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ROLLING RESISTANCE

ISSUE #6 | SPRING 2023 | CRITICAL INFRASTRUCTURE

SUPERMARKET STREET SWEEP, CAR-FREE JFK, CRITICAL MASS AT 30, AND MORE ►

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Bicycle Law's lawyers practice law through Coopers LLP, which has lawyers licensed in California, Oregon, and Washington State, and can affiliate with local counsel on bicycle cases across the country to make sure cyclists benefit from cycling-focused lawyers.

Front cover photo: Steve Magas / @bicycledlawyer
Back cover photo: Peter Curley / @curleyp

Critical Mass, the leaderless rolling protest born in San Francisco, recently celebrated its 30th anniversary. What used to be a slow-moving and occasionally combative statement about road use now has morphed into something more benign, reflecting changes wrought upon the built environment. In the same year it turned 30, voters soundly rejected attempts to reverse cyclist and pedestrian wins and slow streets became permanent in many places. Are active transportation wins rooted in Critical Mass activism? One cannot deny the movement electrified ridership and let drivers know roads are not theirs alone.

In this issue we examine the politics of road use, the progress that has been made, and the challenges going forward. We also celebrate efforts to combat food insecurity while having fun at the same time with the 15th running of the Supermarket Street Sweep. Finally, we hear from Zachary Morvant, who talks about his experiences and provides pointers on getting the best out of the five-day Oregon Trail Gravel Grinder stage race.

*Hoping you keep the rubber side down,
Miles B. Cooper, Maryanne B. Cooper, Bob Mionske,
and everyone at Bicycle Law*


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Photo: Nancy Botkin



THE SUPERMARKET STREET SWEEP: CYCLING TO END FOOD INSECURITY

By Kent Klaudt

The Supermarket Street Sweep is an annual charity bicycle event in San Francisco, California which collects food and raises money for the San Francisco-Marín Food Bank. Participants ride all over the city, buying groceries at various supermarkets on the route, in a friendly and informal race. Last held before the pandemic, 2023 saw a reboot of the much-loved event, now in its 15th year.

The most recent event was held on February 4, 2023. Forty-five racers met at noon at the Cupid's Span sculpture on the San Francisco waterfront and were given a list of checkpoints (grocery store locations) known as a manifest, at the race start.

The Street Sweep offered three competitive categories: Speed, Team, and Cargo. Speed racers had to visit multiple supermarkets and bring

It takes a village. The SMSW volunteer crew.



Some Street Sweep racers who braved the rain.

back specific food items from each location, with prizes awarded to the first riders to cross the finish line carrying the most items from as many locations as possible. Groups competing in the Team category had similar goals, with the focus being on food quantity by weight. The Cargo bike category had similar requirements, but with bonus points for the weight of additional food pedaled back to the finish line.

The Supermarket Street Sweep benefits the San Francisco-Marín Food Bank, whose mission is to end hunger in San Francisco and Marin. Even before the COVID-19 pandemic, twenty percent of Bay Area residents were at risk of hunger. The San Francisco-Marín Food Bank addresses hunger with their food pantry network, home-delivered groceries, and CalFresh (food stamp) enrollment. More than 50,000 households rely on this food bank each week for assistance, and the food bank has pioneered many successful models aimed at ending hunger. In the last fiscal year, alone, the San Francisco-Marín Food Bank increased the amount of food it distributes by 67%.

Food insecurity has increased nationwide since the start of the pandemic, and has more than doubled in California. Hunger and food insecurity affect tens of thousands of San Francisco residents and wealthy Bay Area counties have the state's highest levels of income inequality. Much of the poverty here is racialized and disproportionately affects people of color. The city's Food Security Task Force (part of the Department of Public

Health) reports that the number of San Francisco residents receiving assistance from CalFresh and the Special Supplemental Program for Women, Infants, and Children (WIC) has increased significantly since the start of the COVID-19 pandemic. The number of meals provided to seniors and adults with disabilities through the Department of Aging and Disability Services has also increased dramatically. All of this highlights the need for more action addressing hunger and poverty in our own backyard.

