



ENVIRONMENTAL IMPACT REPORT APPEAL TIMELINESS DETERMINATION

Date: September 2, 2021
To: Angela Calvillo, Clerk of the Board of Supervisors
From: Lisa Gibson, Environmental Review Officer – (628) 652-7571

**RE: Appeal Timeliness Determination – 469 Stevenson Street Environmental Impact Report;
Planning Department Case No. 2017-014833ENV**

On August 30, 2021, the Brant-Hawley Law Group, on behalf of the Yerba Buena Neighborhood Consortium (Appellant), filed an appeal with the Office of the Clerk of the Board of Supervisors of the certification of the Final Environmental Impact Report (FEIR) for the proposed project at 469 Stevenson Street. As explained below, the appeal is timely.

Date of Approval Action (i.e., EIR Certification Date)	30 Days after Approval Action (i.e., EIR Certification Date)	Appeal Deadline (Must Be Day Clerk of Board’s Office Is Open)	Date of Appeal Filing	Timely ?
Thursday, July 29, 2021	Saturday, August 28, 2021	Monday, August 30, 2021	Monday, August 30, 2021	Yes

Timeline: On March 11, 2020, the Planning Department published the Draft Environmental Impact Report (DEIR) for the proposed project at 469 Stevenson Street with a public review and comment period from March 12, 2020 through May 11, 2020. On April 16, 2020, the Planning Commission held a duly advertised public hearing on the DEIR. The Responses to Comments document was issued on May 26, 2021. On July 29, 2021, the Planning Commission held a duly noticed hearing to consider certification of the proposed 469 Stevenson Street FEIR. The Planning Commission certified the 469 Stevenson Street FEIR on July 29, 2021.

Appeal Deadline: Sections 31.16(a) and (c) of the San Francisco Administrative Code state that any person or entity that has submitted comments to the Planning Commission or the Environmental Review Officer on a DEIR, either in writing during the public review period, or orally or in writing at a public hearing on the EIR, may appeal the Planning Commission’s certification of the FEIR up to 30 days after the certification of the FEIR. The 30th day after the certification of the FEIR was Saturday, August 28, 2021. The next day when the Office of the Clerk of the Board of Supervisors was open was Monday, August 30, 2021 (Appeal Deadline).

Appellant Standing: The Appellant submitted written comments on the DEIR and therefore, the Appellant has standing to appeal the certification of the FEIR.

Appeal Filing and Timeliness: The Appellant filed an appeal on August 30, 2021. The appeal was filed prior to the Appeal Deadline and therefore, the appeal is timely.