

Request for Resolution for Reversion of S.F. GGNRA Properties

Presented to:
S.F. Commission of Animal Control & Welfare

Presented by:
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PROBLEM: In January 2005, an ordinance was passed by the San Francisco Board of Supervisors which properly recognizes that one of the responsibilities of a dog guardian is to provide appropriate exercise for their dog. The ordinance also acknowledges that for most residents of San Francisco, recreation must take place on public property. However, in San Francisco the Recreation and Park Department has failed to provide those facilities through the implementation of its Natural Areas Program (NAP) and its failure to protect the recreational rights of dog guardians within the Golden Gate National Recreation Area (GGNRA). At this time, the GGNRA has arbitrarily and illegally closed down approximately 3 miles of Ocean Beach and a portion of Crissy Field to off-leash recreation. Additionally, the Negotiated Rulemaking process to determine the other areas where off-leash recreation may or may not be permitted in the GGNRA is illegal, fatally flawed, and has no input from the City of San Francisco. The GGNRA is slowly but surely taking away land subject to its 1979 Pet Policy that historically has been used for off-leash (voice-control) recreation.

HOW DID WE GET HERE? It is important to note that the City of San Francisco turned over more than 50% of its Park properties to be a part of the GGNRA, and that the GGNRA promised to preserve the historical recreational usage of those properties. We are in dire risk of losing all off-leash recreation in the GGNRA, and NAP takes away yet another one-third of the remaining City park properties that could be off-leash Dog Play Areas. Thus, at the same time our dog population is growing, our opportunities for off-leash recreation are diminishing. Certainly this is a recipe for turmoil—cramming too many dogs into close quarters to play will result in untoward incidents which will encourage those who do not appreciate the value of off-leash recreation to call for even greater cutbacks to Dog Play Areas. For the purposes of this presentation, I will focus upon the GGNRA, not the Natural Areas Program, although it certainly is essential to consider NAP in viewing the overall circumstance for dog guardians here in San Francisco.

A LITTLE HISTORY: Congress established the GGNRA on October 27, 1972 "to preserve for public use and enjoyment certain areas of Marin and San Francisco Counties, California possessing outstanding natural, historic, scenic, and recreational values." (16 USC Section 460bb.) In addition to this generic statement of purpose appearing in most national park statutes, Congress included two "specific provisions" unique to the GGNRA.

First, the park was established "to provide for the **maintenance** of needed recreational open space necessary to urban environment and planning." (Emphasis added.)

Second, the GGNRA statute imposes a unique limitation on NPS's discretionary power for "management of the recreation area": the "Secretary of Interior..**shall** utilize the resources in a manner which will provide for **recreation** and educational opportunities consistent with sound principles of land use planning and management." (Emphasis added).

When the citizens of San Francisco considered turning over Park properties for inclusion into the GGNRA in 1973, they were advised by none other than the Superintendent of the GGNRA that "the National Park Service intends to preserve the general character and present use of the various parks that may be affected by the passage of Proposition F". (see attached copy of newspaper article).

Initially, the GGNRA lived up to their promises. Rolf Diamont, GGNRA Environmental Coordinator prepared a memo proposing a "Draft Dog Policy for San Francisco Unit." His memo commented on Ocean Beach as follows: "Ocean Beach: no rules should be enforced here. Ocean Beach is too large and too accessible to control dogs. It would be a logistical nightmare for the Park Service to try. Also lifestyles are such on Ocean Beach, that an inflexible NPS here could hurt our improving relations with visitors." Observations such as that led to the following guidelines as enumerated in the memo:

1. "No regulation, verbal or written, should be attempted that cannot be reasonably and consistently administered."
2. "Dog regulations should be different for different areas of the park reflecting public needs and attitudes as well as urban geography and our capabilities."
3. "When we discourage or restrict dogs in any area, whenever possible, an alternative site where dogs are allowed should be suggested."

The concepts and specific recommendations in this memo were later approved and implemented as "The 1979 Pet Policy". (See attached copy of the 1979 Pet Policy).

However, starting in 1992, the GGNRA began systematically eliminating off-leash recreation in certain areas of the park where the 1979 Pet Policy allowed off-leash recreation. At no time did they comply with the Memorandum of Understanding with the City of San Francisco which required their consultation with and approval from City personnel before implementing changes. And, in 2001 the GGNRA unilaterally eliminated off-leash recreation in the GGNRA entirely, citing that off-leash recreation was in violation of NPS Regulations.

