opportunities. The proposal would modify the season to account for the annual calendar shift by changing the season opening dates to October 4 and October 11 (for 2 and 3 consecutive days) respectively, in order to accommodate for Base operations.

Deer: § 360(c) Additional Hunts Tag Allocations		
Hunt Number (and Title)	Current	Proposed
G-1 (Late Season Buck Hunt for Zone C-4)	2,710	500-5,000
G-3 (Goodale Buck Hunt)	35	5-50
G-6 (Kern River Deer Herd Buck Hunt)	50	25-100
G-7 (Beale Either-Sex Deer Hunt)	20 Military*	20 Military*
G-8 (Fort Hunter Liggett Antlerless Deer Hunt)	20 Tags Total* (10 Military and 10 Public)	20 Tags Total* (10 Military and 10 Public)
G-9 (Camp Roberts Antlerless Deer Hunt)	0	0-30 Tags Total* (Military and Public splits 15/15)
G-10 (Camp Pendleton Either-Sex Deer Hunt)	400 Military*	400 Military*

Deer: § 360(c) Additional Hunts Tag Allocations		
Hunt Number (and Title)	Current	Proposed
G-11 (Vandenberg Either-Sex Deer Hunt)	500 Military*, DOD and as Authorized by the Installation Commander**	500 Military*, DOD and as Authorized by the Installation Commander**
G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt)	30	10-50
G-13 (San Diego Antlerless Deer Hunt)	300	50-300
G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt)	25	10-50
G-21 (Ventana Wilderness Buck Hunt)	25	25-100
G-37 (Anderson Flat Buck Hunt)	25	25-50
G-38 (X-10 Late Season Buck Hunt)	300	50-300
G-39 (Round Valley Late Season Buck Hunt)	5	5-150
M-3 (Doyle Muzzleloading Rifle Buck Hunt)	20	10-75
M-4 (Horse Lake Muzzleloading Rifle Buck Hunt)	10	5-50
M-5 (East Lassen Muzzleloading Rifle Buck Hunt)	5	5-50
M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt)	80	25-100
M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt)	150	50-150
M-8 (Bass Hill Muzzleloading Rifle Buck Hunt)	20	5-50
M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt)	15	5-100
M-11 (Northwestern California Muzzleloading Rifle Buck Hunt)	20	20-200
MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Either-Sex Deer Hunt)	150	20-150
MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt)	150	20-150
J-1 Lake Sonoma Apprentice Either-Sex Deer Hunt)	25	10-25
J-3 (Tehama Wildlife Area Apprentice Buck Hunt)	15	15-30
J-4 Shasta-Trinity Apprentice Buck Hunt)	15	15-50
J-7 (Carson River Apprentice Either-Sex Deer Hunt)	15	10-50
J-8 (Daugherty Hill Wildlife Area Apprentice Either-Sex Deer Hunt)	15	10-20
J-9 (Little Dry Creek Apprentice Shotgun Either-Sex Deer Hunt)	5	5-10
J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt)	85 Tags Total* (20 Military and 65 Public)	85 Tags Total* (20 Military and 65 Public)
J-11 (San Bernardino Apprentice Either-Sex Deer Hunt)	40	10-50
J-12 (Round Valley Apprentice Buck Hunt)	10	10-20
J-13 (Los Angeles Apprentice Either-Sex Deer Hunt)	40	25-100
J-14 (Riverside Apprentice Either-Sex Deer Hunt)	30	15-75
J-15 (Anderson Flat Apprentice Buck Hunt)	10	5-30
J-16 (Bucks Mountain-Nevada City Apprentice Either-Sex Deer Hunt)	75	10-75
J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt)	25	5-25
J-18 (Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt)	75	10-75
J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt)	25	10-40
J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt)	20	5-20
J-21 (East Tehama Apprentice Either-Sex Deer Hunt)	50	20-80

* Specific numbers of tags are provided for military hunts through a system which restricts hunter access to desired levels and ensures biologically conservative hunting programs.

** DOD = Department of Defense and eligible personnel as authorized by the Installation Commander.

[Subsection 360(d) remains unchanged]

Section 361

Existing regulations provide for the number of hunting tags for existing area-specific archery hunts. The proposal changes the number of tags for existing hunts to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Minor editorial changes are necessary to provide consistency in subsection numbering, spelling, grammar, and clarification.

Archery Deer Hunting: § 361 Tag Allocations		
Hunt Number (and Title)	Current	Proposed
A-1 (C Zones Archery Only Hunt)	1,945	150-3,000
A-3 (Zone X-1 Archery Hunt)	135	50-1,000
A-4 (Zone X-2 Archery Hunt)	10	5-100
A-5 (Zone X-3a Archery Hunt)	25	10-300
A-6 (Zone X-3b Archery Hunt)	90	25-400
A-7 (Zone X-4 Archery Hunt)	110	25-400
A-8 (Zone X-5a Archery Hunt)	15	15-100
A-9 (Zone X-5b Archery Hunt)	5	5-100
A-11 (Zone X-6a Archery Hunt)	50	10-200
A-12 (Zone X-6b Archery Hunt)	100	10-200
A-13 (Zone X-7a Archery Hunt)	45	10-200
A-14 (Zone X-7b Archery Hunt)	25	5-100
A-15 (Zone X-8 Archery Hunt)	40	5-100
A-16 (Zone X-9a Archery Hunt)	140	50-500
A-17 (Zone X-9b Archery Hunt)	300	50-500
A-18 (Zone X-9c Archery Hunt)	350	50-500
A-19 (Zone X-10 Archery Hunt)	100	25-200
A-20 (Zone X-12 Archery Hunt)	100	50-500
A-21 (Anderson Flat Archery Buck Hunt)	25	25-100
A-22 (San Diego Archery Either-Sex Deer Hunt)	1,000	200-1,500
A-24 (Monterey Archery Either-Sex Deer Hunt)	100	25-200
A-25 (Lake Sonoma Archery Either-Sex Deer Hunt)	35	20-75
A-26 (Bass Hill Archery Buck Hunt)	30	10-100
A-27 (Devil's Garden Archery Buck Hunt)	5	5-75
A-30 (Covelo Archery Buck Hunt)	40	20-100
A-31 (Los Angeles Archery Either-Sex Deer Hunt)	1,000	200-1,500
A-32 (Ventura/Los Angeles Archery Late Season Either-Sex Deer Hunt)	250	50-300
A-33 (Fort Hunter Liggett Late Season Archery Either-Sex Deer Hunt)	50 Tags Total* (25 Military and 25 Public)	50 Tags Total* (25 Military and 25 Public)

* Specific numbers of tags are provided for military hunts through a system which restricts

hunter access to desired levels and ensures biologically conservative hunting programs.

Section 362

The existing regulation provides for limited hunting of 23 Nelson bighorn rams in specified areas of the State. The proposed change is intended to adjust the number of tags based on Department's annual estimate of the population in the management unit. The number of tags allocated for each of the nine hunt zones is based on the results of the Department's 2013 estimate of the bighorn sheep population in each zone. Tags are proposed to ensure the take of no more than 15 percent of the mature rams estimated in each zone. Final tag quota determinations will be completed by February of 2014 pending completion of analyses.

