

1 [Affirming the Board of Supervisors Commitment to the Environmental Protection, Public
2 Recreation, and Youth Education in Clipper Cove]

3 **Resolution responding to the recent proposal to expand the private marina located in**
4 **Clipper Cove at Treasure Island; and reaffirming San Francisco’s commitment to public**
5 **recreation, public education, environmental protection, preservation of public open**
6 **space, and social equity.**

7
8 WHEREAS, Redevelopment of Clipper Cove raises critical issues of financial liability,
9 public access, social equity and environmental protection; and

10 WHEREAS, Clipper Cove at Treasure Island is the largest protected open-water cove
11 in the City and County of San Francisco and offers a geography of calm water and moderated
12 winds removed from strong tidal currents thus providing a uniquely safe environment for youth
13 learning to sail; and

14 WHEREAS, The waters of Clipper Cove are held in trust for the public benefit of the
15 people of California; and

16 WHERAS, Clipper Cove is an important resource for public recreation, particularly
17 small boat recreation, and is home to the only community sailing center in San Francisco; and

18 WHEREAS, Clipper Cove is the site of youth public education programs, including a
19 STEM program that serves each year over 1,500 students from public elementary schools in
20 San Francisco, many of whom are from low-income communities and would otherwise have
21 no opportunity to experience the Bay in this manner: and further as public recreation and
22 public education on Clipper Cove have expanded dramatically in the 13 years since the
23 certification of the environmental impact analysis on land use for the proposed project; and

24 WHEREAS, Clipper Cove hosts beds of eelgrass, a critically important keystone
25 species in the San Francisco Bay and one of the rarest habitats in California (per National

1 Marine Fisheries Service’s (NMFS) California Eelgrass Mitigation Policy (2014), section I(B));
2 and further as the National Marine Fisheries California Eelgrass Mitigation Policy calls for no
3 net loss of eelgrass habitat function in California; and

4 WHEREAS, A marina redevelopment proposal has been put forward that calls upon
5 the City of San Francisco to enter into a 66-year lease with a private marina development and
6 to provide \$6 million in rent credits to the development; and further as the aforesaid
7 redevelopment proposal would demolish the existing marina in Clipper Cove that is dedicated
8 almost exclusively to small craft; and further as the footprint of the marina would be expanded
9 several fold across the inner portion of the Cove where protection for small boat recreation is
10 most available; and further as the proposed marina would provide berthing sized solely for
11 large and very large craft (per Slip Mix chart, TIDA presentation, February 15, 2017, Treasure
12 Island Enterprises); and further as the proposed redevelopment would provide live-aboard
13 housing exclusively at luxury rates (per Treasure Island Marina Feasibility Report, California
14 Division of Boating and Waterways, page 10, April 5, 2017); and

15 WHEREAS, The State of California has published a feasibility study that has identified
16 significant potential shortfalls in the proposed financing for this project including potential over-
17 estimation of revenue and potential underestimation of expenses; (per Treasure Island Marina
18 Feasibility Report, California Division of Boating and Waterways, April 5, 2017); and as the
19 State of California notes that the redevelopment as proposed and the inclusion of a wave
20 attenuator in particular typically results in the deposition of silt (per Treasure Island Marina,
21 DBW staff presentation notes, California Division of Boating and Waterways Commission
22 Hearing, April 12, 2017, California Department of Boating and Waterways slide 8/page 8); and
23 further as the State of California had identified the necessity to budget significant annual
24 expenses to provide for maintenance dredging to address that siltation (per Treasure Island
25 Marina Feasibility Report, California Department of Boating and Waterways, page 12, April 5,

1 2017); and as unanticipated siltation in the wake of the redevelopment of the West basin of
2 San Francisco Marina and elsewhere in the San Francisco Bay Area has recently created
3 significant financial dredging liabilities (per Treasure Island Marina Feasibility Report,
4 California Division of Boating and Waterways, page 10, April 5, 2017, page 12; Treasure
5 Island Marina, DBW staff presentation notes, California Division of Boating and Waterways
6 Commission Hearing, April 12, 2017, California Department of Boating and Waterways slide
7 8/page 8); and as the proposed lease for the marina redevelopment does not provide for
8 maintenance dredging for areas in the Cove outside of the proposed marina and marina
9 entrance channel (that will also be threatened by increased sedimentation), thus creating a
10 potential threat to the Cove and new financial liability for the City of San Francisco; and

11 WHEREAS, The proposed redevelopment plan does not evaluate the likelihood or the
12 impact of such siltation and maintenance dredging; and further as the environmental impact
13 analysis for the proposed project did not evaluate the impact of the project's proposed wave
14 attenuator (per San Francisco Planning Department July 5, 2017 Memorandum, Table 1); and
15 further as professional biological expert opinion has identified both new sedimentation and
16 maintenance dredging stemming from wave attenuation as a potentially significant and
17 unmitigated threat to eelgrass beds in the Cove (per Treasure Island Marina Development
18 and Eelgrass Habitat Issues, October 10, 2017, Keith Merkel, Merkel and Associates); and

19 WHEREAS, The environmental impact analysis does not recognize the significant
20 increase in public use of Clipper Cove over the last decade since the certification of the
21 environmental impact report in 2005; and further as the environmental impact analysis
22 conducted in 2005 did not address the impact of the proposed project on views of the new
23 and iconic eastern span of the Bay Bridge; now, therefore, be it

24
25

1 RESOLVED, That the San Francisco Board of Supervisors affirms the principle that
2 marina redevelopment in Clipper Cove should not diminish the character or range of existing
3 public recreation and public education on Clipper Cove, including interim uses; and, be it

4 FURTHER RESOLVED, Marina redevelopment should not harm the existing
5 environmental resources of Clipper Cove, particularly the critically important eelgrass beds in
6 the Cove; and, be it

7 FURTHER RESOLVED, Marina redevelopment in Clipper Cove should not result in
8 diminished water depth in Clipper Cove, and should provide financing for all required
9 maintenance dredging to preserve water depth throughout the Cove; and, be it

10 FURTHER RESOLVED, Marina redevelopment should not reduce the current
11 availability of berthing in Clipper Cove sized for small craft; and, be it

12 FURTHER RESOLVED, Marina redevelopment should preserve existing views of
13 important visual resources, including views of the eastern span of the Bay Bridge from the
14 southern shore of Treasure Island as well as the beach on the western end of Clipper Cove;
15 and, be it

16 FURTHER RESOLVED, The Board of Supervisors calls for an analysis and
17 assessment of the impacts of proposed marina redevelopment on public access to the San
18 Francisco Bay and the impact on all current public use of Clipper Cove, including interim uses,
19 prior to any further action; and further the Board calls for assessment of the compatibility with
20 the policies of the current San Francisco Bay Plan; and, be it

21 FURTHER RESOLVED, the Board of Supervisors calls for an analysis and assessment
22 of the impact of the proposed marina redevelopment on eelgrass beds in Clipper Cove, prior
23 to any further action, including the impact of projected changes in sedimentation and the
24 impact of requisite maintenance dredging to maintain current water depth throughout the
25 Cove; and, be it

1 FURTHER RESOLVED, The Board of Supervisors calls for a financial analysis to
2 assess proposed financing, projected revenue, and projected expenses for the proposed
3 marina development to assess the risk of default at each stage of the proposed project and
4 the ensuing liability and losses for the city, including the net loss of public recreation and any
5 financial liabilities that may accrue to the city of San Francisco due to potential changes in
6 sedimentation in Clipper Cove, particularly sedimentation that would necessitate maintenance
7 dredging to preserve current public recreation and education in Clipper Cove.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25