



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: May 28, 2019

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer

RE: CEQA Appeal Timeliness Determination – Embarcadero Navigation Center Project at Seawall Lot 330, Planning Department Case No. 2019-002440ENV

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Two appeals of the categorical exemption determination for the Embarcadero Navigation Center Project at Seawall Lot 330 were filed with the Office of the Clerk of the Board of Supervisors by the following parties:

- Stephen M. Williams of the Law Offices of Stephen M. Williams, on behalf of the Portside Master Association and Portside Homeowners Association (appeal filed on May 22, 2019); and
- Peter Prows of Briscoe Ivester & Bazel LLP, on behalf of Safe Embarcadero For All (appeal filed on May 23, 2019).

As explained below, the planning department finds these two appeals to be timely filed.

Date of Approval Action	30 Days after Approval Action	Date of Appeal Filing	Timely?
Tuesday April 23, 2019	Thursday May 23, 2019	Portside Master Association and Portside Homeowners Association filed appeal on May 22, 2019	Yes
		Safe Embarcadero For All filed appeal on May 23, 2019	Yes

Approval Action: On April 19, 2019, the planning department issued a CEQA categorical exemption determination for the Embarcadero SAFE Navigation Center Project at Seawall Lot 330. The categorical exemption determination identified the approval action for the project as the approval of the Embarcadero Memorandum of Understanding (MOU) between the Department of Homelessness and Supportive Housing (HSH) and the Port of San Francisco (Port) by the San Francisco Port Commission. On April 23, 2019, the San Francisco Port Commission held a public hearing and approved the Embarcadero MOU between the Port and HSH (date of the approval action).

Appeal Deadline: Sections 31.16(a) and (e) of the San Francisco Administrative Code state 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. Thirty days after the approval action is May 23, 2019 (appeal deadline).

Appeal Filing and Timeliness: Portside Master Association and Portside Homeowners Association filed an appeal on May 22, 2019, and Safe Embarcadero For All filed appeal on May 23, 2019. Both appeals were filed prior to the appeal deadline and, therefore, the appeals are considered timely.