The following proposed number of tags was determined using the procedure described in Fish and Game Code Section 4902:

HUNT ZONE	Current Tag Allocation	Proposed Tag Allocation
Zone 1 - Marble/Clipper Mountains	4	0-4
Zone 2 - Kelso Peak/Old Dad Mountains	3	0-4
Zone 3 - Clark/Kingston Mountain Ranges	2	0-2
Zone 4 - Orocopia Mountains	1	0-2
Zone 5 - San Geronio Wilderness	1	0-3
Zone 6 - Sheep Hole Mountains	1	0-2
Zone 7 - White Mountains	3	0-5
Zone 8 - South Bristol Mountains	2	0-3
Zone 9 - Cady Mountains	3	0-4
Open Zone Fund-raising Tag	1	0-1
Marble/Clipper/South Bristol Mountains Fund-raising Tag	1	0-1
Kelso Peak/Old Dad Mountains Fund-raising Tag	1	0-1
TOTAL	23	0-32

Section 363

Existing regulations provide for the number of pronghorn antelope hunting tags for each hunt zone. This proposed regulatory action would provide for tag allocation ranges for most hunt zones pending final tag quota determinations based on winter survey results that should be completed by March of 2014. The final tag quotas will provide for a biologically appropriate harvest of bucks and does in specific populations, while allowing for adequate hunting opportunities. The proposed 2014 tag allocation ranges for the hunt zones are as set forth below.

2014 Pronghorn Antelope Tag Allocation Ranges						
Hunt Area	Archery-Only Season		General Season			
	Buck	Doe	Period 1		Period 2	
Buck			Doe	Buck	Doe	Buck
Zone 1 – Mount Dome	0-10	0-3	0-60	0-20	0	0
Zone 2 – Clear Lake	0-10	0-3	0-80	0-25	0	0
Zone 3 – Likely Tables	0-20	0-7	0-150	0-50	0-130	0-50
Zone 4 – Lassen	0-20	0-7	0-150	0-50	0-150	0-50
Zone 5 – Big Valley	0-15	0-5	0-150	0-50	0	0
Zone 6 – Surprise Valley	0-10	0	0-25	0-7	0	0
Likely Tables Apprentice Hunt	N/A		0-5 Either-Sex		0	
Lassen Apprentice Hunt	N/A		0-15 Either-Sex		0	
Big Valley Apprentice Hunt	N/A		0-15 Either-Sex		0	
Surprise Valley Apprentice Hunt	N/A		0-4 Either-Sex		0	
Fund-Raising Hunt	N/A		0-10 Buck			

Section 364

Existing regulations specify elk license tag quotas for each hunt. In order to maintain hunting quality in accordance with elk herd management goals and objectives, it is periodically necessary to adjust quotas in response to dynamic environmental and biological conditions. This proposed amendment modifies elk tag numbers to ranges of tags to adjust for fluctuations in population numbers. Final tag allocations will be made in accordance with elk management goals and objectives based on the results of survey data collected in January – March 2014.

Periodic quota changes are necessary to maintain hunting quality in accordance with management goals and objectives. The proposed quota ranges of elk tags for 2014 are as follows:

2014 Proposed Elk Tag Allocation				
Hunt Name and Type	Bull	Antlerless	Either-Sex	Spike
General Roosevelt Elk Hunts				
Siskiyou	0-30	0-30		
Big Lagoon	0-10	0-10		
Northwestern California			0-30	
Klamath	0-20	0-20		
Del Norte	0-15	0-20		
Marble Mountains	0-70	0-30		
General Rocky Mountain Elk Hunts				
Northeastern California	0-30	0-10		
General Roosevelt/Tule Elk Hunts				
Mendocino	0-4	0-4		
General Tule Elk Hunts				
Cache Creek	0-4	0-4		
La Panza Period 1	0-12	0-10		
La Panza Period 2	0-12	0-12		
Bishop Period 3	0-10	0-30		

2014 Proposed Elk Tag Allocation				
Hunt Name and Type	Bull	Antlerless	Either-Sex	Spike
Bishop Period 4	0-10	0-30		
Bishop Period 5	0-10	0-30		
Independence Period 2	0-10	0-30		
Independence Period 3	0-10	0-30		
Independence Period 4	0-10	0-30		
Independence Period 5	0-10	0-30		
Lone Pine Period 2	0-10	0-30		
Lone Pine Period 3	0-10	0-30		
Lone Pine Period 4	0-10	0-30		
Lone Pine Period 5	0-10	0-30		
Tinemaha Period 2	0-10	0-30		
Tinemaha Period 3	0-10	0-30		
Tinemaha Period 4	0-10	0-30		
Tinemaha Period 5	0-10	0-30		
West Tinemaha Period 1	0-10	0-30		
West Tinemaha Period 2	0-10	0-30		
West Tinemaha Period 3	0-10	0-30		
West Tinemaha Period 4	0-10	0-30		
West Tinemaha Period 5	0-10	0-30		
Tinemaha Mountain Period 1	0-8			
Tinemaha Mountain Period 2	0-8			
Tinemaha Mountain Period 3	0-8			
Tinemaha Mountain Period 4	0-8			
Tinemaha Mountain Period 5	0-8			
Whitney Period 2	0-4	0-10		
Whitney Period 3	0-4	0-10		
Whitney Period 4	0-4	0-10		
Whitney Period 5	0-4	0-10		
Grizzly Island Period 1	0-3	0-12		0-6
Grizzly Island Period 2	0-3	0-12		0-6
Grizzly Island Period 3	0-3	0-12		0-6
Grizzly Island Period 4	0-2	0-12		0-6
Grizzly Island Period 5	0-2	0-12		0-6
Fort Hunter Liggett Period 1		0-16		
Fort Hunter Liggett Period 2		0-14		
Fort Hunter Liggett Period 3	0-14			
East Park Reservoir	0-4	0-8		
San Luis Reservoir	0-10	0-10	0-10	
Bear Valley	0-4	0-2		
Lake Pillsbury	0-4	0-4		
Santa Clara	0-4			
Alameda	0-4			
Apprentice Hunts				
Marble Mountains			0-4	
Northeastern CA			0-4	
Cache Creek	0-2			
La Panza Period 1	0-2	0-2		
Bishop Period 2	0-10	0-30		
Grizzly Island Period 1		0-2		0-2
Grizzly Island Period 2				0-2

2014 Proposed Elk Tag Allocation				
Hunt Name and Type	Bull	Antlerless	Either-Sex	Spike
Fort Hunter Liggett Period 1		0-4		
Fort Hunter Liggett Period 2		0-4		
Fort Hunter Liggett Period 3	0-2			
Archery Only Hunts				
Northeastern California Archery Only			0-20	
Owens Valley Multiple Zone Archery Only	0-10	0-10		
Lone Pine Archery Only Period 1	0-10	0-30		
Tinemaha Archery Only Period 1	0-10	0-30		
Whitney Archery Only Period 1	0-10	0-30		
Fort Hunter Liggett Archery Only		0-10	0-6	
Muzzleloader Only Hunts				
Bishop Muzzleloader Only Period 1	0-10	0-30		
Independence Muzzleloader Only Period 1	0-10	0-10		
Fort Hunter Liggett Muzzleloader Only	0-6			
Muzzleloader/Archery Only Hunts				
Marble Mountains Muzzleloader/Archery Only			0-10	
Fund Raising Tags				
Multi-zone	1			
Grizzly Island	1			
Owens Valley	1			
Military Only Elk Tags				
Fort Hunter Liggett Military Early Season	0-2	0-2		
Fort Hunter Liggett Military Period 1		0-16		
Fort Hunter Liggett Military Period 2		0-14		
Fort Hunter Liggett Military Period 3	0-14			
Fort Hunter Liggett Military Apprentice Period 1		0-4		
Fort Hunter Liggett Military Apprentice Period 2		0-4		
Fort Hunter Liggett Military Apprentice Period 3	0-2			
Fort Hunter Liggett Military Archery Only		0-10	0-6	
Fort Hunter Liggett Military Muzzleloader Only	0-6			

Benefits of the Regulation

Hunting provides outdoor recreational opportunities for not only the hunters, but for family and friends who are non-hunting members of the group, and are able to participate in hiking, fishing and other outdoor activities.

