

What is the environmental impact?

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ENVIRONMENT

What impact would the new Coachella Valley hockey arena have on the environment?

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Palm Springs Desert Sun



When Oak View Group, the would-be developer of a \$250 million Coachella Valley hockey and entertainment arena, moved the project from Palm Springs to a spot along Interstate 10 near Palm Desert last year, many people breathed a sigh of relief.

Downtown Palm Springs residents would be spared thousands of cars potentially clogging city streets. The owner of the new site, the H.N. and Frances Berger Foundation, won the major tenant it had long sought for the unincorporated Riverside County land. And OVG got a location that already had comprehensive environmental approvals from Riverside County, critical to its timeline to build the event complex for the 2022-23 American Hockey League season.

But a potential monkey wrench has emerged again.

Concerns are being raised about traffic, air pollution, wildlife and the water and electricity it will take to keep two ice rinks — one for games and one for practice — chilled in blazing summer heat.

"Don't we have enough arenas?" said Robert Terry, co-founder of People Over Pollution and a Desert Hot Springs resident. "It's unnatural ... a desert environment could make much better use of our precious water than taking it to use for ice hockey."

This week, with final approval votes by county planning commissioners and supervisors looming, a group called Supporters Alliance for Environmental Responsibility submitted hefty comments to officials, contending that traffic traveling to and from games and concerts would produce illegally high levels of unhealthy smog and soot, and carcinogenic diesel fumes. They said legally protected rare birds and other species at the new site had been undercounted, and that environmental approvals from 2006 for the site are out of date.



In a 320-page document submitted to the Riverside County Planning Commission just before a public hearing Wednesday, an attorney for SAFER said the group is "particularly concerned" that the county simply prepared an addendum to an environmental impact report about the I-10 adjacent site approved 15 years ago "which did not contemplate anything remotely similar to the proposed Arena Project."

"It just doesn't pass the smell test" to add a nearly 300,000-square-foot event arena to an approved environmental review for a specific plan that included a golf course, hotels, housing and a business park but not a sports or concert venue, said Brian Flynn of the Lozeau Drury law firm, which represents SAFER.

By not requiring a new, supplemental environmental impact report, Flynn said the county had wrongly bypassed the "substantive requirements" of California environmental laws aiming to streamline reviews and avoid lengthy public comment.

In an interview, Flynn said that while SAFER might sue if the county does not prepare a new environmental report for the arena, "we don't want to stop the project; we just want it to be planned, built and operated as sustainably as possible."

He said a new report could mandate traffic plans and other critical measures with teeth in them.

For example, he said, while the county consultant's air pollution analysis assumes the cleanest construction equipment will be used, there's no requirement and no guarantee in the county's lengthy, formal addendum to the old EIR.

Some county planning commissioners expressed concern, though they voiced overall support for the project too, saying it would bring important tax revenue and employment to the area. "One of the things that really piques my interest here, or my concern, is this EIR was prepared back in 2006," said Planning Commissioner Gary Thornhill during a public hearing on Wednesday. "That's something I would like to see addressed."

Commissioners also asked about traffic possibly "stacking up" on the freeway and streets after events, and said they'd like to see a full, upfront traffic management plan. The five-member commission on Wednesday voted unanimously to defer until April 21 votes on whether to recommend a zoning change and other requirements, both to answer questions and to give fire officials more time to comment. County staff had no immediate response to SAFER's comments, saying they would reply before the commission's next meeting. In an email, a company official said: "OVG plans to provide a detailed response as requested by the Planning Commission."

But the consultant hired by OVG who oversaw lengthy traffic, wildlife and other studies prepared in connection with the arena project vigorously defended the work, and said it passed every state and county environmental requirement.

"The county spent 10 months studying the heck out of this," Tony Locacciato, a partner with Meridian Consultants, said in an interview. "What all the technical studies show is there are no new significant impacts from the proposed land-use change. It's not like the arena by itself is a new project ... it's changing a part of an approved project."

'North Star' project dates to 2006

The arena is proposed for a 44-acre piece of the overall 455-acre North Star specific plan approved in 2006. That plan included a golf course, business and commercial spaces, hotels and high-density residential units. But it never included an event facility.

Doug Vance, executive vice president of real estate for the Berger Foundation, which owns the land and won the 2006 approvals, said not including an event center was "probably just an oversight. If we'd given more thought to 15 years down the road, we probably would have seen it would be a better use, a better idea, and we would have included it."

Vance said Oak View Group CEO Tim Leiweke told him the reason the company wanted to move the arena project to the North Star site was because it had an approved specific plan, and that without it, the arena could not be done. OVG Senior Vice President John Bolton said in an email that an American Hockey League team's ability to move to the Coachella Valley "is dependent upon having a home venue constructed for them on the current timeline."

