



Special Agents Mark Matulich and Kyle Biebesheimer,

It was good meeting you both at Oscar's place a couple weeks ago. Right after that, I know we loaded you up with a lot of research material and it would have been unfair to press you with more....Which is why I have waited until now. Please do not lose heart, because this record of correspondence will require much less assimilation.

Late in July, I had the opportunity to make contact with Ms. Michelle Liapes, of the SFPUC Communications Office. In the early afternoon of 30 July 2011, we had a long conversation where I sought to verify the assertions in the GGNRA Fire Management Plan that attests to a high level of cooperation between that agency and SFPUC. Actually, SFPUC Commission Secretary Michael Housh referred me to Ms. Liapes. In my conversation with him, he replied he could not recount any such relationship between the two organizations, outright assuring me that none exists. Not only is this the case between the SFPUC and GGNRA, but as you shall read below, ***there are no such reciprocal agreements with SFPUC and any other agency.*** Mr. Housh informed me Ms. Liapes would be the final authority at SFPUC to conclusively answer my questions, so I phoned her straight away. Below is my follow-up e-mail later that day.

#### The Correspondence:

From: Joseph Shaughnessy [mailto:joseph.f.shaughnessy@gmail.com]

Sent: Friday, July 29, 2011 3:02 PM

To: Liapes, Michele

Subject: SFPUC and GGNRA Cooperative Agreement for Fire Management Plan of Mutually Adjoining Properties, Current and Future

To:

Michelle Liapes, Communications Office

San Francisco Public Utilities Commission

Dear Michelle,

Thank you for taking the time to speak with me about my inquiries. To begin with, I suggest you take a few minutes to read the accompanying attachment. There you will find the crux of my interest in the SFPUC and any publically stated arrangement, formal or not, to collaborate with the Golden Gate National Recreation Area (GGNRA) on a Fire Management Plan (FMP) and a work-sharing arrangement in the unfortunate event of a fire. The onset of my interest in the matter is from what the GGNRA has said about their collaboration with the SFPUC, namely the following from page 25 of the Operational Strategy for the Fire Management Plan GGNRA of April 2008:

***In implementing the GGNRA FMP, the NPS will coordinate with the SFPUC Land and Resources Management Section to ensure that NPS actions conform to the Watershed Management Plan and FMP to the extent possible that allows NPS to its objectives. GGNRA staff meets annually with the SFPUC***

*Land and Resources Management Section to discuss issues of joint interest and will inform SFPUC staff of proposed fire management actions at the Phleger Estate and Sweeney Ridge.*

[\[http://www.nps.gov/goga/parkmgmt/upload/fire\\_fmp\\_op\\_strat\\_chapters.pdf\]](http://www.nps.gov/goga/parkmgmt/upload/fire_fmp_op_strat_chapters.pdf)

With GGNRA saying such things about this arrangement regarding Sweeney Ridge and the Phleger Estate, it seemed that SFPUC would have some information to share about your end of the arrangement with these two GGNRA properties, as well as a pending agreement regarding Rancho Corral de Tierra. With GGNRA taking on Rancho Corral de Tierra, a property much more than double the combined size of Sweeney and Phleger, surely they have been in contact with SFPUC about the pending changes necessary to support that site. Therefore, you can imagine my surprise when Commission Secretary Michael Housh and you each tell me that:

1. Neither of you can confirm regular annual meetings with minutes, journal, or policy papers. Could you confirm this in writing? Such meetings would allow both agencies to review and ensure that your joint “actions conform to the Watershed Management Plan and FMP.” If there are no records of minutes or a recording of policy changes derived from such meetings, can you at least tell me is there any written or published calendar record of such conferences held the past three years? You did mention an intra-office memo you wrote one recent year about a BBQ and seminar. I would like a copy of this. Were there other occasions?
2. When I asked you if I could speak directly with the SFPUC Land and Resources Management Section to check with them about the GGNRA saying the two organizations have the relationship described by GGNRA above, you were unable to provide that information, including names, extensions and e-mail addresses.

Thank you for your time and attention to this matter. I do look forward to your next contact.

