I. INTRODUCTION

This chapter is a general overview of the history of the Treasure Island / Yerba Buena Island Area Plan and Treasure Island / Yerba Buena Island Special Use District (“Area Plan/SUD”). It summarizes the planning and legal context for the Proposed Project, including prior environmental review and other actions undertaken by the City and County of San Francisco. Terms used in this Environmental Impact Report (“EIR”) to describe the Proposed Project are also defined at the end of this chapter.

PROJECT SUMMARY

The Area Plan/SUD addresses development within the Project Area which includes all of Treasure Island and Yerba Buena Island and the immediately surrounding waters, except for land and water occupied by the U.S. Coast Guard. Treasure Island is comprised of the former Naval Station Treasure Island (“NSTI”) currently owned in fee by the U.S. Navy (“Navy”); the U.S. Department of Labor Job Corps campus; and the adjacent unfilled tidal and submerged lands. Yerba Buena Island is comprised of former NSTI property currently owned by the Navy; land under the jurisdiction of the Federal Highway Administration (“FHWA”) for the San Francisco – Oakland Bay Bridge (“Bay Bridge”); and land and water owned and occupied by the U.S. Coast Guard. The portion of Yerba Buena Island occupied by the U.S. Coast Guard is not part of the Project Area. The Proposed Project analyzed in this EIR includes only the NSTI property that is expected to be transferred by the Navy to the Treasure Island Development Authority (“TIDA”), referred to as the “Development Plan Area.” It excludes land within the NSTI currently occupied by the Jobs Corps on Treasure Island, and land occupied by the FHWA on Yerba Buena Island.

The Proposed Project would include development of up to 8,000 residential units; up to 140,000 square feet (sq. ft.) of new commercial and retail space; up to 100,000 sq. ft. of new office space; adaptive reuse of about 311,000 sq. ft. of commercial, retail, and/or flex space in the historic buildings on Treasure Island; about 500 hotel rooms; rehabilitation of the historic buildings on Yerba Buena Island; new and/or upgraded public facilities and public utilities; about 300 acres of parks and public open space, including shoreline access and cultural uses such as a museum; new and upgraded streets and public ways; bicycle, transit, and pedestrian facilities; landside and waterside facilities for the existing sailing center on Treasure Island; landside services for an expanded marina;¹ and a new Ferry Terminal and Transit Hub.

¹ The marina expansion is not part of the Proposed Project; however, landside facilities and improvements that would serve the expanded marina are included in the Proposed Project.
I. Introduction

PROJECT BACKGROUND AND PLANNING PROCESS

In 1993, the Defense Base Closure and Realignment Commission, pursuant to the Defense Base Closure and Realignment Act of 1990 (10 United States Code, Section 2687), recommended the closure of NSTI. The Department of Defense subsequently designated the City and County of San Francisco and, later, TIDA as the Local Redevelopment Authority responsible for the conversion of NSTI under the Federal disposition process. Formal closure of Navy operations at NSTI occurred in September 1997.

CONVEYANCE OF TREASURE ISLAND AND YERBA BUENA ISLAND

Transfer or conveyance of property at NSTI is regulated by the 1990 Defense Base Closure and Realignment Act, as amended; the Federal Property and Administrative Services Act of 1949, as amended, 40 United States Code, Section 471 et seq.; the Surplus Property Act of 1944, 50 U.S.C. App. 1622 (g); Federal Property Management Regulations, 41 C.F.R. Chapter 101; and the Base Closure Community Redevelopment and Homeless Assistance Act of 1994. The Navy also must comply with the 1994 Defense Authorization Act and other laws and regulations, including Title 10 of the United States Code, and Navy regulations affecting the disposition of surplus real property. The Navy is responsible for screening and disposing of real and personal property at NSTI to the Department of Defense and other Federal agencies. In compliance with Federal laws, the Navy has transferred portions of NSTI to a number of public agencies, as described below.

