

1 [TREASURE ISLAND SAILING CENTER LEASE AND CEQA FINDINGS]

2 Resolution (i) making CEQA findings and confirming the San Francisco Planning
3 Department's determination that no additional environmental impacts that were not
4 previously identified would occur as a result of the proposed lease; and (ii) approving
5 and authorizing the execution of a sixty six (66) year lease agreement between the
6 Treasure Island Development Authority and Treasure Island Sailing Center Foundation,
7 Inc., a California nonprofit corporation, for the Treasure Island Sailing Center.

8 WHEREAS, Naval Station Treasure Island is a military base located on Treasure Island
9 and Yerba Buena Island (together, the "Base"), which is currently owned by the United States
10 of America ("the Federal Government"); and,

11 WHEREAS, The Base was selected for closure and disposition by the Base
12 Realignment and Closure Commission in 1993, acting under Public Law 101-510, and its
13 subsequent amendments; and,

14 WHEREAS, On May 2, 1997, the Board of Supervisors passed Resolution No. 380-97,
15 authorizing the Mayor's Treasure Island Project Office to establish a nonprofit public benefit
16 corporation known as the Treasure Island Development Authority (the "Authority") to act as a
17 single entity focused on the planning, redevelopment, reconstruction, rehabilitation, reuse and
18 conversion of the Base for the public interest, convenience, welfare and common benefit of
19 the inhabitants of the City and County of San Francisco; and,

20 WHEREAS, Under the Treasure Island Conversion Act of 1997 (the "Act"), which
21 amended Section 33492.5 of the California Health and Safety Code and added Section 2.1 to
22 Chapter 1333 of the Statutes of 1968, the California Legislature (i) designated the Authority as
23 a redevelopment agency under California redevelopment law with authority over the Base
24 upon approval of the City's Board of Supervisors, and (ii) with respect to those portions of the
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1 Base which are subject to the Tidelands Trust, vested in the Authority the authority to
2 administer the public trust for commerce, navigation and fisheries as to such property; and,

3 WHEREAS, On February 6, 1998, the Board of Supervisors adopted Resolution No.
4 43-98 approving the designation of the Authority as a redevelopment agency for the Base;
5 and,

6 WHEREAS, On January 24, 2012, the Board of Supervisors rescinded designation of
7 the Authority as the redevelopment agency under California Community Redevelopment Law
8 in Resolution No. 11-12; although such rescission does not affect Authority's status as the
9 Local Reuse Authority for Treasure Island or the Tidelands Trust trustee for the portions of
10 Treasure Island subject to the Tidelands Trust, or any other powers or authority of the
11 Authority; and

12 WHEREAS, The Authority, together with the San Francisco Planning Department, are
13 the Lead Agencies responsible for the implementation of the California Environmental Quality
14 Act ("CEQA") for this area and have undertaken a planning and environmental review process
15 for the development of the Base, including the Treasure Island Sailing Center, and provided
16 for appropriate public hearings before the respective Commissions; and,

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18 WHEREAS, For over 19 years, the Treasure Island Sailing Center Foundation, Inc., a
19 California nonprofit corporation ("TISC") has provided significant benefits to underprivileged
20 San Francisco and Bay Area youth by providing them an introduction to sailing in the San
21 Francisco Bay; and,

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23 WHEREAS, On March 1, 1999, TISC was issued a 6 month permit to hold sailing trials
24 for the US Team for the Sydney Olympics and to provide sailing lessons for Delancey Street's
25 Life Learning Academy students, and over the past years, the Authority Board approved

1 several contract extensions allowing TISC to continue its sailing program at Treasure Island;

2 and,

3 WHEREAS, The Authority and TISC have been working for almost two decades to plan
4 for the reuse and redevelopment of the Treasure Island Sailing Center; and,

