



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: June 14, 2016
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Rick Cooper, Acting Environmental Review Officer
RE: Appeal timeliness determination – Final Environmental Impact Report for the 901 16th Street and 1200 17th Street Project

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An appeal of the Certification of the Final Environmental Impact Report (FEIR) for the 901 16th Street and 1200 17th Street project was filed with the Office of the Clerk of the Board on June 10, 2016 by Rachel Mansfield-Howlett, on behalf of Grow Potrero Responsibly and Save the Hill (the appellants).

Timeline: On August 12, 2015, the Department published the Draft Environmental Impact Report (DEIR) for the 901 16th Street and 1200 17th Street Project. On October 1, 2015, the Planning Commission held a duly advertised public hearing on the DEIR. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 54-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Responses to Comments document, published April 28, 2016. On May 12, 2016, the San Francisco Planning Commission certified the Final Environmental Impact Report (FEIR) for the 901 16th Street and 1200 17th Street project.

Timeliness Determination: Section 31.16(a) and (c) of the San Francisco Administrative Code states that any person or entity that has submitted comments to the Planning Commission or the Environmental Review Officer on a draft EIR, 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 final EIR up to 30 days after the certification of the EIR.

Rachel Mansfield-Howlett submitted written comments on the DEIR on behalf of the appellants to the Planning Commission on May 11, 2016. The appellants also submitted written comments during the DEIR comment period and oral comments during the 901 16th Street and 1200 17th Street Project DEIR hearing on October 1, 2015. Therefore, the appellants have standing to appeal the certification of the 901 16th Street and 1200 17th Street Project FEIR to the Board of Supervisors.

The appeal was filed on June 10, 2016. The appeal was timely filed during the specified window of time, after the certification of the FEIR and before 30 days beyond the date of the FEIR certification.

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