



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: September 27, 2017

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer *DJ for Lisa Gibson*

RE: Appeal Timeliness and Standing Determination
Pier 70 Mixed-Use District Project *(Revised)*
Planning Department Case No. 2014-001272ENV

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An appeal of the certification of the Final Environmental Impact Report (Final EIR) for the Pier 70 Mixed-Use District Project (Planning Department Case No. 2014-001272ENV), was filed with the Office of the Clerk of the Board of Supervisors on September 25, 2017 by J.R. Eppler on behalf of Potrero Boosters Neighborhood Association (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?
August 24, 2017	September 23, 2017	September 25, 2017	September 25, 2017	Yes

Timeline: On December 21, 2016, the Planning Department published the Draft EIR for Pier 70 Mixed-Use District Project, with a public review and comment period from December 22, 2017 to February 21, 2017. On February 9, 2017, the Planning Department held a duly advertised public hearing on the Draft EIR. The Responses to Comments document was issued on August 9, 2017. On August 24, 2017, the Planning Commission held a duly noticed hearing to consider certification of the Pier 70 Mixed-Use Project Final EIR. The Planning Commission certified the Pier 70 Mixed-Use Project Final EIR on August 24, 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 EIR may appeal the Planning Commission's certification of the final EIR to the Board of Supervisors during the 30 days following the Planning Commission's EIR certification. The 30th day after the Date of the Approval Action was Saturday, September 23, 2017. The next day when the Office of the Clerk of the Board of Supervisors was open was Monday, September 25, 2017 (Appeal Deadline).

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.

Appeal Filing and Timeliness: The Appellant filed the appeal of the Final EIR determination on September 25, 2017, prior to the end of the Appeal Deadline. Therefore, the appeal is considered timely.