

March 22, 2018

Via Email (mwilcox@cityofinglewood.org)

Mindy Wilcox, AICP, Planning Manager
City of Inglewood, Planning Division
One West Manchester Boulevard, 4th Floor
Inglewood, CA 90301

Re: Scoping Comments on Proposed Inglewood Basketball and Entertainment Center Project

Dear Ms. Wilcox,

On behalf of Uplift Inglewood, a coalition of Inglewood residents, parents, teachers, students, faith leaders, elders, youth, business owners, renters, homeowners and community members, Public Counsel and the Legal Aid Foundation of Los Angeles (LAFLA) respectfully submit these comments and recommendations regarding the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the proposed Inglewood Basketball and Entertainment Center Project (the proposed Project).

While we appreciate the City arranging for a large group of interested stakeholders to attend the Scoping Meeting on March 12, 2018, we are disappointed in the City's decision to restrict public comments to written submissions only. Full public comment is an important opportunity for stakeholders to express priorities and recommendations and to hear the priorities and recommendations of their neighbors. Limiting the meeting to written comments and small group discussions at various information stations unnecessarily limited the community's ability to engage in a full and robust input process. We urge the City to review its procedures and ensure that moving forward, public hearings for this and other projects include full public comment opportunities. We also believe that the limitations imposed on public comment at this hearing, along with the complexity of the proposed Project, justify an extension of this NOP review period, to ensure that all interested stakeholders are able to weigh in on the scope of the EIR.

Given the large number of Spanish speaking residents, workers and small business owners in the surrounding community, it is vital that future outreach and notices be provided in Spanish, and that all future public hearings on the Project provide adequate interpretation and translation. Further, given the significance of the proposed project and the complexity of a full environmental analysis, we request an extension of the Draft EIR comment period to 90 days.

The proposed Project has generated a lot of concern from the community for a variety of reasons, including the potential for the use of eminent domain to acquire property,¹ traffic impacts, the sale of public land and the effects on the City's affordable housing stock, and the potential for induced displacement of low-income residents. Inglewood is experiencing an unprecedented development boom at the same time that it is experiencing a devastating

¹ "Amended and Restated Exclusive Negotiating Agreement," Section 2(b), approved Aug. 15, 2017, *available at* <https://www.cityofinglewood.org/AgendaCenter/ViewFile/Item/1576?fileID=1235>.

affordable housing and displacement crisis. Rents have increased almost 25% over the past five years², and Inglewood residents – the majority of whom are renters and low-income – are at high risk of displacement. For many, displacement will increase the risk of homelessness. Absent adequate protections in place, the construction of a large-scale arena, like the proposed project, could catalyze displacement pressures for low-income communities in the area,³ which may also have a demonstrable effect on the environment. Studies have shown that greenhouse gas emissions increase when wealthier, car-owning residents supplant low-income public transit dependent residents.

Below, we outline our concerns about the proposed Project's impacts on the environment and provide recommendations on the appropriate scope of the EIR.

Analyze the potential for displacement of housing and people.

The EIR should analyze the potential for displacement in the surrounding area. The CEQA Guidelines call for the assessment of two distinct questions related to displacement: (1) the potential displacement of housing; and (2) the potential displacement of people.⁴ These assessments are distinct, and should not be conflated in the EIR.

In terms of housing, the analysis should address not only the potential for the proposed Project to cause the direct *demolition* of housing, but also the potential impacts on the *affordability* of existing housing stock in the surrounding area. Specifically, as Inglewood currently does not have rent stabilization or tenant protection policies, the EIR should assess the proposed Project's potential impact on housing prices that could eliminate existing affordability in surrounding communities, necessitating the construction of replacement housing elsewhere. It should also take into account the lost opportunity to build housing on the Project site.

The EIR should also evaluate the potential displacement of current residents. This assessment should include direct and indirect displacement of residents. CEQA is clear that the reasonably foreseeable indirect impacts of a project should be analyzed.⁵ Here, the EIR should evaluate the proposed Project's potential to exacerbate or accelerate displacement pressures through impacts on housing prices and the facilitation of increased development in the area. This potential for economic displacement should be fully analyzed and meaningful mitigation measures included in the EIR.