It is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of the state's wildlife under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local California hunting in harmony with federal law respecting the conservation of the living resources of the state. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use, taking into consideration the necessity of regulating individual tag quotas to the quantity that is sufficient to provide satisfying hunting opportunities. Adoption of scientifically-based seasons, zones, and tag quotas provides for the maintenance of sufficient populations of big-game species to ensure their continued existence.

Adoption of scientifically-based seasons, zones and tag quotas provides for the maintenance of

sufficient populations of big game to ensure their continued existence and future sport hunting opportunities. Under a normal season state big game hunters contribute about \$202,390,334 in direct revenues to the State's business sector. This is based on California Department of Fish and Wildlife data and the US Fish and Wildlife Service's 2011 national survey data on fishing, hunting, and wildlife associated recreation for California. Adding the indirect and induced effects of this initial revenue contribution and the total benefit to California's economy is estimated to be \$263,702,757 per year. This is equivalent to about \$51,947,191 in total wage earnings to Californians, or as many as 1,170 jobs in the state.

Consistency and Compatibility with Existing State Regulations

After conducting a review for any related regulations, the agency has determined that these are the only regulations dealing with public use of California Department of Fish and Wildlife Lands. Therefore, the proposed regulations in this rulemaking action are neither inconsistent nor incompatible with existing state regulations. The primary purpose of the proposed regulations is an annual review of tag quotas in existing regulations.

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 Wednesday, February 5, 2014, at 8:00 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 at the Crowne Plaza Hotel, 450 E. Harbor Blvd. Ventura Beach, California, on Wednesday, April 16, 2014, at 8:00 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 April 4, 2014 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 11, 2014. All comments must be received no later than April 16, 2014 at the hearing in Ventura. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Jon Snellstrom at the preceding address or phone number. **Craig Stowers, Wildlife Branch, phone (916) 445-3553, has been designated to respond to questions on the substance of the proposed regulations** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation

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

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

Impact of Regulatory Action/Results of the Economic Impact Analysis

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

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

(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:**

Sections 360, 361 and 364

None. The proposed action will not have significant impacts on jobs or business within California. The proposed action adjusts tag quotas for existing hunts based on herd performance criteria. Given the number of tags historically available, the minimal adjustments in tag numbers that are anticipated for the 2014 hunting season, and the area over which they are distributed (entire State of California), these proposals are economically neutral to jobs or business within California.

Sections 362 and 363

None. It is unlikely that the proposed regulation will result in the creation or elimination of jobs within the state, cause the creation of new businesses or the elimination of existing businesses or result in the expansion of businesses in California because the overall number of tags issued is small and the resulting hunting effort is spread over a large geographic area.

(c) **Cost Impacts on Private Persons:**

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

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

None

(e) Other 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:

None

(h) Effect on Housing Costs:

None

Effect on Small Business

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

Consideration of Alternatives

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

FISH AND GAME COMMISSION

Sonke Mastrup
Executive Director

Dated: January 7, 2014

BOS-11, page

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

San Francisco Area
455 8th Street
San Francisco, CA 94103
415-557-1094
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO



2014 JAN 27 PM 2:54

BY: *AHB*

January 24, 2014

File No.: 335.013042.017635-14-0025

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

SUBJECT: Hazardous Materials Spill

The enclosed report is submitted pursuant to Health and Safety Code Section 25810.7. The report documents information regarding the hazardous materials spill (**diesel fuel**), on **US-101 S/B south of Bayshore Blvd. over-crossing**, which did not cause injury to public health or safety. This report is submitted on behalf of all designated employees of the Department of California Highway Patrol.

