



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: December 11, 2017

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer *LJG*

RE: Revised Appeal Timeliness Determination – ExteNet for T-Mobile Cell Site on Existing JPA Wood Pole – Approximate Address 401 Main Street, Planning Department Case No. 2016-011592ENV

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This memo supersedes the appeal timeliness determination dated December 6, 2017 for this project. The prior determination was based on an inaccurate Approval Action date and incorrectly concluded that the appeal was not timely. In fact, the appeal was timely filed. The Planning Department regrets any inconvenience caused by this error.

An appeal of the categorical exemption determination for the proposed project in the public right-of-way near 401 Main Street (Planning Department Case No. 2016-011592ENV) was filed with the Office of the Clerk of the Board of Supervisors on November 30, 2017, by Stephen M. Williams on behalf of the Portside Homeowners Association. As explained below, the Planning Department finds the appeal to be timely filed.

| Date of Approval Action | 30 Days after Approval Action/ Appeal Deadline | Date of Appeal Filing | Timely? |
|---------------------------|--|-----------------------------|---------|
| Tuesday, October 31, 2017 | Thursday, November 30, 2017 | Thursday, November 30, 2017 | Yes |

Approval Action: On September 28, 2017, the Planning Department issued a CEQA Categorical Exemption Determination for 61 cell sites on utility poles in the public right-of-way in the Downtown and South of Market neighborhoods, including the cell site near 401 Main Street. Each cell site has its own Approval Action, which is the San Francisco Public Works Final Approval for the individual cell site permit. The Final Approval of the permit for the cell site near 401 Main Street was issued by Public Works on October 31, 2017 (Date of the Approval Action).

Appeal Deadline: 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. The 30th day after the Date of the Approval Action was Thursday, November 30, 2017 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the exemption determination on Thursday, November 30, 2017, on the Appeal Deadline. Therefore, the appeal is considered timely.