

2024-0000024

FILED

SAN FRANCISCO County Clerk

MAY 16 2024

M. Nadonza

by: Mariedyne Nadonza
Deputy County Clerk

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org



**San Francisco
Planning**

NOTICE OF DETERMINATION

FEIR Certification Date: April 7, 2011
 Final Approval Date: May 10, 2024
 Case No.: 2007.0903E
 State Clearinghouse No: 2008012105
 Project Title: Treasure Island/Yerba Buena Island Project
 Project Location-Specific: Treasure Island/Yerba Buena Island
 Project Location-City/County: City and County of San Francisco
 Zoning: Treasure Island/Yerba Buena Island SUD
 Treasure Island/Yerba Buena Island Height and Bulk District
 Block/Lot: Various
 Lot Size: Various
 Lead Agency: San Francisco Planning Department, see address above
 Project Applicant: Charles Shin, Treasure Island Community Development, LLC (TICD)
 (415) 905-5300
 Charles.Shin@tisf.com
 Staff Contact: Rachel Schuett
 (628) 652-7546
 Rachel.Schuett@sfgov.org

MAY 16 2024
 POSTED
 TO

To:	County Clerk, City and County of San Francisco City Hall Room 160 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102	State of California Office of Planning and Research PO Box 3044 Sacramento, CA 95812-3044
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In compliance with the California Environmental Quality Act (CEQA), Sections 21108 or 21152 of the Public Resources Code, the Guidelines of the Secretary for Resources, and San Francisco requirements, this Notice of Determination is transmitted to you for filing. At the end of the posting period, please return this Notice to the Staff Contact with a notation of the period it was posted.

Attached fee:

- \$79 filing fee **AND** \$2,916.75 Negative Declaration Fee or \$4,051.25 EIR Fee **OR**
- No Effect Determination (From CDFW) **OR**
- Proof of Payment of EIR Fee

Project Description

Project Background Information

Treasure Island and Yerba Buena Island (collectively, “the Islands”) are in the San Francisco Bay, about halfway between the San Francisco mainland and the City of Oakland; together the Islands comprise approximately 550 acres. The Islands are the site of the former Naval Station Treasure Island (“NSTI”), which the United States Navy owned prior to its closure on September 20, 1997. The Islands also include a U.S. Coast Guard Station, the Job Corps site, which is under the management of the U.S. Department of Labor, and land occupied by the San Francisco-Oakland Bay Bridge and tunnel structures. (No changes to the Job Corps site, the Coast Guard Station and/or the land occupied by the San Francisco-Oakland Bay Bridge and tunnel structures were contemplated as part of the redevelopment of the Islands. These areas are not considered part of the project site delineated for environmental review purposes.)

A final environmental impact report (“FEIR”) for the subject project, file number 2007.0903E and State Clearinghouse No. 2008012105, was certified on April 7, 2011. The project analyzed in the FEIR is the Treasure Island and Yerba Buena Island Area Plan (“Area Plan”) which provides the basis for redevelopment of most of the Islands from a primarily low-density residential area with vacant and underutilized nonresidential structures to a new mixed-use community with a retail center, open space and recreational opportunities, on-site infrastructure, and public and community services, as described in more detail below.

The Area Plan was added to the San Francisco General Plan on April 5, 2011. In addition, a Treasure Island/Yerba Buena Island Special Use District (“SUD”) was added to the San Francisco Planning Code as planning code section 249.52, along with Zoning Map amendments (Sectional Map HT14). The SUD implements the objectives and policies of the Area Plan. The SUD also includes references to the Design for Development, which contains the standards and guidelines for development on the Islands; these comprise the basis for the development controls promulgated in the SUD.

The development program analyzed in the EIR included approximately 8,000 residential units (of which up to 2,000 units would be affordable), 140,000 square feet of commercial and retail space, 100,000 square feet of office space, up to 500 hotel rooms, and 300 acres of parks and open space. Development of the Islands also includes new transportation, bicycle and pedestrian facilities, a ferry terminal and a transit hub, public and community services, and new and upgraded utilities infrastructure. Other development activities include supplemental remediation to allow the proposed uses, geotechnical stabilization, and renovation and adaptive re-use of existing historic structures.

Project Details

The Project involves amendments to the Disposition and Development Agreement (“DDA”), the Development Agreement (“DA”), the Design for Development (“D for D”) document, and to the Treasure Island SUD and height map, as described below (collectively, the “Project Amendments”). The intent of the Project Amendments is to defer costs where possible to improve the overall financial feasibility of the project, while maintaining the public benefits package included in the current DDA, approved by the San Francisco Planning Commission on April 21, 2011.