5 WHEREAS, On August 23, 2003, the Planning Department and Authority released for
6 public review and comment the Draft Environmental Impact Report for the Transfer and
7 Reuse of Naval Station Treasure Island (Planning Department File No. 94.448E), which
8 includes a program-level analysis of the transfer of the portions of the Base from the United
9 States Navy to the City and County of San Francisco and a project-level analysis for certain
10 development, including landside and waterside facilities for the existing Treasure Island
11 Sailing Center, located adjacent to the marina at Clipper Cove; and,

12 WHEREAS, The Planning Commission and the Authority Board of Directors held a joint
13 public hearing on October 2, 2003 on the Draft Environmental Impact Report and received
14 written public comments until October 21, 2003, for a total of 60 days of public review; and,

15 WHEREAS, The Planning Department and Authority prepared a Final Environmental
16 Impact Report ("2006 FEIR") for the Transfer and Reuse of Naval Station Treasure Island
17 consisting of the Draft Environmental Impact Report, the comments received during the
18 review period, any additional information that became available after the publication of the
19 Draft Environmental Impact Report, and the Comments and Responses, all as required by
20 law, a copy of which is on file with the Planning Department under Case No. 94.448E, which
21 is incorporated into this resolution by this reference; and,
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1 WHEREAS, On May 5, 2005, the Planning Commission, by Motion No. 17020, and the
2 Authority Board of Directors, by Resolution 05-017-5105, as co-lead agencies, certified the
3 2006 FEIR and made certain environmental findings under CEQA; and,

4 WHEREAS, On July 12, 2010, the Planning Department and Authority released for
5 public review and comment the Draft Environmental Impact Report for the Treasure
6 Island/Yerba Buena Island Project (Planning Department Case No. 2007.0903E), which
7 analyzed the impacts of the proposed master development, including an analysis of certain
8 new and upgraded landside and waterside facilities for the existing Treasure Island Sailing
9 Center, located adjacent to the marina at Clipper Cove; and,

10 WHEREAS, The Planning Commission and the Authority Board of Directors held a joint
11 public hearing on August 12, 2010 on the Draft Environmental Impact Report and received
12 written public comments until August 26, 2010, for a total of 45 days of public review; and,

13 WHEREAS, The Planning Department and Authority prepared a Final Environmental
14 Impact Report ("2011 FEIR") for the Treasure Island/Yerba Buena Island Project consisting of
15 the Draft Environmental Impact Report, the comments received during the review period, any
16 additional information that became available after the publication of the Draft Environmental
17 Impact Report, and the Draft Summary of Comments and Responses, all as required by law,
18 a copy of which is on file with the Planning Department under Case No. 2007.0903E, which is
19 incorporated into this resolution by this reference; and,

20 WHEREAS, On April 21, 2011, the Planning Commission by Motion No. 18325, and
21 the Authority Board of Directors, by Resolution No. 11-14-04/21, as co-lead agencies, certified
22 the completion of the 2011 FEIR, and unanimously approved a series of entitlement and
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1 transactional documents, including certain environmental findings under CEQA and a
2 Mitigation Monitoring and Reporting Program ("MMRP"), which is incorporated herein by
3 reference [or attached as Exhibit X]; and,

4 WHEREAS, On June 7, 2011, in Motion No. M11-0092, the Board of Supervisors
5 unanimously affirmed certification of the 2011 FEIR, and on that same date, the Board of
6 Supervisors, in Resolution No. 246-11, adopted CEQA findings and the MMRP, and made
7 certain environmental findings under CEQA; and,

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9 WHEREAS, The Planning Department reviewed the proposed lease for the Treasure
10 Island Sailing Center, a copy of which is on file with the Secretary of this Board (the "Lease");
11 and,

