

ELDP APPLICATION
469 Stevenson
San Francisco, California

ATTACHMENT H
PROJECT RECORD OF PROCEEDINGS
AFFIRMATION LETTER

January 13, 2023

Ryan Silber, Project Manager
Governor's Office of Planning and Research
1400 10th St, # 100
Sacramento, CA 95814

Re: 469 Stevenson Street Mixed-Use Project Affirmation of Compliance under Public Resources Code Sections 21183(h) and 21186.

Dear Mr. Silber,

469 Stevenson Street Owner, LLC (Applicant) is submitting an application to the Governor's Office of Planning and Research for certification of the 469 Stevenson Street Mixed-Use Project as an Environmental Leadership Development Project (ELDP) subject to streamlined review by the judiciary under the Jobs and Economic Improvement through Environmental Leadership Act of 2021, also known as SB7, as amended (the Act).

By this letter, 469 Stevenson Street Owner, LLC, as the Applicant, affirms it has contracted with the City of San Francisco to comply with Public Resources Code Sections 21183(h) and 21186 as follows:

21183 (h)

For a project for which environmental review has commenced, the applicant demonstrates that the record of proceedings is being prepared in accordance with Section 21186. (Public Resources Code Section 21183(h)).

21186

Notwithstanding any other law, the preparation and certification of the record of proceedings for a leadership project certified by the Governor shall be performed in the following manner:

- (a) The lead agency for the project shall prepare the record of proceedings under this division concurrently with the administrative process.
- (b) All documents and other materials placed in the record of proceedings shall be posted on, and be downloadable from, an internet website maintained by the lead agency commencing with the date of the release of the draft environmental impact report.
- (c) 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 preparing the draft environmental impact report.
- (d) Any document prepared by the lead agency or submitted by the applicant after the date of the release of the draft environmental impact report that is a part of the record of the proceedings shall be made available to the public in a readily accessible electronic format within five days after the document is released or received by the lead agency.

- (e) The lead agency shall encourage written comments on the project to be submitted in a readily accessible electronic format, and shall make any comment available to the public in a readily accessible electronic format within five days of its receipt.
- (f) Within seven days after the receipt of any comment that is not in an electronic format, the lead agency shall convert that comment into a readily accessible electronic format and make it available to the public in that format.
- (g) Notwithstanding paragraphs (b) to (f), inclusive, documents submitted to or relied on by the lead agency that were not prepared specifically for the project and are copyright protected are not required to be made readily accessible in an electronic format. For those copyright-protected documents, the lead agency shall make an index of these documents available in an electronic format no later than the date of the release of the draft environmental impact report, or within five days if the document is received or relied on by the lead agency after the release of the draft environmental impact report. The index must specify the libraries or lead agency offices in which hardcopies of the copyrighted materials are available for public review.
- (h) The lead agency shall certify the final record of proceedings within five days of its approval of the project.
- (i) Any dispute arising from the record of proceedings shall be resolved by the superior court. Unless the superior court directs otherwise, a party disputing the content of the record shall file a motion to augment the record at the time it files its initial brief.
- (j) The contents of the record of proceedings shall be as set forth in subdivision (e) of Section 21167.6.

The project's draft environmental impact report, all document, and other materials in the record of proceedings are all available on line for download at www.469stevensonstreetproject.com.

Please let me know if there are any questions on our application. Thank you for your consideration.

Sincerely,

469 Stevenson Street Owner, LLC

A handwritten signature in black ink, appearing to be 'J. M. O.', written over a horizontal line.

Name:

Title: MANAGING MEMBER