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To the Honorable President Yee and Members of the San Francisco Board of Supervisors

RE: APPEAL OF PLANNING COMMISSION CERTIFICATION OF FINAL
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR BALBOA
RESERVOIR PROJECT. (Case No. 2018-007883ENV)

I am an attorney representing Madeline Mueller, Alvin Ja, and Wynd Kaufmyn (hereinafter, "Appellants"). On behalf of the Appellants, and pursuant to San Francisco Administrative Code Section 31.16, I hereby appeal the Planning Commission's certification of the Final Subsequent Environmental Impact Report ("FSEIR") for the Balboa Reservoir Project ("Project") and its adoption of findings supporting that certification on May 28, 2020. All of the Appellants participated in the administrative process for the preparation and approval of the FSEIR, and all submitted both oral and written comments on the Draft SEIR during the public review period. Due to the unusual present circumstances, this appeal is being submitted both electronically via email and in "hard copy" via the U.S. Mail. A check for the \$640 appeal fee is being submitted with the hard copy of the appeal.

The reasons for the appeal are substantive and procedural violations of the California Environmental Quality Act in the preparation and certification of the Final EIR, inadequate findings adopted by the Planning Commission in support of that certification, and an inadequate statement of overriding considerations. Details of the bases for this appeal are laid out below and in the attached exhibits, which exhibits are incorporated into this appeal by this reference. I expect to submit further explanation and amplification on these points in subsequent submittals to the Board prior to the hearing on this appeal.

A. Substantive Violations of the California Environmental Quality Act ("CEQA")

CEQA contains numerous provisions about what is required to be contained in an EIR. The FSEIR for this project violated a number of these provisions, making its certification improper and a violation of CEQA.

1. The Description of the Project area and existing conditions is incomplete and inaccurate. While the EIR makes passing mention of the surrounding major uses in the Project, notably the Ocean Campus of City College of San Francisco ("CCSF"), Archbishop Riordan High School, and Lick Wilmerding High School, it does not provide adequate information on the extent and nature of those uses, both present and