Analyze consistency with affordable housing laws and policies.

The EIR should include an analysis of the proposed Project's impact on the City's ability to meet its affordable housing needs. Specifically, the Notice of Preparation states that most of the project site consists of parcels owned by the City of Inglewood and the Successor Agency to

² "Proposed Affordable Housing Loan Programs," Report from Housing, Section 8, and Community Development Block Grant Department, City of Inglewood (Oct. 10, 2017), at page 4.

³ Dehring, Carolyn A., Craig A. Depken, and Michael R. Ward. "The Impact of Stadium Announcements on Residential Property Values: Evidence from a Natural Experiment in Dallas-Fort Worth. (Report)" Contemporary Economic Policy. 25.4 (Oct 2007): 627(12). Expanded Academic ASAP. Gale. Clark University. 2 Feb 2009.

⁴ Cal. Code Regs. Tit. 14, Appendix G.

⁵ Cal. Code Regs. Tit. 14 § 15126.2

the Redevelopment Agency.⁶ It is well established that the sale or lease of public land is a crucial strategy for siting much-needed affordable housing.⁷ The EIR should evaluate the City's progress on meeting affordable housing goals and needs in the community,⁸ as well as the proposed Project's consistency with existing laws and local policies relating to affordable housing, including but not limited to the Surplus Land Act,⁹ which requires the city to prioritize affordable housing when disposing of surplus land. Based on this information, the EIR should evaluate the proposed Project's consistency with all relevant affordable housing policies, and its impact on the City's ability to meet affordable housing needs should the City decide to utilize surplus city land for the development of an arena instead of affordable housing.

Analyze jobs-housing fit.

The EIR should evaluate the number of jobs that the proposed Project will create – both construction and permanent jobs. These projections should be measured against the availability of housing in the surrounding community, with a specific focus on the availability of housing that is affordable to workers at the income levels that correspond to the jobs created by the proposed Project. The EIR should include comprehensive mitigation measures to address job-housing mismatch, including significant provisions of affordable housing in the community.

Analyze the type and quality of jobs.

In addition to the number of jobs created, the EIR should also analyze the type and quality of these jobs. How many permanent jobs will be created, compared to temporary construction jobs? What employment training would be necessary for Inglewood residents to access these jobs and does the necessary workforce development infrastructure currently exist? Will the jobs – both construction and permanent – offer a living wage? What gaps, if any, exist in the availability of training and education programs to ensure a pool of qualified applicants from the community?

Analyze the impact on community serving small businesses.

The EIR should analyze the proposed Project's impact on vital community serving small businesses. The Project Description suggests that the proposed Project will include 40,000

⁶ City of Inglewood, Notice of Preparation of a Draft Environmental Impact Report and Public Scoping Meeting, p. 3.

⁷ See, e.g., Cal. Gov. Code § 54220.

⁸ E.g., according to the most recent Housing Element Annual Report, the City of Inglewood is falling woefully short of meeting its RHNA goals for the creation of new housing that is affordable to Low and Very Low Income households.

⁹ Cal. Gov. Code §§ 54220 et. seq.

square feet of retail and other ancillary uses.¹⁰ The EIR should address what types of retail uses will be built and how these uses will serve the community.

In addition, the EIR should evaluate the proposed Project's impact on already-existing small businesses. This should include both an evaluation of the potential for direct displacement through eminent domain and the potential for indirect displacement by creating pressures for landowners to sell "participating parcels" resulting in the displacement of current businesses or community amenities. This should also include an evaluation of the potential for the proposed Project to spur increased commercial rent in the surrounding area, resulting in indirect displacement of small businesses.

Beyond increased commercial rents, the EIR should also consider further economic impacts of the Proposed Project on local small businesses. Studies show that, despite claims to the contrary, sports arenas can have a negative impact on local businesses.¹¹ The EIR should consider the impact of years-long construction from both the proposed Project and the Hollywood Park development on businesses in the area. Furthermore, The EIR should consider the potential of displacement for local businesses in the area that are not complementary to the proposed Project, as these businesses will not see increased traffic from arena visitors and local residents will be dissuaded from visiting local businesses due to the increased congestion. The EIR should also consider how parking capacity for local businesses will be affected, especially when events are occurring simultaneously at the Proposed Project, the Hollywood Park, and the Forum.

