

Jim McGrath  
2301 Russell Street  
Berkeley, CA 94705  
January 25, 2022

San Francisco County Transportation Authority,  
Treasure Island Mobility Management Agency Committee  
1455 Market Street, 22<sup>nd</sup> Floor  
San Francisco, CA 94103

Subject: Transportation Authority Board meeting January 25, 2022, on Treasure Island Tolls

Dear Board members:

I will not repeat what I have said in my two previous letters, or what I expect that you will hear from the San Francisco Boardsailing Association. But I think it is important to address some of the statements in the staff recommendation.

#### CEQA AND TRANSPORTATION

The document before you, and the two supporting documents “Treasure Island Mobility Management Study, July 2014”, “Treasure Island Demand Model Analysis Report For years 2025, 2030, and 2035” depart substantially in methodology, conclusions, and funding implications from the Final EIR. In attempting to use these documents to bolster their recommendation, TIMMA staff is implicitly arguing that there are changed circumstances—without bothering to go through the supplemental EIR process, which is triggered by such substantial changes.

The manner in which this argument is presented is misleading. The Final EIR, in Table IV.E.4, estimated peak hour traffic generation for recreational uses (open space, sports fields, and the marina), at 153 am peak trips, 998 pm peak trips, and 2435 pm peak weekend trips. That is, respectively, 1.7%, 8%, and 18% of the total trips in that table. Now the staff has claimed “non-residential uses would generate about half of the weekday peak trips and 57% of weekend peak trips.” However, in order to reach this conclusion, the staff report combines all of the non-residential traffic generated by the new development—500 rooms of new hotels, 207,000 square feet of retail, 202,000 square feet of “flex”, and 2100,000 square feet of office—with recreational travel that has a special status under the project entitlements.

TIMMA now uses total trips, without relating it to congestion or the FEIR. It is obvious in the text of the 2016 “Treasure Island Mobility Management Study” that the purpose of this pivot is to broaden the toll base, not to reduce congestion. In fact, TIMMA has altered the conclusions in the EIR—without preparing the required supplemental document. Page 7 of the study summary states “...the FEIR and TITIP both projected about 20% more overall peak period trips than our SF-CHAMP baseline forecast; and within that, a higher share of drive trips...” The discussion

continues that fewer peak trips will result in less toll revenue. Apparently concerned that proceeding with a toll that is applied at congested periods will not cover the costs of the transit, TIMMA asks you to pivot to a toll of all travel to the island, whether or not such travel contributes to peak hour congestion. This is a very different conclusion than reached in the FEIR.

#### DO RECREATIONAL USERS BENEFIT, OR JUST SUBSIDIZE FERRY RIDERS?

The staff report before you claims that the new forms of transit would benefit all travelers to the islands, and that the ferry and east bay transit operating hours match the toll hours of operation. In order to make the findings that are required under AB 981, such a claim must be supported by substantial evidence. Table 1 and 2 in "Treasure Island Demand Model Analysis Report For years 2025, 2030, and 2035" state that there would be no ferry service planned for 2025 "off peak weekday", or for weekends. The ferry service frequency is 30 minutes, rather than the 15 minutes adopted as a mitigation measure in the FEIR (M-TR-2). Of course, neither the ferry service nor the increased bus service provide access to the water access sites that are designated in the plan—they are far away and cannot carry the necessary recreational equipment.

I must ask if you have been presented with a rigorous budget and economic analysis that justifies these expenses so that you can conclude, as required, that the congestion pricing fees have a relationship to the motor vehicle drivers who are paying the fee? Of that they will ensure public access to the water access sites? It seems to me that the ferry service in particular is of limited value but great expense. The 2014 and 2019 studies provide estimates for ferry ridership. The 2019 study concludes that for 2025 "average weekday ridership is expected to reach about 530 passengers traveling in peak direction." (page 28). Eventually (page 38) it estimates that it will reach 2800. Contrast this with the estimate that Muni will carry 5100 people in 2025 and 8900 in 2030. This is out of more than 70,000 trips.

Tell us, please, how much tolls imposed on recreational users contribute to what total subsidy for ferry riders? This, for a system that many of the recreational users cannot use.

