



Memorandum



To: Angela Calvillo, Clerk of the San Francisco Board of Supervisors

Through: Julie Kirschbaum, Director of Transit 
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From: Jeffrey Tumlin, Director of Transportation  Acting DOT for

Date: September 21, 2020

Subject: Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and COVID-19 Emergency Temporary Bikeways Project – Project Sponsor CEQA Appeal Response

INTRODUCTION

The San Francisco Municipal Transportation Agency (SFMTA) submits this memorandum in support of the Categorical Exemption and Statutory Exemption determination (No. 2020-005472ENV) for the Transportation Recovery Plan: COVID-19 Emergency Temporary Transit Lanes and COVID-19 Emergency Temporary Bikeways Project, also referred to as the Temporary Emergency Transit Lanes (TETL) project (project). It is a response to two letters of appeal to the Board of Supervisors regarding the Planning Department's issuance of a combined Categorical Exemption and Statutory Exemption under the California Environmental Quality Act (CEQA) for the project. The letter addresses topics other than those related to CEQA, which are separately discussed in the Planning Department's appeal response memorandum.

BACKGROUND

On February 25, Mayor London Breed issued a Proclamation Declaring the Existence of a Local Emergency, finding that the COVID-19 pandemic posed a threat to the lives, property or welfare of the City and County and its residents. On March 16, 2020, San Francisco's Health Officer issued a Public Health Order in response to the COVID-19 Emergency, requiring that residents shelter in place, with the only exception being for essential needs. Since shortly after San Francisco's shelter in place order was issued in March, the SFMTA implemented and has continued to operate the COVID-19 Core Service Plan, operating limited transit service, allocating limited resources to the locations where they are most needed.

During the COVID-19 crisis, the SFMTA's ability to provide transit service has been limited in the following ways:

- fewer operators are available, due to health and safety concerns;
- fewer vehicles are available, due to increased cleaning requirements; and
- less space is available on vehicles, due to social distancing requirements.

Given the recent reductions in both service levels and vehicle capacity, it is more critical than ever that delays be avoided, to reduce both unsafe overcrowding and "pass-ups" due to the bus being full. It is also essential that transit travel times be reduced to limit the amount of time passengers must remain on vehicles. Finally, reduced transit travel times allow more service to be operated using the same, limited resources, further reducing overcrowding.

To ensure that service levels, schedule reliability and safety for those who must make essential trips using transit can be maintained even as traffic congestion returns¹, the SFMTA developed the TETL project. The TETL project was based on a finding that COVID-related traffic reductions had improved Muni travel times by about 15 percent in April 2020 – but in corridors that already had transit lanes, Muni speeds remained relatively constant. By July 2020, SFMTA had begun to see some of these travel time savings erode. For example, transit travel times in the afternoon in the outbound direction have trended upwards on the 14 Mission, 14R Mission Rapid, 9 San Bruno, and 38 Geary lines

The SFMTA's Transportation Recovery Plan (TRP), of which the TETL project is a part, was developed in coordination with stakeholders, public officials, members of the public and the City's Economic Recovery Task Force. The bus and taxi (and in some cases bicycle) lanes the TETL project would create would be temporary; their purpose would be to limit passengers' exposure to the COVID-19 virus as the City reopens.

The TETL project is set to expire 120 days after the City's proclamation of a local emergency is lifted. For any TETL project corridor's emergency transit lane to be made permanent, the SFMTA Board of Directors (Board) would need to approve the permanent project following additional public engagement and environmental review, as needed.

DISCUSSION

Temporary Emergency Transit Lanes are intended to provide additional space and reduced travel times for people making essential trips on Muni.

San Francisco's response to the pandemic has stressed the importance of social distancing, or maintaining adequate space between individuals, to control the spread of COVID-19. Muni bus capacity is currently reduced by about two-thirds to enable social distancing. For instance, on Muni's 60-foot buses, maximum capacity is now 30 people, compared to 100 people before COVID-19.

Muni service has been reduced due to social distance requirements, increased cleaning requirements, and increased operator leave resulting from COVID-19. Reduced congestion during Shelter in Place has created Muni travel time savings that have allowed each bus to provide more service. Without these travel time savings, Muni service would need to be reduced by an additional 10 percent, because buses would take longer to complete each round trip, and more buses would be needed to maintain the same frequency of service.

The combination of social distancing requirements (decreased capacity) and decreased frequency has meant that, even with Muni ridership currently below 25 percent of pre-COVID levels, buses are operating at capacity causing pass-ups and crowding for Muni passengers. The return of congestion threatens to further exacerbate this problem. As congestion returns, Muni vehicles will experience delay and overcrowding, similar to pre-COVID conditions. If no action is taken, this delay will lead to further reduced

¹ According to the Metropolitan Transportation Commission/Bay Area Toll Authority, weekday traffic on the Bay Bridge, for example, declined by roughly half in the early days of the crisis, but has since returned to above 80 percent of previous levels.

buses take longer to complete their round trips, and further overcrowding. By installing Temporary Emergency Transit Lanes, the SFMTA intends to protect transit riders from increased crowding, given the constrained resources and reduced capacity that currently exists. In addition, Temporary Emergency Transit Lanes will ensure that travel times remain as short as possible, which reduces the potential duration of exposure to COVID-19 for riders.

