

# **Comment 1 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jesse

Last Name: Andrews

Email Address: jdandrewsconsultants@outlook.com

Affiliation:

Subject: Comments for a Sustainable Community Project

Comment:

Good Morning,

It would be great if we made the Chinatown Area of Fresno like LA Live. The Press Release of LA Live will outline the purpose and benefits of this project.

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Office of the Mayor  
City of Los Angeles  
ANTONIO R. VILLARAIGOSA  
FOR IMMEDIATE RELEASE

January 12, 2006

MAYOR ANTONIO VILLARAIGOSA SUPPORTS PARTNERSHIP TO ENSURE CONSTRUCTION OF CONVENTION CENTER HEADQUARTERS HOTEL, LINCHPIN OF LA Live! Downtown Project [How do you insure these ensurances? Hopefully these promises are more credible than campaign promises.]

(Los Angeles) - Mayor Antonio Villaraigosa today joined Tim J. Leiweke, President and CEO of AEG as he announced AEG and KB Home will partner to finance the development of the Convention Center Headquarters Hotel, the linchpin LA Live! downtown project. The Mayor strongly supports the partnership which will accelerate building the Convention Center Headquarters Hotel.

"This partnership will ensure [at least promises, if not delivers] that LA Live and the hotel not only come to fruition [or at least fantasy] but will make Los Angeles the entertainment capital of the West Coast," said Mayor Antonio Villaraigosa. [Is that all it takes? One hotel!]

"Furthermore, [don't say 'furthermore' you haven't really said anything yet] the Convention Center Headquarters Hotel is absolutely necessary if Los Angeles wants to have a convention center that is able to compete with other convention centers in the region." [If the nation's second biggest City isn't even competitive with the region...save your time and money, now. This isn't the answer. (No casinos!) Everyone visits and moves to LA because they like LA: So you want to completely change into being

just like everywhere else. ZONE AWAY, A-HOLES!]

The AEG and KB Home partnership will ensure [at least hope] that the four-star hotel will become a reality for downtown Los Angeles. [But that reality may not include enough demand or occupancy.]

LA Live! A multi-use development, is critical to the revitalization of downtown Los Angeles [developers' bank accounts] and fulfills the Mayor's vision to make downtown one of the most recognized and attractive areas not only in the City but in the country as well. [Designed in his own image! And by the way, this doesn't fulfill it. That happens when it is completed and operational.]

When [If] completed, it will serve to attract more than 10 million visitors [How? I don't see] which in turn will infuse \$9 billion into the economy and create more than 25,000 jobs. [That'll be the day that Jesus walks into the CRA office to apply for some of the mandatory affordable housing that those sunset clauses have a way of setting on.]

The project covers six city blocks in the South Park neighborhood and will be the signature of the neighborhood. Restaurants, nightclubs, sports bars, [instead of the types of amenities people will still have to go to Silverlake or Pasadena to get] high density housing, [yeah, The Ritz Carlton Condo; that's what they are calling "housing"] a 7,100 seat state-of-the art theater, radio and television broadcast facilities [glad we are building those. Maybe they can build some practical housing and needed community amenities]; offices and the Convention Headquarters Hotel are all components of this new entertainment district. [And "entertaining" is the big crisis the city is facing! I heard Bratton say just the other day, "We can't entertain our way out of this." I tend to disagree. And I happen to know from inside sources, entertaining are also big issues at LAUSD and all the social services. And the middle class being pushed out of town in the other parts of town...they demand more entertaining, too!]

The hotel [Ritz Carlton and Five Star Marriott, nothing most tourists or business conventions will be able to afford] will have 1,100 rooms as well as meeting, ballroom and amenity space of approximately 185,000 square feet. [To go along with all the convention space, already not being used, because it's too expensive to get downtown from the airport -- and too much traffic -- and, well...skid-you-know-what' in addition to the new convention center Janice Hahn wants to build near the airport. I hope people that go to conventions start having a lot of babies!]

Mayor Villaraigosa broke ground on LA Live! on September 15, 2005

The Convention Center Headquarters Hotel will feature spectacular rooms that will provide views to the Westside and downtown skyline. [Overlooking all the problems these projects not only won't solve, but add to.]

Attachment: [www.arb.ca.gov/lists/com-attach/1-sb-535-guidance-ws-UWNda1VIVjVXfANw.pdf](http://www.arb.ca.gov/lists/com-attach/1-sb-535-guidance-ws-UWNda1VIVjVXfANw.pdf)

Original File Name: 2010-Sustainability-Report.pdf

Date and Time Comment Was Submitted: 2014-08-26 11:11:00

No Duplicates.

## **Comment 2 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jesse

Last Name: Andrews

Email Address: jdandrewsconsultants@outlook.com

Affiliation:

Subject: Comments for Low Carbon Transit Projects

Comment:

Good Morning,

One of the ideas that I had for the Low Carbon Transit Projects was to create walking paths throughout the census tracts that connects residents from park to park and transit stop to transit stop.

Also, encourage collaboration with organizations to compete for the allocated funds to support submitted projects.

Thanks

Jesse D. Andrews

JD Andrews Consultants, LLC.

Example

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Trails Are Important to All of Us

PATH trails are used by a larger percentage of the community and require less long-term maintenance than ball fields, tennis courts, and other park facilities. In addition to preserving greenspace and providing alternative modes of transportation, PATH trails also:

Encourage health and well-being

Whether trail users are walking, riding, skating or rollerblading, they are on their way to a healthier lifestyle.

Promote public safety

Thousands of people use PATH trails from dawn to dusk every day.

When more people are outside and keeping an eye on their neighborhoods, perpetrators are less likely to commit crimes.

Increase real estate values

Living next to a greenway trail is a distinctive amenity that boosts property values. Trails preserve open space and make nearby homes more attractive.

Spur economic development and neighborhood revitalization

PATH trails are an important catalyst for new residential and business development in the communities they serve.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-08-26 11:18:56

No Duplicates.

**Comment 3 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jesse

Last Name: Andrews

Email Address: jdandrewsconsultants@outlook.com

Affiliation:

Subject: Comments for How to Monitor Benefit and Activity within Communities Designated  
Comment:

Good Morning,

I thought that in order to get a good scope of how the funds are being used and how well they are working in programs and communities, would be to have organizations or regions host "open houses". This helps to engage the organizations in showcases the investment as well as give the supported community a community forum to express concerns, successes and or changes.

Thanks,

Jesse Andrews

JD Andrews Consultants, LLC

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-08-26 11:27:46

No Duplicates.

**Comment 4 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Matthew

Last Name: Glesne

Email Address: matthew.glesne@lacity.org

Affiliation: Los Angeles -Department of City Planning

Subject: definition of poverty

Comment:

The Federal Government has recently come up with what many believe to be a superior measurement of poverty compared to the standard version, which the ARB includes in its disadvantaged communities draft methodology through the use of Cal-EnviroScreen. The new Census Supplemental Poverty Measure looks much more closely at both income supports and overall costs to try to get a better picture of the actual resources available to households. Work in California by the PPIC and CPI (the California Poverty Measure) has shown how the this new methodology forces us to change our thinking about disadvantaged communities in the State. It actually "flips the poverty map" towards high-cost coastal communities, reflecting the reality that housing costs play a huge role in limiting discretionary income. Low-income households in high costs communities have been shown to be statistically more disadvantaged than those with the same incomes in low cost areas. This important fact needs to be included in the final methodology.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-08-27 09:27:12

No Duplicates.

## **Comment 5 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Peter

Last Name: Massey

Email Address: pmassey@treepeople.org

Affiliation: Grants Director, TreePeople

Subject: Comments on Enviroscreen 2.0

Comment:

Following are two comments provided by TreePeople, a non-profit, environmental organization serving Los Angeles County.

1) We agree with Method #1 as the most appropriate of the 4 choices; it coincides with similar mapping we've conducted related to socio-economic factors and low tree canopy cover in Los Angeles, as well as our own on-the-ground experience in inner-city areas of Los Angeles.

2) We ask the program administrators consider adding low tree canopy cover, high percentage of paved surfaces and/or surface temperature spikes (or urban heat islands) as future indicators of environmental concern.

Let me know if you have any questions, and thank you for creating this tool!

Yours,  
Peter Massey

### **ABOUT TREEPEOPLE**

Thirty years ago TreePeople created the much-emulated Citizen Forester model to transform Los Angeles County, one that empowers ordinary people to green their neighborhoods, parks and schools. Historically we've worked with volunteers to plant more than 2 million trees across LA County. At present, we annually work with 9,000 volunteers, 10,000 members and more than 200 schools.

We've moved our programs into our region's more under-served neighborhoods by creating and using culturally-sensitive techniques to address the real needs and desires of residents, and by supporting local partner organizations with expertise and resources. TreePeople has targeted areas of Los Angeles that are both environmentally and economically challenged, including low tree canopy cover, absence of open space, chronic flooding, and poor air quality. We know first-hand the challenges faced by these communities, including the significant resources required to bring about lasting change.

At the same time, TreePeople has effectively demonstrated it is feasible to change the way Los Angeles manages its water infrastructure by using a nature-based, urban watershed approach with strong community participation.



Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-08-27 10:58:13

No Duplicates.

## **Comment 6 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Mike

Last Name: Sandler

Email Address: mike@carbonshare.org

Affiliation: CarbonShare.org

Subject: Cap and Trade proceeds can help low-income households with dividends

Comment:

Dear ARB,

Returning proceeds to disadvantaged communities is well-intentioned, but will the funds actually help individuals, households, and communities who carry a disproportionate burden of emissions, poverty, and future regressive carbon price impacts? Please consider these issues below as rules for distributing cap and trade funds are developed.

1) Emissions reductions paid for with cap and trade revenues will result in no net emission reductions. This may sound counterintuitive, but the reason is because the cap sets the emissions level, and so additional emission reductions paid for with cap and trade funds will result in a lower price for allowances, but that reduction in price signal will encourage companies to increase emissions back to the level of the cap. The lesson here is that cap and trade funds should be put towards other goals of AB32, not just emission reductions. One of those goals is to alleviate impacts on disadvantaged communities and households, so the State can still fulfill its noble goals there, while preserving a higher carbon price signal.

2) Is it better to create programs for low-income and disadvantaged communities, or is it better to return the funds directly to those households? Most government workers and program administrators will say the programs are preferred (by them), but it would be useful to ask non-program-affiliated individuals and families in those areas if they would rather have certain programs, or if they would prefer a cash transfer that allows them to decide what to do with the money (a climate "dividend"). In the absence of such a survey, it is only speculation that programs are preferred by the communities themselves. Skepticism that the money would actually reach families may lead some respondents to hesitate in their answer. This is a reflection of the unfortunate history of appropriation of funds that do not reach the intended recipients. That skepticism is understandable. The cap and trade funds provide an opportunity for ARB to improve the perception of the cap and trade program overall by ensuring the funds are returned directly to people. In the international development field, researchers are studying the effects of programs that provide direct cash transfers (a well-known one is called "Give Directly") on the poor. The sad counterpoint is the funds sent to Haiti for relief efforts, with no documented outcome. The goal here would be to alleviate impacts on

low-income and disadvantaged communities and provide a template for a future national cap and dividend program. How do regulators in Sacramento know if a family has health care expenses, or need funds for bus fare, or any number of other impacts that a carbon price may have. The families that receive a climate dividend can make that decision the best. Would the funds be "wasted" on big screen TVs? Once again, it doesn't matter, since the cap sets the level of statewide emissions. But the State can encourage families to spend their dividends on low-carbon products such as Energy Upgrade California, or potentially transit subsidies, etc. But it should be up to the individuals receiving their share of the atmospheric commons to decide how to spend their windfall. Further information may be found in the recent book by Peter Barnes, "With Liberty and Dividends for All" and on my website [www.carbonshare.org](http://www.carbonshare.org).

This is a hugely important topic, how to alleviate poverty while addressing climate change. They are interconnected.

Thank you for your consideration.

Mike Sandler  
[www.carbonshare.org](http://www.carbonshare.org)

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-08-29 10:24:10

No Duplicates.

**Comment 7 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Ralph

Last Name: Hernandez

Email Address: rphernandez@marincounty.org

Affiliation: Marin County

Subject: Cap and Trade Auction Proceeds for Disadvantaged Communities

Comment:

Dear Dr. Faust,

Attached please find a letter from the Marin County Board of Supervisors respectfully requesting that OEHHA work with the Air District to incorporate the disadvantaged communities in the Bay Area when determining the CAP and Trade Auction Proceeds

Attachment: [www.arb.ca.gov/lists/com-attach/9-sb-535-guidance-ws-VDcBZgZrVWMKfFU0.pdf](http://www.arb.ca.gov/lists/com-attach/9-sb-535-guidance-ws-VDcBZgZrVWMKfFU0.pdf)

Original File Name: CalEPA Letter re Disadvantaged Communities.pdf

Date and Time Comment Was Submitted: 2014-08-29 16:08:28

No Duplicates.

## **Comment 8 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Amy

Last Name: Cohen

Email Address: amycohen339@gmail.com

Affiliation: Bay Area Environmental Health Collaborat

Subject: Investment of cap-and-trade revenue to benefit impacted or “disadvantaged” communities  
Comment:

I am writing on behalf of the Bay Area Environmental Collaborative (BAEHC), a broad partnership among diverse organizations working to protect public health in communities most heavily impacted by air pollution in the San Francisco Bay Area region. BAEHC’s mission is to ensure better health for residents through measures to reduce air cumulative pollution, particularly in heavily burdened areas and for those especially vulnerable to the impacts of exposure.

BAEHC strongly supports prioritizing state funds to benefit communities most impacted or “disadvantaged” by the adverse effects of air pollution. We strongly support the development and implementation of the CalEnviroScreen, which could be an effective tool to evaluate cumulative impacts and identify such communities. We have vital concerns, however, about the statewide application and scoring of a tool that fails to identify as “disadvantaged” areas known to be the among the poorest and most burdened by air pollution in the densely populated Bay Area region.

While BAEHC does not support the “cap and trade” approach to pollution reduction, it is critical that revenue generated under the state program actually benefit communities suffering the greatest pollution impacts, as envisioned under the law. SB535 requires 25% of funds to benefit “disadvantaged” communities and at least 10% to be directly invested within these communities. Certain Bay Area communities have already been identified as among the most affected in the region, with some of the greatest health impacts in the state, yet are omitted by the current proposal. The application of the CalEnviroScreen tool on a statewide basis with the proposed scoring method is therefore flawed and insufficient to determine which “disadvantaged” communities should benefit under SB535. With hundreds of millions of investment dollars at stake, it is vital that CalEPA/CARB make a proper determination, as envisioned under the law, to benefit the most heavily burdened communities – including parts of West Oakland and Richmond, and Bayview Hunters Point in San Francisco, which suffer some of the greatest health impacts and are among the poorest areas in our urban region.

According to the BAAQMD, the proposed CalEnviroScreen scoring method identifies less than 3% of Bay Area census tracts in the top 20% statewide, despite serious health burdens that rank in the top 20% statewide, such as asthma and low birth weight infants (two health indicators used in the CalEnviroScreen). Even with a 25% threshold, the proposed scoring method would only identify 5% of

census tracts in the region as "disadvantaged." The tool as applied fails to designate areas with some of the worst pollution health impacts in the state as "disadvantaged," underrepresenting the Bay Area region by omitting communities that should certainly benefit from funds under SB535.

BAEHC supports recommendations to improve application of the CalEnviroScreen to ensure that the most impacted areas in the hardest hit regions will benefit from investments of revenue generated under state programs. We strongly support use of regional rankings rather than statewide rankings, taking into account localized impacts in each of the most burdened regions, to determine which communities are "disadvantaged" and should benefit under SB535. Similarly, a population based approach would more equitably allocate funds than an across the board statewide approach.

The proposed scoring method also fails to consider the relative importance of indicators (with limited exception for environmental effects, weighted at half value). Weighting certain indicators such as health impacts and other social determinants affecting vulnerability including poverty would more accurately identify communities that are "disadvantaged" by pollution, such as those omitted by the proposed method even though they rank among the poorest and most exposed in the Bay Area region.

The poverty indicator also fails to take into account the rising cost of living in the Bay Area region, including housing costs, security and other socioeconomic factors that should be included in this important indicator. Ignoring regional differences in cost of living inequitably substantially biases low-income populations that may be more vulnerable to pollution impacts.

In addition, certain exposure indicators should be weighted to incorporate their relative significance. The local impact from exposure to diesel-PM is direct and far greater than exposure to ozone, for instance. Prioritizing exposure to more harmful pollutants would be more accurate and would highlight Bay Area communities currently omitted, despite that they are among the worst in the state.

Finally, the thresholds under consideration should be broadened to ensure that the most impacted communities in the most populated and burdened regions will benefit. While we strongly support regional rankings rather than a statewide approach, a 30% threshold should be used with a statewide approach, rather than proposed thresholds of up to just 25%.

BAEHC looks forward to broad application of the CalEnviroScreen tool to help achieve Environmental Justice in the Bay Area region and across California. With the above recommendations, we believe this could be a vital tool for communities and agencies to better understand and address cumulative pollution impacts, and in this instance, provide guidance for determining how to prioritize state funds to benefit the most impacted or "disadvantaged" communities. Thank you for this opportunity to provide input.

Best regards,

Amy S. Cohen

On behalf of the Bay Area Environmental Health Collaborative

Attachment: [www.arb.ca.gov/lists/com-attach/10-sb-535-guidance-ws-AGICZVQwWGMEYQVa.pdf](http://www.arb.ca.gov/lists/com-attach/10-sb-535-guidance-ws-AGICZVQwWGMEYQVa.pdf)

Original File Name: BAEHC CalEnviroScreen 090214.pdf

Date and Time Comment Was Submitted: 2014-09-02 22:42:17

No Duplicates.

## **Comment 9 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Teagan

Last Name: Clive

Email Address: teaganclive@mac.com

Affiliation:

Subject: Rodeo - Crockett in Same Census Track

Comment:

I noticed something significantly different between the EnviroScreenTool 1. and 2. that could impact the eligibility for the community of Rodeo. Somehow, it's been coupled with Crockett in the same Census Tract.

Both towns exist alongside the Phillips 66 refinery on the San Pablo Bay, and both of them are unincorporated. That's about where their similarities stop. Rodeo is a blighted community with shoestring services provided by the County.

It's socioeconomics, education level, unemployment, hazardous waste, TRI rating, medical treatment services, community functions and political representation couldn't be lower. In fact, it's home to one of the largest Housing Authorities in America. Each time the town tries to pass a measure to improve the schools -- or any helpful tax measure -- Phillips 66, the largest landowner, shoots it down. Thus, the central gathering place is a liquor store where people sit on garbage cans drinking out of paper bags first thing in the morning. Even Safeway, the only source of fresh food for the community, is preparing to close this year. For most residents, the only way out is a commuter bus that passes through several times a day.

This is a sincere request for help. Please note the differences between Crockett and Rodeo as soon as possible. Because Rodeo's problems are so unique, and Crockett has their own separate issues, we can't be combined with them -- or any other place. Thanks for your consideration.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-03 07:36:41

No Duplicates.



## **Comment 10 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Adam

Last Name: Walter

Email Address: adam.walter@propelfuels.com

Affiliation: Director of Construction

Subject: Propel Fuels comment letter

Comment:

Propel Fuels (Propel) would like to thank the California Environmental Protection Agency (CalEPA) and the California Air Resources Board (CARB) for the groundbreaking analysis and work that has led us to this point in the exciting conversation about fueling California's future.

The company appreciates the opportunity to participate in these workshops and to submit for consideration its comments relating to the impact on disadvantaged communities in accordance with Senate Bill (SB) 535 (De León, Chapter 830, Statute of 2012). A more thorough discussion is provided below, but the essence of the company's comments are as follows:

- Propel fully supports the utilization of the CalEnviroScreen 2.0 tool to identify disadvantaged communities;
- The company favors giving equal consideration to pollution and population characteristics in determining which projects provide benefits to disadvantaged communities;
- Propel strongly believes that the most effective way to maximize the benefit of cap-and-trade proceeds for disadvantaged communities is to provide greater access to low-carbon Flex Fuel and biomass based diesel fueling infrastructure as an onramp to California's emerging low carbon economy; and
- Propel recommends public alternative fueling infrastructure be included in all future Greenhouse Gas Reduction Fund (GGRF) investment plans.

Please note our more substantive responses in the letter attached. Thank you.

Attachment: [www.arb.ca.gov/lists/com-attach/12-sb-535-guidance-ws-UDNQN1Q5AjRXIQlo.docx](http://www.arb.ca.gov/lists/com-attach/12-sb-535-guidance-ws-UDNQN1Q5AjRXIQlo.docx)

Original File Name: CalEPA - ARB Disadvantaged Community Workshop Comment Letter Final 9-3-14.docx

Date and Time Comment Was Submitted: 2014-09-04 10:01:21

No Duplicates.



## **Comment 11 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Colleen

Last Name: Edwards

Email Address: colleen.edwards1234@yahoo.com

Affiliation: Affordable Housing Developer

Subject: DRAFT: Investments to Benefit Disadvantaged Communities

Comment:

Page 12 of the Draft Guidelines lists the programs and appropriations expected to benefit disadvantaged communities. Please be aware that the programs are not all equal in nature. Some are direct benefit to end users such as weatherization (assuming this program will target consumers directly). Others such as affordable housing projects financed in the Sustainable Communities program are very highly leveraged. Every \$1 of Cap-and-Trade investment in affordable housing will be matched by \$3-\$4 of outside sources to create housing in these communities. Therefore if 50% of the Sustainable Communities funds went to projects in disadvantaged communities (15-20% of census tracts), it could result in almost 50% of ALL affordable housing projects in the state going to 15-20% of census tracts in the state. That doesn't seem equitable to the remaining 80-85% of census tracts. Therefore I suggest that the program take into account leveraging in the final allocation of funds to affordable housing projects in disadvantaged communities.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-04 14:52:51

No Duplicates.

