



July 20, 2017

BCDC Commissioners
455 Golden Gate Avenue, Suite 10600
San Francisco, CA 94102

RE: Changes to the Bay Plan to address Bay fill in habitat projects and social equity and environmental justice

Dear BCDC Commissioners,

On behalf of the Bay Area Council, I'd like thank you for the opportunity to comment on the two considerations before the Bay Conservation and Development Commission (BCDC): updating policies regarding fill for habitat projects, and the inclusion of social justice into the Bay Plan, and potentially, to the McAteer-Petris Act. While the Bay Area Council supports the proposed action for BCDC staff to begin a public process to explore policy changes in these areas, we caution the Commission that the exigencies of climate change require any action taken by BCDC to be in the service of speeding project approvals, not delaying them.

A 2015 study from the Bay Area Council Economic Institute estimates the Bay Area could suffer more than \$10 billion in damages during an extreme storm event occurring under current sea levels. While wetland habitats are among the most cost-effective ways to improve the health and safety of the San Francisco Bay shoreline, the Fall 2016 update to the Baylands Goals Report, compiled by the Coastal Conservancy and 20 other management agencies including BCDC, warned that restoring such habitats will become increasingly cost-prohibitive beyond 2030 due to rising sea levels. This past April, the Ocean Protection Council updated its sea level rise projections, which now predict a 67% chance that the San Francisco Bay will rise additional 6 inches to 1.1 feet by 2050.

These new findings highlight the urgency in addressing sea level rise in the San Francisco Bay. That's why the Bay Area Council, the Silicon Valley Leadership Group, Save the Bay, and other organizations worked to pass Measure AA in 2016, a \$12 parcel tax which will raise \$500 million over 20 years for wetland restoration and flood protection projects in the San Francisco Bay. That's also why the Bay Area Council and the Silicon Valley Leadership Group are leading an effort involving 13 Bay permitting and permittee agencies, including BCDC, to work on ways to better coordinate the permitting of beneficial projects.

In short, time is not on our side. The paramount goal of any considered changes to the San Francisco Bay Plan and/or the McAteer-Petris Act, must be the reduction of project timelines and costs. Proposed policy changes on bay fill for habitat or social justice should meet this constraint. As stated at one BCDC workshop: we can spend valuable years studying the tangential effects of adaptation strategies, or we can be nimble and innovative. We urge BCDC to commit to the latter. Any processes or policies that complicate, delay, or materially increase project costs will leave residents and businesses vulnerable to the harms of sea level rise and our next mega storm.

Thank you for your leadership, and for considering our views.

Sincerely,

A handwritten signature in black ink, appearing to read 'AC', written over a light blue horizontal line.

Adrian Covert
Vice President, Public Policy
Bay Area Council

Begin forwarded message:

From: Feinstein Arthur <> **Subject: Bay Plan proposed Amendments re Habitat and Environmental Justice and Social Equity**

Date: July 20, 2017 at 9:54:39 AM PDT

To: "Goldzband, Larry@BCDC" <larry.goldzband@bcdc.ca.gov>, lindy.lowe@bcdc.ca.gov

Dear Larry and Lindy:

Due to a health issue (a bad knee) I won't be able to attend today's Commission meeting but I did want to let you, and the Commission, know that I strongly support the proposal to amend the Bay Plan to address the impacts of climate change and sea level rise both from a habitat protection and restoration perspective and the impacts on disadvantaged communities that are the least able to address those impacts.

These are issues that are easy to support in general but that will, no doubt, raise many questions when it comes to the particulars. I look forward to that process and do hope that the public is adequately brought into these discussions. I would hope that there will be several opportunities for discussion before the Commission votes.

Good luck today,
yours,
Arthur Feinstein



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July 20, 2017

BCDC Commissioners
455 Golden Gate Avenue, Suite 10600
San Francisco, California 94102

RE: Support for amending the San Francisco Bay Plan to address adaptation to sea level rise in habitat projects

Dear BCDC Commissioners,

Ducks Unlimited is the world's leader in wetland conservation. We are a 501(c)3 organization that specialized in the planning and implementation of wetland conservation projects throughout North America. We work closely with federal, state, local, and private entities to protect, restore, and enhance wetlands that benefit waterfowl, other wildlife, and people. The San Francisco Bay is one of our top 5 continental priority landscapes. As such, our team of conservationists stationed in our Vallejo field office provide valuable financing, planning, and implementation services to Bay Area wetland conservation partners.

Ducks Unlimited supports the Bay Conservation and Development Commission (BCDC) in pursuing their identified action to amend the San Francisco Bay Plan to address adaptation to sea level rise in habitat projects, which falls under Adaptation Action 5 to "change existing laws, policies and regulations to more fully consider the local and regional impacts of rising sea levels in permitting and decision-making processes as needed." Ducks Unlimited believes that an update to the Bay Plan has the potential to help achieve conservation objectives for restoration and enhancement of wetlands fringing San Francisco Bay, if carried forward in a manner that considers the best available science and helps facilitate restoration of bayland habitats. Wetlands provide tremendous societal benefits through the ecosystem services they provide such as flood protection, wave attenuation, water filtration, groundwater recharge, nursery grounds for fish, and habitat for endangered species to name a few.

Historically, more than 200,000 acres of tidal wetlands fringed San Francisco Bay. In 1999, the Baylands Ecosystem Habitat Goals project, a multiagency effort to identify what kinds and amounts of wetland habitats around the Bay are necessary to sustain its health, set a goal of restoring 100,000 acres. Yet since then, only 15,000 acres are now restored. The recent climate change update (2016) found that restoring at least 50,000 is critical to protect the health of the Bay as it faces sea level rise by 2030. Bold action and policies promoting wetland restoration are needed to achieve this minimum acreage goal in the time remaining.

We encourage the Commission and BCDC staff to think critically about how to help the conservation community overcome obstacles to achieve the wetland restoration goal by 2030. Several substantial hurdles exist to complete any bayland restoration project. Notably, a vast proportion of project dollars and time investment goes to environmental compliance – in the case of small projects, this can far exceed the cost of implementation. If we are going to achieve our habitat goals, create resilient

shorelines, and provide habitat that directly benefits the people of the bay area, we need to take the following actions:

- reduce the compliance burden (permits and monitoring) on projects (timeline, cost, analysis that are difficult if not impossible to complete),
- create exemptions or other pathways to expedite restoration projects with overwhelming net benefits. Restoration projects are being completed are in the public's interest, and are often largely with public dollars for the direct benefit Bay Area citizens,
- defer to restoration project proponents to balance project goals and objectives with opportunities for public access,
- consider incorporating language that instead of restricting fill for habitat projects, encourages projects to pursue maximum habitat restoration as quickly as possible as passive sedimentation is not fast enough to keep up with sea level rise projections.

We need to take action now, and we commend the Commission in the timely amendment of the Bay Plan. BCDC was formed at Save the Bay's urging through passage of the McAteer-Petris Act in 1965 to "prevent indiscriminate Bay fill." The voluntary, publicly financed wetland restoration projects that come in front of the Commission are not indiscriminate, but are highly coordinated and planned for maximum societal and environmental benefits. We ask the Commission to continue a legacy that has positioned San Francisco Bay not just as an innovative world leader of progressive wetland restoration techniques/projects for addressing sea level rise, but to ensure this legacy lasts for future generations of Bay Area residents. This will be done by amending the Bay Plan with updates and interpretations that facilitate well planned projects and reduce the compliance burden, not through adding more restrictive regulations and oversight.

Best regards,



Mark E. Biddlecomb, Director
Western Regional Office