

2020 21 SEPT 4:50 PM

BY: JW

David Pilpel
2151 27th Ave
San Francisco CA 94116-1730

Angela Calvillo, Clerk of the Board
Board of Supervisors
1 Carlton B Goodlett Pl Ste 244
San Francisco CA 94102-4689

September 21, 2020

Re: MTA COVID-19 8-22-20 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes
California Environmental Quality Act (CEQA) Appeal

Dear Ms. Calvillo,

I write to appeal a CEQA Statutory Exemption determination, which is attached, made by the Planning Department on August 14, 2020 (Planning Department Case No. 2020-007286ENV) regarding the MTA COVID-19 8-22-20 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes Project (the Project), which was supposedly approved by the Municipal Transportation Agency (MTA) Director of Transit on August 19, 2020 and posted on the Planning Department website on August 20, 2020. The only document that I have found to evidence the supposed approval is a Memo to File dated August 20, 2020, also attached, which was posted on the Planning Department website.

The exemption document describes planned changes to Muni bus service effective August 22, 2020, and some associated stop, street, and parking changes. It is unclear exactly which elements of the Project have been approved, by whom, and on what date or dates. I intend to brief this issue further in the future. These changes have been in effect since August 22, 2020.

The exemption document, in the first paragraph, describes some of the relationship between the Project and other MTA projects, specifically the MTA Emergency Temporary Transit Lanes and Bikeways Project (Planning Department Case No. 2020-005472ENV) which is already on appeal in Board of Supervisors (BOS) File 200903, and the MTA COVID-19 8-22-20 and Fall 2020 Muni Rail Service Adjustments and Associated Stop, Street, and Parking Changes Project, the subject of a different CEQA appeal. The exemption document also describes various bus route changes and restorations planned for August 22, 2020. Importantly, the description does not mention the extension of the 30-Stockton route into the Presidio, using a route that did not have regular transit service beforehand. This omission may become important.

My concerns about this exemption determination include the project description, the relationship to other current and reasonable foreseeable projects (particularly MTA projects), whether the Project fits the specific exemptions claimed (Public Resources Code Section 21080 (b) (4) / CEQA Guidelines Section 15269 (c) and Public Resources Code Section 21080 (b) (10)), and whether either (or both) of the exceptions to an exemption (cumulative impacts or

unusual circumstances) apply to the Project. I intend to more fully brief these issues and perhaps others by October 23, 2020, understanding that the last day for me to withdraw this appeal and avoid a hearing would be October 19, 2020, all based on a November 3, 2020 hearing date.

I want to emphasize that the CEQA appeals I have filed are brought in good faith about controversial projects where the language of the statutes and guidelines can be interpreted differently. I have not appealed every single action taken by MTA in response to the COVID-19 virus emergency nor do I intend to. Also, although the other CEQA appeals I have filed are unresolved at this time, each should be considered on its own merits. I will leave it at that.

I am always open to resolving my underlying concerns and withdrawing this appeal if an acceptable solution can be reached with Planning and MTA. I also reserve the right to amend this appeal if new information becomes available. Please contact me if you need anything else.

Sincerely,

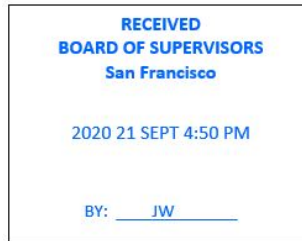
/s/

David Pilpel

Attachments:

1. DCP 2020-007286ENV MTA COVID-19 8-22-20 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes StatEx 8-14-20 (6 pages)
2. DCP 2020-007286ENV MTA COVID-19 8-22-20 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes Approval Action Posting 8-20-20 (1 page)

cc: Lisa Gibson, Environmental Review Officer, Planning Department



2020-007286ENV

COVID-19 Muni Bus Service Adjustments and Associated Stop, Street and Parking Changes – August 22, 2020

Since April 8, 2020, Muni has been operating a COVID-19 Muni Core Transit Service Plan (Core Service Plan) for transit (2020-004707ENV) to support essential trips. The San Francisco Municipal Transportation Agency (SFMTA) has since seen an increase in the number of riders that are using transit for their essential trips. As such, the SFMTA proposes to modify the Core Service Plan on August 22, 2020 by making bus service changes in addition to the return of Muni Rail service. The Muni Rail service changes and the L Bus Construction Shuttle changes constitute a separate project that is evaluated in a separate environmental document (Case No. 2020-007183ENV). The modifications to Muni Core Bus Service would be supported by the Temporary Emergency Transit Lanes program, which would install temporary transit lanes along some of the corridors in the Core Service network (Case No. 2020-005472ENV).

