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March 31, 2024

Re: Comments submitted regarding the Draft Final Report on the Priority Conservation Area (PCA) Refresh

Dear Mr. Germeraad,

The Citizens Committee to Complete the Refuge (CCCR), Center for Biological Diversity (CBD), Ohlone Audubon Society (OAS), Santa Clara Valley Audubon Society, and the Sierra Club 3-Chapter Bay Alive Committee would like to express our thanks for your willingness to meet with some of the environmental community to hear our initial reactions to the Draft Final Report on the Priority Conservation Area (PCA) Refresh (Draft Final Report). We appreciated the opportunity to have a discussion regarding some of our questions and concerns. We look forward to continuing the dialogue as the updated PCA program is rolled out and nominations are proposed.

This comment letter includes the overarching comments we shared in writing previously and verbally during our stakeholder meeting in February and a follow-up meeting in March, as well as specific comments responsive to the actual text of the Draft Final Report. [CCCR comments sent regarding the Interim Report are attached]

The PCA process covers all the nine Bay Area counties, over one hundred communities and a broad range of biological habitat types. The comments expressed within this letter reflect a narrowed focus on the San Francisco Bay and shoreline, and arise from an awareness that the combined impacts of our pattern of building to the edges of the Bay, decreasing sediment supplies to the Bay, continued development along our shorelines, and rising sea levels, will result in significant adverse impacts to the health of the Bay ecosystem and the resilience of our shoreline communities if we fail to take appropriate action now.

We are encouraged by the direction that is being proposed in the Draft Final Report. The addition of a category for lands that can provide climate adaptation, particularly if these lands can be protected to provide the space necessary for tidal marsh restoration and migration, or for the implementation of nature-based solutions (natural infrastructure), is imperative if we are to address the challenges posed by sea level rise and groundwater rise.

We continue to urge that the nomination process be extended beyond cities, counties and open space districts. Local community based organization (CBO's) and environmental groups are oftentimes more attuned to the issues, needs and desires of the community than local agencies. Local environmental groups are usually the source of information regarding important local biological resources that should be conserved, or lands that could provide migration space for habitats and resilience for the community. The frustration with the existing and proposed PCA process is the inherent assumption that local jurisdictions utilize this existing knowledge base when nominating lands for the PCA process, when in fact it is often ignored.

Specific comments:

- P.6 Challenges:

The Draft Final Report states:

“Climate adaptation and equity are not directly incorporated into PCAs. Starting as feedback during the Plan Bay Area 2050 Implementation Plan, desired a PCA Refresh that would emphasize equity and climate adaptation along with biodiversity.”

It is unclear how equity will be directly incorporated into the PCA program. The use of information generated during the Plan Bay Area process of identifying Equity Priority Communities may provide a means of ensuring projects for the various categories of PCAs are actually nominated for Equity Priority Community geographies; however, there is no discussion of how the PCA program will ensure the projects that are being advanced within these communities actually are supported by the community. Other than identifying where Equity Priority Communities exist geographically, how will MTC/ABAG ensure that PCA nominated projects reflect the priorities and needs identified by CBOs including the environmental justice community?

One of the best ways to incorporate equity and environmental justice into the PCA process would be to ensure that the voices of local CBOs, including environmental justice groups, are integrated into the PCA process from the very beginning through the nomination process, and with continued involvement and opportunities for input all the way through to project completion, when it is determined that a particular project has successfully been implemented and met the desired outcomes.

- P. 7 – “Regionally-significant conservation opportunities - “Incorporate regionally-identified PCAs to complement local nominations.”:

The Draft Final Report states,

“ Plan Bay Area 2050 broadened the Priority Development Area program to a set of growth geographies that include regionally-identified areas. Mirroring that approach, *integrating regionally-identified PCAs will help ensure that regionally-significant and regionally-connective conservation opportunities are part of the Framework*. Regionally-identified PCAs are designed to complement locally-nominated PCAs with both sharing the same use and importance.”