**Comment 12 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Claire

Last Name: Broome

Email Address: cvbroome@gmail.com

Affiliation: Adjunct Professor Emory University

Subject: Identification of Disadvantaged Communities

Comment:

As a professor of public health, I am concerned that you accurately identify disadvantaged communities with the greatest likelihood of suffering health impacts from air pollution and greenhouse gases. I therefore recommend that you modify the proposed method using the CalEnviroScreen to address several major limitations of that method.

Changes needed include:

- 1) indicators should be weighted to account for the health impact of the pollutant
- 2) the poverty indicator should be adjusted for regional differences in the cost of living
- 3) I suggest removing the pesticide indicator, since urban application of pesticides is not considered, although agricultural use is included.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-05 14:12:23

No Duplicates.

**Comment 13 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Karen

Last Name: Quidachay

Email Address: karenq@innercite.com

Affiliation:

Subject: DDefinition of Disadvantaged Communities Excludes Foothill Regions

Comment:

I am writing regarding the Cap-and-Trade Auction Proceeds, Investments to Benefit Disadvantaged Communities: Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies. I would like to register my organization's concerns about the use of the CalEnviroScreen 2.0 Tool in assessing Disadvantaged Communities for the purpose of the distributing these funds. By using this tool, seriously disadvantaged communities in our region and the whole Sierra will not, and cannot, be considered as a DAC. This puts our region at an unfair disadvantage when applying for funding. We urge instead that you use the DAC status determined based on the DAC definition provided in DWR's Proposition 84 and 1E IRWM Guidelines, dated August, 2010.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-10 09:51:57

No Duplicates.

**Comment 14 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Luke

Last Name: Hunt

Email Address: lhunt@amrivers.org

Affiliation: American Rivers

Subject: DAC Definition

Comment:

I am writing regarding the Cap-and-Trade Auction Proceeds, Investments to Benefit Disadvantaged Communities: Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies. I would like to register American Rivers' concerns about the use of the CalEnviroScreen 2.0 Tool in assessing Disadvantaged Communities for the purpose of distributing these funds. By using this tool, seriously disadvantaged communities in California's most important sourcewater areas, including the entire Sierra will not be considered as a DAC. This puts these communities at an unfair disadvantage, when applying for funding. We urge instead that you use the income-based DAC status determined based on the DAC definition provided in DWR's Proposition 84 and 1E IRWM Guidelines, dated August, 2010.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-10 11:12:42

No Duplicates.

**Comment 15 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Danielle

Last Name: Schmitz

Email Address: dschmitz@nctpa.net

Affiliation:

Subject: Comments on the CalEnviro definition of Disadvantage Communities  
Comment:

Please find attached comment letter from the Napa County Transportation and Planning Agency on the CalEnviroScreen Method 1 identification of Disadvantage Communities for the Cap-and-Trade Program.

Attachment: [www.arb.ca.gov/lists/com-attach/17-sb-535-guidance-ws-VTtSNwN2BCcBZIMM.pdf](http://www.arb.ca.gov/lists/com-attach/17-sb-535-guidance-ws-VTtSNwN2BCcBZIMM.pdf)

Original File Name: NCTPA comment letter on CalEnviro DAC 9-11-14.pdf

Date and Time Comment Was Submitted: 2014-09-10 17:09:34

No Duplicates.

## **Comment 16 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Christopher

Last Name: Williamson

Email Address: chris.williamson@ci.oxnard.ca.us

Affiliation: City of Oxnard

Subject: Identification of Disadvantaged Communities for Administering Greenhouse Gas (GHG) Reducti

Comment:

Dear CalEPA and ARB Staff:

Thank you for providing an opportunity for local jurisdictions to comment on approaches to identifying Disadvantaged Communities (DC) pursuant to implementing SB 535. The City of Oxnard, population 203,000, is largely surrounded by year-round agricultural production and is home to a farmworker and blue-collar population of low and modest incomes.

The CalEnvironScreen v. 2.0 list of DC census tracts identifies one five Oxnard tract above the 95 percentile screen, two tracts between 91 and 95 percent, and two between 81 and 85 percent. The City supports using the CalEnvironScreen v. 2.0, Method 4, that incorporates both pollution burden and population characteristics. As an alternative, the City supports Methods 1 and 2.

Do the proposed selection methods include recognition of EPA Superfund sites, closed landfills, and large power generation facilities, especially an overconcentration of these type of historic sources of pollution in minority communities, i.e. an historic environmental justice situation? Oxnard has one EPA Superfund site that needs significant funding to fully remediate (Halaco), two once-through cooling (OTC) power plants (NRG Mandalay and NRG Ormond Beach) that may cease operations but may not be removed, and two closed regional landfills.

While it is likely emissions from the two NRG power plants are incorporated into the CalEnvironScreen methodology, it is not likely the Halaco site, which is capped and inactive, and the two closed landfills, both of which are capped and have ongoing methane capture systems, and factored into the CalEnvironScreen methodology. Removal of the 26-acre Halaco slag pile with over 700,000 cubic yards of waste is a priority of the City, our State Representative and Senator, and U.S. Senator Feinstein. The Cap & Trade funds may be a source of funding, either through the DC set-aside or another funding category. In a similar manner, the two NRG OTC power plants are likely to cease operations at the end of 2020 and, potentially, remain in place as "gigantic beach eyesores" that could be at risk of damage from storm events and sea-level rise. The City, and other jurisdictions with similar OTC coastal power plants, may need funding assistance should the private energy companies somehow



abandon the OTC facilities in the future.

Please feel free to contact me regarding this comment letter at  
(805) 385-7868, or by e-mail at [chris.williamson@ci.oxnard.ca.us](mailto:chris.williamson@ci.oxnard.ca.us).

Attachment: [www.arb.ca.gov/lists/com-attach/18-sb-535-guidance-ws-WjUFewNsBDZVIVI2.pdf](http://www.arb.ca.gov/lists/com-attach/18-sb-535-guidance-ws-WjUFewNsBDZVIVI2.pdf)

Original File Name: Oxnard comment on DC Methodology.pdf

Date and Time Comment Was Submitted: 2014-09-11 11:28:21

No Duplicates.

**Comment 17 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Janet

Last Name: Pygeorge

Email Address: pypy@sbcglobal.net

Affiliation: Rodeo Citizens Association

Subject: Rodeo Ca 94572 needs to in the 25% of disadvantage area

Comment:

Rodeo Citizens Asso. has acquired their 501C3 non-profit status recently. Our org.has accomplished many enviromental projects. We need help in this community. We have a high rate of poverty ,.low income. Refinery toxic air, our marina,beach is contaminated. Our wrecking yard has oil leaching into creek, and on to the bay, violation never enforced. Rodeo was not listed as disadvantage community. WE relocated our school from the border of Unocal at the time of their catacarb spill in 1994, and citizens relocated. There were times we had to put our children to shelter in place. At night, I had people calling when sirens blew, and they ask "should I put towel around the windows" We know Refinery's can do better. People don't want their community to have a stigma of bad air. They love it here, and do not want their home values down. We want to enjoy clean air. Many people and the children have asthma.  
Thank You  
Janet Pygeorge RCA President

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-11 13:46:30

No Duplicates.

**Comment 18 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Eric

Last Name: McCarthy

Email Address: EMcCarthy@proterra.com

Affiliation:

Subject: Cap-and-Trade Auction Proceeds in Disadvantaged Communities

Comment:

We, Proterra Inc, appreciate the opportunity to provide comments on the Draft Cap-and-Trade Auction Proceeds Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies (Draft SB 535 Guidance). Please see our comment letter attached.

Attachment: [www.arb.ca.gov/lists/com-attach/21-sb-535-guidance-ws-VzNQJFMzVmNQIgRb.pdf](http://www.arb.ca.gov/lists/com-attach/21-sb-535-guidance-ws-VzNQJFMzVmNQIgRb.pdf)

Original File Name: Draft SB 535 Guidance Comments \_Proterra.pdf

Date and Time Comment Was Submitted: 2014-09-11 14:23:50

No Duplicates.

## **Comment 19 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Rick

Last Name: Ramacier

Email Address: ramacier@countyconnection.com

Affiliation: County Connection, CalACT

Subject: SB535 Interim Guidance Comments

Comment:

I provide comments as:

Rick Ramacier  
General Manager  
County Connection  
2477 Arnold Industrial Way  
Concord, CA 94520

and:

Chair of the Board  
California Association of Coordinated Transportation (CalACT)

We appreciate the level of thoughtfulness that is in the draft interim guidance. We note that public transit providers throughout California are well poised to deliver projects and programs that address many of the needs identified in Table 3 on page 17 of the draft document.

We also note that public transit is ideally positioned to deliver the types of projects inherent in draft lists of 1.1, 1.2, and 1.3 of Appendix 1.

We appreciate the acknowledgement in Figure 2 on page 20 that projects funded under the Cap and Trade Auction Proceeds do not always have to benefit a DAC as long as they demonstrate reductions in GHG emissions.

Specifically, I would like to comment on SB1018 requirement for entities receiving Action Proceeds to prepare an expenditure report as well as the need to show GHG reductions. We urge ARB to design and develop metrics that are easily applied and take advantage of the wealth of data already reported and collected. WE urge you build on existing reporting processes wherever possible to work ensure that preparing expenditure reports not be overly burdensome on smaller transit systems. I personally suggest you look at what Caltrans, the State Controller's Office, and the Federal Transit Administration already collect from transit operators of all size and shapes. You will likely find that much of the data you will want to use is already in the hands of those agencies.

When you look at measuring the level of GHG reductions from a particular transit project, we urge you to recognize how public

transit is often provided. For example:

- \* Many transit lines will be begin within a DAC, but end outside of one.
- \* Public transit must always remain open to anyone who wishes to use it.
- \* Fare reduction programs will often have to be coordinated with federal requirements under Title VI of the federal civil rights law - which classifies disadvantaged communities in different manner than the CalEnvrioScreen tool.
- \* Fare reduction strategies work best when entire systems are included as opposed to select lines of service.

Again, thank you for the opportunity to comment. Should you have any questions, you contact me at: [ramacier@countyconnection.com](mailto:ramacier@countyconnection.com) or 925-680-2050.

Sincerely,

Rick Ramacier

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-11 14:18:47

No Duplicates.

## **Comment 20 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Gavin

Last Name: Feiger

Email Address: gavin@sierranevadaalliance.org

Affiliation: Sierra Nevada Alliance

Subject: Comments: Cap-and-Trade Auction Proceeds, Investments to Benefit Disadvantaged Communities

Comment:

On behalf of the Sierra Nevada Alliance, we write to provide comments on the "Cap-and-Trade Auction Proceeds, Investments to Benefit Disadvantaged Communities: Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies - Draft for Comment." Since 1993 the Sierra Nevada Alliance has been protecting and restoring Sierra lands, water, wildlife and communities. Our mission is to protect and restore the natural resources of the Sierra Nevada for future generations while promoting sustainable communities. We are truly an Alliance, with over ninety-five Member Groups and nearly 10,000 individuals that span the entire 400 mile mountain range. Our member groups work on a broad range of conservation issues including watersheds and energy. We also work with and coordinate all 12 of the Sierra Region Integrated Regional Water Management (IRWM) groups through the Sierra Water Workgroup.

As you know, over 60% of California's developed water comes from Sierra watersheds and we provide nearly half of the state's timber resources. The Sierra Nevada region is home to a disproportionately large number of disadvantaged communities (DACs). Using the median household income (MHI) indicator, our region's income is at or below 80% of the state's (MHI). According to 2010 Census Data, over 40% of the range's (based on Sierra Nevada Conservancy's boundary) communities and nearly 70% of our individual residents lives in disadvantaged communities, which is concerning as compared to other regions of the state. Given the geographically dispersed nature of the range, disadvantaged communities within the Sierra lack the resources necessary to adequately quantify, monitor and protect their resources. The Sierra Nevada region accounts for about 22% of California's land area, but less than 7% of the state's population. This makes it very difficult for Sierra sustainability efforts to compete with large population centers.

The Cap-and-Trade Auction Proceeds will provide much-needed funding for communities across California and we thank you for this opportunity to provide input. Our top concern with the Draft is the proposed DAC criteria. The CalEnviroScreen tool is not a good indicator of disadvantage. It almost exclusively precludes Sierra Nevada and other rural areas in the state. Median household income (MHI) should be the primary indicator for directing funding to DACs until a tool that ensures more equity is developed.

We thank you for taking public comments and look forward to the

release of the final guidelines.

Gavin Feiger  
Acting Executive Director

Attachment: [www.arb.ca.gov/lists/com-attach/23-sb-535-guidance-ws-UTIHYFAhUy0DZABu.pdf](http://www.arb.ca.gov/lists/com-attach/23-sb-535-guidance-ws-UTIHYFAhUy0DZABu.pdf)

Original File Name: Cap-and-Trade Proceeds Comments\_Sierra Nevada Alliance.pdf

Date and Time Comment Was Submitted: 2014-09-11 15:04:00

No Duplicates.

**Comment 21 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Frank

Last Name: Brosnan

Email Address: frankbrosnan@netzero.net

Affiliation:

Subject: CONCERNS WITH THE CalEPA's SCORING METHODS

Comment:

I request that BAAQMD's "Option 6" be considered in calculating disadvantaged communities so communities like Crockett and Rodeo can be considered based on the following:

- Economic disparity and high unemployment
- High asthma rates
- Proximity to one of the worst polluters in Northern California (there is no buffer zone between Tormey/Crockett, Rodeo and Phillips 66)
- Exposure to fine particulate matter from refineries
- Superfund site within our town limits: Selby Slag in Selby.Crockett (a capped area of 2.3 million cubic yards of nickel, cadmium, lead, etc. that leeches chemicals out into the Bay and is considered the biggest polluter to Bay Waters)
- Negative environmental impacts from Diesel emissions traffic (highway 80 splits our 2 towns)

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-11 16:46:52

No Duplicates.



**Comment 22 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Niccolo

Last Name: De Luca

Email Address: ndeluca@townsendpa.com

Affiliation: City of Emeryville

Subject: Comments from the City of Emeryville regarding Disadvantaged Communities  
Comment:

Attached is a letter from the City of Emeryville regarding the definition of disadvantaged communities. Thank you for the opportunity to submit comments.

Sincerely,

Niccolo De Luca on behalf of the City of Emeryville

Attachment: [www.arb.ca.gov/lists/com-attach/25-sb-535-guidance-ws-AGxQM1MmACdSMQJw.pdf](http://www.arb.ca.gov/lists/com-attach/25-sb-535-guidance-ws-AGxQM1MmACdSMQJw.pdf)

Original File Name: Letter to Cal EPA Disadvantaged communities.pdf

Date and Time Comment Was Submitted: 2014-09-11 17:40:59

No Duplicates.

**Comment 23 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Andrew

Last Name: Alden

Email Address: geology@andrew-alden.com

Affiliation:

Subject: Earthquake vulnerability of disadvantaged communities

Comment:

I urge CalEPA and the Air Resources Board to consider vulnerability to earthquake effects as a criterion for disadvantaged communities. Major earthquakes do most of their damage through fires and the destruction of residential structures of unreinforced masonry and soft-story designs, effects that disproportionately afflict the disadvantaged. Sustained funding of the statewide earthquake early-warning system from cap-and-trade money would benefit most Californians, but it would especially help disadvantaged communities by reaching a population that is served predominantly by smartphone. This population is already threatened by pollution from ambient and industrial sources that would be greatly increased during and after major earthquakes. The earthquake threat is well characterized and the benefits of early warning are clear: reduced casualties from building failures and fires. The time has come for California to act in accordance with its geological nature.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-11 19:04:27

No Duplicates.

**Comment 24 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Connie

Last Name: Gallippi

Email Address: cmgallippi@caufc.org

Affiliation: California Urban Forests Council

Subject: California Urban Forests Council Comments on Cap-and-Trade Implementation and SB 535

Comment:

Hello,

Please find a letter attached from the California Urban Forests Council and our seven Regional Councils in California regarding

1. Cal EPA Options for determining disadvantaged communities, and
2. Air Resources Board Interim Guidance for Cap-and-Trade Implementation and SB 535.

Thank you,

Connie Gallippi

Program Director

California Urban Forests Council

Attachment: [www.arb.ca.gov/lists/com-attach/27-sb-535-guidance-ws-UjEGYQRwWG0BZANc.pdf](http://www.arb.ca.gov/lists/com-attach/27-sb-535-guidance-ws-UjEGYQRwWG0BZANc.pdf)

Original File Name: CaUFC\_EPA-ARB Letter\_Draft Guidance for Cap-and-Trade DACs\_9.12.14.pdf

Date and Time Comment Was Submitted: 2014-09-12 11:28:07

No Duplicates.

**Comment 25 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 26 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: David

Last Name: Armijo

Email Address: mparacha@actransit.org

Affiliation:

Subject: Re: CalEPA Identification of Disadvantaged Communities & ARB Interim Guidance  
Comment:

\*PLEASE SEE THE ATTACHED LETTER\*

Attachment: [www.arb.ca.gov/lists/com-attach/30-sb-535-guidance-ws-BmpRMIQhACdXNFAi.pdf](http://www.arb.ca.gov/lists/com-attach/30-sb-535-guidance-ws-BmpRMIQhACdXNFAi.pdf)

Original File Name: Letter to California Air Resources Board 9.12.14.pdf

Date and Time Comment Was Submitted: 2014-09-12 14:20:28

No Duplicates.

**Comment 27 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Peter  
Last Name: Imhof  
Email Address: pimhof@sbcag.org  
Affiliation: SBCAG

Subject: SBCAG Comments on "Disadvantaged Communities" Guidance  
Comment:

Attached please find comments from the Santa Barbara County Association of Governments (SBCAG) on CalEPA's and ARB's draft guidance concerning the identification of "disadvantaged communities" and evaluation of benefits to "disadvantaged communities" under SB 535.

Thank you in advance for considering these comments.

Sincerely,

Peter Imhof  
Deputy Director, Planning Division  
Santa Barbara County Association of Governments

Attachment: [www.arb.ca.gov/lists/com-attach/31-sb-535-guidance-ws-BjRVYwc3UTYAKwc3.pdf](http://www.arb.ca.gov/lists/com-attach/31-sb-535-guidance-ws-BjRVYwc3UTYAKwc3.pdf)

Original File Name: 2014-09-10 Disadv Communities Ltr.pdf

Date and Time Comment Was Submitted: 2014-09-12 14:21:57

No Duplicates.

## **Comment 28 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Nancy

Last Name: Rieser

Email Address: gofindnancy@yahoo.com

Affiliation: Crockett-Rodeo United

Subject: Eligibility Standards/Cap and Trade workshop comments

Comment:

I am writing on behalf of the members of Crockett Rodeo United to Defend the Environment/C.R.U.D.E. (<http://crockett-rodeo-united.com>) to provide comments on the California Environmental Protection Agency's (CalEPA's) identification of disadvantaged communities for priority investments of Cap-and-Trade auction proceeds and on the California Air Resources Board's (CARB's) interim guidance for State agencies to maximize benefits in disadvantaged communities, including criteria to determine which projects benefit disadvantaged communities as prescribed by Senate Bill 535 (SB 535; De León 2012).

C.R.U.D.E. strongly supports prioritizing funding to disadvantaged communities. However, while supporting the goals of SB 535 and CalEnviroScreen, we are very concerned that the current proposed methods significantly understate the number of disadvantaged communities in the Bay Area. Many Bay Area Communities with some of the highest poverty rates and greatest health burdens (asthma rates and low birth weight) are not identified. For example, current approaches for scoring CalEnviroScreen indicators fail to identify:

- Portions of Richmond and Rodeo and Crockett that sit squarely in the refinery corridor, known by locals as "Gasoline Alley". In addition, the far Western border of Crockett is actually a Superfund site, called Selby Slag. Located along the bay at the mouth of the Carquinez Strait. It is currently capped and would serve as an ideal site for a solar/wind farm that could easily provide power all the households for both of these economically disadvantaged communities. If the federally designated Selby Slag Superfund site has not been recognized by EPA as a site that should be included in the EPA program "Re-powering America's Land" (<http://www.epa.gov/renewableenergyland/>), then every effort should be taken by responsible agencies to correct that error.
- Bay View/Hunter's Point in San Francisco,
- Portions of West Oakland adjacent to the Port of Oakland,
- Portions of East Palo Alto and San Jose.

In fact, CalEnviroScreen Method 1 using a 20% threshold identifies fewer than 3% of Bay Area census tracts as disadvantaged, although many more are truly disadvantaged. Also, while CARB's proposal to map zip code areas adjacent to identified census tracts as areas "benefitting" disadvantaged communities does expand the number of

Bay Area communities that would be eligible for funding, it still fails to include some of the region's most disadvantaged communities, such as the towns of Rodeo and Crockett. Moreover, this expansion would only apply to projects "benefitting" disadvantaged communities, not to projects that would directly benefit residents "within" impacted communities.