Analyze Environmental Justice impacts.

Many of the communities surrounding the proposed project are populated by low-income households and African American and Latino populations. The EIR should analyze federal, state and local policies related to environmental justice communities. The EIR should also analyze potential environmental justice mitigation measures.

Projects that are likely to have a significant and disproportionate effect on surrounding low-income communities are encouraged to include an environmental justice analysis in their environmental impact reports. Further, specific provisions of CEQA and its Guidelines require that local lead agencies consider how the environmental and public health burdens of a project might specially affect certain communities.¹² The proposed Project would be built in a particularly low-income community, where many residents are rent-burdened, work multiple

¹⁰ City of Inglewood, Notice of Preparation of a Draft Environmental Impact Report and Public Scoping Meeting, p. 3.

¹¹ Baade, Robert and Robert Baumann and Victor Matheson. 2008. "Selling the Game: Estimating the Economic Impact of Professional Sports through Taxable Sales" *Southern Economic Journal* 74(3): 794-810.

¹² Office of the California Attorney General, "Environmental Justice at the Local and Regional Level" (2012), p. 3, available at https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet.pdf.

jobs, and have limited access to adequate, affordable health services. Project-related impacts may seriously affect the lives of current residents, a population that is already overburdened with stress, housing insecurity, poor air quality, and a lack of means. A Project's particular social and economic effects may be a determining factor in whether a particular physical change caused by the project is considered significant.¹³ Therefore, the EIR should analyze the environmental justice impacts of the proposed Project and provide for mitigation measures to reduce the potential harm that may disproportionately result from proposed Project impacts.

Analyze Inconsistency with the General Plan.

The EIR must discuss any inconsistencies between the proposed Project and applicable general plans, specific plans, and regional plans.¹⁴ The proposed Project would require numerous entitlements and approvals from the City, including a general plan amendment, zoning changes, site plan review, a master sign plan, merger and re-subdivision map, disposition and development agreement, approval of street vacation, and approval of well relocation. The EIR should evaluate the inconsistencies between the proposed Project and the general plan and any other applicable plans and policies. This should include an analysis of the proposed Project's direct and indirect impact on affordable housing and displacement of low-income communities, and consistency with Housing Element policies and programs that prioritize affordable housing and community stability.

Analyze public access and use.

The EIR should analyze how the proposed Project will impact public access and use of park and open space. Will the Project create traffic patterns or spur new development that limits residents access to parks in vicinity? Will the outdoor plaza described in the Project Description be publicly accessible? Along with these issues, the EIR should analyze the additional public infrastructure necessary to support the Proposed Project, including public restrooms, water systems, sewage drains, public transit stops, police and fire services, etc.

Analyze greenhouse gas emissions.

The proposed Project would likely result in significant quantities of greenhouse gases. The construction of the proposed Project, through the use of fossil-fuel powered construction equipment and the transportation of construction materials, will emit greenhouse gases. The proposed Project anticipates seating capacity of over 18,000 at the arena alone, indicating an enormous volume of people driving to and from the project site, generating significant

¹³ Cal. Code Regs. tit. 14 § 15131; Office of the California Attorney General, "Environmental Justice at the Local and Regional Level" (2012), p. 4, *available at* https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet.pdf.

¹⁴ Cal. Code Regs. tit. 14, § 15125.

greenhouse gas emissions. The EIR should discuss the effects of the proposed Project's greenhouse gas emissions and include measures to meaningfully mitigate significant effects.

Analyze Noise impacts.

The proposed Project includes an NBA arena designed to include at least 18,000 seats, as well as commercial space and several outdoor spaces.¹⁵ The EIR must analyze the significant noise impacts caused by both the construction of, and the subsequent activities on, the Proposed Project. The Proposed Project is immediately adjacent to residential neighborhoods, which house many families, elderly, and disabled individuals, all of whom may be especially vulnerable to noise. In particular, the EIR should analyze the noise impacts on the residential areas in the area when residents are most likely to be at home and events are being held at the Proposed Project.