The DDA is an agreement between TIDA and the developer, TICD. The revisions to the DDA include changes to the housing plan, the developer subsidies and schedule of performance for the delivery of public services and benefits, and to the details of the fiscal (including the Financing Plan attached as an exhibit to the DDA) and contractual agreements. Changes to the Financing Plan are proposed to accelerate reimbursement of eligible project costs through public financing of the next phase of development, Stage 2. The changes to the housing plan, the developer subsidies, and to the fiscal and contractual agreements between TIDA and TICD would not affect the program of development or the delivery of public benefits.

The DA is a contractual agreement between the City and the developer; it includes the project's Financing Plan attached as an exhibit to the DA. (The Financing Plan is also attached as an exhibit to the DDA.) The only proposed changes to the DA are changes to the Financing Plan and updates to the list of project approvals attached to the DA. These changes are proposed to accelerate reimbursement of eligible project costs through public financing of the next phase of development of the Islands (Stage 2). These changes would not affect the program of development or the delivery of public benefits.

Amendments to the SUD, height map, and D for D include amendments to provide additional circumstances to invoke a "minor modification" to the standards in the SUD and D for D, to provide some flexibility as the project is constructed. In addition, they include minor changes to building form controls. These changes are largely in response to Fire and Building Code changes that have occurred since certification of the FEIR and approval of the project in 2011, as well as adjustments made based on lessons learned from the first development subphase. Most of these changes would not result in any change to building form or massing and none would result in an increase to the overall development program for the Islands.

Determinations

The Treasure Island/Yerba Buena Island Development Plan Final EIR was certified on April 21, 2011 and the first approval actions took place on April 21, 2011, when the San Francisco Planning Commission adopted General Plan Amendments and the Treasure Island/Yerba Buena Island Area Plan, and when the Treasure Island Development Authority Board approved the Treasure Island Design for Development document, among other actions. The project was officially approved on June 14, 2011 after the San Francisco Board of Supervisors affirmed the Planning Commission's certification of the Final EIR upon appeal and adopted ordinances and resolutions approving the development plan. On March 6, 2024, the Planning Department published an addendum to the Final EIR analyzing the Project Amendments. On April 4, 2024, the Planning Commission adopted Motion No. 21542 amending the D for D. On April 23, 2024, the Board of Supervisors adopted Resolution No. 196-24 amending the DDA. On April 30, 2024, the Board of Supervisors adopted Ordinance No. 93-24 amending the DA and Ordinance No. 94-24 amending the SUD and height map. A copy of the document(s) may be examined at the Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco, CA, 94103 in file numbers 2007.0903E and 2007.0903GEN-05 and at the Board of Supervisors, City Hall, 1 Carlton B. Goodlett Place Room 244, San Francisco, CA, 94102 in file numbers 240198, 240199, and 240202.

1. An Environmental Impact Report, including an addendum published on March 6, 2024, has been prepared pursuant to the provisions of CEQA. It is available to the public and may be examined at the Planning Department at the above address.
2. A determination has been made that the project in its approved form will have a significant effect on

the environment.

3. Mitigation measures were made a condition of project approval for the project.
4. A mitigation and monitoring reporting program was adopted for this project.
5. A statement of overriding considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.



For Lisa Gibson
Environmental Review Officer

May 15, 2024

Date

cc:

Charles Shin, Treasure Island Community Development, LLC
Bob Beck, Treasure Island Development Authority
Matt Dorsey, Supervisor, District 6
Mary G. Murphy, Gibson Dunn & Crutcher, LLP

Date Received for filing at OPR:



SAN FRANCISCO
PLANNING DEPARTMENT

270731
ENDORSED
FILED
San Francisco County Clerk

Notice of Determination

JUN 16, 2011

on St.

