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Sent: Tuesday, November 2, 2021 9:18 AM
To: Eduardo Sarmiento <esarmiento@hermosabeach.gov>
Cc: Tony Higgins <tonyhiggins77@yahoo.com>; City Council <citycouncil@hermosabeach.gov>; DG_PlanningCommission <DG_PlanningCommission@hermosabeach.gov>; DG_PubWorksCommission <Pubworks@hermosabeach.gov>; DG_ParksRecCommission <dg_parksreccommission@hermosabeach.gov>; Michael Jenkins <Michael.jenkins@bbklaw.com>; Suja Lowenthal <suja@hermosabeach.gov>; easyreader@easyreadernews.com; Angela Crespi <acrespi@hermosabch.org>
Subject: written communication

Dear City Clerk Sarmiento

Please make this a written communication to the City Council, the Public Works Commission and the Planning Commission to appear on the respective agendas.

Also, since I call into question the city's assertion that last summer was more or less a normal busy summer and that there was no significant impact resulting from the single lane configuration; please include this as a written communication to the Parks and Recreation Commission.

Perhaps the Parks Commission can educate city staff to the fact that the large event schedule last summer was substantially curtailed because of covid and the city portrayal of last summer as more or less normal and the single lane configuration had no significant impact - well that was simply disingenuous & self-serving.

Please also note that I have provided this in word.doc format. Hopefully this will eliminate the formatting problems ive had in some of my past written communications when they were imbedded in Granicus.

START WRITTEN COMMUNICATION

November 2, 2021

Dear: Mayor Massey, City Council, Planning Commission, Public Works Commission, Parks & Recreation Commission

I would like to call your attention to the handling of the CEQA process related the single lane project, the outdoor dining project and the bike lane project. Specifically I didn't receive a reply as to whether the CEQA initial study for (1) the citywide outdoor dining project that has now spread to over 60 locations, (2) the bike lane project on Pier Ave Hermosa avenues and (3) the commuter and truck lane reduction project (aka single lane project) on Pier Ave and Hermosa Ave would be now be fast-tracked along with fast-tracking the consequent CEQA negative declarations, mitigated negative declarations or Environmental Impact Reports (EIRs) given the city is pursuing a more permanent outcome.

As the city well knows, normally initial study and the consequent negative declarations or EIRs are done BEFORE breaking ground on projects with potential significant impacts.

I believe the city used the temporary covid crisis to circumvent this CEQA requirement by claiming these 3 three projects were temporary, but that was simply misleading the public. The city had no intention whatsoever of making these project changes temporary, and the city has simply used the temporary designation to drag out and delay the CEQA evaluations required under state law.

THE CITY FULL WELL KNEW ITS INTENT WAS TO MAKE THESE PROJECTS PERMANENT AND GIVEN ITS INTENT TO MAKE THESE PROJECTS PERMANENT THE CITY SHOULD **NOT** HAVE DELAYED THE CEQA EVALUATIONS BUT RATHER STARTED THEM IMMEDIATELY UPON PROJECT APPROVAL.

STARTING THE CEQA PROCESS IMMEDIATELY FOR THESE 3 PROCESSES WOULD HAVE SERVED BOTH THE NEED TO GIVE THE BUSINESS COMMUNITY A JUMP START IN THE MIDST OF THE COVID CRISIS WHILE STILL DOING ITS BEST NOT TO ABUSE VULNERABLE NEIGHBORHOODS DUE PROCESS RIGHTS UNDER CEQA BY DELAYING THE ANALYSIS.

BUT THE CITY HAD NO INTEREST WHATSOEVER IN TAKING A FAIR AND BALANCED APPROACH.

MOREOVER, AT THE VERY LEAST, WHEN LA COUNTY LIFTED MANY OF ITS COVID RESTRICTIONS IN MAY OF 2021 THE CITY **SHOULD HAVE BEEN PREPARED TO FAST-TRACK THE CEQA PROCESS** FOR THESE 3 PROJECTS; GIVEN IT WAS CLEAR AT THIS TIME THE CITY WAS GOING TO DO EVERYTHING IN ITS POWER TO MAKE THESE 3 PROJECTS PERMANENT.