Sincerely,

C. COSTIGAN, Captain
Commander

Enclosures



HAZARDOUS MATERIALS INCIDENT REPORT

CHP 407E (Rev 6-04) OPI 062 Refer to HPM 84.2, Chapter 2

HAZARDOUS MATERIALS CONFIRMED

Original Change Delete Yes No

A	AGENCY NAME California Highway Patrol	AGENCY I.D. NUMBER 66	AGENCY INCIDENT NUMBER (HQ USE)	AGENCY PHONE NUMBER (916) 445-1865	OES CONTROL NUMBER 14-0260
B	INCIDENT DATE (MONTH, DAY, YEAR) 01/16/2014	TIME NOTIFIED 10:33	TIME COMPLETED 13:06	DATE COMPLETED (IF DIFFERENT)	
C	INCIDENT ADDRESS/LOCATION US-101 S/B S/OF BAYSHORE O/C	CITY/COMMUNITY SAN FRANCISCO	COUNTY SAN FRANCISCO	ZIP CODE 94124	
	WEATHER (CHECK BEST DESCRIPTION) <input type="checkbox"/> 5 Hail <input type="checkbox"/> 6 Electrical storm <input type="checkbox"/> 7 Fog <input checked="" type="checkbox"/> 1 Clear <input type="checkbox"/> 8 High wind <input type="checkbox"/> 3 Rain <input type="checkbox"/> 9 Other <input type="checkbox"/> 4 Snow <input type="checkbox"/> 40 Unknown			EST. TEMPERATURE 65	
	PROPERTY USE (SEE CODES BELOW) 961	SURROUNDING AREA (SEE CODES BELOW) 400	PROPERTY MANAGEMENT <input type="checkbox"/> Federal <input checked="" type="checkbox"/> State <input type="checkbox"/> County <input type="checkbox"/> City <input type="checkbox"/> Private <input type="checkbox"/> Unknown		
D	PROPERTY USE AND SURROUNDING AREA TYPE CODES				
	100 Public Assembly	650 Agricultural	936 Vacant lot	962 County/City road	
	200 Educational	700 Manufacturing	941 Open sea	963 Private road	
	300 Health care	762 Hazmat chem mfg	942 Harbor/Port	965 Rest stop/vista point	
	400 Residential	767 Petroleum refinery	946 Lake/Pond/River	966 Scale/inspection facility	
	500 Mercantile, Business	800 Storage	950 Railroad	099 Other (explain in Comments)	
	600 Industrial, Utility	931 Open land	961 Freeway		
E	RELEASE FACTORS (CHECK BEST DESCRIPTION(S))		TYPE OF EQUIPMENT INVOLVED		MOBILE PROPERTY TYPE
	<input type="checkbox"/> 11 Intentional act	<input type="checkbox"/> 70 Operational deficiency	<input type="checkbox"/> 10 Heating systems	<input type="checkbox"/> 10 Passenger vehicle/road	
	<input type="checkbox"/> 12 Suspicious act	<input checked="" type="checkbox"/> 71 Collision/overturn	<input type="checkbox"/> 30 Air condition/refrig	<input checked="" type="checkbox"/> 20 Freight vehicle/road	
	<input type="checkbox"/> 30 Failure to control hazmat	<input type="checkbox"/> 80 Natural condition	<input type="checkbox"/> 77 Chem processing equipment	<input type="checkbox"/> 30 Rail transport vehicle	
	<input type="checkbox"/> 31 Abandoned	<input type="checkbox"/> 94 Fire/explosion	<input type="checkbox"/> 78 Waste recovery equipment	<input type="checkbox"/> 40 Water transport vessel	
	<input type="checkbox"/> 40 Misuse of hazmat	<input type="checkbox"/> 98 No release	<input type="checkbox"/> 96 Hazmat transfer equipment	<input type="checkbox"/> 50 Air transport vessel	
	<input type="checkbox"/> 50 Mechanical failure	<input type="checkbox"/> 99 Other	<input checked="" type="checkbox"/> 97 Vehicle fuel system	<input type="checkbox"/> 60 Heavy equip. indust./agri	
	<input type="checkbox"/> 60 Design, construction installation deficiency	<input type="checkbox"/> 00 Undetermined	<input type="checkbox"/> 98 No equipment involved	<input type="checkbox"/> 98 No mobile property involved	
			<input type="checkbox"/> 99 Other	<input type="checkbox"/> 99 Other	
			<input type="checkbox"/> 00 Undetermined	<input type="checkbox"/> 00 Undetermined	
F	ACTION TAKEN (CHECK ONE OR MORE)				
	<input type="checkbox"/> 31 Rescue, remove from harm	<input type="checkbox"/> 42 ID/analysis of hazmat	<input type="checkbox"/> 61 Crowd control	<input type="checkbox"/> 92 Refer to proper authority	
	<input type="checkbox"/> 32 Extrication, disentanglement	<input type="checkbox"/> 43 Evacuation	<input checked="" type="checkbox"/> 62 Traffic control	<input type="checkbox"/> 97 Hazmat response, material determined to be non-hazardous	
	<input type="checkbox"/> 33 Emergency medical services	<input type="checkbox"/> 44 Establish safe area	<input type="checkbox"/> 63 Notify other agency	<input type="checkbox"/> 98 No action taken	
	<input type="checkbox"/> 35 Search	<input type="checkbox"/> 45 Monitor	<input type="checkbox"/> 64 Provide public information	<input type="checkbox"/> 99 Other	
	<input type="checkbox"/> 36 Transport	<input type="checkbox"/> 46 Decon-person/equip.	<input checked="" type="checkbox"/> 71 Investigate		
	<input checked="" type="checkbox"/> 41 Remove hazard (neutralized)	<input checked="" type="checkbox"/> 47 Decon-area (clean up)	<input type="checkbox"/> 73 Shut down system		
		<input checked="" type="checkbox"/> 48 Contain/control hazmat	<input type="checkbox"/> 82 Secure property		
G	CHEMICAL NAME OR TRADE NAME (PRINT OR TYPE) DIESEL FUEL				
	PHYSICAL STATE STORED <input type="checkbox"/> 1 Solid <input checked="" type="checkbox"/> 2 Liquid <input type="checkbox"/> 3 Gas	PHYSICAL STATE RELEASED <input type="checkbox"/> 1 Solid <input checked="" type="checkbox"/> 2 Liquid <input type="checkbox"/> 3 Gas	DOT ID NUMBER 1993	DOT HAZARD CLASS 3	CASE NUMBER
	QUANTITY RELEASED (LBS., GAL., ETC.) 50	ENVIRONMENTAL CONTAMINATION <input type="checkbox"/> 1 Air <input checked="" type="checkbox"/> 3 Ground <input type="checkbox"/> 2 Water <input type="checkbox"/> 9 Other	EXTENT OF RELEASE (SEE CODES [1] BELOW) 3		
	CONTAINER DESCRIPTION <input type="checkbox"/> 1 Fixed <input type="checkbox"/> 2 Portable <input checked="" type="checkbox"/> 3 Mobile	CONTAINER TYPE (SEE CODES [2] BELOW) 21	LEVEL OF CONTAINER (SEE CODES [3] BELOW) 30	CONTAINER MATERIAL (SEE CODES [4] BELOW) 2	CONTAINER CAPACITY (LBS., GAL., ETC.) 100
	CHEMICAL NAME OR TRADE NAME (PRINT OR TYPE)				
	PHYSICAL STATE STORED <input type="checkbox"/> 1 Solid <input type="checkbox"/> 2 Liquid <input type="checkbox"/> 3 Gas	PHYSICAL STATE RELEASED <input type="checkbox"/> 1 Solid <input type="checkbox"/> 2 Liquid <input type="checkbox"/> 3 Gas	DOT ID NUMBER	DOT HAZARD CLASS	CASE NUMBER
	QUANTITY RELEASED (LBS., GAL., ETC.)	ENVIRONMENTAL CONTAMINATION <input type="checkbox"/> 1 Air <input type="checkbox"/> 2 Water <input type="checkbox"/> 3 Ground <input type="checkbox"/> 9 Other	EXTENT OF RELEASE (SEE CODES [1] BELOW)		
	CONTAINER DESCRIPTION <input type="checkbox"/> 1 Fixed <input type="checkbox"/> 2 Portable <input type="checkbox"/> 3 Mobile	CONTAINER TYPE (SEE CODES [2] BELOW)	LEVEL OF CONTAINER (SEE CODES [3] BELOW)	CONTAINER MATERIAL (SEE CODES [4] BELOW)	CONTAINER CAPACITY (LBS., GAL., ETC.)
	EXTENT OF RELEASE CODES (1)	CONTAINER TYPE CODES (2)	LEVEL OF CONTAINER CODES (3)	CONTAINER MATERIAL CODES (4)	
	1 Confined to vehicle/equipment	11 Drum	11 Ground level	1 Iron and iron alloys	
	2 Confined to room of origin	12 Cylinder	30 Above ground	2 Aluminum and aluminum alloys	
	3 Confined to floor of origin	13 Can or bottle	40 Below ground	3 Copper and copper alloys	
	4 Confined to structure of origin	14 Carboy		4 Plastic (includes fiberglass), rigid	
	6 Confined to property use of origin	15 Box or carton		5 Plastic, flexible	
	7 Release beyond property use of origin	16 Bag		6 Wood, paper, and cellulose products	
	8 NO RELEASE	21 Tank or silo (including vehicle cargo tanks)	33 Well	7 Glass	
	9 Other (explain in Comments)	22 Pipe	41 Vehicular fuel tank	9 Other (explain in Comments)	
	0 Undetermined	24 Machinery or process equipment	98 NO CONTAINER	0 Undetermined	
		31 Sump/Pit	99 Other (explain in Comments)		
		32 Pond or surface impoundment	00 Undetermined		
	REPORTING OFFICER NAME/RANK/I.D. NO. (PRINT OR TYPE) R. Leimer, Ofc., 17635			DATE 01/16/2014	COMMENTS ON ATTACHMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

