



## Statutory Exemption Appeal Timeliness Determination

**DATE:** September 2, 2020  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Lisa Gibson, Environmental Review Officer  
**RE:** Appeal Timeliness Determination – SFMTA Department  
Operations Center COVID-19 Emergency Temporary Street  
Changes Program Emergency Statutory Exemption  
2020-006458ENV

On August 20, 2020, David Pilpel (Appellant) filed an appeal with the Office of the Clerk of the Board of Supervisors of the Statutory Exemption for the San Francisco Municipal Transportation Agency’s Department Operations Center COVID-19 Emergency Temporary Street Changes Program. As explained below, the appeal is timely.

Date of Project Approval	Date of CEQA Posting	Appeal Deadline (Must Be Day Clerk of Board’s Office Is Open for Remote Business)	Date of Appeal Filing	Timely?
July 17, 2020	July 21, 2020	August 20, 2020	August 20, 2020	Yes

**Approval Action:** On July 17, 2020, the Director of Transportation approved the project. On July 21, 2020, the Planning Department posted the Statutory Exemption on the Planning Department’s website.

**Appeal Deadline:** Per Administrative Code Section 31.16(e)(2)(B)(ii), the 30-day appeal period starts on the date this exemption is posted to the Planning Department's website. Sections 31.16(a) and (e) of the San Francisco Administrative Code state that any person or entity may appeal an exemption determination (including a statutory exemption) to the Board of Supervisors during the 30-day appeal period. The 30th day after the date of CEQA posting is August 20, 2020, and the appeal period expired at 5:00 p.m. on Thursday, August 20, 2020 (Appeal Deadline).

**Appeal Filing and Timeliness:** The Appellant filed the appeal of the exemption determination on Thursday, August 20, 2020 before 5:00 p.m., prior to the end of the Appeal Deadline. Therefore, the appeal is timely.