Governing Board

AGENDA

Wednesday, October 27, 2010
12:00 p.m. to 2:00 p.m.

Meeting Location:
California State Coastal Conservancy
1330 Broadway, 11th Floor Conference Room
Oakland, California 94612

For additional information, please contact:
Clerk of the Governing Board, (510) 464 7900

Agenda and attachments available at:
www.sfbayrestore.org

The Governing Board may take action on any item on this agenda.

1. Call to Order
   Action
   Sam Schuchat, Executive Officer, California State Coastal Conservancy

2. Roll Call

3. Public Comment

4. Announcements
   A. New ABAG Executive Director
   B. Passage of AB 2103
   C. Advisory Committee Orientation Webinar
   D. Wetland Tour

5. Approval of Summary Minutes of July 28, 2010
   Action
   Attachment: Summary Minutes for July 28, 2010
6. Organizational Matters

A. Report on Authority Logo—Update
   Action
   Kenneth Moy, Legal Counsel, Association of Bay Area Governments
   Attachment: Moy memo dated October 22, 2010

B. Scheduling Governing Board Meetings—Update
   Action
   Attachment: Meeting schedule (proposed)

C. Report on Status of Public Opinion Polling, FM3 Presentation, and Subcommittee Formation and Timeline for Next Phase of Polling
   Action/Information
   Karen McDowell, Environmental Planner, San Francisco Estuary Partnership
   Attachment: McDowell memo dated October 22, 2010

D. Discussion on Formulating and Funding Proposed Ballot Measures
   Information
   Sam Schuchat, Executive Officer, California State Coastal Conservancy

7. Adjournment

Agenda submitted by the Clerk of the Governing Board:
October 22, 2010

Agenda posted:
October 22, 2010
Assembly Bill No. 2103

CHAPTER 373

An act to amend Section 66704 of, and to add Section 66704.05 to, the Government Code, relating to the San Francisco Bay Restoration Authority.

[Approved by Governor September 25, 2010. Filed with Secretary of State September 27, 2010.]

LEGISLATIVE COUNSEL’S DIGEST

AB 2103, Hill. San Francisco Bay Restoration Authority.

Existing law authorizes the San Francisco Bay Restoration Authority to levy a benefit assessment, special tax, or property-related fee consistent with Articles XIIIIC and XIIID of the California Constitution, as specified.

This bill would require the board of supervisors of each affected county, when the authority proposes a measure to levy a benefit assessment, special tax, or property-related fee for submission to the voters, to call a special election on the regional measure and place the regional measure on the ballot of the next regularly scheduled election, and would require the county clerk of each county to report the results of the special election to the authority.

The people of the State of California do enact as follows:

SECTION 1. Section 66704 of the Government Code is amended to read:

66704. The authority has, and may exercise, all powers, expressed or implied, that are necessary to carry out the intent and purposes of this title, including, but not limited to, the power to do all of the following:

(a) (1) Levy a benefit assessment, special tax levied pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, or property-related fee consistent with the requirements of Articles XIIIIC and XIIID of the California Constitution, except that a benefit assessment, special tax, or property-related fee shall not be levied pursuant to this subdivision after December 31, 2028.

(2) The authority may levy a benefit assessment pursuant to any of the following:

(A) The Improvement Act of 1911 (Division 7 (commencing with Section 5000) of the Streets and Highways Code).

(B) The Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highways Code).
(C) The Municipal Improvement Act of 1913 (Division 12 (commencing
with Section 10000) of the Streets and Highways Code).

(D) The Landscaping and Lighting Assessment Act of 1972 (Part 2
(commencing with Section 22500) of Division 15 of the Streets and
Highways Code), notwithstanding Section 22501 of the Streets and
Highways Code.

(E) Any other statutory authorization.

(b) Apply for and receive grants from federal and state agencies.

(c) Solicit and accept gifts, fees, grants, and allocations from public and
private entities.

(d) Issue revenue bonds for any of the purposes authorized by this title
pursuant to the Revenue Bond Law of 1941 (Chapter 6 (commencing with
Section 54300) of Part 1 of Division 2 of Title 5).

(e) Incur bond indebtedness, subject to the following requirements:

(1) The principal and interest of any bond indebtedness incurred pursuant
to this subdivision shall be paid and discharged prior to January 1, 2029.