H MORE THAN TWO SUBSTANCES INVOLVED (LIST ADDITIONAL INFORMATION ON CHP 556) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
I SPECIAL STUDIES - LOCAL USE 1. A B C D 2. A B C D 3. A B C D						SPECIAL STUDIES - STATE USE 4. A B C D 5. A B C D 6. A B C D							
J HAZMAT IDENTIFICATION SOURCES (CHECK BEST DESCRIPTION(S)) ___ 19 On-site fire services ___ 58 Tox center ___ 78 Shipping papers ___ 25 Private info source ___ 59 Chemtrec ___ 87 Computer software ___ 29 Off-site fire services <input checked="" type="checkbox"/> 71 DOT manual ___ 98 No reference ___ 40 On-site non-fire services ___ 73 MSDS material used ___ 60 Off-site non-fire services ___ 75 Placards/signs ___ 99 Other ___ 54 Chemist									HAZMAT CASUALTIES NO. OF DECON/ EXPOSED NO. OF INJURIES NO. FATALITIES Responding agency personnel 0 0 9 Others 0 0 0				
K VEHICLE MAKE/YEAR Peterbuilt / 1989			VEHICLE LICENSE NO. 9B10952		STATE CA		VEHICLE I.D. NO. (VIN) 1XP5DB9X7KD277843			CA/DOT/PUC/ICC NO. 139520		COMPANY NAME Robles Transport	
MILEPOST INFORMATION <input checked="" type="checkbox"/> 300 Feet S/of of milepost 101-SF-0.60 <input type="checkbox"/> At intersection with <input checked="" type="checkbox"/> Or:300 Feet/miles S/of of Bayshore Blvd. O/C					JUDICIAL DISTRICT SF Superior		BEAT 13		NCIC NUMBER 9335		PLACARDS REQUIRED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		PHOTOGRAPHS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
N CARRIER'S NAME Robles Transport			PHONE NUMBER (INCLUDE AREA CODE) (707) 974-5175										
O DRIVER'S NAME John Robles													
ADDRESS (INCLUDE CITY, STATE AND ZIP CODE) 5221 Heritage Dr. Concord, CA 94521					LICENSE NUMBER AND STATE A0943316				PHONE NUMBER (INCLUDE AREA CODE) (707) 974-5175				
P Enter at least one of either the CHP, DOT, PUC, or ICC number.													
CHP NUMBER CA 0 1 3 9 5 2 0 T			PUC NUMBER										
DOT NUMBER US			ICC NUMBER MC										
Q If applicable, enter cargo tank specification number and/or at least one of the following: CARGO TANK SPECIFICATION NUMBER 1. CHP cargo tank registration number (CT, ...) 2. DHS Waste Hauler Compliance Sticker number													
R CITATION ISSUED OR COMPLAINT TO BE FILED <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not determined						OTHER HAZARDOUS MATERIALS VIOLATIONS (NON-CAUSATIVE) <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No							
PRIMARY CAUSE OF INCIDENT <input type="checkbox"/> Violation 34506(b) VC/C.C.R. Section <input checked="" type="checkbox"/> Other Code violation 22107 CVC <input type="checkbox"/> Other cause*						DID WEATHER CONTRIBUTE TO EITHER CAUSE AND/OR SEVERITY OF INCIDENT? <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No							
AFTER ACTION REPORT REQUIRED? (REFER TO G.O. 100.79) <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No						COLLISION REPORT MADE? <input type="checkbox"/> Yes* <input type="checkbox"/> No NUMBER							
S DATE AND TIME SCENE DECLARED SAFE 1/16/14 1306			BY WHOM (NAME, TITLE AND AGENCY) Francisco Chavez, Maintenance Supervisor, Caltrans										
ROAD CLOSURE <input checked="" type="checkbox"/> None <input type="checkbox"/> Full--Hours: <input type="checkbox"/> Partial--Hours: <input type="checkbox"/> Alternative route--Hours:													
T Complete narrative on CHP 556 ELEMENTS (AS APPLICABLE): (IF MORE THAN ONE CARRIER OR MORE THAN THREE COMMODITIES ARE INVOLVED, INCLUDE ADDITIONAL INFORMATION IN NARRATIVE.) 1. Sequence of events 3. Evacuation details 5. Cleanup actions 7. CHP personnel data--name, rank, I.D. no., function, exposure, hours 2. Road closures 4. Environmental impact 6. Actions of other agencies													
PREPARER'S NAME, RANK, AND I.D. NUMBER R. Leimer, Ofc., 17635				DATE 01/16/2014		REVIEWER'S NAME, RANK, AND I.D. NUMBER M. OTTERBY, LT. #13972				DATE 1.24.14			

STATE OF CALIFORNIA
NARRATIVE/SUPPLEMENTAL

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Page of

DATE OF INCIDENT/OCCURRENCE 01/16/14	TIME (2400) 1033	NCIC NUMBER 9335	OFFICER I.D. NUMBER 17635	NUMBER	
"X" ONE <input checked="" type="checkbox"/> Narrative <input type="checkbox"/> Supplemental		"X" ONE <input type="checkbox"/> Collision Report <input checked="" type="checkbox"/> Other: 407E		TYPE SUPPLEMENTAL ("X" APPLICABLE) <input type="checkbox"/> BA Update <input checked="" type="checkbox"/> Hazardous Materials <input type="checkbox"/> Fatal <input type="checkbox"/> School Bus <input type="checkbox"/> Hit and Run Update <input type="checkbox"/> Other:	
CITY/COUNTY/JUDICIAL DISTRICT San Francisco/ San Francisco/ SF Superior			REPORTING DISTRICT/BEAT 13	CITATION NUMBER	
LOCATION/SUBJECT US-101 S/B S/of Bayshore Blvd. O/C			STATE HIGHWAY RELATED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
1. SEQUENCE OF EVENTS					
2. A black limosine was traveling US-101 S/B south of the Bayshore Blvd. O/C. A truck tractor towing a loaded					
3. flatbed trailer was traveling just behind and to the right of the limosine. The driver of the limosine turned into the					
4. path of the truck tractor and struck the left front of the truck tractor. The collision caused the truck to lose control					
5. to the right and strike the asphalt curb and hillside next to the right shoulder. The impact with the shrubbery on					
6. the right shoulder severed the fuel line connecting the truck tractor fuel tanks. The severed fuel line began to leak					
7. diesel fuel onto the right shoulder. The spilled diesel fuel did not enter any storm drains and was contained to the					
8. asphalt on the right shoulder by damming with dirt, then cleaned up with absorbent material and sweeping					
9. equipment.					
10. ROAD CLOSURES					
11. The road was not closed due to the diesel fuel spill. One of five traffic lanes were blocked temporarily due to the					
12. cleanup and scene safety. The scene was declared safe at approximately 1306 hours by Caltrans Maintenance					
13. Supervisor Francisco Chavez.					
14. EVACUATION DETAILS					
15. Due to the location, size of the spill, and the commodity involved, no evacuation was required.					
16. CLEAN-UP ACTIONS					
17. Caltrans was called to the scene at approximately 1345 hours. Caltrans Maintenance Supervisor Francisco Chavez.					
18. arrived with a crew to handle the cleanup. The crew used absorbent to clean up the remaining fuel spill on the right					
19. shoulder, and arranged for the disposal. Caltrans contact information 120 Rickard St. San Francisco, CA 94134,					
20. phone is 415-330-6534.					
21. ACTIONS OF OTHER AGENCIES					
22. San Francisco Fire Department - Engine 17, contained spill					
23. Caltrans - performed clean up					
24. CHP PERSONNEL INVOLVED					
25. Name	Rank	I.D.	Exposed	Injured	Total Hours
26. A. Felfela	Ofc.	13740 (Scene Mgr.)	No	No	1.0
27. E. Sanchez	Ofc.	17411 (Inv Officer)	No	No	2.5
28. A. Felfela	Ofc.	15214	No	No	2.5
29. R. Leimer	Ofc.	17635 (MRE)	No	No	1.0
30.					
31.					Total 8.0
PREPARER'S NAME and I.D. NUMBER R. Leimer 17635		DATE 07/31/12	REVIEWER'S NAME <i>M. OTTENBY</i>		DATE 1.24.14