Instead of using the one of the 5 methods currently proposed by CalEPA to identify impacted communities, Crockett-Rodeo United to Defend the Environment strongly favors use of the Bay Area Air Quality Management District's "Method 6." This method, which still relies on the CalEnviroscreen indicator data, ensures that communities with top ranks in a few indicators will be better represented. For example, of the top 10 most impoverished census tracts in the Bay Area – where poverty rates exceed 70 percent– not a single one is identified by CalEPA's Method 1; utilizing Method 6, half of these census tracts are now identified. C.R.U.D.E. believes that using Method 6 is therefore the most consistent with SB 535's intent to identify disadvantaged communities with the top scores in either pollution burdens or economic/health burdens.

Additionally, C.R.U.D.E. believes that the use of the Air District's Method 6 must also be accompanied by the following changes to the CalEnviroscreen Methodology:

- Supplement the Poverty indicator with a cost-of-living adjustment, and/or include a Housing Affordability indicator to take into account substantial cost-of-living differences with respect to housing affordability, namely the share of "rent burdened households," which the Census Bureau defines as the percent of households that spend over 50% of their income on rent.
  - Increase relative weights for diesel PM emissions indicators and Traffic Density indicators or remove ½ weights from Environmental Effects indicators.
  - Supplement the Pesticide Use indicator with urban pesticide exposure data, or drop the Pesticide Use indicator altogether.
  - Set the threshold for determining disadvantage at the top 30%, rather than the top 20% or 25%. This will reduce the risk of overlooking disadvantaged communities.
- C.R.U.D.E. also believes that, in order to maximize benefits to impacted communities, State agencies should:
- Form Regional Investment Boards with representation from disadvantaged community members to help prioritize projects within their communities; and

...we thank you for your time and attention to this important issue. I hope you will take the comments here into consideration.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-12 14:29:58

No Duplicates.



**Comment 29 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Nathan Daniel

Last Name: Stout

Email Address: nathanstout@sonic.net

Affiliation: Solano Advocates Green Environments

Subject: Method Six and DACs

Comment:

To us, method six appears to be the best method, for the reason that this method takes into account all of the factors of population and pollution, and does not weight any particular variable over another. Please use method six when determining what DACs qualify for grants, etc.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-12 14:33:39

No Duplicates.

**Comment 30 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jack

Last Name: Broadbent

Email Address: jbbroadbent@baaqmd.gov

Affiliation: Bay Area Air Quality Management District

Subject: Bay Area AQMD Comments: Identifying Disadvantaged Communities to Prioritize Investments

Comment:

Bay Area AQMD Comments: Identifying Disadvantaged Communities to Prioritize Investments

Attachment: [www.arb.ca.gov/lists/com-attach/34-sb-535-guidance-ws-VDYHYAN7V1sLbFMh.pdf](http://www.arb.ca.gov/lists/com-attach/34-sb-535-guidance-ws-VDYHYAN7V1sLbFMh.pdf)

Original File Name: Bay Area AQMD Comments - Identifying Disadvantaged Communities to Prioritize Investments.pdf

Date and Time Comment Was Submitted: 2014-09-12 14:46:45

No Duplicates.

## **Comment 31 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Gail

Last Name: Church

Email Address: gail@treemusketeers.org

Affiliation: Tree Musketeers

Subject: CalEPA and CARB Guidance on Cap-and-Trade Implementation and SB 535

Comment:

We are pleased that advocacy efforts of those of us in California's urban forestry community resulted in a significant role for urban forestry in the State's Cap-and-Trade expenditure plan for 2014/15 and beyond. We do have some comments regarding implementation.

Of the options proposed for identifying disadvantaged communities, we urge that methods 1, 4, 5, and 6 be given the greatest consideration. These address the intent, requirements and spirit of SB 535. We do not believe that methods 2 and 3 meet the statutory requirements of SB 535.

We also believe that the Air Resources Board suggestion that \$10.5 million (or 55%) of the Urban Forestry funds be dedicated to disadvantaged communities would allow CalFire to meet or exceed the requirements of SB 535.

As for the percentage of the funds that could be spent on projects that "benefit disadvantaged communities," we encourage you to thoughtfully consider the broad array of benefits that are not specific to a narrowly-defined geographic area.

Finally, in consideration of the magnitude of work done by trees in existing canopy, we believe it is important to include funding in the Urban Forestry program guidelines for management and maintenance of standing urban trees.

California needs both new trees and our existing canopy to reach our AB 32 goals.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-12 15:57:02

No Duplicates.

**Comment 32 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Mary

Last Name: Pitto

Email Address: mpitto@rcrcnet.org

Affiliation: RCRC

Subject: identification of disadvantaged communities

Comment:

Please find attached our comments on the investment of Cap-and-Trade auction proceeds in disadvantaged communities, the identification of disadvantaged communities, and the evaluation of benefits to disadvantaged communities in accordance with Senate Bill (SB) 535 (De León, Chapter 830, Statute of 2012)

Attachment: [www.arb.ca.gov/lists/com-attach/36-sb-535-guidance-ws-UjZWOQd1WWsFZwRy.pdf](http://www.arb.ca.gov/lists/com-attach/36-sb-535-guidance-ws-UjZWOQd1WWsFZwRy.pdf)

Original File Name: Disadvantaged\_Communities\_Ltr\_to\_ARB\_09122014.pdf

Date and Time Comment Was Submitted: 2014-09-12 16:18:04

No Duplicates.

**Comment 33 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Eric

Last Name: Garcetti

Email Address: Derek.Mazzeo@lacity.org

Affiliation: Mayor of Los Angeles, CA

Subject: Disadvantaged Community Guidelines

Comment:

Please see the attached file for the formal comments by Mayor Eric Garcetti on behalf of the City of Los Angeles.

Attachment: [www.arb.ca.gov/lists/com-attach/37-sb-535-guidance-ws-WjlRNlQnWWhXDlc2.pdf](http://www.arb.ca.gov/lists/com-attach/37-sb-535-guidance-ws-WjlRNlQnWWhXDlc2.pdf)

Original File Name: CARB and CalEPA Disadvantaged Communities Cap and Trade September 2014.pdf

Date and Time Comment Was Submitted: 2014-09-12 16:31:54

No Duplicates.

## **Comment 34 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Keith

Last Name: McAleer

Email Address: keith@treedavis.org

Affiliation: Tree Davis, Executive Director

Subject: CalEPA and CARB Guidance on Cap-and-Trade Implementation and SB 535  
Comment:

Dear Dr. Alexeeff and Ms. Livingston,

I writing to you on behalf of Tree Davis, a small non-profit organization based in Davis, California. We are very excited about the upcoming opportunity for urban forestry made possible by cap-and-trade auctions. We look forward to seeing this significant investment come to fruition in California communities. We also look forward to better air and water quality, energy savings, reduced pollution, and ultimately happier, healthier Californians! Thank you for all of your work to make this happen.

While Davis is not a disadvantaged community, we strongly support the effort to focus 55% to 70% of cap and trade funds for urban forestry into communities defined as disadvantaged through methods such as CalEnviroScreen. The CalEnviroScreen 2.0 tool is a very thorough method of analyzing which communities are being confronted with both environmental and poverty challenges (which unfortunately tend to go hand in hand).

While the CalEnviroScreen tool and other methods of determining what communities are disadvantaged are very impressive, we do not believe that it is possible for any of them to be completely valid.

For this reason, we believe there should be some flexibility concerning what percentage of cap-and-trade funds go to communities defined as disadvantaged.

Recently, we heard that 100% of the funds would be directed to communities defined as disadvantaged and that disadvantaged may be defined as the top 15% or 20% of CalEnviroScreen scores. To be clear, we do believe that all of the funds should go to disadvantaged communities, but we think there is no perfect method of determining which communities are disadvantaged, so there should be some flexibility when it comes to CalEnviroScreen scores. This is why we support the lower threshold of 55% to 70% of the funds being directed to communities that have the highest 20% of CalEnviroScreen scores (or whichever method ends up being the one which defines disadvantaged).

For example, we want to help Yolo County Housing plant trees on ten of their sites around Yolo County. These sites are not all in one place, but scattered within different census tracts. The CalEnviroScreen scores for these sites range from 40%-70%, but we believe this is misleading. The average household income for

residents at these sites is around \$20,000 and there are a significant number of elderly and disabled people. While the communities that surround them are not in the top 20% of scores, they are still moderate to very high. It was great that the 2.0 CalEnviroScreen tool focused on census tracts to analyze smaller units of analysis, but there are also large disparities even within census tracts.

So, we propose a strategy where 55%-70% of monies are directed to the top 15 or 20% of CalEnviroScreen scores, with the rest being more flexible to give urban foresters an opportunity to help residents who may have been missed such as those who live in Yolo County Housing. Thank you!

Sincerely,

Keith McAleer  
Executive Director  
Tree Davis  
keith@treedavis.org  
(530)758-7337

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-12 16:00:17

No Duplicates.

## **Comment 35 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Judy

Last Name: Farris

Email Address: judyfarris.uucod@verizon.net

Affiliation: Green Sanctuary UU Church of the Desert

Subject: CalEPA Identification of Disadvantaged Communities and CalEnviroScreen  
Comment:

I attended the 9/10/14 Public Workshop in Mecca re: the investment of cap-and-trade auction funds. I was impressed with CalEnviroScreen 2.0 and the work that has gone into gathering data on a wide variety of indicators in every census tract and then compiling it into scores to readily allow comparison. But during the meeting, the data gap for a number of indicators for the Coachella Valley became apparent. An example is emergency department visits for asthma. The eastern part of our valley has no emergency departments - nor any hospitals or urgent care. Other indicators may have data gaps due to insufficient air monitoring - we are a major freight corridor, both truck and rail, are subject to seasonal heavy winds, and have the Salton Sea and all its many environmental problems at our eastern end. In addition, there are many parcels of tribal sovereign land not subject to the same statutes, reporting, etc. as surrounding properties.

It is likely that other areas of the state have data gaps, for these or different indicators, due to sparse population in unincorporated rural communities. If these gaps could be filled, their CES scores would no doubt be higher. For this reason, I urge you to select the top 25% of disadvantaged communities for receipt of cap-and-trade funded projects to help insure that those in need, and deserving, of reduction in the health issues caused by greenhouse gas emissions will not inadvertently be left out due to inadvertently lower scores.

As to the five methods for using the score components to identify the communities, I think pollution burden only, and population characteristics only, undermine the great effort that has gone into CES to provide a balanced assessment of environmental risk and should not be used. (I do not have sufficient knowledge of statistics to weigh in on the other three methods.)

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-12 16:45:26

No Duplicates.





**Comment 36 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Michael

Last Name: Lane

Email Address: michael@nonprohthousing.org

Affiliation: Non-Profit Housing Association of Nor CA

Subject: Comments on Draft Interim Guidance on Investments to Benefit Disadvantaged Communities

Comment:

September 12, 2014

The Honorable Mary Nichols  
California Air Resources Board

Re: Comments on Draft Interim Guidance on Investments to Benefit Disadvantaged Communities

Dear Chair Nichols and Members of the Air Resources Board:

Thank you for the opportunity to provide comments and to participate in the stakeholder process for development of the definition of benefit to disadvantaged communities particularly with regard to the Affordable Housing and Sustainable Communities (AHSC) program.

The Non-Profit Housing Association of Northern California (NPH) is the collective voice of those who support, build, and finance affordable housing. We promote the proven methods of the nonprofit sector and focus government policy on housing solutions for lower income people who suffer disproportionately from the housing crisis.

While we appreciate the work that the Office of Environmental Health Hazard Assessment (OEHHA) did in creating the CalEnviroScreen 2.0 tool, we are very alarmed that although "rent burden" is explicitly called out as a factor to be considered in the language of SB 535, it is not included as an indicator to determine disadvantaged communities.

In fact, as the San Francisco Bay Area's four regional agencies have noted, the income thresholds used in the poverty indicator in CalEnviroScreen 2.0 are uniform throughout the state even though large regional differences in the cost of living exist in California.

This flaw in CalEnviroScreen 2.0 must be addressed if this tool is to be used to direct affordable housing investments in an equitable way that truly targets need and avoids further concentrating poverty.

We concur with and support the comments submitted to you by the 535

Coalition that the ARB Guidance must avoid using location/geography or census tract as the sole criterion for assessing whether affordable housing provides a benefit to disadvantaged communities.

Investments in affordable housing that offer low-income and minority populations access to what the U.S. Department of Housing and Urban Development (HUD) calls "communities of opportunity" are essential to "affirmatively furthering fair housing" and providing equal opportunity for lower income people to access affluent communities with high quality transit, good schools, parks and job centers.

The fact is homes affordable to lower income households benefit disadvantaged communities wherever they are built, as they increase choices, mobility, and access to opportunities for disadvantaged communities and low-income households in more affluent communities while reducing segregation and the concentration of poverty. Affordable homes also improve health outcomes for lower income families and improve children's academic performance. This is already explicitly noted in the list of needs identified by community advocates (see item 8 on p. 17 of draft guidance), but inexplicably is not included in the draft criteria for evaluating affordable housing projects (see page 1-2 in Appendix 1).

We urge ARB to refine its definition of what it means to "provide a benefit to a disadvantaged community" to include benefits to disadvantaged households and populations as this is both the intent and explicit language of AB 1532 and SB 535.

The language on page 15 addressing all agencies receiving GGRF funds should be changed to read: "Target funding, to the extent feasible, for projects that benefit disadvantaged communities and households, whether or not these investments are within communities in the top tier of disadvantaged communities that qualify for SB 535 funding." We recommend that ARB's GGRF Guidance include prioritization for investments that benefit:

- Census tracts with overall CES scores in the top 40%;
- Census tracts with an indicator in the top 40%, if the project will address that indicator; and
- Low-, very low-, or extremely low-income households, as determined by Area Median Income (AMI).

The construction of affordable homes in all locations across our state helps avoid gentrification and displacement especially in high cost areas, promotes racial and socioeconomic integration, improves the quality of life for low-income individuals and families and directly benefits disadvantaged households and populations. Acknowledgement and recognition of these many benefits of affordable housing to disadvantaged households and populations should not be limited to particular census tracts.

Thank you for the opportunity to comment.

Sincerely,  
Michael Lane, Policy Director  
Non-Profit Housing Association of Northern California (NPH)

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-12 16:56:57

No Duplicates.

**Comment 37 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Federal  
Last Name: Glover  
Email Address: Paul.adler@bos.cccounty.us  
Affiliation:

Subject: SB 535  
Comment:

September 9, 2014

Honorable Matt Rodriquez  
Secretary, Cal EPA  
California Environmental Protection Agency  
1001 I Street  
Sacramento, CA 95814

Mary Nichols  
Chairman, California Air Resources Board  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Dear Secretary Rodriquez and Chairman Nichols:  
I am writing to express concerns about how CalEnviroScreen (CES) version 2.0 is being used to allocate state cap-and-trade revenue. As the Contra Costa County Supervisor who represents constituents that live in the unincorporated communities of three different refineries, Phillips 66, Shell-Martinez and Tesoro, I am extremely disappointed that the current California Environmental Protection Agency's (CalEPA's) identification of disadvantaged communities for priority excludes the communities of Rodeo, Crockett, Tormey, Vine Hill, Pacheco and Clyde in CES 2.0's analysis.

I strongly support prioritizing funding for these disadvantaged communities because of the need to improve the quality of life for these county residents. Many Bay Area Communities with some of the highest poverty rates and greatest health burdens (asthma rates and low birth weight) are not identified in this model and CalEnviroScreen Method 1 used a 20% threshold that identified fewer than 3% of Bay Area census tracts as disadvantaged.

I would like to request that you direct your staff to make common-sense corrections to CES 2.0 that will reflect the realities of disadvantaged constituents around the state. Specifically, I request that:  
CES 2.0 not be applied for allocating funding until your staff has had the opportunity to correct flaws identified by our regional agencies that clearly bias the tool against many urban region of the state.  
Funds be initially apportioned on the basis of regional populations, who can then use more precise tools developed locally

to delineate disadvantaged neighborhoods or overlay CES 2.0 within that region.

Thank you for your time and attention to this important issue. I hope you will take the comments here into consideration.

Sincerely,  
Federal D. Glover

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-12 16:55:33

No Duplicates.

**Comment 38 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Niccolo

Last Name: De Luca

Email Address: ndeluca@townsendpa.com

Affiliation: Townsend Public Affairs

Subject: Comments submitted by the Transbay Joint Powers Authority regarding the definition of disa

Comment:

On behalf of the Transbay Joint Powers Authority, attached is a letter from the Executive Director respectfully requesting that the Air Resources Board amend the Draft Project Evaluation Criteria to recognize the substantial benefits large projects, such as the Transbay Program, provide to Disadvantaged Communities. This will ensure that benefits to Disadvantaged Communities are maximized when awarding grants to affordable housing and sustainable communities projects and to low-carbon transit projects.

Thank you.

Niccolo De Luca

Director of Northern California

Townsend Public Affairs, Inc.

O: 510-835-9050 M: 510-681-7306

ndeluca@townsendpa.com

www.townsendpa.com

Attachment: [www.arb.ca.gov/lists/com-attach/42-sb-535-guidance-ws-VzRUM1UmBDUGX1Q3.pdf](http://www.arb.ca.gov/lists/com-attach/42-sb-535-guidance-ws-VzRUM1UmBDUGX1Q3.pdf)

Original File Name: CARB Cap and Trade comment letter Sept 12 2014.pdf

Date and Time Comment Was Submitted: 2014-09-12 17:20:45

No Duplicates.

**Comment 39 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Mary

Last Name: Petit

Email Address: mary\_petit@yahoo.com

Affiliation: Incredible Edible Community Garden

Subject: SUPPORT DECISION OF CAL-EPA AND CARB

Comment:

As the founder and co-executive director of the Incredible Edible Community Garden, a 501(c)3 non-profit volunteer-run organization that works in underserved and marginalized communities in San Bernardino County, I whole-heartedly support CalEPA and CARB and their decision to provide 100% of the funds for disadvantaged communities. These communities deserve serious consideration since they typically do not have the canopy cover of the well-heeled communities. My experience is that tree plantings and fruit parks spark a sense of well-being and pride in disadvantaged communities, especially if the communities are engaged from the beginning to participate in the design and plantings of trees. The use of shade trees to reduce utility costs of mixed-income and low-income housing helps reduce stress, enhance health and well-being, and bring people out of their homes to enjoy their communities and provide positive social interaction. I applaud CalEPA and CARB for their thoughtful consideration of disadvantaged communities which will be appreciated for generations to come.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-12 17:37:38

No Duplicates.



**Comment 40 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jamie

Last Name: Hall

Email Address: jhall@calstart.org

Affiliation:

Subject: CALSTART comments on SB 535 Guidance

Comment:

CALSTART appreciates the opportunity to provide input on cap and trade investments in Low Carbon Transportation, and we commend staff for the work to date. The greenhouse gas and air quality benefits of these investments are substantial, both for disadvantaged communities and for the state more broadly, and the cap and trade proceeds provide an unprecedented opportunity to drive progress. A broad interpretation and streamlined implementation strategy in the first year of investments will increase the chances of successful investments and benefits for all Californians.

CALSTART's full comments are attached.

Attachment: [www.arb.ca.gov/lists/com-attach/44-sb-535-guidance-ws-UDNWMQNuv3dQIgRl.pdf](http://www.arb.ca.gov/lists/com-attach/44-sb-535-guidance-ws-UDNWMQNuv3dQIgRl.pdf)

Original File Name: CALSTART comments on cap and trade benefits to disadvantaged communities.pdf

Date and Time Comment Was Submitted: 2014-09-12 21:06:45

No Duplicates.

**Comment 41 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Teagan

Last Name: Clive

Email Address: teaganclive@mac.com

Affiliation: C.R.U.D.E.

Subject: Rodeo is Home to the No.1 Toxic Offender in the State

Comment:

That's right. Phillips 66 in Rodeo, has the highest TRI scores in the State. Yet, the refinery's fenceline neighbors, Rodeo and Crockett hardly appear on ANY of the eligibility 5 eligibility maps. How did that happen? What can we do to correct it? Environmental justice starts here.

Attachment: [www.arb.ca.gov/lists/com-attach/45-sb-535-guidance-ws-Wj8HcVw8BwsCdgJn.pdf](http://www.arb.ca.gov/lists/com-attach/45-sb-535-guidance-ws-Wj8HcVw8BwsCdgJn.pdf)

Original File Name: EPA Report on Toxic Releases from Refineries.pdf

Date and Time Comment Was Submitted: 2014-09-13 08:39:23

No Duplicates.

**Comment 42 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jean

Last Name: Higaki

Email Address: [jhigaki@smcgov.org](mailto:jhigaki@smcgov.org)

Affiliation: C/CAG of San Mateo

Subject: Comments regarding identification of disadvantaged communities

Comment:

To CalEPA and ARB,

Attached is a comment letter regarding the identification of disadvantaged communities for Cap and Trade auction proceeds. This comment letter was also emailed to [GGRFProgram@arb.ca.gov](mailto:GGRFProgram@arb.ca.gov).

Thank you,

Jean Higaki

Transportation Systems Coordinator

City/County Association of Governments of San Mateo County

Attachment: [www.arb.ca.gov/lists/com-attach/46-sb-535-guidance-ws-UjFVMFIyBzNVDFIx.pdf](http://www.arb.ca.gov/lists/com-attach/46-sb-535-guidance-ws-UjFVMFIyBzNVDFIx.pdf)

Original File Name: CCAG CalEnviroScreen comment letter.pdf

Date and Time Comment Was Submitted: 2014-09-14 10:42:24

No Duplicates.