(2) For purposes of incurring bond indebtedness pursuant to this
subdivision, the authority shall comply with the requirements of Article 11
(commencing with Section 5790) of Chapter 4 of Division 5 of the Public
Resources Code except where those requirements are in conflict with this
 provision. For purposes of this subdivision, all references in Article 11
(commencing with Section 5790) of Chapter 4 of Division 5 of the Public
Resources Code to a board of directors shall mean the board and all
references to a district shall mean the authority.

(3) The total amount of indebtedness incurred pursuant to this subdivision
outstanding at any one time shall not exceed 10 percent of the authority’s
total revenues in the preceding fiscal year.

(f) Receive and manage a dedicated revenue source.

(g) Deposit or invest moneys of the authority in banks or financial
institutions in the state in accordance with state law.

(h) Sue and be sued, except as otherwise provided by law, in all actions
and proceedings, in all courts and tribunals of competent jurisdiction.

(i) Engage counsel and other professional services.

(j) Enter into and perform all necessary contracts.

(k) Enter into joint powers agreements pursuant to the Joint Exercise of
Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of
Title 1).

(l) Hire staff, define their qualifications and duties, and provide a schedule
of compensation for the performance of their duties.

(m) Use interim or temporary staff provided by appropriate state agencies
or the Association of Bay Area Governments. A person who performs duties
as interim or temporary staff shall not be considered an employee of the
authority.

SEC. 2. Section 66704.05 is added to the Government Code, to read:

66704.05. (a) When the authority proposes to levy a special tax pursuant
to subdivision (a) of Section 66704, the board of supervisors of the county
or counties in which the special tax is proposed to be levied shall call a
special election on the measure. The special election shall be consolidated with the next regularly scheduled statewide election and the measure shall be submitted to the voters in the appropriate counties, consistent with the requirements of Article XIII C or XIII D of the California Constitution, as applicable.

(b) Each county included in the measure shall use the ballot question, title and summary, and ballot language provided in the resolution of the authority.

(c) The county clerk of each county shall report the results of the special election to the authority.
1. Call to Order

Sam Schuchat, Chair, called the meeting to order at about 12:06 p.m.

A revised agenda was distributed.

2. Roll Call

Frederick Castro, Clerk, reported that five of seven members were present. A quorum of the Governing Board was present.

Present were Sam Schuchat, Rosanne Foust, John Gioia, John Sutter, Phil Ting. Absent were Dave Cortese and Charles McGlashan.

Staff members present were Ezra Rapport, ABAG Deputy Executive Director, for Henry Gardner; Kenneth Moy, ABAG Legal Counsel; and Herb Pike, ABAG Finance Director.

3. Public Comment

There was no public comment.

4. Announcements
Schuchat introduced Melannie Denninger, Project Specialist, California State Coastal Conservancy, and Karen McDowell, Environmental Planner, San Francisco Estuary Partnership, who have been assigned to provide staff support to the Authority. Schuchat acknowledged Moira McEnespy, Program Manager, California State Coastal Conservancy, for her past support of the Authority. Amy Hutzel, Program Manager, Coastal Conservancy, and Judy Kelly, Director, SFEP, continue to provide staff support.

Gioia announced that he and Kelly testified before Congress on HR 5061.

David Lewis, Director, Save The Bay, reported on developments of the Senate bill.

There were no other announcements.

5. Approval of Summary Minutes of April 28, 2010

A motion to approve the summary minutes of the Governing Board meeting on April 28, 2010, was made by Sutter and seconded by Ting. The motion passed unanimously.

6. Organizational Matters

A. Report on the Advisory Committee—Completion of Formation Update

John Gioia, Supervisor, Contra Costa County, and Melanie Denninger, Project Specialist, San Francisco Bay Area Program, California State Coastal Conservancy, reported on the meeting of the Subcommittee on the Advisory Committee held on June 30, and the individuals nominated for appointment to the Advisory Committee.

A motion to appoint the individuals listed below to the Advisory Committee was made by Foust and seconded by Gioia.

Josh Arce, Executive Director, Brightline Defense Project
Dion Aroner, Partner, Aroner, Jewel & Ellis
Sally Lieber, Community Advocate
Steve Ngo, Trustee, San Francisco City College District
Rahul Prakash, President, Earth Aid Enterprises
John Rizzo, Trustee, San Francisco City College District
Laura Thompson, Manager, San Francisco Bay Trail Project
Kate White, Executive Director, Urban Land Institute

Members discussed the nominations and the representation on the Advisory Committee. The motion passed unanimously.
Schuchat announced that letters notifying new members of their appointment to the Advisory Committee will be sent, and that a webinar to introduce the new Advisory Committee to the Authority will be scheduled.

