July 9, 2018

Britt Huff, Chairperson
Board of Directors
South Bay Cities Council of Governments
20285 Western Avenue, Suite 100
Torrance, California 90501

Re: Request for a Letter of Support for Assembly Bill 987

Dear Madam Chair and Fellow Board Members:

As you are aware, the City of Inglewood is in exclusive negotiations with the Los Angeles Clippers Basketball Team to build a privately financed arena, practice facility and office complex. The site for this proposed project is located on the south side of Century Boulevard at Prairie Avenue. The land for this project is currently vacant and in possession of the City of Inglewood. The land is in the LAX landing path and was acquired by the city through a settlement with the Federal Aviation Administration (FAA) over 25 years ago which does not allow housing. As you might imagine, the City of Inglewood would like nothing more than to see a viable revenue producing use for this parcel.

The City of Inglewood is requesting the support of the South Bay Cities Council of Governments (SBCCOG) in our effort to develop this project. Specifically, we are asking for a letter of support from the SBCCOG for AB 987 (Kamlager-Dove) which will provide some certainty in the CEQA process. To be clear, AB 987 will not provide any exemptions to CEQA but will establish timelines for the legal proceedings. The CEQA streamlining provisions in AB 987 have been made available to several California cities building sports facilities in recent years including, Sacramento (NBA Kings), San Francisco (NFL 49ers) and NFL stadiums in both Los Angeles (Farmer’s Field) and the City of Industry. We are not seeking anything more but parity with the same accepted standard in recent legislation.
In addition to the recently renovated Fabulous Forum, rebuilt Hollywood Park Casino, along with the NFL Rams/Chargers stadium now under construction, we believe this arena will provide greater economic vitality to the entire South Bay Region. We have already seen an increase in hotel stays and restaurant traffic due to recent activity at the Madison Square Garden’s Fabulous Forum. Based on these indicators, we anticipate even more business to the surrounding communities when our other venues open their doors for business.

With the current improvements being made to Century Blvd and the extension of the Crenshaw light rail line from downtown Los Angeles through Inglewood, ingress and egress to LAX will be much more efficient. These projects are all currently under construction. In addition, as you know, METRO is planning to extend service from the Crenshaw/LAX light rail to the City of Torrance and currently doing a study on the First Mile/Last Mile above grade monorail system in Inglewood. The vision is to make the flow of traffic through the South Bay Region more viable which will alleviate traffic congestion and reduce the carbon footprint.

With the much anticipated increase in tourism coming to the South Bay Region, sales tax will dramatically increase the revenue stream for our cities. In addition, with your support of AB 987, we will have more permanent fulltime employment opportunities in the region which will reduce the unemployment rate in our communities.

Along with this letter, I have included several documents for your review which include Assembly Bill 987 introduced by Assembly Member Sydney Kamlager-Dove and co-authored by Senator Steve Bradford; an Informational Fact Sheet on AB 987 and the Clippers Inglewood Arena Project Economic and Community Benefits Summary.

SBCCOG Board Members, I welcome your support letter as the City of Inglewood moves forward with the State legislators in Sacramento to put AB 987 into law. I thank you for your time and consideration in this matter.

Sincerely,

Ralph L. Franklin
Council Member, City of Inglewood
Delegate, South Bay Cities Council of Governments

Enclosures
AB 987 California Environmental Quality Act: sports and entertainment project. (2017-2018)

AMENDED IN SENATE JUNE 07, 2018
AMENDED IN SENATE SEPTEMBER 08, 2017

CALIFORNIA LEGISLATURE—2017-18 REGULAR SESSION

ASSEMBLY BILL No. 987

Introduced by Assembly Member Calderon Kamlager-Dove
(Principal coauthor: Assembly Member Cristina Garcia)(Principal coauthor: Senator Hernandez)(Principal coauthor: Senator Bradford)

February 16, 2017

An act to amend Section 79786 of the Water Code, relating to the Water Quality, Supply, and Infrastructure Improvement Act of 2014. An act to add and repeal Section 2168.6.8 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL’S DIGEST


(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes administrative procedures for the review and certification of the EIR for a project and judicial review procedures for any action or proceeding brought to challenge the lead agency’s decision to certify the EIR or to grant project approvals.