Very truly yours,

Jim McGrath

Jim McGrath  
2301 Russell Street  
Berkeley, CA 94705  
January 10, 2022

San Francisco County Transportation Authority  
1455 Market Street, 22<sup>nd</sup> Floor  
San Francisco, CA 94103

Subject: Transportation Authority Board meeting January 11, 2022, on Treasure Island Tolls

Dear Board members:

I again ask that you send this matter back to your staff for an *adequate* analysis of the impact of the tolls on recreational travel, as you are required to do under the California Environmental Quality Act. SFCTA staff has presented you, and the public, with a recommendation to begin the process of adopting tolls that will have a significant adverse impact on recreation to state lands. Caught by public comments that have identified the current proposal as inconsistent with the conclusions in the Final EIR, the staff suggests that you adopt an addendum that argues that there are no new impacts requiring further analysis. Rather than provide any detailed responses to the comments that have been received from the recreational community, the staff releases a document one working day before your meeting. Such an approach is not merely inadequate, it is openly contemptuous of both the law and public process.

Both the Federal document adopted in 2008 that provided a pathway for the City's acquisition of the land, and the final EIR contain clear and unambiguous language that recognizes that it is new development on the island, not the existing uses, that create the potential for significant increases in congestion and thus a need for a congestion management program. The Federal document state a congestion management program would be prepared that:

would include **congestion pricing for single occupancy vehicles of residents'** vehicles to enter or exit the Bay Bridge during AM and PM peak hours, respectively.

The same conclusion was reached in the Final EIR:

**Visitors to the Islands**, high-occupancy vehicles, and Coast Guard-related vehicles would not be charged a congestion pricing fee. FEIR, page IV.E.45

The document before you urges you to ignore this commitment and claims that this was only an assumption. Instead of keeping the commitments you made in order to acquire the land, clear the title so that residential units could be built, and obtain entitlements, the city points to the mere existence of a congestion management plan in the FEIR, and says that general language about the authority to adopt and modify tolls is more important than those commitments. Such an

interpretation is absurd. General language can never be used to overrule specific commitments that were critical to the ability of the city to achieve clear title and entitlements.

Recreational users don't contest either the authority under AB 981 or the need for a congestion management plan. The need for a congestion management plan has been clear since the city acquired the land, but it is required to mitigate the impacts of **new development**, not the existing uses that preceded development. Whatever TIMMA and SFCTA may have previously discussed in previous studies about the limitations of that commitment, this is beginning of an effort to implement a very different congestion management program, and the impacts on recreation must be *analyzed*. A single page devoid of analysis does not accomplish that. Simply claiming that "the proposed project changes would improve accessibility to public trust and recreational opportunities" does not make it so. Moreover, the document that you have been sent utterly fails to bridge the analytical gap between your legislative authorization, and an exaction targeting recreational users that pre-existed the addition of 8,000 residential units and other intensive development.

The standard established by AB 981 requires a finding "that the amendments to the fee have a relationship or benefit to the motor vehicle drivers who are paying the fee." While that language does not precisely mirror the guidance of the court in Dollan, the Court's direction must be part of your considerations. As the court noted, there must be a **rough proportionality** between the exaction and those you seek to subject to such exaction. The staff reports make no attempt to establish such a relationship, but simply claims that the need for more funds than can be realized by targeting the new traffic justifies extension of tolls to those who do not contribute to increased congestion, or benefit from the commuter transit system the city seeks to fund. This reasoning is inconsistent with both Dollan and AB 981.

I noted in my prior letter that the relationship does not to be exact, but it does need to be *reasonable*. No coherent argument for the reasonableness is made in the staff report, instead the report makes it clear that the objectives are to try to reduce automobile use by the existing users by 50% and use toll funds to pay for a commuter ferry that will not provide any substantial benefit to most recreational users. The report and the so-called addendum make no attempt to analyze the actual impacts on the existing recreational users.

#### UNLIKE COMMUTING, RECREATION IS A PROTECTED ACTIVITY

Despite previous comments from recreational users, the documents before you fail to recognize 1) existing recreational activities are part of the baseline, and not impacts of the project that warrant mitigation, 2) various state policies encourage and protect recreation and access to the bay, or 3) that the toll will be used to provide a commuting system, and will not offset the damage done to recreational access.

This oversight is fatal. The Final EIR included a discussion of the different policies that encourage an increase in recreation, and the planning standards in BCDC's Bay Plan that call for parking and water access to be provided when the land is developed. BCDCD, responsible for developing a plan to meet the State's direction to increase access to the water in the Water Trail statute, recognizes that access to the water for kayaking, stand up paddle boarding, kite boarding,

winging, and windsurfing involves heavy equipment that is almost always transported to the site by an automobile. Their policies and the plan provide for that access the only reasonable way—with a parking lot.