B. Report on Status of Public Opinion Polling

Schuchat reported that the Subcommittee on the Selection of a Public Opinion Polling had selected FM3 to conduct the Authority’s public opinion polling. FM3 prepared a draft survey questionnaire that was distributed to Governing Board and Advisory Board members for review and comment. The Subcommittee, Advisory Committee members, and staff, met with FM3 on July 21 to review comments.

McDowell reported that FM3 submitted a revised survey questionnaire based on comments received. The revised survey questionnaire was distributed to members.

Members discussed the purpose of the public opinion polling and reviewed the draft survey questionnaire.

Members were asked to review the revised survey questionnaire and to submit comments to McDowell by August 2. The polling was expected to be conducted beginning the first weekend in August. A report on polling data results is expected at the October meeting.

C. Report on Legislation Changes to AB 2954

Schuchat reported on developments regarding AB 2103 (Hill), legislation to clarify the ability of the Authority to place ballot measures for the region and the votes needed for passage. The legislation has passed through the Assembly and is to be reviewed by the Senate.

Members discussed the legislative language regarding aggregate votes on multiple county ballots, and benefit assessment and special tax districts.

D. Preliminary Report on Bay Area Ballot Measures in 2012

Schuchat reported on staff research related to the placement of a ballot measure for the election in November 2012.

Denninger reported on various local and state measures on the November 2010 ballot.

Members discussed the outcomes of recent local ballot measures, measures related to bay restoration and water, the timing of placing ballot measures, the election cost of a region-wide measure and funds needed to cover a region-wide election, polling data and developing an election strategy.
Members requested an analysis of county economic data.

7. **Adjournment**

Schuchat asked members to review the proposed meeting schedule for 2011 and to submit suggestions about meeting dates, times, and location at the next meeting.

The Governing Board meeting adjourned at about 12:58 p.m.

The next Governing Board meeting is on October 27, 2010.

Submitted by the Clerk of the Governing Board:
October 22, 2010

Approved by the Governing Board:
ASSOCIATION OF BAY AREA GOVERNMENTS (CALIFORNIA JOINT EXERCISE OF POWERS ENTITY)
101 8TH STREET
OAKLAND, CA 94607


NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SAN FRANCISCO BAY RESTORATION AUTHORITY", APART FROM THE MARK AS SHOWN.

THE COLOR(S) BLUE AND YELLOW IS/ARE CLAIMED AS A FEATURE OF THE MARK.


SER. NO. 76-700,226, FILED 11-4-2009.

JEFFREY LOOK, EXAMINING ATTORNEY
Date: October 22, 2010

To: Governing Board

From: Kenneth Moy
Legal Counsel, Association of Bay Area Governments

Subject: San Francisco Bay Restoration Authority Logo

Recommendation

That the Governing Board of the San Francisco Bay Restoration Authority (Authority) authorize the Chair of the Governing Board to execute a licensing agreement with ABAG for the Authority logo and waive any conflict of interest which may arise from having me, as legal counsel for the Authority and ABAG, draft the agreement.

Background and Information

ABAG is providing support services, including my services as legal counsel, to the Authority pursuant to a letter dated April 20, 2009. One of the activities ABAG undertook was registering a proposed servicemark for the Authority. The registration has been completed in ABAG’s name (see attached). To complete the process, ABAG and the Authority should enter into a licensing agreement.

I recommend that the license have the following elements:

1. Complete – transfers all servicemark rights;
2. Irrevocable – cannot be terminated;
3. No fee – no initial, or ongoing, fee(s) paid to ABAG. Any fees to third parties to be paid, or reimbursed to ABAG, by the Authority from available funds.

I will draft an agreement with the above features provided that the Governing Board agrees that any conflict I might have in my dual capacity as ABAG and the Authority’s legal counsel is acknowledged and waived. I recommend that the Chair be authorized to execute the license agreement on behalf of the Authority.

Attachment:
USPTO Registration

Cc: Ezra Rapport
Governing Board

MEETING SCHEDULE

Quarterly, on the fourth (4th) Wednesday of the month
12:00 p.m. to 2:00 p.m.