This bill would establish specified administrative and judicial review procedures for the administrative and judicial review of the EIR and approvals granted for a project related to the development of a specified sports and entertainment project in the City of Inglewood meeting certain requirements. Because the lead agency would be required to use these alternative procedures for administrative review of the EIR if the project applicant so chooses, this bill would impose a state-mandated local program. The bill would specify that the decisions of the lead agency regarding certain analyses and impacts shall not be considered as an abuse of discretion if certain conditions are met.
(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Ingiewood.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Existing law, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds in the amount of $7,545,999,999 to finance a water quality, supply, and infrastructure improvement program. Proposition 1 authorizes the sum of $999,999,999 to be available, upon appropriation by the Legislature, for expenditures on, and competitive grants and loans for, projects to prevent or clean up the contamination of groundwater that serves or has served as a source of drinking water. Proposition 1 further specifies that $99,999,999 of those moneys may be used for grants for treatment and remediation activities that prevent or reduce contamination of groundwater that serves or has served as a source of drinking water, and that $100,000,000 of those moneys may be used for grants for the development and implementation of groundwater plans and projects in accordance with specified requirements:

Existing law, the State General Obligation Bond Law (GO Bond Law), requires that the proceeds from the sale of any bonds issued pursuant to a bond act that incorporates the provisions of the GO Bond Law be used for specified purposes, including the costs of construction or acquisition of capital assets. Proposition 1 generally requires that any bonds prepared, executed, issued, sold, paid, and redeemed comply with the requirements of the GO Bond Law, except Proposition 1 provides that the capital asset requirement does not apply to bonds issued pursuant to that act to the extent that Proposition 1 authorizes bonds to be sold for a purpose that conflicts with the capital asset requirement.

This bill would clarify that a conflict exists for purposes of that exception if any provision of this division authorizes, either expressly or by necessary implication, a project or program that would not result in the creation of a capital asset, including projects described above relating to prevention, cleanup, treatment, or remediation of contaminated groundwater, as well as to the development and implementation of groundwater plans and projects.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: nayes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares that with the adoption of Chapter 728 of the Statutes of 2008, popularly known as the Sustainable Communities and Climate Protection Act of 2008, the Legislature signaled its commitment to encouraging land use and transportation planning decisions and investments that reduce vehicle miles traveled and contribute to the reductions in greenhouse gas emissions required in the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code). Similarly, the California Complete Streets Act of 2008 (Chapter 657 of the Statutes of 2008) requires local governments to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel.

(b) It is the intent of the Legislature to do both of the following:

(1) Ensure that the environmental impacts of traffic, such as noise, air pollution, and safety concerns, continue to be properly addressed and mitigated through the California Environmental Quality Act.

(2) More appropriately balance the needs of congestion management with statewide goals related to infill development, the promotion of public health through active transportation, and the reduction of greenhouse gas emissions.

SEC. 2. The Legislature further finds and declares all of the following:

(a) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) requires that the environmental impacts of development projects be identified and mitigated. The act also guarantees the public an opportunity to review and comment on the environmental impacts of a project and to participate meaningfully in the development of mitigation measures for potentially significant environmental impacts.

(b) The City of Ingiewood has embarked on a project that will incorporate sustainable design elements in a new mixed use development that integrates housing, civic, entertainment, and retail amenities to help reduce vehicle
miles traveled resulting from discretionary automobile trips; promotes alternative means of transportation including provisions for nonvehicular travel; encourages higher-density development along established transit corridors; and contributes to air quality improvement through the creation of shade to reduce ambient heat produced by paved surfaces by integrating an urban forest concept into the overall landscape design.

(c) The sports and entertainment project will result in the construction of a new state-of-the-art multipurpose event center and surrounding infill development in the City of Inglewood, a development previously planned for commercial uses, as described in the City of Champions Revitalization Initiative approved by the City of Inglewood on February 24, 2015, and the agreement entered into by the City of Inglewood with Murphy's Bowl LLC on June 15, 2017, as amended August 15, 2017.

(d) The project will generate over 30,000 full-time jobs including employees hired both during the construction and operation of the sports and entertainment project. This employment estimate does not include the substantial job generation that will occur with the surrounding development uses, which will generate additional hospitality, office, restaurant, and retail jobs in the City of Inglewood's downtown area.

