



Alameda-Contra Costa Transit District

Rick Fernandez, General Manager

July 31, 2008

Chairwoman Mary D. Nichols
California Air Resources Board
Headquarters Building
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

RE: Climate Change Draft Scoping Plan Comments

Dear Chairwoman Nichols:

Thank you for the opportunity to comment on the 2008 Climate Change Draft Scoping Plan. AC Transit is the largest bus-only operator in the United States. It is an innovative, modern bus system primarily operating in the urban corridors of Alameda and Contra Costa Counties, the second and third largest counties in the San Francisco Bay Area. AC Transit provides 67 million trips annually including local service and commuter service to San Francisco for residents in the densely populated cities in the central East Bay Area and the northern portion of Silicon Valley.

AC Transit's vision is to provide a world-class transit service that is convenient, reliable and safe; a service that increases mobility, enhances the quality of life, and improves the health of the environment throughout the communities we serve.

In support of this larger vision, the District strives to protect the environment within the communities we serve; and provide a model for environmentally sustainable mass transit throughout the country. We work hard to incorporate training programs, strategic partnerships and environmental policies into our strategic plans. We also maintain an open dialogue with our stakeholders to help us identify material issues and improve our environmental performance. In recognition of our vision and accomplishments, AC Transit has been named "The Best of the Best" by the American Public Transportation Association six times in the past nine years.

To further our efforts in environmental awareness and leadership within the transit industry, AC Transit has implemented a 3-bus hydrogen-electric hybrid bus demonstration and is serving as lead agency on a regional demonstration in coordination with the other four large bus operators in the Bay Area to implement an advanced demonstration. The advanced demonstration, Zero Emission Bay Area (or ZEBA), will have 12 additional buses and expand the region's hydrogen fueling capacity, including constructing a facility at our Emeryville Division that will be accessible to other non-AC Transit vehicles. AC Transit has also partnered with Chevron on a bio-diesel demonstration project, retrofitted two of its facilities with solar panels and has made plans to retrofit more facilities. AC Transit is also greening its buildings and has aggressive recycling and effluent treatment programs.

We appreciate the work that the Air Resources Board (ARB) and its staff have done so far on crafting a plan for meeting the Assembly Bill 32 targets. We further recognize the legislature's urgency in implementing the Climate Change plan and AC Transit is eager to play a large part in this historic endeavor.

Based on our review and industry experience, AC Transit has the following comments on the Climate Change Draft Scoping Plan:

Transit Eligibility

The Climate Change Draft Scoping Plan attributes 38% of emissions to transportation. Public transit can play a significant role in reducing auto emissions but the Scoping Plan limits the transit scope to high speed rail and transit supportive land use. The final document should expand upon and be more specific on ways to increase transit ridership if the 2020 goals are to be met.

Methodologies for reducing greenhouse gases rely heavily on advances in technology to reduce existing emissions. We are a long way from commercialization of zero emission technologies – particularly if we look at the energy consumption associated with the production of fuels and manufacturing of automobiles. Unless incentives to increase transit usage play a larger role in the Plan, population increases and auto usage will continue to remain a factor and consequently any benefits from improved technologies will soon be lost. Ultimately, getting people out of single occupancy cars and into transit should be a fundamental objective over investments in technological improvements.

Mandates Should Not Be Excluded From Eligibility

ARB has set a number of policies in the past that prohibit funding mandated projects by State or Local Governments. Reduction in emissions from these projects can be counted towards the 2020 goals and therefore revenues to fund them should be eligible in the AB 32 program.

Transit Eligibility for Offsets

We encourage ARB to allow public transit to be the direct beneficiary of offsets (mandatory and voluntary). These revenues could be used in part to assist with unfunded mandates such as the Zero Emission Bus Regulation or accelerated implementation of the Zero Emission Bus Regulation both for the capital and operating costs, as well as other capital improvements that improve efficiency and encourage new riders.

Encouraging transit usage by expanding service, extending operating hours, and reducing headways should also be deemed eligible for funding. Operating revenues are particularly important if we are to provide the level of service that will draw choice riders to become regular riders of our systems. Translink® is a smart fare card that has the capability to track transit usage and link trips to survey information which can elicit data needed to measure emissions by system improvement. AC Transit is one of two agencies that are currently using Translink® in the Bay Area and most of the other large Bay Area urban operators will be using the Translink®

smart card within the next 2 years. At a minimum the Board should consider implementing a demonstration project to test the efficacy of such a program.

Transit's Carbon Footprint

In 2005, we became the first transit agency to join the California Climate Action registry and this year, we joined the National Climate Registry (NCR). We've completed our second annual greenhouse gas inventory and expect to complete the requisite third party certification by November. Carbon dioxide is the primary greenhouse gas resulting from our transit operations. Direct emissions from fleet diesel usage are by far the largest contributor to our carbon footprint. We are looking at other types of fuel to reduce our fleet emissions as part of the Transit Fleet Rule and other programs, however, anticipated transit expansion to encourage new riders and reduce vehicle emissions will likely increase transit emissions. We encourage ARB to work with transit and the NCR to develop greenhouse gas reporting protocols specifically for the public transit sector that will take into account overall reductions in vehicle miles traveled.

Facility Greening

ARB should consider the financial impact to transit when refining Facility/Building Greening mandates. As mentioned previously, the District has assessed its buildings and facilities and is implementing a program to reduce its carbon footprint but we've done so with full knowledge of our financial constraints. One million dollars expended to improve environmental efficiencies could also provide 25,000 passenger trips. If revenues are diverted for purposes that do not directly affect the passenger, we risk compromising service and sending people back into their cars which defeats the larger objective. Instead, we encourage the Board to work with agencies to establish reasonable goals that work within the means of the agency. AB 32 revenues should also be used to encourage these goals either through tax incentives or direct cost offsets. Agencies should also be given credit for greening that has already been accomplished.

Transit Supportive Land Use

The Scoping Plan not only needs to define densities and land uses that are supportive of transit but it should also work with the State's transit providers on street-level design in order maximize fuel efficiencies.

Transit Fleet Rule-AB 32 Consistency

The final Scoping Plan should not seek to regulate transit fleet vehicle emissions – rather this should be addressed exclusively by the ARB Transit Fleet Rule.

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We look forward to working with you and ARB staff on the implementation of AB 32. If you have any questions or require additional information, please contact my staff member Kate Miller at 510/891-4859 or kmiller@actransit.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Fernandez". The signature is fluid and cursive, with the first name "Rick" and last name "Fernandez" clearly distinguishable.

Rick Fernandez
General Manager

RF/km