Meeting Location:
California State Coastal Conservancy
1330 Broadway, 11th Floor Conference Room
Oakland, California 94612

For additional information or to confirm meeting location, please contact:
Clerk of the Governing Board, (510) 464 7913

Agenda and attachments available at:
www.sfbayrestore.org

2011

Wednesday, January 26, 2011 – TBD
Wednesday, April 27, 2011 – TBD
Wednesday, July 27, 2011 – TBD
Wednesday, October 26, 2011 – TBD
Date: October 22, 2010

To: Governing Board

From: Karen McDowell
Environmental Specialist, San Francisco Estuary Partnership

Subject: Phase I Polling Subcommittee Meeting

The Polling Subcommittee consists of the following members: Samuel Schuchat, Executive Officer, California State Coastal Conservancy; Dave Cortese, Supervisor, County of Santa Clara; Rosanne Foust, Mayor, City of Redwood City; and Charles McGlashan, Supervisor, County of Marin.

The Polling Subcommittee met on Wednesday, October 6, 2010, to review the results of the Phase I Public Opinion Poll. The meeting was attended by three Polling Subcommittee Members (Rosanne Foust, Charles McGlashan, and Dave Cortese), two Advisory Committee Members (Cindy Chavez, South Bay Labor Council, and David Lewis, Save The Bay), and three Staff Members (Ezra Rapport, ABAG; Fred Castro, ABAG; and Judy Kelly, SFEP).

Dave Metz and Shakari Byerly of FM3 gave a presentation on the polling results. The Polling Subcommittee recommended that the same presentation be given to full board, in addition to adding information addressing some questions that were brought up by the Polling Subcommittee and Advisory Committee Members.

Phase I will be completed after the presentation at the governing board meeting, and final reports are submitted.

Staff will work to initiate Phase II of the polling process. See attachment for a proposed timeline for Phase II.

Attachment: Phase II Timeline
# PROPOSED TIMELINE FOR PHASE II PUBLIC OPINION POLL

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 27, 2010</td>
<td><strong>Governing Board Meeting:</strong> Form Phase II Polling Subcommittee and discuss scope of Phase II Polling.</td>
</tr>
<tr>
<td>November 2010</td>
<td>Staff works with Phase II Polling Subcommittee to draft the RFP.</td>
</tr>
<tr>
<td>January 26, 2011</td>
<td><strong>Governing Board Meeting:</strong> Approval of Phase II Polling RFP.</td>
</tr>
<tr>
<td>January 28, 2011</td>
<td>ABAG posts Phase II RFP for 30 days.</td>
</tr>
<tr>
<td>February 28, 2011</td>
<td>Proposals are due.</td>
</tr>
<tr>
<td>March 2011</td>
<td>Staff works with Phase II Polling Subcommittee to review proposals.</td>
</tr>
<tr>
<td></td>
<td><strong>Governing Board (Phone Meeting):</strong> Approval of Applicant.</td>
</tr>
<tr>
<td>April 2011</td>
<td>Staff works with Phase II Polling Subcommittee to draft the Phase II Public Opinion Poll.</td>
</tr>
<tr>
<td>April 27, 2011</td>
<td><strong>Governing Board Meeting:</strong> Approval of Phase II Poll.</td>
</tr>
<tr>
<td>May 2011</td>
<td>Phase II polling is conducted.</td>
</tr>
<tr>
<td>June 2011</td>
<td>Phase II polling results are compiled are reviewed by staff and Phase II Polling Subcommittee.</td>
</tr>
<tr>
<td>July 27, 2011</td>
<td><strong>Governing Board Meeting</strong> – Phase II polling results are presented.</td>
</tr>
<tr>
<td>August 14, 2011</td>
<td>Expiration of Phase II Polling Funding.</td>
</tr>
</tbody>
</table>
Support for Funding the Restoration of San Francisco Bay
Key Findings From a Regional Voter Survey
Interviews Conducted August 10-18, 2010

Methodology
- Telephone interviews with 1,202 voters in the nine-county Bay Area likely to cast ballots in November 2012
- Geographic quotas assigned to ensure adequate representation of sub-regions
- Results statistically weighted to reflect the true geographic distribution of Bay Area voters
- Interviews conducted August 10-18, 2010
- Margin of sampling error of +/- 2.8%
- Results tracked from prior research where applicable

Key Findings
- Voters continue to view the Bay as an enormously important asset for the region, and central to their quality of life. Most voters at least occasionally visit the Bay for recreation.
- Less than half of voters view the Bay as being in “good” condition, and there has been a slight increase since 2004 in the proportion concerned about its condition.
- These factors likely underlie voters’ strong majority support for a ballot measure to finance restoration of the Bay – despite the fact that unemployment and economic issues are voters’ top concerns.
- At the same time, the margin of support for such a measure is slim; extensive coalition-building and public education will likely be essential for enhancing a measure’s chances of success.

Perceptions of the region’s direction remain mixed.