- We support the identification of “regionally-significant PCA conservation opportunities,” and would urge that these be integrated into the Plan Bay Area geographies.
- We agree that designation of such areas and a “...consistent approach that leverages the best available data has the potential to improve competitiveness for federal, state, and other regional funds” is a desired outcome.
- We remain concerned that the nomination of PCAs within areas that have been identified as “regionally-significant PCA conservation opportunities,” is still dependent upon cities, counties and open space districts and there is no guarantee that PCAs will be nominated with the “regionally-significant geographies.”
- We are concerned the data sets used to identify “regionally-significant PCA conservation opportunities” for Natural Lands along the San Francisco Bay shoreline are incomplete. The data sets utilized to identify regionally-significant Natural Lands include the Conservation Lands Network (CLN) critical linkages data set, the CLN stream conservation targets and the CLN essential lands data set. As detailed further below in our comments regarding mapping, these data sets are incomplete and at a scale that is not helpful for identifying Natural Lands to be protected. Additional data sets

are available that should also be utilized to identify regionally-significant PCA conservation opportunities. [see additional comments regarding mapping below]

- While we support a funding framework that “has the potential to improve competitiveness for federal, state, and other regional funds” we are concerned that the current mapping of regionally-significant lands along the shoreline of the Bay, could direct funds away from lands that have been identified as significant through other long-established, peer reviewed studies. [Discussed further in our comments regarding P.10]

- P.8 – “Establishing a PCA vision and updating the PCA definition”:

The Draft Final Report proposes to change the PCA definition from a “protectonly definition to one that recognizes the need for enhancement of areas.” We certainly support and recognize the need for restoration of habitats of Natural Lands, and we agree that such actions should be incorporated into the projects supported by the PCA process. We do have a concern that the focus of Natural Lands PCA nominations could shift focus from protection to restoration. Currently there are funding streams available for restoration of habitats, but fewer dollars available for acquisition. We urge that some mechanism be incorporated into the review of PCA nominations that ensures that there is access to sufficient funding for acquisition of important Natural Lands or climate adaptation lands.

- P. 9 – Equity:

We agree that equity should inform and be embedded within the PCA process, but as we stated above, it is unclear how this will actually be implemented, since the only entities that can nominate PCAs are cities, counties and open space districts. There is an inherent and unfounded assumption that a mechanism exists that ensures the issues, needs and priorities of members of “Equity Priority Communities” or environmental justice groups within a community, are actively sought and incorporated into the PCA nomination process.

- P. 9 – Biodiversity:

We suggest the following sentence be rephrased for clarity:

Recreation can be planned ~~in ecosystem sensitive manners~~ *in a manner that is compatible with sensitive habitats and species*, and Climate Adaptation can be advanced in ways that assist species adapting to the changing climate.

- P. 9 – Climate:

This section describes the newly created category of Climate Adaptation as an overlay to the other existing categories of PCAs. With respect to Natural Lands the section states, “Natural Lands can pertain to shoreline marsh habitats that buffer upland areas during storm surges.” It is true that existing marsh habitats provide protection to adjacent uplands from storm surge, erosion, etc. and that these habitats may benefit from PCA nomination for restoration or enhancement actions, so directing funds towards such areas is beneficial.

From a protection perspective however, marsh habitats are “protected” from development by existing state and federal protections that regulate activities within waters of the state and waters of the U.S. It is the adjacent transition zones and uplands, that could provide future migration pathways for essential habitats such as tidal wetlands, that may not be protected from development by state and federal regulations and could benefit from PCA nomination. Protecting transition zones and suitable adjacent uplands for tidal marsh migration through PCA designation, could protect biodiversity and the important ecosystem services provided by tidal wetlands. Therefore, it might be more appropriate to rephrase the sentence above as follows:

“The Climate Adaptation category overlayed on top of the Natural Lands category can pertain to enhancement activities within shoreline marsh habitats that buffer upland areas during storm surges. Additionally, designation of PCAs for suitable uplands that are adjacent to tidal marshes, can preserve migration pathways for essential bay habitats as sea levels continue to rise.”

- P. 10-13 Mapping:

