



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: January 10, 2017
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Acting Environmental Review Officer *LG*
RE: Appeal Timeliness Determination – Natural Resources Management Plan, Planning Department Case No. 2005.0912E

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An appeal of the Certification of the Final Environmental Impact Report (FEIR) for the Natural Resources Management Plan (formerly the Significant Natural Resources Area Management Plan), Planning Department Case No. 2005.0912E, was filed with the Office of the Clerk of the Board of Supervisors on January 5, 2017 by the San Francisco Forest Alliance (Appellant). As explained below, the Planning Department finds the appeal to be timely filed.

Date of FEIR Certification	30 Days after FEIR Certification	Appeal Deadline (Must Be Day Clerk of Board's Office Is Open)	Date of Appeal Filing	Timely?
December 15, 2016	Saturday, January 14, 2017	Tuesday, January 17, 2017	January 5, 2017	Yes

Timeline: On August 31, 2011, the Planning Department published the Draft Environmental Impact Report (DEIR) for the Natural Resources Management Plan (NRMP) with a public review and comment period from August 11, 2011 through October 31, 2011. On October 6, 2011, the Planning Commission held a duly advertised public hearing on the DEIR. On April 27, 2012, the Planning Department opened a second public review and comment period which ran from April 27, 2012 through June 11, 2012. The Responses to Comments document was issued on November 16, 2016. On December 15, 2016, the Planning Commission held a duly noticed hearing to consider certification of the Natural Resources Management Plan Final EIR (NRMP FEIR). The Planning Commission certified the NRMP FEIR on December 15, 2016.

Appeal Deadline: 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 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 FEIR. The 30th day after the certification of the FEIR is Saturday, January 14, 2017. The next date when the Office of the Clerk of the Board is open is Tuesday, January 17, 2017 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant had submitted written comments on the DEIR and therefore the Appellant has standing to appeal the certification of the FEIR.¹ The Appellant filed the appeal of the FEIR on January 5, 2017, prior to the Appeal Deadline and therefore the appeal is considered timely.

¹ The San Francisco Forest Alliance had submitted written comments on the DEIR, albeit under the name of a different President.