

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: Letter in Support of Denying Appeals of CEQA Determinations for BOS Files 200903, 200987, and 201000
Date: Thursday, September 24, 2020 2:02:28 PM

From: Kyle Perata <kperata@gmail.com>
Sent: Tuesday, September 22, 2020 12:41 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Letter in Support of Denying Appeals of CEQA Determinations for BOS Files 200903, 200987, and 201000

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Angela Calvillo
Clerk of the Board
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA, 94102

Dear members of the San Francisco Board of Supervisors:

Please deny the appeals of Board of Supervisors' File Numbers 200903, 200987, 201000. First, we want to commend the City's Planning Department and the MTA on undertaking swift action to create slow streets to allow for increased social distancing and the implementation of new temporary bike facilities and transit facilities.

We understand that not everyone will appreciate the pedestrian, bicycle, and transit infrastructure improvements that the City has installed to help reduce the risk of Covid-19 while allowing its residents to recreate and travel safely throughout the City, but these improvements have been instrumental in allowing residents to safely be outside during this time. We have used many of these temporary improvements while enjoying being out in the City on our bike rides, walks, and runs.

We firmly believe that the City correctly applied the California Environmental Quality Act to these emergency projects during this unprecedented public health crisis. Please deny these appeals and please continue to implement temporary emergency projects to improve pedestrian and bicycle safety (from Covid-19 and from unsafe roadway conditions) and slow streets to allow for safer social distancing. We encourage the City to evaluate these temporary projects and consider making these permanent after this health crisis passes.

Thank you,

Kyle Perata
Casey Palmer
Residents of District 3
San Francisco

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Subject: FW: Items 91 to 94, BOS File No. 200903
Date: Tuesday, September 22, 2020 12:53:51 PM

For File No. 200903, also sent to all Supervisors.

Jackie Hickey
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-5184 | Direct: (415) 554-7701
jacqueline.hickey@sfgov.org | www.sfbos.org

From: Board of Supervisors, (BOS)
Sent: Tuesday, September 22, 2020 12:52 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Subject: FW: Items 91 to 94, BOS File No. 200903

From: Mari Mari <unaarana@hotmail.com>
Sent: Saturday, September 19, 2020 9:32 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Items 91 to 94, BOS File No. 200903

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To the Board of Supervisors:

Please DO NOT give a free giveaway to SFMTA to do whatever they please. With no public outreach, they have been doing this quietly during the pandemic. But Enough is enough.

There is NO NEED for Emergency Temporary Transit Lanes and Bikeways.

What we DO NEED is more buses for SFMTA to run and provide service to us. Not overcrowded buses. As that's what has been happening for many months. That is what SFMTA should be focusing on. The safety of the SFMTA drivers and the riders.

Thank you,

Mari

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Subject: FW: File No. 200903: The Sierra Club supports TETLs with the condition that they are restricted to public transit vehicles, per law.
Date: Tuesday, September 22, 2020 12:53:36 PM
Attachments: [Sierra Club Approve TETLs with conditions 09-17-2020.pdf](#)

For File No. 200903, also sent to all Supervisors.

Jackie Hickey
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-5184 | Direct: (415) 554-7701
jacqueline.hickey@sfgov.org | www.sfbos.org

From: Board of Supervisors, (BOS)
Sent: Tuesday, September 22, 2020 12:52 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Subject: FW: File No. 200903: The Sierra Club supports TETLs with the condition that they are restricted to public transit vehicles, per law.

From: Sue Vaughan <selizabethvaughan@gmail.com>
Sent: Thursday, September 17, 2020 9:30 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>
Cc: MTABoard <MTABoard@sfmta.com>; Virginia Reinhart, Sierra Club <virginia.reinhart@sierraclub.org>; Minda Berbeco <minda.berbeco@sierraclub.org>; rebecca evans <rebecae@earthlink.net>; Olga Bolotina <olga.bolotina.ab@gmail.com>; CAC <cac@sfmta.com>
Subject: File No. 200903: The Sierra Club supports TETLs with the condition that they are restricted to public transit vehicles, per law.

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Dear Supervisors,

Please see the attached Sierra Club letter on the creation of Temporary Emergency Transit Lanes. This item will be heard at the Board of Supervisors on Tuesday, September 22, 2020.

Sue Vaughan



San Francisco Bay Chapter

Serving Alameda, Contra Costa, Marin and San Francisco counties

September 17, 2020

Mr. Norman Yee, President
Board of Supervisors
San Francisco City Hall
San Francisco, CA

Subject: File No. 200903: Support TETLs on the condition that the TETLs be restricted to public transit vehicles only

Dear Board of Supervisors President Norman Yee,

The Sierra Club supports the creation of Temporary Emergency Transit Lanes (TETLs) if those lanes are restricted to public transit vehicles -- Muni buses, Golden Gate Transit, SamTrans, and taxicabs.