It is concerning when we view the maps at the link provided in the Final Draft Report [<https://mtc.one/PCAviwer>], that there is no indication of regionally-significant Natural Lands along the shoreline of the Bay. Lands where tidal marsh could be restored or suitable, adjacent upland sites for tidal marsh migration do appear to be provided to some extent, under the tabs “Regionally-Identified PCAs” and “Regionally-Identified Climate Adaptation,” but not as completely as provided in other important, peer-reviewed guidance documents. When viewing the CLN maps that are available online, areas along the shoreline that are unprotected and could be suitable for tidal marsh restoration, or suitable, adjacent upland areas that could provide space for tidal marsh migration, are not identified under “Areas Essential or Important to Conservation Goals,” or under “Other Conservation Layers – Baylands.” The 2019 “*Conservation Lands Network 2.0 Report*”¹ provides a map in Figure 2.5 that depicts “Map of Natural Upland/Bayland Transition Zones Where Baylands Migration is Possible,” however the figure is at a scale that is for all intents and purposes, unusable. **Therefore, for the identification of Natural Lands that might be important to protect and enhance along the shoreline of the Bay, or that could be important for Climate Adaptation, the data set is incomplete.** Many scientifically based reports identify areas that should be protected to ensure long-term bay ecosystem health and the resilience of the Bay’s ecosystems. We have recommended in the past that the PCA Refresh program should include the following data sets when identifying “regionally-significant” Natural Lands or Climate Adaptation Lands along the shoreline of the Bay:

- San Francisco Bay Habitat Goals Project (1999)²
- Bay Ecosystem Habitat Goals Update (2015)³
- Subtidal Goals Project⁴
- Tidal Marsh Ecosystem Recovery Plan (USFWS)⁵
- Estuary Blueprint (SFEP)⁶
- 2022 Restoring the Estuary (SFBJV)⁷
- 2015 Shoreline Adaptation Atlas (SFEI)⁸

¹ Bay Area Open Space Council. 2019. *The Conservation Lands Network 2.0 Report*. Berkeley, CA.

² [Monroe, M.](#); [Olofson, P. R.](#); [Collins, J. N.](#); [Grossinger, R. M.](#); [Haltiner, J.](#); [Wilcox, C.](#) 1999. [Baylands Ecosystem Habitat Goals](#). SFEI Contribution No. 330. U. S. Environmental Protection Agency, San Francisco, Calif./S.F. Bay Regional Water Quality Control Board, Oakland, Calif. p 328.

³ Goals project. 2015. *The Baylands and Climate Change: What We Can Do*. Baylands Ecosystem Habitat Goals Science Update 2015 prepared by the San Francisco Bay Area Wetlands Ecosystem Goals project. California State Coastal Conservancy, Oakland, CA

⁴ California State Coastal Conservancy, et al. *San Francisco Bay Subtidal Habitat Goals Report: Conservation Planning for the Submerged Areas of the Bay : 50-year Conservation Plan*. State Coastal Conservancy ; NOAA National Marine Fisheries Service, 2010.

⁵ U.S. Fish and Wildlife Service. 2013. *Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California*. Sacramento, California.

⁶ 2022 San Francisco Estuary Blueprint (Comprehensive Conservation and Management Plan for the San Francisco Estuary). San Francisco Estuary Partnership: San Francisco, CA.

⁷ San Francisco Bay Joint Venture. 2022. *Restoring the Estuary - A Framework for the Restoration of Wetlands and Wildlife in the San Francisco Bay Area*. Richmond, CA.

⁸ SFEI and SPUR. 2019. *San Francisco Bay Shoreline Adaptation Atlas: Working with Nature to Plan for Sea Level Rise Using Operational Landscape Units*. Publication #915,

- P. 11 and P. 14 – “Protection and Enhancement” as applied to the categories of PCAs:

Figure 4 – “PCA Type Characteristics” provides a list of activities supported by each PCA type. It is concerning that “Protection and Preservation” activities are not listed under the PCA type – Climate Resilience. PCA nominations for Climate Adaptation that provide space for tidal marsh migration or for tidal restoration must be protected. And certainly implementation of projects utilizing nature-based solutions that can restore and enhance natural infrastructure should benefit from funding that may be available through the PCA grant process. As noted above in the mapping discussion, regionally-significant areas for Climate Adaptation are depicted along the Bay shoreline, while Natural Lands have not been identified. Therefore, the activities that might occur on Climate Adaptation Lands could encompass recreational activities or potentially other activities that might not be compatible with protection and preservation. This substantive concern is underscored by a statement on page 14 of the Draft Final Report:

“Urban Greening, Recreation, and Climate Adaptation offer enhancement strategies while not being protection focused.” [emphasis added]

It is imperative that the mapping of regionally-significant Natural Lands along the Bay’s shoreline and the description of activities that may occur within regionally-significant Climate Adaptation Lands be modified to clarify that Climate Adaptation Lands along the Bay’s shoreline are to be protected, preserved, and enhanced, and that any other activity proposed should be compatible with the protection of biodiversity, of habitats and sensitive species.

