



Draft CalEnviroScreen 5.0 – Public Comment
From Greenaction for Health and Environmental Justice
Comments to the (*hereafter referenced as “draft CES 5.0”*)

To the Office of Environmental Health Hazard Assessment:

Greenaction for Health and Environmental Justice submits these comments on the Draft CalEnviroScreen (CES) 5.0 Draft on behalf of our members and constituents living in highly impacted and vulnerable communities across the state.

Comment 1: Unjustified and Inaccurate Extreme Drop in Overall CalEnviroScreen Score for Census Tract 6075980600, covering the Hunters Point Naval Shipyard Superfund Site

The Overall Draft CES 5.0 score for the census tract covering the Hunters Point Naval Shipyard (HPNS) *Superfund Site* went from 83 (CES 4.0) to 42.96 (Draft CES 5.0), a significant and wildly concerning decrease. Superfund Sites are classified as the most contaminated sites in the Nation and the HPNS Superfund Site has been contaminated with toxic and radioactive waste for *decades* poisoning generations of people who live there. The Pollution Burden Percentile for this census tract decreased from 69 (CES 4.0) to 34.48 (Draft CES 5.0) even though several environmental effects are at or above the 98th percentile.

These scores are misleading and inaccurate of the real risk. The large amounts of radioactive and toxic waste still present at the Superfund Site along the San Francisco Bay continue to pose a profound threat to the health of the communities and the environment. In addition, as sea levels and groundwater continue to rise, and as government regulatory agencies and the Navy still plan on capping large amounts of radioactive and toxic waste at and near the shoreline where it will eventually be flooded and spread into the neighborhoods, the risk is actually increasing not decreasing. Another example of increased risk at the shipyard was the recent discovery of plutonium in the air, a potentially very serious threat to the health of residents.

Government agencies that rely on CalEnviroScreen to identify communities most impacted by environmental and socioeconomic burdens will not have an accurate screening tool, but a watered down and inaccurate tool. Significantly lowering the overall percentiles for this census tract will negatively impact the health of vulnerable communities. The agencies and industries that have polluted and poisoned the community for decades are the ones that will benefit from this CES 5.0 update. The US Navy and the industrial polluters in Bayview Hunters Point can use this update to further justify their pollution and ineffective cleanup plans. This does *not* protect current or future residents in Bayview Hunters Point, it increases their risk.

How can the Office of Environmental Health Hazard Assessment (OEHHA) justify such a significant decrease to the Overall Score of an inadequately remediated *Superfund Site* in a highly vulnerable and impacted community? How can the draft update claim that the Hunters Point Naval Shipyard Superfund site is only in the **42nd** percentile for Overall CES score?

Comment 2: Consistent Pattern of Lowered Scores Along the San Francisco Bay Shoreline

The Hunters Point Naval Shipyard census tract was not the only shoreline tract to see significantly lowered overall scores. Other census tracts along the shoreline with significantly lower draft Overall CalEnviroScreen Percentiles include: Richmond Shoreline, Census tract: 6013378000 (The Overall Draft CES 5.0 percentile score for the census tract covering a large portion of the Richmond shoreline went from 71 (CES 4.0) to 57.14 (Draft CES 5.0); Richmond Shoreline including the Zeneca Site, Census tract: 6013380001 (The Overall Draft CES 5.0 percentile score for the census tract covering a large portion of the Richmond shoreline went from 75 (CES 4.0) to 37.52 (Draft CES 5.0); Oakland Shoreline, 6001428700 (The Overall Draft CES 5.0 percentile score for the census tract covering a portion of the Oakland shoreline went from 77 (CES 4.0) to 53.22 (Draft CES 5.0); Oakland Shoreline, 6001401700 (The Overall Draft CES 5.0 percentile score for the census tract covering a portion of the Oakland shoreline went from 80 (CES 4.0) to 54.4 (Draft CES 5.0); East Palo Alto Shoreline, 6081611900 (The Overall Draft CES 5.0 percentile score for the census tract covering a large portion of the East Palo Alto shoreline went from 75 (CES 4.0) to 65.23 (Draft CES 5.0). **This concerning pattern along the Bay shoreline needs to be addressed by OEHHA and resolved before CalEnviroScreen 5.0 is released.** OEHHA acknowledges the risk of sea level rise and climate change in the Draft CalEnviroScreen 5.0 Technical Report but fails to recognize how this draft update contradicts these statements by consistently lowering the Overall CES scores for census tracts on the shoreline line. All of these census tract overall scores would likely *increase* when climate change indicators are included, so how can OEHHA justify this update representing the opposite?

Comment 3: State Regulatory Agencies Must Start Using CalEnviroScreen for Permit and Regulatory Processes, not just Grantmaking

Local, regional, state, and federal agencies in California have a long history of failing to properly use CalEnviroScreen to protect our most vulnerable communities and following through on their missions or commitments to these communities. Senate Bill 673 and the 2016 Kettleman City Title VI Civil Rights Settlement with CalEPA and the Department of Toxic Substances Control (DTSC) both mandated that DTSC adopt regulatory criteria to consider cumulative impacts (including CalEnviroScreen information) by January 1, 2018. CalEPA/DTSC has illegally failed to adopt this regulatory criteria, yet improperly continues to make permit decisions and is poised to make new major permit decisions including on the proposed permit renewals for the state's two hazardous waste landfills in Kettleman City and Buttonwillow.

The combined failure to use CalEnviroScreen as it was intended by the legislature and the Kettleman City federal Civil Rights settlement, and the factually flawed weakening of census tracts along the Bay shoreline, including the Hunters Point Naval Shipyard Superfund Site is a continuation of the environmental injustice that CalEnviroScreen was designed to help address.

**For environmental justice,
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