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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

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The Honorable Alberto Gonzales
Attorney General of the United States
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General:

I was recently contacted by my constituents regarding the pending 99-year lease of the San Diego Navy Broadway Complex property from the U.S. Navy (USN) to the Manchester Financial Group. My constituents have expressed the following concerns regarding the agreement. Please ensure that these concerns are fully evaluated before the lease becomes final.

1. The developer is violating legal review by bypassing both the San Diego City Council and California Coastal Commission and fast tracking the lease through Congress.
2. There is potential for public endangerment by building a regional Navy fleet headquarters in an unprotected downtown waterfront location that is visited by millions of tourists and residents each year. There are more secure locations in the San Diego region that would accommodate and better protect a new regional Navy headquarters.
3. Construction of this redevelopment project denies constitutionally protected public access to California State Tidelands.
4. Construction of this redevelopment project forgoes a Base Realignment and Closure (BRAC) public benefit conveyance opportunity.
5. The legally required public review of this project's planning and lease development process is being hindered by the Navy's ongoing refusal to provide key financial information and National Environmental Policy Act related documents.

6. The California Environmental Quality Act and other federal and state environmental review and reporting laws are being violated by the City of San Diego's failure to prepare a supplement to the 12-page Environmental Impact Report prepared in 1992. A Supplemental Environmental Impact Report needs to be prepared that adequately assesses the project given the material changes in the natural and built environments, changes in the legal and regulatory framework, and changes in national security that have all occurred since 1992.
7. San Diego City Municipal Code Section 128.0103[b] has been violated. This Code Section prohibits the Mayor and his staff from predetermining the outcome of environmental reviews conducted by the City Developmental Services Department.

This complex was given to the USN by the City of San Diego in 1920 for military use. However, the USN no longer needs the site. There is a petition circulating by a group of individuals, planners and architects in San Diego to return this land to the people to build a waterfront park. This is San Diego's last opportunity to build a waterfront park, and we should not dismiss it too quickly.

Please review the concerns raised in this letter and provide me with a complete report. If there are any questions, please contact me or Amy Pond of my staff at (619) 422-5963.

Sincerely,



BOB FILNER
Member of Congress

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