ORANGE COUNTY
BUSINESS COUNCIL

2 Park Plaza, Suite 100 | Irvine, CA 92614-5904 | P 949.476.2242 | F 949.476.0443 | www.ocbc.org

January 31, 2013

Office of Environmental Health Hazard Assessment
Attn: Dr. John Faust
Chief, Community Assessment and Research Section
1515 Clay Street, Suite 1600
Oakland, CA 94612

Re: Comments on January 2013 Draft Cal/EPA California Communities Environmental Health Screening Tool (CalEnviroScreen)

Dear Mr. Faust:

On behalf of Orange County Business Council (OCBC), representing global businesses that comprise the economic engine of Southern California, I write to address the current Draft California Communities Environmental Health Screening Tool developed by the Office of Environmental Health Hazard Assessment (OEHHA).

OCBC is concerned with several elements of this current draft tool including some key aspects of its methodology and data inputs; the lack of clarity on how this tool will be used by the public; and the potential that the "ranking" mechanism used in this tool may further exacerbate economic hardships facing California's ailing communities.

Specifically, our concerns include the following:

- **Public Use of This Tool.** To date, Cal/EPA and OEHHA have not committed to ensuring the tool is not used inappropriately at the local or project-level for permitting or regulatory decisions. This is particularly alarming as, if this tool is applied to the California Environmental Quality Act, this would likely require any project in a high-ranked community to undergo a full EIR. It also increases a project's exposure to spurious litigation. This and any screening tool – as "screening tools" are simply a first step - should not be used for permitting or regulatory purposes.

- **Economic Impact on Communities.** This proposed tool will be used to score levels of socio-economic status and "environmental vulnerability" across California, threatening to red line communities that are seen as particularly "vulnerable". Comparing areas of the state against others creates a relative ranking of the most environmentally and economically depressed regions in the state, and creates an unreasonable incentive that would essentially "redline" communities – discouraging investment in low socio-economic status communities. If vital community investors view particular communities as "environmentally burdened," it would lead to a drop in property values and push businesses out of the region - and potentially the state - at a time when economic growth is imperative.

- **Methodology and Data Inputs.**

- The methodology in this tool does not distinguish between health outcomes driven by socio-economic status and those caused by chemical pollution exposure. This is a scientifically unjustified approach that may influence inaccurate estimation of human exposure to pollutants.

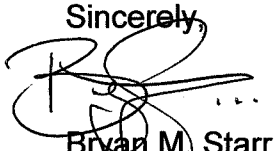
- This tool currently includes multiplicative methodology on relative pollution burdens and population characteristics of a ZIP code that OEHHA has not justified.

- Modeling at the ZIP code level, as this tool does, can create scientifically flawed community-assessment/ranking results as ZIP codes are much bigger than communities. A ZIP code can include a wide variety of neighborhoods, with enormously different burdens and socioeconomic factors.

- The use of percentile scores for indicators, rather than normalized actual values, contributes to the perverse outcomes of the tool, and warps the relative importance of certain indicators.

OCBC requests that OEHHA carefully consider the business community's concerns. Failure to sufficiently address these issues may result in harmful and unintended consequences that will negatively impact California's fragile economy. Thank you for your thoughtful consideration.

Sincerely,



Bryan M. Starr
Senior Vice President, Government Affairs