## **Comment 43 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Josh

Last Name: Lee

Email Address: jlee@sanbag.ca.gov

Affiliation:

Subject: SANBAG Comment to Cap-and-Trade Auction Proceeds  
Comment:

Dear Chair Nichols and Board Members,

The San Bernardino Associated Governments (SANBAG) has reviewed both the draft Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies and the draft Approaches to Identifying Disadvantaged Communities. SANBAG understands that there is no single methodology that would perfectly define, identify, and address all of the disadvantaged communities in California. However, representing a county with significant air quality, environmental, education, and socio-economic challenges, SANBAG strongly suggests that CalEPA and CARB use the currently available CalEnviroScreen Tool (v.2.0) to define disadvantaged communities (Method 1).

SB 535 is very clear about how the definition of disadvantaged communities should occur:

(Section 39711 Health and Safety Code) These communities shall be identified based on geographic, socioeconomic, public health, and environmental hazard criteria, and may include, but are not limited to, either of the following:

(a) Areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation.

(b) Areas with concentrations of people that are of low income, high unemployment, low levels of home ownership, high rent burden, sensitive populations, or low levels of educational attainment.

SB 535, Section 1(g) further states that resources are to be directed "to the state's most impacted and disadvantaged communities to ensure activities taken pursuant to that authority will provide economic and health benefits to these communities as originally planned." It is quite clear that disadvantaged communities should be defined as communities with the greatest socioeconomic challenges who are also impacted by "environmental pollution and other hazards". The final definition must include both elements. Therefore, out of the five proposed methods, Method 1 most closely mirrors the basic intent of the SB 535.

Recently, the California Transportation Commission (CTC) encountered the identical set of issues when defining disadvantaged communities for the Active Transportation Program. The CTC allowed three concrete definitions (CalEnviroScreen 1.1, median household

income, and percentage of students eligible for the Free or Reduced Price Meals Program). The Commission also allowed a fourth definition whereby the applicants could propose an alternative disadvantaged community determination method. By allowing a broader definition of the disadvantaged communities, many of the applicants used that opportunity to define disadvantaged communities in very creative ways. In the end, certain communities were able to qualify as disadvantaged under the CTC guidelines, when in reality one would have to question whether this was appropriate. This led to 86 percent of the applicants being classified as disadvantaged. This was clearly not the intent of the disadvantaged community criteria.

SANBAG would strongly suggest that the definition be kept consistent with the intent of SB 535 and be based on the extensive work conducted in CalEPA's development of CalEnviroScreen. Therefore, rather than having multiple methodologies for defining disadvantaged communities, SANBAG would recommend the use of Method 1.

As mentioned in the draft GGRF interim guidelines, the purpose is "preliminary guidance on approaches that agencies can use to maximize the benefits of investments to disadvantaged communities." Currently, the GGRF Expenditure Plan looks at investment plans that will achieve the GHG reduction goals and targets while looking at investments that facilitate feasible and cost-effective GHG reductions. Since AB 32 is an air quality/GHG program, the air quality, GHG, and environmental burdens of a community should be the primary emphasis when investing on various projects. In other words, disadvantaged communities with these environmental burdens should be the priority of the program. The only methods that fully analyze the environmental burdens are CalEnviroScreen Method 1 and Method 5. However, in the interest of simplicity, SANBAG would again recommend that Method 1 be used as the single definition.

SANBAG understands that improving the health of disadvantaged communities is important and that socioeconomic factors play a significant role in determining the health of a community. SANBAG works very closely with the San Bernardino County Department of Health in addressing these socioeconomic issues through partnerships and collaboration. However, it is important to point out that the GGRF program is not a social service program, but a program to reduce GHG. According to the American Lung Association 2012 and 2013 State of the Air report, our county is ranked the smoggiest in the nation. In San Bernardino County, more than 150,000 adults and children have asthma, 60,000 residents have chronic bronchitis, 23,000 have emphysema, and 420,000 suffer from heart disease. The state needs to recognize the true disadvantaged communities that have the most significant environmental impacts and make sure that these communities are not overlooked in funding opportunities. In that regard, Method 1 best captures the essence of the impacts. SANBAG requests that rather than utilizing a separate methodology, the CalEnviroScreen Tool be used for its intended purpose.

Thank you for considering comments from SANBAG

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 00:05:49

No Duplicates.

**Comment 44 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 45 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Andy

Last Name: Horne

Email Address: andyhorne@co.imperial.ca.us

Affiliation: County of Imperial

Subject: Comment Letter Regarding Cap and Trade Auction Proceeds

Comment:

Please see the attached comment letter from the County of Imperial.

Attachment: [www.arb.ca.gov/lists/com-attach/49-sb-535-guidance-ws-WjkCZVEiVmcFXAlq.pdf](http://www.arb.ca.gov/lists/com-attach/49-sb-535-guidance-ws-WjkCZVEiVmcFXAlq.pdf)

Original File Name: CARB Cap and Trade Comment Letter 9-9-14 Final.pdf

Date and Time Comment Was Submitted: 2014-09-15 09:01:17

No Duplicates.



## **Comment 46 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Tina

Last Name: Marchetti

Email Address: tina@beniciatrees.org

Affiliation: Benicia Tree Foundation

Subject: Criteria for determining the allocation of funding for urban forestry

Comment:

Thank you for the opportunity to comment on the proposed guidelines for investment of Cap-and-Trade auction revenue as it relates to the determination of disadvantaged communities and urban forestry funding. In its present iteration, the guidelines for determination are significantly limited, as they seem to address economic status without equally relevant consideration for levels of GHG emissions and environmental hazard criteria; especially when considering California's children.

Our children have no say in the socio-economic status or 'community' that they are born into - yet they will be the ones most greatly impacted if we do not take measures now to ensure a sustainable future. The economic status of a child's parent should not determine what efforts the State makes to mitigate environmental hazards to our children; rather we feel that the focus should be placed on communities with high levels of these hazards, projects which will have the greatest overall impact in reducing GHGs, and projects with the greatest likelihood for long-term success.

While the present guidelines attempt to identify "disadvantaged communities" by a few relevant but limited factors, I propose that all of California's youth are collectively a "disadvantaged community" by virtue of the environment that they are born into - which is becoming increasingly hazardous. It is therefore imperative that focus be placed on areas which have high levels of vehicular traffic within close proximity to schools; areas which have high levels of airborne and other environmental hazards, and areas where schools are in close proximity to oil refineries; regardless of a community's residents' economic status.

In addition to the consideration of our children's future and the health risks that they face, the presently proposed determination method for DACs also fails to address communities where commuting is prevalent. In California, in this day and age, few citizens are fortunate enough to live and work in the same community. Therefore, areas with high levels of pollution expose its workforce to these environmental toxins, yet may not be regarded as 'disadvantaged' due to the fact that most working adults travel more than ½ mile to and from work.

It is for these reasons that I urge you to reconsider the methodology of determining a DAC and how the grant funds for urban

forestry will be allocated.

As AB 32 and SB 535 seek to reduce GHGs, address climate change and provide for a sustainable future; it is critical that the above mentioned factors be considered when reviewing the criteria for how grants will be awarded. We must act now to protect our children from an increasingly dangerous environment. Urban forestry development gives us an unparalleled opportunity to mitigate today's ever-present health hazards while also building community, fostering environmental stewardship, and creating an overall safer environment for all of California's children. By placing a heavy emphasis on projects that will have the greatest impact on GHG reductions, the funding will surely benefit all communities regardless of socio-economic status and most successfully fulfill the goals of AB32 and SB535.

Sincerely,

Tina Marchetti  
Executive Director  
Benicia Tree Foundation

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 09:33:26

No Duplicates.

**Comment 47 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Maura  
Last Name: Twomey  
Email Address: mtwomey@ambag.org  
Affiliation: AMBAG

Subject: Disadvantaged Communities Formal Comment Letter  
Comment:

Dear Ms. Livingston and Mr. Faust:

Thank you for the opportunity to comment on the California Environmental Protection Agency's (CalEPA) proposed "Approaches to Identifying Disadvantaged Communities" and the California Air Resources Board's (ARB) draft Interim Guidance concerning "Investments to Benefit Disadvantaged Communities."

Please see the attached formal comment letter.

Sincerely yours,

Maura Twomey  
Executive Director  
Association of Monterey Bay Area Governments (AMBAG)

Attachment: [www.arb.ca.gov/lists/com-attach/52-sb-535-guidance-ws-VTRVPIAzUGIAYVAP.pdf](http://www.arb.ca.gov/lists/com-attach/52-sb-535-guidance-ws-VTRVPIAzUGIAYVAP.pdf)

Original File Name: AMBAG\_DisadCommunities\_FormalCommentLetter.pdf

Date and Time Comment Was Submitted: 2014-09-15 10:42:13

No Duplicates.

**Comment 48 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - A.**

First Name: Lisa

Last Name: Rheinheimer

Email Address: lrheinheimer@mst.org

Affiliation: Monterey-Salinas Transit

Subject: Cap and Trade Disadvantaged Communities

Comment:

See attached letter.

Attachment: [www.arb.ca.gov/lists/com-attach/14-capandtrade14-UTUAb1AiUmAAYllk.pdf](http://www.arb.ca.gov/lists/com-attach/14-capandtrade14-UTUAb1AiUmAAYllk.pdf)

Original File Name: Disadvantaged Communities Comment Letter.pdf

Date and Time Comment Was Submitted: 2014-09-15 08:29:45

No Duplicates.

**Comment 49 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Janet

Last Name: Cohen

Email Address: janet@commaction.com

Affiliation:

Subject: Cap and Trade Auction Proceeds and DACs

Comment:

I am writing regarding the Cap-and-Trade Auction Proceeds, Investments to Benefit Disadvantaged Communities: Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies. I would like to register my serious concerns about the use of the CalEnviroScreen 2.0 Tool in assessing Disadvantaged Communities for the purpose of distributing these funds. The tool is still under development and currently contains no DACs in a huge swath of the state including the Sierra region where I live and work - not because there isn't persistent rural poverty and disadvantaged communities in the Sierra, but because there is not enough documentation available to establish DAC status in our region and because the criteria favor urban areas. This tool effectively disqualifies all communities in the Sierra from applying for funds such as these, despite the fact that DACs in our region have extremely urgent needs that could be funded with funds such as these. It seems especially egregious that, in the region that supplies most of the state's water and contains most of the state's forests, no community in this vast region will be able to qualify for watershed or fire prevention monies. I urge that you use the DAC status determined based on the DAC definition provided in DWR's Proposition 84 and 1E IRWM Guidelines, dated August, 2010. This definition uses a much fairer methodology which includes ALL regions of the state. Thank you.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 11:10:46

No Duplicates.

## **Comment 50 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Yolanda

Last Name: Lewis

Email Address: yolewis@irgreentech.com

Affiliation:

Subject: Public Comments Cap and trade Auction Proceeds in Disadvantaged Communities  
Comment:

September 15, 2014

Public Comments RE: Cap and Trade Auction Proceeds Investments to Benefit Disadvantaged Communities Interim Guidance to Agencies

Written comments provided by Yolanda Lewis, CEO of Innovative Resources Inc.

6120 Hellyer Ave. Suite 100 San Jose CA 95135 (800) 408-7988

### **Solutions**

In support of the stated goals of AB 1532 and SB 535, Innovative Resources Inc. (IR) has identified several unique proprietary technologies proven as "Best in Class", to be brought to market. IR, a California disadvantaged woman owned business own technology implantations will exceed the stated goals and objectives suggested for the Cap and Trade Auction Proceeds listed as follows:

- Reduce GHG emissions
- Maximize economic, environmental, and public health benefits to the State
- Foster job creation by promoting in-State GHG emission reduction projects carried out by California workers and businesses
- Complement efforts to improve air quality
- Direct investment toward the most disadvantaged communities and households in the State
- Provide opportunities for businesses, public agencies, nonprofits, and other community institutions to participate in and benefit from statewide efforts to reduce GHG emissions
- Lessen the impacts and effects of climate change on the State's communities, economy, and environment
- Provide benefits to disadvantaged communities
- Projects will be located within disadvantaged communities

IR has secured rights to deliver these proprietary proven technologies and to have manufacturing facilities created in California. Our goal is to support participation by diverse communities in the push for solutions that are effective, sustainable, and safe but most importantly Made in America.

These technologies will address the critical problems plaguing our state and nation with water shortages and water quality issues. Our technologies will help to recharge the water tables, create

meaningful career jobs, increase the number of disadvantaged firms actually doing business and help to improve access and quality to our water and air. Resulting to positively impact the overall quality of life for disadvantaged communities.

#### Solution Benefits

- Limited listing of the benefits that our technology solutions will address:
- Reduce nitrites from wastewater treatment plants to discharge locations
- Recharge groundwater supplies
- Eliminate bio solids from wastewater treatment
- Eliminate toxins generated by rubber tires by replacing with urethane
- Virtually eliminate disposal costs related to rubber tire disposal
- Introduce proven technology to replace industrial rubber tires with technology that is proven, inert, reliable, cost effective and sustainable
- All technologies made in the USA
- Ensure the delivery of clean water at the point, including emergency situations
- Bring clean manufacturing to California that utilizes Near Net Zero water and energy technologies that are scalable and sustainable.

Our team is developing a comprehensive plan that addresses the critical issues outlined in the stated categories to be addressed that include:

- Sustainable Communities and Clean Transportation
- Energy Efficiency and Clean Energy
- Natural Resources and Waste Diversion

Please visit [www.smartbizmatch.com](http://www.smartbizmatch.com) for details of these technologies.

Sincerely,

Yolanda Lewis  
CEO  
Innovative Resources Inc.

Attachment: [www.arb.ca.gov/lists/com-attach/55-sb-535-guidance-ws-AXgBaFM+BDZSOgNn.pdf](http://www.arb.ca.gov/lists/com-attach/55-sb-535-guidance-ws-AXgBaFM+BDZSOgNn.pdf)

Original File Name: Yolanda LewisComments 9-15-14.pdf

Date and Time Comment Was Submitted: 2014-09-15 11:22:44

No Duplicates.

**Comment 51 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Sofia

Last Name: Recalde

Email Address: srecalde@sta-snci.com

Affiliation:

Subject: STA comment on DAC definition and Interim Guidance

Comment:

Attached please find the Solano Transportation Authority's comments on the Interim Guidance and definition of DACs. Thank you.

Attachment: [www.arb.ca.gov/lists/com-attach/56-sb-535-guidance-ws-AnFdLwRkBQkGY1c4.pdf](http://www.arb.ca.gov/lists/com-attach/56-sb-535-guidance-ws-AnFdLwRkBQkGY1c4.pdf)

Original File Name: STA comment on ARB def of Disadvantaged Communities.pdf

Date and Time Comment Was Submitted: 2014-09-15 11:19:50

No Duplicates.



**Comment 52 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: John

Last Name: Pastore

Email Address: jpastore@dudek.com

Affiliation: SCAP

Subject: Comments on SB 535 Public Workshops, Approaches to Identifying Disadvantaged Communities

Comment:

Please find attached comments from the Southern California Association of POTWs (SCAP).

We appreciate your consideration of our comments, and look forward to continuing further discussions on the approaches to identify disadvantaged communities and CalEnviroScreen in general. If you have any questions regarding these comments, please do not hesitate to contact John Pastore at (760) 479-4880.

Attachment: [www.arb.ca.gov/lists/com-attach/57-sb-535-guidance-ws-UiFdOANjUnFQCVAz.pdf](http://www.arb.ca.gov/lists/com-attach/57-sb-535-guidance-ws-UiFdOANjUnFQCVAz.pdf)

Original File Name: SCAP Comment Letter SB535.pdf

Date and Time Comment Was Submitted: 2014-09-15 11:17:02

No Duplicates.

## **Comment 53 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Niccolo

Last Name: De Luca

Email Address: ndeluca@townsendpa.com

Affiliation: Townsend Public Affairs/City of San Pablo

Subject: Comments on the CalEnviroScreen (CES) version 2.0 from the City of San Pablo  
Comment:

On behalf of the City of San Pablo, I thank you and your agency for its efforts to address how to effectively allocate Cap and Trade revenue, and would like to provide some recommendations.

The City of San Pablo has put forward many policy initiatives that strengthen our efforts to mitigate climate change. As a city we are planning for and building out transit oriented development and infill housing, we have many successful city initiatives supporting efforts to improve public health and environmental quality, and we have recently cleaned up brownfields and turned them into productive sites.

As the California Environmental Protection Agency moves forward with the CalEnviroScreen (CES) version 2.0, we are very concerned that the formulas used may not support our efforts to provide services to disadvantaged communities in San Pablo, Contra Costa County, and the entire East Bay region. We observe that CES 2.0 overlooks a large number of urban communities that are some of the most polluted and disadvantaged in the State and the neighborhoods that surround them. According to the Metropolitan Transportation Commission, San Pablo is a Community of Concern, a defined minority and low-income community. Low-income populations, defined if 30% or more of the households earn below 200% of the poverty level and if 70% or more of the persons in the households were African American, Asian American, Hispanic or Latino.

The City of San Pablo respectfully recommends the inclusion of criteria regarding projects adjacent to disadvantaged census tracts or a priority focus for projects in the same ZIP code that serve disadvantaged neighborhoods. This change would significantly help disaggregate poverty while serving the most impoverished in the East Bay. For example, San Pablo shares a border with Richmond. There are zip codes encompassing both cities, have many high risks factors, such as poverty, poor air quality, and unemployment. However, the adjacent census tract does not account for many of those residents needing services offered in San Pablo.

Given these facts, we request that the following steps be taken to avoid CES 2.0 unfairly impacting Bay Area disadvantaged communities:

1. CES 2.0 not be used for funding allocations until flaws identified by regional agencies have been corrected.

2. Funds be initially apportioned by regional populations and then allocated within the region by equitable tools to delineated disadvantaged communities and adjacent communities serving them.
3. A new public workshop be held later in September or October incorporating discussion of alternatives to CES 2.0.

Thank you.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 11:52:05

No Duplicates.

**Comment 54 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Bernadette

Last Name: Austin

Email Address: bernadette@domusd.com

Affiliation: Domus Development

Subject: Comments on AHSC Draft Guidelines - DAC Definition

Comment:

Attached is a Word document reflecting comments on behalf of Domus Development. Please contact me if there are any problems with the transmission.

Attachment: [www.arb.ca.gov/lists/com-attach/59-sb-535-guidance-ws-BWFVOIUnVWcBYwVz.docx](http://www.arb.ca.gov/lists/com-attach/59-sb-535-guidance-ws-BWFVOIUnVWcBYwVz.docx)

Original File Name: Disadvantaged Communities Comments.docx

Date and Time Comment Was Submitted: 2014-09-15 11:40:33

No Duplicates.

## **Comment 55 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Dennis

Last Name: Osmer

Email Address: dennis@energyservices.org

Affiliation: Central Coast Energy Services

Subject: Disadvantaged Communities

Comment:

Central Coast Energy Services respectfully submits the following comments on the identification of disadvantaged communities. We are a not for profit organization providing direct weatherization services to low income communities in Monterey, San Benito, Santa Cruz and San Mateo counties with federal Low Income Home Energy Assistance Program (LIHEAP) funding from the State Department of Community Services and Development. We also provide Software Services for program management in 22 other agencies delivering energy assistance services in California.

### **1. 5 Methods of Identifying Disadvantaged Communities Presented at Public Workshop - Program Appropriate Application**

In regard to the five methods introduced at recent public workshops, we hope the board will consider applying specific methods that are appropriate to each of the programs to be funded. Adopting a single method and applying it to each of the programs regardless of the targeted goals of each program would introduce an unnecessary difficulty in accomplishing those goals in every program from the start. The programs are diverse in their anticipated impact and the method of identifying disadvantaged communities most in need should be tailored to each program individually.

### **2. Method of Identifying Disadvantaged Communities to Benefit from Weatherization/Renewables - Low Income Weatherization Program**

In regard to a method applied to the Weatherization/Renewables Program and specifically the Low Income Weatherization Program (LIWP), we advocate for any method making all households within the CalEnviroScreen top scoring 25% of census tracts eligible. The LIWP would offer yet another weatherization program competing with the CPUC mandated Energy Savings Assistance Program and the Low Income Home Energy Assistance/Department of Energy Program (LIHEAP/DOE) administered by the State Department of Community Services and Development. This will certainly increase customer confusion and lack of acceptance of both programs implementers currently experience. The potential for leveraging existing programs is highly overrated. A broader eligibility criteria will provide for more efficient service delivery and greater value to people in disadvantaged communities using investment funds. This approach would also make the goal of committing 100% of the Weatherization/Renewables funds to directly benefit disadvantaged communities a reality.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 12:00:04

No Duplicates.

**Comment 56 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Yvonne M.

Last Name: Williams, et al

Email Address: Non-web submitted comment

Affiliation:

Subject: Comments on SB 535 Guidelines

Comment:

Please see attached comment letter.

Attachment: [www.arb.ca.gov/lists/com-attach/61-sb-535-guidance-ws-VCdWMIF9UDZRZfVg.pdf](http://www.arb.ca.gov/lists/com-attach/61-sb-535-guidance-ws-VCdWMIF9UDZRZfVg.pdf)

Original File Name: sb-535-guidelines.pdf

Date and Time Comment Was Submitted: 2014-09-15 12:13:23

No Duplicates.

