

Everybody Wins



LESSONS FROM NEGOTIATING COMMUNITY BENEFITS AGREEMENTS IN LOS ANGELES

e

ENVIRONMENTAL DEFENSE

finding the ways that work

Everybody Wins

LESSONS FROM NEGOTIATING
COMMUNITY BENEFITS AGREEMENTS
IN LOS ANGELES

AUTHORS

Laurie Kaye

Jerilyn Lopez Mendoza

e

ENVIRONMENTAL DEFENSE

finding the ways that work

Acknowledgements

Preparation of this report was made possible by the generous support of Ann-Eve Hazen. The authors would also like to thank Flor Barajas-Tena, Gilda Haas, Shabaka Heru, Martha Saucedo, Maria Verduzco Smith, Cipriano Colin, Jim Ritchie and Reverend William D. Smart, Jr. for providing invaluable interviews. Lastly, the authors would like to thank Allison Cobb, Andy Darrell and Janea Scott for their hard work and patient assistance in preparing this document.

Our mission

Environmental Defense is dedicated to protecting the environmental rights of all people, including the right to clean air, clean water, healthy food and flourishing ecosystems. Guided by science, we work to create practical solutions that win lasting political, economic and social support because they are nonpartisan, cost-effective and fair.

Cover image: Shutterstock.

©2008 Environmental Defense

The complete report is available online at www.environmentaldefense.org/.

Contact authors at: lkaye@environmentaldefense.org,
or jmendoza@environmentaldefense.org

Contents

Executive Summary	00
Chapter 1. Introduction: What Is a CBA?	00
History of CBAs	00
Benefits for communities and developers	00
Chapter 2. Case Study: Staples Center	00
Background	00
The project	00
The coalition	00
The negotiations	00
Outcome: the final agreement	00
Measuring success	00
Lessons learned from the Staples Center CBA	00
Chapter 3. Case Study: Los Angeles International Airport Expansion	00
Background	00
The project	00
The coalition	00
The negotiations	00
Outcome: the final agreement	00
Other stakeholders	00
Implementation	00
Lessons learned from the LAX Expansion Project	00
Chapter 4. Steps Toward A Successful CBA Negotiation	00
Step 1: Crafting a CBA coalition	00
Step 2: Negotiating the CBA	00
Step 3: Implementing the CBA	00
Chapter 5. Glossary of Acronyms	00
Chapter 6. List of People Interviewed	00
Endnotes	00

Executive summary

The all-too-common game of “legal chicken” between developers and communities can waste time and money, and is rarely productive.

In cities across the country, policy and community leaders often unite around the goal of attracting new investment to neighborhoods in need of jobs, housing and revitalization. Brownfield policies, tax incentives, urban renewal programs and rezoning proposals have in many cases succeeded in generating new investment in urban neighborhoods.

Unfortunately, development does not come without costs: It can bring pollution and noise into communities, eliminate scarce open space and introduce or exacerbate health impacts on residents. Increases in commercial or tourist traffic can create congestion, pedestrian safety concerns and parking problems.

In highly developed urban areas, scarcity of land means that development projects are located in residential areas. In Los Angeles, development projects include expansions of existing land uses, such as entertainment centers and airports, and new projects are increasingly concentrated in areas adjacent to landfills and industrial infrastructure. More often than not, these areas tend to be communities of color populated by the low-income working poor.

As Southern California continues to grow—it is estimated the six-county region’s population will swell from 18 million today to 23 million in 2030¹—these communities will bear the brunt of development. The increased pressures on already overburdened communities can lead to stand-offs between developers wanting to build and community members whose bedrooms and backyards will be most impacted.

Such conflicts pose serious deterrents. For developers, turning a blind eye to the needs of a community causes them to miss extraordinary opportunities to speed political and regulatory approvals, identify cost-effective ways to protect the environment, improve community relations and raise the positive profile of a proposed project.

From the point of view of the community, the tools of opposition—protests at public hearings, litigation, antagonistic negotiations, bad press—do not always work. Sometimes they can serve to delay an unwanted project long enough to find a sympathetic political ear, wear out the developer or find a judge willing to challenge regulatory approvals. These approaches can be expensive and time intensive.

Meanwhile, developers can hunker down for the duration, hoard information they are not obliged to release and shield themselves from public view in the hopes of outlasting the usually sparsely funded opposition. This game of “legal chicken” between developers and communities can waste a lot of time and money, and is rarely a productive way to handle large development projects.

Over the past several years, a new model has arisen: the Community Benefits Agreement, or CBA. This is essentially an agreement between the developer and the community negotiated early enough in the development process to bring meaningful improvements to the project and win community support. Developers and community leaders come together as true negotiators, building trust, trading ideas and working together in a frank and open exchange that educates all sides and identifies areas where cooperation is possible.

In the end result, all parties write down their areas of agreement in a legally binding contract that commits each side to specific, enforceable deliverables—from design changes and mitigation projects, to commitments for expressions of political support. Often, this means that the developer will address specific community needs,

**Community
Benefits
Agreements
ensure benefits
for affected
communities at
the same time
that essential
development
needs are met.**

while community leaders will agree to support the project. In this way, the two parties can move forward through the regulatory approval process as partners.

CBA in Los Angeles have their roots in agreements used by the Central Redevelopment Agency (CRA), under which community organizations agree to support bank applications for mergers or branch relocations, while in return banks agree to increase loan activity and banking services in poor neighborhoods. Early CBAs focused primarily on labor issues and job training, as they emerged out of advocacy led by job-focused organizations.

Recently in Los Angeles, a broader model has emerged that brings a wide range of interests together in one negotiation: environmental concerns, health impacts, traffic, congestion, noise, open space and parkland. Reflecting the diversity of Los Angeles, the community voices involved in these CBAs come from a wide range of groups and interests: Civic organizations, churches, environmental groups, school districts, block associations and unions. Although it can be challenging to bring together such diverse points of view, these alliances offer the developer a representative negotiating partner, and the united voice can give communities more clout.

This report tells the stories of two CBAs in which Environmental Defense was integrally involved—one was the expansion of the Staples Center Arena in downtown Los Angeles, the other was the expansion of Los Angeles International Airport (LAX). The LAX CBA is currently the largest of its kind in the country, worth nearly \$500 million (in the context of an \$11 billion airport project). Both agreements are remarkable for several key factors: The negotiations brought together a wide range of interests; they were spirited, demanding and in many ways innovative; and, despite extraordinary obstacles, they succeeded, resulting in binding agreements among developers, environmentalists, job training organizations and community leaders.

Of all the parties involved, most had never participated in such extensive and remarkable processes. Pioneering a new approach is always risky, but the rewards of success far outweighed the risk. Groups took a chance, succeeded, and this is their story.

The purpose of this report is to tell these stories in a way that allows lessons to be drawn for future negotiations of this kind. Not every project will be amenable to this kind of solution. The specific areas of agreement are in some ways unique to the proposed projects (not every development project involves airplane noise, for example). But they share a common process, and common lessons emerge about *how* to reach consensus.

The following chapters provide a play-by-play of the CBA process, based on interviews with the participants. It reveals how, with two big, controversial projects in the nation's second-largest metropolis, developers and community leaders came together, learned to talk to each other and trust each other—and signed off on legally verifiable agreements without years of litigation. By using this powerful tool, cities and developers are able to move forward with development. At the same time, communities can ensure that this development is accountable and provides jobs, open space and other benefits to residents. The Community Benefit Agreement is a win-win for both sides.

Blank Page vi

Introduction: What is a CBA?

Community Benefits Agreements (CBAs) are legally enforceable contracts between developers and community representatives in which a set of commitments regarding a project's design, construction and implementation is agreed upon. Each side must uphold its commitments for the other to remain bound.

In the CBA process, community groups representing constituents in impacted neighborhoods and private developers or public entities—such as a transit authority—sit down together to lay out the parameters of the project and its potential impacts. By offering political support and agreeing not to engage in litigation (which might stall or derail the project), the community can gain invaluable access to the development process—including the ability to shape mitigation measures—to ensure that the project does not negatively impact quality of life for residents.

The community benefits by ensuring development helps, instead of harms, the neighborhood and its residents. Developers benefit by ensuring a less onerous Environmental Impact Review (EIR) process, and by building good will in the community.

History of CBAs

The forerunner of the CBA was a 1998 agreement involving the Alameda Corridor transportation project, a 20-mile railway linking the Ports of Los Angeles and Long Beach with downtown Los Angeles, in which the contractor behind the project agreed to provide \$5 million for job training and set aside construction jobs for low-income residents.²

Environmental Defense attorney Jerilyn Lopez Mendoza at the December 2004 announcement of a successful community benefits agreement for the expansion of Los Angeles International Airport. Los Angeles Mayor James K. Hahn at right.



ANDREW TAKEUCHI

CBA's were first used widely by the Los Angeles Alliance for a New Economy (LAANE). In 1998, LAANE worked with City Councilmember Jackie Goldberg to incorporate community benefits into the development agreement for the Hollywood and Highland project, a 1.1-million-square-foot commercial and entertainment complex in the heart of Hollywood. As a result, half of the 2,000 jobs at the development are living wage or union jobs; in addition, a local hiring policy for hotel and retail jobs was enacted.³

Other successful CBA's pursued by LAANE include the 2001 SunQuest Industrial Park CBA, in which the developer of this 33-acre San Fernando Valley industrial facility agreed to limit truck traffic and truck idling; donate toward a neighborhood improvement fund and a school arts program; set aside space for a youth center; and enact a first source hiring policy for all companies at the development, with a goal of 70% living wage jobs.⁴

These agreements have made their mark as problem-solving tools for Los Angeles communities blighted by development projects, and have inspired similar agreements in other metropolitan areas. CBA's have been created in Denver, Miami, Milwaukee, New Haven and Seattle, and Environmental Defense was involved in a CBA negotiated in New York City between Columbia University and the surrounding community as it relates to the university's expansion.⁵

Benefits for Communities and Developers

CBA's have been used to address development needs while at the same time compensating or bolstering communities that suffer disproportionate impacts of development. CBA's ensure that local residents share in the benefits of major developments. They allow community groups to have a voice in shaping a project and garner benefits tailored to their particular needs. CBA's also provide mechanisms for enforcing the promises of developers.

Frequently described benefits from such negotiated agreements include:

FOR COMMUNITIES:

Economic. Job training for local residents and first-source hiring programs that ensure local residents are afforded opportunities to work in new or expanded businesses. CBA's can also specify that jobs related to development and construction, or in the resulting tenants and retailers, be consistent with local living wage ordinances.

