



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: July 26, 2017
 TO: Angela Calvillo, Clerk of the Board of Supervisors
 FROM: Lisa Gibson, Environmental Review Officer *LJ*
 RE: Appeal Timeliness and Standing Determination – SFPUC
 Alameda Creek Recapture Project, Planning Department Case
 No. 2015-004827ENV

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An appeal of the certification of the Final Environmental Impact Report (Final EIR) for the Alameda Creek Recapture Project, Planning Department Case No. 2015-004827ENV, was filed with the Office of the Clerk of the Board of Supervisors on July 24, 2017 by Rob Shaver, on behalf of the Alameda County Water District (Appellant).

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?
June 22, 2017	Saturday, July 22, 2017	Monday, July 24, 2017	July 24, 2017	Yes

Timeline: On November 30, 2016, the Planning Department published the Draft Environmental Impact Report (Draft EIR) for the Alameda Creek Recapture Project with a public review and comment period from November 30, 2016 through January 30, 2017. On January 5, 2017, the Planning Commission held a duly advertised public hearing on the Draft EIR. The responses to comments document was issued on June 7, 2017. On June 22, 2017, the Planning Commission held a duly noticed hearing to consider certification of the Final EIR. The Planning Commission certified the Final EIR on June 22, 2017.

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 Draft EIR, either in writing during the public review period, or orally or in writing at a public hearing on the Draft EIR, may appeal the Planning Commission's certification of the Final EIR up to 30 days after the certification of the Final EIR. The 30th day after the certification of the Final EIR was Saturday, July 22, 2017. The next date the Office of the Clerk of the Board was open was Monday, January 24, 2017 (appeal deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the Final EIR on July 24, 2017, prior to the appeal deadline and therefore the appeal is considered timely.

Appellant Standing: The Appellant submitted written comments on the Draft EIR and submitted comments at the public hearing on the Draft EIR. The Appellant therefore has standing to appeal the certification of the Final EIR.