(e) The project also presents an unprecedented opportunity to implement innovative measures that will significantly reduce traffic and air quality impacts and mitigate the greenhouse gas emissions resulting from the project. The project site is located in downtown Inglewood and situated to maximize opportunities to encourage nonautomobile modes of travel to the sports and entertainment center project, and is consistent with the policies and regional vision included in the Sustainable Communities and Climate Protection Act of 2008 pursuant to Chapter 728 of the Statutes of 2008.

(f) It is in the interest of the state to expedite judicial review of this sports and entertainment project, as appropriate, while protecting the environment and the rights of the public to review, comment on, and, if necessary, seek judicial review of, the adequacy of an environmental impact report for the project.

SEC. 3. Section 21168.6.8 is added to the Public Resources Code, to read:

21168.6.8. (a) For the purposes of this section, the following definitions shall apply:

(1) "Applicant" means a private or public entity or its affiliates that proposes to implement and operate all or any portion of the project and its successors, heirs, and assignees.

(2) "Arena" means an 18,000 to 20,000 seat arena built pursuant to the project for National Basketball Association (NBA) basketball games and other spectator events.

(3) "Project" means a project located within the City of Inglewood consisting of either of the following:

(A) The arena plus practice and athletic training facility, and related parking infrastructure construction or relocation, and landscaping, up to approximately 75,000 square feet of associated office space, up to approximately 30,000 square feet of sports medicine clinic space, up to 55,000 square feet of ancillary retail, restaurant, community space, and similar uses, and a hotel, provided that the arena meets both of the following:

(i) Receives Leadership in Energy and Environmental Design (LEED) gold certification, or its equivalent, for new construction within one year of the completion of the first NBA season.

(ii) Achieves, through either project design, including those design features implemented for LEED gold certification, or the implementation of feasible mitigation measures, or both design features and mitigation measures, a reduction in the arena's operational emissions of greenhouse gases, as defined in subdivision (g) of Section 38505 of the Health and Safety Code, of no less than 20 percent as compared to the operational emissions that would otherwise result from an arena built in compliance with applicable building codes in the absence of the project design features or mitigation measures that are not required under the applicable building codes.

(B) Approvals related to any land uses that are consistent with the general plan, existing as of January 1, 2019, within the boundary of the Inglewood Sports and Entertainment project area.

(4) "Project approval" means any actions, activities, ordinances, resolutions, agreements, approvals, determinations, findings, or decisions taken, adopted, or approved by the lead agency required to allow the applicant to commence the construction of the project, as determined by the lead agency.

(5) "Inglewood Sports and Entertainment project area" means an approximately one square mile area located within the City of Inglewood consisting of both of the following areas:
(A) Real property consisting of approximately 298 acres that is located within the boundaries of the Hollywood Park Specific Plan, as of July 1, 2017.

(B) Real property consisting of approximately 59 acres, beginning at a point located 540 feet west of the intersection of the centerline of South Prairie Avenue and the northern boundary of West Century Boulevard, then southerly along a straight line to the southern boundary of West 102nd Street, then easterly along West 102nd Street to the western boundary of South Prairie Avenue, then southerly along the western boundary of South Prairie Avenue to the southern boundary of West 103rd Street, then easterly along a straight line to the eastern boundary of South Doty Avenue, then northerly along Doty Avenue to the southern boundary of West 102nd Street, then easterly along West 102nd Street to the eastern boundary of Yukon Avenue, then northerly along Yukon Avenue to the northern boundary of West Century Boulevard, then westerly along West Century Boulevard to the point located 540 feet west of the intersection of the centerline of South Prairie Avenue and the northern boundary of West Century Boulevard.

(b) Notwithstanding any other law, the procedures set forth in subdivision (c) shall apply to any action or proceeding brought to attack, review, set aside, void, or annul the certification of any environmental impact report for the project or the granting of any project approvals.

(c) Rules 3.2220 to 3.2237, inclusive, of the California Rules of Court, as may be amended by the Judicial Council, shall apply to any action or proceeding brought to attack, review, set aside, void, or annul the certification of any environmental impact report for the project or granting of any project approvals to require the actions or proceeding, including any potential appeals therefrom, to be resolved, to the extent feasible, within 270 days of the certification of the record of proceedings pursuant to subdivision (e). On or before July 1, 2019, the Judicial Council shall amend the California Rules of Court, as necessary, to implement this subdivision.