Housing. The construction of affordable housing to replace housing lost to development, or to supplement existing housing. Project developers may pledge money towards housing development, contribute to the local jurisdiction's housing fund or establish a revolving loan fund to be used by nonprofit housing developers.

Open space. Communities already lacking open space, parks or other green space may be further diminished by development projects. CBA's can mandate that a developer pays for the purchase, construction or upgrading of green space within the project area or in nearby neighborhoods.

Environmental. Development projects aimed at attracting tourists, or at expanding commercial or business capacity, may also increase traffic and pollution. CBA's can set

traffic limits to reduce health and quality of life impacts. CBAs have created partnerships between public agencies and communities to pursue air and health studies that determine the impacts of various operations. Developer guarantees to reduce emissions from trucks and equipment associated with long construction periods have been the subject of CBAs as well.

FOR DEVELOPERS:

An expedited process. Developers who have agreed to negotiate with community representatives can avoid having to communicate with groups or residents individually. A CBA coalition provides a one-stop shop for community outreach, and helps the developer to hear a more united message from the community.

Political support. By engaging the community instead of warding off lawsuits; by presenting a positive public image; and by having groups rally their support, developers may have an easier time convincing politicians to sign on to a project, and to provide economic incentives or other support for the project.

Public backing. The community is more likely to support future projects, and to tolerate day-to-day inconveniences during construction, if the development provides benefits to the community and has a more positive image.

Ease of operation. In some cases, community groups can be helpful throughout the life of the project; for example, the LAX CBA features a first-source hiring provision that allows for pre-screened job candidates, assisting in human resources operations at the airport.

The two case studies that follow represent CBAs recently negotiated and signed in the Los Angeles area in which Environmental Defense was integrally involved. While there are strategic differences in these two instances (the Staples Center CBA was negotiated with a private developer, while the LAX expansion CBA was negotiated with a public agency), each offers important lessons for community groups and developers that could be widely applied.

Case study: Staples Center

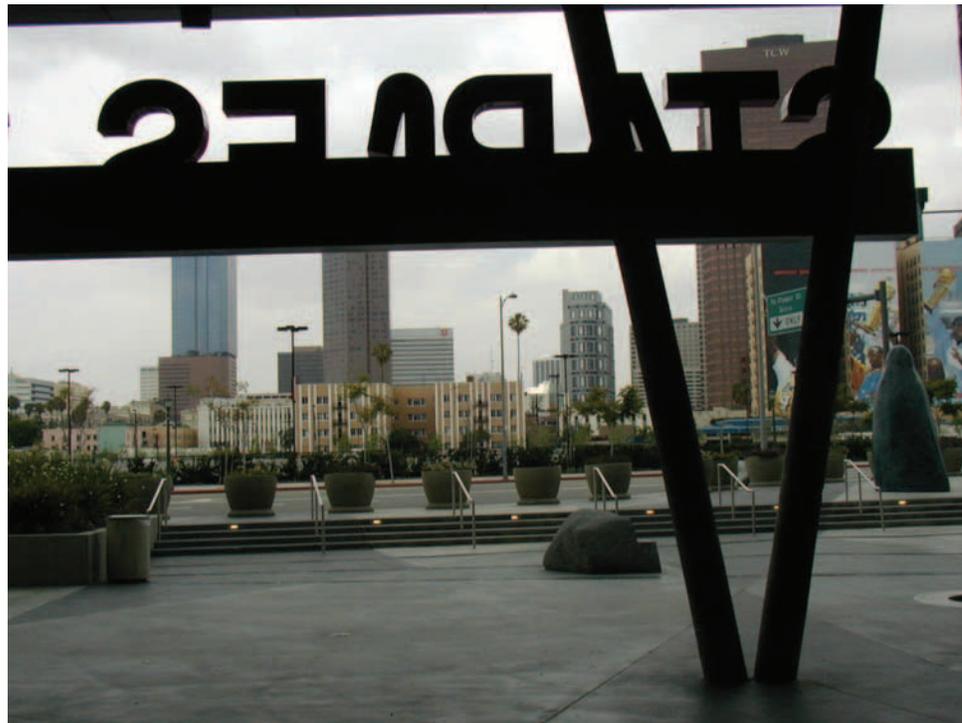
The Staples Center CBA, for the “LA Live” development project aimed at expanding the existing Staples Arena into a massive entertainment and retail complex, is one of the first successfully negotiated CBAs. The Figueroa Corridor Coalition for Economic Justice, a coalition of 30 community-based and non-profit groups representing impacted residents, negotiated the agreement with the project’s developer, the L.A. Area Land Company. The agreement was signed on May 31, 2001; construction on the complex is underway.

Background

In the neighborhoods that surround Los Angeles’ Figueroa Corridor, 36% of residents live below the federal poverty level. According to 1990 Census data for the 90015 zip code (where the Staples Arena is located), 91% of housing units are occupied by renters, not homeowners. The median household income for the area is \$15,656—half of the median household income for Los Angeles City (\$30,925). Nearly nine in ten residents are classified as Hispanic, and half have less than a ninth-grade education.⁶

There is a long history of uneven development in the community. The University of Southern California (USC), a private research university with more than 3,000 students, became the largest landowner within the corridor through the assistance of the Community Redevelopment Agency (CRA). In 1960 the agency established a redevelopment zone facilitating USC’s acquisition of 100 properties to meet student housing needs.⁷

From the Staples’ Center entrance, the view of apartment homes across the street from the area.



JERILYN LOPEZ MENDOZA

In 1999 the Staples Center Arena opened as a home for the Los Angeles Lakers and Los Angeles Kings, as well as a venue for a wide variety of events. The arena was built by the L.A. Arena Land Company, a partnership formed by Los Angeles Kings owners Edward Roski and Philip Anschutz. The company has since been renamed the Anschutz Entertainment Group, or AEG.

According to Environmental Defense attorney Jerilyn Lopez Mendoza, construction of the arena created hardships for the community of 200,000 primarily working-class Latino and African-American people: Multiple buildings of affordable housing were pulled down to accommodate the sprawling complex, displacing 200 families; maintenance deteriorated in those buildings whose owners hoped for a developer buyout; and residents of adjacent properties experienced dramatic rent increases, in some cases doubling. The asking price for homes tripled from the previous year.

Lopez Mendoza also notes that car accidents involving pedestrians doubled in the first year of operations at the Staples Arena and public drunkenness of Staples patrons after games and events became commonplace.

The project

The success of the Staples Center encouraged further development. In May 2000, plans were announced to expand the arena into an entertainment and convention center complex of approximately 4-million-square-feet, making it comparable in size to Chicago's Sears Tower. Expansion at USC was also projected as part of the overall approach. The \$1 billion plan was called "LA Live," and described as the equivalent of a "Times Square West."⁸

The new complex as first announced, would be completed in two phases and include a four star, 45-story, 1,200-room convention center hotel, as well as a second, smaller 600-room high-end hotel and 100 condominium units. Additionally, the development would include a 5,000-6,000-seat theater, an enlarged convention center, condominiums, office tower and a plaza for entertainment, restaurant and retail businesses. LA Live was a public-private investment, including funds from Rupert Murdoch's Fox Group and AEG.⁹

With the proposed expansion, residents feared that the problems they were currently experiencing with housing, congestion and vandalism would only get worse. The expansion would bring new traffic into the community and thus lead to more pollution. Instead of parks and affordable housing, land would be developed to meet the needs of tourists and commercial enterprises.

Residents also feared that the expansion would trigger a new wave of gentrification throughout the area, driving up property values further and likely displacing low-income residents. To further exacerbate the issue, the Democratic National Convention was held at the Staples Arena in August 2000, causing major inconveniences, from bus routes changed without notice to heightened security, increased crowds and congested traffic conditions.

The coalition

With the first news stories of the development plan, including an article in the *Los Angeles Times* on May 4, local activists began to take notice.¹⁰ Gilda Haas, Executive Director of Strategic Alliance for a Just Economy (SAJE), an economic

justice organization located in the Figueroa Corridor, started to organize tenants in the area of the proposed project.

SAJE grew out of a labor dispute at USC in 1996, when it organized USC employees, students, local clergy, community activists and neighborhood residents as the Coalition for a Responsible USC. In 1998, they successfully organized a series of protests and won the dispute in favor of labor.

Haas held a meeting with residents and several community groups in which she explained the development and started a discussion of whether or not it was the right kind of development for the community, imparting the sense to those present that this was an important fight. Although commercial development might bring money into the community, it was questionable whether that money would actually fuel meaningful change. Would the residents actually benefit, with increased employment and expanded services, or would they just get to deal with parking headaches and rising rents?

“We talked about their experiences with the convention and plans for organizing. We asked them: ‘If this was *your* money, what would you do with it?’” said Jerilyn Lopez Mendoza of Environmental Defense.

The sentiment expressed during the meeting was that a convention center or hotel was not what the people of the community wanted. High on their list were parks, libraries and better transportation. “Unsurprisingly, they wanted things that would make their community a better place and eliminate the blight that they faced every single day,” Lopez Mendoza said.

In coming together as a single group aimed at fighting the current plans for expansion, all of the groups involved had to agree to uphold the basic environmental and economic justice mission of the coalition. Among those who participated: Association of Community Organizations for Reform Now (ACORN); Action for Grassroots Empowerments and Neighborhood Development Alternatives

Community meeting of the Figueroa Corridor Coalition for Economic Justice in Central Los Angeles, fall 2000.



MISTY SANFORD

(AGENDA); Esperanza Community Housing Corporation; health advocacy groups; immigrant groups, including the Coalition for Humane Immigrant Rights of Los Angeles and the Central American Resource Center; neighborhood groups including USC student groups, such as Student Coalition Against Labor Exploitation; and the unions HERE Local 11 and SEIU Local 1877.

The new coalition of 29 groups called itself the Figueroa Corridor Coalition for Economic Justice (FCCEJ).

The negotiations

FCCEJ was ready to get to work and sit down at the negotiation table with AEG. They needed to be taken seriously by this private developer, which was not required to interface with the public. Negotiating with community groups was uncharted territory for AEG, and FCCEJ had to get their attention.

Because of the clout of its union membership, FCCEJ wielded a lot of political power. All five unions that were members of FCCEJ wanted to secure union contracts on the project. Instead of engaging in separate negotiations, the unions joined forces and negotiated as one large unit. Under the leadership of the Los Angeles County Federation of Labor, all of the individual unions pledged that they would not sign an agreement until everyone was on board, including FCCEJ.

AEG understood the power of unions in Los Angeles politics and was especially wary given this united front. They knew that the unions' influence with local government officials could jeopardize city approval of the project. The city's entitlement process ensures that the project complies with all city ordinances and design guidelines. It includes a lengthy review process and opportunities for public review and comment. "We needed to get significant community support in order to get through the entitlement process," said Martha Saucedo, director of community affairs at AEG.