Do you feel things in the Bay Area are generally going in the right direction or are they off on the wrong track?

<table>
<thead>
<tr>
<th>Year</th>
<th>Right Direction</th>
<th>Wrong Track</th>
<th>Off on the Wrong Track</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>41%</td>
<td>44%</td>
<td>15%</td>
</tr>
<tr>
<td>2006</td>
<td>38%</td>
<td>46%</td>
<td>16%</td>
</tr>
</tbody>
</table>

Mood of the Electorate

Voters offer largely positive opinions of local public agencies and of Save the Bay.

- Your local mayor: Favorable 60%, Unfavorable 19%, Undecided 21%
- The Board of Supervisors in your County: Favorable 46%, Unfavorable 24%, Undecided 30%
- Save the Bay: Favorable 45%, Unfavorable 50%
- The San Francisco Bay Restoration Authority: Favorable 27%, Unfavorable 4%, Undecided 69%
9. I'm going to read you a list of issues, and I'd like you to tell me how serious a problem you think each one is in the Bay Area. Please tell me if you think it is an extremely serious problem, a very serious problem, a somewhat serious problem, a not too serious problem, or not at all a serious problem. Split Sample

**Pollution in the Bay is the top-ranking environmental concern.**

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The amount of taxes people pay to local government</td>
<td>31%</td>
<td>25%</td>
<td>22%</td>
<td>19%</td>
<td>13%</td>
</tr>
<tr>
<td>The amount you pay in property taxes</td>
<td>24%</td>
<td>24%</td>
<td>19%</td>
<td>27%</td>
<td>24%</td>
</tr>
<tr>
<td>Overall levels of pollution in the San Francisco Bay</td>
<td>21%</td>
<td>28%</td>
<td>32%</td>
<td>18%</td>
<td>16%</td>
</tr>
<tr>
<td>Loss of fish and wildlife habitat</td>
<td>26%</td>
<td>29%</td>
<td>29%</td>
<td>16%</td>
<td>18%</td>
</tr>
<tr>
<td>Loss of open space to development</td>
<td>21%</td>
<td>24%</td>
<td>28%</td>
<td>24%</td>
<td>29%</td>
</tr>
<tr>
<td>Pollution of the San Francisco Bay from storm drain and urban runoff</td>
<td>19%</td>
<td>32%</td>
<td>26%</td>
<td>12%</td>
<td>15%</td>
</tr>
</tbody>
</table>

**The state budget deficit, unemployment and government waste are top voter concerns.**

<table>
<thead>
<tr>
<th>(Ranked by % Extremely Serious)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The state budget deficit</td>
</tr>
<tr>
<td>Unemployment</td>
</tr>
<tr>
<td>Government waste and mismanagement</td>
</tr>
<tr>
<td>Too much government spending</td>
</tr>
<tr>
<td>The condition of the Bay Area economy</td>
</tr>
</tbody>
</table>

**Most conservation related issues are considered lower-tier concerns.**

<table>
<thead>
<tr>
<th>2010</th>
<th>2004</th>
<th>2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>The quality of drinking water</td>
<td>26%</td>
<td>11%</td>
</tr>
<tr>
<td>Loss of wetlands</td>
<td>26%</td>
<td>25%</td>
</tr>
<tr>
<td>Loss of tidal marshes</td>
<td>27%</td>
<td>16%</td>
</tr>
<tr>
<td>The condition of parks and recreational areas</td>
<td>23%</td>
<td>18%</td>
</tr>
<tr>
<td>The overall condition of shoreline around San Francisco Bay nearest where you live</td>
<td>25%</td>
<td>24%</td>
</tr>
</tbody>
</table>

**Most voters have at least some occasional contact with the Bay.**

<table>
<thead>
<tr>
<th>(Ranked by % Frequently Visit for Pleasure or Recreation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The San Francisco Bay</td>
</tr>
<tr>
<td>Parks near your area of the Bay shoreline</td>
</tr>
<tr>
<td>Ocean beaches</td>
</tr>
<tr>
<td>Marinas along your area of the Bay</td>
</tr>
<tr>
<td>Local creeks and Bay shoreline trails</td>
</tr>
<tr>
<td>Local wetlands</td>
</tr>
</tbody>
</table>

**Perceptions of the San Francisco Bay**

- Overall, flooding is a lower-level concern for most voters in the region.
- There is no major subgroup where more than one-third of voters rate flooding as an “extremely” or “very serious” concern.
- Concern tends to be highest in Marin County (33% “extremely/very serious”) and Solano County (30%), among voters with no more than a high school education (31%), among Republican women (29%) and among independents age 50 and older (29%).
11. Do you expect the condition of the San Francisco Bay to get better or worse in the next five years?