**Comment 57 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Joyce

Last Name: Dillard

Email Address: dillardjoyce@yahoo.com

Affiliation:

Subject: Comments Auction Proceeds-Workshops on ARB Guidance due 9.15.2014

Comment:

attached.

Attachment: [www.arb.ca.gov/lists/com-attach/62-sb-535-guidance-ws-WzgHbgBsV2lVNII8.pdf](http://www.arb.ca.gov/lists/com-attach/62-sb-535-guidance-ws-WzgHbgBsV2lVNII8.pdf)

Original File Name: Comments Auction Proceeds-Workshops on ARB Guidance due 9.15.2014.pdf

Date and Time Comment Was Submitted: 2014-09-15 12:17:39

No Duplicates.



**Comment 58 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Peter

Last Name: Massey

Email Address: pmassey@treepeople.org

Affiliation: Grants Director, TreePeople

Subject: CARB Guidance on Cap-and-Trade Implementation and SB 535

Comment:

Dear Ms. Livingston:

We are writing today to provide comments, including support for comments provided by the California Urban Forest Council in their letter dated September 12, 2014 (Item 2) regarding the Air Resources Board Guidance for Cap-and-Trade and SB 535, and consideration of the many benefits of urban forestry.

We are very pleased that Urban Forestry, Land Use, and Water Use Efficiency have a significant role in the State's Cap and Trade expenditure plan for 2014/15 and beyond. To that end, we also provide comments (attached) to support the use of urban forestry to achieve many aspects of these roles to benefit disadvantaged communities through the combined effort of tree planting, landscape transformation and parcel-level stormwater capture.

Please let us know if you have any questions, and thank for your consideration of our comments.

Yours,  
Peter Massey  
Director of Grants  
TreePeople

Attachment: [www.arb.ca.gov/lists/com-attach/63-sb-535-guidance-ws-UiYBdVA0UGZWIAFk.pdf](http://www.arb.ca.gov/lists/com-attach/63-sb-535-guidance-ws-UiYBdVA0UGZWIAFk.pdf)

Original File Name: TreePeople - comments Draft Guidance for Cap&Trade DAC 9.15.14.pdf

Date and Time Comment Was Submitted: 2014-09-15 12:45:41

No Duplicates.

## **Comment 59 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Douglas

Last Name: Shoemaker

Email Address: dshoemaker@mercyhousing.org

Affiliation: President, Mercy Housing California

Subject: Comment on SB 535 Guidance

Comment:

Commissioners:

I write on behalf of Mercy Housing California, a statewide affordable housing developer active in Southern California, the San Francisco Bay Area and the Sacramento Valley. We have developed over 10,000 affordable homes in California, and currently have over 3,000 affordable homes in development. We appreciate the opportunity to comment on the design of the Affordable Housing and Sustainable Communities Program (AHSCP) and in particular on the key definitional issues related to Disadvantaged Communities.

While we have comments on the definition of Disadvantaged Communities, our comments are focused on the critical issue of the definition of benefit. Mercy Housing provides affordable housing and services to over 13,000 people with an average household income of \$15,000 per year. As such we are all too familiar with the challenges that lower income individuals face in terms of environmental conditions, health care access, school quality, and job access.

Based on our experience, it would be a mistake to define the DAC benefits of affordable housing in particular as simply based on geographic location in a disadvantaged community. Rather, we would encourage the Air Resources Board to define benefit in broad terms that account for the many ways that lower income families choose to improve their lives and the lives of their children.

We believe there are at least two critical ways to determine the DAC benefits of affordable housing: 1) location in or within one mile of a DAC; or 2) location in non-DAC communities that provide low income populations with increased access to transit, quality jobs, schools, and healthy environmental conditions.

We have worked in many disadvantaged communities in which lower income residents advocated for environmental clean-up, better schools or improved transit, only to be displaced by the lack of permanent, affordable housing. For those reasons, it's critical that some of these funds be used in part to create permanently affordable housing in transit-rich locations that typically gentrify when local conditions improve.

Conversely, we have worked with many families who would prefer to

have opportunities to move into affordable housing in other, less impacted communities with less pollution, higher performing schools, and/or more high-quality jobs. We are currently leasing up a family property in the Mission Bay neighborhood of San Francisco (a former brownfield), and had over 3,000 applications for 150 apartments. Mission Bay is 70% market rate housing with apartments renting for \$3,000-\$5,000 per month. What makes Mission Bay so desirable? Quick transit access via Muni, CalTrain and BART to over 1 million jobs in downtown San Francisco, Oakland, and Silicon Valley.

For that reason, we believe it is also critical to define benefit in terms of transit-oriented affordable housing that serves households earning less than 60% of median income. Ideally the Air Resources Board would count housing produced within 5 miles of a DAC or within a key transit-served commute shed that ensures that DAC residents have equal access to those housing and transit opportunities.

As it relates to infrastructure, we encourage the Air Resources Board to maintain a link to affordable housing production when considering funding through this program. As noted by many commentators, expensive infrastructure improvements with no link to equity goals like affordable housing are unlikely to benefit lower income people in the medium to long term.

At the workshops, we heard that the AHSC should catalyze the development of affordable housing and infrastructure at a district or neighborhood scale, and generate significant environmental benefits with that approach. Mercy Housing California, in partnership with Related California and the Cities of San Francisco and Sacramento and their housing authorities, as well as other partners, is working on redeveloping two large, severely distressed public housing developments where the housing and infrastructure have aged beyond repair and physical, social and economic isolation of these sites have led to extreme poverty for its residents. Los Angeles, San Joaquin, Sacramento, San Francisco and Sutter Counties are all just some of the areas in which there are large public housing communities that are physically isolated and underserved by transit, services and quality housing.

We believe that these types of projects would be ideal for this funding source as they address environmental contaminants like lead paint and asbestos, and numerous conditions leading to asthma, respiratory illnesses and other indicators of poor health. These public housing communities are also characterized by extreme poverty, linguistic isolation and high unemployment. Given the unique histories of environmental harm and vulnerable populations associated with public housing, we would respectfully request that California Air Resources Board consider any public housing project as a unique category that should be considered a DAC regardless of census tract location.

Lastly, in terms of defining Disadvantaged Communities, we encourage the Board to use a definition that blends population characteristics and pollution characteristics. While we do not have a strong preference for which of the methodologies (#1, #4, or #5) that could be used, we feel strongly that the Board should define DAC in terms of the top 25% of communities in any of the formulas. We encourage more inclusiveness because it is nearly impossible for any statistical sorting process to account for the many local conditions and arbitrary boundaries that census tracts

may present as it relates to poverty and pollution. Choosing a more inclusive definition will increase the likelihood that legislative intent will be met.

Thank you for giving us the opportunity to provide our comments and suggestions. Please contact me at [DShoemaker@mercyhousing.org](mailto:DShoemaker@mercyhousing.org) or (415) 355-7151 if you have any questions.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 12:48:37

No Duplicates.

**Comment 60 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Laurie

Last Name: Broedling

Email Address: lbroedling@earthlink.net

Affiliation: Tree San Diego

Subject: CARB's discussion draft for Investments to Benefit Disadvantaged Communities  
Comment:

Tree San Diego, the urban forestry non-profit for the San Diego County region, strongly supports the comments submitted by the California Urban Forestry Council and California ReLeaf. In addition we would particularly like to note the need for an approach to benefiting disadvantaged communities based on current conditions. The drought is paramount on the minds of people in our region. Water is increasingly expensive, and the communities least able to pay for it are the disadvantaged ones. Factoring the water issue into decisions about grant requirements for urban forestry is critical to the success of urban forestry in our region and all of Southern California. Examples include projects for flood control and for stormwater mitigation which are outside DACs but impact them; projects supporting existing mature tree care which uses less water and provides strong GHG reductions.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 13:06:52

No Duplicates.

**Comment 61 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Karen

Last Name: Fink

Email Address: kfink@trpa.org

Affiliation: Tahoe Metropolitan Planning Organization

Subject: Identification of Disadvantaged Communities

Comment:

Thank you for the opportunity to comment on the California Environmental Protection Agency's "Approaches to Identifying Disadvantaged Communities." We appreciate the significant amount of time that CalEPA staff, and ARB staff have invested to develop the methodologies for identifying disadvantaged communities and for evaluating benefits to disadvantaged communities. Please find our comment letter attached.

Attachment: [www.arb.ca.gov/lists/com-attach/66-sb-535-guidance-ws-AGwAY1MmAyQEZwJw.pdf](http://www.arb.ca.gov/lists/com-attach/66-sb-535-guidance-ws-AGwAY1MmAyQEZwJw.pdf)

Original File Name: letter\_CalEPA\_disadvantaged\_communities\_TMPO.pdf

Date and Time Comment Was Submitted: 2014-09-15 13:22:37

No Duplicates.

**Comment 62 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Elena

Last Name: DeLacy

Email Address: elena@arconservancy.org

Affiliation: American River Conservancy

Subject: Cap and Trade Auction Proceeds

Comment:

I am writing regarding the Cap-and-Trade Auction Proceeds, Investments to Benefit Disadvantaged Communities: Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies. I would like to register my organization's concerns about the use of the CalEnviroScreen 2.0 Tool in assessing Disadvantaged Communities (DAC) for the purpose of the distributing these funds. By using this tool, seriously disadvantaged communities in our region and the whole Sierra will not, and cannot, be considered as a DAC. This puts our region at an unfair disadvantage when applying for funding. We urge instead that you use the DAC status determined based on the DAC definition provided in DWR's Proposition 84 and 1E IRWM Guidelines, dated August, 2010.

Thank you,

Elena DeLacy

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 13:27:09

No Duplicates.

**Comment 63 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: David

Last Name: Wilkinson

Email Address: davwilk@pacbell.net

Affiliation: Woodland Tree Foundation

Subject: SB535 Cap-Trade Implementation Guidance

Comment:

To: CalEPA and CARB

Woodland Tree Foundation fully supports using the majority of Cap Trade funds for tree planting in Disadvantaged Communities (DACs). However, we would prefer the funding for DACs be capped at the 55-70% range, leaving monies available for communities like Woodland (Yolo County) that have few DACs but are working hard to meet the tree planting goals in the City's Climate Action Plan. Woodland Tree volunteers have successfully implemented several CA. Releaf grants for community tree planting and we are ready to participate in the Cap Trade program to reduce greenhouse gases through additional tree planting and stewardship. Woodland's existing tree canopy would also benefit greatly from funding to ensure the younger trees are pruned properly to grow into healthy trees to combat global warming. Thank you for considering this request.

Sincerely,

David Wilkinson

President, Woodland Tree Foundation

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 13:20:39

No Duplicates.



**Comment 64 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Amber

Last Name: Crabbe

Email Address: amber.crabbe@sfcta.org

Affiliation: SFCTA

Subject: Comments to CalEPA on Cap and Trade Guidance

Comment:

Please see the attached letter from Tilly Chang, the Executive Director of the San Francisco County Transportation Authority.

Attachment: [www.arb.ca.gov/lists/com-attach/69-sb-535-guidance-ws-WikFZVQ2VXJXMAVa.pdf](http://www.arb.ca.gov/lists/com-attach/69-sb-535-guidance-ws-WikFZVQ2VXJXMAVa.pdf)

Original File Name: SFCTA letter CalEPA disadvantaged communities FINAL.pdf

Date and Time Comment Was Submitted: 2014-09-15 13:29:25

No Duplicates.

**Comment 65 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Amber

Last Name: Crabbe

Email Address: amber.crabbe@sfcta.org

Affiliation: SFCTA

Subject: Comments to ARB on Cap and Trade Guidance

Comment:

Please see the attached letter from Tilly Chang, the Executive Director of the San Francisco County Transportation Authority.

Attachment: [www.arb.ca.gov/lists/com-attach/70-sb-535-guidance-ws-UCMBYQRmWX5QNwJd.pdf](http://www.arb.ca.gov/lists/com-attach/70-sb-535-guidance-ws-UCMBYQRmWX5QNwJd.pdf)

Original File Name: SFCTA letter ARB benefit DAC FINAL.pdf

Date and Time Comment Was Submitted: 2014-09-15 13:29:25

No Duplicates.

**Comment 66 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Michael

Last Name: Rawson

Email Address: mrawson@pilpca.org

Affiliation: The Public Interest Law Project

Subject: Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies  
Comment:

The Public Interest Law Project  
449 15th Street, Suite 301  
Oakland, CA 94612

September 15, 2014

Mary Nichols, Chair  
California Air Resources Board

Re: Interim Guidance to Agencies Administering Greenhouse Gas  
Reduction Fund Monies

Dear Members of the Board:

The Public Interest Law Project is a state support center for local legal services and other public interest law programs serving lower income households in California. We write on behalf of persons throughout the state in need of affordable housing in safe, healthy and "high opportunity" neighborhoods with access to affordable transit and proximate to good jobs. Our comments are intended to supplement those filed by other organizations and groups that have filed comments asking that the Interim Guidance Maximizing Benefits to Disadvantaged Communities and Appendix be revised to better ensure the SB 535 investments provide benefits to California's disadvantaged communities without resulting in displacement of existing households or substantial or unmitigated demolition of blocks and neighborhoods.

The final Interim Guidance, while including important social equity provisions, unfortunately omits eligibility criteria that would require all projects funded by the GGRF to protect the existing residents from displacement and ensure that all projects with residential components include affordable housing. Amending the Interim Guidance is essential to secure consistency with RECOMMENDATIONS OF THE REGIONAL TARGETS ADVISORY COMMITTEE (RTAC) PURSUANT TO SENATE BILL 375 ["RTAC Report"], the state's ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING ["Analysis of Impediments"], the Community Redevelopment Law, state and federal fair housing laws and the rules of the Federal Transportation Administration. Amendments to the project eligibility requirements of Interim Guidance to achieve the requisite consistency should include:

For All Projects:

Projects must not result in the displacement of lower income households, either directly or indirectly, unless:

- Displacement is necessary to achieve an essential purpose of SB 535
- There is no feasible alternative that would result in no or lesser displacement
- If the project would have a discriminatory effect on groups of residents protected by California and federal fair housing laws, the displacement is necessary to achieve an important purpose sufficiently compelling to override the discriminatory effect and effectively carries out the purpose it is alleged to serve
- Any housing affordable to lower income households that is removed or converted will be replaced 1:1 within two years and made available at a cost affordable to the households displaced, with the displaced households receiving a first right of occupancy
- All residents who must be displaced will be provided with comparable replacement housing prior to displacement in the same community unless their choice is to move to another community

For Projects with Housing:

- Projects with a residential component must include housing affordable to lower income households

A. The Interim Guidance is Inconsistent with the Recommendations of the RTAC

As the Board is aware, ARB's Regional Targets Advisory Committee (RTAC) determined that a guiding principle in the implementation of SB 375 was to "maximize social equity." (RTAC Report at p. 3.) Without amendment to ensure inclusion of affordable housing in funded residential projects and prevention of displacement in all projects as described above, the Interim Guidance would undermine rather than maximize social equity. As the RTAC found:

Inequitable land use practices and inadequate public transit access as well as economic and racial segregation can result in exclusion, limitations on employment opportunities, sprawl and excess VMT.... Land use based greenhouse gas reduction strategies, however, could have beneficial or adverse effects on social equity concerns such as housing affordability (increased land prices), transportation access and affordability, displacement, gentrification, and a changing match between jobs, required skill levels and housing cost.... Implementation of SB 375, accordingly, should, at minimum avoid facilitating or exacerbating any adverse consequences.... [RTAC Report at 28.]

B. The Interim Guidance is Inconsistent with the State Analysis of Impediments to Fair Housing.

As a condition of receiving Federal housing and community development funds, states must certify that they are affirmatively furthering equal opportunity in housing for individuals and groups protected by the federal Fair Housing Act of 1968 and its amendments (42 U.S.C §3601 et seq.). (24 C.F.R Part 91) The requirements apply to all state actions, not just the ones funded with federal monies. In preparation for making this certification

California accordingly adopted its Analysis to Impediments to Fair Housing in September 2012.

The Analysis of Impediments found that the number one impediment to fair housing choice in California is the "inadequate supply of affordable housing available to lower-income and minority households." (Analysis of Impediments at p. Exec. 2) The adoption of an Interim Guidance that fails to require production of affordable housing in funded projects or provisions preventing displacement except as a last resort will only exacerbate California's existing critical shortfall in housing affordable to households in the disadvantaged communities where the GGRF monies are directed.

Moreover, the third most significant impediment to fair housing identified in the Analysis of Impediments was the "shortage of subsidies and strategies to promote affordable, accessible housing for low, very low, and extremely low-income households, including protected classes." (Ibid.) Although the SB 535 funds will include a set aside for affordable housing development, these funds are insufficient to ensure that affordable housing will be included in all projects with housing in disadvantaged communities. If GGRF funds flow into limited areas in disadvantaged communities, without a requirement that affordable housing be a component of a funded residential project, the land values, housing demand and attendant rents and housing costs will rise, creating very impediments identified by the Analysis of Impediments. As the state acknowledges in the Analysis in Impediment # 7:

Low-income households may be at risk of displacement in areas subject to strong new development pressure or activity. [Analysis of Impediments at Exec. p. 3.]

And the clear corollary to that impediment is Impediment # 8 recognizing the "inadequate access for minority households to housing outside of areas of minority concentration." (Ibid.) Unless projects funded outside of disadvantaged communities must include affordable housing, this significant impediment will only be exacerbated.

C. The Interim Guidance Must Reference the Obligation of Development Projects in Existing Redevelopment Areas to Comply with Redevelopment Law.

Although redevelopment agencies were dissolved by AB1x 26, they were replaced with successor agencies charged with fulfilling all the obligations of the prior agencies and subject to the state's Community Redevelopment Law (CRL). (Health and Safety Code §33000 et. seq.) Accordingly, any new development occurring in a redevelopment area is subject to the requirements of the CRL, and many of disadvantaged communities identified through SB 535 will contain existing redevelopment areas.

Health & Safety Code §33413 requires residential development in all redevelopment project areas to include affordable housing in proportion to the total number of housing units developed. The Interim Guidance, in addition to making eligibility for GHRF funds conditioned on inclusion of affordable housing in residential developments, must conform to the CRL and reference this requirement.

D. The Interim Guidance Must Reference and Incorporate the

Obligation that Governmental Actions Do Not Have a Discriminatory Effect on Minorities and Other Groups Protected by the Fair Housing and Civil Rights Laws.

California and federal fair housing laws and state civil rights laws also prohibit land use and development actions that have the effect of discriminating against groups protected under those laws.

California's Fair Employment and Housing Act and the federal Fair Housing Act prohibit land use actions by local government that discriminate on the basis of race, national origin, disability and family status among other protected classes. And California Government Code §11135 prohibits discrimination based on each of those categories except family status by recipients of state funding. These overarching proscriptions against discrimination and affirmative requirements must be acknowledged and incorporated in the Interim Guidance. This critical to ensuring that GGRF monies will not perpetuate segregation or have a disparate impact on persons of color, families with children and other protected groups.

E. The Interim Guidance Must Ensure that Allocation of the GGRF Affirmatively Furthers Fair Housing.

As explained under the discussion of the Analysis of Impediments, above, the Fair Housing Act requires recipients of funding from the Department of Housing and Urban Development (HUD) to administer their programs in a manner to affirmatively further fair housing. 42 U.S.C. § 3608(e)(5). Actions that will affirmatively further fair housing are activities that "will reduce racial segregation and concentration of poverty, employing regional- or metropolitan-level strategies, when applicable." Directing GGRF monies to disadvantaged or advantaged communities without sufficient protections against displacement and requirements for production of affordable housing would be plainly inconsistent with the duty of the state government to affirmatively further fair housing.

As former HUD Secretary Donovan has explained:

Sustainability also means creating "geographies of opportunity," places the effectively connect people to jobs, quality public schools, and other amenities. Today, too many HUD-assisted families are stuck in neighborhoods of concentrated poverty and segregation, where one's zip code predicts poor education, employment, and even health outcomes. These neighborhoods are not sustainable in their present state.

F. A Requirement to Include Affordable Housing in GGRF Funded Projects Would Achieve Consistency with the Rules of the Federal Transportation Administration.

The federal Transportation Administration (FTA) has incorporated the provision of affordable housing in projects funded with federal transportation monies into its rules describing the measures used for project evaluation. Appendix A to Part 611 of Title 49 of the Code of Federal Regulations provides that evaluating economic development projects must include consideration of: Local plans and policies in place to support maintenance of or increases to affordable housing in the project corridor; [49 CFR Part 611 I (g)(ii)]

Just as the federal government has recognized that

affordable housing is critical in new development funded by the federal transportation funds, the Interim Guidance should strive for consistency with the federal rule, especially because many of the projects funded with GGRF will likely also be receiving federal transportation funds.

Thank you very much for all the hard work evidenced by the draft rule and for this opportunity to comment. Please let me know if you have any questions about our comments.

Sincerely,

Michael Rawson  
Director, The Public Interest Law Project

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 13:48:02

No Duplicates.

**Comment 67 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Lizzeth

Last Name: Rosales

Email Address: lrosales@saje.net

Affiliation: Strategic Actions for a Just Economy

Subject: Comment letter re draft interim guidelines for cap-and-trade auction proceeds  
Comment:

Attached please find our comment letter on the draft interim guidelines for how cap-and-trade auction proceeds can benefit disadvantaged communities.

Feel free to contact me if you have any questions.