The unions' strong backing gave FCCEJ important leverage in bringing AEG to the table; conversely, it also placed pressure on FCCEJ to negotiate a deal without alienating labor.¹¹

Another concern of the developer was the power of environmental and community groups to disturb the environmental impact review process. All new developments in the state are subject to the California Environmental Quality Act (CEQA). CEQA requires that a public agency, such as the City Planning Commission, evaluate a project's environmental impact. A draft environmental impact report (EIR) contains this analysis and must be prepared and circulated for public comment before construction can be approved by the government body. This final approval may be challenged in court by groups on the grounds that it does not meet CEQA's substantive and procedural requirements. A successful challenge forces the agency to repeat the EIR process to ensure that there is an adequate assessment of environmental impacts. The process is costly and time intensive for the agency.

One of the biggest omissions in the Staples Center's EIR was a lack of energy analysis.¹² Ironically, it was released in early 2001, following several months of rolling blackouts throughout the state, when the topic of energy shortages was front and center. FCCEJ pointed out the following in their EIR comments:

The discussion of energy impacts should explain why certain construction measures were incorporated in the project and why other measures were dismissed. Impacts to be evaluated

*include the project's energy requirements and its energy use efficiencies; effects on local and regional energy supplies and on requirements for additional capacity; effects on peak and base period energy demands; the degree to which the project complies with existing energy standards; effects on energy resources; and the projected transportation energy use and its overall use of efficient transportation alternatives.*¹³

The fact that the project required public financing gave the community considerable power to ensure responsible development.

The FCCEJ's EIR comments, supplemented with 40 pages of additional analysis, clearly demonstrated that FCCEJ could threaten to disrupt the entitlement process. Because the project required public financing, public hearings were required by law. At the very least, FCCEJ could use the public hearing process to ensure that the EIR appropriately accounted for impacts on the community and offered mitigations if the community was to be negatively affected by the project. An inadequate EIR and/or unwise project could be delayed by the community or derailed entirely—which gave FCCEJ considerable power.

Political timing was also on the community's side throughout the negotiations. A variety of political factors, including term limits, had converged at just the right time to enhance the Coalition's power. For example, the second and final term of Mayor Richard Riordan, a big proponent of the project, was nearly over. He asked for a fast-track permitting process in order to push the project through before the next administration took control in the summer of 2001. In addition, the City Council was slated to undergo change, with six of its 15 members due to retire because of term limits.

With the political landscape in flux, and with Riordan's desire to get approvals on the project before he left office, neither the developer nor the city wanted to delay. They therefore felt it was in their interest to sit down with FCCEJ, hoping the approvals process would move more quickly than if they had to undergo a drawn-out public hearing phase. They also hoped to avoid being forced to redo the incomplete EIR which would have been costly and time-prohibitive.

"We viewed it as a good opportunity to identify a comprehensive agreement," said AEG's Saucedo. "It was a way for us to establish an extensive relationship with broad-based groups [and] address concerns in a strategic and comprehensive manner."

FCCEJ met and agreed on a list of demands prior to sitting down at the table with AEG. FCCEJ members came from a wide range of backgrounds and wanted very different things. The unique blend of labor, environmental and community leaders led to an equally unique blend of ideas and asks. Deciding on the list of items was difficult, and FCCEJ did leave out some desired measures, such as a supermarket and childcare. They were looking at the bigger picture and a supermarket, for example, was already planned for the area in the near future.

FCCEJ established a negotiation team of between four and six people to represent the larger Coalition. Negotiators were experts in housing, jobs and park issues. Most were drawn from the staff of participating organizations. In addition, they brought in outside experts. FCCEJ recruited attorney Julian Gross to draft the language and to negotiate directly with AEG's attorneys.

Developing the appropriate criteria for being part of the negotiation team was a challenge. Although it was in the best interest of FCCEJ to have experts with formal training or experience in urban issues or general negotiating skills on the team, the strict criteria meant that vital grassroots presence was limited.

To bring this grassroots presence to the table, community leaders such as Enrique Velasquez of Strategic Actions for a Just Economy (SAJE) and Reyna Ibarra, Manuel

Pacheco, Lee Romero and Ana Valenzuela attended negotiating sessions, during which the negotiating team would caucus with the community leaders in the room. This ensured their participation in the process, and that they had a voice at the table.

Some groups dropped out along the way; they didn't feel comfortable with the lists of demands or had differences in ideology with FCCEJ. Every group brought something unique to the table, and they all faced limitations in time, staffing and expertise. FCCEJ members gave what they could and all committed to be involved in the fight for the long term—not just until the agreement was signed.

The negotiations began in February with a sit-down meeting with the developer. The two sides met once a week for around three months. Negotiations were formal in nature. FCCEJ members frequently used caucuses to discuss issues and to engage community grassroots leaders to ensure they had direct input into negotiations.

Negotiations were carried out by issue areas; the Coalition drew upon experts and relevant members as items came up. FCCEJ addressed everything from park space to affordable housing.

AEG and FCCEJ started with the easiest issues first and worked their way through the list of demands. Bottom lines were established, and the groups ensured that high priority items, no matter how difficult, were addressed. For example, affordable housing was a difficult measure to negotiate. For a group that originally organized out of the fear of gentrification, however, it was one of the most essential parts of the negotiation.

The CBA proved a significant win-win for all of the parties involved. The developer was helped through the entitlement process by eliminating opposition and giving back to the community. The community won a wide array of mitigation measures including park space and affordable development, and ensured accountable development for their neighborhood on their own terms.

Lopez Mendoza reports that there was a slight scaling back of the project attributable to the CBA negotiations: A request for 22 liquor licenses was reduced to four due to a concern about too much alcohol permitted in such a small space. The project was later scaled back after the events of September 11—which happened a week after the City Council approved the project—but current construction cost estimates now stand at \$2.5 billion.

Outcome: the final agreement

According to the agreement signed on May 31, 2001, the Community Benefits Agreement “will provide publicly accessible park space, open space, and recreational facilities; target employment opportunities to residents in the vicinity of the Figueroa Corridor; provide permanent affordable housing; provide basic services needed by the Figueroa Corridor community; and address issues of traffic, parking, and public safety.”¹⁴

Some notable aspects of the CBA include:

Job training and hiring. The CBA established a local hiring and job training program, with \$100,000 in seed money provided by AEG to be jointly administered through SAJE and the Los Angeles Trade Tech College (L.A. Trade Tech). SAJE identifies applicants based upon their income or status of displaced residents. Applicants can enroll in college credit classes that focus on job readiness, literacy, basic math skills and computer literacy at L.A. Trade Tech.

Hope and Peace Park in the Pico-Union neighborhood, a vacant lot residents used for open space purposes, before park development with Staples CBA funds.



ROBBIE LABELLE

Living wage. The CBA stipulated that the developer, as well as all contractors and tenants of the development, shall comply with the city's Living Wage Ordinance, with a goal of maintaining 70% of the jobs in the project as living wage jobs. The Coalition may also, if requested, meet with prospective commercial tenants before a lease is signed.

Housing. The CBA guaranteed affordable housing units, with a goal of 20% (or 100–160 units of a planned 500–800 units in the project), built either on-site or within a three-mile radius of the project. Relocated persons would receive priority for placement.

Parking. The Los Angeles City Council approved the first poor persons' preferential parking district, as called for in the CBA, on July 23, 2003. Although generally associated with exclusive neighborhoods, the district limited parking in the communities surrounding the Staples Center to mediate for the new congestion in the area. AEG also agreed to provide funding to the city to defray the cost of parking programs incurred by residents.

Street-level plaza. The project will include a street-level plaza of approximately one acre open to the public, as well as other publicly accessible open spaces, such as plazas, paseos, walkways, terraces and lawns.

Environmental planning. An advisory committee would address issues such as traffic, pedestrian safety, waste management, air quality and "green" buildings.

Open space. The CBA allocated \$1 million for park improvement and created an inventory of open space projects throughout the park-poor communities, assessing

the needs in areas surrounding the Staples Center Development, including the neighborhoods of Pico Union, Westlake and South Park. The inventory documented existing facilities as well as land acquisition costs, the cost of improving existing sites and additional funding sources.

Measuring success

The implementation process has gone according to schedule, and with few problems. Because the Coalition was working with a private developer, little in the way of politics was involved—AEG understood their contractual obligations and set out to implement these obligations as specified in the CBA. To ensure the continued involvement of the Coalition, meetings between AEG and the Coalition are held quarterly to monitor progress and address concerns.

A series of stakeholder and community meetings and youth workshops was also held to discuss the parks and open space needs assessment. One meeting at a local community center was attended by more than 200 people. Participants were divided into smaller groups and asked about existing parks and potential facilities, and queried on how they thought the money should be spent. This process helped identify the best projects—and therefore the best uses—of the \$1 million provided by AEG.

One of the parks identified by the process was Hope and Peace Park. Without funding, the park was in bad shape—basically a patch of green space lacking benches, tables and play equipment. AEG committed \$500,000 to transform the site with the construction of a play area, the enlargement of a basketball court, lighting, landscaping and fencing. A new and improved Hope and Peace Park was opened to the public in June 2007.

The assessment also pointed to needed improvements at Venice Hope Recreational Center, also located within one mile of the LA Live project area. AEG has made a \$500,000 commitment to the project. The facility is being developed by the Community Redevelopment Agency and the California Hospital Medical Center. The recreation center will be 24,000-square-foot and is designed to target at-risk youth aged 8-18 years. The facility will include indoor multi-purpose recreational space, instructional space and support space.

To measure the implementation of the CBA's living wage provisions, the developer is required to provide an annual report to the City Council's Community and Economic Development Committee detailing the percentage of jobs in the project that are living wage jobs. Timetables set at five and ten years from the date of the agreement are included in the CBA, at which time if the actual performance is less than 80% of the goal for two consecutive years, the developer will meet with FCCEJ to determine mutually agreeable steps necessary to meet the goal.

On the housing front, in August 2005 AEG completed construction of Mercy Housing, which includes 62 units of multi-family housing and a day care center for up to 52 children. Eleven four-bedroom units, 20 three-bedroom units and 31 two-bedroom units are targeted towards families at 60% or below the area's median income. In January 2006, construction was completed on Casa Shalom, providing 30 units of multi-family housing, all designated for families earning 50% or less than the area median income (AMI). AEG has begun construction on two additional projects that will provide another 74 units of affordable housing for the community.¹⁵

Lessons learned from the Staples Center CBA

1. Build upon existing stakeholders. Gilda Haas of SAJE ensured that groups joining the Coalition were in for the long haul. She started with the groups that were already mobilized to fight development in the area and built upon the existing Coalition for a Responsible USC; this made keeping FCCEJ members together easier.