J. F. Shaughnessy

Ms. Liapes replied just a little later:

On Fri, Jul 29, 2011 at 4:29 PM, Liapes, Michele <MLiapes@swater.org> wrote:

Dear Mr. Shaughnessy:

As soon as I heard from you, I contacted the Land Resources manager who I thought would be the best resource for any documents or updates we have. He is out for the day, I've spoken with his secretary as well as emailing him myself, and either I or someone else will follow up with you next week. If we do have any documents responsive to your request, we will be glad to email them to you or--if they are too large--make them available for you to review at our offices.

Sincerely,

Michele Liapes

Whereupon I answered:

From: Joseph Shaughnessy [mailto:joseph.f.shaughnessy@gmail.com]

Sent: Friday, July 29, 2011 4:34 PM

To: Liapes, Michele

Subject: Re: SFPUC and GGNRA Cooperative Agreement for Fire Management Plan of Mutually Adjoining Properties, Current and Future

Dear Ms. Liapes,

Thank you for your quick response. I will speak to you by early next week about a time where either I or another representative from my organization will present for the opportunity to review what documents you have.

Joseph F. Shaughnessy

The following Monday, before I had a chance to make an appointment for Oscar or our attorney to view SFPUC files, I received this from Ms. Liapes:

From Liapes, Michele MLiapes@sfwater.org to Joseph Shaughnessy <joseph.f.shaughnessy@gmail.com>

CC "Naras, Joe" <JNaras@sfwater.org>,"Housh, Mike" <MHoush@sfwater.org>

Date Mon, Aug 1, 2011 at 3:42 PM

Subject Re: SFPUC and GGNRA Cooperative Agreement for Fire Management Plan of Mutually Adjoining Properties, Current and Future

Dear Mr. Shaughnessy:

I have spoken with our Land and Natural Resources Manager.

In addition to the yearly informal get-togethers that I told you about (for the purpose of allowing the different agency fire-response teams to meet one another and exchange contact information), I have learned that San Francisco Public Utilities Commission staff people also meet annually with GGNRA staff. These meetings are pursuant to the 1969 scenic easement agreement between the Federal Government and us; the purpose is for us to inform the GGNRA of upcoming maintenance projects on the watershed for the coming year as assurance that we are abiding by the agreement stipulation that our watershed lands will remain as open space.

I would not expect the attached list of this year's projects to be of interest to you, but am providing it as documentation of the nature of the meetings you have asked about.

There are no other written materials, notes, or proceedings for these meetings, and, as Michael Housh and I originally surmised, we have no agreements with the GGNRA or other agencies in reference to maintenance of lands adjoining our property. In summary, I am sorry to report that the San Francisco Public Utilities Commission has no documents responsive to your request.

Sincerely,

Michele Liapes

Agents, I again thank you both for your attention to this problem. When we met earlier, we had told you the California Watershed Posse often sees no level of planning or cooperation between many of the various agencies with charged with securing the San Francisco Peninsula Watershed. Originally, our concerns with SFPUC were to establish the existence of mutual organizational operating procedure agreements between GGNRA and SFPUC for properties present and future. Little did we know that the SFPUC would verify that there are “*no agreements with the GGNRA or other agencies in reference to maintenance of lands adjoining our property.*” Unhappily, we *did* anticipate the mentioned SFPUC Project Work List for 2011 would fulfill the spirit of advancing visitation by enabling an unknown number of SFPUC property guests by the focus on fulfilling a scenic easement. There are several projects denoted with an “R” for recreation, but none for security. Finally, from the SFPUC’s own account, the stated GGNRA mutual organizational operating procedures and cooperation with the SFPUC in no way represent a responsibility sharing reality with current or future properties.

If you prefer, I would be happy to forward you originals of the cited e-mails. When I spoke to both SFPUC officials, I stated I would be sharing all content obtained in the public arena, so there is no conflict with such distribution. I have also attached the SFPUC Project Work List for 2011. Please let me know if I may be of further service.

Best Regards,

Joseph F. Shaughnessy  
Communications Director  
California Watershed Posse  
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(408) 461-1211