The San Francisco Municipal Transportation Agency has presented the adoption of these lanes for the following purpose: getting essential workers who depend on Muni to their jobs quickly and safely with the same number of buses but less crowding. Fulfilling this vital function is within the scope of the agency's emergency powers in response to the current pandemic.

However, this function will be defeated if unlimited numbers of private buses -- tour buses, casino buses, Academy of Art University buses, and the hundreds of commuter technology shuttle buses that may resume operations, among others -- are allowed to compete for space in the TETLs. Anecdotal evidence indicates that operation of commuter technology shuttle buses has already slowed down Muni operations at certain concentrated bus stops (in Noe Valley and on Park Presidio at Geary, for example) during commute hours, and it can be extrapolated that private bus operation in transit-only lanes would also interfere in public transit operations.

The availability of safe, fast public transportation operations will entice people out of cars and onto buses, thus reducing vehicle miles traveled, greenhouse gas emissions that exacerbate the climate crisis, and congestion that slows down public transit operations. In addition, public transit plays an essential role in addressing income inequality. Public transit is available to everyone, and is required by Title VI of the Civil Rights Act of 1964 to serve every neighborhood and demographic equitably -- from the outer reaches of the Sunset and Hunters Point to the disabled.

The same equity requirements do not apply to private transportation services that receive no federal funding. Moreover, private bus company providers do not share data about ridership, and no environmental impact study was ever done on the Commuter Shuttle Policy and Program to evaluate the connection between their availability and displacement of lower income people to far-flung suburbs with longer commutes and fewer public transit options. Thus the impact of commuter shuttles -- and other forms of private bus systems -- on the climate crisis is unknown.

State and local laws are clear that private buses are not permitted in transit-only lanes:

According to state law, "buses" and "transit buses" are not the same thing. The California Vehicle Code, Division 1 "Words and Phrases", Section 233, states:

(a) Except as provided in subdivision (b), a "bus" is any vehicle, including a trailer bus, designed,

Sierra Club

used, or maintained for carrying more than 15 persons including the driver. (b) A vehicle designed, used, or maintained for carrying more than 10 persons, including the driver ...

According to the vehicle code, Division I “Words and Phrases”, Section 642:

A “transit bus” is any bus owned or operated by a publicly owned or operated transit system, or operated under contract with a publicly owned or operated transit system, and used to provide to the general public, regularly scheduled transportation for which a fare is charged. A general public paratransit vehicle is not a transit bus.

The San Francisco Board of Supervisors, using its San Francisco Transportation Code Division I powers, passed a law in 2008 making operation of any but public transit vehicles in transit-only lanes an infraction:

SEC. 7.2.72. DRIVING IN TRANSIT-ONLY AREA. To operate a vehicle or any portion of a vehicle within the area of any street designated in Division II as a transit-only area, except that public transit vehicles and taxicabs, vehicles preparing to make a turn, and vehicles entering into or exiting from a stopped position at the curb may be driven within a transit-only area.

In 2016, the California state legislature created an additional vehicle code prohibiting non-transit buses from operating in transit only lanes. According to the California Vehicle Code, Division II, Rules of the Road, Chapter 3 “Driving, Overtaking, and Passing”:

“(a) A person shall not operate a motor vehicle on a portion of a highway that has been designated for the exclusive use of public transit buses, except in compliance with the directions of a peace officer or official traffic control device.”

Our City charter’s Transit First policy also restricts transit only lanes to public buses. According to Section 8A.115:

Transit-priority improvements, such as designated transit lanes and streets and improved signalization, shall be made to expedite the movement of public transit vehicles (including taxis and vanpools¹) and to improve pedestrian safety.

To reiterate, the Sierra Club supports the adoption of temporary emergency lanes for the enhancement of public-transit operations. These lanes are restricted by law to public-transit vehicles. Furthermore, if and when, the SFMTA decides to consider permanent adoption of these lanes, a proper environmental analysis should be conducted.

Sincerely,

Becky Evans, Susan Vaughan

Becky Evans, Chair, SF Group Executive Committee

Susan Vaughan, Past Chair, SF Group Executive Committee

¹ Vanpools, according to the California Vehicle Code, Division I “Words and Phrases”, Section 668 , are vehicles that carry 10 to 15 people primarily for non-profit work.