2. Work directly with local residents. FCCEJ started by holding meetings and explaining the problems to residents, and conducted tenant organizing to help get the word out throughout the community. The buy-in from the local community helped to bolster FCCEJ's image in the eyes of City Hall and the developer.

3. Identify key negotiators. FCCEJ ensured that negotiations stayed on track by identifying certain key individuals as negotiators. These individuals were knowledgeable in a particular topic or brought to the table professional negotiating skills. This helped FCCEJ to build clout and to achieve meaningful results.

4. Research, data, and a willingness to use them count. FCCEJ was able to present a level of professionalism through extensive EIR comments—demonstrating to both the city and the developer that they were serious about fighting the project. The energy omission in the EIR was enough to convince the developer that FCCEJ could file a winnable lawsuit, and that was not a risk that they were willing to take. Instead, the developer chose to sit down at the table with FCCEJ.

5. Keep community leaders in the loop. FCCEJ made sure that the community's goals were met by ensuring that community leaders were present, participated in regular caucuses, and took part in decisions on how to move forward with the negotiation.

Case study: Los Angeles International Airport expansion

In Lennox, a community abutting the runways of Los Angeles International Airport, the noise of air traffic has been so loud and so disturbing that at least one school has built classrooms underground. Students learn in rooms without windows, and anecdotal evidence from coaches suggests that those who try out for athletic teams must overcome a high incidence of asthma attacks in the community that might be linked to diesel air pollution attributable to airport operations. Studies have shown that high levels of diesel emissions in Los Angeles increase residents' risk of asthma, cancer and premature death.¹⁶ The threat is very real.

The story of the expansion plans for LAX is also the story of the LAX Coalition for Economic, Environmental and Educational Justice (the "LAX Coalition"), a group of well-organized community leaders, representing people of color and economically poor populations, against a proprietary city agency with sweeping political influence.

The story has a mostly happy ending: The commitments made by Los Angeles World Airports to the LAX Coalition in the final CBA include mitigation measures and community benefits totaling around \$500 million. Despite this success, implementation of these measures will prove to be difficult and the LAX Coalition faces many political obstacles along the way. Nevertheless, it is a triumph for the adjacent community that has for too long borne the brunt of airport operations.

Background

Los Angeles International Airport (LAX) occupies 3,425 acres of Los Angeles on the Pacific Coast, approximately 15 miles southwest of the city's downtown district.

Plane flies over the community of Lennox. Although there is a curfew on air traffic between 11pm and 6am, it is rarely observed by the airlines using LAX.



ANDREW TAKEUCHI

Coaches in the area report high instances of asthma and even emphysema among student athletes.

It is the fifth busiest airport in the world in passenger traffic, and the seventh busiest in cargo.¹⁷

The communities surrounding the airport include the City of El Segundo to the south; the Westchester neighborhood of the City of Los Angeles to the north; the City of Inglewood to the northeast; and the unincorporated community of Lennox to the east.

The communities adjacent to the airport are largely low-income communities of color. According to the 2000 Census, Inglewood was just over 47% Black or African-American and 46% Hispanic.¹⁸ In 1999 the per capita income for the city was \$14,776, with 22.5% of the population living below the poverty line.¹⁹ Lennox is nearly 90% Hispanic or Latino.²⁰ Lennox has a per capita income of \$8,499, with 31.5% of the population living below the poverty line.²¹

These communities have suffered for years from the pollution and noise attributable to airport operations. According to Maria Verduzco Smith, President of the Lennox Coordinating Council, coaches in the area report high incidences of asthma among student athletes. The anecdotal evidence is backed up by hard science. EPA studies have indicated that diesel pollution has been linked to decreased lung capacity in children.²² Even the airport's own environmental analysis indicated that "the health effects associated with these pollutants (nitrogen dioxide and sulfur dioxide) particularly chronic respiratory diseases such as asthma, have been found to be prevalent among certain minority populations who have less access to healthcare."²³

The project

In 2001 a new airport expansion plan was announced by Los Angeles World Airports (LAWA), 17 years after the airport was last modernized for the 1984 Summer Olympics. The proposed "LAX Master Plan" promised both increased passenger capacity and greater security. Gates would be reconfigured to accommodate 90 million annual passengers, up from its current traffic of 61 million, and larger plane designs. The Tom Bradley International Terminal (TIBIT) would also be reconfigured. A new ground transportation center would be built at the northeast end of the airport, providing parking and passenger curbside drop-off and pick-up, and the location of several runways would be moved south.

The plan initially proposed doubling the airport's cargo capacity, from almost 2 million tons to more than 4 million, but ultimately settled for expanding to 3.1 million tons. This includes a projected increase of air cargo activity from 23,000 airplane visits annually to almost 36,000 visits annually.²⁴

The airport is used by the entire county and beyond. However, while the expansion and modernization project would on the whole benefit the greater population of Los Angeles and Orange counties, the adjacent communities that suffer the daily impacts of airport operations—noise and air pollution and traffic congestion—would likely find those problems exacerbated.

Increases in cars traveling to and from the airport, more planes and more equipment to keep up with capacity would mean more pollution and more noise. This threatened to pose grievous health problems for nearby residents, as diesel pollution, which comes from multiple sources at the airport, like the rental car fleets, is directly linked with public health problems. Studies have concluded that 70% of

the cancer risk from air pollution for people living in the Los Angeles air basin is due to diesel particulate emissions.²⁵

The disproportionate effects on the adjacent community can be seen at Felton Elementary School, part of the Lennox School District, located directly in the flight path of planes. There, the sound is so deafening that children sit in classrooms with no windows. Instead of installing expensive double-paned glass, the school district was forced to cover up windows to lessen the noise and to keep students focused on their schoolwork and lectures. Without mitigation money from the airport, the school district could not afford to appropriately renovate classrooms. Worse yet, coaches in Lennox report anecdotal evidence of high instances of asthma and even emphysema, most likely caused or worsened by the pollution attributable to airport operations—jets, buses, cars and equipment.

The coalition

Attorney Jerilyn Lopez Mendoza started to monitor the proposed expansion as soon as she took the position of policy director for Environmental Defense’s Living Cities program at their Los Angeles office in mid-2000. She considered the obvious plan of attack for the environmental justice (EJ) community: A Title VI complaint under the Civil Rights Act of 1964. “Based on LAWA’s own analysis of the expansion—more cars, more trucks, more people—it would have a disparate impact on people of color,” Lopez Mendoza said. “With a Title VI complaint, once the plaintiff proves their decision impacts people of color, it is incumbent on LAWA to prove that there was no other, less discriminatory plan.”

In the early 1990s, Title VI had been successfully used in federal court by environmental justice and civil rights plaintiffs in Los Angeles to challenge raising bus fares

Plane flying over Buford Elementary School in Lennox, near LAX. On average, planes fly over approximately every two minutes during the school day.



ANDREW TAKEUCHI

and diesel bus purchases by the Los Angeles Metropolitan Transportation Authority. Thus, there was a short but positive history of the use of Title VI in Southern California, and in early 2001 several attorneys had informally discussed possibly using it to fight LAX expansion.

At first, a Title VI strategy seemed feasible, given the 2001 positive decision in *South Camden Citizens in Action v. New Jersey Department of Environmental Protection* (where a U.S. District Court judge issued an injunction preventing the citing of a cement plant because of its environmental justice implications),²⁶—and a solution looked no further than Orange County, the next county over.

One-third of LAX passengers come from Orange County; none of them would absorb the negative impacts of increased airport operations. Lopez Mendoza planned to argue that instead of expanding LAX, an international airport should be built in Orange County, at the former El Toro Air Force Base. But Orange County opposed the idea, and passed a City Council ordinance stating that any proposal to build a prison, waste incinerator or airport needed to pass by a two-thirds majority of the electorate, an unlikely proposition.

But in April 2001, less than a week after the remarkable *South Camden* ruling, the United States Supreme Court tossed a wrench in the works with its decision in *Alexander v. Sandoval* (2001). The Supreme Court held that Title VI did not give rise to a private cause of action, which means that only public agencies (rather than private citizens) can file suits based on evidence of disparate impact.²⁷ With a Title VI lawsuit no longer in the cards, “We were flat-footed on how we would fight the expansion,” Lopez Mendoza said.

And then September 11 happened.

The event changed the political environment, with the airport now seen by then-Mayor James Hahn as a national symbol of economic prosperity and commercial development. Increased security and efficiency, now at the top of the agenda, could be achieved through “airport modernization.” The mayor had full latitude to support an expansion plan, and although only 2% of residents in the surrounding, largely economically challenged areas benefited from airport jobs, the regional and national importance of the airport seemed to trump those concerns. Expansion seemed inevitable.

Researcher Nancy Cohen and community organizer Maria Loya of Los Angeles Alliance for a New Economy (LAANE)—one of the most influential nonprofits in Los Angeles, which primarily focuses on labor issues—set up a breakfast meeting with Lopez Mendoza to discuss the airport expansion project, to convince her that the time and conditions were right to negotiate a CBA. Lopez Mendoza was familiar with the concept of the CBA because of her involvement with the Staples Center expansion plan. However, she had not previously considered using the CBA in this case.

“I was floored,” Lopez Mendoza said. “It was not something that I had toyed with because the CBA had only been used with private developers. As I started to think about it, the idea got more attractive as a legal matter.”

With Title VI no longer an option because of *Alexander*, Lopez Mendoza had considered turning to the California Environmental Quality Act (CEQA). But she felt that suing under CEQA, under the best scenario, would simply overturn the EIR, necessitating a new EIR and consequently putting the process back to square one. This would merely stall an inevitable project, and would not likely yield a mutually beneficial outcome for the airport and the adjacent communities. Pursuing

Some city council members publicly pledged that they would not vote for a multi-billion dollar airport expansion without a CBA.

a CBA seemed to be more advantageous, and would give opponents a better opportunity to have a longstanding—and continuing—impact. “Once the CEQA process is done, all of the juice is gone,” Lopez Mendoza said. “With the CBA, we would have a say in the implementation plan. We would have oversight and accountability.”

There was some early political support for the CBA. Miguel Contreras of the Los Angeles County Federation of Labor, a notable labor leader and strong ally of LAANE, who also served on the Board of Airport Commissioners, supported the idea of the CBA. Given previous successes with CBAs in the city, there was some early, growing support on the City Council—so strong in fact that some City Council members publicly pledged that they would not vote for a multi-billion dollar airport expansion without a CBA.