- P. 13 – PCA Types Inside and Outside of Cities and Urban Growth Boundaries:

We support the inclusion of the Natural Lands PCA type within city limits and urban growth boundaries, as city limits may extend into the bay, and urban growth boundaries may extend to the bay shoreline. In an era of rising sea levels it is hoped that, wherever possible, existing transition zones and tidal marsh habitats will have the ability to migrate upslope into suitable upland areas. This will be crucial to protect the biodiversity of the Bay and the critical ecosystem services it provides.

- P. 16 – “Incorporating Regionally-Identified PCAs into the Framework”:

We support the designation of “regionally-identified” PCAs. Regionally-identified Natural Land PCAs not only advance regional biodiversity, but they also conserve critical ecosystem services that are valuable to Bay Area communities and can provide climate change resilience. These geographies should be integrated into future iterations of Plan Bay Area to provide a holistic approach to planning for the Bay Area in an era of climate change. However, as we have stated earlier, we believe the data sets for Natural Lands and Climate Adaptation along the Bay’s shoreline must be expanded to include existing, scientifically driven, peer-reviewed guidance documents.

Conclusion:

The PCA Reforms outlined in the Draft Final Report give us hope that the PCA process itself will be headed in a direction that will result in on-the-ground protections for biodiversity and ecosystem services, resilience to climate change for our communities and the interjection of equitable decisions and environmental justice throughout the nomination process. We have pointed out concerns regarding the mapping of “regionally-significant” Natural Lands and urge that a more robust data set be utilized. Unfortunately, when reading the text and in reviewing the maps provided, the overwhelming reliance of the PCA Refresh program for the identification of Natural Lands is still on data sets that focus more on terrestrial inland systems.

We appreciate and support the inclusion of a 5th PCA classification of lands that can provide climate adaptation and we strongly support within that classification, the need to consider lands that could provide habitat migration space (e.g. for

Bay ecosystems, as sea levels continue to rise). The ramifications of sea level rise will have a profound impact on the ecological health and resilience of the Bay ecosystem as well as the health and resilience of our communities.

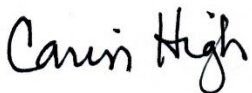
We remain concerned that the nomination process is restricted to cities, counties and open space districts. Contrary to the belief that the local jurisdictions know their lands the best, it is most often, outside sources such as local environmental groups, scientists, etc. who provide the knowledge of where important habitats and sensitive and listed species exist. Or where lands will be inundated by sea level and groundwater rise, or fluvial flooding. It is also the local CBOs and environmental justice groups who know best the priorities, issues and needs of Equity Priority Communities. There is no mechanism within the PCA nomination process for any of these voices to be heard.

We recognize that the incorporation of the Environment Element into Plan Bay Area is a recent addition and that it is a work in progress, however, the threat posed by sea level rise to habitats that are crucial to the ecosystem health and resilience of San Francisco Bay and the resilience of our communities requires our urgent attention. This needs to be conveyed within the language of the revised PCA Program. Original Nominator Types need to be made aware that protection and restoration of the natural environment is in the best interest of the protection and resilience of their communities. For example, while we appreciate that the Draft Final Report identifies the importance of protecting migration pathways for tidal wetlands and shoreline habitats, the fact that all the benefits tidal wetlands provide to our communities will be lost if we don't protect these habitats is inadequately addressed. It is also distressing that the decades of scientific, peer-reviewed recommendations of actions needed to protect the San Francisco Bay ecosystem are still not fully reflected in the references and data sets identified within this document.

We hope to be able to continue the discussion of how "regionally-significant" Natural Lands along the Bay's edge will be indentified. We also hope that the public will be able to review and provide comments on the framework of the nomination process. We urge that PCA nominated sites be posted on a website. Lastly, we hope that MTC/ABAG will continue to exchange information with the San Francisco Bay Conservation and Development Commission to ensure consistency with the Regional Shoreline Adaptation Plan Guidance that is being developed, and to share mapping tools and data that may become available.

Thank you for the opportunity to provide comments. We hope that the modifications we have suggested will be incorporated into future iterations of this document. Please keep us informed of any future opportunities to review and provide comments on the PCA Refresh process.

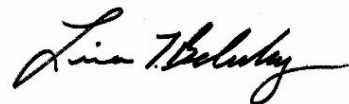
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