Approval Date: June 15, 2011
EIR Certification Date: April 21, 2011
State Clearinghouse No.: 2008012105
Case No.: 2007.0903E
Project Title: Treasure Island/Yerba Buena Island Redevelopment Plan
EIR
Project Location: Treasure Island and Yerba Buena Island in San Francisco Bay
APN(s): Assessor's Block 1939, Lots 001 and 002
Lead Agency: San Francisco Planning Department
Treasure Island Development Authority
Staff Contact: Rick Cooper - (415) 575-9027
Project Sponsor: Treasure Island Community Development, LLC
Treasure Island Development Authority
Sponsor Contact: Alexandra Galovich (TICD) (415) 905-5367
Michael Tymoff (TIDA) (415) 554-5313

by: MARIBEL JALDON
Deputy County Clerk

ico,
2479

J378

Fax:
415.558.6409

Planning
Information:
415.558.6377

To: County Clerk, City and County of San Francisco
City Hall Room 168
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

State of California
Office of Planning and Research
PO Box 3044
Sacramento, CA 95812-3044

Pursuant to the California Environmental Quality Act (CEQA), the Guidelines of the Secretary for Resources, and San Francisco requirements, this Notice of Determination is transmitted to you for filing. At the end of the posting period, please return this Notice to the Staff Contact with a notation of the period it was posted.

Attached fee:

\$50 filing fee

AND \$2,839.25 [EIR CDFG Fee]

PROJECT DESCRIPTION: The Treasure Island Development Authority (TIDA), a City and County of San Francisco agency, and Treasure Island Community Development, LLC (TICD), a private entity, are proposing to redevelop the portions of Naval Station Treasure Island still owned by the Navy on Treasure Island and Yerba Buena Island, once they are transferred to TIDA. A project-level EIR has been prepared to evaluate a new Area Plan in the *San Francisco General Plan*, a Special Use District added to the Planning Code that incorporates by reference a *Design for Development*, a Special Height and Bulk District added to the Planning Code, amendments to the Zoning Maps to add new zoning and height districts, and development activities to be carried out by TICD pursuant to a Development Agreement between the City and County of San Francisco and TICD, Disposition and Development Agreement between TIDA and

TICD, and related conveyance agreements governing redevelopment of the Islands. The Proposed Project includes development on Treasure Island and Yerba Buena Island with 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 three historic buildings on Treasure Island with up to 311,000 sq. ft. of commercial, retail, and/or flex space; 500 hotel rooms; rehabilitation of the historic buildings on Yerba Buena Island; new and/or upgraded public and community facilities; new and/or upgraded public utilities; about 300 acres of parks and public open space including shoreline access and cultural uses such as a museum; a Habitat Management Plan for portions of Yerba Buena Island; new and upgraded streets and public ways; bicycle, transit, and pedestrian facilities; landside and waterside facilities for the Treasure Island Sailing Center; landside services for an expanded marina; and a new Ferry Terminal and intermodal Transit Hub. Construction would include geotechnical stabilization of the portions of Treasure Island where buildings and roads are proposed, raising the elevation of portions of the ground surface on Treasure Island to provide long-term protection against flooding, including an allowances for estimated future potential sea level rise, and strengthening the perimeter berm around Treasure Island. Construction and buildout of the proposed Development Plan would be phased and are anticipated to occur over an approximately 20-year period.

DETERMINATION:

The City and County of San Francisco took the following approval actions for the Treasure Island/Yerba Buena Island Project:

Planning Commission actions taken on April 21, 2011 (copies of these documents may be examined at 1650 Mission Street, Suite 400):

Motion No. 18325 Certifying the Final Environmental Impact Report for the Treasure Island/Yerba Buena Island Project;

Motion No. 18326, Adopting CEQA Findings including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Treasure Island/Yerba Buena Island Project;

Motion No. 18327, Adopting General Plan amendments, including amendments to the Commerce & Industry Element, Community Facilities Element, Housing Element, Recreation & Open Space Element, Transportation Element, Urban Design Element, Land Use Index, and other minor map amendments, and adopting the Treasure Island/Yerba Buena Island Area Plan;

Motion No. 18328, Adopting Findings of Consistency with the San Francisco General Plan and Section 101.1 of the City Planning Code;

Resolution No. 18329, Recommending Planning Code amendments to Sections 102.5 and 201 to include the Treasure Island/Yerba Buena Island Special Use District, and to Section 105 relating to height and bulk limits for Treasure Island and Yerba Buena Island, adding Section 249.52 establishing the Treasure Island/Yerba Buena Island Special Use District, adding Section 263.26 establishing the Treasure Island/Yerba Buena Island Height and Bulk District, and amending Table 270 to recognize the Treasure Island/Yerba Buena Island Height and Bulk District;

Motion No. 18330, Adopting the Treasure Island/Yerba Buena Island Project Design for Development document;

Resolution No. 18331, Recommending amendment of the Zoning Maps to add new sectional map ZN14 to show the zoning designations of Treasure Island and Yerba Buena Island, add new sectional map HT14 to establish the Height and Bulk District for Treasure Island and Yerba Buena Island, and add new sectional map SU14 to establish the Treasure island/Yerba Buena Island Special Use District;

Motion No. 18332, Adopting Allocation Findings for the prioritization of 100,000 square feet of office space for the Treasure Island/Yerba Buena Island Project; and

Resolution No. 18333, Recommending approval of a Development Agreement between the City and County of San Francisco and Treasure Island Community Development LLC.

