

PETA  
3.23.20

PEOPLE FOR  
THE ETHICAL  
TREATMENT  
OF ANIMALS  
FOUNDATION

March 23, 2020

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Via e-mail: [ibecproject@cityofinglewood.org](mailto:ibecproject@cityofinglewood.org)

**Re: Inglewood Basketball and Entertainment Center  
(SCH # 2018021056) – Draft Environmental Impact  
Report**

Dear Ms. Wilcox,

On behalf of PETA, I am submitting comments on the City of Inglewood’s Draft Environmental Impact Report (“DEIR”) for the proposed Inglewood Basketball and Entertainment Center (“IBEC”). The DEIR does not comply with the California Environmental Quality Act (“CEQA”) because it fails to adequately analyze the biological impacts of this project—specifically, the potential impact of the project on birds colliding with the arena. Failure to consider this issue could lead to the needless deaths of countless birds.

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Bird-building collisions kill up to a billion birds every year in the United States.<sup>1</sup> Birds generally do not see clear and reflective glass and will careen into windows at high speeds.<sup>2</sup> Their hollow bones make them well suited to flight but largely unable to survive such collisions.<sup>3</sup> Migratory species are especially vulnerable, in part because they are attracted to and disoriented by large, lighted buildings during their nocturnal migration.<sup>4</sup>

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<sup>1</sup> S.R. Loss et al., *Bird-building Collisions in the United States: Estimates of Annual Mortality and Species Vulnerability*, 116 *The Condor: Ornithological Applications* 8 (2014).

<sup>2</sup> U.S. Fish & Wildlife Service (“USFWS”), *Reducing Bird Collisions with Buildings and Building Glass Best Practices* 2 (July 2016).

<sup>3</sup> Bird City Wisconsin, *Threats to Birds*, <https://birdcitywisconsin.org/resources/threats-to-birds> (last visited Mar. 10, 2020).

<sup>4</sup> Loss et al., *supra* n.1, at 19; *see also* USFWS, *Collisions*, <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions.php> (last visited Mar. 10, 2020) (Tall structures “reach heights commonly used by bird[s] during migration movements.”).

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To prevent or mitigate the devastating impact that buildings have on birds, architects have developed innovative designs—including films, fritted glass, ultraviolet patterned glass, and architectural features—that have successfully been adopted.<sup>5</sup> For example, the Milwaukee Bucks opened the NBA’s first bird-friendly arena in 2018, which uses fritting—thin ceramic lines on glass that are visible to birds but virtually transparent to humans.<sup>6</sup> The Bridge Building at Vassar installed a fritted pattern as well as Ornilux glass, which contains a patterned ultraviolet reflective coating that is likewise only visible to birds.<sup>7</sup> The Javits Convention Center in Manhattan installed glass panels sprinkled with small white dots and subsequently saw a 90 percent decrease in bird deaths.<sup>8</sup> The U.S. Fish & Wildlife Service’s (“USFWS”) Division of Migratory Bird Management has also compiled a list of best practices to deter collisions and recommends that buildings use “opaque, etched, or patterned glass.”<sup>9</sup> Lawmakers have taken note of these developments and are beginning to adopt policies requiring their implementation in new buildings. In December, for example, New York’s City Council voted to mandate bird-friendly glass in new buildings.<sup>10</sup>

The proposed arena at the IBEC would be approximately 216 feet tall, 915,000-square feet, and “brightly lit during major spectator events.”<sup>11</sup> The project design includes interior lighting that “may be seen through transparent facets (glass or perforated materials) on the Arena Structure façade,” external LED displays, and an illuminated marquee, among other lighting and signage.<sup>12</sup> The project site’s Inglewood location is only a few miles from Ballona Wetlands Ecological Reserve, an important migratory rest stop for a number of species of birds.<sup>13</sup> Additionally, Los Angeles is located in the middle of the Pacific Flyway, a major migratory route, and is the fourth most dangerous city for

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<sup>5</sup> USFWS, *supra* n.2, at 5-8.

<sup>6</sup> James B. Nelson, *Fiserv Forum Deemed the World’s First Bird-friendly Sports Arena after Bucks Tweak Design*, Milwaukee Journal Sentinel (Oct. 24, 2018), <https://www.jsonline.com/story/news/local/2018/10/24/design-fiserv-forum-tweaked-make-arena-bird-friendly/1694096002/>.

<sup>7</sup> Edward Gunts and James Russiello, *Richard Olcott/Ennead Architects completes bird-friendly “Integrated Science Commons” for Vassar College*, The Architect’s Newspaper (May 20, 2016), <https://archpaper.com/2016/05/richard-olcott-ennead-architects-vassar-college/>.

<sup>8</sup> Lisa W. Foderaro, *Renovation at Javits Center Alleviates Hazard for Manhattan’s Birds*, N.Y. Times (Sept. 4, 2015), <https://www.nytimes.com/2015/09/05/nyregion/making-the-javits-center-less-deadly-for-birds.html>.

<sup>9</sup> USFWS, *supra* n.2, at 14; *see also* U.S. Green Building Council, *LEED Pilot Credit 55: Bird Collision Deterrence* (2011).

<sup>10</sup> Associated Press, *NYC Lawmakers Vote 43-3 to Require ‘Bird-friendly’ Glass* (Dec. 10, 2019), <https://apnews.com/f97aa6977481ebd3a0f46e7f211ac106>.

<sup>11</sup> DEIR at 2-17, 2-22, 2-54.

<sup>12</sup> *Id.* at 2-52 to 2-54.

<sup>13</sup> Friends of Ballona Wetlands, *Field Guide*, <https://www.ballonafriends.org/field-guide-to-the-wetlands> (last visited Mar. 10, 2020).

migrating birds in the spring.<sup>14</sup> Nevertheless, the DEIR fails to consider the potential impact a large, brightly lit arena in Inglewood would have on avian mortality.

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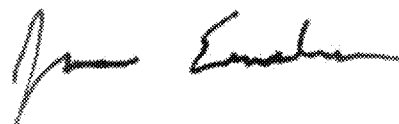
Bird-building collisions are a significant impact according to Criterion 4 of the DEIR's CEQA Appendix G thresholds, which states that a significant impact occurs if the proposed project would "[i]nterfere substantially with the movement of any native resident or migratory . . . wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites."<sup>15</sup> Moreover, Criterion 1 states that a significant impact occurs if the proposed project would "[h]ave a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service."<sup>16</sup> Notably, the IBEC would substantially interfere with the movement of birds and have a direct and substantial adverse effect on several of the 1,000-plus species protected by the Migratory Bird Treaty Act, which is administered by USFWS.<sup>17</sup>

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Analysis of the IBEC's impact on avian mortality is necessary both to comply with CEQA and to mitigate the loss of countless birds' lives that could result from the proposed project's design. We thank you for the opportunity to comment and are available to discuss our comments further.

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Sincerely,



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<sup>14</sup> Pat Leonard, *Chicago Tops List of Most Dangerous Cities for Migrating Birds*, Cornell Chronicle (Apr. 1, 2019), <https://news.cornell.edu/stories/2019/04/chicago-tops-list-most-dangerous-cities-migrating-birds>; Israel Lemus, *Urban Birding*, Los Angeles Magazine (Apr. 7, 2016), <https://www.lamag.com/sponsored/urban-birding/>.

<sup>15</sup> DEIR at 3.3-11.

<sup>16</sup> *Id.*

<sup>17</sup> See USFWS, *Migratory Bird Treaty Act Protected Species (10.13 List)*, <https://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php> (Dec. 2, 2013).