Locacciato said extensive new analyses were done to identify the arena's potential impacts. Most importantly, he said, the 295,000-square-foot project would generate substantially less air pollution and traffic compared to the 800,000-square-foot light industrial park originally slated for the parcel. Other development, such as high-rise housing or a smaller industrial park, could still occur in the future on other North Star parcels.

The county planner said EIRs are not valid indefinitely, but an addendum can be used if the new project would not result in greater impacts than what was originally allowed. He said a "subsequent" or supplemental EIR may be needed if a new project is "substantially different than what was anticipated in the original EIR."



Air pollution is top concern

An analysis by The Desert Sun of the data submitted to county planners by experts paid by OVG shows the arena would generate tons of emissions that are building blocks of dangerous ozone smog and soot, lung-scarring dust and atmospheric climate change. Tailpipe fumes from construction equipment and vehicles driving to and from games, concerts and other events would be the primary source, though electricity generated for the facility and the complex itself would also produce pollution.

The Coachella Valley has already joined greater Los Angeles and the San Joaquin Valley with a dubious distinction — federal and regional regulators concluded in 2019 that it has the most extreme ozone smog in the nation, largely from truck traffic on the I-10.

The county addendum concludes that emissions related to the arena would fall within maximum limits set by the South Coast Air Quality Management District. But air pollution and public health consultants cited by SAFER said the county's calculations badly understated possible emissions.

An SCAQMD spokesman said the agency had no comment on the project, and a county planner said no permits from the air regulator are required. Riverside County Supervisor V. Manuel Perez, who represents the area where the project is located and who sits on the regional air district board, did not respond to a request for comment.

OVG's Bolton wrote in an email to The Desert Sun that "replacing business park uses with the arena project does not result in any additional air quality impacts. The original mitigation adopted for the NorthStar project will also be applied to the arena project."

Neither he nor Locacciato provided specific examples of what else might be done to reduce pollution.

While county planners concluded this year that the low-slung arena structures and 3,000 parking spaces would not require a new EIR because of reduced or similar impacts to those identified in the North Star plan approved in 2006, they will still require numerous approvals, including a zoning change, updates to the county general plan and area specific plan, and a formal addendum to the original environmental report.

Construction kicks up dust in valley "blow sand" areas like the North Star site, and paved surfaces and protruding buildings can alter natural drainage and soil patterns. The 2006 EIR also concluded there would be "significant, unavoidable impacts" from added noise, traffic and the conversion of prime farmland, though the land at the North Star planning area ceased to be used for agriculture years ago.



According to the new documents prepared by consultants for the arena project and analyzed by The Desert Sun, during construction, bulldozers and other equipment would release up to 1,300 tons of volatile organic compounds and 9,500 tons of nitrogen oxides, both major components of smog, as well as 35,000 tons of carbon dioxide, the main greenhouse gas linked to climate change.

Development of the entire North Star site, including the arena, would still lead to legally "significant and unavoidable" emissions of fine and coarse particulate, carbon dioxide and NOX and VOCs, according to the studies prepared for the county's formal EIR addendum.

Large dust specks called PM 10 have been linked to wheezing, asthma, chronic obstructive pulmonary disease and lung cancer. The Coachella Valley is already ranked as having "serious" PM 10 pollution by federal regulators. Fine particulates, VOCs and NOX have also been linked to a wide range of heart and lung disease.

But proponents of the arena say those issues were already considered in 2006. Despite the projected high air pollution and other major impacts, then-county supervisors approved the overall North Star development specific plan, issuing a "statement of overriding considerations" that concluded the economic benefits to be gained trumped public health concerns from blowing dust and other tailpipe emissions.

The formal EIR addendum prepared by the county incorporated new state and local laws and policies enacted since 2006, but SAFER experts said the report did not adequately address them.



The 2006 approval included no specifics on the number of jobs the North Star plan was expected to generate.

The arena project will create jobs for up to 60 regular employees on non-event days and up to 125 jobs for event days, ranging from food sales to security, according to county planners. OVG officials say 420 "full-time equivalent" jobs could be created, and as many as 1,400 construction jobs.

Oak View officials provided an economic report to The Desert Sun that estimated that over half a century, their project could bring in nearly \$3 billion in direct and regional revenues, from ticket fees to hotel stays to restaurant meals. Unlike many sports arenas, the project is to be financed privately, with no public funds.

There were other issues addressed in the arena studies. Noise was identified as a possible concern, but traffic consultants concluded that much of it — even from heavy construction machinery or thousands of cars arriving for an event — would be masked by the rumble of big rigs and other highway traffic. They said event traffic would occur outside peak commuter hours. OVG is also seeking approvals for more roadway signs than are currently allowed under scenic highway corridor protections.

