

## TALKING POINTS FOR THURSDAY APRIL 25 PLANNING COMMISSION HEARING ON CEQA

(SF City Hall, Room 400, 12 noon)

### We support Supervisor Jane Kim's Community Alternative Because:

#### 1) Supervisor Kim's Community Alternative Allows Enough Notice And Time For The Public To Be Heard - But Also Assures Project Sponsors Of Reasonable Timely Appeal Deadlines & Limited Appeals

Supervisor Kim's legislation does not force appeals to occur prematurely at a project's very first approval. Instead, the public is provided with a clear list of all approvals required for a project, and then allowed one opportunity to appeal that project's environmental determination during the full course of those approvals. This allows enough time for the public to find out about a project, and to negotiate with developers to make the project better for the environment and the community. But this process also ensures that as long as a project does not substantially change during or after its noticed approvals, it cannot be delayed by multiple CEQA appeals.

#### 2) Supervisor Kim's Alternative Ensures All Appeals Of Environmental Determinations Are Heard At The Full Board

Supervisor Kim's legislation leaves intact the standard under state law, that appeals of environmental determinations are to be properly heard in a full and formal legal appeal hearing before the entire 11 member Board of Supervisors, in which appellants are given ample time to prepare and present their case. An appeal hearing before the full Board of Supervisors is a vital protection which makes sure that all Board members understand an appeal and are held publicly accountable for their decision on that appeal.

#### 3) Supervisor Kim's Alternative Gives Stronger Noticing To The Public Than Supervisor Wiener's Proposal

Community coalition members are willing to support reasonable and timely appeal deadlines, and to be held to only one appeal during the appeal period; but in return, we *must* have CEQA procedures which give us *very* robust noticing of projects to the public. Supervisor Kim's measure also ensures that all residents within an area plan are properly notified on the impacts of any project to that entire area plan. Supervisor Kim's legislation is a real and fair compromise between the needs of the community, and of project developers and sponsors.

#### 4) Supervisor Kim's Alternative Has Been Drafted With Extensive Input From Scores Of Environmental, Social Justice, Neighborhood, Park Preservation, Historic Preservation, and Labor Organizations

Because CEQA is our most important environmental protection, Supervisor Kim has made sure that her alternative has been drafted with full community input. Over 40 community and labor organizations from all across the political spectrum (which have all had strong concerns about serious problems in Supervisor Wiener's measure) have joined together over the last few months to help draft a community alternative that will make our local CEQA procedures more fair and efficient, while keeping the law strong. And, when others in the community raised their own concerns about Supervisor Kim's measure, she listened, and immediately made *substantial* changes in her legislation to respond to those concerns.

#### 5) Supervisor Kim's Alternative Retains Crucial Protections That Would Be Eliminated By The Wiener Proposal

Supervisor Kim's measure retains important clauses in current law that provide:

- strong Environmental Impact Report procedures
- fair filing requirements and deadlines that allow appellants latitude and time to prepare proper appeals
- the crucial 'fair argument' standard to determine when project Environmental Impact Reports are required