During the COVID-19 health crisis, most people riding transit do not have another choice. People driving have built-in protection from exposure to COVID-19 while traveling. By contrast, transit riders must rely on the SFMTA to provide adequate space for social distancing and reasonably quick travel times to reduce potential exposure, in combination with the agency's extensive hygiene measures such as mandatory face coverings, frequent cleanings, and increased air circulation. The TETL project is designed to ensure that people who do not have the option of driving still have a safe, reliable travel experience when making essential trips.

The SFMTA Board approved TETLs on nine corridors and delegated authority to the City Traffic Engineer to approve TETLs on 27 more corridors following additional public process.

On June 30, 2020, the SFMTA Board approved Temporary Emergency Transit Lanes on nine corridors, including Laguna Honda Boulevard from Clarendon Avenue to Dewey Boulevard; O'Shaughnessy Boulevard from Portola Drive to 800 feet southerly; Mission Street from 11th Street to 1st Street; 7th Street from Townsend Street to Market Street; 8th Street from Market Street to Townsend Street; Masonic Avenue from Haight Street to Geary Boulevard; Woodside Avenue from Laguna Honda Boulevard to Portola Drive; Bosworth Street from Elk Street to Arlington Street; and Presidio Avenue from Sacramento Street to Geary Boulevard. The SFMTA Board also amended the Transportation Code to delegate temporary authority to the City Traffic Engineer to approve temporary transit-only lanes on 27 additional corridors after a public hearing. The appellants are incorrect that the City Traffic Engineer has authority to approve emergency transit lanes anywhere in the city as part of the TETL project. The 27 corridors where the City Traffic Engineer has delegated approval authority were specifically identified in the SFMTA Board approval of June 30, 2020, depicted in a figure showing all of the corridors. The requirements for these corridors include, but are not limited to, the following criteria:

- The street on which the Muni service is operating saw more than a 12 percent peak time travel savings post-COVID-19 or is on a Muni rail line.
- The street has current Muni service or is expected to within the next 45 days.
- The corridor will not remove more than one traffic lane in each direction and will preserve one traffic lane in each direction for general traffic, or the corridor has a Muni rail line.
- All potential corridors are shown on a map that was added to the Transportation Code.

SFMTA must hold a public hearing before approval of an emergency transit lane via this delegated approval authority to gather feedback from local stakeholders, including residents, and neighborhood and merchant groups. Public notice must be posted at least 10 days in advance of the public hearing, following the City's standard requirements for such postings. In addition, the SFMTA Board gave direction to staff that any TETL corridor that generates a large degree of controversy among local stakeholders should still be taken to

the SFMTA Board for approval. As a result, members of the public will have opportunity to provide input in advance of any future Temporary Emergency Transit Lanes receiving approval.

The parking and traffic changes authorized by the SFMTA Board at its June 30, 2020 meeting are itemized in the legislation. They include:

- For eight of the nine corridors (all but Mission Street), converting one general purpose travel lane per direction into an emergency transit lane
- Establishing no-left turn except Muni restrictions on Masonic Avenue between Haight Street and Turk Street
- On Mission Street:
 - Removing 140 part-time parking spaces to convert a part-time transit-only lane to a temporary full-time emergency transit lane. New white passenger and yellow commercial loading zones to replace all spots needing to be removed for a full-time emergency transit lane

Any additional parking removal, travel lane removal, and/or left-turn restrictions in support of TETLs along corridors where the City Traffic Engineer has delegated approval authority would require a public hearing and subsequent approval by the City Traffic Engineer. Each of these individual corridors will undergo further review and outreach before SFMTA staff brings it to public hearing and to the City Traffic Engineer for consideration.

As with the TETLs approved by the SFMTA Board, any future projects approved by the City Traffic Engineer following a public hearing will expire within 120 days of the lifting of the Emergency Order, unless the SFMTA Board takes further action to approve them on a permanent basis following additional public process and environmental review, as needed.

Muni Metro rail transfer changes are not part of the TETL project and are covered by a separate environmental review process

One of the appellants expressed concerns related to the J Church Transfer Improvements and West Portal LK Transfer Projects (the Rail Transfer projects). These changes were proposed and implemented in support of the August 22, 2020 service changes after undergoing their own separate environmental review process. These changes support improved accessibility and safety for passengers transferring between surface and subway Muni Metro lines as part of the SFMTA's temporary Muni Metro service plan during COVID-19.

The Rail Transfer projects were partially identified in the Temporary Emergency Transit Lanes (TETL) project. Following SFMTA's finalization of its modified Muni Rail Service plan after approval of the TETL project, it was determined that the Muni Rail Service plan and associated stop, street, and parking changes including the Rail Transfer projects were outside the scope of the TETL project's environmental review. The SFMTA formally clarified that distinction between the TETL project and the Muni Rail Service plan including the Rail Transfer Projects in a letter submitted to the San Francisco Planning Department on August 7, 2020.