Best,

Lizzeth Henao Rosales

Assistant Director of Equitable Development

Strategic Actions for a Just Economy (SAJE)

Attachment: [www.arb.ca.gov/lists/com-attach/72-sb-535-guidance-ws-VSZdOgBrVmADWIQ3.pdf](http://www.arb.ca.gov/lists/com-attach/72-sb-535-guidance-ws-VSZdOgBrVmADWIQ3.pdf)

Original File Name: SAJE Comment Letter Sept 15 2014.pdf

Date and Time Comment Was Submitted: 2014-09-15 13:48:11

No Duplicates.



**Comment 68 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Steve

Last Name: Dutra

Email Address: sdutra@lodi.gov

Affiliation:

Subject: 2014-15 CAL FIRE Urban and Community Forestry Program

Comment:

As the current president of Tree Lodi and the City of Lodi Park Superintendent, our community like many others, are in need of Urban Tree program funding. We support SB 535 and its commitment to disadvantaged communities such as Lodi. All disadvantaged communities in California should have an equal opportunity to compete for urban tree funding grants. We support the request that a portion of such funding be available for competition through the CAL FIRE Urban and Community Forestry Program.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 13:08:36

No Duplicates.

## **Comment 69 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Tracy

Last Name: Delaney

Email Address: tdelaney@phi.org

Affiliation: Public Health Alliance of Southern CA

Subject: Public Health Departments Disadvantaged Communities Comment Letter  
Comment:

(Please refer to the formatted PDF of this letter and its attachment submitted via the web).

Dear Secretary Rodriguez and Chairman Nichols:

This letter is being sent on behalf of two regional alliances of Public Health Department representatives from across the State of California, actively advancing chronic disease prevention and health equity through a health in all policies approach. We welcome the opportunity to comment on the recent documents released by the CalEPA/ARB regarding the identification of disadvantaged communities for the purpose of prioritizing investment of the Greenhouse Gas Reduction Funds per SB 535. We understand that the implementation of this legislation is progressing under rapid timelines and appreciate the Air Resources Board's commitment to nonetheless provide thoughtful deliberation to address public feedback.

As public health professionals engaged in efforts to reduce the stark disparities in health that exist across California, an important focus of our work is identifying and improving conditions in health disadvantaged communities. Evidence suggests that social factors, which include income, unemployment, education and rent burden, are the most significant drivers of health and wellbeing (US Burden of Disease Collaborators. The state of US health, 1990-2010: burden of diseases, injuries, and risk factors. JAMA. 2013 Aug 14; 310(6):591-608.) We are concerned that neither Method 1 (overall CalEnviroScreen (CES) score) nor the other alternate methods presented in the recently released methodology report, "Approaches to Identifying Disadvantaged Communities", adequately identify populations that are highly disadvantaged based on these social factors, collectively referred to as the social determinants of health.

The importance of employing a methodology that adequately identifies and weights disadvantage based on the social determinants of health is further elevated given the importance community stakeholders place on income, unemployment, education and rent burden in defining the common needs of disadvantaged communities. In Table 3 "Common Needs of Disadvantaged Communities (As Identified by Community Advocates)" of the August 22, 2014 document "Investments to Benefit Disadvantaged Communities," the bulk of the needs given are economic-improved jobs to increase

family income, better workforce preparation, reduced housing and energy costs and improved transportation access. The needs that are not economic are couched in economic terms—health harms like asthma and obesity are “suffered disproportionately by low-income residents/ communities.”

Stakeholders understand what the scientific evidence clearly demonstrates; that social determinants are the largest contributor to health and quality of life. The Public Health Alliance of Southern California, with technical assistance from the California Department of Public Health (CDPH), has conducted an analysis to determine whether communities identified as disadvantaged based on a high (top 15%) overall CES score are also the most disadvantaged (top 15%) in terms of poverty. Our analysis suggests that only 56.5% of these most impoverished (top 15%) census tracts would be identified as disadvantaged based on their top 15% overall CES Score (please see analysis (a) Poverty in the attachment below, “Poverty, Population Characteristics and CES 2.0”). Further, only 52.5% of census tracts identified as disadvantaged based on the overall CES score fell into the top 15% of census tracts based on poverty level. Both of these results suggest deficiencies in how the tool is being used to identify socioeconomic vulnerability and, hence, public health disadvantage.

A second analysis (see Attachment below, analysis (b) “Population Characteristics”) also suggests a relatively poor statistical correlation between pollution-burden and population characteristics, as currently measured, among census tracts in CES 2.0. Only 61.8% of the census tracts with a top 15% population characteristic score are also in the top 15% in terms of their overall CalEnviroScreen Score. This poor statistical correlation can be seen visually in Figure 2 of “Approaches to Identifying Disadvantaged Communities” report where the scatterplot diagram for method 1, overall CalEnviroScreen Score does not show a linear clustering (i.e., pollution burden scores tracking equally with population characteristic scores) but rather a diffuse cloud, with many communities that score high on one criteria but not on another.

The fundamental approach utilized in CalEnviroScreen (CES), to incorporate both pollution burden and social determinant criteria into a single score through multiplication, creates a number of methodological concerns. First, the multipliers don’t always reflect identified biologic or risk interactions between pollution and population characteristic factors. Additionally, the assignment of weights such that an equal 10 point scale is given to both the pollution burden and population characteristics means that the primary (social) determinants of health are undervalued based on their proportional contribution to health outcomes, and that pollution burden is disproportionately over-weighted. Finally, the population characteristic score includes health outcomes strongly associated with environmental exposures while omitting critical chronic disease health outcomes that contribute to the majority of healthcare expenditures (Galea S, Tracy M, Hoggatt KJ, DiMaggio C, Karpati A. Estimated deaths attributable to social factors in the United States. *Am J Public Health*. 2011;101:1456-1465.)

This analysis is not meant to suggest that pollution burden should be discarded as a measure of disadvantage. Instead, it suggests that pollution burden and population characteristic data are independent and should be weighted according to their share of

attributable mortality and morbidity in the United States.

Our two Alliances are currently developing an evidence-based method for identifying health disadvantaged communities. This is a deliberate process undergoing scientific review, and as such is not expected to be completed prior to ARB's September decision point. Given that, we understand that our index will not be considered as a qualifying option in this first year's criteria. However, we want to ensure that in future years, an evidence-based health disadvantage metric is included into the methodology for defining disadvantaged communities.

In the development of future year's disadvantaged community identification methodology and allocation protocols, we would suggest the formation of a working group that includes representatives from public health and low-income communities to provide input on the implementation of SB 535, ranging from continued refinement in the identification of disadvantaged communities, to SB 535 guidance document updates, and the evaluation of the effectiveness of awarded projects in addressing disadvantage. This will provide critical input needed to both effectively achieve greenhouse gas targets and maximize benefits to disadvantaged communities.

For the purposes of this year's allocation only, we ask CalEPA/ ARB to consider the use of a one-time temporary measure that weights the current CES indicators based on the relative magnitudes of their demonstrated impacts on health and well-being as reflected in the research literature.

Thank you for your consideration of our comments. There is a tremendous opportunity to effectively address climate change and to create transformative change in disadvantaged communities across California. We welcome the opportunity to partner with CalEPA/ARB now and in the future to ensure that we meet or exceed greenhouse gas targets while optimizing the greatest evidence-based co-benefits for disadvantaged communities.

Sincerely,

Susan Harrington M.S., R.D.  
Director, County of Riverside Department of Public Health  
Co-Chair, Public Health Alliance of Southern California

Cheryl Barrit, M.P.I.A .  
Preventive Health Bureau Manager  
Long Beach Department of Health and Human Services  
Co-Chair, Public Health Alliance of Southern California

Tracy Delaney, Ph.D., R.D.  
Executive Director, Public Health Alliance of Southern California

Chuck McKenty, Ph.D.  
Alameda County Department of Public Health  
Co-Chair of BARHII

Michael Stacey, MD  
Solano County Public Health Department  
Co-Chair of BARHII

Sandi Galvez, MSW

BARHII Executive Director

Attachment: [www.arb.ca.gov/lists/com-attach/74-sb-535-guidance-ws-UzIHcwZIVVIQNVMMy.pdf](http://www.arb.ca.gov/lists/com-attach/74-sb-535-guidance-ws-UzIHcwZIVVIQNVMMy.pdf)

Original File Name: ARB CalEPA DAC Methodology Comment Letter Alliance BARHII 9.15.14 + Analysis.pdf

Date and Time Comment Was Submitted: 2014-09-15 14:11:47

No Duplicates.

**Comment 70 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Val

Last Name: Menotti

Email Address: vmenott@bart.gov

Affiliation: San Francisco Bay Area Rapid Transit Dis

Subject: BART Comments on CalEPA and ARB Disadvantaged Communities Guidance  
Comment:

Please find attached BART's comments on both CalEPA's proposed definition of Disadvantaged Communities, and ARB's guidance on Investments to Benefit Disadvantaged Communities. Thank you for the opportunity to comment.

Attachment: [www.arb.ca.gov/lists/com-attach/75-sb-535-guidance-ws-VzVdOlckByAKUwVm.pdf](http://www.arb.ca.gov/lists/com-attach/75-sb-535-guidance-ws-VzVdOlckByAKUwVm.pdf)

Original File Name: BART Comments on CalEPA and ARB Disadvantaged Communities Guidance 9-15-14.pdf

Date and Time Comment Was Submitted: 2014-09-15 14:16:51

No Duplicates.

**Comment 71 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Tess

Last Name: Lengyel

Email Address: [tlengyel@alamedactc.org](mailto:tlengyel@alamedactc.org)

Affiliation: Alameda County Transportation Commission

Subject: CalEPA Identification of Disadvantaged Communities and ARB Interim Guidance  
Comment:

Please find attached comments on the identification of disadvantaged communities (DACs) proposed by the California Environmental Protection Agency (CalEPA) pursuant to Health & Safety (H&S) Code 39711 and the Interim Guidance proposed by the Air Resources Board (ARB) for state agencies administering Greenhouse Gas Reduction Fund monies pursuant to H&S Code 3971 from the Alameda County Transportation Commission.  
Thank you.  
Tess

Attachment: [www.arb.ca.gov/lists/com-attach/76-sb-535-guidance-ws-VjdQOgFhU2NWJAdk.pdf](http://www.arb.ca.gov/lists/com-attach/76-sb-535-guidance-ws-VjdQOgFhU2NWJAdk.pdf)

Original File Name: AlaCTC\_EPA\_ARB\_CapandTradeCommentLetter\_FINAL\_SIGNED.pdf

Date and Time Comment Was Submitted: 2014-09-15 14:25:31

No Duplicates.

**Comment 72 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Hernan

Last Name: Molina

Email Address: hmolina@weho.org

Affiliation: City of West Hollywood

Subject: City of West Hollywood comments on SB 535 guidelines

Comment:

To Whom It May Concern:

Please find attached the City of West Hollywood's comments/position on the guidelines related to SB 535, Chapter 830, Statute of 2012. We thank you for allowing our City to provide comments on this important piece of legislation.

Should you have any questions, please contact Andi Lovano at 323-848-6865 or me at 323-848-6364.

Sincerely

Hernan Molina, Sr. Management Analyst  
City of West Hollywood

Attachment: [www.arb.ca.gov/lists/com-attach/77-sb-535-guidance-ws-VDcGaQZzWHIDWgNs.pdf](http://www.arb.ca.gov/lists/com-attach/77-sb-535-guidance-ws-VDcGaQZzWHIDWgNs.pdf)

Original File Name: City of West Hollywood comments on SGC guidelines on SB 535.pdf

Date and Time Comment Was Submitted: 2014-09-15 14:28:28

No Duplicates.



**Comment 73 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Tess

Last Name: Lengyel

Email Address: tlengyel@alamedactc.org

Affiliation:

Subject: Corrected letter RE: CalEPA Identification of Disadvantaged Communities and ARB Interim Gu

Comment:

The Alameda County Transportation Commission (Alameda CTC) respectfully offers the attached comments on the identification of disadvantaged communities (DACs) proposed by the California Environmental Protection Agency (CalEPA) pursuant to Health & Safety (H&S) Code 39711 and the Interim Guidance proposed by the Air Resources Board (ARB) for state agencies administering Greenhouse Gas Reduction Fund monies pursuant to H&S Code 39715. Thank you.  
Tess

Attachment: [www.arb.ca.gov/lists/com-attach/78-sb-535-guidance-ws-WjtcNgBgBTUDcQJh.pdf](http://www.arb.ca.gov/lists/com-attach/78-sb-535-guidance-ws-WjtcNgBgBTUDcQJh.pdf)

Original File Name: AlaCTC\_EPA\_ARB\_CapandTradeCommentLetter\_FINALSIGNED\_1.pdf

Date and Time Comment Was Submitted: 2014-09-15 14:43:00

No Duplicates.

**Comment 74 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

This comment was posted then deleted because it was unrelated to the Workshop item or it was a duplicate.

**Comment 75 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Shweta

Last Name: Bhatnagar

Email Address: bhatnagars@samtrans.com

Affiliation: SamTrans/Caltrain/SMCTA

Subject: Comments on the Cap and Trade Program Guidelines

Comment:

Attached please find comments to CalEPA and CARB regarding the Cap and Trade guidelines on behalf of the San Mateo County Transit District, the Peninsula Corridor Joint Powers Board and the San Mateo County Transportation Authority.

Thank you,  
Shweta Bhatnagar

Attachment: [www.arb.ca.gov/lists/com-attach/80-sb-535-guidance-ws-AXIFblU3AiUAYglW.zip](http://www.arb.ca.gov/lists/com-attach/80-sb-535-guidance-ws-AXIFblU3AiUAYglW.zip)

Original File Name: SMCTD CARB Comment Letter.zip

Date and Time Comment Was Submitted: 2014-09-15 15:10:32

No Duplicates.

**Comment 76 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Muntu

Last Name: Davis

Email Address: muntu.davis@acgov.org

Affiliation: Alameda County Public Health Department

Subject: Comments on SB 535 Guidance

Comment:

Please see attached comment letter from Alameda County Public Health Department.

Attachment: [www.arb.ca.gov/lists/com-attach/81-sb-535-guidance-ws-AnFSNgRaUDYHMgA1.pdf](http://www.arb.ca.gov/lists/com-attach/81-sb-535-guidance-ws-AnFSNgRaUDYHMgA1.pdf)

Original File Name: SB 535 Implementation - ACPHD letter Final 9-15-14 MD.pdf

Date and Time Comment Was Submitted: 2014-09-15 15:17:53

No Duplicates.

**Comment 77 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Matthew

Last Name: Robinson

Email Address: matt@caltransit.org

Affiliation: California Transit Association

Subject: Comments on Interim Guidance

Comment:

Attached please find the California Transit Association's comment letter on the Air Resourced Board's Investments to Benefit Disadvantaged Communities: Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies, as well as suggested revisions to the draft evaluation criteria. Please feel free to contact me with any questions.

Attachment: [www.arb.ca.gov/lists/com-attach/82-sb-535-guidance-ws-BmVVMgNdWH8GcgFg.pdf](http://www.arb.ca.gov/lists/com-attach/82-sb-535-guidance-ws-BmVVMgNdWH8GcgFg.pdf)

Original File Name: CA Transit Assoc Comment letter on Draft DAC Guidelines 9-15-14 with attachment.pdf

Date and Time Comment Was Submitted: 2014-09-15 14:41:54

No Duplicates.

## **Comment 78 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Nancy

Last Name: Pfeffer

Email Address: nancy@networkpa.net

Affiliation: Gateway Cities Council of Governments

Subject: Gateway Cities Comment to CARB regarding the "Interim Guidance" on SB 535  
Comment:

Thank you for the opportunity to review and comment on the "Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies" released August 22, 2014.

The Gateway Cities are 27 cities and unincorporated communities in Southeast Los Angeles County with a total population of about 2 million residents. Taken together, the Gateway Cities would be the fifth largest city in the United States. We are home to the Port of Long Beach and neighbor to the Port of Los Angeles, and we house much of the transportation and distribution infrastructure that supports the movement of goods into and through our region to the rest of the nation.

The Gateway Cities are one of the most impacted areas of the state when considering disadvantaged communities. According to CalEnviroScreen results, on a census tract basis 1.18 million of our residents - more than half - live in disadvantaged communities.

On a zip code basis, this is true for three-quarters of our residents. This means that almost any investment of cap-and-trade funds directed to the Gateway Cities will either be located within, or will provide benefits to, disadvantaged communities. Our high CES scores are driven by numerous factors, including high percentages of minority and low-income residents, high pollution burdens, and persistent high unemployment.

Through the Gateway Cities Council of Governments, the member jurisdictions have collaborated for over fifteen years on regional planning efforts. In recent years, the cities and communities have collaborated on several major planning efforts that identify numerous projects and investments that will reduce GHG emissions:

- Subregional Sustainable Communities Strategy under SB 375, which demonstrated that we could meet the regional GHG reduction targets through our local and regional investments
- Air Quality Action Plan identifying strategies that will reduce GHG and criteria pollutant emissions
- Comprehensive multi-modal Strategic Transportation Plan identifying investments such as smart arterials, traveler information systems, active transportation projects, transit lines, highway projects, and associated stormwater management
- Comprehensive Economic Development Strategy update
- Integrated Regional Water Management Plan and Regional Disadvantaged Communities Incentive Program (through the Gateway

Water Management Authority).

We have the following recommendations regarding the investment criteria proposed in the Guidelines document:

1) Proposed investments should be prioritized or given extra points if they would represent an ongoing or multi-year commitment. Similarly, proposed investments should be prioritized or given extra points if they are part of a regional plan that is supported by multiple jurisdictions. These types of investment programs are essential if the state is to reach its long-term GHG reduction goals. The Gateway Cities planning efforts enumerated above each identify such multi-year, broadly supported programs that will get the state closer to its emissions goal while also meeting the disadvantaged community investment goals.

2) Projects should be eligible for funding if they would reduce GHG emissions by means of enhancing transportation efficiency through technology, for example in the arena of goods movement. The Gateway Cities have developed and demonstrated intelligent transportation systems and related technologies that will reduce port-area congestion and thus reduce GHG and criteria pollutant emissions. Several other such projects could be implemented using cap-and-trade funds and should be eligible.

3) The funds should also be made available for investment in infrastructure that will support the deployment of alternative transportation fuel/energy sources, such as natural gas, hydrogen, and electricity. Without sufficient supporting fueling or charging infrastructure, these alternative technologies are unlikely to be adopted, thus hampering progress towards state emissions goals.

4) Funding for home retrofits such as weatherization should be prioritized for homes near railyards and similar industrial facilities. In these locations, this type of energy efficiency project can have a dual benefit of also reducing the noise impacts from proximity to industrial sites.

5) As regulations are developed, we would recommend that if the funds are to be invested in disadvantaged communities, no local matching funds should be required. To require such a match would be contrary to the spirit of the legislation in directing resources to communities in need.

Thank you again for the opportunity to comment on this important initiative.

Submitted September 15, 2014, by Nancy Pfeffer, Director of Regional Planning, Gateway Cities Council of Governments.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 15:19:13

No Duplicates.

**Comment 79 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Gordon

Last Name: Garry

Email Address: ggarry@sacog.org

Affiliation: Sacramento Area Council of Governments

Subject: Comments on the methodology for identification of disadvantaged communities  
Comment:

Attached is a letter with recommendations for improving the CalEnviroScreen 2.0 model for identifying disadvantaged communities. Our goal in submitting these recommended changes is to focus the community designation so the maximum benefits can be achieved from the Cap-And-Trade funds.

Gordon Garry  
Research Director  
SACOG

Attachment: [www.arb.ca.gov/lists/com-attach/84-sb-535-guidance-ws-UyBVMIMxUm5QMVIN.pdf](http://www.arb.ca.gov/lists/com-attach/84-sb-535-guidance-ws-UyBVMIMxUm5QMVIN.pdf)

Original File Name: SACOG Rodriquez ltr 9.15.14.pdf

Date and Time Comment Was Submitted: 2014-09-15 15:06:23

No Duplicates.



**Comment 80 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jim

Last Name: Stewart

Email Address: jim@EarthDayLA.org

Affiliation: Earth Day Los Angeles

Subject: Scoring criteria must include the CES score

Comment:

Scoring criteria must include the CES score. We note that the most disadvantaged of all the communities listed in Method 1 received CES scores above 80, while the cut off for the top twenty percentile is only 39.8. Thus the most needy communities are more than twice as disadvantaged as the ones at 80%. To disregard these differences in need is contrary to the intent of SB535. CES score must be included in priority rankings for projects.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 15:25:20

No Duplicates.

**Comment 81 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Amy

Last Name: Lethbridge

Email Address: amy.lethbridge@mrca.ca.gov

Affiliation: Mountains Rec. & Conservation Authority

Subject: CalEnviroScreen 2.0 Comments

Comment:

The Mountains Recreation and Conservation Authority (MRCA) has joined a comment letter with other individuals and organizations working on environmental justice and community development issues in the Los Angeles area. In addition to the group letter, we draw your attention to a few additional items:

As stated in our letter, we support the use of Method 1, as it addresses both socioeconomic vulnerability and environmental health hazards in a way that is both fair and supported by existing scientific evidence. However, we do not believe these two factors alone should make up the entire analysis. First, we recommend that any analysis of socioeconomic vulnerability take into account data regarding race, color, and national origin. People of color disproportionately live in the areas with the highest pollution burden, and an analysis of which populations are the most underserved must factor in all of these elements to capture the full picture.