BUT INSTEAD OF FAST-TRACKING THE CEQA EVALUATIONS THE CITY CONTINUED TO DELAY THEM AND DENY VULNERABLE NEIGHBORHOODS THEIR DUE-PROCESS UNDER CEQA BY ISSUING TEMPORARY EXTENSION AFTER TEMPORARY EXTENSION.

JUSTICE DELAYED IS JUSTICE DENIED.

SO, COUNCIL MEMBERS, MY UNANSWERED QUESTIONS ARE:

(1) WHY HAS THE CITY DELAYED THE REQUIRED CEQA ANALYSIS SINCE ITS INTENT FROM DAY-1 HAS ALWAYS BEEN TO MAKE THESE 3 PROJECTS PERMANENT?

(2) WHAT IS THE SCHEDULE FOR THE COMPLETION OF THE INITIAL STUDY AND CONSEQUENT NEGATIVE DECLARATIONS OR EIRs AND WILL THE CITY FAST-TRACK THESE?

(3) WHY DOES THE CITY COUNCIL ALLOW CITY STAFF TO CONTINUE TO GASLIGHT THE PUBLIC BY SAYING THERE ARE NO SIGNIFICANT IMPACTS TO VULNERABLE NEIGHBORHOODS RELATED TO THE ABOVE 3 PROJECTS?

I MUST ASK WILL THE CITY COUNCIL FINALLY ACCEPT THE ROLE OF AN HONEST BROKER THAT IS CAPABLE OF LOOKING AT AND REPRESENTING ALL SIDES OF AN THESE PROJECTS AND NOT JUST THE TALKING POINTS OF THE CITY MANAGER AND CHAMBER OF COMMERCE AND OTHER COMMERCIAL INTERESTS AND COMMERCIAL PROPERTY OWNERS THAT BENEFIT FROM THESE PROJECTS WHILE EXTRACTING PROPERTY VALUE AND QUALITY OF LIFE FROM THE IMPACTED NEIGHBORHOODS?

i realize that question 3 above is a pretty bold claim so let me provide some supporting evidence.

Let's start with the staff report (21-0633). In this staff report in the last city council meeting, staff claimed that there were no significant impacts from the single lane project or related projects.

Here is a quote from this report:

"Additional traffic counts and stakeholder communications completed since the June 2021 extension decision have added additional data to identify the viability and widespread community support for these programs. The programs have now continued successfully through a more normal and busy summer season without any substantial negative impacts on the community."

Claiming that there were no significant impacts from these projects was simply gaslighting the public. The City Council was fully aware that there were many unresolved potential significant impacts but didn't follow-up on a single one.

First there has been substantial queuing of traffic on 27th at the intersections of Valley, Morningside and Manhattan Ave that were not considered in any analysis of the city to date... This has directly led to traffic delays, honking and the smell of auto exhaust permeating our yards and sidewalks several hours a day as the cars queue up at these intersections and then speed up the east and westbound inclines of 27th. These queuing delays at these intersections likely already fail the service levels established in the 2016 General Plan, and they contribute to Near Roadway Pollution and often overwhelm the senses. Its turning 27th street into Hermosa Beach's version of "Love Canal" with the accumulation of DPM, soot and other likely carcinogenic toxins. Did the city study any of these issues before pontificating that there were "No Significant Impacts".

Also there here has been no analysis of the number of trucks now using 27th to illegally access the downtown business district since the city closed a lane of Pier Ave, the city's only east west truck route running from PCH to Hermosa Ave. I estimate 2-300 hundred large trucks-per day per day are now using 27th steep narrow residential street to access the plaza area and westside construction. 27th street is intended to be a local collector road for businesses and construction projects located in NorthWest Hermosa Beach and not an arterial truck route to access downtown business. Pier Ave is the arterial truck route to access downtown. It's the most direct route. It's in a commercial district and its grade and width was designed to accommodate heavy truck traffic.

Now the city wants to divert all the truck and event traffic off of Pier ave and into residential neighborhoods where the roads are far too narrow and steep to serve as an arterial truck route. Is this not a significant potential impact?