The so-called addendum made no attempt to actually analyze the impact of casting a wider net for tolls to include on recreation. It does not include any description of the myriad kinds of existing recreational activities—described in detail in the FEIR—or how alternatives to automobile access might affect the viability of that recreation. It includes no thresholds of significance, or recognition of adopted Bay Plan policies. It simply asserts, without evidence, that a successful effort to reduce auto use for this group by 50% would be just fine. Such major efforts to reduce recreational travel will inevitably reduce recreational opportunities, and is in direct conflict with the policies in the Bay Plan. Both of those impacts are significant and trigger a far more extensive CEQA supplemental document.

#### RECREATIONAL ACTIVITIES DO NOT CONTRIBUTE MATERIALLY TO INCREASED CONGESTION OR BENEFIT FROM THE PROPOSED TRANSIT MEASURES

To establish a reasonable relationship, the city needs to establish both that recreational activities contribute to the problem that you seek to solve, and that the recreational users would benefit from the measures to be funded by a toll. The recommendation before you fails on both accounts.

The traffic analysis in the FEIR projected future traffic after the development. Those estimates are that *all* recreational activities would generate 153 of an estimated 5,375 peak am trips, and 998 of 7,423 peak pm trips. Of the very small contribution to peak travel, most of that occurs today, and thus is part of the baseline, or existing condition. It is not a project impact that warrants mitigation, or inclusion in a mitigation measure for the 8,000 new residential units that generate the *new traffic* that triggers a need for congestion management.

While members of the public have not been provided with a detailed budget describing the alternatives to the automobile that these tolls would fund, the FEIR does include a discussion, contained on page IV.E.33:

The proposed transit circulation plan is illustrated on Figure IV.E.9: Proposed Transit Circulation Plan, and include the following:

- New ferry service between the Transit Hub and downtown San Francisco. Ferries would operate with 50-minute headways during peak hours to and from downtown San Francisco between 5 AM and 9 PM (corresponding to a single ferry operating between Treasure Island and one of the existing docks in San Francisco);
- **Muni line 108-Treasure Island would operate at its current 15-minute peak headway but would no longer circulate around most of Treasure Island.** Instead, it would circulate only around the Transit Hub and the Island Core

neighborhood. The 108-Treasure Island would continue to operate 24-hours per day, including overnight owl service;

That transit system does not provide alternative means of reaching the state lands for many, and perhaps most of the existing recreational activities. As highlighted, the bus would not go near the launch site for water access. It is impossible to carry a kayak or a windsurfer on a ferry, and a ferry only provides access from San Francisco, not from the East Bay. Anyone seeking to travel from the East Bay to undertake a recreational activity on Treasure Island already pays a bridge toll that includes costs for maintenance of the bridge, a congestion management rate to discourage travel at peak times, and a subsidy for the Treasure Island Ferry. Now they are being asked to pay a further subsidy—for a transit system that is clearly of benefit almost entirely to commuters.

If San Francisco wants to extend the toll system to recreational users, and change the conclusion of the Federal and State environmental review process, it needs to do much more than simply claim, without providing evidence, that recreational users would not be hurt. It needs to prepare a supplemental document that realistically looks at the nature and need of existing recreational visitors. It needs to establish a reasonable relationship between their activities and the exactions you propose. You will then need to amend the permit that you received from BCDC, in a public process, allowing participation by those who actually understand recreation. The existing record does not do that and cannot be used to justify the toll system that is proposed.

Very truly yours,

Jim McGrath

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## Public comment for Jan 25 TIMMA meeting

1 message

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**Elena Ufimtseva** <ufimtseva@gmail.com>  
To: clerk@sfcta.org

Mon, Jan 24, 2022 at 10:47 PM

Dear Board Members

Please accept the following comments for the Jan 25 2022 meeting agenda in regard to the base toll policy to/off the Treasure Island.

1. As a member of SFBA and a member of the large windsurfing/sup paddling community of the Bay Area, I would like to bring to your attention that the Project and mitigation of the traffic is meant for the new residents/businesses. We are recreational users that are not a part of the Project and some of us have used Treasure Island for decades as a water recreation destination. When the proposed mitigations are meant for the projected increase in the vehicular traffic, the current users are not part of the Project.