The Stewart B. McKinney Homeless Assistance Act of 1986, 42 United States Code Section 11301 et seq., requires the Department of Defense and other Federal agencies to give priority consideration for homeless assistance over other uses for property considered excess, surplus, or underutilized by Federal agencies. In November 1996, the U.S. Department of Housing and Urban Development (“HUD”) approved a homeless assistance plan for the NSTI Reuse Plan which was formally adopted as a Homeless Assistance Agreement.2 Under the agreement, the Treasure Island Homeless Development Initiative (“TIHDI”), a coalition of approximately nine non-profit social service and homeless service organizations, manages approximately 250 units of the existing housing stock on Treasure Island for formerly homeless (extremely low income) families. TIHDI was also granted approval for additional land, which would be made available to TIHDI for additional housing as part of the Proposed Project.

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2 The Board of Supervisors adopted Resolution No. 672-96 on July 1996, which endorsed the Draft Reuse Plan for Treasure Island and Yerba Buena Island, and also authorized submittal of the TIHDI Homeless Assistance Plan to the Department of Defense and HUD. Subsequent to HUD’s approval of the Homeless Assistance Plan, the Board of Supervisors adopted Resolution No. 566-97 to allow for the transfer of certain Navy personal property to TIHDI. The Homeless Assistance Agreement, as amended, is referred to as the 1996 TIHDI Agreement.
As provided by Federal law, other Federal agencies were offered an opportunity to occupy parts of NSTI. The U.S. Department of Labor requested facilities on approximately 37 acres of property on Treasure Island for its Job Corps Program and campus. The Navy authorized the requested property transfer to the U.S. Department of Labor effective April 17, 1998. The Job Corps campus is within the Project Area, but is not part of the Development Plan Area analyzed in this EIR.

The U.S. Coast Guard also requested approximately 48 acres plus water area for facilities on Yerba Buena Island, and received authorization from the Navy for property transfer effective March 3, 1998, and November 27, 2002. The Coast Guard property is outside of the boundaries of the Project Area, and is not part of the Development Plan Area analyzed in this EIR.

On October 26, 2000, the FHWA conveyed approximately 94 acres of submerged land and approximately 18 acres of dry land on Yerba Buena Island to Caltrans for right-of-way purposes in connection with construction, operation, and maintenance of the East Span Seismic Safety Project on the Bay Bridge. Land conveyed to Caltrans includes lands permanently conveyed in fee, temporary construction easements, and permanent aerial easements. The Caltrans property is within the boundaries of the Project Area, but is not part of the Development Plan Area analyzed in this EIR. Caltrans activities on this property include the East Span Bay Bridge Project (currently under construction), and the proposed Yerba Buena Island Ramps Improvement Project (currently under study). These projects are not within the scope of the Proposed Project analyzed in this EIR.

TREASURE ISLAND DEVELOPMENT AUTHORITY

In May 1997, the Board of Supervisors adopted Resolution No. 380-97, authorizing the City to establish a non-profit public benefit corporation known as the Treasure Island Development Authority (“TIDA”) to act as a single-purpose entity responsible for the planning, redevelopment, reconstruction, rehabilitation, reuse, and conversion of NSTI. Subsequently, the California Legislature signed into law Assembly Bill 699, the Treasure Island Conversion Act of 1997 (“Conversion Act”), which designated TIDA to act in all respects as a redevelopment agency under California Redevelopment Law, with authority over development of NSTI. Under the Conversion Act, TIDA was granted the authority, subject to applicable laws, to sell, lease, exchange, transfer, convey, or otherwise grant interest in or rights to use or occupy all or any portion of NSTI. In the Conversion Act, TIDA also was granted authority over portions of NSTI that would be subject to the public trust for commerce, navigation, and fisheries (“Tidelands Trust”) upon transfer from the Navy. The Tidelands Trust is described further in “Existing Zoning and the Tidelands Trust Exchange,” in Chapter II, Project Description, p. II.14.
The Board of Supervisors approved the designation of TIDA as a redevelopment agency with development authority for NSTI under the Conversion Act by Resolution No. 43-98, in February 1998.

