



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: December 21, 2015
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sarah B. Jones, Environmental Review Officer
RE: Appeal timeliness determination – SFMTA - Commuter Shuttle Program, Planning Department Case No. 2015-007975E

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An appeal of the categorical exemption for the proposed SFMTA – Commuter Shuttle Program (Planning Department Case No. 2015-007975E) was filed with the Office of the Clerk of the Board on December 17, 2015 by Rebecca L. Davis, on behalf of The Coalition for Fair, Legal and Environmental Transit, Service Employees International Union Local 1021, Sue Vaughan, and Robert Planthold.

Timeline: The Categorical Exemption was issued on October 22, 2015. The exemption identified the Approval Action for the project as the duly noticed hearing by the SFMTA Board of Directors, which occurred on November 17, 2015 (Date of the Approval Action).

Timeliness Determination: Section 31.16(a) and (e) of the San Francisco Administrative Code states that any person or entity may appeal an exemption determination to the Board of Supervisors during the time period beginning with the date of the exemption determination and ending 30 days after the Date of the Approval Action. If the 30th day after the Date of the Approval Action falls on a Saturday, Sunday, or holiday, an appeal may be filed before 5:00pm on the next business day.

The appeal of the exemption determination was filed on December 17, 2015, which is the 30th business day within 30 days after the Date of the Approval Action and is within the time frame specified above. Therefore the appeal is considered timely.

Section 31.16(b)(4) of the San Francisco Administrative Code states that the Clerk of the Board shall schedule the appeal hearing no less than 21 days and no more than 45 days following expiration of the specified time period for filing of the appeal.