Treasure Island Development Authority Board actions taken April 21, 2011 and April 27, 2011 (copies of these documents may be examined at One Avenue of Palms, Second Floor on Treasure Island):

Resolution No. 11-15-04/21, Certifying the Final Environmental Impact Report for the Treasure Island/Yerba Buena Island Project;

Resolution No. 11-15-04/21, Adopting CEQA Findings including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program in connection with the adoption of the Treasure Island/Yerba Buena Island Project and related actions necessary to implement such plans;

Resolution No. 11-16-04/21, Approving the Transition Housing Rules and Regulations for the Villages at Treasure Island for the Treasure Island/Yerba Buena Island Project;

Resolution No. 11-17-04/21, Approving the Yerba Buena Island Habitat Management Plan, the Treasure Island Community Facilities Plan, the Treasure Island/Yerba Buena Island Sustainability Plan and the Treasure Island Transportation Implementation Plan for the Treasure Island/Yerba Buena Island Project;

Resolution No. 11-18-04/21, Approving a Disposition and Development Agreement between the Treasure Island Development Authority and Treasure Island Community Development, LLC, for certain real property located on Treasure Island and Yerba Buena Island;

Resolution No. 11-19-04/21, Approving the Economic Development Conveyance Memorandum of Agreement for the conveyance of former Naval Station Treasure Island to the Treasure Island Development Authority;

Resolution No. 11-20-04/21, Approving the Public Trust Exchange Agreement between the Treasure Island Development Authority and the California State Lands Commission in furtherance of the Treasure Island/Yerba Buena Island Project;

Resolution 11-21-04/21, Approving the Amended and Restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative;

Resolution No. 11-22-04/21, Approving the Treasure Island/Yerba Buena Island Design for Development document for the Treasure Island/Yerba Buena Island Project; and

Resolution No. 11-24-04/27, Approving the Interagency Cooperation Agreement for the Treasure Island/Yerba Buena Island Project

San Francisco Municipal Transportation Agency actions taken on May 3, 2011 (copies of these documents may be examined at One South Van Ness Avenue, 7th floor):

Resolution No. 11-059, adopting CEQA Findings including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, consenting to the Interagency Cooperation Agreement with the Treasure Island Development Authority, and approving the Development Agreement with the Treasure Island Community Development, LLC.

San Francisco Public Utilities Commission actions taken on May 10, 2011 (copies of these documents may be examined at 1155 Market Street, 11th floor):

Resolution No. 11-0068, adopting CEQA Findings including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, and authorizing the General Manager to execute, on behalf of the SFPUC, the Interagency Cooperation Agreement.

Board of Supervisors actions taken June 7, 2011 and June 14, 2011 (copies of these documents may be examined at Room 244 City Hall, 1 Dr. Carlton B. Goodlett Place):

(Board File No. 110619) Motion No. M11-95 affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Treasure Island/Yerba Buena Island Project;

(Board File No. 110328) Resolution adopting CEQA Findings including a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program in connection with the development of Treasure Island/Yerba Buena Island as envisioned in the Development Agreement;

(Board File No. 110226) Ordinance approving a Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC,; making findings under the California Environmental Quality Act, findings of conformity with the City's General Plan and with the eight priority policies of Planning Code Section 101.1; and findings relating to formation of infrastructure financing districts;

(Board File No. 110228) Ordinance amending the San Francisco General Plan by amending the Commerce and Industry Element, Community Facilities Element, Housing Element, Recreation and Open Space Element, Transportation Element, Urban Design Element, and Land Use Index,

maps and figures in various elements, and by adopting and adding the Treasure Island/Yerba Buena Island Area Plan;

(Board File No. 110229) Ordinance amending the San Francisco Planning Code by amending Sections 102.5 and 201 to include the Treasure Island/Yerba Buena Island districts, amending Section 105 relating to height and bulk limits for Treasure Island/Yerba Buena Island, adding Section 249.52 to establish the Treasure Island/Yerba Buena Island Special Use District, adding Section 263.26 to establish the Treasure Island/Yerba Buena Island Height and Bulk District, amending Planning Code Section 270 to refer to the Treasure Island/Yerba Buena Island Height and Bulk District; and adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1;

