



SAN FRANCISCO PLANNING DEPARTMENT

Osha Meserve
Soluri Meserve
1010 F Street, Suite 100
Sacramento, CA 95814

Re: Notice Regarding Incomplete Record for Warriors Event Center
Environmental Review

Dear Ms. Meserve:

Thank you for your letter dated July 9, 2015, regarding the administrative record for the Warriors Event Center and Mixed-Use project, and requesting extension of the 45-day comment period for the Draft Subsequent Environmental Impact Report (DSEIR). We have carefully reviewed the documents you identify in your letter as omitted from the online administrative record and concluded that none of the documents you've identified are part of the administrative record for this project. Therefore, we decline your request to re-commence the 45-day comment period; however, to maximize opportunity for public review of the DSEIR, OCII has elected to extend the public comment period an additional seven days, to July 27, 2015.

As you know, the Governor has certified this project as an environmental leadership development project under the Jobs and Economic Improvement Through Environmental Leadership Act (Assembly Bill 900 or AB 900). With regards to the administrative record for such projects, AB 900 requires that the "lead agency shall make available to the public in a readily accessible electronic format the draft environmental impact report and all other documents submitted to, or relied on by, the lead agency in the preparation of the draft environmental impact report." (Pub. Resources Code, § 21186(c).) The records for this project, posted online at <http://www.gsweventcenter.com>, include all of the documents required to be posted by AB 900.

The documents that you have identified in your letter as excluded from the online record were not submitted to, or relied on by, OCII in the preparation of the DSEIR. As such, they are not required by AB 900 to be included in the online record. The only document that you identify as cited in the DSEIR but excluded from the online record is a published federal regulation (54 FR 38044). The online administrative record need not, and does not, include all of the codified laws and legal regulations that guide preparation of the DSEIR. These documents are already available to the public, including from many other online sources.

Neither the 1987 cultural resources evaluation nor the 1997 supplemental review are cited in or relied on by the DSEIR; rather, these documents were prepared for the 1990 Mission Bay EIR and the 1998 Mission Bay Subsequent EIR respectively—a fact referenced in the narrative of the 2014 Initial Study. Likewise, the studies identified in

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

your three emails from July 3, 7, and 14, are not studies cited in the DSEIR, but rather studies identified in different documents that *are* posted at the online record.¹ These “references within references” were not relied on by OCII to prepare the DSEIR, and therefore are not among the documents that must be made available under AB 900.

Finally, Mr. Spaulding’s May 18, 2015 Sunshine request sought documents regarding a Railyard Alternatives and I-280 Boulevard Feasibility study, which is not related to this project. Thus, the documents responsive to that request are *not* all a part of this administrative record. As you have not identified any specific documents responsive to Mr. Spaulding’s request that you believe should be included in the Warriors Event Center’s administrative record, we cannot provide a more specific response to your comment.

While none of the documents identified in your letter are part of the administrative record for this project, we are treating your letter as a public records request. Thus, to the extent that the City or OCII possesses documents identified in your letter, including your emails from July 3, 7, and 14, we have enclosed those documents here. This letter, along with the enclosures, will be included in the online administrative record as correspondence received after the publication of the DSEIR.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Bollinger", with a long horizontal flourish extending to the right.

Brett Bollinger
Environmental Planner

¹ The 2008 “Preliminary Geotechnical Evaluation, Blocks 29–32,” identified in your July 3 email, is posted at <http://www.gsweventcenter.com>.