

Saturday March 2, 2019

Dear City Council, City Manager and City Attorney,

Every resident who drives 27<sup>th</sup> Street regularly knows it has become a de-facto truck route.

Yet Hermosa Beach City officials continue to claim 27th is NOT a truck-route; thereby allowing it to skirt its responsibility to perform the safety, near roadway pollution, noise & vibration analysis mandated by the California Environment Quality Act (CEQA).

27<sup>th</sup> Street is a truck route. Everybody knows it.

Yet, the city continues to post No Overweight Truck signs on 27<sup>th</sup> east and westbound that in-part obfuscate this truth.

It's time for the charade to end.

The CEQA statute sets forth a detailed process for preparing Environmental Impact Reports (EIRs) for projects ranging from General Plans like the 2017 Plan-Hermosa EIR to smaller projects like the placement of new traffic signals or the creation of new truck routes.

Appendix-G of CEQA defines *environmental hazards*, that include but are not limited to road & pedestrian safety, near-roadway air-pollution effects, vehicle noise & vibration impact to residential neighborhoods.

CEQA further requires the city to assess and if possible, *develop plans* to mitigate significant new potential environmental hazards & impacts resulting from the cumulative effects of ***past & present*** city-approved projects, as well as ***future*** EIR approved programs and/or projects.

**There is no CEQA exclusion allowing the City of Hermosa Beach to ignore *significant* environmental hazards or impacts caused by heavy-trucks on vulnerable & highly utilized roads like 27th Street.**

Yet the City continues to misrepresent and deny that 27th Street is a *new* truck route, attempting to avoid it's CEQA mandated obligations to examine & mitigate the consequent health, safety, quality of life and property rights

impacts on behalf of the residents of Hermosa Beach. This is negligent. It puts the City at an unnecessary risk.

If there is a truck related accident on 27th with a serious injury or loss of life, besides the tragedy of the accident itself, the City will likely find itself legally culpable for knowingly not following the CEQA process by allowing the establishment of a new city truck route without the appropriate environmental review of potential safety hazards and other potential environmental impacts and mitigations.

And there is more.

Sadly, 2 1/2 months into the Hermosa Ave Paving Project, heavy trucks continue to use 27th instead of the Herondo route prescribed by the project documents for transport of this projects heavy-equipment, asphalt, cement rubble. The City, despite the best efforts of its Project Engineers has simply been unable to enforce the Herondo route for ingress and egress to the project site. Consequently, the City is unable protect our safety and quality of life with any degree of consistency.

And it happened again just last night, and yet again this morning; large big-rigs pulling long trailers transporting heavy equipment on 27<sup>th</sup> instead of Herondo.

I bring this up not because I expect the City can do anything about it.

Rather, I bring it up as evidence of a larger problem, that the City as a whole cannot effectively establish and implement project-specific truck routes to protect the health, safety or quality of life of its residents with any degree of reasonable certainty. This has been well documented with the Hermosa Avenue Paving Project.

If the City cannot enforce project-specific truck routes then the projects that are dependent on them must be called into question. These include projects like the Plaza Hotel and the North School Renovation.

It's also worth looking at one key reason the City cannot get consistent compliance with the project-specific truck routes: For years the City has refused to enforce its direct route truck laws and the No Overweight Truck signs on 27<sup>th</sup> street; and that has strongly affected the credibility of the

HBPD as a deterrent to unsafe or illegal use of 27th by truck drivers. It's that simple.

City Project Engineers can howl and scream at project contractors for not using the prescribed truck routes until the cows come home, but the truck drivers won't change their habits until there is both a consistent and sustained year-round HBPD enforcement of the existing truck laws on 27<sup>th</sup> and when special projects do occur, until there are financial penalties imposed by the Project Authorities that hit the truckers pocket-books when they fail to use the prescribed routes.

Also, please keep in mind the Hermosa Ave project is a relatively small 3-month project and by comparison and the multi-year Plaza Hotel project where 7,000+ truck trips will likely be required has the potential for much more residential impact over a far longer period.

But let's get down to some root issues.

The city knows there is no safe number of large heavy trucks on 27th's steep narrow roadway. These trucks roar by inches from an increasingly busy, narrow obstructed sidewalk. The road and the sidewalks are simply too narrow and too steep and without a curbside parking buffer westbound there is simply no way to mitigate the pedestrian or cyclist risk.

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Furthermore, the city knows there is no way to effectively mitigate the noise and vibration made by heavy trucks roaring up the steep east and westbound inclines of 27th to acceptable levels.

Put another way there is no way the City can mitigate the noise levels to anywhere close to the 55dba noise limit standard recommended in city planning documents for R2 zoned neighborhoods and still allow heavy trucks to use 27<sup>th</sup> for thoroughfare. The noise levels on 27<sup>th</sup> near the east and westbound inclines are already 2-3 times the recommended levels. I have provided the City many dba noise measurement samples and the City has yet to refute any of my reports.

And finally, the City knows there is simply no justification for its continued denial that 27th has become a main east/west truck route for both ingress & egress to the Plaza Area and Hermosa Avenue businesses; AND, moreover, the city knows 27<sup>th</sup> is now the main truck-route for both

commercial and residential construction trucks traffic serving the entire WESTSIDE Hermosa Beach, not just the North Hermosa Area.

The City knows it is negligent in not invoking the CEQA EIR process related to the 27<sup>th</sup> street truck-route.

By any reasonable definition a road becomes a truck-route when it is the predominant path to the locations served by truck traffic but it is NOT the most direct route.

That description fits 27<sup>th</sup> to a tee.

Finally, I simply cannot ignore that the City of Hermosa has brought legal action against the Hermosa Beach School District for possibly not adequately considering pedestrian **safety** in the transportation section of the North School EIR.

Here is a quote from page 10 of the January 2, 2018 letter authored by the Hermosa Beach City Manager to the Hermosa School District related to the North School Construction project draft EIR and pedestrian safety.

The quote below was bolded for added emphasis and the word “safety” was underlined.

*“Will the project conflict with adopted policies plans or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance **or safety** of such facilities?”*

What is especially bemusing is that the city is asking the School District to do what it did not do in the cities own EIR, The Plan Hermosa General Plan.

The city completely ignored truck safety to vulnerable roads.

But at least in the above communication the City implicitly acknowledges that it should have considered safety, and specifically truck safety in the Plan Hermosa - General Plan EIR.

I want 3 things from the city.

First, I want a CEQA compliant truck route EIR that examines the safety, near-roadway pollution effects, noise and vibration consequent to allowing 27<sup>th</sup> to become a new truck route. No more delay. No more excuses. No more bobbing & weaving.

Second, I want the city to analyze why its efforts to have heavy equipment use the Herondo route for the Hermosa Ave Project brought such inadequate & inconsistent results; and then effect the changes necessary to rectify this before the start of either the Plaza hotel or North School Construction Projects.

The City Council simply must demand a public lessons-learned presentation by staff at the City Council Open Session. A failure to do this and to expect better outcomes for the Plaza Hotel project or the North School Construction would be reckless and indifferent to the safety and quality of life concerns of residents of 27<sup>th</sup> street, especially given the well documented outcomes from the Hermosa Avenue project.

Third, I want a new evidence-based CEQA compliant amendment to the city's Circulation Plan that specifically & comprehensively addresses truck traffic circulation for the long-term in our growing city. This should have been a big part of the Cities 2017 Plan Hermosa General Plan but was totally omitted.

Thank You  
Anthony Higgins