2. The name for the toll policy suggests traffic mitigation. But this is to mislead the public.  
Throughout the Project documents, the purpose of tolling is stated as the funding of the TI transportation.  
So it should be called exactly that - TI toll to fund the ferry.

3. The vehicle travelers from East Bay to Treasure Island during peak hours will be charged the following: 7 dollars for Bay Bridge, 5 to enter TI and 5 to exit TI (that is for starters). Total 17 dollars to visit TI.  
Plus parking on TI as it won't be free anywhere. Vehicle travelers from San Francisco will be paying a toll to enter Ti - 5 dollars and 5 dollars to exit TI.  
These numbers are very different - 17 vs 10 dollars. I hope you see the difference here.

4. The recreational travel has a special status under the project entitlements, as Final EIR describes. The presented changes that TIMMA tries to push without proper supplemental EIR process. For some reason, the staff clumped together existing recreational traffic (1.8 % projected off peak) with other non-residential travels and now claims that recreational travel is projected to be 50% of the traffic. These substantial changes without explanation why and how this was done, cannot be approved without going through a supplemental EIR process with public review included.

5. The fact that TIMMA can change any time it wants the toll and hours on its own accord is just unacceptable.

I will also be sending this to BCDC.

Thank you!  
Truly Yours.  
Will join tomorrow.

Elena



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## Restricting Recreation Access at TI - TIMMA meeting 01-25-2022

1 message

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**Bob Taylor** <bobtaylor100@gmail.com>  
To: clerk@sfcta.org

Mon, Jan 24, 2022 at 6:36 PM

Hi,

Unfortunately I am working or I would have attended the Zoom meeting.

I request that there be a public hearing as to whether the toll to access and the toll to leave TI is a material impact on current and future access to the shoreline and the Bay for water recreation. I believe the plan under consideration is not in keeping with the original plan for providing non restricted access to the TI shoreline as was promised to the residents of the region when development permits were granted for TI.

At \$17 a trip for East Bay residents, it really is going to limit what has been a big part of my life for the last 20 years. I have to imagine that I am not alone and that other fishermen, kayakers, sailors, and others that cannot take the ferry will view this as a restriction to their rights to access the TI.

Thank you,

Bob Taylor  
Alameda, CA.



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## January 25, 2022, TIMMA board meeting, agenda item #4 Comment

1 message

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**Jeffrey Finn** <1956madworld@gmail.com>  
To: clerk@sfcta.org

Tue, Jan 25, 2022 at 7:22 AM

Please include this email in the public comments for the January 25, 2022, TIMMA board meeting, agenda item #4, and distribute to the TIMMA board members.

I write to oppose the proposal of the SFCTA seeking final approval of the Treasure Island Toll Traffic mitigation fee.

TIMMA staff has ignored the mandates, rules, regulations, contracts required by the BCDC, State lands commission and the FEIR.

Also I believe the TIMMA staff has not done the required public outreach effectively nor taken public comments into consideration accurately.

Please vote no on any Toll at this time.

Sincerely

Jeff Finn

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## Treasure Island Toll Policy

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**Darren Bass** <lieutenantglorp@hotmail.com>  
To: "clerk@sfcta.org" <clerk@sfcta.org>

Tue, Jan 25, 2022 at 7:37 AM

Please include this email in the public comments for the January 25, 2022, TIMMA board meeting, agenda item #4, and distribute to the TIMMA board members.

I write to oppose the proposal of the SFCTA seeking final approval of the Treasure Island Toll Traffic mitigation fee.

TIMMA staff has ignored the mandates, rules, regulations, contracts required by the BCDC, State lands commission and the FEIR.

Also I believe the TIMMA staff has not done the required public outreach effectively nor taken public comments into consideration accurately.

Please vote no on any Toll at this time.

Sincerely,

Darren Bass



## **SAN FRANCISCO BOARDSAILING ASSOCIATION**

1592 UNION STREET, BOX 301 • SAN FRANCISCO, CALIFORNIA 94123

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January 24, 2022

San Francisco County Transportation Authority  
Treasure Island Mobility Management Agency  
1455 Market Street, 22<sup>nd</sup> Floor  
San Francisco, CA 94103

**Subject:** *Objection to Recommended Approval of Base Toll Policy*

Dear TIMMA Committee:

The San Francisco Board Sailing Association (SFBA) appreciates the opportunity to comment on the current recommended approval of Base Toll Policy and Affordability Program and Implementation of the Associated Toll System (Toll Policy) pending before this Committee, as well as the two-week delay in your meeting schedule and the time spent by your staff to clarify key details regarding the proposed Toll Policy. Unfortunately, the current staff recommendation still applies to those who do not contribute to congestion or benefit from the proposed transit system. A decision by the full TIMMA Board to approve the recommended Toll Policy will place San Francisco in a precarious legal and regulatory position. Not only does the recommended Toll Policy violate the conditions outlined in the State Land Grant, and key assumptions in the FEIR and the BCDC permit, the evidence provided in support of Toll Policy also fails to meet the minimum factual showing required by AB 981.