(d) (1) The draft and final environmental impact report shall include a notice in not less than 12-point type stating the following:

THIS EIR IS SUBJECT TO SECTION 21168.6.8 OF THE PUBLIC RESOURCES CODE, WHICH PROVIDES, AMONG OTHER THINGS, THAT THE LEAD AGENCY NEED NOT CONSIDER CERTAIN COMMENTS FILED AFTER THE CLOSE OF THE PUBLIC COMMENT PERIOD FOR THE DRAFT EIR. ANY JUDICIAL ACTION CHALLENGING THE CERTIFICATION OF THE EIR OR THE APPROVAL OF THE PROJECT DESCRIBED IN THE EIR IS SUBJECT TO THE PROCEDURES AND LIMITATIONS SET FORTH IN SECTION 21168.6.8 OF THE PUBLIC RESOURCES CODE. A COPY OF SECTION 21168.6.8 OF THE PUBLIC RESOURCES CODE IS INCLUDED IN THE APPENDIX TO THIS EIR.

(2) The draft environmental impact report and final environmental impact report shall contain, as an appendix, the full text of this section.

(3) Within 10 days after the release of the draft environmental impact report, the lead agency shall conduct an informational workshop to inform the public of the key analyses and conclusions of that report.

(4) Within 10 days before the close of the public comment period, the lead agency shall hold a public hearing to receive testimony on the draft environmental impact report. A transcript of the hearing shall be included as an appendix to the final environmental impact report.

(5) (A) Within five days following the close of the public comment period, a commenter on the draft environmental impact report may submit to the lead agency a written request for nonbinding mediation. The lead agency and applicant shall participate in nonbinding mediation with all commenters who submitted timely comments on the draft environmental impact report and who requested the mediation. Mediation conducted pursuant to this paragraph shall end no later than 35 days after the close of the public comment period.

(B) A request for mediation shall identify all areas of dispute raised in the comment submitted by the commenter that are to be mediated.

(C) The lead agency shall select one or more mediators who shall be retired judges or recognized experts with at least five years' experience in land use and environmental law or science, or mediation. The applicant shall bear the costs of mediation.

(D) A mediation session shall be conducted on each area of dispute with the parties requesting mediation on that area of dispute.

(E) The lead agency shall adopt, as a condition of approval, any measures agreed upon by the lead agency, the applicant, and any commenter who requested mediation. A commenter who agrees to a measure pursuant to this
subparagraph shall not raise the issue addressed by that measure as a basis for an action or proceeding challenging the lead agency’s decision to certify the environmental impact report or to grant one or more project approvals.

(6) The lead agency need not consider written comments submitted after the close of the public comment period, unless those comments address any of the following:

(A) New issues raised in the response to comments by the lead agency.

(B) New information released by the public agency subsequent to the release of the draft environmental impact report, such as new information set forth or embodied in a staff report, proposed permit, proposed resolution, ordinance, or similar documents.

(C) Changes made to the project after the close of the public comment period.

(D) Proposed conditions for approval, mitigation measures, or proposed findings required by Section 21081 or a proposed reporting and monitoring program required by paragraph (1) of subdivision (a) of Section 21081.6, where the lead agency releases those documents subsequent to the release of the draft environmental impact report.

(E) New information that was not reasonably known and could not have been reasonably known during the public comment period.

(7) The lead agency shall file the notice required by subdivision (a) of Section 21152 within five days after the first discretionary project approval.

(e)(1) The lead agency shall prepare and certify the record of the proceedings in accordance with this subdivision and in accordance with Rule 3.1365 of the California Rules of Court. The applicant shall pay the lead agency for all costs of preparing and certifying the record of proceedings.

(2) No later than three business days following the date of the release of the draft environmental impact report, the lead agency shall make available to the public in a readily accessible electronic format the draft environmental impact report and all other documents submitted to or relied on by the lead agency in the preparation of the draft environmental impact report. A document prepared by the lead agency or submitted by the applicant after the date of the release of the draft environmental impact report that is a part of the record of the proceedings shall be made available to the public in a readily accessible electronic format within five business days after the document is prepared or received by the lead agency.

(3) Notwithstanding paragraph (2), documents submitted to or relied on by the lead agency that were not prepared specifically for the project and are copyright protected are not required to be made readily accessible in an electronic format. If those copyright protected documents, the lead agency shall make an index of these documents available in an electronic format no later than the date of the release of the draft environmental impact report, or within five business days if the document is received or relied on by the lead agency after the release of the draft environmental impact report. The index must specify the libraries or lead agency offices in which hardcopies of the copyrighted materials are available for public review.