The Supermarket Street Sweep was created by Jenny Oh in 2006 and was inspired by a similar event in New York City called the Cranksgiving Race. The name is a play on a television game show called "Supermarket Sweep." That first race in 2006 saw 80 cyclists bring in 1,172 lbs. of food. Attendance grew in subsequent years and by 2009 nearly 200 racers brought in more than 7,500 lbs. of food. The original team, including Jenny Oh, Mike Skolnick, and a host of repeat volunteers, helped make the 2023 reboot a success. Bicycle Law looks forward to continuing to sponsor this event that electrifies the cycling community and provides resources to those most in need.

To date, the Street Sweep has donated nearly 100,000 pounds of food and over \$100,000 to the food bank.

SAVE THE DATE!

SMSW 16 has been set for November 4, 2023.



Follow @bicycle.law on Instagram
to keep current on SMSW 16 developments.

CAR-FREE JFK: INITIATIVE BATTLES IN SAN FRANCISCO AND WHAT THEY FORECAST

By Kent Klaudt

In 2022, battles over whether parks belonged to people or cars came to a head in San Francisco. The de Young Museum's leadership, unhappy with a decision to make JFK Drive a car-free promenade, launched an initiative battle. The fight, and the voters' ultimate decision to put environmental and people-friendly policies first, help us predict future outcomes as we look at further steps toward safer road use for all.



Children enjoy the pedal-powered "Use Less Car" on JFK.

John F. Kennedy Drive (Promenade) background

The struggle for bicyclist rights in San Francisco parks began more than 100 years ago, and at the turn of that century, San Francisco became the first city in America to ban cars from its parks. Golden Gate Park was originally meant for bicyclists and walkers, and park leadership did what they could to prevent the growing automobile culture from dominating the park. The initial ban didn't last long, however, and lobbying by the Automobile Club of America quickly led to a relaxation of the motorized vehicle ban. Cars were allowed to drive through the parks in daytime, with a speed limit of eight miles per hour. By 1907, however, speeding cars in San Francisco parks became such a problem that one park commissioner suggested shooting their tires out with buckshot.

The debates over motorist access to the parks never really ended, and since 1967 a portion of JFK Drive was closed to cars every Sunday, and on some Saturdays and holidays. In 2020, in the early days of the COVID-19 pandemic, the city closed JFK Drive to vehicle traffic seven days a week to increase the public open space available for socially distanced outdoor exercise.

In April 2022, the Board of Supervisors met to consider making JFK Drive permanently car-free. After nine hours of comment by 506 members of the public, the board approved the measure by a 7-4 vote. The story didn't end there, however.



Supporters of Proposition J. Photo: Mike Smith, co-founder of WalkSF.

Propositions I and J

Later in 2022, two competing ballot propositions—I and J—renewed the debate over the future of JFK Drive. Proposition I proposed to reverse the Board of Supervisors' action in April and allow cars on JFK Drive other than on Sundays and holidays and re-open the Great Highway to unrestricted access to motorists.

Proposition J proposed to keep JFK Drive car-free and thus maintain the Supervisors' April decision. The proposition was put on the ballot by four city supervisors: Matt Dorsey, Rafael Mandelman, Myrna Melgar, and Hillary Ronen. (The Municipal Elections Code allows four or more supervisors to place a city ordinance on the ballot in this manner.)

The arguments in favor of Proposition J noted that visits to Golden Gate Park had increased 36% over the period before the COVID-19 pandemic and that 70% of people surveyed approved of a permanent car-free JFK. Proposition J proponents also argued that JFK Drive was one of the city's most dangerous streets when it was open to motorists—and particularly dangerous for children, seniors, people with disabilities, runners, walkers, and cyclists. The city's largest park should not play host to a high-injury corridor used by commuters.

Prop J proponents also noted that San Francisco needed more protected open spaces without motorists, and that even with a car-free JFK, park access would not be hindered because of improved Muni transit service to the park, "over 5,000 parking spaces inside the park, 18 open roads to drive in/out of the park, a newly-built ADA accessible parking lot, and the City's 21-point accessibility program", and a new park shuttle running every 15 minutes along JFK Promenade, connecting all the major park attractions to Muni service.¹

Prop I was largely funded by the Corporation of the Fine Arts Museums (the governing body of Golden Gate Park's de Young Museum and the California Palace of the Legion of Honor in the Presidio.)

