



Email Subject Line: CalEnviro Screen Comments from CWC

October 16, 2012

Via Electronic Mail

[Draft California Communities Environmental Health Screening Tool](#)

John Faust
Office of Environmental Health Hazard Assessment
1515 Clay St., Suite 1600
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Dear Dr. John Faust and All Concerned Parties at OEHHA:

These comments are submitted on behalf of the Community Water Center. We are an environmental justice nonprofit organization working on the impacts of groundwater contamination on Central Valley communities and the environment, and seeking to attain access to clean, affordable and reliable drinking water for all Californians. For the low-income, communities of color we work with, cumulative impacts translates to the combined experience of environmental hazards and pollution, as well as the social vulnerabilities that exacerbate these hazards. We have been following the development of OEHHA's cumulative impacts screening tool for some time, and appreciate the opportunity to provide input on this important issue that especially impacts Central Valley communities. At this juncture, we believe that we are at a critical moment for the scientific and regulatory community to apply, use and implement a sound and rigorous scientific approach to identify cumulative impacts, and draw on the vast knowledge our communities have in understanding the on-the-ground needs of this multi-layered environmental and social issue.

We have attended the Community and Academic meetings and have several areas of comments to provide. Our comments can be divided into four areas: 1) comments on the current methodology, 2) comments on indicators, 3) comments regarding drinking water, 4) comments regarding procedural and policy issues.

Comments on the Current Methodology

We understand and appreciate the complexity of developing a screening tool for cumulative impacts, and appreciate OEHHA's effort at undertaking this important task. We also acknowledge that there are other tools already existing, and that each provides its own merits, benefits and limitations.

Regarding OEHHA's proposed method, we propose the following items:

- *Scale:* The use of zip codes to characterize indicators is of concern for us, given that in the rural areas where we work a community may have 50-100 people living in it. We strongly

recommend the use of a smaller scale, or at least one that has a more consistent population count, such as census tracts or blocks. The use of census blocks or tracts would provide better resolution in these rural areas.

- *Weighting:* We recommend a weighting approach that is simpler to understand by communities and the public, and allows for equal weighting of indicators. First, we believe all indicators and components should be weighted equally, at least initially. The current proposal, gives more weight to “environmental exposures” components. At the Academic Meeting, it was implied that this might be because there are more policy levers available to regulate these factors. This is based on an implied use of the tool (e.g. regulatory purposes), and denies the fact that there are other policy levers available for the other factors (e.g. allocation of funding based on poverty-level/median household income levels). Therefore, we urge OEHHA to be clearer on why weighting occurs, but more importantly we believe each component should be given equal weight.
- *Merge Multiple Components:* In order to avoid the mis-interpretation that the “Public Health Effects” are all attributable to the noted environmental exposures, and in order to deal with the fact that there are numerous other “health vulnerabilities/disease measures” that could be used, we concur with the discussion among the Academic panelists that Public Health Effects can be added to the Social Vulnerability, and could therefore be included under a “Social & Health Vulnerability” Component.
- *Regional ranking is critical:* Given the variability of environmental burdens across the state, we believe that including regional ranking would be important in order to differentiate heavily impacted areas within a region. For example, according to some accounts, the entire San Joaquin Valley is a “disadvantaged area”. However, pockets of wealth exist in the San Joaquin Valley and it is important to tease out this variability.
- *Ground-truth:* we believe community-based ground-truthing would be an important final step in implementing this tool.

Comments on Indicators

- *Linguistic Isolation:* This is a key variable to add, and is relevant for a number of reasons. With regards to drinking water, our residents are more vulnerable and less able to understand public notifications if they are not English speakers.
- *Proximity to hazards:* Proximity to hazards should be noted, and consistent buffers used. As relevant to water, proximity to dairies should be included.
- *Pesticide use:* We believe cumulative impacts tools are not meant to be a risk assessment nor formal exposure assessment models, but rather a tool to identify potential risks and burdens impacting vulnerable communities. In that vein, we strongly urge OEHHA to continue its use of pesticides applied (i.e. pesticides used) as the best-available measure for potential pesticide exposure. This approach makes further sense if one considers pesticide percolation into drinking water sources (e.g. groundwater or streams); an air-focused exposure assessment would fail to account for additional routes of exposure (e.g. via water). Again, the key point here is that pesticide use is a proxy for potential exposure and burdened areas.

