



November 12, 2015

The Honorable Mary D. Nichols  
Chair, California Air Resources Board  
1001 "I" Street  
Sacramento, CA 95814

## **RE: Cap-and-Trade Auction Proceeds Second Investment Plan**

Dear Chair Nichols:

Thank you for your leadership and service to the State of California. Your vigilant work in advocating for our environment and public health has helped California play an international role in efforts to address climate change. On behalf of the seven elected members of the East Bay Regional Park District's Board, we wish to officially comment on the Cap-and-Trade Auction Proceeds Second Investment Plan.

The Park District is a steward of nearly 120,000 acres in the eastern San Francisco Bay Area – one of the most urbanized regions of California – and operates 200 plus miles of paved active transportation trails. The District is well positioned to support the State's efforts to achieve greenhouse gas reduction objectives.

We applaud the recent October 27<sup>th</sup> Draft Second Investment Plan. We are pleased to see so many placeholders or "buckets" that our work as a public natural resource management agency could support. Importantly, we appreciate that special districts, such as our Public Resources Code 5500 agency, are identified as potential recipients for cap-and-trade proceeds. The grasslands, forests rangelands, wetlands, shorelines and open spaces we manage surely have an important role to play in protecting and growing carbon stocks on natural and working lands.

### Forest Carbon Plan

We believe the Forest Carbon Plan designated in the October 27<sup>th</sup> Draft Investment Plan is an extremely important step. The Park District's Fire Department works squarely in the middle of the wildland-urban interface in the East Bay Hills. From 1923 to 1991, there were 15 major wildfires in the East Bay Hills interface. The 1991 East Bay Hills fire was nearly 25 years ago, but it is still the most costly of any wildfire in California. District employees were first responders when 25 people died and 3,280 residences were destroyed resulting in \$1.5 billion in damages. Since that horrific event, the Park District has implemented a Wildfire Hazard Reduction and Resource Management Plan. This is ongoing, costly work. The Forest Carbon Plan should not only look at largescale forest carbon storage in rural areas, but the important work of protecting against wholesale releases of carbon where the wildland-urban interface places not only trees, but homes, infrastructure, vehicles – and most importantly, people – at risk. Historically, catastrophic carbon release due to wildfire has occurred in the East Bay Hills nearly every four and a half years. We are long

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overdue for another, but with proper costly management, and despite extreme drought conditions, it is being prevented. Proper funding for fuels management work in these interface areas should be prioritized.

**Implementation strategy: Develop grant guidelines within the Forest Carbon Plan that consider or add points for wildland-urban interface fuels management work.**

#### Leveraging Investments

We appreciate the sentiment that “state-federal and public-private partnerships” will be “critical to effective management of natural and working lands in California.” We agree that state and federal investments in natural and working lands are providing climate benefits, but so too are regional and local investments. In the Bay Area, many of our public land agencies have passed significant funding measures with 2/3<sup>rd</sup>s of the vote for natural resource protection, management and restoration. In some cases, it is actually local agency investments that leverage state and federal funds. Our agencies also provide significant co-benefits including: landscape-level protection and management of public lands, watershed protection, shoreline resiliency, protection of rangelands and grasslands, active transportation networks, recreational health benefits, economic benefits, wildlife corridors and habitats, and shoreline access. **Implementation strategy: Provide priority to agencies, regions, or counties that have enacted local natural resource funding measures.**

#### Paved Trail Active/Green Transportation Network:

We appreciate the concept of sustainable communities programs being included in the 60% of continuous appropriations per SB 862 in 2014. We also very much appreciate the emphasis in the Draft Investment Plan on filling in the gaps in the sustainable communities and transportation infrastructure portfolio. In particular, we appreciate the fact that specified special districts, such as the East Bay Regional Park District, are included as potential recipients. As managers of over 200 miles of paved, non-motorized trails, which link the 33 cities of the East Bay together in an Active/Green Transportation Network, we wish to broaden the discussion about sustainable communities. Most interpretations of “a sustainable community” are that it is walkable and within a concentrated area. As interpreted by the Bay Area’s Metropolitan Planning Organizations they are classified as Priority Development Areas which are dense, infill housing pockets within a subsection of a city, usually near a transit node. In order to truly maximize GHG reduction benefits through Active Transportation, we need to focus on connecting communities. Completing the trail gaps *between communities* should be a priority to improve and/or create a true alternative transportation network for the non-motorized movement of people. Of our 41 trail counters, which in fact demonstrate trail usage peaks during the morning and evening commute hours, one located at the Pleasant Hill BART station has counted an increase of 50,000 annual users over the last five years. Multiply that out by 200 miles of paved trail and we have data to demonstrate a significant reduction in vehicle miles traveled. Regional agencies such as ours are able to complete non-motorized paved trail networks across jurisdictions. Prioritizing investments to regional agencies should be considered. **Implementation strategy: Provide priority to connecting communities via non-motorized active transportation networks, with additional points considered for regional agencies that cross multiple jurisdictions.**

#### Urban Greening:

We agree that increasing the urban tree canopy and expansion of green infrastructure – including wetlands restoration and watershed protection – plays an important role in sequestering carbon and increasing energy efficiency. We offer a slight expansion to the definition of traditional urban greening projects. The population of the two counties served by the Park District, Alameda and Contra Costa, is over 2.5 million. The Park District has significant parks in highly urbanized parts of Oakland, Richmond and Fremont. Typically, District parks are more passive and not akin to neighborhood, pocket, or linear parks. They are in urban areas, but because of the size of some of our parks they don’t feel like it. To effectively realize urban greening benefits in regional parks, the scale of these allocations need to be significantly increased. We believe the Urban Greening for Sustainable Communities Program, overseen by the Strategic Growth Council and administered by the Natural Resources Agency, should be expanded. We also support creating a 4-5% allocation for a Carbon-Smart Green Infrastructure Program to integrate more co-benefits into the Urban Greening for Sustainable

