## **TOPICAL RESPONSES**

## **Topical Response 1 – Adequacy of Project Description**

This topical response addresses comments that the Project Description in the Draft EIR was inaccurate, incomplete, and legally inadequate. The comments suggest that the Project Description, and thereby the scope of the entire environmental review, cannot be legally adequate because it does not describe the environmental impacts of a lease or other agreement with the NFL or a specific NFL team.

At this time, there is no draft lease or other agreement between the City and the NFL or an NFL team. As there is no such draft lease or other agreement, the City is unable to include any details of such a document in the description of the project.

In order to include an analysis of an NFL agreement in the EIR, the City would need to delay environmental review of the project until an agreement had been negotiated. However, CEQA commands that a lead agency undertake environmental review as early as possible in the planning process. The City should not wait until it has negotiated agreements with the NFL or an NFL team before undertaking environmental review. Such delay would not comport with the purpose and mandates of CEQA. When environmental review is conducted earlier in the process, the process is more amenable to modification to reflect the environmental concerns identified.

Furthermore, in this case, the Project Description set forth in the EIR already provides a general description of the project that is sufficient for the public to understand the potential environmental impacts. The Draft EIR describes the project as the temporary use of the Rose Bowl Stadium by the National Football League, which requires an amendment of the City's Arroyo Seco Public Lands Ordinance (the "Ordinance"). Amending the Ordinance would allow for an additional 13 displacement events per year at the Rose Bowl Stadium for a period of up to five years. Each event would have a maximum attendance of 75,000 persons. As stated in the Project Description, implementation of the proposed project requires an amendment to the Ordinance, a possible amendment to the Rose Bowl lease agreements, and one or more agreements with the NFL or specific NFL teams. At this time, the specific terms of those agreements are not known to the City.

Some comments also suggest that without knowing the identity and reputation of the specific NFL team that would use the Rose Bowl, it would be impossible to fully consider the impacts of the project and determine appropriate mitigation measures. The comments suggest that the project is "speculative" and that the Project Description "is improperly phased and improperly segmented."

The EIR has not included any details regarding impacts caused by specific NFL teams and/or their requirements because the City is not aware of any evidence suggesting that any particular NFL team would cause environmental impacts that are more significant than the impacts caused by any other team. Given that the City does not know which NFL team will be using the Rose Bowl and given that the City is not aware of any evidence suggesting that any team would cause environmental impacts that are different than any other team, identification of a specific team that would play in the Rose Bowl is unnecessary.

Finally, the Project Description is not speculative merely because it is not assured that the City will be able to successfully negotiate a lease agreement with the NFL or an NFL team. Regardless of whether the project comes to fruition, the Project Description is finite and stable. The Project Description is neither phased nor segmented. As mentioned above, the description clearly identifies that the proposed project involves an agreement to allow an NFL team to play games at the Rose Bowl for a temporary period. The EIR identifies the potential impacts of that project, including the potential impacts of a lease agreement. The terms of an agreement with the NFL or an NFL team are not expected to alter the potential environmental impacts of the project discussed in the EIR. In the unexpected and unlikely event that a lease or other agreement between the City and the NFL, or a specific NFL team, would result in significant environmental impacts that are not identified and discussed in the EIR, the City would be required to conduct additional environmental review prior to entering into such an agreement.

In sum, the Project Description accurately reflects the scope of the project, complies with CEQA's mandate that environmental review be conducted as early as possible, and is legally adequate.