“They liked the idea that the people impacted would get a piece of the pie,” Lopez Mendoza said. “The CBA would build a better project and reduce the number of opponents. The fewer opponents they have, the less delay from lawsuits.”

The CBA would also be a great tool for LAWA. They wanted to get the project done and needed political support to do it; the CBA would help by eliminating major threats of litigation. And more than that, the CBA would bring together all relevant stakeholders in one place. Airport officials would not need to go door-to-door to each group to put out fires.

Lopez Mendoza and LAANE were convinced that the CBA could work. The challenge remained to convince others of this new approach. It was important to get a broad swath of representatives from the impacted areas, especially people from the most impacted communities of Inglewood and Lennox, on board. Between February and June of 2003, Lopez Mendoza and LAANE brought a breadth of knowledge about organizing and research to work by talking to churches, civic groups and school boards. “We looked at organizations that had previously fought against airport expansion and were traditional partners,” Reverend William D. Smart, Jr. of LAANE said. “We did our research on who had previously responded negatively on the EIR.”

The LAX project was big enough in scope that there was no denying its significance, and consequently there was no lack of interest from groups, such as the Natural Resources Defense Council (NRDC), which had a strong background in suing over environmental issues; Coalition for Clean Air, which had successfully sued the Port of Los Angeles and therefore had experience dealing with large proprietary agencies; California Environmental Rights Alliance (CERA), which brought technical expertise and clout throughout the environmental justice community; Communities for a Better Environment (CBE), which had done some peripheral organizing around the airport; Physicians for Social Responsibility-Los Angeles (PSR-LA), which was well-versed on environmental health concerns; and Community Coalition for Change (CCC), which was focused on environmental justice and was the most site-specific community-based organization (CBO) out there.

Lopez Mendoza, Rev. William Smart, Jr. and members of LAANE sat down with these and other groups over the summer and early fall of 2003, including large group meetings held on June 23 and September 11, and explained the problems and the use of the CBA as the solution. The groups were encouraged to do some initial brainstorming about what they hoped to achieve from the CBA. “There were around 30 people at the first meeting from nonprofits, churches, communities in affected areas, and politicians,” said Shabaka Heru of the Community Coalition for Change.

“Nobody was clear on what we were going to do and how we were going to do it. [So] we decided to use the Staples Center as a pattern, or a model.”

The CBA soon started to make a lot of sense: Most felt that the airport expansion would happen whether they liked it or not, so the CBA would at least give them the opportunity to have *some* impact on the process and ensure that some mitigation measures would be adopted by the airport. One LAX Coalition member that sought to have that kind of impact was the Lennox Coordinating Council.

Maria Verduzco Smith, president of the Lennox Coordinating Council, was the closest the community had to locally based representation. Since Lennox is an unincorporated part of Los Angeles County, Lennox’s citizens are not represented by the Los Angeles City Council, cannot vote for City Council members and are only represented by a County Supervisor who is accountable to the entire county. Smith was monitoring the situation and had attended meetings about the expansion. She understood the negative effects of airport operations, as well as the implications of intensifying those operations.

“Anything that would better our environment was a good thing,” Smith said. “Nine out of ten kids here that applied for sports teams have asthma. The more involved I got, the more I saw that this was going to benefit the community.”

The community of Lennox had a “good neighbor policy” with LAWA. This policy was non-binding, with no way to implement Lennox’s desires without a city attorney and a diligent City Council. By participating in the LAX Coalition, Smith (and the Lennox Coordinating Council) would be able to share their clout.

Not every community group saw it this way. There was some opposition to the CBA. It was a new concept, and some groups didn’t believe that the LAX Coalition

Coalition members

SCHOOL DISTRICTS

Inglewood Unified School District
Lennox School District

COMMUNITY ORGANIZATIONS

Action for Grassroots Empowerment
and Neighborhood Development
Alternatives (AGENDA)
Clergy and Laity United for Economic
Justice
Community Coalition
Community Coalition for Change
Inglewood Coalition for Drug and
Violence Prevention
Inglewood Democratic Club
Inglewood Ministerial Alliance
Lennox Coordinating Council
Los Angeles Alliance for a New
Economy
Los Angeles Council of Churches
Los Angeles Metropolitan Churches
Nation of Islam

ENVIRONMENT/ENVIRONMENTAL HEALTH

California Environmental Rights
Alliance
Coalition for Clean Air
Communities for a Better Environment
Community Action to Fight Asthma
Environmental Defense/Environmental
Justice Project
Natural Resources Defense Council
Physicians for Social Responsibility
Los Angeles

LABOR UNIONS

Hotel Employees and Restaurant
Employees Local 11
Service Employees International Union
Local 1877
Service Employees International Union
Local 347
Teamsters Local 911

“Everyone was making nice the first time that we sat down together. Airport officials didn’t understand what it was we were asking for. They didn’t understand what it was that we were getting into.”

Jerilyn Lopez Mendoza

would achieve its goals. Some groups were also wary of teaming up across issue areas: They had a set group of allies, and were unwilling to trust other groups with differing interests in the process. “A lot of people saw it as selling out in a negative way,” said Heru of the Community Coalition for Change.

Some groups like NRDC were initially resistant to the approach because it meant relinquishing their right to sue. Others were concerned about participating in a coalition containing—even led by—non-traditional allies. “Everyone has to understand that everyone brings self-interest to the table,” Rev. Smart said. “We explained the connections through a holistic approach. We cast a wide net and showed that this is a win-win.”

Galvanized by Rev. Smart’s efforts, the LAX Coalition mobilized community members to become involved and show their strength. Rev. Smart went out to other groups’ meetings and talked to them about the CBA. The groups that ultimately signed on to the effort represented a wide range of interests and concerns.

“The community brought leverage to the situation,” Rev. Smart said. “The will of the community was mobilized—they understood their self-interests.”

By mid-September 2003, the essential participants had gathered—25 groups strong.

In July-August 2003, the EIR was circulated among LAX Coalition members for comments and feedback. Groups contributed 40 pages of comments throughout the late summer and into November.

The negotiations

As the negotiations neared, LAANE began to put pressure on the Mayor’s office to support the CBA, as well as to set up a formal negotiating process. In fact, the LAX Coalition had some powerful political figures on its side who were enthusiastic about the CBA as a new and effective problem-solving tool. “Politicians wanted a reason to pass modernization,” Rev. Smart said. “The CBA gave them the ‘out’ that they needed.”

This political support could be helpful if, for example, LAWA resorted to stalling tactics. Since LAWA held bi-monthly meetings with the City Council, they might expose themselves to blowback from the LAX Coalition’s allies there. Throughout the negotiation process, the LAX Coalition was aided by the Mayor’s strong interest in the project. “This was Mayor Hahn’s pet project,” Heru said. “He was helpful and aggressive and made our work easy.”

On the other side of the table, LAWA feared bad press during the negotiations and the ramifications to their project should media reports color their project negatively. The LAX Coalition agreed not to publicize the negotiations, keeping the CBA talks confidential; this encouraged LAWA that they could avoid potentially uncomfortable questions about community unrest from the media.

In February 2004, the LAX Coalition had their first sit-down meeting with LAWA. The negotiations for the Coalition were lead by Rev. Smart of LAANE. Jim Ritchie, the Deputy Airport Director, was the principal negotiator for LAWA. The two struck a good balance and were skilled at keeping the negotiation process together.

As the LAX Coalition’s lead negotiator, Rev. Smart was present at all sessions. He managed negotiations, opened and closed each session, kept the process moving, called caucus breaks, organized the negotiating team’s de-brief and communicated with the LAX Coalition and other key allies.

The negotiating team was divided up into three main groups: Environmental/community, jobs and small business, and education. A plan for negotiations was outlined in February 2004. The objective stated: “Ensure that every negotiation includes representative of interested organizations, expert, community members, consistent person across area, and recorder. Negotiate by subject area in order to take advantage of expertise and to efficiently allocate resources of each organization. Each demand will be assigned to one of the sections, and the section will then be responsible for negotiating that item.” The negotiating team became the ones moving their interests forward on a day-to-day basis.

The amount of time spent negotiating varied from week to week. At the start of the process, the weekly negotiations were long: seven or eight hours.

The LAX Coalition began by presenting a list of programs and studies that the airport could do in order to mitigate damage attributable to airport expansion. The initial list was comprised of the earlier EIR comments submitted by the groups. These composed the “wish list” of all of the mitigation measures and programmatic components that the groups wanted. “It was a representative document,” Lopez Mendoza said, “and a closed universe”—meaning the list was final.

The LAX Coalition had set up internal protocols for the negotiation process, deciding the following:

- a) They would not go back to issues that had been previously finalized with LAWA;
- b) They would issue only official statements and never accept anything that they had not previously reviewed and brought back to the Coalition;
- c) An agenda would be submitted at each session for the next session; and
- d) Issues would be subdivided so that momentum could be maintained in the face of delays.

Experts, both from within the LAX Coalition and hired consultants, were brought in on an as-needed basis. Key LAX Coalition members had the technical expertise

Negotiating team by section

Environmental/community	Jobs/small business	Education
Negotiates: environmental technology; environmental mitigations; environmental justice issues; community benefits related to EJ; health programs	Negotiates: all job access and training; labor standards; worker health issues; business opportunities; extension of labor ordinances; residential soundproofing	Negotiates settlements for school districts
Reverend William D. Smart Jr., LAANE	Reverend William D. Smart Jr., LAANE	Reverend William D. Smart Jr., LAANE
Nancy Cohen, LAANE (recorder)	Nancy Cohen, LAANE (recorder)	Nancy Cohen, LAANE (recorder)
Dr. Joe Lyou, CERA	Susan Minato/Beatriz Silva, HERE Local 11	Bruce McDaniel, Lennox Unified School District
Jerilyn Lopez Mendoza, Environmental Defense	Danny Tabor, Inglewood Coalition for Drug and Violence Prevention	Inglewood School District Representatives
Maria Verduzco-Smith, Lennox Coordinating Comm.	Marqueece Dawson, Community Coalition	Attorneys (one for each school district)

The CBA went a step past litigation, providing a forum for developers to reach out to the community. It was also a way to get necessary political support.

necessary; Dr. Joe Lyou of CERA was one of the leaders on the environmental side. In addition, the Coalition hired toxicologists to come and testify.

According to Lopez Mendoza, LAWA seemed genuinely confused and surprised both by this level of professionalism and by the task before them. The airport had never expected to work so closely with community groups. As they learned, the CBA negotiation was not about educating the community on a project, or simply getting feedback; it was about viewing the Coalition as an equal at the negotiating table. “They were baffled at first,” Lopez Mendoza said. “We spent the first two months helping them get over their shock and confusion about what we wanted. Two months in, they understood that this was a negotiation and not just meeting with stakeholders.”

