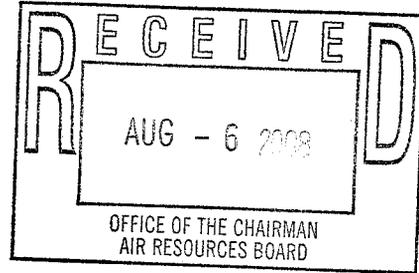


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July 30, 2008

The Honorable Mary Nichols  
Chair, California Air Resources Board  
1001 "I" Street, P.O. Box 2815  
Sacramento, CA 95812



RE: Climate Change Draft Scoping Plan - June 2008 Discussion Draft

Dear Chair Nichols:

We value your long-standing dedication to improving California's air quality and protecting our quality of life. Your leadership has truly benefitted generations of Californians. Thank you for your service.

We applaud the California Air Resources Board's (CARB) work to date in undertaking the exciting challenge of implementing AB 32 – the California Global Warming Solutions Act of 2006. We have reviewed the June 2008 Discussion Draft of the Scoping Plan and would like to make some brief, but important, public comments.

As you may know, the East Bay Regional Park District (EBRPD) protects and manages nearly 100,000 acres of open space in a highly urbanized region, which also happens to be home to some of our state's largest oil refineries. Currently, we are in the process of placing a bond extension renewal on the November ballot which will enable our agency to protect and acquire additional open space for the next 20 years, as well as enhance our current regional park portfolio. The thousands of acres of mature oak woodlands, grasslands and wetlands – including parcels we own and maintain in the Delta and San Francisco Bay – for which we are stewards sequester significant amounts of carbon. Additionally, our properties form natural boundaries which enhance community design and encourage more walkable cities. When considering the stated goal of reducing greenhouse gases by two percent over the next 12 years through improvements in land use planning in major urban areas, we offer EBRPD as a model example of what is possible. Additionally, directed incentives to protect additional open space would present the opportunity to expand the CARB's stated land use planning reduction goal.

EBRPD should also be recognized for its holdings of carbon allowances. As your agency considers a cap-and-trade program which will deliver additional reductions by 2012, we respectfully request that consideration and credit be awarded to those who manage carbon sequestration resources. Clearly, our holdings would not be part of the capped industrial sector, but we do have significant allowances that could prove valuable in any short-term or future carbon trading market. If the CARB is willing to look at projects along the Mexican border as possible offsets for greenhouse gas emissions, then surely local resource protection efforts should be eligible as offsets as well. Often existing industries are allocated allowances with a grandfathering provision under a cap and trade system. Existing stewards, like EBRPD, of open spaces, grasslands and forests should also be afforded grandfathered allowances for their decades of carbon sequestration.

Additionally, we would encourage the CARB to consider providing incentives for public investment in purchasing and preserving open spaces, grasslands, forests and woodlands. Public investment in forestation projects near urban areas can provide the dual benefit of carbon sequestration and shading to reduce air conditioning load. Protecting open space near urban areas encourages infill development and reduces traffic congestion. Investing in both will have long-term benefits for greenhouse gas reductions.

Board of Directors

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There is no doubt that improvements in energy efficiency and reductions in CO2 are the cornerstones for addressing climate change and growing our clean tech economy. We also believe there is a strong and valuable role for open space and forest protection – particularly near urbanized areas. EBRPD stands ready to help the CARB develop an AB 32 implementation plan which includes the important contributions our agency, and others like ours in California, will continue to make as we seek to meet the challenges and embrace the opportunities climate change presents to our state, as well as other states and provinces in the Western Climate Initiative.

Thank you again for your leadership in protecting our air quality and rising to the challenges climate change presents to our great state. As the CARB explores ways to encourage land conservation and forest restoration as part of implementing AB 32, please feel free to contact me and we can provide you additional information about EBRPD.

Sincerely,

A handwritten signature in black ink that reads "Pat O'Brien". The signature is written in a cursive, flowing style.

Pat O'Brien  
General Manager  
East Bay Regional Park District

cc: EBRPD Board of Directors  
Governor Arnold Schwarzenegger  
Darrell Steinberg, Senate Committee on Natural Resources Chair  
Loni Hancock, Assembly Committee on Natural Resources Chair  
Linda S. Adams, California Environmental Protection Agency Secretary  
James N. Goldstene, Air Resources Board Executive Officer  
Gary Gero, California Registry President