STATE OF CALIFORNIA
SKETCH DIAGRAM

CHP 555 Page 4 (Rev. 8-97) OPI 042

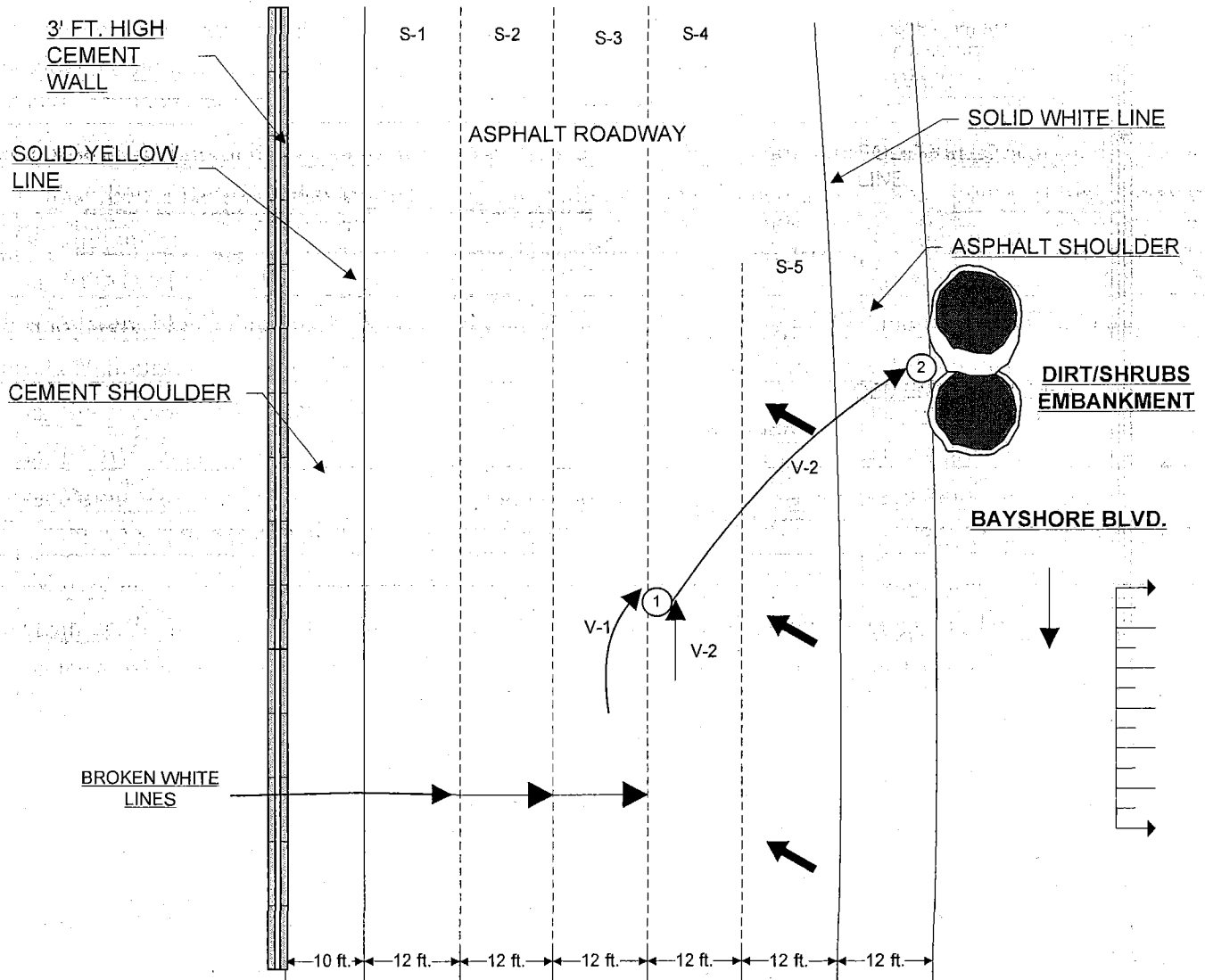
PAGE 3 OF 9

DATE OF INCIDENT 01/16/2014	TIME 1035	NCIC NUMBER 9335	OFFICER I.D. 017411	NUMBER 2014010105
--------------------------------	--------------	---------------------	------------------------	----------------------

ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)

Sketch

US-101 S/B



PREPARED BY E. SANCHEZ	I.D. NUMBER 017411	DATE 01/16/2014	REVIEWER'S NAME <i>M. OTTELO</i>	DATE 1.24.14
---------------------------	-----------------------	--------------------	-------------------------------------	-----------------

TO .GG-C204.01.INCIDENT LOG SUMMARY

INCIDENT # 140116GG01076
 PRIORITY 3
 PROBLEM HAZMAT-HAZARDOUS MATERIALS INC
 LOCATION US101 S /- US101 S ALANA WY ONR
 X-STREET
 UNITS:

COMMENTS:

13:06:16[49] ALL UNIT 1098 [SHARED]
 13:06:12[48] 82M RD SCENE CLR [SHARED]
 12:21:51[47] D2497730*B D:09-12-1979*NAME:MARTINEZ MANUEL ANTONIO [SHARED]
 11:53:14[46] B32-082M SUPERV IS 1097 [SHARED]
 11:51:14[45] [FSP] HAS CLOSED THEIR INCIDENT [140116GGFSP00220]
 11:50:28[44] CMS ACTIVATED [SHARED]
 11:50:23[43] REQUEST TO CANCEL BY FSP [SHARED]
 11:48:42[42] MULTI-AGENCY FSP INCIDENT #: 140116GGFSP00220
 11:45:49[41] B32-082M THE # 4 LANE CLOSED AT THIS TIME [SHARED]
 11:42:30[40] 82M CPS 32 [SHARED]
 11:41:24[39] 13-- FIRE 1097 BLKD 4-5 LANES [SHARED]
 11:37:28[38] 82M-- FIRE IS 1097 [SHARED]
 11:37:28[37] [NOTIFICATION] [CHP]- [SHARED]
 11:37:22[36] LINE 32 [SHARED]
 11:36:33[35] 82M-- ETA FOR DOT PLS --- WE NEED A YARD TO A YD AND 1 2 OF ABSO
 R [SHARED]
 11:28:55[34] 1039 SF FIRE [SHARED]
 11:28:22[33] [NOTIFICATION] [CHP]- [SHARED]
 11:28:18[32] PER DOT-CC, DOT ETA 15 MIN [SHARED]
 11:28:16[31] 3RD OR SILVER ON JNO 3 COM OFR [SHARED]
 11:27:56[30] [NOTIFICATION] [CHP]- [SHARED]
 11:27:53[29] CAL EMA #14-0260 [SHARED]
 11:26:15[28] LL W SF FIRE [SHARED]
 11:26:12[27] PER SMTO SO, THIS IS NOT THEIR JURISDICTION [SHARED]
 11:25:08[26] TMC COPYS ALL [SHARED]
 11:24:35[25] NEED ETA ABSOBANT [SHARED]
 11:24:02[24] REQ FIRE [SHARED]
 11:22:17[23] NOW UP TO 50 GALLONS [SHARED]
 11:22:04[22] [NOTIFICATION] [CHP]-PROBLEM CHANGED FROM 1183-TRFC COLLISION-UNK
 N INJ TO HAZMAT-HAZARDOUS MATERIALS INC BY CHP [SHARED]
 11:21:57[21] DOING BEST CAN TO DAM IT UP [SHARED]
 11:21:48[20] PER 32-12 ON RS NEG WATER WAYS IN DIRT [SHARED]
 11:21:25[19] [NOTIFICATION] [CHP]- [SHARED]
 11:21:21[18] CAL EMA INQUIRING IF ANY WATERWAYS IMPACTED [SHARED]
 11:20:45[17] [NOTIFICATION] [CHP]- [SHARED]
 11:20:40[16] CAL EMA INQUIRING IF DIESEL SPILL ONTO ROADWAY OR RHS? [SHARED]
 11:19:20[15] COPY, TMC 1021 CAL EMA [SHARED]
 11:14:57[14] NEED AN OES # AND HAZ MAT NOTIFICATION [SHARED]
 10:56:45[13] 1039 DOT-CC [SHARED]
 10:56:10[12] 32-13 HAVE DISALL 5-10 GALLONS REQ DOT [SHARED]
 10:46:57[11] A32-013 RHS [SHARED]
 10:46:22[10] BACKED UP A32-012 WITH A32-013 [SHARED]
 10:41:02[9] LINK: [140116GG01085] TO [140116GG01076] BECAUSE [140116GG01085] A
 PPENDS TO [140116GG01076]
 10:35:59[8] [APPENDED, 10:41:02] [1] BIG RIG SEDN VS RHS HILLSIDE
 10:38:28[7] C204 ENRT WHEN CLR STOP
 10:35:40[6] [3] CALL APPENDED TO INCIDENT NUMBER 140116GG01076
 10:35:28[5] [2] CITZ TO C204
 10:35:24[4] [1] POSS TC INV BIG RIG
 10:35:40[3] DUPLICATE CALL APPENDED TO INCIDENT AT 10:35:40
 10:35:22[2] UNK IF BLKG-RP DID NOT WANT TO ANS QUESTIONS
 10:33:14[1] LIMO VS BIG RIG

CAUTION NOTES:

INCIDENT ACTION PLAN

DATE / TIME OF INCIDENT: January 16, 2014 at approximately 1033 hours

LOCATION: US-101 S/B s/of Bayshore Blvd. O/C

INCIDENT COMMANDER: Officer A. Felfela, ID No. 13740 / CHP

SAFETY OFFICER: Officer R. Leimer ID No. 17635 / CHP

OBJECTIVE(S):

1. Protection of life, environment, and property.
2. Return area back to original condition.
3. Attempt to identify responsible party.
4. Comply with 29 CFR 1910.120(q) and 8 CCR 5192(q).

SITE SAFETY PLAN

PRIORITY: Safety of all persons is the highest priority.

SCENE ENVIRONMENT:

- 1) All personnel briefed on operations and safety prior to the start of scene mitigation.
- 2) No person to exceed their level of training, capabilities or resources.

PRODUCTS INVOLVED:

PHYSICAL STATE	Solid ()	Liquid (X)	Gas ()		
EVACUATION	Yes ()	No (X)	Direction - Distance -		
WEATHER	Clear (X)	Rainy ()	Foggy ()	Windy ()	Temperature -65 F
LEVEL OF PPE	A ()	B ()	C ()	D (X)	

MEDICAL SIGNS OF EXPOSURE

- 1) Inhalation or contact with material may irritate or burn skin and eyes.
- 2) Fire may produce irritating, corrosive and/or toxic gases.
- 3) Vapors may cause dizziness or suffocation.
- 4) Runoff from fire control or dilution water may cause pollution.

MITIGATION OBJECTIVES

To inspect, test, and dispose of the material in order to re-open the freeway. For the safety of response personnel, all persons shall wear *Level D* Personal Protective Equipment while both in the Exclusion Zone and Decontamination Zone. The inhalation hazard will be minimized by securing non-essential crews and personnel away from the incident. Disposal of the hazardous material will be arranged and overseen by the California Department of Transportation (*Francisco Chavez, Maintenance Supervisor*).

DECONTAMINATION PLAN:

Completed by *California Department of Transportation / San Francisco Fire Department*.

EVACUATION PLAN:

Not required.

DEMOBILIZATION PLAN:

Incident commander to remain on scene until all involved parties have completed tasks and scene declared safe and pre-incident conditions re-established.

ADDITIONAL NOTES:

Primary Hazard - *Fire or Explosion.*

Secondary Hazard - *Health.*

Other Hazards - *Prevent entry into waterways and sewers.*

Site Safety Officer - R. Leimer 17635 / CHP was designated by the Incident Commander and monitored all actions taken to mitigate the scene.

BOS-11, cpage

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Sonke Mastrup, Executive Director
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Commissioners
Michael Sutton, President
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Jack Baylis, Member
Los Angeles
Jacque Hostler-Carmesin, Member
McKinleyville

Fish and Game Commission



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January 24, 2014

TO ALL INTERESTED AND AFFECTED 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 January 24, 2014.

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

Dr. Craig Shuman, Regional Manager of the Marine Region, telephone number (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment

20

**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, 205(c), 220, 240, 1590, 1591, 2860, 2861, and 6750 of the Fish and Game Code; and sections 36725(a) and 36725(e) of the Public Resources Code, and to implement, interpret or make specific sections 200, 202, 205(c), 220, 240, 2861, 5521, 6653, 8420(e), and 8500 of the Fish and Game Code; and sections 36700(e), 36710(e), 36725(a) and 36725(e) of the 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 Protection Act (MLPA) (Fish and Game Code Sections 2850-2863) established a programmatic framework for designating Marine Protected Areas (MPAs) in the form of a statewide network. The Marine Managed Areas Improvement Act (MMAIA) (Public Resources Code Sections 36600-36620) standardized 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.