(4) The lead agency shall encourage written comments on the project to be submitted in a readily accessible electronic format, and shall make any such comment available to the public in a readily accessible electronic format within five days of its receipt.

(5) Within 14 business days after the receipt of any comment that is not in an electronic format, the lead agency shall convert that comment into a readily accessible electronic format and make it available to the public in that format.

(6) The lead agency shall indicate in the record of the proceedings comments received that were not considered by the lead agency pursuant to paragraph (6) of subdivision (e) and need not include the content of the comments as a part of the record.

(7) Within five days after the filing of the notice required by subdivision (a) of Section 21152, the lead agency shall certify the record of the proceedings for the approval or determination and shall provide an electronic copy of the record to a party that has submitted a written request for a copy. The lead agency may charge and collect a reasonable fee from a party requesting a copy of the record for the electronic copy, which shall not exceed the reasonable cost of reproducing that copy.

(8) Within 10 days after being served with a complaint or a petition for a writ of mandate, the lead agency shall lodge a copy of the certified record of proceedings with the superior court.
(9) Any dispute over the content of the record of the proceedings shall be resolved by the superior court. Unless the superior court directs otherwise, a party disputing the content of the record shall file a motion to augment the record at the time it files its initial brief.

(10) The contents of the record of proceedings shall be as set forth in subdivision (e) of Section 21167.6.

(f) (1) The model, methodology, quantitative or qualitative analysis, performance standards, or thresholds of significance used in the analysis of greenhouse gas emissions impacts or the determination as to the significance of those impacts in the environmental impact report for the project shall not be grounds for relief and shall not be deemed an abuse of discretion in an action or proceeding brought pursuant to this division if both of the following are met:

(A) The greenhouse gas emissions impact analysis concludes that the project is consistent, on balance, with the 2016–40 Regional Transportation Plan/Sustainable Communities Strategy: A Plan for Mobility, Accessibility, Sustainability and a High Quality of Life adopted by the Southern California Association of Governments in April, 2016.

(B) The greenhouse gas emissions impact analysis includes a comparison of projected greenhouse gas emissions against a baseline for the first year in which the project is anticipated to operate and a discussion of the project’s consistency with the target for longer term emissions through 2050, as set forth in the Governor’s Executive Order No. S-3-05.

(2) The model, methodology, quantitative or qualitative analysis, performance standards, or thresholds of significance used in the analysis of vehicle miles traveled impacts or the determination as to the significance of those impacts in the environmental impact report for the project shall not be grounds for relief and shall not be deemed an abuse of discretion in an action or proceeding brought pursuant to this division if the analysis is consistent with proposed Section 15064.3 of Title 14 of the California Code of Regulations, as published on January 26, 2018.

(g) (1) As a condition of approval of the project subject to this section, the lead agency shall require the applicant, with respect to any measures specific to the operation of the arena, to implement those measures that will meet the requirements of this division by the end of the first NBA regular season or June of the first NBA regular season, whichever is later, during which an NBA team has played at the arena.

(2) To maximize public health, environmental, and employment benefits, the lead agency shall place the highest priority on feasible measures that will reduce the emissions of greenhouse gases in the Inglewood Sports and Entertainment project area and in the neighboring communities of the arena. Mitigation measures that shall be considered and implemented, if feasible and necessary, to achieve the requirement of clause (ii) of subparagraph (A) of paragraph (3) of subdivision (a) according to the following order of priority including, but not limited to:

(A) Project design features or onsite reduction measures or both design features and onsite reduction measures, including any of the following:

(i) Implementing project design features that enable the arena to exceed the building energy efficiency standards set forth in Part 6 of Title 24 of the California Code of Regulations.

(ii) Requiring a transportation management plan or transportation demand management program, or both, to reduce single-occupancy vehicular travel and vehicle miles traveled.

(iii) Using energy produced by renewable resources.

(iv) Providing onsite electric vehicle charging stations in excess of applicable requirements.

(v) Providing dedicated parking for car-share or zero-emission vehicles, or for both types of vehicles in excess of applicable requirements.

(vi) Providing bicycle parking in excess of applicable requirements.

(vii) Providing onsite safety or other improvements for bicycles, pedestrians, and transit connections.