<table>
<thead>
<tr>
<th>2004</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Much better</td>
<td>13%</td>
</tr>
<tr>
<td>Somewhat better</td>
<td>33%</td>
</tr>
<tr>
<td>Somewhat worse</td>
<td>9%</td>
</tr>
<tr>
<td>Much worse</td>
<td>29%</td>
</tr>
<tr>
<td>No difference</td>
<td>16%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>7%</td>
</tr>
</tbody>
</table>

12. I’m going to read you a list of statements about the San Francisco Bay. I’d like you to tell me whether you generally agree or disagree. Split Sample

Voters have become less pessimistic about the future of the Bay over the last decade.

Do you expect the condition of the San Francisco Bay to get better or worse in the next five years?

<table>
<thead>
<tr>
<th>2000</th>
<th>2004</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Much better</td>
<td>60%</td>
<td>13%</td>
</tr>
<tr>
<td>Somewhat better</td>
<td>23%</td>
<td>16%</td>
</tr>
<tr>
<td>Somewhat worse</td>
<td>13%</td>
<td>31%</td>
</tr>
<tr>
<td>Much worse</td>
<td>4%</td>
<td>18%</td>
</tr>
<tr>
<td>No difference</td>
<td>5%</td>
<td>11%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

Despite a challenging economy, many would still be willing to pay more in taxes for restoration, if they knew about its benefits.

<table>
<thead>
<tr>
<th>2006</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>I would be willing to pay more in taxes for wetlands restoration if I knew more about the benefits of restoring the wetlands around San Francisco Bay</td>
<td>36%</td>
</tr>
<tr>
<td>We need better public access to the San Francisco Bay so more people can enjoy everything that it has to offer</td>
<td>40%</td>
</tr>
<tr>
<td>Being close to the Bay is a major reason why I have chosen to live where I live</td>
<td>40%</td>
</tr>
<tr>
<td>Only those people and businesses that are located right along the Bay, or have a view of the Bay, really benefit from it</td>
<td>29%</td>
</tr>
</tbody>
</table>

However, a slim plurality feels it will get better in the next five years.

Do you expect the condition of the San Francisco Bay to get better or worse in the next five years?

<table>
<thead>
<tr>
<th>2006</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Much better</td>
<td>10%</td>
</tr>
<tr>
<td>Somewhat better</td>
<td>23%</td>
</tr>
<tr>
<td>Somewhat worse</td>
<td>26%</td>
</tr>
<tr>
<td>Much worse</td>
<td>5%</td>
</tr>
<tr>
<td>No difference</td>
<td>23%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>4%</td>
</tr>
</tbody>
</table>

Voters continue to value the contributions the Bay makes to the economy and quality of life in the area.

(Ranked by % Strongly Agree)

<table>
<thead>
<tr>
<th>2000</th>
<th>2004</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is important for the region’s economy to have a clean, healthy and vibrant San Francisco Bay</td>
<td>43%</td>
<td>46%</td>
</tr>
<tr>
<td>The presence of the Bay increases the value of homes throughout the Bay Area</td>
<td>43%</td>
<td>45%</td>
</tr>
<tr>
<td>Taking care of the San Francisco Bay is a government responsibility</td>
<td>45%</td>
<td>46%</td>
</tr>
</tbody>
</table>

Information about the condition of fish in the Bay sparks serious concerns.

(Ranked by % Extremely Concerned)

- All fish sampled from the Bay have been contaminated with harmful chemicals like PCBs, mercury and pesticides.
- Many species of fish, birds, and other wildlife that live in the San Francisco Bay are dramatically declining.
- Today, only 5% of the Bay’s original wetlands remain and the Bay is threatened everyday by pollution and sprawl development.
- Native non-bottom fish populations of the Bay have declined by 52%, in some parts of the Bay, leading to a collapse of commercial and recreational fishing.
- 85% of the original marsh around the San Francisco Bay either no longer exists or has been developed.

(For questions you may have about the condition of San Francisco Bay, please note that 14% of respondents are extremely concerned, 44% of respondents are very concerned, 31% of respondents are somewhat concerned, and 11% of respondents are not concerned.)
Demographics of Concern About Fish Contamination

• All major subgroups of the regional electorate rank at least one issue related to the contamination of fish among their top two concerns.
• The only partisan differences on the issue are ones of degree: at least three out of four Democrats and independents say they are “very concerned” about both items related to contamination of fish; among Republicans, the figure is three out of five.
• There are only minor differences in concern along lines of age, gender, ethnicity, education, homeownership, and geography.
• Those who use the Bay at least occasionally for recreation are somewhat more concerned than those who never do.