TIDA submitted an application to the Navy in June 2000, requesting conveyance of NSTI property pursuant to Section 2905 (b)(4) of the Defense Base Closure and Realignment Act of 1990. In December 2009, TIDA and the Navy agreed to the basic financial terms of conveyance of NSTI, and are negotiating the terms of an Economic Development Conveyance Memorandum of Agreement that would provide for the disposal and reuse of the property. The agreement generally assumes that the Navy would complete its environmental remediation responsibilities prior to transfer, but it may also provide for an election to accept an early transfer of portions of the property. The Economic Development Conveyance Memorandum of Agreement would be considered for approval by TIDA and the City after certification of this EIR, and by the Navy after compliance with environmental review as required by the National Environmental Policy Act (“NEPA”).

Draft Reuse Plan and Environmental Review

In 1994, a Citizen’s Reuse Committee (“CRC”) representing a broad base of community interests, was formed to review reuse planning efforts at NSTI conducted by the San Francisco Planning Department and the San Francisco Redevelopment Agency, and to make recommendations to the Planning Commission and Board of Supervisors concerning reuse of NSTI. Between 1994 and 1996, an extensive community planning effort by the City and CRC was undertaken to develop a Draft Reuse Plan for NSTI.

A program-level Environmental Impact Statement (“EIS”) prepared by the Navy under NEPA and a separate EIR prepared by the City and County of San Francisco under the California Environmental Quality Act (“CEQA”) were prepared for the Draft Reuse Plan developed by the City and its CRC. The Final EIR, certified in May 2005, was intended to serve as a Program EIR for the transfer of portions of NSTI from the Navy to TIDA, as well as a project-level EIR for the expansion of an existing marina at Clipper Cove. The Federal EIS and City EIR documents both include a Maximum Development Alternative that was identified as the preferred project alternative. The Maximum Development Alternative considered phased development of 2,800 housing units on Treasure Island and Yerba Buena Island, a themed attraction, and three hotels with a total of 1,450 rooms. The 2005 Final EIR also included renovation and expansion of the existing marina at Clipper Cove from 100 to 400 slips. The Navy is currently reviewing the adequacy of the Federal EIS in light of the changes to the Maximum Development Alternative

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3 U.S. Department of the Navy, Disposal and Reuse of Naval Station Treasure Island, Final Environmental Impact Statement, June 2003; and San Francisco Planning Department, Transfer and Reuse of Naval Station Treasure Island Final Environmental Impact Report, Case No. 94.448E, (State Clearinghouse No. 1996092073), certified May 5, 2005 (hereinafter “2005 EIR”).
that was analyzed in the Final EIS, including the proposal to increase development up to 8,000 housing units. Discretionary actions authorizing the transfer of NSTI to TIDA would not occur until after certification of this EIR and any additional environmental review required under NEPA, if necessary.

As part of its certification of the 2005 EIR, both the TIDA Board of Directors (“TIDA Board”) and the City anticipated that future negotiations for long-term reuse of NSTI would result in a long-term development plan that would be reviewed and revised over time with substantial input from the public. Because of the possible changes in the Reuse Plan, the Planning Commission and the TIDA Board decided that a new project-level EIR would be prepared when a more specific development plan was defined, and that future environmental review would not be tiered from the 2005 EIR. Because this is a project-level EIR based on a more specific development plan than that analyzed in the 2005 EIR, all mitigation measures proposed in the 2005 EIR applicable to the Proposed Project that are not expressly restated or restated as being modified in this EIR are no longer applicable. Mitigation measures set forth in the 2005 EIR applicable to the waterside improvements related to the marina expansion (as described in “Clipper Cove Marina Project,” in Chapter II, pp. II.9 – II.10) will continue to apply to that separate project.

REDEVELOPMENT PLAN

In the Draft EIR published July 2010, TIDA and Treasure Island Community Development, LLC (“TICD”) proposed that TIDA would approve a Redevelopment Plan under the Community Redevelopment Law in connection with the Proposed Project. TIDA and TICD no longer propose that TIDA approve a Redevelopment Plan for the Proposed Project. This decision is based on uncertainties regarding the legal status of redevelopment agencies, and the stability and security of revenue sources available to such agencies in the foreseeable future. TIDA and TICD now propose to use other financing mechanisms in order to enable TIDA to engage in

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4 The Navy issued a Record of Decision under NEPA in October 2005, which authorized the Maximum Development Alternative as the alternative that would meet the objectives of the 1990 Defense Base Closure and Realignment Act.