12 WHEREAS, The Planning Department concluded that the Lease as proposed is within
13 the scope of the 2006 EIR (waterside) and 2011 EIR (landside) projects previously analyzed,
14 and that there have not been any substantial changes with respect to the circumstances
15 under which development at Treasure Island would be undertaken, nor has new information
16 come to light that would alter the analysis or conclusions of the 2006 EIR and the 2011 EIR.
17 As such, pursuant to California Public Resources Code Section 21166 and CEQA Guidelines
18 Section 15162, the Planning Department concluded in a memorandum that a subsequent or
19 supplemental environmental impact report is not required at this time, a copy of which is on
20 file with the Secretary of this Board (the "2017 Memorandum"); and,

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22 WHEREAS, The 2006 FEIR, the 2011 FEIR, the 2017 Memorandum and other Project-
23 related files have been made available for review by the Planning Commission, the Planning
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1 Department, the Authority Board of Directors and the public, and those files are part of the
2 record before Authority; and,

3 WHEREAS, The Lease is for a sixty-six (66) year term that begins once the Authority
4 issues a notice to proceed with the Initial Improvements (as described in the Lease); and,

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6 WHEREAS, The Lease provides TISC with an opportunity to develop and manage the
7 Treasure Island Sailing Center in portions of Clipper Cove, with nonexclusive use of the
8 common water areas of Clipper Cove and adjacent land side areas, and exclusive use of
9 certain landside premises; and,

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11 WHEREAS, The Lease requires TISC to prepare plans and specifications for the Initial
12 Improvements, subject to the review and approval of this Board following any required
13 environmental review, if any, and that the work on the Initial Improvements cannot proceed
14 unless and until such approval has been obtained; and,

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16 WHEREAS, Under the Lease, TISC will, upon the receipt of approvals and satisfaction
17 of conditions relating to the Initial Improvements, which must occur within 2 years, construct
18 the Initial Improvements in several phases; and,

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20 WHEREAS, Under the Lease, TISC will pay a minimum monthly base rent of \$833.33
21 per month or \$10,000 annually, with future CPI adjustments, and an annual percentage rent
22 based upon revenues, if such amount is higher than the minimum base rent under the formula
23 set forth in the Lease; now, therefore be it

24 RESOLVED, That the Authority Board of Directors has reviewed and considered the
25 2006 FEIR, 2011 FEIR and the 2017 Memorandum; and be it

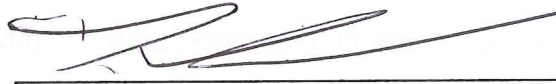
1 FURTHER RESOLVED, That the Authority Board of Directors confirms the San
2 Francisco Planning Department's determination that no additional environmental impacts
3 would occur as a result of the proposed Lease and no additional environmental analysis is
4 required under CEQA at this time; and be it

5 FURTHER RESOLVED, That the Authority Board of Directors approves the Lease,
6 substantially in the form on file with the Secretary of the Board, subject to the approval of the
7 Board of Supervisors, and subject to all applicable mitigation measures detailed in the MMRP
8 and in the 2006 EIR for the waterside improvements, and determines that the Lease is in the
9 best interests of Authority, the City, and the health, safety, morals and welfare of its residents,
10 and is in accordance with the public purposes and provisions of applicable federal, state and
11 local laws and requirements; and be it

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13 FURTHER RESOLVED, That the Board of Directors hereby authorizes the Treasure
14 Island Director to execute and perform the Authority's obligations under the Lease, and to
15 enter into any additions, amendments or other modifications to the Lease that the Treasure
16 Island Director determines in consultation with the City Attorney are in the best interests of the
17 Authority, that do not materially increase the obligations or liabilities of the Authority, that do
18 not materially reduce the rights of the Authority, or are necessary or advisable to complete the
19 preparation and approval of the Agreement, such determination to be conclusively evidenced
20 by the execution and delivery by the Treasure Island Director of the documents and any
21 amendments thereto.
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CERTIFICATE OF SECRETARY

I hereby certify that I am the duly elected Secretary of the Treasure Island Development Authority, a California nonprofit public benefit corporation, and that the above Resolution was duly adopted and approved by the Board of Directors of the Authority at a properly noticed meeting on October 30, 2017.



Mark Dunlop, Secretary

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