September 12, 2012

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

Dear Mr. Faust,

The Ditching Dirty Diesel Collaborative (DDDC) is a regional alliance of over a dozen community-based organizations, labor, environmental science, public health and legal non-governmental groups working to reduce exposure to diesel pollution in the San Francisco Bay Area. Thank you for this opportunity to provide the following comments on OEHHA's draft Environmental Health Screening Tool (EnviroScreen) to assess the cumulative impacts of various pollutants on the health of sensitive populations in California.

We greatly appreciate OEHHA's commitment to providing a more comprehensive tool for identifying disproportionately impacted communities in California and informing the development of policy solutions that address the pollution burden facing these communities. We believe that this type of cumulative impacts assessment tool is essential to improved multi-stakeholder decision-making and meaningful engagement of disproportionately impacted communities in the decision-making process. We provide the following comments to improve the utility of the tool towards advancing the aforementioned objectives:

I. Tool Should Assess Land Use Conflicts Posed by Proximity to Pollution Sources

To be effective, your cumulative impacts assessment tool should lend itself to informing healthier siting, zoning, permitting, and other environmental and land use decision-making as well as provide a robust baseline of existing environmental and health conditions in any given community. The draft EnviroScreen tool does not adequately account for the land use conflicts that result in the high pollution burden in environmental justice communities. Land use conflicts stemming from the proximity of residentially zoned land and other sensitive land uses such as schools, parks, clinics, senior centers, and daycare facilities to polluting land uses should be included in a baseline assessment of cumulative impacts. This information can be applied in decision-making contexts to support rezoning efforts that minimize land use conflicts, such as prioritizing new housing development in residentially zoned land at a health-protective distance from pollution sources, retaining industrially zoned land along existing freight transport corridors to account for future expansion, or relocating polluting land uses away from residential areas.

II. Tool Should Account for Cumulative Health Impacts of Freight Transport

The draft EnviroScreen tool should also adequately account for the cumulative impacts associated with mobile pollution sources, in particular freight transport sources of pollution.

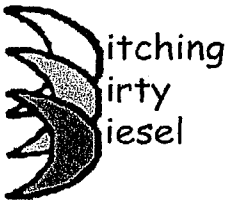
Freight transport, or the movement of products and raw materials via truck, train, ship or plane, is a major source of diesel particulate matter that disproportionately affects low-income and communities of color in California. Freeways also generate other hazardous emissions such as cadmium dust, benzene, and petroleum particulate matter from leaking and burning lubrication oils. Partly due to their geographic proximity to freight-related land uses, many of these communities are also burdened with a higher health risk from toxic air contaminants associated with freight truck and train traffic servicing industrial facilities and other stationary sources of pollution. Cumulative impacts associated with freight transport-related land uses include noise, traffic congestion, and pedestrian safety hazards from diesel truck and train traffic as well as serious health problems like asthma, cancer, heart disease, and reduced lung function in children.

III. Tool's Design Should Allow for the Incorporation of Community-Generated Data

Since there is no "one-size-fits-all" tool that can assess cumulative impacts at a community level, the draft EnviroScreen tool should allow the flexibility to incorporate community-generated data that complements and enhances available agency data collected at the state level. The proposed air quality data, for example, is from the existing monitoring system that local Air Districts operate. Additional data from community-level sources, such as roadside and fenceline monitoring of transportation corridors, must be included in a robust cumulative impact assessment tool and the tool's design should enable this functionality. Public agencies collecting data on pollution sources and exposures should be required to acknowledge, comment on, and use community-generated data which indicates that agency data is not adequately capturing the extent of cumulative impacts being experienced on the ground.

IV. Tool's Application Should Inform Healthier Land Use Decision-Making

Lastly, the tool should build on analytical tools developed by community-based and health organizations working to inform healthier land use decisions in disproportionately impacted communities. We have developed an approach to assessing land use conflicts from freight-related land uses that could inform the EnviroScreen tool, as documented in our 2011 report "At A Crossroads in Our Region's Health" (http://pacinst.org/reports/crossroads_for_health/). Using mapping and spatial analysis, we assessed the current and potential conflicts that exist between freight transport-related land uses and sensitive land uses such as housing, schools, parks, and health clinics in areas with high health risk from toxic air contaminants as designated by the Bay Area Air Quality Management District. To determine which places are most impacted by freight-related land uses, we generated health-protective buffers around freight transport-related land uses including freeways, rail yards, seaports, airports, warehouses, and distribution centers by applying the California Air Resources Board's Air Quality and Land Use Guidelines. We then identified how many sensitive land uses, such as schools, parks, and health clinics, are already located within these health-protective distances from freight-related land uses. Lastly, we calculated the amount of residentially zoned land within these health-protective buffer zones to assess the potential for future land use conflicts.



Fortunately, many healthier places where we can locate sensitive land uses like new housing exist in communities being targeted for regional development in the Bay Area as part of efforts to reduce greenhouse gas emissions. Our aforementioned analysis found that three-fourths (74%) of the land in Priority Development Areas that intersect with communities with the highest health risk from toxic air contaminants in the Bay Area is far enough away from freight transport hazards to be suitable for sensitive land uses like new housing, provided that appropriate mitigations are put in place. One out of every three acres of this more suitable land for sensitive land uses is zoned as residential or mixed residential/commercial.

We recognize that, in order to meet their housing needs, some communities may need to consider development opportunities for building new housing and other sensitive land uses near freight-related land uses. Our report also contains a detailed list of measures that can be incorporated into the design of proposed developments near freight transport-related land uses to reduce exposure to harmful pollution. Such measures include installing air filtration systems, triple-paned sealed windows, and other design elements that can help protect indoor air quality from harmful air pollutants. Other measures that can be taken include notifying prospective residents of the health risks posed by freight-related land uses surrounding the development and informing existing residents of the potential impacts of proposed expansions at freight-related land uses.

Planning for health is particularly important for addressing the burden posed by past land use and development decisions that have created unhealthy neighborhood conditions in communities already overburdened by toxic pollution. We believe that the EnviroScreen tool has the potential to enable healthier land use decision-making in all California communities if it adequately accounts for existing and potential land use conflicts in these communities.

Sincerely,

On behalf of the Ditching Dirty Diesel Collaborative

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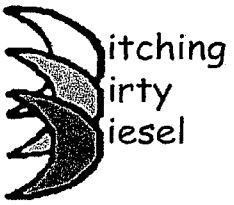

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