



## Exemption Appeal Timeliness Determination

**DATE:** August 11, 2020  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
Jocelyn Wong, Board of Supervisors  
**FROM:** Lisa Gibson, Environmental Review Officer  
**RE:** Appeal Timeliness Determination for SFDPH-LOP Site #12076  
Investigation/Remediation (1776 Green Street)  
Planning Case No. 2020-002484ENV

On June 17, 2020, and on July 17, 2020, Richard Drury of Lozeau Drury LLP on behalf of The Hollow Revolution filed two appeals with the Office of the Clerk of the Board of Supervisors of the exemption for the proposed San Francisco Department of Public Health – Local Oversight Program (LOP) Site #12076 Investigation/Remediation project located beneath the sidewalk in front of 1776 Green Street, where underground storage tanks had been previously located and removed. As explained below, the Planning Department finds the appellant has timely appealed this matter in their second appeal (only).

Date of Approval Action	30 Days after Approval Action	Appeal Deadline (Must be Day Clerk of the Board’s Office is Open)	Date of Appeal Filing	Timely?
July 9, 2020	Saturday, August 8, 2020	Monday, August 10, 2020	June 17, 2020	No
July 9, 2020	Saturday, August 8, 2020	Monday, August 10, 2020	July 17, 2020	Yes

**Approval Action:** The Approval Action for the project is the July 9, 2020 approval of Boring/Monitoring Well Permit No. 20BW-00033 by the San Francisco Department of Public Works.

**Appeal Deadline:** Section 31.16(a) and (e) of the San Francisco Administrative Code state that any person or entity may appeal an exemption determination to the Board of Supervisors after the date of the exemption determination and within 30 days after the

date of the Approval Action. Thirty days after the Approval Action is August 10, 2020 (appeal deadline).

**Appeal Filing and Timeliness:** Richard Drury filed the appeals on June 17, 2020, and on July 17, 2020. While the June 17 appeal was filed prior to the Approval Action, the July 17 appeal was filed after the Approval Action and prior to the appeal deadline; therefore, the July 17 appeal is timely. Because the two appeals are virtually identical, the Planning Department recommends they be treated as a single, timely filed appeal.