Support for a Potential Bay Restoration Finance Measure

Question Methodology

• All voters were asked about two potential funding mechanisms:
  • A $25 parcel tax measure
  • A ¼ cent sales tax measure
• Half the sample was asked about the parcel tax first
• The other half was asked about the sales tax measure first
• All voters were asked about a benefit assessment structure as an immediate follow-up to the parcel tax question

Ballot Language Tested

The San Francisco Bay Water Quality and Wildlife Habitat Restoration Measure.
To improve water quality in the San Francisco Bay, protect endangered fish and wildlife, increase flood protection for Bay Area communities, restore shoreline, wetlands, marshes and related habitat and expand parks and public access to the Bay, shall the County sales tax be increased by ¼ cent for
(Half Sample) 10 years, with annual independent audits and citizen oversight of all expenditures?
(Half Sample) 20 years, with annual independent audits and citizen oversight of all expenditures?

As expected, each measure receives lower support when introduced as a follow-up to the other.

Both measures initially obtain majority support, but only the parcel tax approaches two-thirds.
Supporters of the measure say the San Francisco Bay is an important part of the natural beauty and unique quality of life we enjoy in the bay area. They say that if we do not act now to protect the bay, our children and grandchildren will not be able to enjoy recreational opportunities and the bay’s natural beauty like we do today. Supporters point out that this measure will help restore wetlands and other natural habitat that help filter toxins and prevent shoreline erosion, keeping our water clean and helping to prevent floods.

Restoring these wetlands has the added benefit of protecting dozens of species of plants, animals, birds and fish. This measure will also bring in state and federal matching funds to the Bay Area that would otherwise go to other communities and projects.

Opponents of a tax measure to restore the San Francisco Bay say that with the economy still in deep recession we simply cannot afford any increase in taxes to improve the bay. They also say that overall, the bay is in fairly good condition and additional restoration is more of a luxury. At a time when vital services are being cut and we are facing massive state and local budget deficits, there are more important priorities for our tax dollars than the bay — including schools, public safety and roads. They say government cannot be trusted to manage any additional tax dollars, and any funds from this measure would simply be mismanaged and wasted.
Renters offer higher levels of support than property owners.

Residence

<table>
<thead>
<tr>
<th>Total Yes</th>
<th>Total No</th>
<th>Undecided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Own</td>
<td>33%</td>
<td>4%</td>
</tr>
<tr>
<td>Rent</td>
<td>25%</td>
<td>4%</td>
</tr>
</tbody>
</table>

Support for the parcel tax is highest in the East Bay and San Francisco Peninsula.

Region

<table>
<thead>
<tr>
<th>North Bay</th>
<th>East Bay</th>
<th>San Francisco Peninsula</th>
<th>South Bay</th>
</tr>
</thead>
<tbody>
<tr>
<td>25%</td>
<td>2%</td>
<td>4%</td>
<td>2%</td>
</tr>
</tbody>
</table>

Lower parcel tax amounts engender higher levels of support.

(Among Respondents Who Heard the Parcel Tax Measure First)

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Undecided</th>
</tr>
</thead>
<tbody>
<tr>
<td>$25</td>
<td>69%</td>
<td>31%</td>
</tr>
<tr>
<td>$20</td>
<td>67%</td>
<td>33%</td>
</tr>
<tr>
<td>$15</td>
<td>69%</td>
<td>28%</td>
</tr>
<tr>
<td>$10</td>
<td>72%</td>
<td>26%</td>
</tr>
<tr>
<td>$5</td>
<td>79%</td>
<td>23%</td>
</tr>
</tbody>
</table>

Initial support is statistically equal for a measure with a 10-year or 20-year sunset.

10 Year Sunset/20 Year Sunset

<table>
<thead>
<tr>
<th>Total Yes</th>
<th>Total No</th>
<th>Undecided</th>
</tr>
</thead>
<tbody>
<tr>
<td>69%</td>
<td>31%</td>
<td></td>
</tr>
</tbody>
</table>

There is no clear advantage from using a benefit assessment methodology.