(viii) Providing onsite renewable energy generation.

(ix) Providing solar-ready roofs.

(x) Providing cool roofs and "cool parking" promoting cool surface treatment for new parking facilities.

(B) Off-site reduction measures, including any of the following:
(i) Temporarily expanding the capacity of a public transit line, as appropriate, to serve arena events.

(ii) Providing private charter buses or other similar services, as needed, to serve arena events.

(iii) Paying its fair share of the cost of measures that expand the capacity of public transit, if appropriate, that is used by spectators attending arena events.

(iv) Providing funding to an off-site mitigation project to generate carbon credits that potentially could consist of replacing buses, trolleys, or other transit vehicles with low-emission or zero-emission vehicles.

(v) Providing off-site safety or other improvements for bicycles, pedestrians, and transit connections.

(C) Offset credits shall be employed by the applicant only after feasible onsite or local emission reduction measures have been implemented. The applicant shall, to the extent feasible, place the highest priority on the purchase of offset credits that produce emission reductions within the City of Inglewood or the boundaries of the South Coast Air Quality Management District.

(h) (1) In granting relief in an action or proceeding brought pursuant to this section, the court shall not stay or enjoin the construction or operation of the project unless the court finds either of the following:

(A) The continued construction or operation of the project presents an imminent threat to the public health and safety.

(B) The project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the project unless the court stays or enjoins the construction or operation of the project.

(2) If the court finds that subparagraph (A) or (B) of paragraph (1) is satisfied, the court shall only enjoin those specific activities associated with the project that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values.

(i) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(j) (1) If an environmental impact report is prepared that includes both projects listed in subparagraphs (A) and (B) of paragraph (4) of subdivision (a) and the applicant fails to notify the lead agency prior to the release of the draft environmental impact report for public comment that the applicant is electing to proceed pursuant to this section, this section shall not apply to the project and shall become inoperative on the date of the release of the draft environmental impact report and is repealed on January 1 of the following year.

(2) If an environmental impact report is prepared that includes only one of the projects listed in subparagraphs (A) and (B) of paragraph (3) of subdivision (a) and the applicant for the project included in the environmental impact report fails to notify the lead agency prior to the release of the draft environmental impact report for public comment that the applicant is electing to proceed pursuant to this section, this section shall become inoperative only as to the project listed in subparagraph (A) or (B) of paragraph (3) of subdivision (a) included in that environmental impact report, and shall remain operative as to the remaining projects. If separate environmental impact reports for the projects listed in subparagraphs (A) and (B) of paragraph (3) of subdivision (a) are prepared and the applicants for both projects fail to notify the lead agency as described in this paragraph, this section shall become inoperative on the date of the release of the second draft environmental impact report and is repealed on January 1 of the following year.

(3) The lead agency shall notify the Secretary of State if the applicant pursuant to paragraph (1) or the applicants for both projects pursuant to paragraph (2) fail to notify the lead agency of their election to proceed pursuant to this section.

SEC. 4. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances of the construction of a major new sports venue in the City of Inglewood, a city with the largest minority population in the United States, which will provide essential economic stimulus.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or
assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

SECTION 1. Section 79786 of the Water Code is amended to read:

79786. (a) The bonds authorized by this division shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law, as that law may be amended, apply to the bonds and to this division, except that the capital asset requirement in subdivisions (a) and (b) of Section 16727 of the Government Code does not apply to the extent that those subdivisions conflict with any other provision of this division:

(b) A conflict exists for purpose of subdivision (a) if any provision of this division authorizes, either expressly or by necessary implication, a project or program that would not result in the creation of a capital asset, including programs or programs to prevent or clean up the contamination of groundwater that serves or has served as a source of drinking water described in Chapter 10 (commencing with section 79770), as well as projects or programs described in Section 79775. In addition, projects or programs described in Section 79772 are in conflict with the capital asset requirement described in subdivision (a), and therefore the capital asset requirement does not apply to these projects or programs.

SEC. 2. The amendment of Section 79786 of the Water Code made by this act does not constitute a change in, but is declaratory of, existing law. Therefore, the Legislature finds and declares that the amendments made by this act apply retroactively to any bonds issued and sold before the operative date of this act.
The Los Angeles Clippers NBA basketball team has expressed a desire to move to the City of Inglewood and construct a state of the art basketball arena adjacent to the new location for the NFL Los Angeles Rams Inglewood football stadium. AB 987 seeks to provide to the new Clippers arena CEQA streamlining relief equivalent to what was granted to the new Sacramento Kings arena and the new Golden State Warriors arena in San Francisco.