Communities Program. **Implementation strategy: Develop two (or more) sets of criteria for urban greening grants, one of which recognizes larger scale projects in regional parklands that are within urban areas.**

#### Wetland Creation and Coastal Resiliency:

With close to \$50 billion in homes, offices and infrastructure at jeopardy due to sea level rise in the Bay Area, we can ill afford to not consider resiliency in any Investment Plan related to climate change. Many of the East Bay's most disadvantaged communities are along the shoreline and vulnerable to sea level rise, including Richmond, Oakland, Hayward, etc. Wetlands creation and restoration provides known GHG reduction benefits, and also improves watersheds and wildlife habitat. Importantly, as is pointed out in the Draft Investment Plan, "they are the first line of defense against sea-level rise and storm surge, particularly in the fragile Delta region." We believe this should read, "particularly in the fragile **San Francisco Bay-Delta** region." The Park District has developed innovative, adaptive strategies for Bay and Delta shorelines – such as the multi-million dollar Breuner Marsh wetlands restoration investment in Richmond and the \$5.4 million sand replenishment effort along Shoreline Drive in Alameda – which provide buffer zones for homes and infrastructure while providing multiple co-benefits to the region. Regulatory challenges, however, restrict rapid development and future opportunities for wetland restoration and creation along the Bay-Delta region. As the Baylands Ecosystem Habitat Goals Science Update of 2015 points out, at least eight state and federal agencies are likely to have a role in the permitting process of Bay Area wetlands. In addition, wetlands restoration projects may need local authorization from cities or counties, and those that cross paths with railroad tracks, pipelines, highways and utilities need additional permission. Streamlined permitting mechanisms for wetlands restoration and creation are necessary. In addition, flexibility is needed for adaptive management of sites until best practices are truly understood. Also, flood-control channels need to be naturalized for both resiliency and water quality. Lastly, wetland restoration and creation projects which maximize carbon sequestration may not fully meet other habitat objectives that other regulatory agencies are charged with advancing.

**Implementation strategy: Streamline permit processes and provide flexibility in project management for wetland restoration and creation efforts funded by GGRF appropriations.**

#### Carbon Sequestration and Land Use Planning:

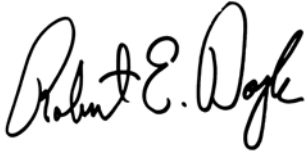
We agree with the Investment Plan's assertion that protecting natural lands from conversion to more carbon-intensive uses, such as residential and commercial development, provides a high value to the state's overall GHG reduction goals. Based on an evaluation by ICF Jones & Stokes, the average amount of carbon sequestered by the Park District's lands is over 91,157 metric tons – the equivalent of removing 16,317 passenger cars and sport-utility vehicles from the road annually, saving approximately over 10.4 million gallons of gasoline. By preserving natural land in perpetuity, the District's parklands represent an important permanent carbon stock of over 2.8 million metric tons (estimates last updated in 2011). Additionally, our properties form natural boundaries encouraging more infill development that reduces vehicle miles traveled, infrastructure expansion and the associated GHG emissions. These lands, however, need proper management to retain sequestration value – particularly with regard to wildfire threats. We believe public natural resource management agencies should be awarded offset credit funds for continued stewardship. Further, we believe property owners should be incentivized for conveying or selling land to grow carbon stocks. Private property owners should benefit from conveying or selling property, not just granting easements, to natural resource agencies rather than for a more carbon-intensive use. We believe this can be addressed in the *Gaps and Needs Assessment Natural and Working Lands* comments on page 43 of the Investment Plan by stating "targeting investments toward private landowners with easements **and/or as incentives for outright transfer of land ownership to natural resource agencies** on forest, undeveloped and agricultural lands that are at risk of conversion." **Implementation strategy: Provide annual offset credit funding for effective long term management and incentivize property transfers to natural resource agencies.**

As is stated in the Draft Investment Plan, "there is a strong history of land conservation in California [and particularly in the East Bay] to protect wildlife, preserve agricultural viability, improve water supply and quality,

and provide parks and open space for residents and visitors from around the world.” The District concurs that California’s lands “should be protected and managed wisely to reverse carbon loss, and to preserve and grow carbon stocks.” To reach our collective goals, there must be significant investment from Cap-and-Trade proceeds in managing, maintaining and restoring our natural lands – including the parks, open space, wetlands and rangelands of the East Bay.

Thank you again for your leadership on this issue. We look forward to continuing to work with you. Please feel free to contact us if you have any questions or would like additional support documentation.

Regards,

A handwritten signature in black ink, appearing to read "Robert E. Doyle". The signature is fluid and cursive, with the first name "Robert" and last name "Doyle" clearly legible.

Robert E. Doyle  
General Manager  
East Bay Regional Park District

cc: Governor Edmund G. Brown, Jr.  
The Honorable Matthew Rodriquez, Secretary, California Environmental Protection Agency  
The Honorable John Laird, Secretary, California Natural Resources Agency  
The Honorable Michael Cohen, Finance Director, California Department of Finance  
East Bay California Legislative Delegation  
EBRPD Board of Directors