Indeed, in 2001, a Resolution was approved by the San Francisco Board of Supervisors, detailing the history of the relationship between the City, the public and the GGNRA. The Resolution (and its findings) is so significant that it is quoted in full below:

RESOLUTION for S.F. Board of Supervisors Vote [Urging GGNRA to delay leash enforcement -- Passed on December 10, 2001]

Resolution requesting the National Park Service to delay enforcing, in the San Francisco parks situated in the GGNRA, 36 C.F.R. 2.15, requiring pets to be on leash in national parks, until the ANPR process has been completed.

WHEREAS, In 1975, the City and County of San Francisco transferred Fort Funston and other City-owned park lands to the federal government to be included in the Golden Gate National Recreation Area (GGNRA), to be administered by the National Park Service (NPS); and,

WHEREAS, The statute creating the GGNRA (16 U.S.C. Section 460bb) specifically states that the GGNRA was established to provide for the maintenance of needed recreational open space necessary to the urban environment and planning and requires that the Secretary of the Interior "utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management;" and,

WHEREAS, Former Charter section 7.403-1(a), as approved by the voters, required that the deed transferring any City-owned park lands to the NPS include the restriction that said lands were to be reserved by the Park Service "in perpetuity for recreation or park purposes with a right of reversion upon breach of said restriction;" and,

WHEREAS, When Fort Funston and other City-owned parks were transferred to the federal government, a federal regulation existed requiring all pets to be on leash in federal parks, yet the NPS chose not to enforce this regulation in the San Francisco City parks; and,

WHEREAS, In April 1978, the GGNRA stated its position that "the ordinary guidelines outlined in the Code of Federal regulations do not really apply in an urban area," and that "people and their animals have been visiting the park for too long to apply an all-inclusive arbitrary policy;" and,

WHEREAS, The Superintendent of the GGNRA in the spirit of this statement developed a draft pet policy and submitted it to the GGNRA Advisory Committee for further review and public hearings; and,

WHEREAS, In September of 1978, after extensive public hearings and public surveys, the Advisory Commission proposed guidelines for a pet policy for the San Francisco Unit of the GGNRA, designating Fort Funston, Lands End, Ocean Beach, Fort Miley, Baker Beach, and Crissy Field for continued off-leash recreation; and,

WHEREAS, On October 6, 1978, GGNRA General Superintendent Lynn Thompson accepted these designations with the following comment: "As you know, the Advisory Commission approved the proposed guidelines for a pet policy in the San Francisco Unit of the GGNRA at their September 27 meeting," and she continued, "We are accepting in total the Commission's recommendations for each of these areas;" and,

WHEREAS, On February 24, 1979, the GGNRA finalized the pet policy for both San Francisco and Marin County, establishing areas where pets could be exercised off-leash; and,

WHEREAS, In 1982, the 1979 Pet Policy was incorporated into the GGNRA Natural Resources Management Plan as Appendix C; and,

WHEREAS, On July 8, 1992, NPS Western Regional Director Stanley Albright assured U.S. Senator John Seymour that "there is no change in the 1979 Pet Policy which provides the visitor of walking one's dog off leash"; and,

WHEREAS, By letter dated July 8, 1992, Western Regional Director Stanley Albright also assured U.S. Senator Cranston that there would be no change in the 1979 Pet Policy; and,

WHEREAS, On February 5, 1999, Pacific Western Regional Director John Reynolds assured U.S. Senator Dianne Feinstein that the "GGNRA has adopted a pet policy that is more liberal than the regulations enforced at other national park sites throughout the United States, where pets are required to be leashed at all times and are, for the most part, excluded from all but developed areas," and the letter continued, "[The] GGNRA has, with the assistance of the park's Advisory Commission, established a pet policy that allows some opportunity for visitors to enjoy a few designated areas as voice control areas where pets are allowed off-leash;" and,

WHEREAS, On March 19, 1999, GGNRA Superintendent Brian O'Neill stated to U.S. Congresswoman Nancy Pelosi, the "GGNRA has adopted a pet policy that is more liberal than pet regulations at other national park sites throughout the country... certain areas of the park have been designated as voice control areas where pets are permitted off-leash;" and,

