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Connect with the  
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May 14, 2021

Honorable Jared Blumenfeld, Secretary  
California Environmental Protection Agency (CalEPA)  
1001 I Street  
P.O. Box 2815  
Sacramento, CA 95812-2815

Dr. Lauren Zeise, Director  
Office of Environmental Health Hazard Assessment (OEHHA)  
P.O. Box 4010  
Sacramento, California 95812-4010

RE: Comment Letter on OEHHA's Draft Version 4.0 of CalEnviroScreen

Dear Secretary Blumenfeld and Director Zeise:

I am writing to provide comments on the Office of Environmental Health Hazard Assessment's (OEHHA's) draft version 4.0 of CalEnviroScreen (CESv4). Draft CESv4 is an updated version of the statewide screening tool used to identify disadvantaged communities in California. CalEnviroScreen has been developed for use in prioritizing investments of Cap & Trade auction proceeds as prescribed by Senate Bill 535 (SB 535; De Leon 2012) and subsequent legislation.

First, the Air District would like to thank you and your staff for all your work developing and improving this screening tool with each new version over many years. We would like to acknowledge improvements in draft CES 4.0 over the early version of CES 3.0. Specifically, we appreciate the improvements in the methodology used to create the PM<sub>2.5</sub> and Diesel PM indicators, including the satellite data; the addition of the children's lead risk of from housing; and the updates and improvements in Environmental Effect Indicators, which more accurately reflect potential impacts from facilities near communities.

The Air District strongly supports prioritizing funding to disadvantaged communities. We have taken a proactive approach to implementing AB 617; and prior to this effort, we have rigorously identified disadvantaged areas within our Community Air Risk Evaluation (CARE) program. For both programs, we have been working directly with community groups to identify disadvantaged communities within the Bay Area.

### **Adapt the Tool to the Purpose**

While we appreciate your efforts to improve this tool, and your intent to identify disadvantaged communities throughout the state, we continue to

have serious concerns about its use. As with CESv3, we continue to be concerned about the use of this screening tool to provide a single authoritative definition of the locations of disadvantaged communities within the state. The current scoring method used in draft CESv4, in combination with a top 25% cutoff, identifies only a limited set of the various ways that communities can be disadvantaged. Draft CESv4 may identify and prioritize some types of disadvantage but overlooks others that are equally important. Unfortunately, CalEnviroScreen is often used without considering its suitability to specific grant and funding programs in the California Climate Investments programs – many of which have no focus on addressing pollution issues. We are also concerned about a lack of systematic evaluation of its performance in different regions, communities, or sites. CESv4, like previous versions, is not adequate to assume the role of providing a universal statewide definition of community disadvantage.

There are many communities in the Bay Area that are disadvantaged by poverty and lack of resources and have other risks to environmental and public health and safety, but this tool is designed to focus heavily on those communities with *multiple* sources of pollution in addition to socioeconomic factors. Unfortunately, this tool is being misapplied as a convenient, blanket definition for 'disadvantage' for all types of funding.

### **Include Indicators of Climate Change**

Given that CES is used to determine eligibility for Cap & Trade funds set aside for disadvantaged communities, a tool, or specific indicators to be included within the tool, should be available to consider climate impacts and risks. The current CES tool, which strongly focuses on multiple types of pollution burden, is not as useful when considering how best to apply funds intended for climate resiliency and adaptation. Many of these programs, which total hundreds of millions of dollars annually, are targeted for wildfire risk, urban tree planting, home energy efficiency, and other climate mitigation, adaptation, and resilience projects. A separate tool should be created to incorporate indicators of climate change, such as areas of vulnerability to extreme heat, extreme weather events, flood risk and sea level rise, as well as wildfire risk. The inclusion of these indicators will help more at-risk disadvantaged communities to be eligible for essential funds needed to bolster and protect communities in the face of continually increasing impacts from our destabilizing climate.