Existing regulations in Section 632, Title 14, California Code of Regulations (CCR), provide general provisions, definitions, and site-specific area classification, boundary descriptions, commercial and recreational take restrictions, and other restricted/allowed uses for MPAs, MMAs and special closures.

The proposed regulations will clarify take regulations and correct errors and inconsistencies.

Amendment to Subsection 632(a)

This subsection will be amended by moving the subsection header (a) General Rules and Regulations up to incorporate the Section 632 introductory paragraph.

Amend subsections 632(a)(1)(A), (B) and (C)

These subsections will be amended to correctly state and clarify that the Department (not the Commission) has the authority to issue scientific collecting permits.

Amend subsection 632(a)(3) and subsections 632(b)(98), (117), (120), (125), (129), (130), (138), and (144)

The definition of Pelagic Finfish will be amended to specifically add Pacific bonito and thereby clarify that this species is a pelagic finfish under the tuna family. As a result, references to Pacific bonito will be removed when pelagic finfish are allowed to be taken in the area specific regulations. When Pacific bonito are an exception to take, the reference will remain.

Amend subsection 632(a)(8)

This subsection will be amended to clarify that spearfishermen may transit, with or without catch, through MPAs and other MMAs. The proposed regulation will specify that while transiting MPAs

and MMAs that prohibit spearfishing or while in possession of species not identified as allowed for take in the MPA or MMA being transited, spearfishing gear shall be in an unloaded condition, not carried in hand, and the diver shall remain at the surface.

Amendments to subsection 632(b)

This subsection will be amended by stating that certain Fish and Game Code sections listed in subsection 632(b) are "superseded" rather than "made inoperative" as they apply to designations in Subsection 632(b).

Numerous references to "lobster" and "squid" will be changed to indicate the proper names "spiny lobster" and "market squid". [Subsections 632(b)(68), (108), (112), (131), (133) and 136]]

Provisions will be added to establish a maximum five percent by weight allowance for the incidental take of non-target species landed or possessed on commercial vessels targeting market squid, pelagic finfish, or coastal pelagic species. [Subsections 632(b)(40), (66), (73), (74), (117), (120), (129), (130), (133), (136), and (147)]

Commercial methods of take for coastal pelagic species, which includes market squid, will be added to reflect actual fishing practices by allowing the use of brail gear and light boats. [Subsections 632(b)(117), (120), (129), (130), (133), and (136)]

The regulations for the Bodega Head State Marine Reserve (SMR) [subsection 632(b)(39)] will clarify that the director of the Bodega Marine Life Refuge may authorize certain activities and take, pursuant to sections 10502.7 and 10565 of the Fish and Game Code, only within the formerly-designated Bodega Marine Life Refuge, not the entire SMR. The regulation for this SMR will also clarify that pursuant to Section 10661 of the Fish and Game Code, regents, officers, employees and students of the University of California may take, for scientific purposes, any invertebrate or marine plant without a permit from the Department, only within the formerly-designated Bodega Marine Life Refuge, not the entire SMR.

The Lovers Point SMR [subsection 632(b)(76)] will be renamed the Lovers Point-Julia Platt SMR.

Commercial kelp harvesting regulations in the Naples SMCA [subsection (b)(98)] will be clarified and made consistent with Section 165, Title 14, CCR.

Blue Cavern (Catalina Island) SMCA [subsection 632(b)(124)] will be renamed Blue Cavern (Catalina Island) Onshore SMCA, and Bird Rock (Catalina Island) SMCA [subsection 632(b)(125)] will be renamed Blue Cavern (Catalina Island) Offshore SMCA.

The northern boundary of Lover's Cove SMCA [subsection 632(b)(128)] will be moved to line up with the end of the Cabrillo Mole.

The limitation of take "below the mean lower low tide line" for recreational take in the Dana Point SMCA [subsection 632(b)(136)] will be removed. The commercial fishing regulations for this SMCA will clarify that trap gear is allowed for the commercial take of spiny lobster.

The western boundary of the San Dieguito Lagoon SMCA [subsection 632(b)(140)] will be specified by latitude and longitude coordinates, and take regulations for this SMCA will be modified to remove the fishing allowance from the Grand Avenue Bridge.

In addition, the following subsections under 632(b) will be amended for clarity and consistency:

- (30) Sea Lion Cove State Marine Conservation Area.
- (40) Bodega Head State Marine Conservation Area.
- (98) Naples State Marine Conservation Area.
- (109) Gull Island (Santa Cruz Island) State Marine Reserve.
- (117) Point Dume State Marine Conservation Area.
- (120) Abalone Cove State Marine Conservation Area.
- (124) Blue Cavern (Catalina Island) State Marine Conservation Area.
- (129) Farnsworth (Catalina Island) Onshore State Marine Conservation Area.
- (130) Farnsworth (Catalina Island) Offshore State Marine Conservation Area.
- (138) Swami's State Marine Conservation Area.

Benefits of the Proposed Action

The proposed amendments will clarify the restrictions and allowable activities in these MPAs; provide greater ease of public understanding and enforceability; correct boundary descriptions; remove unnecessary regulations; and provide consistency in format.

Evaluation of Incompatibility With Existing Regulations

The proposed regulations are consistent with regulations concerning sport and commercial fishing and kelp harvest found in Title 14, CCR. The State Water Resources Control Board may designate State Water Quality Protection Areas and the State Park and Recreation Commission may designate State Marine Reserves, State Marine Conservation Areas, State Marine Recreational Management Areas, State Marine Parks and State Marine Cultural Preservation Areas; however, only the Fish and Game Commission has authority to regulate commercial and recreational fishing and any other taking of marine species in Marine Managed Areas. Commission staff has searched the California Code of Regulations and has found no other regulations pertaining to authorized activities in marine protected areas and therefore has determined that the proposed amendments are neither inconsistent nor incompatible with existing state regulations.

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, First Floor Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 5, 2014, at 8:00 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 at the Crowne Plaza Ventura Beach Hotel, 450 E. Harbor Blvd., Ventura, California, on Wednesday, April 16, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard. Written comments may be submitted at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office must be received before 5:00 p.m. on April 11, 2014. All comments must be received no later than April 16, 2014, at the hearing in Ventura, 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, Sonke Mastrup, 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 Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Dr. Craig Shuman, Regional Manager of the Marine Region, Department of Fish and Wildlife, 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/Results of the Economic Impact Analysis

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

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because the proposed amendments make clarification and consistency changes to the current regulations; make minor boundary adjustments; rename existing MPAs; and add specified methods of take and incidental take allowance consistent with commercial fishing practices.

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

The Commission is not aware of any impacts the proposed action would have on creation or elimination of jobs or businesses in California or on the expansion of businesses in California.

The Commission does not anticipate any benefits to the health and welfare of California residents or to worker safety.

The existing regulations, and proposed amendments, benefit the environment by protecting habitat and biodiversity in MPAs.

(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: None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs Mandated on Local Agencies or School Districts: None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

(h) Effect on Housing Costs: None.

Effect on Small Business

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

Consideration of Alternatives

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

FISH AND GAME COMMISSION

Dated: January 14, 2014

Sonke Mastrup
Executive Director