Prop J ultimately won with around 60% of the vote, thereby preserving the April 2022 decision by the Board of Supervisors. Proposition I lost by a similar margin. Important partners in the JFK Promenade victory for human-powered transit and car-free open spaces included Kid Safe SF, Community Spaces SF, the SF Bike Coalition, Walk SF, the Church of 8 Wheels, and others.



A Slow Street in San Francisco's Noe Valley neighborhood. Photo: Nancy Botkin.

Slow Streets program

In a related victory, the San Francisco Municipal Transit Authority ("SFMTA") Board of Directors voted unanimously in 2022 to make sixteen of the city's slow streets permanent, thereby expanding space for walkers, runners and cyclists. This resulted from the efforts of many individuals and groups, including the slow streets "mayors" (volunteer leaders), Kid Safe SF, Community Spaces SF, the SF Bike Coalition, the SF Parks Alliance, Walk SF, and more.

The Great Highway debate

The Great Highway was opened in 1929 and runs along Ocean Beach for almost four miles on the westernmost side of San Francisco. A two-mile portion of it between Lincoln Way and Sloat Boulevard is known as the Upper Great Highway. In the early days of the COVID-19 pandemic, this portion was closed to motorists and became, in effect, a 17-acre park providing additional outdoor recreational space for bicyclists, walkers, runners, skateboarders, people in wheelchairs or other mobility assistance devices, and outdoor social distancing-appropriate play-space for families with children.

An array of federal, state and city agencies oversees Ocean Beach and the Great Highway, which is classified as a recreational street in San Francisco's General Plan. "Recreational streets" in San Francisco were intended to prioritize non-motorized traffic, and be used for slow recreational, "scenic" or "pleasure" driving. The Great Highway has been part of the city's parks system since 1870 and the current four-lane roadway and coastal trail are under the jurisdiction of the Recreation and Park Department and are maintained by Public Works, while the traffic and surrounding street network is managed by SFMTA.

San Francisco's Great Highway at Ocean Beach.
Photo: Pi.1415926535, courtesy of Wikimedia Commons.



Proposition I would have reopened the Great Highway to vehicle traffic seven days a week and would also have prevented the city from moving forward with plans to close the Great Highway between Sloat Boulevard and Skyline Boulevard to private vehicles.

In December 2022, the San Francisco Board of Supervisors voted to maintain the Upper Great Highway as a car-free promenade until the end of 2025, allowing for a three-year pilot study. This city ordinance preserves the current schedule of closing the road to motor vehicles on the weekends and holidays, while allowing motorists to use the road on weekdays.

The current status of the Upper Great Highway will allow the San Francisco Recreation and Park Department and SFMTA to collect more data concerning the Great Highway's use as both a roadway and a promenade for human-powered travel and recreation, and SF Parks will, ultimately, use this time and research to make a recommendation to the Board of Supervisors regarding the Great Highway's long-term future. In the meantime, an SFMTA report in 2021 noted that "[m]aintaining the Great Highway for vehicular use is costly and challenging and will become more so in the future with the effects of climate change and sea level rise."

Why does it matter?

According to the San Francisco Recreation and Parks Department, nearly 7 million visits have been made to the car-free portion of JFK Drive (now Promenade) since it was closed to vehicles, and this is 36% more than before the closure. The recent victories for cyclists and other non-motorized transport in Golden Gate Park and the Great Highway, and the continuing slow streets program, demonstrate the political power of organized environmentalist-oriented, human-powered transit users and everyone else who desires more car-free open spaces in our cities. These recent struggles suggest that this will continue to be a block-by-block, initiative-by-initiative battle until we reach critical mass for climate change-appropriate transit solutions. Or, with apologies to John F. Kennedy, the park promenade's namesake: ask not what your city can do for you, but what you can do for your city!

WHERE THERE'S A WHEEL, THERE'S A WAY: **CRITICAL MASS** TURNS 30

By Kent Klaudt

Critical Mass celebrated its 30th anniversary in San Francisco on September 30, 2022, but the history of bicycle activism here dates to the 19th century. On July 25, 1896, more than five thousand cyclists from dozens of Bay Area bicycle clubs rode the streets of San Francisco in a parade-like protest ride demanding better street surfaces.

The San Francisco Call reported that: "Amid red fire, bombs, rockets and music, the cyclers of San Francisco had their display last evening in favor of good roads. There was a good number of those who love to ride on pneumatic tires, and the Parade was witnessed by thousands, who lined the streets through which the procession passed." Among the cyclists

San Francisco Critical Mass, April 29, 2005.