Support for the relocated project

When the arena was first proposed in 2019 on tribal land owned by the Agua Caliente Band of Cahuilla Indians in Palm Springs, irate residents there placed an ad in the Los Angeles Times, calling on the governor, the attorney general and federal authorities to study the "true polluting potential" from the "massive building," including increased car trips, water and sewer usage, and greenhouse gas emissions.

Cary Brazeman, leader of Palm Springs Together, which ran the ad, said his group is debating over the new location. He personally now supports it, with some caveats.

"The developer listened to community concerns in Palm Springs and moved the project to a freeway-adjacent location with better capacity to accommodate the traffic and the parking," he said. "Still, we have to recognize there is an air pollution problem in the valley, so every feasible step should be taken."

He said that might mean limiting the number of tickets sold when air pollution is high, so car trips can be reduced, or limiting the total number of events. "There are practical solutions," Brazeman said.

Terry, the Desert Hot Springs environmentalist, said bringing attendees to and from hockey games on a train out of Ontario or Los Angeles could alleviate pollution and traffic. There are no such plans, and he said freight train operators that often control railway corridors in the region have objected to new passenger line proposals in the past, but thinks they should be fought for.

Since the switch to the new site, chambers of commerce, tourism bureaus and even neighbors like the Palm Desert campus of Cal State San Bernardino and Xavier Preparatory School have all sent letters of support to the county. So far, county officials say the only opposition letter they've received is from SAFER.

Who is SAFER?

SAFER is a relatively new organization formed in 2018 that has commented on or challenged large projects across Southern California.

Some developers say SAFER is a front for an El Monte-based local office of the Laborers International Union of North America, or LIUNA, which represents construction and energy project workers. On official documents filed with the California Secretary of State, SAFER lists an address and key officers that are identical to the address and officers on the union local's web page.

OVG's Bolton said: "We would rather not speculate on the motivations of SAFER or its counsel in submitting the letter. OVG respects that all stakeholders have a voice in the public process."

Other developers have accused LIUNA of filing environmental challenges as a pretext to win agreements that their unionmembers will be used on large construction jobs. One case making such charges was dismissed, although the judge ruled it could be amended and refiled.

A person who answered the phone at the LIUNA office confirmed SAFER is also based there, and that the union's business manager, Jon Preciado, is also the principal contact for SAFER. Preciado did not return calls for comment.

Flynn, the attorney representing SAFER in its objections to the arena project, said SAFER is a separate, registered 501(c)3 nonprofit that examines environmental impacts and that it does not negotiate any type of labor agreements. He said SAFER has members living in the Coachella Valley and other areas where the group has filed EIR comments or litigation, and that the group's aim in this case is to curb adverse health impacts on its members and others, and to protect the environment.

A closer look at the parcel

If approved and built, the arena will sit next to the Classic Club golf course, already completed, which abuts a 3,700-acre Coachella Valley National Wildlife Refuge, including the 880 acre Coachella Valley Preserve.

The preserve contains hiking trails and critical habitat for the endangered fringe-toed lizard, migratory birds and other wildlife. Buffer zones and other protective measures were implemented as part of the golf course construction. The entire North Star plan area sits

outside lands designated for preservation under the Coachella Valley Multiple Species Habitat Conservation Plan. The developers will also pay millions in fees for conservation, fire response, law enforcement facilities and road improvements.

Locacciato, the project consultant, said the site was graded long ago and is bare, disturbed earth.

But a wildlife biologist retained by SAFER spotted dozens of birds and small mammals in a 2½-hour inspection on April 3, including five rare or legally protected species that another expert said were not identified by consultants hired by would-be developers in 1997 and 2021. They said birds could smash into the project's extensive glass windows, be disoriented by night lights or be electrocuted by extended power lines. They said detailed studies should be performed.



6.7 million gallons of water per year, and enough electricity to power 2,700 homes

The arena would also use large amounts of water and power.

Russell Brady, the lead county planner assigned to evaluate the project, said the Coachella Valley Water District estimated demand for the buildings and exterior landscaping would be 20.5 acre-feet per year, which translates to 6.7 million gallons. Brady said that was sharply

below the water needs of the business park originally planned there, which could have required nearly 80 acre-feet more per year, or about 26 million additional gallons.

The sports and concert facility would also use up to 3.5 megawatts of electricity to operate per year — the equivalent of power for about 2,700 homes — and 80% of that could come from polluting coal power or natural gas. Solar panels and other renewable energy would provide 20%, per the Riverside County Climate Action Plan.

The area's main utility, the Imperial Irrigation District, likely can power the project, but its board will need to approve a major work authorization, said spokesman Robert Schettler.

Terry, the Desert Hot Springs resident who opposes the project, thinks using polluting power to air condition giant buildings and freeze ice in the desert is a mistake.

"It should be the price you have to pay to move to warm weather: You have to watch hockey on TV."

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