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January 24, 2013

Mr. John Faust
Office of Environmental Health Hazard Assessment
1515 Clay Street, Suite 1600
Oakland, CA 94612

Dear Mr. Faust,

Thank you for the opportunity to comment on the Second Draft California Communities Environmental Health Screening Tool (CalEnviroScreen).

The Mission of the Bay Planning Coalition (BPC) is to work through a broad coalition to ensure thriving commerce, recreation and natural environment in the San Francisco Bay Region. Founded in 1983, (BPC) is a non-profit, membership-based organization representing public and private entities in the maritime industry and related shoreline businesses, including ports, residential and commercial builders, environmental and business organizations, and professional service firms in engineering, construction, law, planning and environmental sciences.

We applaud the efforts of Cal/EPA to direct additional environmental abatement and economic development resources to environmental justice communities, which often bear a disproportionate share of environmental burdens. However, without clear and consistent guidance regarding proper use of the tool, the CalEnviroScreen may be incorporated into project analyses under the California Environmental Quality Act (CEQA), with the unintended effect of driving investment away from the exact communities it is intended to help by providing project opponents with a fair argument that any environmental impact within an identified EJ community – no matter how small – is “cumulatively significant,” thus pushing the project into a lengthy and expensive EIR.

We appreciate Cal/EPA’s addition of language in the second draft of the tool clarifying that the tool is not “intended” to be used in CEQA. However, in order to prevent any possible misuse in CEQA, we request that you provide clear and consistent language in both in the tool’s preface and in the accompanying guidance memo stating that CalEnviroScreen does not identify environmental impacts for the purpose of or for use in CEQA compliance. Without such clear language, the opportunity will still exist for this tool to be misused to create additional community revitalization challenges in our state’s most underserved neighborhoods.

Once again, we appreciate the opportunity to comment on the draft tool. It is our hope that with further clarification as to the uses of the tool, unintended consequences will be avoided, and improved conditions in environmental justice communities will be made possible.

Sincerely,



John A. Coleman
Executive Director
Bay Planning Coalition