



February 28, 2019

Ms. Kate Gordon, Director
Office of Planning and Research
1400 10th Street
Sacramento, CA 95814

Re: AB 987 Application for the Inglewood Basketball and Entertainment Center Project (Clearinghouse Tracking No. 2108021056)

Dear Ms. Gordon:

On behalf of the Natural Resources Defense Council (NRDC) and its 400,000 members and activists in California, we respectfully submit these comments on Murphy's Bowl LLC's application under Assembly Bill 987 for the Inglewood Basketball and Entertainment Center Project (the "Project").

We support economic development in Inglewood and are not opposed to any project at this site; however, we are concerned that the Project fails to meet the AB 987 standards for certification by the Governor. The most egregious shortcomings are the application's unjustified enhanced baseline against which future GHG emissions are compared, its undercounting of future emissions, its shaky and speculative carbon offset measures, and its weak traffic demand management program. Instead of respecting AB 987's attempt to support California's nation-leading fight against global climate change, the application is an attempt to disregard the measures necessary to gain AB 987 certification. We will discuss the reasons for this below.

IMPROPERLY HIGH GHG BASELINE

Misrepresenting the baseline is a very common occurrence in environmental documents that NRDC reviews. What the Project applicant does in this case is equivalent to the developer of a greenfield housing development taking baseline credit for GHG emissions on the theory that the homes vacated by people moving into the development will never be repopulated. That is absurd on its face, but the application here does the same thing.

In particular, the application credits to its own GHG baseline emissions now occurring at games that the Clippers play at Staples Center. The assumption built into that calculation is that Staples will stay dark for 30 years on the dates that the Clippers now play there, roughly 20% of the available dates. That is an unrealistic assumption, and indeed the applicant offers no facts to support it. Similarly, unsupported is the application's assumption that roughly half of the non-Clippers events that will occur at the Project will be moved from other, existing facilities such as the Honda Center and the Forum, and their current

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dates will stay dark for 30 years. In this way, the application makes over 300,000 tons of CO2 emissions simply go away.

Reality is not that simple. The applicant can't make climate change go away with a pen and paper exercise. For this error alone, certification of the Project should be rejected.

GHG EMISSIONS WILL INCREASE

One of the goals of AB 987 is to enforce a net-zero GHG regime on the Project. But the GHGs will increase if the Project is built because of increasing vehicle miles traveled (VMT) in connection with travel to and from the site.

Staples Center is in the heart of downtown Los Angeles and easily accessible by public transit, including the Expo Line stop across the street. But the Project will be built in a transit desert, underserved by bus lines compared to downtown Los Angeles and far from any current or planned light rail. It is unlikely that anyone is going to walk half a mile to a light rail stop in Inglewood after a Clippers night game. Shuttles are a good idea but will fall far short of what is needed to fill an arena the size of the Project. The natural result of the Clippers moving to the Project site will be more autos travelling more miles to get to games and other events, compared to what is the situation on the ground now at Staples. More VMT means more GHG emissions – and so it is no surprise that the application needs to fudge the numbers to show net-zero GHGs.

CARBON OFFSETS

The California Air Resources Board (ARB) has a rigorous regulatory program to approve and verify carbon offsets in connection with California's cap and trade program. AB 987 puts limits on allowable offsets, and in particular requires that not less than 50 percent of the GHG emissions necessary to achieve net zero GHGs must be from "local, direct greenhouse gas emissions reduction measures." Health & Safety Code Sec. 21168.6.8 subd. (j)(3). Even after trying to cut down its projected GHG emissions by sleight of hand, the applicants fail to show that the Project will have sufficient local offsets to comply with the statute.

And even before considering carbon offsets, the application fails to include feasible GHG mitigation measures in effect in other sports arenas. The 2012 NRDC report "Game Changer" available at <https://www.nrdc.org/sites/default/files/Game-Changer-report.pdf>, describes many GHG measures that were available seven years ago. But the Project falls woefully short in implementing these.

THE TRANSPORTATION DEMAND MANAGEMENT PROGRAM

AB 987 requires a transportation demand management program that, upon full implementation, will achieve and maintain a 15 percent reduction in the number of vehicle trips . . . as compared to operations absent the program. Applicant's claim to meet this standard fails.

First, the application claims a higher share of attendees arriving by something other than a personal vehicle than now exists for Clippers games at Staples. This makes zero sense because Staples Center is in a transit-rich area and the Project will be in a transit desert. Even if and when light rail stops are built a half-mile away, it is unlikely that the Project will ever achieve the non-auto traffic that Staples sees now.

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Second, the application uses the transit profile of current Clippers fans to estimate travel behavior for all events at the Project in the future. This fails to take into account the other expected uses of the Project. Devoted Clippers fans may develop a routine for travel to the Project but attendees for concerts, conventions, trade shows and the like probably will not, instead travelling by private car.

Finally, and not surprisingly given the weakness of the transportation demand management program, the application fails to include the required "specific program of strategies, incentives, and tools . . . with specific annual status reporting obligations . . ." Indeed the application admits that these measures "are subject to further refinement and revision . . ." In short, the applicant is making up these measures as it goes along. That does not comply with AB 987.

CONCLUSION

NRDC would be pleased to submit additional documentation showing that the Project application fails to satisfy AB 987 should that be desired. On its face, the Project application is insufficient for certification under the statute. What needs to happen is first, a rigorous analysis of the future GHG emissions associated with the Project, without unrealistic assumptions about 30 years of unused dates elsewhere. Second, the Project needs to come up to date on feasible GHG reduction measures, including additional solar power generation on site. Third, the Project needs to implement a wide-ranging program of VMT reduction measures. Last, any use of offsets needs to comply strictly with AB 987.

Thank you for your consideration of these comments.

Yours truly,

A handwritten signature in black ink, appearing to read "D. Pettit", written in a cursive style.

David Pettit
Senior Attorney

CC: Assembly Member Kamlager-Dove