5 “Tiering” refers to using the analysis of general environmental matters in a broader EIR, in this case a program-level EIR, with subsequent focused environmental documents for individual projects that implement the program. CEQA (Section 21093) and the CEQA Guidelines (Section 15152) encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process by eliminating repetitive analyses of issues that were adequately addressed in the Program EIR and by incorporating those analyses by reference. Due to the substantial changes to the long-term reuse plan that were likely to occur, the TIDA Board and the City determined that tiering from the 2005 EIR would not be appropriate for future environmental review.

6 Treasure Island Development Authority Resolution No. 05-017-5105, May 5, 2005; City Planning Commission Motion No. 17020, May, 2005; and 2005 EIR, p. ES-2. These documents are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File 2007.0903E.
revitalization activities, such as constructing infrastructure. The decision to no longer propose adopting a Redevelopment Plan does not affect the environmental impacts of the Proposed Project; rather, the decision affects funding mechanisms to be used to implement the Proposed Project. References to a “Redevelopment Plan” throughout the EIR should be understood to refer to a proposal to redevelop the site in the ordinary sense of the term, rather than as a statement that a Redevelopment Plan (within the meaning of the Community Redevelopment Law) will be considered for adoption. Also references to the “Redevelopment Plan” as a document that embodies the proposed land use controls and design standards for the Proposed Project should be understood to refer to the new Area Plan/SUD. All references to the Treasure Island Development Authority (TIDA) and its powers and authorities as a "Local Reuse Authority" are corrected to “Local Redevelopment Authority.”

As part of the redevelopment planning process, TIDA initiated a competitive selection process in early 2000 for a prospective Master Developer, which culminated in the selection of Treasure
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Island Community Development, LLC (“TICD”) as Master Developer. In June 2003, TIDA entered into an Exclusive Negotiating Agreement with TICD. The Exclusive Negotiating Agreement, as amended in January 2010, sets forth the terms and conditions under which TIDA and TICD would negotiate a Disposition and Development Agreement and related conveyance agreements governing redevelopment of NSTI.

TERM SHEET

Pursuant to the Exclusive Negotiating Agreement, TIDA and TICD negotiated a non-binding term sheet that summarizes the key policy goals, basic development guidelines, financial framework, and other key terms and conditions that would form the basis for preparing the Area Plan/SUD and final transaction documents. The resulting Development Plan and Term Sheet for the Redevelopment of Naval Station Treasure Island (“Term Sheet”) was endorsed by the TIDA Board and the Treasure Island and Yerba Buena Island Citizens Advisory Board (“CAB”) in October 2006 and by the San Francisco Board of Supervisors in December 2006. The 2006 Term Sheet presented a proposed plan for development that reflected several years of discussion among various parties, including TICD, the TIDA Board, the CAB, the Land Use Committee of the Board of Supervisors, multiple City agencies, and interested members of the public regarding the future of NSTI.

The 2006 Term Sheet proposed about 6,000 new residential units (30 percent of which would be offered at below-market rates), 3 hotels, a 400-slip marina, restaurants, retail and entertainment venues, and about 300 acres of parks and open space. The Term Sheet also included plans related to land use and open space, affordable housing, sustainability, infrastructure, transportation, community facilities, and phasing.

Based on, and in response to, public comments on the Notice of Preparation (“NOP”) of this EIR, subsequent review by TIDA and TICD, and substantial input from the public and City agencies, development that would provide an increased number of housing units was considered to be more appropriate for Treasure Island and Yerba Buena Island. By increasing the total number of housing units, the proposed project would be able to provide a larger population base to maximize transit use and support project feasibility and viable retail, transit, open space, and community services. As a result, an Update to the Development Plan and Term Sheet (“Development Plan Update”) was endorsed by the TIDA Board and CAB in April 2010, and by the Board of Supervisors in May 2010, in which the proposed development was revised to increase housing up to 8,000 units, and an additional 100,000 sq. ft. of office space with planning elements similar to those proposed in the 2006 Term Sheet. This project-level EIR on the proposed

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7 The 6,000 housing unit development proposal addressed in the 2006 Development Plan and Term Sheet is included in this EIR and is analyzed in Chapter VII, Alternatives to the Proposed Project, as Alternative B, Reduced Development Alternative.
I. Introduction

Area Plan/SUD is being prepared to evaluate the development proposal as defined in the 2010 Development Plan Update.