(Board File No. 110227) Ordinance amending the Zoning Map by adding new sectional map ZN14 to show the zoning designations of Treasure Island and Yerba Buena Island, adding new sectional map HT14 to establish the Height and Bulk District for Treasure Island and Yerba Buena Island, and adding new sectional map SU14 to establish the Treasure Island/Yerba Buena Island Special Use District;

(Board File No. 110230) Ordinance amendment the San Francisco Subdivision Code to add Division 4 pertaining to the subdivision process applicable to development within the Treasure Island/Yerba Buena Island Project Site, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps;

(Board File No. 110517) Resolution approving the Treasure Island Transportation Implementation Plan;

(Board File No. 110291) Resolution approving a Disposition and Development Agreement between the Treasure Island Development Authority and Treasure Island Community Development, LLC, for certain real property located on Treasure Island/Yerba Buena Island, and approving an Interagency Cooperation Agreement between the City and the Treasure Island Development Authority;

(Board File No. 110290) Resolution approving the Economic Development Conveyance Memorandum of Agreement for the transfer of former Naval Station Treasure Island from the United States Government to the Treasure Island Development Authority;

(Board File No. 110289) Resolution approving the Amended and Restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative; and

(Board File No. 110340) Resolution approving the Public Trust Exchange Agreement between the Treasure Island Development Authority and the California State Lands Commission in furtherance of the Treasure Island/Yerba Buena Island Project.

1. An Environmental Impact Report has been prepared and certified pursuant to the provisions of CEQA. It is available to the public and may be examined at the Planning Department at the above address, in File No. 2007.0903E.
2. A determination has been made that the project in its approved form will have a significant effect on the environment and findings were made pursuant to Section 15091 and a statement of overriding considerations was adopted.
3. Mitigation measures were made a condition of project approval and a Mitigation Monitoring and Reporting Program was adopted.

Notice of Determination
June 15, 2011

CASE NO. 2007.0903E
Treasure Island/Yerba Buena Island Project

John Rahaim
Planning Director



By Bill Wycko
Environmental Review Officer

cc: Alex Galovich, TICD, Wilson Meany Sullivan
Stephen Proud, TICD, Lennar Communities
Neil Sekhri, Gibson, Dunn & Crutcher
Mary Murphy, Gibson, Dunn & Crutcher
Sue Hestor
Mary Miles
Nancy Shanahan



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
 2011 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT # 270731
STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY S.F. PLANNING DEPARTMENT		DATE 6/16/2011	
COUNTY/STATE AGENCY OF FILING SAN FRANCISCO		DOCUMENT NUMBER 389752/389753	
PROJECT TITLE TREASURE ISLAND/YERBA BUENA ISLAND REDEVELOPMENT PLAN			
PROJECT APPLICANT NAME RICK COOPER		PHONE NUMBER (415) 5759027	
PROJECT APPLICANT ADDRESS 1650 MISSION ST., STE. 400	CITY SF	STATE CA	ZIP CODE 94103

PROJECT APPLICANT (Check appropriate box):

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:			
<input type="checkbox"/> Environmental Impact Report (EIR)	\$2,839.25	\$	2839.25
<input type="checkbox"/> Negative Declaration (ND)(MND)	\$2,044.00	\$	
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$	
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$965.50	\$	
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	50.00
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption			
<input type="checkbox"/> DFG No. Effect Determination (Form Attached)			
<input type="checkbox"/> Other _____		\$	

PAYMENT METHOD:

Cash Credit Check Other _____

TOTAL RECEIVED \$ 2889.25

SIGNATURE X	Printed Name: MARIBEL JALDON	TITLE Deputy County Clerk
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San Francisco
County Clerk
1 Dr. Carlton B. Goodlett Place,
Room 168
San Francisco, CA 94102
(415) 554-4950

Receipt No.: 202400880211

Cashier: margente

Register: CCG4AM019

Date/Time: 05/16/2024 10:44 AM

<u>Description</u>	<u>Fee</u>
Environmental Impact Report	
Transaction Time:	10:44 AM
Transaction Fee:	No Fee
CEQA County Clerk Processing	
Transaction Time:	10:44 AM
Transaction Fee:	\$79.00
<hr/>	
Total Amount Due:	\$79.00
<hr/>	
Total Paid	
Credit Card Tendered:	\$79.00
#4766	
Amount Due:	\$0.00

THANK YOU
PLEASE KEEP FOR REFERENCE

