



Categorical Exemption Appeal Timeliness Determination

DATE: August 03, 2020
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Environmental Review Officer –
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RE: Appeal Timeliness Determination – SFMTA – Slow Streets
Phase 1 Emergency Statutory Exemption 2020-004631ENV

On May 21, 2020, Mary Miles on behalf of the Coalition for Adequate Review (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 Slow Streets Phase 1 project. 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?
April 17, 2020	April 22, 2020	May 22, 2020	May 21, 2020	Yes

Approval Action: On April 17, 2020 the SFMTA Director of Transportation, in coordination with the Emergency Operations Center, approved the project. On April 22, 2020 the Planning Department posted a 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 time period. The 30th day after the date of CEQA posting was Friday, May 22, 2020 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the exemption determination on Thursday, May 21, 2020, prior to the end of the Appeal Deadline. Therefore, the appeal is timely.