A key goal of the transit service modifications is to support the community's increased travel needs as the COVID-19 pandemic continues. Adding more frequent service on targeted routes would address crowding, pass-ups, and improve physical distancing between riders onboard buses. These bus service changes would provide transit service during the designated health emergency and are temporary. Any stop, street, and parking changes implemented as part of these bus service changes are temporary and will expire 120 days after the retraction of the City's proclamation of the COVID-19 local emergency. An overall transit service plan for the city following the retraction of the health emergency would be presented to the SFMTA Board of Directors and any service associated stop, street and parking changes to be made permanent would need SFMTA Board of Directors approval.

The following Muni routes would return to service, or have adjustments made to their routes, days of operations, and/or frequencies on August 22, 2020:

7 Haight-Noriega

- Service would be extended east past its current temporary terminal at Funston Avenue and Irving Street to include the full route between Ortega Street and 48th Avenue and downtown. This would provide restored service to Haight and Market streets as the N Bus Substitution would be discontinued because N Judah rail service would be restored.
- Service would be provided by 60-foot coaches instead of 40-foot coaches to provide more capacity on the buses and improve the ability for riders to physically distance on the bus.

12 Pacific Community Shuttle

- Service would be extended south from Sansome and Washington streets to include serving Market Street via Sansome Street.
- By extending service into the Financial District, SFMTA is addressing a customer priority and providing connections to additional transit routes, essential services and regional transit connections such as BART, AC Transit, and Golden Gate Transit.

14 Mission

- Bus mode change from 60-foot motor coach to 60-foot electric trolley coach.

28 19th Ave

- Service would be restored on weekends using the current shortened route between Daly City BART and California Street and 7th Avenue. Service on the weekends would provide weekend connections for essential workers arriving on BART and traveling to a number of medical facilities on Geary and California Streets. This service increase would also allow essential trips to Stonestown Galleria (shopping mall) and other destinations for groceries and other essential services.

37 Corbett

- With the return of Muni Metro rail service, there would no longer be any local Upper Market area bus service between the Van Ness Avenue/Market Street area and the Castro district, so the 37 Corbett would return to service on a modified route between the intersections of Parkridge Drive and Burnett Avenue and Market Street and Van Ness Avenue, travelling along Market Street making local stops east of Church Street.
- This modified 37 Corbett service responds to feedback from Muni customers identifying service on upper Market area and access to the hilly Twin Peaks neighborhood as a priority.
- This route would connect riders with grocery stores, hospitals, and other transit connections.
- To provide additional capacity, the route would be served by a 40-foot coach, instead of the typical 30-foot coach under pre-COVID operation. Therefore, parking would be removed to accommodate the longer coaches.
 - A new bus zone would be created on Parkridge Drive at the northwest corner of Burnett Avenue in order to accommodate the longer buses (loss of 3 parking spaces).
 - The route would need minor temporary parking and traffic changes in order to turn around at 11th Street and Market Street. These changes would consist of allowing Muni buses to make a left turn from 11th Street onto westbound Market Street. In addition, to install a new bus layover terminal along the east side of 11th Street between Market and Mission streets, three yellow commercial metered parking spaces and a 101-foot long white passenger loading zone would be removed. These loading spaces are not being well-used under the current

conditions and there are 2 yellow commercial metered parking spaces and a 20-foot long white passenger loading zone on the west side of 11th Street that can be used.