Assembly Bill 197 (E. Garcia, 2016) directs the California Air Resources Board to consider the social costs of the emissions of greenhouse gases and prioritize specified emission reduction rules and regulations. It further recognizes disadvantaged communities "as those communities [that] are affected first, and most frequently, by adverse impacts of climate change, including increased frequency of extreme weather events, such as drought,

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heat, and flooding.” CESv3 lacks measures of climate impact, making it ill-equipped to implement AB197.

For prioritizing Cap & Trade funds, the effects of climate change on socioeconomically disadvantaged communities should be considered separately from the impacts of pollution burden. This will support vulnerable communities with preparation for adaptation and resiliency.

### **Increase the Threshold for Determining Designation of Top Percentile of Disadvantaged Communities**

As an interim step, we advocate for CalEPA to set the threshold for determining disadvantage at the top 30%, rather than the top 25%. The final tool should be more inclusive of communities that face burdensome socioeconomic vulnerability. Expanding the top percentile to 30% (between 30% to 35%) will reduce the risk of overlooking disadvantaged communities that sorely need more resources. We are concerned that the narrow definition of Disadvantaged Communities categorically eliminates resources for projects in some communities with severe economic disadvantage and other sources of environmental risk.

As noted in the April 2017 document, “Designation of Disadvantaged Communities” pursuant to Senate Bill 535 (De León), CalEPA considered several resources to determine the portion of the state’s population, families and households that represent traditional markers of being disadvantaged. Many of these measures are now dated. Poverty, housing costs and food insecurity have intensified since 2013 and 2014. As more emphasis is placed on pollution burden, the weight of socioeconomic and health vulnerability indicators is effectively lessened.

The primary goal of SB 535 was to provide funding and benefit to those communities next to large stationary sources of GHGs, since they may suffer ancillary disbenefits from their location – specifically, higher air pollution exposures. However, CESv4 does not identify some fenceline communities as disadvantaged, and therefore does not account for the health impacts from Cap & Trade emissions in these areas.

A number of Census tracts that were previously identified as disadvantaged have dropped off of the top 25% list but continue to deserve the designation of a disadvantaged community. Often these Census tracts are adjacent to identified top 25% Census tracts, with similar socioeconomic or pollution burden, but with minor variation in individual indicator scores. Examples of disadvantaged communities in the Bay Area but left out of the top 25% of Census tracts, are located in the Tenderloin and Mission District in San Francisco, industrial parts of Berkeley, Milpitas, Pittsburg, San Jose and Santa Clara, and Martinez, among others.

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### **Prepare for CalEnviroScreen 5.0**

The Air District would appreciate the opportunity to collaborate with OEHHA to prepare for the next version of CalEnviroScreen 5.0. Indicators of climate risk, including sea level rise, extreme weather events, urban heat islands, wildfire risk, and flood risk should be assessed and included. We are working with Aclima to add improved localized data for PM<sub>2.5</sub>, which we hope might be incorporated into a future version of the tool. We would like to continue the discussion of weighting of indicators, including ½ weight of Environmental Effects. In dense urban neighborhoods there can be a legacy of contaminated soil and groundwater in industrial areas shared with low-income housing that often creates contaminated air with chlorinated hydrocarbons. These fugitive air emissions are not accounted for in facility emission inventories. Furthermore, impacts on quality of life near these facilities can be significant, and OEHHA should conduct focus groups with CalEPA's Boards and Departments to better understand the cumulative burdens and health concerns caused by the facilities and pollution indicators in the Environmental Effects category.

The Bay Area Air Quality Management District appreciates the opportunity to comment on the draft version 4.0 of CalEnviroScreen, and we welcome the opportunity to work with you to improve CalEnviroScreen to identify the state's disadvantaged communities.

Sincerely,



Jack P. Broadbent  
Executive Officer/APCO

JPB: JAC

Cc: Liane Randolph, Chair, California Air Resources Board  
David Kim, Secretary, California Transportation Agency  
Kate Gordon, Chair, Strategic Growth Council  
Christine Hironaka, Deputy Cabinet Secretary, Office of Governor  
Newsom