



**MEMORANDUM**

**DATE:** April 22, 2013  
**FROM:** Jerry Robbins and Rana Ahmadi  
**TO:** AnMarie Rogers, San Francisco Planning Department  
**RE:** Preliminary Analysis of Supervisor Kim's proposed Chapter 31 Amendments

We concur with all of the comments made in the Planning Department's staff report dated April 9, 2013 regarding Case Number 13.0463U (Board File 13-0248) regarding proposed changes to California Environmental Quality Act (CEQA) Procedures, Appeals and Public Notice.

We are providing further comments on two proposals that would severely affect time sensitive SFMTA projects, some of which involve safety.

Edwin M. Lee  
Mayor

Tom Nolan  
Chairman

Cheryl Brinkman  
Vice-Chairman

Leona Bridges  
Director

Malcolm Heinicke  
Director

Jerry Lee  
Director

Joél Ramos  
Director

Cristina Rubke  
Director

Edward D. Reiskin  
Director of  
Transportation

**Sec 31.08(h)(1):** The legislation calls for the Planning Commission to approve an exemption determination prior to approving a project (Sec 31.08(h)(1)). SFMTA receives categorical exemption determinations under CEQA for a large number of its public projects needing to be processed and implemented quickly. The majority of SFMTA projects receiving categorical exemption determination are public projects, some of which deal with safety improvements, seismic upgrades, transit, bicycle, pedestrian and traffic improvements.

This proposed legislation would lengthen the CEQA clearance process for SFMTA projects and would require increased review time for the staff of the Planning Department to process SFMTA's applications. This would also result in increased costs for SFMTA to receive CEQA clearance for its projects. This proposal would delay the implementation of SFMTA projects, some of which deal with public safety and transportation improvement issues, and would increase the cost for our agency to implement its projects.

**Sec 31.08(d):** The proposed legislation would eliminate the delegation authority that the Planning Department has granted to the SFMTA and the PUC for issuing "in-house" exemptions for routine legislation such as the establishment of yellow, blue, white and red zones, minor traffic changes such as corner bulbouts, bus stop changes, stop signs, and turn restrictions. SFMTA handles several hundred such small-scale traffic, bicycle, parking and transit changes every year. Without the authority to issue these exemptions, SFMTA would need to have the Planning Department review these items for possible environmental impacts, adding another layer of review to an already cumbersome process. This would greatly slow down

One South Van Ness Ave.  
Seventh Floor  
San Francisco, CA 94103

Tele: 415.701.4500

www.sfmta.com





the process of legislating and implementing these changes that are essential to responding to the constant changes that take place in the City's streets at a rapid pace. SFMTA has issued CEQA exemptions for over ten years without any issues or problems. We feel this program is working well and see no reason for modifying it. Elimination of this delegation would also result in financial impacts to our projects as it would increase review time for Planning Department staff, which SFMTA needs to cover. SFMTA strongly opposes this amendment to the ordinance.

In conclusion, this amendment would result in delay of the implementation of SFMTA projects dealing with public safety and transportation improvements and would result in financial impacts and time delays for SFMTA to legislate changes.

Board File 13-0428 comments