

CITY & COUNTY OF SAN FRANCISCO

TREASURE ISLAND DEVELOPMENT AUTHORITY  
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LONDON N. BREED  
MAYOR

ROBERT BECK  
TREASURE ISLAND DIRECTOR

Date: April 10, 2019

To: Matt Haney  
District 6 Supervisor

From: Robert Beck  
Treasure Island Director

Subject: File No. 18-1225; Treasure Island Marina Lease

At your request, I am writing to clarify the responsibilities and commitments the Treasure Island Development Authority (the "Authority"), a California nonprofit corporation controlled by the City, relative to Clipper Cove.

The Authority holds fee title to the submerged lands at Clipper Cove. Under the Treasure Island Conversion Act of 1997 (CA Health and Safety Code Section 33492.5 et seq.) and an Exchange Agreement between the Authority and the State Lands Commission, the Cove is subject to the public trust for commerce, navigation, and fisheries (the "Tidelands Trust") and the Authority acts as the trustee of the Tidelands Trust for this and other lands at Treasure Island and Yerba Buena Island subject to the Tidelands Trust.

As the landowner, the Authority is generally responsible for the maintenance of Clipper Cove. In 2017, the Board of Supervisors approved a number of resolutions and ordinances to facilitate the creation of a Community Facilities District (CFD) over Yerba Buena and Treasure Islands. While the CFD is intended, in part, to reimburse the master developer for certain eligible infrastructure costs, it is also intended to fund certain capital expenses of the Authority and certain ongoing future maintenance and operation expenses of the Authority. The Authority intends to fund its dredging obligations out of CFD proceeds. Of course, the Authority may also seek grants and other sources of funds for this purpose.

In the proposed lease with the Treasure Island Sailing Center (Board of Supervisors File No. 18-1226), the Authority agreed to perform dredging, as needed, to maintain certain minimum depths required for the programs of the Treasure Island Sailing Center. Additionally, the Authority intends to perform dredging, when needed, outside of the Sailing Center premises to maintain depths within six inches of current levels so as to not diminish the character of existing public recreation and public education on Clipper Cove. Of course, all Authority obligations are subject to the appropriation of necessary funds consistent with applicable City law.

Under existing covenants recorded against the land, the Authority must perform a bathymetric survey of a portion of the Cove every five years to ensure the integrity of a Navy remediation barrier. As we did in 2018, the Authority intends to survey the entirety of the Cove when required to survey the Navy's barrier. These surveys will provide the monitoring data needed to determine when if, when and where maintenance dredging is needed.

cc: Linda Wong