Photo: Michael W. Parenteau, courtesy of Wikimedia Commons.



¹ San Francisco Voter Information Pamphlet and Sample Ballot, Consolidated General Election, November 8, 2022, Proponents' Argument in Favor of Proposition J, by Kid Safe SF.



1896 Bike Parade art from the *San Francisco Call*; Critical Mass 20th Anniversary art by Mona Caron, www.monacaron.com.



were several wheeled-float contraptions, one of which carried a coffin bearing the words, "Killed by riding a wheel over the Market Street pavement."

The Chronicle reported that the "teamsters and livery men have contributed aids to show their entire sympathy with the object of the demonstration. A great many of the clubs will carry their wheels three blocks down Market Street to show that the pavement is too bad for a self-respecting wheel to be sent over. Every cyclery in the city will be closed to-night, and the cyclists say that if the Supervisors do not take notice of this demonstration it will be because they have no eyes and do not know who does the voting."

"After a long struggle with the park commission, San Francisco bicycle clubs won greater access to Golden Gate Park's excellent roads in the early 1890s. Every weekend, packs of cyclists rode through the park to Ocean Beach, where a section of the Great Highway had recently been graded and paved. One Sunday in 1896, an Examiner reporter stationed

himself on a park path to count the cyclists that passed between 7 a.m. and 5 p.m. He tallied almost 3,000."¹

Nearly 100 years later, San Francisco saw another pack of cyclists converge at the foot of the Embarcadero in September 1992, attending the first of a quasi-leaderless event that became known as Critical Mass—a party, protest, and celebration of bikes and bike culture all rolled into one mass of cyclists roaming the city on the last Friday of every month for the past 30 years. That first event in 1992 had a very basic and immediate agenda: gathering bicyclists to ride home as a group in the evening commute for their own safety in a motorist-dominated city with very few bike lanes.

In the pre-internet days of 1992, Critical Mass organizers distributed photocopied flyers publicizing the ride. By early 1993, several hundred people were showing up each month, and 1,000 cyclists participated in the first anniversary ride. Critical Mass's attendance numbers have waxed and waned throughout the past three decades, and even survived an attempted crackdown by SFPD in 1997 under then-mayor Willie Brown—a crackdown which backfired and only caused more bicyclists to join the monthly rides.

Critical Mass never had an explicit political manifesto, but interviews over the years with longtime key participants make it clear that improving awareness of and respect for bicyclists' safety and rights in San Francisco were and are a key component of the event.

Thirty years after that first ride, San Francisco now has an extensive 448-mile bike network comprised of sharrows, striped unprotected bike lanes, off-street bike paths, and protected bike lanes. Only 19 of these 448 miles are protected bike lanes, however, so there is still more work to be done in making this a bike-friendly city. We now have members of the Board of Supervisors who are cyclists and bicycle rights advocates, and a more firmly established bicycle culture generally. Looking back, it seems clear that Critical Mass played a huge role in raising consciousness among the public and politicians on a wide range of bicycle-related issues. Indeed, one early Critical Mass activist, Chris Carlsson, observes that the "bike infrastructure we have today would not exist without Critical Mass—mass seizure of the streets."

¹ LaBounty, Woody, *Bicycles West*, *Ocean Beach Bulletin*, Dec. 2016, reprinted by permission of the author.

A FIELD GUIDE TO THE OREGON TRAIL GRAVEL GRINDER

By Zachary Morvant

Postcards from the Oregon Trail

My dearest Bridget, it has been 3 days since we departed Bend on our grand adventure. One of the oxen has already fallen ill...

OK, maybe the oxen weren't ill. Hell, maybe there weren't any oxen, unless I was hallucinating them. But my legs were definitely feeling the burn on day 3 of the five-day Oregon Trail Gravel Grinder Stage Race (which is admittedly a massive mouthful of a name, even for an ox, so we'll call it by its acronym—OTGG—for the remainder of this here piece).

If you haven't heard of it, OTGG bills itself as "The Grand Tour of Gravel," and by the numbers alone it's hard to argue with that moniker. Depending on which option you pick (Pioneer or Settler) you're signing



Riders at the start line. Photo: Adam Lapierre.