The Coalition surprised themselves by their effectiveness and level of professionalism. “As it developed it became better than I had imagined,” Heru said. “I think that we underestimated our own power. We got a lot of things that we wanted, [and] we got some things that we didn’t anticipate.”

As Lopez Mendoza notes, over time the Coalition began to win LAWA’s respect: “They appreciated that we were consistent in terms of the people who showed up and the fact that we were prepared and professional.”

Because the approach was so new, the Coalition had to strategize as they went along. They were constantly surprised by what mitigation measures were easily agreed upon and which were bones of contention. One of the most surprising areas of difficulty was integrating green building practices.

“I was shocked, I really thought that this was going to be easy,” said Lopez Mendoza. “Even though there are no LEED [Leadership in Energy and Environmental Design] standards for airports, I thought that we could adapt existing LEED standards. They didn’t want to agree because they thought that there was too much speculation about cost. Even if there was increased cost, I thought that this would be something historic. This was one of two or three specific things that the airport could get PR about. It would save energy in the long run and be an opportunity to win on all sides.”

Generally LAWA argued on the basis that the mitigation measure was too costly. They often misplaced blame, claiming that the negative effects (be they air pollution or otherwise) could not be entirely attributable to them, or that there was no way to prove that airport operations were the cause in an environment plagued by unrelated traffic and a bevy of urban problems.

“They would say, ‘We don’t have to do this, go and file a lawsuit. We are in the business of moving goods and people. It is not our job to address health concerns,’” Lopez Mendoza said. “They would also often plead ignorance.”

LAWA used a variety of typical negotiating tactics: canceling meetings at the last minute; sending responses at the last minute so that the Coalition would not have time to strategize; or unexpectedly changing the topic and consequently catching the Coalition completely off-guard.

“We got close to walking out—one session we cancelled because we were so annoyed,” Lopez Mendoza said.

LAWA’s most powerful tactic was the use of their communicative power with the FAA and the revenue diversion rule, which states that airport revenue cannot be used for funding of non-airport-related purposes. It was designed to stop abuses by the city, which in the past had raided airport funds to balance its budget.

For the LAX Coalition, it became a case of “Be careful what you wish for.” The airport would claim that there was not a close enough nexus between the program

requested in the LAX CBA and airport operations. The FAA would therefore overturn the LAX CBA as a violation of the revenue diversion rule. The revenue diversion rule states that there must be a close nexus between airport operations and the expenditure of airport revenue. This prohibits the airport from spending funds on general economic development goals or from using revenue patching up holes in the city's general fund. Therefore, even if a contract was penned between the LAX Coalition and LAWA, the FAA could easily cancel it if they unilaterally determined that the mitigation was not closely related to airport operations and therefore violated the rule. This was a bargaining asset for LAWA; a means to shift the blame onto the FAA for rejecting programs they hoped to eliminate from the LAX Coalition's wish list. "They would say, 'We want to help you guys, but we are at the mercy of the FAA,'" Lopez Mendoza said.

Acceptance of a toxic emissions inventory, which would help determine what air pollution was attributable to airport operations and what was produced by nearby freeways and refineries, also proved difficult for the same reason. It was an important item on the list for Lopez Mendoza and other environmental activists, but the airport argued that they did not think the FAA would approve of it.

In fact, getting approval from the FAA proved to be one of the most difficult aspects of implementation.

"The FAA regulates business and protects the airlines," Jim Ritchie of LAWA said. "Anything that degrades or that contradicts the FAA and is contrary to the FAA's mission."

Even despite these tactics, the very fact that these two groups were able to sit down at the table together was notable. The relationship, however tense, was not completely adversarial.

In the past, the relationship between community groups and government bodies or developers was strictly adversarial; just about the only way to engage was through litigation. The CBA went a step past litigation, providing a forum for developers to reach out to the community in a systematic and comprehensive manner. It was also a way for the airport to get necessary political support for their modernization project.

"When you have a big project that you have to seek outreach support for from various stakeholders, you need to go out and track them down," Ritchie said. "The CBA is a one-stop shop. Benefits were predicated on the Master Plan that would be approved. If the LAX Coalition works hard to support our program, then the benefits will be directly proportional."

"We knew that what we were doing was difficult for them," Lopez Mendoza said. "William [Smart] and Jim [Ritchie] both believed that we hadn't put this much time into it to fail. There was not a time where either of them lost their temper. Our leaders were always focused and calm."

There also was an understanding that not everything the LAX Coalition asked for would be possible. "It was well understood at the end of the day that there were limitations on where and how to spend the money [and] the Coalition understood that," Ritchie said.

Although LAWA and the LAX Coalition clearly wanted separate and often completely dichotomous things, they both wanted an agreement. On February 15, 2005, the CBA and cooperation document were signed by the LAX Coalition groups and LAWA. The cooperation document is the legally binding contract between the LAX Coalition and LAWA; the CBA serves as an attachment to the

cooperation and describes all of the programs and policies agreed on in the cooperation agreement.

Outcome: the final agreement

According to the agreement, the “community benefits agreement sets forth (1) a range of community benefits and impact mitigations that will be provided by the Los Angeles World Airports as part of the LAX Master Plan Program, and (2) an ongoing role for the LAX Coalition in implementation and oversight of these benefits and mitigations.”²⁸ The CBA includes residential noise mitigation, job training, a first-source hiring program, a living wage, an air quality study, a health study, green building principles, traffic, community preparedness for an airport-related emergency, designated airport funds and a miscellaneous section.

Some notable aspects of the CBA include:

Noise mitigation. The airport will contribute nearly \$4.3 million for Inglewood and \$4.3 million for Los Angeles County beginning in fiscal year 2004-2005. Soundproofing of places of worship would be expedited. An expanded soundproofing program would also begin. Interior noise would be reduced to a Community Noise Equivalent Level (CNEL) of 45 decibels or less in blocks eligible for noise reduction.

Air quality study. LAWA will fund a study, conducted by an independent expert, of toxic air contaminants and criteria air pollutant emissions from jet engine exhaust and other emission sources.

Construction on the new LAX runway. Equipment is filtered to reduce air pollution thanks to the CBA.



ROBERT NICKELBERG

Improving air quality. Aircraft gates will be powered by electricity under a schedule of mandated electrification provided for in the CBA. First, all construction completed after the effective date of the CBA will be equipped to provide electricity to parked aircraft beginning with the date of initial operation. Three years after the 2005 signing of the CBA, at least 50% of the passenger gates at LAX will be equipped to provide electricity to parked aircraft. Finally, five years after the effective date, 100% of passenger gates at LAX will be providing electricity to parked aircraft. Electrified cargo operations will be phased in via a similar timeline.

Health study. LAWA will fund a study measuring the impacts on upper respiratory systems and hearing loss impacts resulting from the LAX Master Plan Program.

Job training program. The airport will provide \$15 million over a five-year span to fund training for airport jobs, aviation-related jobs and pre-apprenticeship programs. Resource providers will include local and neighboring Workforce Investment Boards (WIBs), the State of California, the County of Los Angeles, the Los Angeles Community College District and the Los Angeles Unified School District. Funds will be predominately made available to low-income individuals who have lived in the project impact area for at least one year, special needs individuals, low-income individuals and individuals working in airport jobs or aviation-related jobs. Programs will include job readiness programs, skills development, career ladder programs and incumbent worker training.

First-source hiring program. Targeted populations will be given priority for available airport jobs, particularly low-income individuals who have lived in the project impact area for at least one year and special needs individuals. Second priority will be given to low-income individuals living in the city. Employers will receive cost-free referrals of qualified applicants within this targeted population. LAWA will require airport contractors and lessees to participate in the program.

Community-based research study. LAWA agreed to undertake additional environmental review of the LAX Master Plan Program project components as they are processed for future approval.

Green buildings. LAWA agreed to include green building principles in all aspects of the LAX Master Plan to the extent that is practical and feasible.

The biggest fear was that the language in the CBA would allow LAWA to dismiss mitigations by simply stating that the option was not feasible—the “it just costs too much money” argument. To avoid the conflict, the LAX Coalition was careful to include a definition page at the outset that defined, for example, what is “operationally infeasible.” The cooperation agreement also included an entire section on enforcement.²⁹

Other stakeholders

The school districts of Inglewood and Lennox entered into a separate legal agreement with LAWA stemming from previously existing litigation. In the 1980s, the

Buford Elementary in Lennox has no windows to keep out the noise from overhead planes.



SEAN CROWLEY

school districts entered into an agreement with LAWA in order to mitigate damages attributable to airport operations. However, the mitigations pursued were not adequate to fully address more recent expansion. By negotiating the CBA as part of the LAX Coalition, these agreements were brought up to date through this new settlement agreement.

Although the negotiations were over and the CBA signed, the LAX Coalition's work was not complete. Still to be enacted was a plan for implementing the mitigation measures, which the CBA granted the Coalition the authority to oversee.

Some initial implementation steps were embedded into the CBA to avoid any delays. But a full-fledged implementation plan had not been created. This process was coordinated by Danny Tabor, who had been intimately involved throughout the negotiation process, and Flor Barajas-Tena, both of LAANE, who used the matrix of commitments and timelines to anticipate what was due. "It let us see what was coming up next," Tena said.

Since the CBA signing, the Coalition and LAWA have met monthly in order to move the implementation process forward. Tena developed implementation memos that she sends requesting information and updates during these meetings.

Implementation

The Coalition never was, and never will be, isolated from political forces. Even after the signing of the CBA, political winds will affect practically every aspect of the implementation stage. The mayoral election in 2005, for example, affected the pace of implementation. The CBA was a pet project of the previous Hahn administration. The Mayor and the City Council were staunch champions of the CBA, and Hahn's

“Once the airport approved [the CBA], we have to get the airport to do what they are supposed to do. We have to keep after them.”

Maria Verduzco Smith

appointment to the post of executive director of the airport, Kim Day, was supportive of the effort. With the arrival of a new mayor, former director Lydia Kennard (who was generally less in favor of the CBA) was reappointed as Executive Director of the airport. Coalition members and airport officials were concerned that all of their hard work would be nullified if they received no support from above during the implementation stage. “It took a while for the new administration to understand that this was the right thing to do,” Ritchie said.