The current staff recommendation does not provide the necessary factual background and reasoning to allow the full TIMMA Board to make the findings they are required to make under AB 981 or under CEQA. Based on the staff report, the recommended Toll Policy would toll recreational travelers who enter the island at non-congested times in order to pay for a transit system that only provides alternatives at peak commuting times. That is fundamentally unfair and contrary to the requirements of AB 981. Furthermore, the staff report fails to analyze whether limiting recreational visitor trips to Treasure Island will result in negative physical impacts to other recreational areas that can be accessed without payment of a toll. We respectfully request that this Committee return the proposed Toll Policy to staff with direction to modify the toll to address these concerns, which are discussed in detail below.

It should be deeply concerning to the TIMMA Board to know that TIMMA staff has not coordinated this effort with the BCDC staff and the State Lands Commission—the two other public trust agencies that have oversight responsibility for the management of the public trust lands on Treasure Island.

We strongly urge this Committee to reject the current staff recommendation rather than sending this matter to the full TIMMA Board, and we ask this Committee to direct staff to coordinate their efforts with these agencies and stakeholders in the recreational community to ensure that the Congestion Management Plan for Treasure Island is implemented in a manner that does not negatively impact access to recreational areas on public trust lands. We contend that no Toll Policy can move forward to the full TIMMA Board without modifications that would both ensure obtainment of the necessary permit amendments from BCDC and would avoid impacts to recreational visitors.

### **AB 981 REQUIREMENTS**

In order to approve the toll system proposed by TIMMA staff, AB 981 establishes that the Board must adopt by a 2/3 majority the factual finding that the congestion pricing fees have a relationship or benefit to the motor vehicle drivers who are paying the fee. The Board must also adopt findings that the congestion fee “shall not interfere with the provision of public access to public trust lands consistent with the beneficial use of those lands, including, but not limited to, roadway access to serve the public along the western shoreline of Treasure Island.” These findings are intended to assure that i) the congestion pricing fees have a relationship or benefit to the motor vehicle drivers who are paying the fee, and ii) that public access to waterfront, recreational, and open-space areas on Treasure Island is sufficient to support public trust activities. The staff report currently before this Committee relies on the general reduction in congestion as the benefit that would accrue to island visitors who are charged a toll during off-peak hours, but this generalized benefit does not provide sufficient evidence for this Board to make the above factual findings.

As an initial matter, there is no discussion in the staff report about how the alternative access measures funded by the toll would ensure public access to the tidelands. Instead, during weekends when the recreational demand is highest, there would be no ferry service in 2025. No analysis was included in the staff report, or the cited documents, that identify the locations of the various recreational areas and the suitability or cost of the transit system that users would be tolled to subsidize. Additionally, the alternative transportation options currently proposed are inconsistent with those described in the EIR. (*Compare* Transportation Section Table IV.E.17, Footnotes 3 and 4 to Table 2 of the 2019 Travel Demand Study.) The proposal to provide substantially less transit service, with headways for the ferry at 30 minutes, and with no service except at peak morning and evening commute times does not provide any clear benefits to off-peak visitors to the islands. This makes it crystal clear that the transit system that visitors to the island are being asked to subsidize by paying a toll at non-congested times is intended to provide for commuters, not recreational users.

Recreational users in particular bear a disproportionate burden of funding the proposed transit system. TIMMA staff have argued that reducing congestion through the overall program provides a general benefit to recreational users. However, the facts in the final EIR show that nearly all recreational travel occurs at off-peak hours when they would not benefit from a reduction in peak hour congestion. (Table IV.E.4) Since the FEIR clearly shows that only the West-bound ramp to San Francisco would be severely congested and the other ramps would operate at acceptable levels, the assertion that recreational visitors would benefit from a generalized reduction in congestion is not supported by the facts. This is particularly unfair for visitors from the East Bay who travel to the island at non-peak periods. They do not contribute to the peak hour congestion that the transit measures are intended to reduce, do not benefit from reduced congestion, even at peak hours because they exit the bridge, and they have already paid a toll which includes charges both to reduce congestion and subsidize transit systems like the ferry.