WHEREAS, In November of 2000, the GGNRA Advisory Committee attempted to revoke the 1979 Pet Policy, but failed due to a point of order; and,

WHEREAS, On January 23, 2001, over 1,500 people attended the GGNRA Advisory Committee meeting to protest revocation of the 1979 Pet Policy, nine San Francisco supervisors spoke, and both Senator Speier and Assemblyman Shelley sent letters to be read by their representatives; and,

WHEREAS, The Advisory Committee recommended that the GGNRA hold meetings with stakeholder groups within the next 120 days to resolve the issue, and to not change leash enforcement for this period; and,

WHEREAS, The Advisory Committee at this meeting did not vote on the Pet Policy; and,

WHEREAS, Rather than hold stakeholder meetings, the GGNRA received permission from Washington for a more formal process called Advance Notice of Proposed Rulemaking (ANPR), but this process has not begun; and,

WHEREAS, In November, 2001, the GGNRA began to aggressively enforce the leash requirement at Fort Funston, sending teams of law enforcement rangers for 2 to 3 hour segments, and issuing tickets for walking dogs off-leash without initiating the ANPR process in good faith with the public; and,

WHEREAS, Off-leash recreational users believe that off-leash recreation is legal at Fort Funston, and they agreed to go through the ANPR process and further rulemaking in order to obtain a special rule for the GGNRA that specifically recognizes that off-leash dog-walking is permissible in certain GGNRA parks; and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco finds that the recent enforcement of 36 C.F.R. 2.15 is in contravention to the representations made to the public at the Citizens Advisory Committee meeting on January 23, 2001; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby requests the National Park Service not to enforce, in the GGNRA parks which were donated to the federal government by the City and County of San Francisco, 36 C.F.R. 2.15, which requires that all pets be on leash in federal parks, until the ANPR process has been satisfactorily completed; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby requests the NPS to advise the Board as to the status of the ANPR process; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall send copies of this resolution to the offices of United States Senator Dianne Feinstein, United States Senator Barbara Boxer, Congresswoman Nancy Pelosi, Congressman Tom Lantos, State Senator John Burton, State Senator Jackie Speier, Assemblywoman Carole Migden, Assemblyman Kevin Shelley, GGNRA Superintendent Brian O'Neill and the National Park Service.

The GGNRA ignored the aforementioned Resolution and enforced the leash law in the GGNRA while the ANPR process proceeded. At the conclusion of ANPR, the GGNRA was given formal permission by a Federal Panel to implement a Section Seven Special Regulation for off-leash recreation within the GGNRA. GGNRA Superintendent Brian O'Neill declared that Negotiated Rulemaking ("NR") would be employed as the method to create a Section Seven Special Regulation for off-leash pet recreation, if any, within the GGNRA. The fatal flaw is that the NR cannot come to a legally sustainable result. The premise under which the present NR was authorized is inconsistent with the current law governing pet management in the GGNRA. In the period between promulgation of ANPR documents and the official commencement of NR (first

quarter 2006), the United States District Court for the Northern District of California reinstated the GGNRA's own "1979 Pet Policy" for off-leash recreation in the GGNRA. (the Honorable William H. Alsup's June 2, 2005, "Order of Affirmance" in *United States v. Barley, et al.*, 405 F.Supp.2d 1121 (N.D. Cal. 2005)) The Court found that the GGNRA legally implemented and then illegally rescinded the 1979 Pet Policy by refusing to follow its own regulations at 36 C.F.R. Section 1.5(b).

Quoted below is an excerpt from Judge Alsup's decision affirming reinstatement of the 1979 Pet Policy in the GGNRA, and his findings regarding the history of pet management in the GGNRA:

"In sum, for more than twenty years, the GGNRA officially designated at least seven sites for off-leash use. This was not accidental. It was a carefully articulated, often studied, promulgation. The responsible GGNRA officials in 1978 and thereafter presumably believed they were acting lawfully. Even now, the government concedes that the GGNRA had full authority at all times to relax the general leash rule at the GGNRA but argues it could have done so, at least after 1983, only via a "special regulation." In other words, the agency allegedly used the "wrong" procedure back in 1978 (and thereafter) even though a "right" procedure to reach the desired result was available and could have been used. The government has not revealed its internal justification for following the "wrong" process. Whatever it was, the justification was abandoned in 2002 with the two-word explanation that it had been "in error." With this *ipse dixit*, the NPS wiped away two decades of policy, practice, promulgations, and promises to the public." (United States v. Barley, *supra*, 405 F.Supp.2d at 1124.)