- Due to the route being served by 40-foot coaches, there would be daylighting at several locations (listed below) where red color curb would be applied; no red color curb would extend beyond 20-feet in length. The locations are as follows: Corbett Avenue and 17th Street intersection (2 daylighting locations); Corbett Avenue and Ord Street intersection; Corbett Avenue and Clayton Street intersection; Portola Drive and Market Street intersection; Burnett Avenue and Portola Drive intersection; Crestline Drive and Parkridge Drive intersection (2 daylighting locations); Corbett Avenue near 470 Corbett Avenue; Crestline Drive near the driveway of 41 Crestline Drive; Crestline Drive, near the driveway of 40 Crestline Drive; and Parkridge Drive, near the driveway of 90 Parkridge Drive. Approximately 4 non-metered parking spaces would be removed as a result of the daylighting.

38 Geary

- In response to feedback from Muni customers regarding service from the VA Hospital and the Vista Del Mar area, the 38 Geary service would be modified so that between 6 AM and 9 PM daily, half of the buses would terminate at the Geary Boulevard and 32nd Avenue terminal, while the other half would terminate at Fort Miley/VA Hospital. At all other times, all 38 Geary trips would terminate at 48th Avenue and Point Lobos.
- The 38 Geary buses terminating at Fort Miley/VA Hospital would layover and then proceed on the inbound route, picking passengers up at the existing stop locations.

44 O'Shaughnessy

The 44 O'Shaughnessy is currently operating a shortened route between the Bayview district and Forest Hill Station. In response to feedback from Muni customers regarding cross town service and access to Laguna Honda and UCSF Parnassus hospitals, the 44 O'Shaughnessy would return to its original pre-COVID-19 full route between the Bayview district and California Street and 6th Avenue.

45 Union-Stockton

- The 45 Union-Stockton is not currently operating. In response to feedback from Muni customers about crowding on the 8 Bayshore and 30 Stockton bus routes in the Chinatown neighborhood, the 45 Union-Stockton would return to its original pre-COVID-19 full route between the intersections of Lyon and Greenwich streets and Townsend and 4th streets.

48 Quintara-24th Street

- In response to feedback from Muni customers about more crosstown bus service and more access to hospitals such as SF General Hospital and Trauma Center, the 48 Quintara-

24th Street would return with a modified, short route between West Portal Station and 20th and 3rd streets. This segment carries the highest proportion of riders.

- In order to operate with an improved frequency, the route would take a simplified alignment in Noe Valley, by using Diamond Street to get directly to Clipper Street from 24th Street. This means that the 48 Quintara-24th Street would not travel on Grandview, Douglass, 21st, or Hoffman streets. In order to achieve this alignment, five red zones (no parking or stopping) would be installed in the area near the Clipper Street and Diamond Street intersection and the Diamond Street and 24th Street intersection, which would result in a loss of 4 parking spaces.
- Note that as part of a separate project, the Muni Rail service changes (Case No. 2020-007183ENV), the existing inbound 48 Quintara-24th Street/L-Owl bus stop on the southeast corner of Ulloa Street at West Portal Avenue and the 48 Quintara-24th Street terminal on the southwest corner of Ulloa Street at West Portal Avenue would be relocated westward to the southside of Ulloa Street between West Portal Avenue and Wawona Street to support transfers for the new LK rail transit line.

49 Van Ness/Mission

- To increase capacity, the 49 Van Ness/Mission route would be serviced by 60-foot motor coaches instead of 40-foot motor coaches.

54 Felton

- The 54 Felton is currently operating between the intersections of San Jose and Geneva avenues and Newhall Street and Hudson Avenue. In response to feedback from Muni customers about more crosstown service and connectivity to the Oceanview neighborhood for trips to grocery stores and other essential services, the 54 Felton would return to its full pre-COVID-19 route between the Hunters Point neighborhood (at 3rd Street and Newhall Street) and Daly City BART in addition to restoring weekend service.