Riders on course in the Cascades. Photo: Adam Lapierre.

up for five days of racing through Oregon's portion of the Cascade Range, featuring 312–363 miles and 24,867–33,560 feet of climbing. The overwhelming majority of it is off-road.

It's beautiful. It's breathtaking. It's brutal. It's a truly unique experience that I highly recommend if you enjoy challenging days of gravel riding followed by dips in rivers, hangs with good people, and copious amounts of food. (And, if you partake, maybe some beer and whiskey.)

All that said, a unique event has its own unique requirements. To that end I've endeavored to create a guide that contains useful tips for OTGG, whether you're a seasoned stage racer, novice gravelleur, or something in between. (Author's note: special thanks to Michael Claudio, an accomplished road and gravel racer who's done OTGG for several years now, and provided much of the information contained herein.)

Planning & pre-trip

Registration: Pioneer or Settler? The easiest way to explain the difference between the two categories? Pioneers are more race- and competition-oriented (this field is often stacked with some world-class pros in addition to pro-tenders like your humble author), plus ride longer

routes. Settlers are more for folks who'd rather just enjoy the ride without stressing about competing. One thing that Pioneers and Settlers share: both groups will have a blast.

Bin it to win it: As you ride through the Cascades, a finely tuned logistical machine transports all of your stuff—as long as it fits into a provided bin with a 50-pound limit. When you register, you'll have the option to purchase a second bin. Doing this makes packing much less stressful, and allows you to conveniently sort items however you see fit (clean/dirty, bike/camping, etc.)

Massages: Speaking of luxuries, you may even have the option to book 20-minute massages after each day's ride! If you, like me, enjoy a brief relaxation and recovery aid in this vein, it's worth it. Book them early; they fill up fast.



A glimpse of life at camp.

Taking your time: Give yourself enough time to enjoy the whole trip. Five days of riding is a big commitment, and when you have to travel to and from the race, your total time for this adventure can stretch into a week or more. I succeeded on the front end, giving myself a couple of days to hang out in Bend, Oregon and not feel rushed. However, I was slated to start a new job back in California the day after the race—unable to negotiate that point—and so I went straight from the finish line, to lunch, to a nine-hour drive home. (OK, maybe I stopped for the traditional post-race dip in an alpine lake—invigorating and a decent way to feel fresh-ish before my journey.) My preference would have been to relax and unwind in Oregon for at least one more day, but c'est la vie.

Equipment and gear

Wheels & tires: If there's one thing gravel riders love to nerd out on, it's tires. Choosing one type of tire for five days of adventure can be difficult, but the Breakaway Promotions crew (who runs OTGG) makes it a bit easier by transporting one additional wheelset for you, free of charge. While not essential, bringing an extra wheelset is highly recommended for a couple of reasons: one being a different flavor of rubber you can swap to if you prefer a different tread or volume, and the other being an insurance policy. With all the rough terrain, tires (and rims) are subjected to lots of stress and being in the mountains with one broken wheelset and no backup can suck the fun out of your trip.

Sleeping arrangements: Good sleep is key to recovery, and good sleep is easier to get when you're comfortable. There can be uneven ground at many of the campsites, so a sleeping bag and pad might not cut the mustard. Some folks I saw brought lightweight cots; others had full-blown air mattresses. Pack whatever sleeping equipment works best for your needs. As stated above, procuring an extra storage bin will help make this simpler to pack.

VIP tent service: On a related note, some would say that part of the experience of camping is setting up and breaking down your own tent. Normally, your author agrees. But after a long, hard day of racing—when you're preoccupied with eating, making sure your bike is in working order for another day of thrashing, and other essential tasks—it's nice to leave this one to someone else. I paid for this extra luxury and found it worth every penny.

Bike food and tools: There is a cornucopia of food available at camp (great coffee in the morning, too). There are also professional mechanics. However, when you're out riding, you need to be self-sufficient, so pack whatever you plan to eat (or anticipate needing to fix your bike) while on the trail. And maybe a little extra, especially since there are no easy places to purchase bars, gels, and the like. At a minimum, that means bringing:

- Flat/puncture repair kit
- Multi-tool
- On-the-bike nutrition for each day
- Chamois cream (if you, like me, need that to get through a long day)

A pump with an accurate gauge is also recommended so that you can dial in your optimal tire pressure each day.