A fundamental prerequisite for implementation of NR is that the agency is in "need of a rule". (*Negotiated Rulemaking Act of 1996, Section 563, hereafter referred to as the "NR Act"*.) The Court's finding that the 1979 Pet Policy was legally implemented and is the law for off-leash recreation has undermined the premise for the use of NR to create a rule. The 1979 Pet Policy has been the rule for pet management in the GGNRA for approximately 25 years, allows off-leash recreation on less than one percent of the GGNRA acreage, and has served the Park and the public well. The 1979 Pet Policy should *now* be implemented by the Superintendent of the GGNRA as a Section Seven Special Regulation because it best reflects the intentions of those who created the GGNRA and the promises made to the citizens in order for them to approve the creation of an urban National Recreation Area.

Nonetheless, Superintendent O'Neill adamantly refuses to implement the 1979 Pet Policy as a Section Seven Special Regulation, and has steadfastly refused to reveal to the public that such action is even an option for the GGNRA. Instead, the GGNRA intends to force the public to spend at least a half a million dollars (the estimated cost of NR per Christine Powell of the GGNRA) for the GGNRA to remove our privileges in an unlawful NR process. Additionally, the GGNRA brazenly refuses to revise the NR documents to reflect the critical change in (reinstatement of) the law, thereby creating a legally impermissible premise for NR negotiations, and illegal requirements for NEPA evaluations.

Should NR proceed as premised by the GGNRA, Superintendent O'Neill will violate:

- the Federal Statute which created the GGNRA
- the grant deed restrictions for the properties transferred by San Francisco
- the 1975 Memorandum of Understanding (MOU) with the City of San Francisco
- the National Environmental Policy Act
- the Endangered Species Act
- the Public Trust Doctrine governing the use of tidelands
- the Negotiated Rulemaking Act
- the Code of Federal Regulations governing National Parks
- the Federal Panel Recommendations to the General Superintendent on Proposed Rulemaking for Pet Management at GGNRA
- the Department of Interior Director's Order 75A

Outside of the NR process, the GGNRA has recently announced closures to off-leash recreation at portions of Ocean Beach and Crissy Field without any public process of notice and comment. Superintendent O'Neill himself acknowledged in correspondence earlier this year that such an action would be in contempt of the Federal Court's order, hence illegal.

"Judge Alsup effectively held that the 1979 Pet Policy governs off-leash use until such time as GGNRA completes a process for changing that Policy that is consistent with federal requirements, should that step be taken." (GGNRA Superintendent Brian O'Neill's letter of December 10, 2005, to Stephen Sayad.)

Superintendent O'Neill, in correspondence to Dr. Suzanne Valente on January 9, 2006, admitted: ***"His [Judge Alsup's] decision stated that the NPS could not initiate enforcement of the pet regulation in areas where voice-control dogwalking was previously allowed without first going through rulemaking [36 CFR 1.5(b)]"***.

Not only are these current closures to off-leash recreation illegal, they are poor public policy. The excuse Superintendent O'Neill has utilized for these closures is the seasonal presence of the Western Snowy Plover (WSP). Even closures for this reason would require notice and comment as indicated by this quote from Superintendent O'Neill's letter of January 9, 2006: ***"Judge Alsup also stated that this ruling did not restrict GGNRA's ability to protect resources following notice and comment pursuant to [36 CFR 1.5(b)]."*** Superintendent O'Neill hopes to circumvent the requirement for notice and comment by claiming there is now an "emergency" with respect to the WSP. The United States Attorney acknowledged to the Court that no emergency existed in June of 2005, and Superintendent O'Neill admitted in December 2005 that there was no emergency when he chose to table an "Emergency Petition" to terminate off-leash recreation in the GGNRA. The fact that Ocean Beach and Crissy Field are not critical habitat for the WSP likely prohibits any finding of an "emergency" for the WSP in the GGNRA based upon occasional "disturbance" of the birds.