In addition, we recommend that CalEnviroScreen 2.0 include access to green space as an indicator in calculating scores. "Park poor" neighborhoods that lack walkable access to green or open spaces are deprived of a basic amenity which provides recreational and social opportunities for residents, while also improving public health, air quality, and relief from the heat island effect. The public health and environmental benefits of parks and green space should be considered and weighed in this analysis.

Thank you,

Amy Lethbridge

Deputy Executive Officer

Mountains Recreation and Conservation Authority

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 15:31:16

No Duplicates.

**Comment 82 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Stefani

Last Name: Cox

Email Address: stefani@urbanhabitat.org

Affiliation: Urban Habitat

Subject: Urban Habitat Comments on ARB Draft Guidance on Disadvantaged Community Investments

Comment:

Dear Mary Nichols,

Please see the attached letter from Urban Habitat as comment for ARB's Draft "Interim Guidance on Investment to Benefit Disadvantaged Communities."

Sincerely,  
Urban Habitat

Attachment: [www.arb.ca.gov/lists/com-attach/87-sb-535-guidance-ws-Wi9dMwBeWGpWIIU3.pdf](http://www.arb.ca.gov/lists/com-attach/87-sb-535-guidance-ws-Wi9dMwBeWGpWIIU3.pdf)

Original File Name: UH ARB Auction Proceeds Comment Letter on Disadvantaged Communities 9\_15\_14 FINAL.pdf

Date and Time Comment Was Submitted: 2014-09-15 15:32:48

No Duplicates.

**Comment 83 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Kate

Last Name: Breen

Email Address: kate.breen@sfmta.com

Affiliation: SFMTA

Subject: ARB Interim Guidance for state agencies administering Greenhouse Gas Reduction Fund monies

Comment:

Please see attached letter with comments from the San Francisco Municipal Transportation Agency regarding Interim Guidance for state agencies administering Greenhouse Gas Reduction Fund monies from California's cap and trade program.

Attachment: [www.arb.ca.gov/lists/com-attach/88-sb-535-guidance-ws-WikFZQdrUXYCZQJd.pdf](http://www.arb.ca.gov/lists/com-attach/88-sb-535-guidance-ws-WikFZQdrUXYCZQJd.pdf)

Original File Name: SFMTA 14-0915 California Air Resources Board - ARB Interim Guidance.pdf

Date and Time Comment Was Submitted: 2014-09-15 15:34:57

No Duplicates.

## **Comment 84 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Arleen

Last Name: Novotney

Email Address: anovotney@accesadmin.com

Affiliation:

Subject: : Cap-and-Trade Auction Proceeds to Benefit Disadvantage Communities  
Comment:

To: California Air Resources Board

Regarding: Cap-and-Trade Auction Proceeds to Benefit Disadvantage Communities

From: Association of California Community and Energy Services (ACCES)

ACCES is an association of public and private non-profit, profit, county agencies that provide weatherization to the low-income communities throughout the state. Most of these agencies and counties have provided these services for over 25 years. These are the entities who see the outcomes and benefits of the services directly to the disadvantaged households. Our comments are in concern of the following.

Definition of Disadvantage Communities:

- Opening up the definition of Disadvantage communities is a necessary step in establishing a successful program. Although there are five current methods proposed in identifying disadvantage communities, we feel they are still unable to capture the low income population as a whole in the state of California.
- We are concerned that the current Cal Enviro Screen tool fails to identify all the disadvantage communities throughout the state, leaving many areas unable to benefit from the cap and trade revenues. We understand the parameters that went into designing the tool, however, we feel it fails to fully support the benefit certain direct impact projects can have, such as weatherization. Expanding to areas beyond what is currently defined as a disadvantage community will allow more opportunities to reduce greenhouse gas emissions and provide healthier and safer living conditions for many low income Californians.
- ACCES proposes that to be considered a disadvantage community they only have to meet one criteria characteristic within the high pollution category or population characteristic. In its current form money will be disproportionately spent throughout the state leaving many areas without much needed help. The heavy weight on the intersections has eliminated many areas. We understand that the funding is limited now but still feel once a definition is in place it will be difficult to change. The inclusion of all of the state's low income to at the least having access to these benefits from this funding is how we see the intent of the dollars and the programs. It will be a very difficult task to have a neighbor across the street from a DAC census tract denied because of location. The programs are diverse in their anticipated impact and

the method of identifying disadvantaged communities most in need should be tailored to each program individually.

Respectfully Submitted,

Arleen Novotney  
Executive Director

Attachment:

Original File Name: ACCES CAP and Trade Comments.docx

Date and Time Comment Was Submitted: 2014-09-15 15:36:57

No Duplicates.

**Comment 85 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Janet

Last Name: Whittick

Email Address: janetw@cceb.org

Affiliation: CCEEB

Subject: CCEEB comments on CES and GGRF, Investing in Disadvantaged Communities  
Comment:

Please find attached two letters from the California Council for Environmental and Economic Balance (CCEEB) on (1) CalEnviroScreen and its use identifying disadvantaged communities for SB 535 purposes and (2) ARB's interim guidance to agencies administering GGRF monies. Please distribute to the appropriate Cal/EPA, OEHHA and ARB staffs and board members. Any questions can be directed to Janet Whittick of CCEEB. Thank you.

Attachment: [www.arb.ca.gov/lists/com-attach/90-sb-535-guidance-ws-B2RVNlwuV2VVPQBk.zip](http://www.arb.ca.gov/lists/com-attach/90-sb-535-guidance-ws-B2RVNlwuV2VVPQBk.zip)

Original File Name: CESandGGRF\_CCEEBcomments.zip

Date and Time Comment Was Submitted: 2014-09-15 15:46:00

No Duplicates.



**Comment 86 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Ellen

Last Name: Timberlake

Email Address: Ellen.Timberlake@santacruzcounty.us

Affiliation: County of Santa Cruz Human Services Dept

Subject: Recommendations for revising disadvantaged population determinations

Comment:

As presently conceived, the proposed CalEPA approaches to identifying disadvantaged communities will entirely leave out many, real disadvantaged populations around the state. The proposed CalEnviroScreen methods are highly selective and result in serious geographic inequity in the identification of disadvantaged populations. There is inequity because many excluded areas, including most of Santa Cruz County, actually do have populations that should be recognized as "disadvantaged", and are recognized as such under most understandings of the term such as those set by HUD for CFBG, UC Davis Center for Regional Change metrics (ratio of low-wage jobs to affordable housing units), Department of Water Resources, California Transportation Commission (CTC), and U.S. DOT. In area's with a high cost of living, poverty is not a good measure of income. Instead more accurate methods for getting at a community's low-income (or financially disadvantaged) population would be to look at the % of income spent on housing (housing cost burden), homelessness per capita, persons living in overcrowded or inadequate living conditions; or housing affordability (for sale and rental).

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 15:43:17

No Duplicates.

## **Comment 87 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Martin

Last Name: Engelmann

Email Address: mre@ccta.net

Affiliation: Contra Costa Transportation Authority

Subject: Comments on CalEPA Proposed Method for Identification of DACs

Comment:

See Attachment for signed letter on CCTA letterhead:

Dear Secretary Rodriquez and Chairman Nicols:

The Contra Costa Transportation Authority respectfully offers the following comments on the identification of disadvantaged communities (DACs) proposed by the California Environmental Protection Agency (CalEPA) pursuant to Health & Safety (H&S) Code 39711 and the Interim Guidance proposed by the Air Resources Board (ARB) for state agencies administering Greenhouse Gas Reduction Fund monies pursuant to H&S Code 39715.

While the Authority strongly supports the goal of investing for the benefit of disadvantaged communities, we have serious concerns about using the CalEnviroScreen's 20% cutoff (Method 1) to identify these communities. Clearly, current law allows CalEPA to use population-based or environmental metrics when establishing its definition of disadvantaged communities. By requiring that a census tract score relatively high on virtually all 19 criteria, CalEPA's proposed Method 1 would eliminate too many low-income and environmentally-burdened communities in Contra Costa and the Bay Area from potential funding.

Many communities that are severely disadvantaged in terms of income, air quality, asthma rates, low birth weight and other factors nonetheless fall outside of the top 20% threshold.

Consider the following counterintuitive results of Method 1:

• Of the top 10 most impoverished census tracts in the Bay Area – where poverty rates exceed 70 percent– not a single one is included in CalEPA's definition.

• Of the 46 census tracts that are identified by Method 1, 20 are census tracts where the poverty rate is actually less than 50 percent.

In Contra Costa, some of our most disadvantaged communities fall outside the top 20% boundaries from CalEPA's Method 1. They include large portions of the cities of Richmond, San Pablo, Pittsburg and Antioch as well as the unincorporated communities of Rodeo, Tara Hills and Bay Point.

We respectfully urge you to consider the alternative put forward by the Bay Area Air Quality Management District as "Method 6," as well as their recommendation to remove the pesticide variable as it is unfair that Bay Area residents exposed to pesticide are ignored simply because the exposure isn't in an agricultural context. In addition, we agree that whatever tool is adopted ought to account for cost of living differences and that the use of "rent burden" is an appropriate way to make this adjustment given that the cost of

living differences are largely due to the cost of housing. Lastly, we urge you to set the threshold for determining disadvantage at the top 30% rather than 20% or 25% so as to minimize overlooking disadvantaged communities whose scores might be on the cusp of the stricter thresholds.

We are aware of the extensive time and energy that OEHHA and CalEPA staff has spent creating and improving upon CalEnviroScreen over the last two years. Rather than asking that the CES be jettisoned altogether, Method 6 builds on that work.

What does Method 6 look like for the Bay Area?

&#61607; It includes 221 census tracts, home to approximately 938,000 Bay Area residents.

&#61607; 90% are transit priority areas where the region is trying to focus growth.

&#61607; 71% have 30% or higher concentration of households living in poverty.

&#61607; 62% are considered "rent-burdened," where at least 15% of households are spending 50% or more of their income on rent

&#61607; Over 2/3 are MTC Communities of Concern

Finally, we respectfully encourage you to take more time to identify disadvantaged communities and the method for determining project benefit so that you can carefully consider public comments before you make a final decision. Given the millions of dollars in high-profile public funds at stake and the scores of worthy projects that will be vying for funding, it is imperative that state agencies develop the program guidelines in a transparent manner that allows for meaningful public input.

ARB's scheduled adoption of its interim guidance on September 18 – just two full days after the close of public comment– leaves little opportunity for ARB staff to consider these comments before finalizing their proposal. CalEPA has indicated a similarly rushed schedule with plans to finalize identification of DACs by the end of September. It is not clear to us why these decisions need to be made so quickly, and we therefore respectfully ask for an extension of the timeline for adoption of the interim guidance.

Thank you for the opportunity to comment on the proposed guidance.

Sincerely,

Randell H. Iwasaki

Attachment: [www.arb.ca.gov/lists/com-attach/92-sb-535-guidance-ws-UjEFbAZqWGYEZwln.pdf](http://www.arb.ca.gov/lists/com-attach/92-sb-535-guidance-ws-UjEFbAZqWGYEZwln.pdf)

Original File Name: Comment on CalEPR Disadvantaged Community Method 1 - 2014.09.15.pdf

Date and Time Comment Was Submitted: 2014-09-15 15:54:53

No Duplicates.

**Comment 88 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Naomi

Last Name: Iwasaki

Email Address: naomi@chc-inc.org

Affiliation:

Subject: Re: SB 535 Guidelines to Benefit Disadvantaged Communities

Comment:

Please find attached a comment letter from five organizations in Los Angeles regarding the proposed guidelines for disadvantaged communities under SB 535.

Attachment: [www.arb.ca.gov/lists/com-attach/93-sb-535-guidance-ws-AXJdOVwCVjBXYgUw.pdf](http://www.arb.ca.gov/lists/com-attach/93-sb-535-guidance-ws-AXJdOVwCVjBXYgUw.pdf)

Original File Name: SB 535 Letter 1.0 with sign on.pdf

Date and Time Comment Was Submitted: 2014-09-15 15:51:35

No Duplicates.

## **Comment 89 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Naomi

Last Name: Iwasaki

Email Address: naomi@chc-inc.org

Affiliation:

Subject: Re: SB 535 Guidelines to Benefit Disadvantaged Communities

Comment:

Mary Nichols, Chair  
California Air Resources Board

Re: SB 535 Guidelines to Benefit Disadvantaged Communities

Dear Chair Nichols and Board Members,

We would like to applaud the California Air Resource Board (CARB) for your work on developing SB 535 guidelines, which will support the equitable distribution of Greenhouse Gas Reduction Funds (GGRF) to benefit to the state's most disadvantaged communities. Community Health Councils (CHC) supports the reduction of greenhouse gas emissions, particularly in low-income communities of color disproportionately exposed to toxic air emissions with fewer resources or opportunities to mitigate pollutions. The inaugural year of the GGRF marks an important time in California to strategically reduce air pollution and provides an opportunity to ensure that health and resource equity are reflected in these statewide funding policies.

Low-income communities of color often live in neighborhoods with higher levels of air pollutants and toxic air emissions sources. Many communities in Southeast Los Angeles City and County, including the neighborhoods of Boyle Heights, Wilmington and Southeast Los Angeles and the cities of Long Beach, Vernon, Huntington Park, and Commerce feature heavy manufacturing uses adjacent or in close proximity to residential neighborhoods. These industrial uses are generally clustered near the I-710 Freeway, a major arterial for heavy diesel-fueled vehicles transporting cargo from the Ports of Long Beach and Los Angeles, adding further cumulative impacts.

It is no surprise that the respiratory illness and chronic disease rates in these neighborhoods are also disproportionately higher than the general population. Asthma rates for children living in port-adjacent communities such as Long Beach are almost twice as high as the rest of the U.S. Pollution related to the ports and goods movement in California causes more than 2,400 premature deaths annually and cancer risk rates up to 20 times higher than federal clean air standards. These conditions pose serious health

risks for the residents and children living in these neighborhoods.

CHC supports the SB 535 Coalition comment letter to the California Air Resource Board (CARB), dated August 20, 2014. This letter outlines a four-step framework to ensure that GGRF investments result in tangible benefits for disadvantaged communities. Framework steps include: 1) Establish a process with indicators and metrics for project development, selection and evaluation; 2) clear demonstration of how proposed investments will address the needs of the most vulnerable residents of identified disadvantaged communities; 3) disadvantaged community benefits of the proposed investment must significantly outweigh its adverse impacts on the disadvantaged community; and 4) clarify the relationship between the location of an investment and its benefit (i.e., care must be taken to ensure that the benefits of otherwise beneficial investments are not reduced by locating them in proximity to harm). By implementing the SB 535 Coalition's four-step framework, agencies can significantly meet critical economic and quality of life needs for historically underserved, overburdened communities. In order to create transformative investments in disadvantaged communities, the undersigned organizations and individuals also respectively submit additional recommendations to further ensure the equitable distribution of GGRF and greater emphasis on active transportation in the criteria of benefits.

#### Identifying Disadvantaged Communities

Recommendation: Identify disadvantaged communities with the CalEnviroScreen's population characteristics and pollution burden measures. Identifying high-need areas based on communities' environmental health and socioeconomic status is not only required by SB 535 but is also a scientifically-backed method for understanding an area's pollution exposure and vulnerability to environmental health stressors. To fulfill SB 535's mandate, disadvantaged communities should be selected with one of California Environmental Protection Agency's (CalEPA) proposed methods that account for both pollution burdens and sensitive populations (Methods 1, 4, or 5, defined in more detail below).

- CalEPA Method 1: Using combined pollution burden scores and population characteristics scores to identify disadvantaged communities statewide
- CalEPA Method 4: Using a high pollution burden score and population characteristics score to identify disadvantaged communities by region
- CalEPA Method 5: Identification of disadvantaged communities using a categorical approach (high scores for both pollution and population, high score for pollution/medium score for population, and medium score for pollution/high score for population), by region

Recommendation: Identify disadvantaged communities on a statewide basis. With AB 32 and SB 535, the state legislature mandated ensuring the most impacted and disadvantaged communities receive economic and health benefits from policies addressing climate change. The severity of environmental health stressors, socioeconomic status, and sensitive population concentration varies greatly across the state, as evinced by the distribution of CalEnviroScreen scores. If disadvantaged communities were defined on a regional basis, rather than a statewide basis, communities in regions with high concentrations of under-resourced communities may go unrecognized while better-served areas receive GGRF. Only by

defining disadvantaged communities on a statewide basis can California ensure the most disadvantaged communities benefit from AB 32.

#### Defining Benefits to Disadvantaged Communities

Recommendation: Expand Sustainable Communities and Clean Transportation Criteria 1.1 (Low-Carbon Transit Projects) to include active transportation infrastructure and incentives projects.

Safe and accessible active transportation options, such as improved bicycle and pedestrian amenities, can encourage travelers to avoid private vehicles for all types of trips, including work commutes, running errands, visiting friends and taking children to school or day care. In Los Angeles County, nearly 20% of all trips are completed on foot or by bicycle, yet only 1% of regional planning funding is dedicated to pedestrian and/or bicycle projects . Funding generated from the GGRF could support a number of active transportation projects and programs, such as implementing bicycle facilities, improving sidewalks and streetscapes for pedestrians, and installing design treatments on streets to reduce vehicle speeding. Further, walking and bicycling are the most affordable modes of travel and are often a necessity for households with zero or one automobile. Building safe and practical active transportation options into daily activities could reduce the amount of vehicle miles traveled (VMT) in neighborhoods with the highest needs.

Recommendation: Include commercial uses that will encourage local jobs and employment opportunities as well as provide neighborhood amenities, such as retail, banks, and healthy eating establishments in Criteria 1.2 (Affordable Housing and Sustainable Communities). In addition to affordable housing and employment centers in the vicinity of high-quality transit service and active transportation infrastructure, local commercial and retail uses would further bolster reductions in vehicle miles traveled. Nearby neighborhood amenities reduce the need for residents and employees to drive to purchase food or access services and also cultivate a stronger sense of geographic and social community.

Recommendation: Include park development as projects or initiatives that would benefit disadvantaged communities, particularly "park-poor" neighborhoods, in Criteria 1.7 (Urban Forestry).

The Quimby Act, a California state law, allows jurisdictions to charge a development impact fee, equivalent to providing a minimum of 3 acres of parkland per 1,000 residents for new development. This is generally used as a standard for park level of service. While certain neighborhoods greatly exceed this standard, a "park-poor" neighborhood such as Southeast Los Angeles has less than one-half of an acre per 1,000 residents . This is made more disparate when considering that Southeast Los Angeles has a population of over 250,000 residents . Including park development in the definition of projects and initiatives that would benefit disadvantaged and "park-poor" communities would provide critical public open space, greenery and physical activity opportunities for residents across the state. Further, expanded parkland would lead to reduction in greenhouse gas (GHG) emissions for disadvantaged communities.

Recommendation: In agreement with the SB 535 Coalition letter,

establish that no intended or unintended harm will be imposed on disadvantaged communities as a result of GGRF-funded projects or initiatives. Examples of unforeseen or unintended harm would include, but not be limited to:

- Prevention of any transit service cuts within or servicing a disadvantaged community without replacing or improving transit service to that community;
- Prevention of new any street configuration design that would favor the movement of automobiles over active transportation modes, without the safe and accessible inclusion of walking and biking infrastructure in that design;

Ensure Minimum of 35% of GGRF Funds Dedicated to Disadvantaged Communities

Recommendation: Spend at least 35% of Auction Funds in disadvantaged communities. SB 535 requires the state to allocate a minimum of 25% of GGRF funds to projects that would "benefit disadvantaged communities" and a minimum of 10% of funds "located in disadvantaged communities". To avoid double-counting investments that would serve the state's most vulnerable communities, GGRF should invest a total minimum 35% of available funds to disadvantaged communities. Nearly a quarter of the state's residents live in poverty and 40% live dangerously near roadway pollution demonstrating a significant need for these investments. Whether due to politics, oversight, or institutionalized racism, policies have allowed disinvestment and disproportionate pollution exposure in communities across California. Many of these same communities overburdened by pollution will also see greater air quality deterioration and heat island effects as the climate changes. Agencies should reverse this disinvestment and burden by ensuring disadvantaged communities receive at least, and ideally more than, 35% of available funds.

Public Engagement

Recommendation: Include community engagement processes in all infrastructure projects eligible under Sustainable Communities and Clean Transportation Criteria 1.1 (Low-Carbon Transit Projects), Criteria 1.2 (Affordable Housing and Sustainable Communities) and Criteria 1.3 (Low-Carbon Transportation). To reduce unforeseen harm from all funded projects intended to reduce GHG emissions, community engagement and input should be required for infrastructure and operations changes within and affecting disadvantaged communities. These recommendations could also lead to improved effectiveness and efficiency of proposed projects by ensuring they are implemented in communities where they will be utilized and supported by local residents and businesses.

Recommendation: Encourage broad public engagement by accepting "telecomments" at the Air Resources Board Meeting. Many residents and community-based organizations are interested in the GGRF guidelines as demonstrated by the robust attendance at the related Cap-and Trade Auction Proceeds workshops. Due to scheduling and financial constraints, attending and commenting at a Sacramento hearing is infeasible for many residents outside the area. We request the Air Resources Board (ARB) accept telecomments through a website portal to allow broad input. Although this may be impossible for the September meeting, moving forward, efforts like this will help allow impacted communities meaningfully engage in decisions that impact their neighborhoods.