As a result, the rail service plan and Rail Transfer projects received their own environmental clearance separate from the TETL project (Statutory Exemption 2020-007183ENV). The Rail Transfer project changes

were not approved via the TETL project's delegated authority. Consequently, any concerns or objections related to the Muni Metro service changes and the Rail Transfer projects do not pertain to the TETL project.

Public outreach has taken a phased approach given the need to act quickly to respond to the threat of rising congestion and the urgent nature of the COVID-19 public health emergency. The TETL project was shaped by community feedback prior to project approval and will include opportunities to provide feedback and make adjustments after implementation.

The TETL project created multiple means to collect feedback from stakeholders prior to its approval by the SFMTA Board, while working within the mandatory public health restrictions imposed during the Shelter in Place order that eliminated the opportunity for in-person community meetings:

- **May 19 and June 2, 2020: Presentations to SFMTA Board.** Staff presented the TETL plan to the SFMTA Board and received feedback from both Board members and members of the public.
 - **June 4, 2020: Presentation to SFMTA Citizens Advisory Committee.** Staff presented the TETL plan to the SFMTA's Citizens Advisory Council as a part of a presentation about the Transportation Recovery Plan.
 - **June 17, 2020: Project announced via SFMTA website.** Project-specific website created at www.sfmta.com/TempLanes with contact information for staff. Initial TETL project outreach included blog posts and social media campaign, on-site public notices, email updates to list of over 7,800 recipients and individualized outreach to 70 stakeholders.
 - **June 23, 2020: Presentation to San Francisco County Transportation Authority Board.** Staff presented the TETL plan to the SFCTA Board, which is comprised of the Board of Supervisors.
 - **Regular Ongoing Communication:**
 - **Email updates sent to stakeholders.** The project created distribution email lists for those interested in receiving updates on TETL project corridors. Email updates have been sent to distribution lists of as many as 8,200 recipients. As of September 11, 2020, approximately 125 emails have been received relating to the TETL project, with most receiving a response within two business days.
 - **Multilingual informational mailers.** In addition to digital outreach, approximately 52,000 multilingual mailers (in six languages) have been sent to residents and businesses near TETL project corridors with project and community meeting information and how to provide feedback.
 - **Board of Supervisors coordination:** SFMTA is working closely with Board of Supervisors members to address concerns within their districts. Prior to SFMTA Board approval, SFMTA staff met with each district Supervisor on three occasions. Supervisors have been generally supportive of the goals and implementation of the TETL project. Where requested by members of the Board of Supervisors, the SFMTA has committed to additional outreach prior to approval of specific TETL corridors.
- Neighborhood meeting attendance.** SFMTA staff have virtually attended approximately 25 meetings of community organizations explaining the project and gathering resident feedback on the TETL project since May 2020.

Input from the initial round of outreach directly shaped the TETL project, including by helping to determine which TETLs would be brought forth for approval by the SFMTA Board and which would undergo more extensive community outreach prior to public hearing and consideration by the City Traffic Engineer. This is particularly applicable for corridors in neighborhoods with historically disadvantaged communities that have often been excluded from the public decision-making process in the past. Continued community input on the TETLs approved by the SFMTA Board has also helped to shape their detailed design. For example, SFMTA staff will no longer implement the approved left turn restriction on Masonic Avenue at Ewing Terrace and reduced the geographic scope of transit lanes on Bosworth Street due to concerns about congestion impacts to drivers.

Community-based organizations, stakeholders and neighbors will be involved in shaping the process for evaluating and adjusting the emergency transit lanes in real time. Based on public feedback and ongoing, on-the-ground data monitoring of the temporary transit lanes, the SFMTA can tweak or even remove the temporary transit lanes to meet the needs of the community and Muni customers. As the SFMTA has moved towards implementation of the TETLs approved by the SFMTA Board, staff have held virtual open house meetings focused on specific TETL corridors to explain the project in detail, answer questions from the community, and solicit feedback on evaluation. Meetings have been advertised through multilingual signage on TETL corridors, multilingual mailers, emails and on social media. To provide broad access, participants are able to join online or by phone. After implementation, the SFMTA will conduct surveys to gauge the community's reception of the temporary transit lanes, which will help to determine what changes are needed and whether to pursue permanent improvements. The process will ensure that engagement with marginalized communities is prioritized.

Quick, responsive action that can be iterated upon is imperative during this public health crisis.

During the COVID-19 Public Health Emergency, the SFMTA has moved quickly to ensure continued transportation safety. The TETL project is an opportunity to respond to emergency transportation challenges, address community needs, and ensure transportation safety and public health during this unprecedented time. This project uses temporary transit priority measures on corridors to protect transit riders from crowding and exposure to COVID-19.

Accordingly, we ask that the San Francisco Board of Supervisors uphold the use of a California Environmental Quality Act Categorical and Statutory Exemption to allow for the continued implementation of the TETL project.