Indeed, effective October 31, 2005, the United States Fish and Wildlife Service ("USFWS") reevaluated the critical habitat for the WSP, and declined to list any area in the City and County of San Francisco as critical habitat for the WSP. In the text of the explanation of their decision, USFWS made the following findings:

“Our current designation of critical habitat is different from the 1999 rule in two primary ways. In this designation, we utilized a different methodology for determining essential areas, and we relied upon additional scientific information which was not available in 1999. Thus, this rule, while similar in many respects to that in 1999, is a new designation, and does not designate the same areas.”

With respect to Ocean Beach, USFWS stated:

“We have decided not to include the suggested additional areas because they do not meet our three criteria from the Methods section: They do not support either sizeable nesting populations or wintering populations, nor do they provide unique habitat or facilitate genetic exchange between otherwise widely separated units. Although we do not consider these areas essential for recovery, we do consider them important, and will continue to review projects in these areas that might affect WSP as required by sections 7 and 10 of the Act.”

Allowing humans and off-leash dogs to enjoy Ocean Beach is not a new project; it is an activity that has persisted on Ocean Beach for well over 50 years. The GGNRA has in the past relied upon one study out at Ocean Beach. This poorly designed study by Daphne Hatch did acknowledge that the plover does not nest at Ocean Beach, although a small group does seasonally roost there. It was acknowledged the major factor discouraging the plover from roosting at Ocean Beach was a lack of beach width (due to ongoing erosion). Dogs have never been found to be predators of the plover and less than one-half of one-percent of dogs at Ocean Beach chased plovers.

I discovered early this week that Daphne Hatch has been at it again, and has produced a new and improved status report for the WSP at Ocean Beach and Crissy Field. Briefly, I can say as someone who participated in research and wrote a thesis based upon such research (required to graduate with Honors at UCB in Genetics) and reads scientific studies regularly to assess the efficacy of dental materials and treatments, this is one of the poorest study designs I have ever seen. If a medical supplier or pharmaceutical company designed a drug study with this level of integrity, they would be laughed out of the room. Certainly it would never be published in any reputable journal. It is unfortunate that government employees are allowed to promulgate environmental studies such as this, clearly designed to achieve a predetermined result. It is a cruel hoax upon the taxpayer that the GGNRA be allowed to craft public policy based upon this “study”. Rather than spend an hour discussing specifics, I will leave you with a handout evaluating this study. I can briefly point out a big problem with this study: bias on the part of the researcher in a study that is merely observational. Daphne Hatch, Chief of Natural Resources Management and Science for the GGNRA, was quoted earlier in this year in the Chronicle as saying: ***“Ocean Beach without the people is an incredible habitat. But people think of it as a sandbox or their backyard”***. Doesn’t sound like she is interested in us being out there OR our dogs! I also find it highly disturbing that I formally requested any data of this nature that the GGNRA might have in their possession in April of this year, AFTER this study had completed its data collection. Yet the GGNRA responded by telling me such data did NOT exist, and my appeal to the DOI was not honored either. The DOI told me I had the right to sue for the information, so go ahead because they were too busy to respond to my request.

The GGNRA might find their best management practices later in the text of the new USFWS designation:

“Nest exclosures, predator-proof trash receptacles, aversion conditioning, and both lethal and non-lethal control of predators have been successful in reducing the impacts of predators on plover reproduction and survival. We believe that these actions implemented to reduce the impact of predators on plover nesting, and other management measures designed to reduce the potential impacts of humans (e.g. use of symbolic fencing, public education, and enforcement of regulations), are responsible for the increases in plover breeding success documented at many locations.”

In short, proper control of beach fires and camping in the areas where the plover roosts, enclosure fencing of roosting areas (where appropriate), control of the litter and the ravens (predators of the plover) the litter draws would adequately quell any environmental concerns at Ocean Beach. All these measures as well as the ticketing of the few dog owners whose dogs chased the plover are appropriate to protect the plover from predators and humans (as well as dogs) at Ocean Beach.

