Alpine Amador Butte Calaveras Colusa Del Norte
El Dorado Glenn Imperial Inyo Lake Lassen
Madera Mariposa Merced Modoc

Mono Napa Nevada Placer Plumas San Benito
Shasta Sierra Siskiyou Sutter Tehama
Trinity Tulare Tuolumne Yolo Yuba

Chair - Kim Dolbow Vann, Colusa County
First Vice Chair - Kevin Cann, Mariposa County
Second Vice Chair - Nate Beason, Nevada County
Past Chair - Diane Dillon, Napa County

President and CEO – Greg Norton
Executive Vice President – Patricia J. Megason
Chief Financial Officer – Karl Dolk

October 16, 2012

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

Sent via email: john.faust@oehha.ca.gov

RE: CalEnviroScreen Tool

Dear Mr. Faust,

On behalf of the Regional Council of Rural Counties (RCRC), representing thirty-two of the state's rural counties, we appreciate the opportunity to provide a written expression of our comments made at the October 2nd workshop for local government on the CalEnviroScreen Tool. We understand that the tool is intended to help CalEPA and other boards and departments to prioritize and direct resources to the most impacted communities. However, as you heard at the workshop, we are extremely concerned that local government will be negatively impacted by this tool in the future.

First, we are concerned about the use of the specific indicators and the zip code scale as they do not accurately reflect actual impacts to communities. The existence of a facility in an area does not indicate a toxic or pollutant problem exists, and it certainly does not necessarily reflect to the entire zip code, especially in rural areas. This creates an inaccurate perception of vulnerable areas. As an example, a permitted and properly operated solid waste transfer station may be considered an undesirable adjacent land use, but it certainly does not warrant being considered an impact to the entire zip code in which it is located.

Then, when adding multiple indicators to a zip code, each indicator will add to the vulnerability level, when in actuality, the various indicators could be miles apart and not have a cumulative impact at all. This could have a deleterious effect of highlighting communities as being undesirable for future development and have a negative impact on obtaining financing for projects. At the local level, this tool could have the unintended consequence of directing development to other areas.

We are also concerned that this amplification of the zip code cumulative impacts will be used against counties as a basis for unnecessary and costly CEQA challenges to beneficial and sustainable projects in our local communities. While the draft document states that this tool is not to be used as the equivalent of a CEQA analysis for cumulative impacts, the memo suggests it can be used by decision makers carrying out their obligations under CEQA.

1215 K STREET, SUITE 1650 SACRAMENTO, CA 95814 PHONE: 916-447-4806 FAX: 916-448-3154 WEB: WWW.RCRCNET.ORG

Local governments already have processes that identify the needs of communities and populations that have been historically underserved. Environmental Justice issues are addressed during the General Plan, Community Plan, and Specific Plan processes of the local jurisdiction, and the Local Agency Formation Commission Service Areas Reviews. Quite frankly, the problem is not identification of these areas, but it is a matter of funding the projects to improve the areas. In order to advance CalEPA's intent to prioritize and direct resources to the most impacted communities we believe we would all be better served by developing a guideline, not a mapping tool, that allows CalEPA and local governments to assess specific underserved areas for prioritization.

We join our other local government representatives in requesting additional outreach and meetings with local government representatives, including planners and attorneys and are ready to assist in that endeavor.

If you have any questions, you may contact me at (916) 447-4806 or mpitto@rcrcnet.org.

Sincerely,

Mary Pitto
Regulatory Affairs Director