



APPLICATIONS:

APPEAL APPLICATION CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Instructions and Checklist

Related Code Section: The Los Angeles Municipal Code (LAMC) Section 11.5.13 (Ord. No. 186,338) established the appeal procedure to the City Council for California Environmental Quality Act (CEQA) determinations.

Purpose: *The Appeal* - A CEQA clearance can only be appealed if a non-elected decision-making body (ZA, APC, CPC, DIR) makes a determination for a project that is not further appealable. To initiate appeal of a CEQA document this form must be completely filled out with the required materials attached and filed within 15 calendar days from the final administrative decision, of the entitlement application.

General Information

Appealable CEQA documents:

- Certified Environmental Impact Report (EIR)
- Sustainable Communities Environmental Assessment (SCEA)
- Mitigated Negative Declaration (MND)
- Negative Declaration (ND)
- Categorical Exemption (CE)
- Sustainable Exemption (SE)

NOTE:

- Actions not appealable include an addendum, findings made pursuant to CEQA Guidelines Section 15162, or an action in which the determination does not constitute a project under CEQA.
- All CEQA appeals are heard by the City Council.
- This form is only for the appeal of Department of City Planning determinations: All other CEQA appeals are filed with the City Clerk pursuant to the LAMC Section 197.01.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

1. Case Information

Environmental Case Number: ENV-2018-2771-EIR

Related Entitlement Case Number(s): DIR-2018-2770-SPR-WDI, DIR-2018-2770-SPR-WDI-1A

Project Address: 300-370 South Fairfax Avenue; 6300-6370 West 3rd Street; and 347 South Ogden Drive

Date of Final Entitlement Determination: 05/05/2022

The CEQA Clearance being appealed is a(n):

- EIR SCEA MND ND CE SE

2. Appellant Identity (check all that apply)

- Representative Property Owner Other Person
 Applicant Operator of the Use/Site

3. Appellant Information

Appellant Name: Supporters Alliance for Environmental Responsibility

Company/Organization: _____

Mailing Address: 4399 Santa Anita Ave, Ste 2005

City: El Monte State: CA Zip: 91731

Telephone: (510) 836-4200 E-mail: richard@lozeaudrury.com

- a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?
 Self Other: _____
- b. Is the appeal being filed to support the original applicant's position? Yes No

4. Representative/Agent Information

Representative/Agent name (if applicable): Brian Flynn

Company: Lozeau Drury LLP

Mailing Address: 1939 Harrison Street, Suite 150

City: Oakland State: CA Zip: 94612


Telephone: (510) 836-4200 E-mail: brian@lozeaudrury.com

5. Appeal Justification

Attach a separate sheet providing your specific reasons for the appeal. Your reasons must state how you believe CEQA was incorrectly applied, providing a legal basis for the appeal.

6. Applicant 's Affidavit

I certify that the statements contained in this application are complete and true:

Appellant Signature:  Date: May 10, 2022

ENVIRONMENTAL APPEAL FILING REQUIREMENTS

Note: City Clerk prepares mailing list for CEQA appeals per LAMC Section 11.5.13 E.

1. Three (3) sets - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Environmental Appeal Application (form CP-7840)
- Justification/Reason for Appeal
- Copies of the written Determination Letter, from the final appellate body, which must be a non-elected decision-making body

2. Electronic Copy

- Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Environmental Appeal Application.pdf", "Justification/Reason Statement.pdf", "Final Determination Letter.pdf"). No file should exceed 9.8 MB in size.

3. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee of the Environmental case; provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Other Persons - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)