67 Bernal Heights

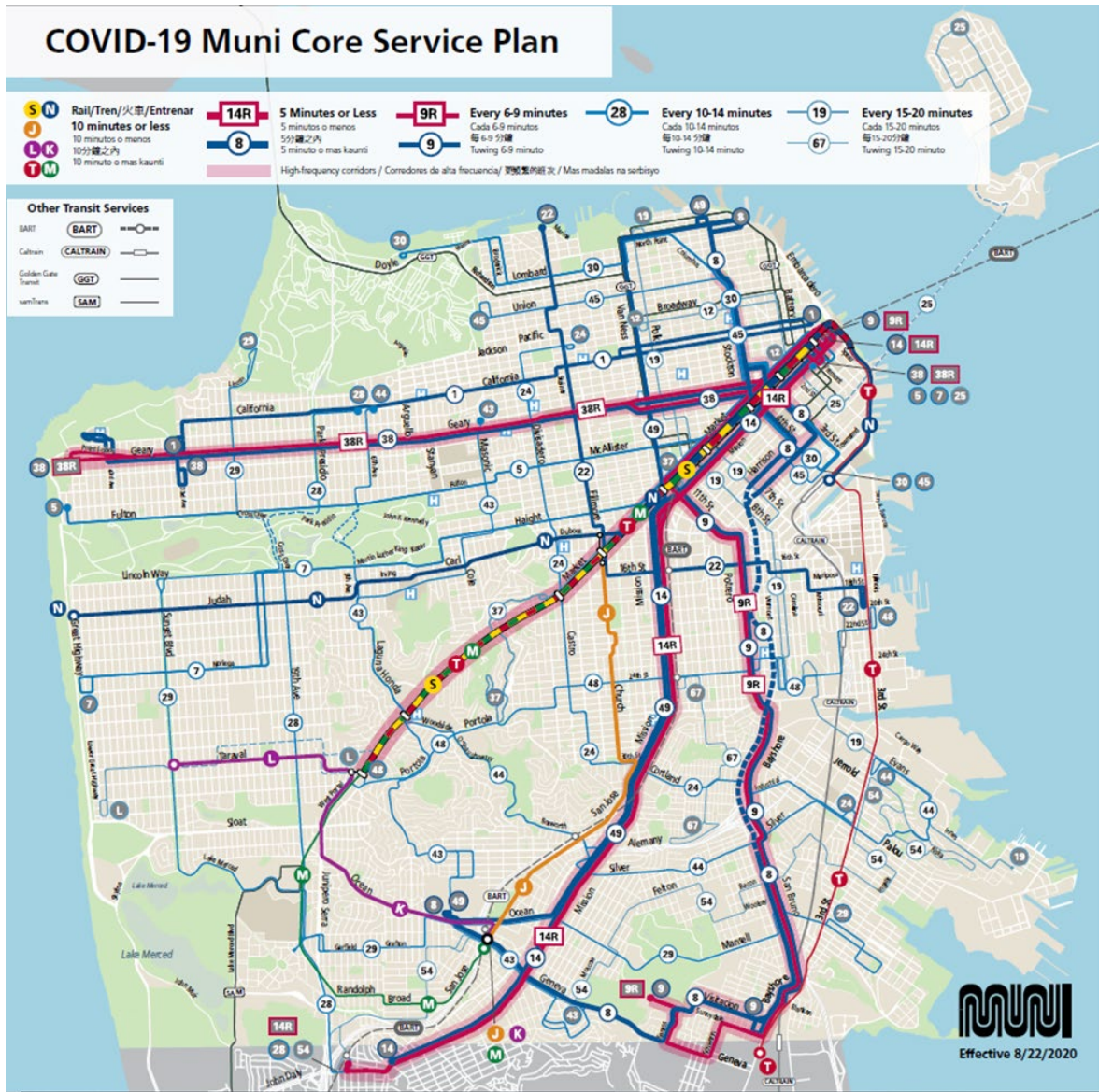
- The 67 Bernal Heights is not currently operating. In response to feedback from residents of the Alemany Apartments, an affordable housing development on Ellsworth Street, the 67 Bernal Heights route would return to its full pre-COVID-19 route between the intersections of Ellsworth Street and Crescent Avenue and 24th and Mission streets.

Figure 1 below shows the entirety of the COVID-19 Core Service Plan following the August 22, 2020 adjustments.