Given the concerns expressed above, SFBA respectfully requests that this Committee direct staff to reconfigure the proposal so it is consistent with the full TIMMA Board's obligations under AB 981.

## **RECREATION AND CEQA**

The Congestion Management Plan identified in the EIR for the Treasure Island redevelopment project was designed to mitigate the impact of additional vehicle trips created by residential development. The current proposal to implement a toll on cars entering the island during off-peak hours would negatively impact visitors to public trust lands that were reserved for recreational uses under permits issued by BCDC and the State Lands Commission. As a result, this proposal will not only significantly expand an existing mitigation measure but may result in unstudied impacts to existing recreational facilities.

During conversations with staff regarding the Toll Policy, we were informed that the staff report would be updated to clarify that the benefit received from drivers entering the island during off-peak hours was the lack of congestion. The updated staff report does state that the benefit received from drivers paying the toll to enter the island during non-peak hours is the reduction in overall congestion caused by the Congestion Management Program. However, staff's position is inconsistent with the Congestion Management Plan that was described in the EIR as mitigation for vehicle trips created by new residential development on the island. By expanding the Congestion Management Program to off-peak island visitors, the toll will mitigate for an impact that was never discussed in the EIR: vehicle trips by visitors to the island during off-peak hours. By expanding the scope of this mitigation measure, the current proposal will restrict recreational access to the expanded parklands on Treasure Island that were identified as a net-benefit of allowing development on public trust lands and may result in increased use of other existing recreational facilities that can be accessed without paying a toll.

Staff is incorrectly asserting that the only physical impact of the proposed Congestion Management Plan is the installation of tolling equipment, which has insignificant impacts. Here, San Francisco is a trustee of State Lands, the result of a settlement that cleared title for residential development as part of an explicit agreement to improve, not impair, access to those tidelands.<sup>1</sup> That commitment to access the tidelands was included as an express objective in AB 981. San Francisco received entitlements based on that agreement and, given the low ratio of public recreational lands to residents, has its own policies that require expansion of recreational access. Contrary to these policy requirements, the current proposal is explicitly designed to reduce vehicular traffic during times of the day when recreational users would visit the island – which may result in increased usage of existing recreational areas that can be accessed without a toll. Therefore, not only does the current proposal expand an existing mitigation measure without further CEQA analysis, but it could also result in unstudied impacts to existing recreation areas.

### **A BUDGET AND PERMIT AMENDMENT IS REQUIRED**

This letter outlines the apparent unfairness of the proposed Toll Policy to the recreational travelers to the island. While it may be possible to establish that some users would, in fact, derive some benefit from the tolling and transit system, we don't believe that can be done without rigorous analysis of who pays and who benefits, and an overall budget that supports that analysis. According to the staff report, TIMMA has heard from BCDC that a permit amendment would be required to allow this tolling system. BCDC's enabling statute requires that a project such as the redevelopment of Treasure Island provide "maximum feasible public access consistent with the project", a standard that was not changed by AB 981. It is our opinion that detailed economic information about feasibility, and detailed analysis of the impact on access to the public use areas is required to even file an amendment to the existing BCDC permit. Any attempt to proceed without an amended permit from BCDC could be inconsistent with San Francisco's contractual obligations to BCDC. Given the inconsistencies between these obligations and the proposal before you, we request that the Toll Policy be modified to avoid impacts to recreational visitors or that staff apply for the necessary permit amendment from BCDC.

On behalf of SFBA, we appreciate the opportunity to comment on Toll Policy and are available to answer questions regarding the topics addressed in this letter.

Very truly yours,

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<sup>1</sup> That agreement provides that "the Development Plan will establish a model of environmentally sustainable development and will result in the improvement or enhancement of the Public Trust Lands for Public Trust uses such as open space, public access, water-related recreation, visitor serving facilities, wildlife habitat, circulation to and along the waterfront or similar trust-consistent uses." Charging visitors, who do not contribute to traffic impacts studied in the EIR, a fee with the objective of reducing their access to the island by 50% is not easily reconciled with this language, and the staff report does not attempt to craft such a reconciliation.

San Francisco Boardsailing Association  
Board of Directors

cc: Larry Goldzband  
Sheri Pemberton  
Aaron Peskin  
Matt Haney