Comments Regarding Drinking Water:

We understand that OEHHA has not yet developed the drinking water indicator. Given our work on drinking water issues impacting vulnerable communities, we have the following recommendations:

- *Particular attention should be paid to rural areas:* A smaller unit of analysis would, again be important (e.g. census tract or block group, as opposed to zip code).
- *Contaminants Vary Across Regions:* Different key drinking water contaminants are present throughout the state. In order to factor this in, we recommend regional analyses of cumulative impacts, to tease these differences out, and make sure that like-regions are being compared to each other. Otherwise, this will make it hard to compare the true impact of drinking water contamination in one region versus another.
- *Private well-owners, not on Public Water Systems:* In the Central Valley, we estimate that at least 20% of the population relies on private wells. The California Department of Public Health does not require sampling of these private systems. In order to capture true potential exposure, we recommend the use of additional databases (e.g. GAMA) that could estimate the potential water quality of residents relying on private groundwater wells.
- *Vulnerabilities beyond contaminants:* Communities also face vulnerability based on the physical state of infrastructure. While data on age of infrastructure is not widely available, OEHHA could potentially use: number of active sources, or the number of service connections as a proxy for the potential physical vulnerability of the system.
- *Considerable Gaps in Data:* Considerable gaps exist in existing Department of Public Health datasets. One way around this is to use databases from multiple sites (e.g. GAMA & WQM). However, this will require various assumptions and interpolations.
- *Coordinate Parallel Work that Overlaps with Other State Agency Activities:* The Department of Water Resources (DWR) is currently working on defining “Disadvantaged Communities” for the purposes of drinking water funding. To the extent possible, it would be useful if OEHHA’s approach could add to DWR’s approach, or at least address it so that we have increased consistency when identifying impacted communities. This will also ensure that cross-agency approaches and funding requirements are more compatible with each other.
- *Include proximity to water-polluting land-uses :* While the impact of dairies on local groundwater is difficult to measure, dairies have an impact on local groundwater quality. Including proximity to dairies would be important.
- *Include pesticides in groundwater:* While current drinking water databases do not incorporate pesticide levels, Department of Pesticides Regulation (DPR) does monitor for pesticides in the groundwater. We urge OEHHA to consider developing a pesticides-in-water measure based on DPR’s groundwater monitoring database.

Procedural & Policy Issues

The above issues will better incorporate our understanding and experience of cumulative impacts in the San Joaquin Valley. We also believe it is important that OEHHA consider several policy and procedural issues related to OEHHA’s Screening Tool.

- Ample evidence exists on the science and lived experience of cumulative impacts. While the different methodological approaches can continue to evolve and be improved, we believe our environmental justice communities are waiting to see the actual implementation of this tool and its related policies. We encourage OEHHA to move towards policy implementation of this critical tool. Examples of active steps to take would be to start using the tool to target beneficial programs and funding sources in over-burdened communities, or target enforcement activities in overburdened areas.
- While we appreciate efforts to include some Environmental justice representatives on the working group, and the effort of OEHHA to hold regional workshops, we encourage

CalEPA to further improve transparency and environmental justice representation during the process of the development and implementation of this tool. CalEPA should work with a more contemporary and renewed list of environmental justice groups to guide future tool use and development. Moving forward, we encourage CalEPA to work directly with environmental justice community groups. The current Cumulative Impact/Precautionary Approach Work Group was established many years ago and is not reflective of the current environmental justice movement or community. The environmental justice community members and representatives from community-based organizations who are working on a daily basis to improve overburdened communities are key experts on cumulative impacts, and we urge you to work directly with these experts to guide tool use and future development.

Thank you for the opportunity to share our comments. We look forward to continuing to collaborate with CalEPA and OEHHA.

Sincerely,



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