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February 1, 2013

CalEnviroScreen
c/o John Faust Chief, Community Assessment & Research Section
Office of Environmental Health Hazard Assessment
1515 Clay Street, Suite 1600
Oakland, CA 94612

Dear Mr. Faust:

Thank you for the opportunity to provide comments and suggestions in response to the development of the draft California Communities Health Screening Tool. We have reviewed the Tool and participated in several sessions with CalEPA staff to make sure we have a complete understanding of the intent, purpose, and uses of the Tool. We have provided by separate correspondence suggested changes to the Draft Guidance and the Screening Tool's Preface and Introduction in conjunction with other local governments. That correspondence focused on our most pressing concern: Making a clear boundary between the California Environmental Quality Act and the California Communities Health Screening Tool.

CalEnviroScreen identifies areas in California that may be disproportionately impacted by pollution and adverse socioeconomic conditions. Because CalEPA developed the Tool, and because the tool addresses certain environmental conditions such as air pollution, we think some people will conclude that the areas identified by the Tool may be areas that experience "significant adverse environmental effects" for purposes of CEQA. However, the methodology and analysis that produced CalEnviroScreen bears no relationship to the methodology and analysis required by the California Environmental Quality Act. For example, the Tool studies a variety of socioeconomic factors. In contrast, CEQA states: "Economic and social changes resulting from a project shall not be treated as significant effects on the environment."¹ We have made several suggestions in our previous correspondence to make sure the boundary between CEQA and the California Communities Health Screen Tool and CEQA is impenetrable.

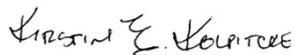
In addition to requesting consideration of our most pressing concern, we would appreciate your consideration of the following:

¹ CEQA Guidelines § 15064(e).

1. We request your opposition of any legislative proposal that mandates use of the Tool by local governments.
2. CalEnviroScreen is not weighted by population. This means that areas have been identified as disproportionately impacted regardless of the number of people living in those areas. Since the Tool identifies impacts on people, it seems as if any ranking of areas should take into consideration how many people are impacted.
3. CalEnviroScreen identifies impacted communities in relation to communities in the state generally. Although these communities experience a higher level of exposure than other communities, this does not necessarily make these communities “unhealthy.” Rather, they simply experience more of the factors studied than other communities. CalEnviroScreen did not establish an “unhealthy level of exposure” and then compare communities in the State to that standard to determine which, if any, were impacted.
4. Physical environmental conditions impact people of all races and economic status equally. Unhealthy conditions are dangerous for all people regardless of race or socioeconomic status. However CalEnviroScreen identifies impacted areas based, in part, on socioeconomic status. As mentioned above, this is a significant deviation from traditional environmental impact analysis.
5. We are aware that you will continue to update and refine CalEnviroScreen after it is released. For example, we understand you are planning to add something relating to drinking water contamination and to refine the list of impacted areas by identifying them by census tracts. We strongly urge you to include a public comment period in the update process.

Thank you very much for your consideration of these comments.

Sincerely,



Kirstin Kolpitcke
League of California Cities