Bike and camp clothing: Seasoned adventurers know—you can never trust the weather in the mountains. And OTGG has experienced everything from extreme heat to rain and snow. (Yes, it has snowed in the Cascades in June in previous years!) Be ready for all of it both on and off the bike with a range of (ideally packable, breathable) clothing. It's also worth packing a fresh cycling kit for each day of riding if you don't want to be bothered with doing laundry in the sink (or a river). At the very least, I like a clean chamois for each day to minimize any undercarriage unpleasantness; jerseys can be used for a couple of days if you want to pack a bit lighter.

Medicine: As mentioned above, general stores and resupply points are hard to come by. Bring what you need, and what you think you may need:

- any prescriptions
- allergy medicine
- ibuprofen, aspirin, or your pain medication of choice (cough) for soreness

Swimwear!: Board shorts, bikinis, budgie smugglers—whatever you're comfortable jumping into a brisk river in. You'll have lots of time to lounge by the water after most of the days, so enjoy it! On that note, bringing a towel or two for drying off post-river or post-shower is also clutch.



Be ready for anything on the Oregon Trail. Photo: Adam Lapierre.

Skills and knowledge

Terrain—sand to snow: Knowing how to ride in a range of conditions will make your journey through the Cascades much smoother. I previously alluded to the swings in weather; this variety is reflected on the ground. While there is lots of prime dirt and “Gucci gravel,” you’ll also experience bumpy volcanic rocks, sand, washboard, and maybe even snow drifts. Being confident on different types of terrain is critical.

Tire pressure: Like tires themselves, everyone has an opinion on tire pressure. Be sure to bring a floor pump with an accurate gauge (most of them fit in a provided storage bin) so you can be dialed in on the day. If you're clueless about pressure, SRAM has a solid guide that I use frequently.

Courses: Know before you go. Studying the courses can be easier said than done and conditions can shift at the drop of a hat in the mountains, sometimes resulting in route changes the day before you're scheduled to ride. Regardless, being as prepared as you can be pays dividends.

Pace yourself: Even experienced riders of multi-day events know that pacing can be tricky. Keep the big picture in mind so you still have some gas in the tank on the final days. This means knowing yourself, listening

to your body, and metering your efforts with regards to your goals for the event. For example, it may be tempting to jump into a fast-moving group on day one or two, but if the pace becomes too uncomfortable, saving your energy so you're still strong on days four and five may be the better move.

Final preparations: Bring your PMA (that's Positive Mental Attitude) and get ready to have a blast. You're going to gravel camp this summer! And in this Oregon Trail adventure, sick oxen and death from dysentery aren't concerns.

Your humble author about to take a cool dip in an alpine lake to end the journey.



For those interested, the Oregon Trail Gravel Grinder takes place June 21-25, 2023. More information can be found at: oregontrailgravelgrinder.com

CONGRATULATIONS TO OUR COVER PHOTO CONTEST WINNER



With this issue, we initiated a cover photo contest. The submissions were amazing! The one that made the cover did so both for its composition and the story behind it. The photographer, Steve Magas (Instagram: @bicyclelawyer), a fellow bicycle lawyer from Ohio, told us this:

A shot from the Ride of Silence 2022 in Cincinnati. We rode to 3 City Halls—Cincinnati, OH and then crossed the bridge and rode to the Covington & Newport KY city halls as well. TriState Trails decided to call it RAR- Remembrance Action Ride—to encourage folks to call on governments to take ACTION on Safety... it was a wee bit wet that night!

Many people know the Ride of Silence, typically the third Wednesday in May at 7 p.m., occurs in many cities throughout the world, honoring cyclists killed by traffic violence. In many cities, people place ghost bikes, bikes painted all white, at locations where victims were killed. The Ride of Silence both honors victims and calls attention to the ongoing need to improve infrastructure and traffic safety for all. The photo and the actions it's photographer took to travel to three city halls spoke to us.

Honorable mention goes to Peter Curley's (@curleyp) joyous image of a cyclist rounding a Golden Gate Bridge tower, which appears on the back flap.

Want to submit an entry for the Fall 2023 newsletter? Follow us on Instagram @bicycle.law for updates about our fall cover photo contest.