Moreover, these impacts are a direct result of the cumulative effects of the single lane project and other city approved discretionary projects that collectively have had a huge impact on our neighborhood on 27th street. The city cannot ignore cumulative impacts under the CEQA laws established by the state but that is exactly what its trying to do.

Nor can the city ignore indirect impacts to 27th street. Indirect impacts are defined by the courts as impacts separated by either time or space from the main project site.

Clearly 27th street is separated by space and is impacted by the single lane project. And future special events must also be considered as an indirect impact by this definition.

And just this past friday and saturday night the traffic on 27th was non-stop much of the evening until about 1AM. People were blowing through the stop signs with impunity.

Only 1 in 10 cars came to a full stop. About 1 in 20 cars was one of these super loud modified exhaust vehicles and they screamed and sped up 27th's steep inclines every 5-10 minutes making it impossible to sleep with your windows open. It was just anarchy.

We never had this amount of late-night traffic on 27th before the single lane configuration. I see NO reason to conclude this is NOT a direct result of traffic avoiding the traffic on Pier Ave due to the single lane configuration.

And the idea posited by city officials in the staff report mentioned above that we made it through the summer months without significant impacts was simply more gaslighting by our city staff and city manager.

We did NOT have the normal special events summer schedule because of Covid.

Please consider that large special events can generate thousands of heavy-truck-trips supporting these large special events when you consider event set-up, tear down, vender and store supply trucks, trash trucks, etc., and that does not even include the event traffic itself.

Did the city assess the impact of restricting the only east-west truck route in the city down to a single lane on residential streets like 27th? Did the city do special event impact projections given its stated desire to "go big" related to special events in the downtown area?

Do you really think these trucks and traffic associated with these large downtown events are going to use Pier Ave to access these special events now that the truck route on Pier has been closed down to a narrow single lane with stop signs or crosswalks every 100 feet or so?

NO - THEY ARE GOING TO USE 27TH STREET BUT YOUR ANALYSIS CLAIMING NO SIGNIFICANT IMPACT DIDNT CONSIDER ANY OF THE ABOVE.

Here is the URL to this staff report:

<https://hermosabeach.legistar.com/LegislationDetail.aspx?ID=5192378&GUID=D87A1929-82FD-4754-8D7C-67108A46600A>

Let me conclude that there are many other significant direct and indirect impacts the city didn't consider in making its totally bogus no impact claims.

i will make a comprehensive list for inclusion in the CEQA documentation once the city gets around to doing the CEQA analysis required by state law. But this takes time and preparation and that is why I have asked for a schedule of when the CEQA initial studies and consequent

negative declarations or EIRs will be done. The city council can ask staff to provide a brief report on this without violating the Brown Act.

Will the council do that?

And let me say that all 3 projects, the single lane project, the outdoor dining project and the bicycle lane project were all allowed to bypass CEQA for far too long because of their temporary designation. These 3 projects no longer have a temporary designation and all 3 are now subject to CEQA..

They are one large project and it would be a manipulation of the CEQA protections afforded to vulnerable neighborhoods not to consider them a single project along or to ignore the cumulative impacts that Vista Elementary, past modifications to Pier ave that have made it harder for trucks to use Pier Ave to access the plaza area businesses or even to ignore the impact of the berms installed on Herondo that made it virtually impossible for large trucks to access downtown via Hermosa Ave.

Finally, please consider that the city is legally required to run the bike lane project through the CEQA process if it results in lane reductions, especially if those reductions are to truck route or major commuter route roads in our city. Has this been done?

Our City Manager is totally off the rails. She subverted the LA county covid orders by allowing outdoor dining in Hermosa Beach when LA county specifically forbade this. This was at the peak of the pandemic when LA county hospitals and doctors and medical staff were pleading for help and cooperation and people were dying at record rates.

Now our city manager has totally misrepresented the impacts of the single lane projects and used the covid crisis to unreasonably delay the completion of the CEQA analysis.

It's a pattern of gaslighting, misrepresentation and manipulation.

But all our City Council seems to be able to do about it is yawn.

Sincerely,
Anthony Higgins