<table>
<thead>
<tr>
<th>Much more likely</th>
<th>Somewhat more likely</th>
<th>Somewhat less likely</th>
<th>Much less likely</th>
<th>Total More Likely</th>
<th>Total Less Likely</th>
<th>Both/Neither/DK/NA</th>
</tr>
</thead>
<tbody>
<tr>
<td>19%</td>
<td>14%</td>
<td>9%</td>
<td>27%</td>
<td>33%</td>
<td>36%</td>
<td>2%</td>
</tr>
</tbody>
</table>

Voters place a higher priority on funding the most effective projects to improve the Bay than on funding projects in their specific county.

<table>
<thead>
<tr>
<th>Bay restoration projects specifically in my county</th>
<th>I do not think they should be spent in a different part of the Bay Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>58%</td>
<td>29%</td>
</tr>
</tbody>
</table>

It does not matter to me if revenues generated by this measure are spent in my county, as long as funding goes to the most effective projects to improve the Bay.

<table>
<thead>
<tr>
<th>Both/Neither/DK/NA</th>
</tr>
</thead>
<tbody>
<tr>
<td>13%</td>
</tr>
</tbody>
</table>

Votes place a higher priority on funding the most effective projects to improve the Bay than on funding projects in their specific county.
Projects related to water quality, fish and wildlife emerge as the highest voter priorities for funding.

(Ranked by % Extremely Important)

- Reducing levels of pollution in the Bay: 43% Ext. Impt., 37% Very Impt., 15% S.W. Impt., 5% Not Impt./DK/NA
- Improving water quality in the Bay: 39% Ext. Impt., 31% Very Impt., 20% S.W. Impt., 10% Not Impt./DK/NA
- Protecting endangered fish and wildlife: 36% Ext. Impt., 35% Very Impt., 29% S.W. Impt., 7% Not Impt./DK/NA
- Protecting migrating birds like shorebirds and ducks: 31% Ext. Impt., 33% Very Impt., 27% S.W. Impt., 5% Not Impt./DK/NA
- Protecting habitat for endangered fish and wildlife: 29% Ext. Impt., 40% Very Impt., 22% S.W. Impt., 9% Not Impt./DK/NA
- Restoring wetlands that provide flood protection: 30% Ext. Impt., 36% Very Impt., 24% S.W. Impt., 14% Not Impt./DK/NA
- Restoring Bay wetlands: 28% Ext. Impt., 33% Very Impt., 28% S.W. Impt., 13% Not Impt./DK/NA
- Increasing flood protection for Bay area communities: 26% Ext. Impt., 31% Very Impt., 26% S.W. Impt., 17% Not Impt./DK/NA

Projects related to recreational opportunities rank as lower priorities.

- Restoring shoreline: 10% Ext. Impt., 34% Very Impt., 29% S.W. Impt., 12% Not Impt./DK/NA
- Restoring land surrounding the Bay shoreline: 21% Ext. Impt., 33% Very Impt., 27% S.W. Impt., 14% Not Impt./DK/NA
- Dealing with the impact of sea level rise on the Bay shoreline from climate change: 21% Ext. Impt., 32% Very Impt., 27% S.W. Impt., 20% Not Impt./DK/NA
- Protecting against sea level rise: 21% Ext. Impt., 32% Very Impt., 27% S.W. Impt., 22% Not Impt./DK/NA
- Restoring tidal marshes: 19% Ext. Impt., 39% Very Impt., 33% S.W. Impt., 14% Not Impt./DK/NA
- Restoring the Bay for recreational fishing: 19% Ext. Impt., 39% Very Impt., 35% S.W. Impt., 17% Not Impt./DK/NA
- Opening new areas around the Bay shoreline for swimming, boating, hiking, biking, wildlife viewing and other recreational activities: 19% Ext. Impt., 39% Very Impt., 35% S.W. Impt., 21% Not Impt./DK/NA
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Conclusions

- Voters continue to place enormous value on the Bay, but are highly concerned about the condition of the economy.
- While a regional sales tax does not appear likely to reach two-thirds supermajority support at this time, a parcel tax has the potential to do so under the following conditions:
  - Keep the per-household cost under $25;
  - Target a high turnout election like November 2012;
  - Detail specific benefits for water quality and wildlife;
  - Prepare for the ballot measure with a strong program of public education.
- It does not appear necessary to structure the measure to keep funding in the county where it is raised, or to structure it as a benefit assessment.
- The specific length of a sunset provision does not appear critical to the measure’s success.
- The current survey is encouraging, but is a snapshot in time – changing economic, political, and environmental factors must be carefully monitored.

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Phone (510) 451-9521
Fax (510) 451-0384
Dave@FM3research.com

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