



## Statutory Exemption Appeal Timeliness Determination

**DATE:** September 29, 2020  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Lisa Gibson, Environmental Review Officer  
**RE:** Appeal Timeliness Determination  
2020-007286ENV, SFMTA COVID-19 Muni Bus Service  
Adjustments and Associated Stop, Street and Parking Changes –  
August 22, 2020

On September 21, 2020 David Pilpel (appellant) filed an appeal with the Office of the Clerk of the Board of Supervisors of a Statutory Exemption determination for the COVID-19 Muni Bus Service Adjustments and Associated Stop, Street and Parking Changes – August 22, 2020 (COVID-19 Bus Service Project). As explained below, the appeal is timely.

Date of Project Approval	Date of Approval Action Posting	30 Days after Approval Action	Appeal Deadline (Must be a day that the Clerk of Board’s Office is open for remote business)	Date of Appeal Filing	Timely?
August 19, 2020	August 20, 2020	September 19, 2020	September 21, 2020	September 21, 2020	Yes

**Approval Action:** On August 14, 2020, the Planning Department issued a Statutory Exemption determination for the proposed project. On August 19, 2020, the project was approved by the SFMTA Director of Transit. On August 20, 2020, the Planning Department posted that the project was approved.

**Appeal Deadline:** Per Administrative Code Section 31.16(e)(2)(B)(ii), the 30-day appeal period starts on the date the approval action is posted to the Planning Department's website. Sections 31.16(a) and (e) of the San Francisco Administrative Code state that any person or entity may appeal an exemption determination (including a statutory exemption) to the Board of Supervisors during the time period. The 30th day after the date of project approval posting falls on a Saturday, and therefore the appeal period expired on Monday, September 21, 2020 at 5:00 p.m. (Appeal Deadline).

**Appeal Filing and Timeliness:** The Appellant filed the appeal of the exemption determination on Monday, September 21, 2020, prior to the end of the Appeal Deadline. Therefore, the appeal is timely.