The political scene was further complicated by a settlement agreement between stakeholders and LAWA. This group was comprised of the City of Inglewood, City of El Segundo, County of Los Angeles and the Alliance for a Regional Solution to Airport Congestion (ARSAC), who were not partners in the CBA. Advocating a regional approach, they wanted to stop the expansion completely. On January 6, 2005, they filed a CEQA lawsuit claiming that the EIR was insufficient.³⁰

A settlement was agreed to by the above parties on February 16, 2005.³¹ The litigants won a specific plan amendment study governing the LAX Master Plan that will significantly slow down the planning and construction of the airport. In addition, they got capacity reduced from 163 to 153 gates, and accelerated money for residential soundproofing. The political effects of this litigation, however, were negative for the Coalition and costly in terms of stimulating positive change. The stipulated settlement agreement took valuable city staff time and slowed down the implementation of the CBA, which already contained 90% of the wins in the stipulated settlement agreement.

By far the biggest challenge for the LAX Coalition was the FAA, which needed to approve some of the CBA’s components in order to ensure that provisions did not violate the revenue diversion rule. FAA approval of the school settlement agreement has been difficult; referring back to the school districts’ 1980s agreement they did not see the need for an additional agreement. LAWA and the Lennox School District are discussing the FAA’s concerns and working on finding a way to move forward.

The job training program as outlined in the CBA was denied by the FAA as a violation of the revenue diversion rule. Nonetheless, the LAX Coalition is working hard to implement this, as well as a number of other programs that require FAA approval, including an air quality study.

Internal changes in the LAX Coalition are another challenge in maintaining momentum for implementing the CBA’s measures, and in keeping institutional memory. One such change was the confirmation of Jerilyn Lopez Mendoza to the Harbor Commission in September 2005. Lopez Mendoza’s appointment was part of Mayor Antonio Villaraigosa’s vision to make the Port of Los Angeles the greenest port in the nation. Although her involvement in the commission has been a positive move for the environmental community, city ethics rules prohibit her from talking to city officials about the CBA.

The LAX Coalition will continue to monitor and guide the process until the cooperation agreement expires in 2020.

Lessons learned from the LAX expansion project

1. The impacts are about people—make your case on a personal level. Lopez Mendoza and Rev. Smart, with the help of researchers at LAANE, systematically contacted all of the groups in the impacted communities and informed them about

airport expansion and the CBA. They started with those who had previously worked on similar issues, in addition to those that were natural allies of Environmental Defense and LAANE. Some groups, like NRDC, were essential to give the LAX Coalition additional political clout. By individually meeting with these groups, the case was made on a personal level, which proved highly effective.

2. Even early rejections can pay off. Several groups did not want to join the LAX Coalition at first—a few had fought the airport on their own and were unwilling to change their approach. Moreover, some of the groups wanted to join the LAX Coalition after some initial Coalition successes which caused other to feel that these newcomers were putting disproportionately less resources into the Coalition. Nonetheless, their later participation helped to further strengthen the LAX Coalition. Having established open lines of communication early on enabled the LAX Coalition to profit from these efforts at a later date.

3. It is important to make groups feel comfortable about their ability to commit, or not commit, to the group. In establishing the negotiating team and the steering committee, the LAX Coalition was able to identify those groups that were willing to expend more human and financial capital than other LAX Coalition members; they agreed at the outset that the project was a priority and their commitments were clarified early on in the project. Conversely, some groups like Heal the Bay generally supported the coalition, but didn't have the resources to actively participate.

4. Nurture the relationship between the negotiating partners. The LAX Coalition relied on Rev. William Smart to do much of the leg work for them. Rev. Smart arranged meetings with Jim Ritchie so that they could get to know each other and develop a working relationship based upon mutual respect even in the face of an adversarial negotiation.

5. Build and keep trust. Some members of the LAX Coalition developed relationships with LAWA staffers who shared some insider information. The information was never used explicitly against LAWA in negotiation sessions but helped set the context for negotiations.

6. Be steady in your demands. The LAX Coalition's negotiating team resisted the temptation to add additional mitigation measures as talks moved forward. This mark of professionalism earned LAWA's respect and trust and benefited the negotiations.

7. Look for support, even on the other side. The LAX Coalition found advocates within both the Board of Airport Commissioners and the City Council to lend legitimacy to their actions. They were also bolstered by mayoral support. It was obvious to LAWA that many policy makers saw the CBA as a positive and innovative way to expand the airport, as well as an opportunity to give something back to negatively impacted communities.

8. Keeping a low public profile raised the private profile. LAWA was afraid of bad press. They also knew that LAX Coalition members had relationships with the media and that if they angered those Coalition members by resorting to poor tactics or by

refusing to negotiate, the LAX Coalition would not be afraid to use the power of the press. By signing a confidentiality agreement with LAWA, the LAX Coalition gained a huge degree of trust.

9. Be flexible. The LAX Coalition was fluid in its approach by always having another topic or issue that could be addressed if negotiations were difficult in one area or if essential information gathering was needed by either LAWA or the LAX Coalition. The LAX Coalition was willing to move to another issue and use their research skills to find essential information in the interim.

10. Don't narrow down your "wish list" too early. At the start of the process, the LAX Coalition walked in with a list of 80 items pulled out of EIR comments on the Master Plan. This was quickly narrowed down to a short list of 30 possible mitigation measures. In some respects the LAX Coalition gave up too soon. For example, they let the airport convince them that certain measures would violate the revenue diversion rule. The item that topped the list of dropped issues was the asthma van. The LAX Coalition wanted the airport to pay for an asthma van to treat younger residents who were suffering from asthma, most likely attributable to airport operations. "We wanted a health van to check air quality illnesses for children at each of the schools," Maria Verduzco Smith said. "The airport said that it could not be held accountable."

11. Keep all communications open. Develop communications with the regulatory body, and do not allow your opponent to cut off communications with higher management levels that hold the ultimate approval power. The LAX Coalition did not maintain contact with the FAA. Consequently, they let LAWA dominate the discussion, and now have to accept LAWA's assurance that they are both sufficiently engaged, and accurately portraying the FAA's statements regarding the CBA to the LAX Coalition. "They (LAWA) were guarded about their connection," Rev. Smart said. "We should have developed some sort of relationship."

These last two points both adversely impacted the implementation phase, as the LAX Coalition's leniency removed topics from the table, while trusting the airport to communicate directly with the FAA prevented the Coalition from participating in the full discussions.

Steps toward a successful CBA negotiation

Step 1: Crafting a CBA coalition

CHALLENGE: GETTING RELEVANT ORGANIZATIONS TO PARTICIPATE

- **Start early.** Organizing coalitions takes time. Start early enough to have a strong and representative community voice in place by the time the regulatory clocks start ticking.
- **Start with a group of core organizations.** This includes groups that have previously worked on the same subject (or on similar subjects) and would be interested in this case. These groups are most likely to have the experience necessary and the willingness to contribute resources to the project.
- **Be respectful of their position in the field.** Barging in on a group's "territory" by proposing actions may elicit an adverse reaction from those already working on the issue. Speak to them first about their agenda in order to avoid stepping on their toes.
- **Then, cast a wider net to recruit others.** Bringing in groups of seemingly tangential interest will be easier if the "big guns" are already on board.
- **Be prepared to hear "Thanks, but no thanks."** Groups that lack interest or resources to contribute will likely express this sentiment at the outset. Don't be disheartened—it is better for them to walk away at the beginning than to have their lack of interest slow down the process later on.
- **Dot the i's and cross the t's beforehand.** Make sure the Coalition agrees on the fundamentals: a decision-making format, steering committees, lead negotiators, timelines, communication modes, etc.
- **Choose a strong lead negotiator.** This is the person with whom the opposing party will have the most contact.
- **Finally, establish each group's commitment level at the beginning.** It is important to agree upon how many resources (in terms of staff, time and finances) each group is willing or able to commit to the project, and to be open to differing levels of commitment. When going against a Goliath, many Davids will do—and they don't all have to be the same size.

CHALLENGE: GENERATING A LIST OF CONCERNS AND PROGRAMMATIC SOLUTIONS

- **Allow the initial communications to be broad and exhaustive...** Be conscious of different groups' self-interests throughout the process and make sure that their goals are represented relatively evenly throughout the discussions. Opening up the process early on is essential to establishing trust among the groups (some of which may never have worked together before).
- **... But make it finite.** Have the governing body (rather than other members of the coalition) vote down ideas or suggestions, to avoid feelings of competition.

- **Don't let issues be handled separately by members.** Allowing some issue to be negotiated separately by groups outside of the Coalition's negotiations may allow the coalition to splinter apart.
- **Make sure the coalition's mission statement is inclusive of participating groups' interests.** No single group's interests should be made to appear as if they are superseding all the others—or made to appear expendable.
- **Address all issues early on and craft a final, un-amendable list of concerns and programmatic solutions.** Groups need to clearly agree that the list of concerns and mitigation measures specified to be negotiated in the CBA is *final*. Groups should not be permitted to submit last-minute additions; this will avoid a slippery slope of late changes that can bog down negotiations or stall sign-off on the final CBA. The governing body should be held accountable to the same standard.

Step 2: Negotiating the CBA

CHALLENGE: OPENING UP LINES OF COMMUNICATION WITH THE OPPOSING PARTY/PARTIES

- **Get to know your opponent.** The negotiation process can be emotional, and it is important to nurture a mutually respectful, productive and non-antagonistic relationship with the opposing party. Getting to know the opposing negotiator (such as understanding their non-verbal cues) can be beneficial, and will help avoid misunderstandings that could develop into negotiating stalemates.
- **If possible, find a source of inside information.** Locating an ally on your opponents' side (perhaps a person lower down on the corporate totem pole than your fellow negotiator, but high enough to feed you information) can help you gauge the corporate or political mood during negotiations.
- **For developers: Identify potential negotiating team members early.** Make sure a decision-making process, especially among senior leadership, is in place from the start.

CHALLENGE: TIME

- **The earlier that negotiations start in project planning, the better.** In both the Staples and LAX cases, for example, community coalitions began organizing themselves *before* the environmental review process, and then geared up negotiations once the EIR data was available.
- **For developers: Build time for negotiations into your project timeline.** Negotiations aren't always easy or predictable, so be liberal in factoring time into your project schedule.

CHALLENGE: BUILDING AN INFORMATION- AND DATA-RICH CASE

- **Get the facts to evaluate impacts and solutions.** A clear list of impacts and potential solutions is needed on the community side. Sharing this information with project developers (particularly the effectiveness of specific solutions) is essential.

- **Use expert opinions and the experience of outsiders to validate your cause.** Obtain the participation of experts in relevant fields, to testify or contribute their knowledge, even if it means going outside the pool of the coalition's groups. In fact, getting an independent voice on who supports the community's goals will strengthen your case.
- **Addressing local concerns is key to progress.** The more the project changes to address local needs, the more likely those changes will win local support.