Analyze Light and Glare.

The proposed Project will likely result in significant light pollution for the surrounding area. The Notice of Preparation anticipates the installation of "graphic display panels or systems, including ... illuminate rooftop signage."¹⁶ There are several residential tracts immediately adjacent to the Proposed Project and the light pollution emanating from the Proposed Project, especially when the arena is being actively used for events, will have significant health impacts on the surrounding communities and disrupt residential life. The EIR must analyze these issues and provide appropriate mitigation measures.

Analyze Traffic impacts.

The Notice of Preparation anticipates increased traffic as the proposed Project will use "major arterials" adjacent to the Proposed Project. However, these major roads also serve as the main points of entry to Hollywood Park (which includes the new NFL stadium and the Hollywood Casino) and to the Forum. There have already been significant slowdowns in this area with the redevelopment of the Hollywood Park area, and these slowdowns will only increase with the increased residential, commercial and event traffic once that redevelopment is complete. The other points of entry to the south of the proposed Project run through residential areas. The EIR should evaluate the proposed Project's impact on traffic, including an evaluation of the cumulative impact of traffic caused by the proposed Project along with traffic to and from the NFL arena, Forum, and Hollywood Park development. This should include an evaluation of the impacts of traffic spillover into adjacent neighborhoods and the environmental justice implications. The EIR should also evaluate any disruption, including re-routing, delaying, or

¹⁵ City of Inglewood, Notice of Preparation of a Draft Environmental Impact Report and Public Scoping Meeting, p. 3-4.

¹⁶ City of Inglewood, Notice of Preparation of a Draft Environmental Impact Report and Public Scoping Meeting, p. 4.

suspension of, public transit routes during the construction of the Proposed Project and provide an appropriate mitigation plan.

The EIR should also evaluate the driving hazards and public safety issues involved with any electronic boards, billboards or signs included in the Proposed Project, especially when combined with electronic signage already used as part of the Hollywood Park development and the Forum.

The EIR should also evaluate the traffic and environmental impacts of any circulation improvements, including shuttles connecting the Proposed Project to Metro transit stations, offsite parking, hotels, the Hollywood Park development, or the Forum.

Analyze cumulative impacts.

According to CEQA guidelines, the EIR must also analyze the cumulative impacts.¹⁷ Cumulative impacts are those that are created by the proposed Project together with other projects that cause related impacts. The Hollywood Park, a 238-acre development directly adjacent to the proposed Project, includes construction of an NFL stadium, 2,500 market-rate residential units, renovation of the Hollywood Casino, and acres of commercial retail development. The cumulative impacts of both the proposed Project and the Hollywood Park, as well as any other development in the area, are undoubtedly significant and will require significant mitigation measures. These impacts include, but are not limited to, the direct and indirect displacement of current residents, climate change effects, and the availability of land for future affordable housing development.

Analyze alternatives.

An EIR must also consider “reasonable alternatives to the project, or the *location* of the project...”¹⁸ This includes the reasonable alternative of no proposed Project. Any reasonable alternatives analyzed in the EIR must include “sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.”¹⁹ There are many viable alternatives for the Proposed Project and the underlying public land that may cause significantly less harm to the surrounding community, and they must be considered in the EIR.

¹⁷ Cal. Code Regs. Tit. 14 § 15130.

¹⁸ Cal. Code Regs. Tit. 14 § 15126.6(c).

¹⁹ Cal. Code Regs. Tit. 14 § 15126.6(d).

Thank you for your careful consideration of our comments and recommendations. Please notify us of the availability of the Draft EIR. In the meantime, we look forward to continued opportunities for public input and meaningful community engagement.

Sincerely,



Doug Smith
Staff Attorney
Public Counsel



Natalie A. Minev
Staff Attorney
Legal Aid Foundation of Los Angeles



Katie McKeon
Sullivan & Cromwell Fellow
Public Counsel



Jonathan Jager
Staff Attorney
Legal Aid Foundation of Los Angeles