Specifically, AB 987 would do the following:

- Provide that the Environmental Impact Report (EIR) conducted for the new Clippers Arena Project would be subject to a limited period of 270 days for judicial review of any challenge to the EIR, similar to the limited review period granted to both the Sacramento Kings arena and the Golden State Warriors arena.
  
  - To qualify for the limited judicial review period (270 days), the project, as demonstrated in the EIR, would need to meet a variety of environmental safeguard conditions, including

- The arena must be constructed to meet Leadership in Energy and Environmental Design (LEED) Gold certification.

- The arena would be required to achieve, through both design and mitigation measures, a reduction in the arena’s operational emissions of greenhouse gases of no less than 20 percent, when compared to the arena if it were built in compliance ONLY with applicable building codes, but without additional design and mitigation measures required by this bill.

- The Environmental Impact Report (EIR) required for the arena would be a FULL and COMPREHENSIVE EIR. Only the methodology used in the EIR would be protected from challenge, provided the greenhouse gas emissions analysis in the EIR concludes that the arena project is consistent with the Southern California Association of Governments 2016 Regional Transportation Plan/Sustainable Communities Strategy AND the analysis includes a discussion of the project's consistency with the target for longer-term emissions for 2050, as contained in Governor’s Executive Order No. S-3-05.

- In order for the methodology used in the EIR’s analysis of the environmental impact of vehicle miles traveled to be protected, the analysis would be required to be consistent with the proposed new CEQA Guidelines published on January 26, 2018.

- AB 987 also establishes a prioritization for the arena greenhouse gas mitigation measures to ensure that the local region benefits from the mitigation measures. That priority is in the following order:
  
  - On-site greenhouse gas reductions
  - Off-site LOCAL greenhouse gas reductions
  - Use of off-site carbon credits

- AB 987 also requires specific notice to the community and public that the EIR qualifies for expedited judicial review.
Clippers Inglewood Arena Project
Economic and Community Benefits

The City of Inglewood and the Los Angeles Clippers NBA basketball team have entered into a three-year Exclusive Negotiating Agreement to build a new, state of the art sports arena, creating thousands of jobs and generating millions of dollars in new tax revenues to help improve Inglewood City services and community programs. As proposed, the world class arena complex will be constructed adjacent to or near the premier stadium development project already underway in the city of Inglewood, which will soon be home to the Los Angeles Rams and the Los Angeles Chargers NFL teams. Adding the new basketball arena to this development is a once in a generation opportunity to transform the Inglewood community and reclaim its role as the “City of Champions.”

Job Creation

- The Arena project will create an estimated 10,000 construction jobs in the City of Inglewood and surrounding region.
- Ongoing Arena operations will also add more than 1,000 permanent jobs.
- The Exclusive Negotiating Agreement with the City of Inglewood also expresses a “local hire” component. The goal is to fill approximately 30% of the available construction jobs and 35% of the available arena operation jobs with Inglewood residents and residents of nearby cities.

Economic Benefits

- Construction and operation of the arena will generate much needed revenue for the City of Inglewood and surrounding cities. The economic benefit is estimated to be tens of millions of dollars and will support a number of important city services, including:
  - Schools
  - Parks
  - Libraries
  - Police and fire services
- The Arena project will be built entirely with private funds. It will NOT require the use of any public funds.

Community Benefits

- The proposed arena site will convert what is mostly vacant, unused land under the flight path of LAX aircraft and turn it into productive community uses, with benefits for the residents of Inglewood and surrounding cities. The site is zoned for commercial use only and is not compatible for residential use. Most of the parcels in the project site were acquired by the city through federal aviation administration noise mitigation grants, which preclude use of those parcels for residential purposes. The LA Clippers Arena project is the best use of this land.
- The Arena project will also further the development approach of the new NFL stadium, by providing:
  - Community basketball courts
  - Community center location
  - Open air plazas
  - Sports medicine clinic
  - Retail and dining locations
- The Arena project will be built using state-of-the-art environmentally friendly technology, providing environmental benefits to the region, including reduced greenhouse gas emissions.