ORGANIZATION OF THIS EIR

A List of Acronyms and Abbreviations is provided following the EIR Table of Contents. This chapter, Introduction, provides an overview and history of the Proposed Project. It also describes the planning process for transfer of the former NSTI to TIDA that has led up to the current proposal for reuse of NSTI, and environmental review of prior proposals. Chapter II, Project Description, provides details about the Proposed Project and the approvals required to implement the project. Chapter III, Plans and Policies, describes Federal, State, regional, and local plans and policies applicable to the Proposed Project. Chapter IV, Environmental Setting and Impacts, addresses 18 topics: Land Use and Land Use Planning, Aesthetics, Population and Housing, Cultural and Paleontological Resources, Transportation, Noise, Air Quality, Greenhouse Gases, Wind and Shadow, Recreation, Utilities and Service Systems, Public Services, Biological Resources, Geology and Soils, Hydrology and Water Quality, Hazards and Hazardous Materials, Minerals and Energy Resources, and Agricultural Resources and Forest Land. Each topic section includes the environmental setting, project and cumulative impacts, and mitigation and improvement measures, when appropriate. Chapter V, Other CEQA Considerations, addresses potential growth-inducing impacts of the Proposed Project and identifies significant effects that cannot be avoided if the Proposed Project is implemented, as well as irreversible impacts and issues of controversy that have not been resolved. Chapter VI, Project Variants, describes alternative proposals for specific features of the Proposed Project and analyzes the impacts of implementing these variants. Alternatives to the Proposed Project are described in Chapter VII, including the No Project Alternative, as required by CEQA Guidelines Section 15126.6 (e).

Chapter VIII, Authors and Persons Consulted, lists the individuals and organizations who prepared, and/or were consulted during the preparation of, the EIR. Chapter IX, Comments and Responses, includes all of the oral and written comments that were received during the public comment period on the Draft EIR, and the written responses to those comments.

TERMS USED IN THIS EIR

Several terms are used to describe the areas of Treasure Island and Yerba Buena Island discussed in this EIR. “Project Area” refers to Yerba Buena Island, except for the U.S. Coast Guard lands, and all of Treasure Island, plus the tidal and submerged lands adjacent to the Islands. “Development Plan Area” refers to the portions of Treasure Island and Yerba Buena Island that would be developed as part of the Proposed Project. The Development Plan Area includes all of Treasure Island except for the Job Corps site, which would continue to be operated by the U.S. Department of Labor, and all of Yerba Buena Island within the Project Area except for the area...
that would remain under the jurisdiction of FHWA/Caltrans. In other words, “Development Plan Area” refers only to the areas on the Islands that would be conveyed to TIDA by the Navy, and be developed as part of

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8 The U.S. Coast Guard land on Yerba Buena Island is not included in the proposed Project Area, and is not part of the Proposed Project.
the Proposed Project. Although the Job Corps campus and FHWA/Caltrans property are located within the boundaries of the Project Area, the Area Plan/SUD would not apply to these properties because they are currently under Federal jurisdiction and ownership. The marina element of the Proposed Project refers to landside and waterside improvements developed as part of the project; the expansion of the marina to 400 slips is a separate project, as described in Chapter II, pp. II.9 – II.10.

The proposed mix, types, square footages and locations of uses, parks and open space, and transportation, public service, and infrastructure improvements are referred to in this EIR as the “Development Program.” The Proposed Project also includes a number of proposed plans and programs that would guide implementation of the Development Program, such as a Transportation Plan, Sustainability Plan, and transition housing program. These project components, in combination with the Development Program, are referred to as the “Development Plan” or Proposed Project that is analyzed in this EIR.