Improving Frequency

In addition to the above route modifications, the following routes would have more frequent service to provide more capacity for physical distancing between riders: 8 Bayshore; 9 San Bruno; 9R San Bruno Rapid; 12 Pacific Community Shuttle; 14 Mission; 19 Polk; 22 Fillmore; 24 Divisadero; 25 Treasure Island; 28 19th Ave; 29 Sunset; 43 Masonic; and 44 O'Shaughnessy.

Figure 1: COVID-19 Core Service Plan following August 22, 2020 Changes



The specific actions to increase bus service are being taken to prevent and mitigate a public health emergency and are temporary in nature. The stop, street, and parking changes implemented as part of the project are temporary and will expire 120 days after the retraction of the City’s proclamation of the COVID-19 local emergency. An overall transit service plan for the city following the retraction of the health emergency would be presented to the SFMTA Board of Directors and any service associated stop, street and parking changes to be made permanent would need SFMTA Board of Directors approval.

Approvals:

The proposed COVID-19 Muni Bus Service adjustments would require approval by the SFMTA Director of Transit. The associated stop, street, and parking changes would require approval by the SFMTA City Traffic Engineer.

Approval Action:

In accordance with Chapter 31.04 of the San Francisco Administrative code, the Approval Action of the project would be the approval of the COVID-19 Muni Bus Service adjustments by the SFMTA Director of Transit.

Statutorily Exempt pursuant to Public Resources Code Section 21080(b)(4) and CEQA Guidelines Section 15269(c), specific actions necessary to prevent or mitigate an emergency, and pursuant to Public Resources Code 21080(b)(10), the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities. For purposes of this paragraph, "highway" shall have the same meaning as defined in Section 360 of the Vehicle Code. Pursuant to this section, highway includes street.

Melinda Hue 8/14/20

Melinda Hue Date
San Francisco Municipal Transportation Agency

Debra Dwyer 8/14/20

Debra Dwyer Date
San Francisco Planning Department



RECEIVED
BOARD OF SUPERVISORS
San Francisco

2020 21 SEPT 4:50 PM

BY: JW

Memo to files

Date: August 20, 2020
From: Laura Lynch (628) 652-7554
Case No.: 2020-007286ENV and 2020-007183ENV
Re: Approval Action Posting

Projects 2020-007286ENV and 2020-007183ENV were approved administratively on 8/19/2020. This document was published on the Planning Department's Website on 8/20/2020.

From: [DiSanto, Thomas \(CPC\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Ko, Yvonne \(CPC\)](#); [Hwang, Lulu \(CPC\)](#)
Subject: Re: David Pilpel - CEQA Appeal Fee Waivers
Date: Tuesday, September 22, 2020 9:04:00 AM
Attachments: [image001.png](#)

Good Morning,

The Planning Department has reviewed and approved a fee waiver under Admin Code Section 31.22 for the CEQA Appeals being filed by David Pilpel with the BOS Clerk's Office regarding both the proposed MTA COVID-19 and Fall 2020 Muni Rail Service Adjustments and Associated Stop, Street, and Parking Changes and the proposed MTA COVID-19 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes.

Please let me know if you have any questions or need additional information.

Thank you.

Thomas DiSanto
Director, Administration
San Francisco Planning Department
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7575
www.sfplanning.org
[San Francisco Property Information Map](#)

Due to COVID-19, San Francisco Planning is not providing any in-person services, but we are operating remotely. Our staff are [available by e-mail](#), and the Planning and Historic Preservation Commissions are convening remotely. The public is [encouraged to participate](#). Find more information on our services [here](#).

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Monday, September 21, 2020 5:19 PM
To: DiSanto, Thomas (CPC) <thomas.disanto@sfgov.org>
Cc: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: David Pilpel - CEQA Appeal Fee Waivers

Hello Mr. DiSanto,

I am writing on behalf of appellant David Pilpel who has filed the following CEQA appeals, and am seeking for an email from you confirming that fee waivers have been reviewed and approved:

- CEQA Appeal - MTA COVID-19 and Fall 2020 Muni Rail Service Adjustments and Associated Stop, Street, and Parking Changes
- CEQA Appeal - MTA COVID-19 Muni Bus Service Adjustments and Associated Stop, Street, and Parking Changes

Please provide your confirmation once these have been approved.

Thank you.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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