CHALLENGE: KEEPING THE NEGOTIATION PROCESS ON TRACK

- **Be fluid, to maintain momentum and to keep the morale of the coalition up.** It is inevitable that the negotiation process will hit snags from time to time. When that occurs, it is essential to have other issues ready to talk about in order to preserve momentum. Different individuals can be pulled from the negotiating team in order to address these varying issues. This will allow both your group and the governmental body to gather necessary information in order to reach a viable solution.
- **Don't be afraid to play the "bad cop."** Utilize (or *threaten* to utilize) lawsuits and negative press as a way to slow down the development process. When groups flex their collective power, developers and government can be scared enough by the costs (both financial and political) of a slowed-down development to want to move the process forward.
- **Remain focused on the big picture.** Don't get hung up by individual wins and losses. Identify which issues were successful and which were non-starters, and why—that will help guide your members as the negotiations become more detailed.
- **If you are forced to let one issue go, push harder on another.** Remember that compromising on a topic can be a useful bargaining chip in itself.

CHALLENGE: INVOLVING ELECTED AND REGULATORY OFFICIALS

- **Find an advocate within government willing to push your case.** Having a political advocate with the power to push the negotiating governmental body in your favor is invaluable. Gaining access to policy makers is one of the most difficult tasks for community groups (hence, the value of banding together in a coalition). Finding a policy maker who can argue favorably for your side is easier when done collectively.
- **Public officials should have a clear idea of the timeline and the potential for a result.** In cases where politicians have a dog in the fight (such as seeing that a particularly important development will be built rather than litigated away), they can become an ally.
- **Know the regulatory bodies.** Regulatory agencies may have a word or two to say about the mitigation measures, and perhaps even reject them entirely. Be sure to understand what agencies have authority or approval over the measures and be prepared to take the fight to them. Also, don't let the negotiating partner use the specter of requiring "outside approval" to prematurely drop a measure.
- **Open communications directly with the regulatory body.** This will give you better information and more control.

CHALLENGE: AVOID SPLINTERING

- **Negotiate for a full package.** The temptation to splinter coalitions by breaking issues apart can be strong. However, both sides can benefit by keeping the coalition together. (The developer resolves all issues in one large agreement that wins political support, and the community coalition's negotiating power is strengthened by commitments not to jettison core constituents' most important sets of issues.)
- **Develop media strategies to ensure a consistent message among coalition members.** Clarify communications among experts and key negotiators.

Step 3: Implementing the CBA

CHALLENGE: MAKING THE AGREEMENT BINDING

- **Consequences for breaching the agreement must be clear.** This may be achieved through a combination of contractual, political and judicial means. Different situations may present opportunities for integrating the CBA's terms into broader political agreements, permit conditions, legal settlements, etc.

CHALLENGE: MEASURING SUCCESS

- **Keep the negotiating partners together during the implementation phase.** The sign-off doesn't end the process; it merely changes it from a negotiation procedure into a monitoring and enforcement process. The presence of all parties will help keep implementation on track.
- **Work together during implementation.** For example, LAWA and the LAX Coalition worked together to select an independent contractor to monitor construction equipment on the runway, and LAWA staff worked to get a temporary contractor out on the runway as soon as possible.

Glossary of acronyms

ACORN	Association of Community Organizations for Reform Now
AEG	Anschutz Entertainment Group
AGENDA	Action for Grassroots Empowerments and Neighborhood Development Alternatives
ARSAC	Alliance for a Regional Solution to Airport Congestion
CBA	Community Benefits Agreement
CBE	Communities for a Better Environment
CBO	Community based organization
CCA	Coalition for Clean Air
CCC	Community Coalition for Change
CERA	California Environmental Rights Alliance
CEQA	California Environmental Quality Act
CNEL	Community Noise Equivalent Level
CRA	Community Redevelopment Agency
EIR	Environmental Impact Report
FAA	Federal Aviation Administration
FCCEJ	Figueroa Corridor Coalition for Economic Justice
LAANE	Los Angeles Alliance for a New Economy
LAWA	Los Angeles World Airports (LAWA)
LAX	Los Angeles International Airport
LEED	Leadership in Energy and Environmental Design
SAJE	Strategic Action for a Just Economy
TIBIT	Tom Bradley International Terminal
PSR-LA	Physicians for Social Responsibility Los Angeles
USC	University of Southern California
WIB	Workforce Investment Board

CHAPTER 6

List of people interviewed

Name	Position	Organization
Cipriano Colin	Business Representative	California Teamsters, Local 911
Gilda Haas	Executive Director	Strategic Action for a Just Economy
Shabaka Heru	Director	Society for Positive Action
Jerilyn Lopez Mendoza	Policy Director	Environmental Defense
Jim Ritchie	Deputy Executive Director	Los Angeles World Airports
Martha Saucedo	Vice President, Community Affairs	Anschutz Entertainment Group
Rev. William D. Smart, Jr.	Co-Director, Ports Campaign	Los Angeles Alliance for a New Economy
Maria Verduzco Smith	President	Lennox Coordinating Council
Flor Barajas-Tena	Policy Analyst	Los Angeles Alliance for a New Economy

Endnotes

- ¹ Compass Blueprint Fact Sheet, Southern California Association of Governments (SCAG), 2006. <http://www.compassblueprint.org/files/factsheet.pdf>
- ² Nona Liegeois, Francisca Baxa, and Barbara Corkrey, "Helping Low-Income People Get Decent Jobs: One Legal Services Program's Approach," *Clearinghouse Review*, September-October 1999.
- ³ Environmental Defense. www.environmentaldefense.org/documents/4172_LAX_CBAbackground.pdf
- ⁴ Los Angeles Alliance for a New Economy, SunQuest Industrial Park Project CBA. http://www.laane.org/docs/policy/cbas/cba_sunquest.pdf
- ⁵ "Will West Harlem's Future Be Green?", *Solutions*, Environmental Defense, July-August 2005.
- ⁶ Figueroa Corridor Coalition Comments on Draft Environmental Impact Report for Los Angeles Sports and Entertainment District, February 26, 2001, page 9
- ⁷ Scott L. Cummings, "Mobilization Lawyering: Community Economic Development in the Figueroa Corridor," UCLA Public Law Series, 2006. <http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1032&context=uclalaw>
- ⁸ Mobilization Lawyering: Community Economic Development in the Figueroa Corridor," <http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1032&context=uclalaw>.
- ⁹ "Staples Center Owners Propose \$1 Billion Entertainment Complex," Associated Press, May 4, 2000.
- ¹⁰ Jim Newton, "Staples Owners Propose Huge New Project," *Los Angeles Times*, May 4, 2000.
- ¹¹ "Mobilization Lawyering: Community Economic Development in the Figueroa Corridor," <http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1032&context=uclalaw>
- ¹² "Mobilization Lawyering: Community Economic Development in the Figueroa Corridor," <http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1032&context=uclalaw>
- ¹³ Figueroa Corridor Coalition Comments on Draft Environmental Impact Report for Los Angeles Sports and Entertainment District, February 26, 2001.
- ¹⁴ Community Benefits Program, May 31, 2001. <http://www.saje.net/atf/cf/%7B493B2790-DD4E-4ED0-8F4E-C78E8F3A7561%7D/communitybenefits.pdf>
- ¹⁵ AEG L.A. Live Community Benefits Program Status Update, September 2006, email from Martha Saucedo, AEG.
- ¹⁶ San Pedro Bay Ports Clean Air Action Plan Technical Report Draft. June 2006. Port of Los Angeles, Port of Long Beach, Environmental Protection Agency, CA Air Resources Board, and the Southern California Air Quality Management District.
- ¹⁷ Los Angeles World Airports statistics. <http://www.lawa.org/lax/generalDescription.cfm> (2007)
- ¹⁸ 2000 U.S. Census data. www.census.gov
- ¹⁹ U.S. Census Bureau, 1999 figures. <http://quickfacts.census.gov/qfd/states/06/0636546.html>
- ²⁰ 2000 U.S. Census data. www.census.gov
- ²¹ U.S. Census Bureau, 1999 figures.
- ²² Environmental Protection Agency. <http://www.epa.gov/apti/course422/ap7a.html>
- ²³ LAX Master Plan Supplement to the Draft Environmental Impact Report/Environmental Impact Statement, Environmental Justice, Section 4.4.3, pp. 4-330.
- ²⁴ LAX Master Plan Supplement to the Draft Environmental Impact Report/Environmental Impact Statement, Executive Summary, Table ES-1, Summary of Activity, Comparison of Alternatives, p. ES-2.
- ²⁵ South Coast Air Quality Management District, "Multiple Air Toxics Study in the South Coast Air Basin (MATES-II)," March 2000. <http://www.aqmd.gov/matesiidf/es.pdf>
- ²⁶ Olga Pomar, "Fighting for Air," National Housing Institute, Issue #126, November/December 2002. <http://www.nhi.org/online/issues/126/camdenair.html>
- ²⁷ Ibid.
- ²⁸ Community Benefits Agreement, LAX Master Plan Program. http://www.laxmasterplan.org/commBenefits/pdf/LAX_CBA_Final.pdf
- ²⁹ Ibid.
- ³⁰ Signed stipulated settlement, *City of El Segundo et al v. City of Los Angeles et al.* http://www.laxmasterplan.org/stakeholder/pdf/Signed_Stipulated_Settlement.pdf
- ³¹ Ibid.

Blank Page 36



ENVIRONMENTAL DEFENSE

finding the ways that work

NATIONAL HEADQUARTERS

257 Park Avenue South
New York, NY 10010
212-505-2100

AUSTIN, TX

44 East Avenue
Austin, TX 78701
512-478-5161

BOSTON, MA

18 Tremont Street
Boston, MA 02108
617-723-2996

BOULDER, CO

2334 North Broadway
Boulder, CO 80304
303-440-4901

LOS ANGELES, CA

3250 Wilshire Boulevard
Los Angeles, CA 90010
213-386-5501

RALEIGH, NC

4000 Westchase Boulevard
Raleigh, NC 27607
919-881-2601

SACRAMENTO, CA

1107 9th Street
Sacramento, CA 95814
916-492-7070

SAN FRANCISCO, CA

123 Mission Street
San Francisco, CA 94105
415-293-6050

WASHINGTON, DC

1875 Connecticut Avenue, NW
Washington, DC 20009
202-387-3500

Project offices

BEIJING, CHINA

East 3-501
No. 28 East Andingmen Street
Beijing 100007 China
+86 10 6409 7088

BENTONVILLE, AR

1116 South Walton Blvd.
Bentonville, AR 72717
479-845-3816