However, the leashing of dogs for 10 months out of the year on 3 miles of Ocean Beach is not a rational, measured response to the plover’s seasonal presence on approximately 0.4 miles of Ocean Beach, and it does not address the hazards that both humans and predators present. The language of the ESA contemplates and supports the position that any loss of these recreational areas be balanced by *scientific proof* that such sacrifice will indeed save the Western Snowy Plover from extinction. Clearly, the decision not to include Ocean Beach and Crissy Field as critical habitat demonstrates that such scientific evidence cannot be provided. And in fact, Superintendent O’Neill stated to potential NRC members on December 20, 2005, that the GGNRA plans to make absolutely no distinction between critical habitat, habitat, the habitat the GGNRA has arbitrarily created, or potential habitat. It is not relevant to the GGNRA whether this “habitat” under consideration supports threatened or endangered species. All will face recreational restrictions.

It has become apparent that the pattern and practice of the GGNRA, in a broad scope, is to create habitat adjacent to historic off-leash recreational areas, then utilize the proximal existence of habitat to justify the elimination of off-leash recreation. In 1989 the GGNRA, under the supervision of Brian O’Neill, signed on to a biosphere habitat program entitled “Man and Biosphere Habitat Programme” (“MAB” or “MAP”). This act, in and of itself, is in direct violation of the enabling legislation for the GGNRA. One would be hard pressed to find a philosophy in greater conflict with the recreational purposes of the Park than that of Peter Bridgewater, Secretary of the MAB/MAP Programme, who has said, “Earth would be a better place if we had no people.” In fact, at the first NR meeting on March 6, 2006, NPS counsel Barbara Goodyear declared that the GGNRA enabling legislation had been superseded in 1978 by the Redwood Act and that the GGNRA now has a conservation only mandate. In fact, the Redwood Act did no such thing, but only eliminated internal NPS designations for “recreation” or “conservation”. The Act itself clearly states that it does not affect a given Park’s enabling legislation. Ms. Goodyear’s statement is a repudiation of the deeds under which the GGNRA holds City land.

All of the above actions violate the grant deeds by which these properties were transferred to the GGNRA from the City of San Francisco. San Francisco City Attorney Louise Renne determined in 2000 the deeds conveying City property to the GGNRA would allow for reversion of the properties if the NR resulted in a cutback in the 1979 Pet Policy. (see City Attorney's letter and attached document). We ask that this Commission recommend to the San Francisco Board of Supervisors the following resolution:

RESOLUTION for S.F. Board of Supervisors Vote [Urging City of San Francisco to file suit to enforce the reversion clause in the grant deeds by which the City of San Francisco transferred City properties to the GGNRA]

Resolution authorizing the City Attorney to file suit to enforce the reversion clause in the grant deeds for Fort Funston, Ocean Beach, Lands End, and all other City-owned park lands which were transferred to the Federal government for inclusion in the Golden Gate National Recreation Area.

WHEREAS, In 1975, the City and County of San Francisco transferred Fort Funston and other City-owned park lands to the federal government to be included in the Golden Gate National Recreation Area (GGNRA), to be administered by the National Park Service (NPS); and,

WHEREAS, The statute creating the GGNRA (16 U.S.C. Section 460bb) specifically states that the GGNRA was established to provide for the maintenance of needed recreational open space necessary to the urban environment and planning and requires that the Secretary of the Interior "utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management;" and,

WHEREAS, Former Charter section 7.403-1(a), as approved by the voters, required that the deed transferring any City-owned park lands to the NPS include the restriction that said lands were to be reserved by the Park Service "in perpetuity for recreation or park purposes with a right of reversion upon breach of said restriction;" and,

WHEREAS, The GGNRA was found by the Federal Court to have illegally rescinded the 1979 Pet Policy in 2001; and,

WHEREAS, The GGNRA has subsequently refused to codify the 1979 Pet Policy as a Section Seven Special Regulation without explanation to the Court or the public; and,

WHEREAS, The GGNRA continues to violate the Court's Order by again initiating the enforcement of the pet regulation in areas where voice-control dogwalking was previously allowed without first going through rulemaking; and,

WHEREAS, The GGNRA has clearly violated the deed restrictions for the City-owned park lands which were transferred to the Federal government for inclusion in the Golden Gate National Recreation Area; now, therefore, be it

RESOLVED, The San Francisco City Attorney is directed to initiate legal proceedings to take back Ocean Beach, Fort Funston, Lands End and all other City-owned park lands whose deeds contain such restrictions in order to fulfill the promise made to the voters by the City of San Francisco when they approved Charter section 7.403-1(a).