We, the undersigned community organizations and individuals, respectfully submit our recommendations to strengthen the criteria to determine whether GGRF projects are located within or provide benefits to disadvantaged communities in California. We look forward to beginning efforts to reduce greenhouse gas emissions in an equitable manner and addressing disproportionately affected communities' environmental burdens by prioritizing pollution reduction. We also hope to continue working with the state legislature and state agencies to ensure that GGRF allocations continue to invest in sustainable projects to reduce air pollutants in California and no other purposes.

Sincerely,

D. Malcolm Carson, General Counsel and Policy Director for  
Environmental Health  
Community Health Councils

Alina Bokde, Executive Director  
Los Angeles Neighborhood Land Trust

Eric Bruins, Planning and Policy Director  
Los Angeles County Bicycle Coalition

Denise Hunter, President & CEO  
FAME Corporations

Jaime Edwards-Acton  
Executive Director

Attachment: [www.arb.ca.gov/lists/com-attach/94-sb-535-guidance-ws-WilWMgBeUzVVYFRh.pdf](http://www.arb.ca.gov/lists/com-attach/94-sb-535-guidance-ws-WilWMgBeUzVVYFRh.pdf)

Original File Name: SB 535 Letter 1.0 with sign on.pdf

Date and Time Comment Was Submitted: 2014-09-15 15:51:35

No Duplicates.

**Comment 90 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Tamsen

Last Name: Drew

Email Address: tamsen.drew@sfgov.org

Affiliation: Office of Mayor Edwin M. Lee

Subject: City and County of San Francisco - Comments to ARB and CalEPA

Comment:

Please refer to the attached documents for comments submitted on behalf of the City and County of San Francisco.

Sincerely,

Tamsen Drew

Attachment: [www.arb.ca.gov/lists/com-attach/95-sb-535-guidance-ws-UjFVMFIgUWQHxl0.zip](http://www.arb.ca.gov/lists/com-attach/95-sb-535-guidance-ws-UjFVMFIgUWQHxl0.zip)

Original File Name: CCSF Comments to CalEPA and ARB.zip

Date and Time Comment Was Submitted: 2014-09-15 16:07:15

No Duplicates.

**Comment 91 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Rebecca

Last Name: Long

Email Address: rlong@mtc.ca.gov

Affiliation: JPC/MTC

Subject: Comments on EPA DAC Designation and ARB Interim Guidance

Comment:

Enclosed please find a comment letter from the Joint Policy Committee.

For questions, please contact Rebecca Long, MTC Senior Legislative Analyst at rlong@mtc.ca.gov.

Attachment: [www.arb.ca.gov/lists/com-attach/96-sb-535-guidance-ws-BmcBdVU2BXsFZlii.pdf](http://www.arb.ca.gov/lists/com-attach/96-sb-535-guidance-ws-BmcBdVU2BXsFZlii.pdf)

Original File Name: ARB-EPA-JPCcomment-ltr\_Sep15.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:08:48

No Duplicates.

**Comment 92 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Cindy

Last Name: Chavez

Email Address: cindy.chavez@bos.sccgov.org

Affiliation: Santa Clara County Supervisor

Subject: Identification of Bay Area Disadvantaged Communities for Cap and Trade funding  
Comment:

Please see my attached letter.

Thank you,  
Supervisor Cindy Chavez

Attachment: [www.arb.ca.gov/lists/com-attach/97-sb-535-guidance-ws-U2pUfAY2UDYELAMy.pdf](http://www.arb.ca.gov/lists/com-attach/97-sb-535-guidance-ws-U2pUfAY2UDYELAMy.pdf)

Original File Name: 9.15.14CalEPAdisadvantagedcommunitiestool.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:15:01

No Duplicates.

**Comment 93 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Kiana

Last Name: Buss

Email Address: kbuss@counties.org

Affiliation:

Subject: investment of Cap-and-Trade auction proceeds in disadvantaged communities  
Comment:

Attached are comments on behalf of the California State Association of Counties (CSAC) regarding the identification of disadvantaged communities for purposes of investing cap and trade auction proceeds for GHG emissions reductions.

Attachment: [www.arb.ca.gov/lists/com-attach/98-sb-535-guidance-ws-VDdVIFc3ADAFXAZI.pdf](http://www.arb.ca.gov/lists/com-attach/98-sb-535-guidance-ws-VDdVIFc3ADAFXAZI.pdf)

Original File Name: CSAC CalEPA CARB SB 535 Comments\_Final.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:19:23

No Duplicates.

## **Comment 94 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Kerri

Last Name: Timmer

Email Address: ktimmer@sierrabusiness.org

Affiliation: Sierra Business Council

Subject: SB 535 Interim Guidance - SBC comments

Comment:

I am writing on behalf of Sierra Business Council (SBC), a non-profit network of 4,000 business, local governments and community partners working to foster vibrant, livable communities in the Sierra. We appreciate the chance to comment on the Draft "Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies" related to investments to benefit disadvantaged communities, released August 22, 2014.

While we understand the rationale and obvious need to focus resources on the state's most disadvantaged communities, we are concerned about a number of the indicators CalEnviroScreen 2.0 uses to identify those communities. We support the CalEnviroScreen tool (Method #1) in general because it offers a scientifically based scoring rubric; however, the current scoring criteria skew against rural areas, meaning the screening system fails to meet the intent of the underlying legislation (AB 32) to reduce emissions and improve conditions across the entire state. Since CalEnviroScreen is being used to identify disadvantaged communities for purposes of other funding sources, as well, it is critical for the tool to adequately address geographic and other disparities affecting the current version.

Per AB 32, global warming affects all parts of the state, posing a "serious threat to the economic well-being, public health, natural resources, and the environment of California" [§38501]. As an example, adverse impacts are already being felt on Sierra snowpack, which in turn affects water supply, water quality and major industry sectors, such as agriculture, wine, tourism, skiing, recreational and commercial fishing, and forestry. In addition, warmer temperatures and drier conditions are creating record-breaking wildfires in the Sierra, affecting local households and businesses, burning up stored carbon, and negatively impacting air quality, water quality and, in some cases, energy distribution in the Sierra and connected urban centers.

AB 32 clearly states that GHG emission reduction measures should maximize additional environmental and economic co-benefits for California (§38562 and §38570). In addition to "reductions in other air pollutants" - which is reflected in the "pollution burden" portion of the CalEnviroScreen scoring rubric, the list of co-benefits includes "diversification of energy sources, and other benefits to the economy, environment, and public health," which are not as robustly reflected in the scoring

criteria.

Disadvantaged rural communities will be paying into the Cap-and-Trade Greenhouse Gas Reduction Fund indirectly through higher prices for gasoline and other products that fall under the cap. They should not be unnecessarily handicapped in achieving benefit, as well. As a result, we ask you to amend the CalEnviroScreen indicators to ensure that benefits accrue throughout the state - especially under the Affordable Housing and Sustainable Communities Program, the Energy Efficiency programs, the Wetlands and Watershed Restoration Program and Fire Prevention.

To that end, please see the attached letter outlining our observations and suggestions to more thoroughly address the letter and intent of the underlying laws.

Attachment:

Original File Name: SBC\_ARB DAC\_FINALcomments\_2014\_09\_15.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:23:41

No Duplicates.

## **Comment 95 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Kerri

Last Name: Timmer

Email Address: ktimmer@sierrabusiness.org

Affiliation: Sierra Business Council

Subject: SB 535 Interim Guidance - SBC comments

Comment:

I am writing on behalf of Sierra Business Council (SBC), a non-profit network of 4,000 business, local governments and community partners working to foster vibrant, livable communities in the Sierra. We appreciate the chance to comment on the Draft "Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies" related to investments to benefit disadvantaged communities, released August 22, 2014.

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Per AB 32, global warming affects all parts of the state, posing a "serious threat to the economic well-being, public health, natural resources, and the environment of California" [§38501]. As an example, adverse impacts are already being felt on Sierra snowpack, which in turn affects water supply, water quality and major industry sectors, such as agriculture, wine, tourism, skiing, recreational and commercial fishing, and forestry. In addition, warmer temperatures and drier conditions are creating record-breaking wildfires in the Sierra, affecting local households and businesses, burning up stored carbon, and negatively impacting air quality, water quality and, in some cases, energy distribution in the Sierra and connected urban centers.

AB 32 clearly states that GHG emission reduction measures should maximize additional environmental and economic co-benefits for California (§38562 and §38570). In addition to "reductions in other air pollutants" - which is reflected in the "pollution burden" portion of the CalEnviroScreen scoring rubric, the list of co-benefits includes "diversification of energy sources, and other benefits to the economy, environment, and public health," which are not as robustly reflected in the scoring



criteria.

Disadvantaged rural communities will be paying into the Cap-and-Trade Greenhouse Gas Reduction Fund indirectly through higher prices for gasoline and other products that fall under the cap. They should not be unnecessarily handicapped in achieving benefit, as well. As a result, we ask you to amend the CalEnviroScreen indicators to ensure that benefits accrue throughout the state - especially under the Affordable Housing and Sustainable Communities Program, the Energy Efficiency programs, the Wetlands and Watershed Restoration Program and Fire Prevention.

To that end, please see the attached letter outlining our observations and suggestions to more thoroughly address the letter and intent of the underlying laws.

Attachment: [www.arb.ca.gov/lists/com-attach/100-sb-535-guidance-ws-USJdOQNhUV0GYQI7.pdf](http://www.arb.ca.gov/lists/com-attach/100-sb-535-guidance-ws-USJdOQNhUV0GYQI7.pdf)

Original File Name: SBC\_ARB DAC\_FINALcomments\_2014\_09\_15.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:23:41

No Duplicates.

**Comment 96 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Michele

Last Name: Prichard

Email Address: mprichard@libertyhill.org

Affiliation: Liberty Hill Foundation

Subject: Cap-and-Trade CES Method & CARB Interim Guidance

Comment:

Please see attached two letters combined in one PDF File providing comments on "Approaches to Identifying Disadvantaged Communities" by CalEPA/OEHHA and comments on "Investments to Benefit Disadvantaged Communities: Cap-and-Trade Auction Proceeds Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies" by CARB. These letters are signed by 30 organizations in the Los Angeles area.

Attachment: [www.arb.ca.gov/lists/com-attach/101-sb-535-guidance-ws-UjECZVU4UmQHcVAx.pdf](http://www.arb.ca.gov/lists/com-attach/101-sb-535-guidance-ws-UjECZVU4UmQHcVAx.pdf)

Original File Name: CalEPA\_Method and CARB\_Interim Guidance SignOns -- FINAL.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:22:20

No Duplicates.

**Comment 97 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jack

Last Name: Broadbent

Email Address: jbbroadbent@baaqmd.gov

Affiliation:

Subject: REVISED: Bay Area AQMD Comments: Identifying Disadvantaged Communities to Prioritize Inves

Comment:

Attached please find a "Revised" version of the Bay Area AQMD Comments: Identifying Disadvantaged Communities to Prioritize Investments.

Revision was made to Page 2, Section "Overlooked Communities", third bullet which now reads: Portions of Richmond and Rodeo.

Attachment: [www.arb.ca.gov/lists/com-attach/102-sb-535-guidance-ws-VDZWMVcvUFwGYVcl.pdf](http://www.arb.ca.gov/lists/com-attach/102-sb-535-guidance-ws-VDZWMVcvUFwGYVcl.pdf)

Original File Name: Bay Area AQMD Identifying Disadvantaged Communities to Prioritize Investments.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:29:35

No Duplicates.

## **Comment 98 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Amelia

Last Name: Oliver

Email Address: aoliver@californiareleaf.org

Affiliation: California ReLeaf

Subject: California ReLeaf Comments of CAL-EPA Approaches to Identifying DACs  
Comment:

On behalf of California ReLeaf - a statewide non-profit that supports a network of ninety community groups engaged in on-the-ground urban forestry throughout California - we are writing to commend CAL-EPA for a thoughtful and transparent process in identifying what constitutes a disadvantaged community. This is an essential element that must be defined for the purposes of awarding cap-and-trade auction revenues for projects that meet the goals and objectives of AB 32, AB 1532, and SB 535. The August 2014 discussion draft issued by CAL-EPA and OEHHA does a good job tracing the history of the CalEnviroScreen Process, and providing stakeholders with options to evaluate in how CalEnviroScreen indicators are used to maximize opportunities for DACs now and in the years to come.

The basic questions posed by this document revolve around the appropriate cutpoint for identifying what constitutes a DAC and which of the five "methods" presented by CAL-EPA and OEHHA best reflect the goals and objectives of SB 535 and CalEnviroScreen. For California ReLeaf, these questions have fairly straightforward answers.

1. Cutpoint. California ReLeaf supports 25% as the cutpoint for what constitutes a DAC for the purposes of awarding cap-and-trade auction revenues for projects that are located within, or provide benefit to, a disadvantaged community. We agree with the argument put forward in the discussion draft that asserts "SB 535 requires the allocation of at least 25 percent of the available proceeds to projects that provide benefits to disadvantaged communities. Therefore, we present cutpoints up to 25% to ensure disadvantaged communities receive at least a proportionate share of funds when compared to the rest of the state."

Furthermore, the 25% cutpoint broadens the scope of opportunity across California, while still adhering to the goals and objectives of SB 535. Counties such as San Francisco, Butte, Imperial, Santa Cruz and Tehama would be excluded from this process if a lower mark of 15% or less was selected. In short, an additional 15% of the State's counties are afforded an opportunity to compete for funding from cap-and-trade auction revenues by integrating disproportionately burdened communities such as San Francisco, Palo Alto, Oroville, Watsonville and Daly City into the fold. All of these communities, and many more that rank lower on CalEnviroScreen, would benefit from increased canopy cover that can

improve air quality and help mitigate urban heat island effect.

2. Preferred Methods. California ReLeaf does not support one specific method identified by CAL-EPA and OEHHA in this discussion draft. Most reflect the spirit and statutory intent of CalEnviroScreen and SB 535, respectively; and nearly all stay within the heavily concentrated areas of the Central Valley, Southern California, and portions of the East Bay and Sacramento Valley. As a statewide organization representing community groups throughout California, we are not inclined to "pick favorites", but rather offer some brief observations on some of the proposed methods.

Methods 2 and 3 do not take into account all 19 indicators, and therefore interpret state statute to assume "either or" is appropriate in regards to how pollution burden and population characteristics are integrated into the final CalEnviroScreen model. While this may or may not be a correct interpretation of SB 535 (CAL-EPA and OEHHA seem split on this issue), it certainly raises enough questions that could potentially slow the distribution of auction revenues for projects, which was already delayed by a year due to outcomes in the 2013-14 State Budget. Neither model seems particularly transformative in relation to the other methods (though Method 3 is certainly more inclusive of Northern California and the lower Inland Empire), and could spark controversy, further delaying the process.

Method 5 is intriguing as it is the only model that integrates the percentage cutpoints into the methodology. While Method 5 still represents a 25% cutpoint for projects, it does so in a way that "levels the playing field" for projects that are either high pollution-medium population or medium pollution-high population. This approach lends itself to a more competitive process for these auction revenues, as only projects that are both high pollution-high population would rank higher. In this sense, pollution and population are equally weighted.

Finally, "Method 6" - an alternative to the models developed by OEHHA which has been introduced by the Bay Area Air Quality Management District - is not without merit. This straightforward approach of multiplying each of the 19 indicators (and weighting each equally) still follows the framework set forth by SB 535, but does produce some interesting results. While the mapping of this methodology still recognizes the disproportionate burden of pollution and population placed on Los Angeles and the Central Valley, it also recognizes other underserved communities by expanding the field of opportunity in portions of San Francisco, East Bay, San Diego and the Central Coast. Consequently, this method would provide additional opportunities for Network partners in the Bay Area and the South Coast to build upon the tremendous urban forestry efforts that have helped improve the quality of life in these highly populated areas of the state.

Currently, CAL FIRE is requiring 100% of urban forestry cap-and-trade auction revenues to be utilized for meeting the goals and objectives of SB 535. While this will be a subject of comments addressed to CARB regarding its discussion draft on what investments benefit DACs, it is pertinent here for one simple reason. The natural inclination for many organizations confined to a specific geography would be to ensure their field of operation is included in that geography, or that the area is as large as possible. For California ReLeaf and many of its Network members,

we would rather see the spirit and statutory requirements of SB 535 persevere, and work through other channels to ensure cap-and-trade investments in urban forestry can benefit all California communities in the coming years. Consequently, we believe Methods 1, 4, 5 and 6 all meet the intent of SB 535.

We appreciate the opportunity to provide comments.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 15:55:43

No Duplicates.

**Comment 99 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Janaki

Last Name: Jagannath

Email Address: jjagannath@crla.org

Affiliation: California Rural Legal Assistance, Inc

Subject: Comments on Draft Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund

Comment:

To:

California Air Resources Board

California Environmental Protection Agency

Thank you for the opportunity to comment on the Draft Interim Guidance to Agencies Administering Greenhouse Gas Reduction Fund Monies and Approaches to Identifying Disadvantaged Communities. We have attached our comments on behalf of California Rural Legal Assistance Inc., Community Equity Initiative. Please feel free to contact us with any questions or clarifications.

Janaki Jagannath

Community Worker

California Rural Legal Assistance, Inc.

Community Equity Initiative

Laura S. Massie

Staff Attorney

California Rural Legal Assistance, Inc.

Community Equity Initiative

Marisa Christensen Lundin

Staff Attorney

California Rural Legal Assistance, Inc.

Community Equity Initiative

Attachment: [www.arb.ca.gov/lists/com-attach/104-sb-535-guidance-ws-WjkAaVI+VGoBYII8.pdf](http://www.arb.ca.gov/lists/com-attach/104-sb-535-guidance-ws-WjkAaVI+VGoBYII8.pdf)

Original File Name: Comments to Draft GGRF Guidance \_CRLA 9.15.2.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:15:01

No Duplicates.





**Comment 100 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Cesar

Last Name: Campos

Email Address: cesar.campos.12@outlook.com

Affiliation: CCEJN

Subject: Support of Method 1 and 20% Cut-off Point -- SB 535 Guidelines

Comment:

Please confirm that you have received the attachment.

Attachment: [www.arb.ca.gov/lists/com-attach/105-sb-535-guidance-ws-AWJSN1I2UWhXP1cI.pdf](http://www.arb.ca.gov/lists/com-attach/105-sb-535-guidance-ws-AWJSN1I2UWhXP1cI.pdf)

Original File Name: CCEJN\_CommentsSB535.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:34:31

No Duplicates.

**Comment 101 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Paia

Last Name: Levine

Email Address: pln456@co.santa-cruz.ca.us

Affiliation: Planning Department, County of Santa Cruz

Subject: Comment on Proposed Identification of Disadvantaged Communities

Comment:

The County of Santa Cruz Planning Department regularly engages the needs of disadvantaged communities in the course of our work. We are concerned that the proposed method for identifying disadvantaged communities will fail to capture disadvantaged populations in Santa Cruz County that should be identified if the program is to reach those communities that are intended to be served by Cap and Trade resources. The technique of using a weighted average of characteristics to identify communities may obscure communities that are strongly disadvantaged in some important categories but not broadly in all categories. For example, disadvantaged populations in coastal areas are not as likely to be located near identified polluted areas. However, in other important measures of social equity, such as housing costs and the economic and social cost of long commutes to jobs, the disadvantage is extreme. Santa Cruz County has the second most expensive cost of housing in the nation, when housing cost is compared to income.

Thank you for considering amending the proposal to consider all relevant measures of social equity, to consider that disadvantages vary among the different regions of California, and to consider accepting applications from communities that may not meet the CalEPA definition of disadvantaged community as it is currently conceived.

Please contact me if additional information is needed.

Sincerely,

Paia Levine

Planning Department

County of Santa Cruz

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 16:16:32

No Duplicates.

**Comment 102 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Daryl

Last Name: Halls

Email Address: dk halls@sta-snci.com

Affiliation:

Subject: STA CalEPA & ARB Guidance Letter

Comment:

Please find attached the letter RE: CalEPA Identification of Disadvantaged Communities & ARB Interim Guidance.

Attachment: [www.arb.ca.gov/lists/com-attach/107-sb-535-guidance-ws-VSZcLIQ0UFxVfghX.pdf](http://www.arb.ca.gov/lists/com-attach/107-sb-535-guidance-ws-VSZcLIQ0UFxVfghX.pdf)

Original File Name: STA - CalEPA.ltr.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:42:46

No Duplicates.

**Comment 103 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Rachel

Last Name: Moriconi

Email Address: [rmoriconi@sccrtc.org](mailto:rmoriconi@sccrtc.org)

Affiliation: SCCRTC

Subject: Expand definitions of disadvantaged communities

Comment:

Please see attached letter requesting modifications to how disadvantaged communities are defined in order to ensure that disadvantaged communities and individuals in Santa Cruz County are not excluded from benefiting from cap and trade programs.

Attachment: [www.arb.ca.gov/lists/com-attach/108-sb-535-guidance-ws-UzBQNwBxAj9RIwBy.pdf](http://www.arb.ca.gov/lists/com-attach/108-sb-535-guidance-ws-UzBQNwBxAj9RIwBy.pdf)

Original File Name: CapNTradeDisadvComDefinitionSCCRTC.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:17:04

No Duplicates.

**Comment 104 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Megan

Last Name: Kirkeby

Email Address: mkirkeby@chpc.net

Affiliation:

Subject: Additional benefit definition for AHSC

Comment:

Please see attached, thank you.

Attachment: [www.arb.ca.gov/lists/com-attach/109-sb-535-guidance-ws-B2RdMwZ3WGhSC1c2.pdf](http://www.arb.ca.gov/lists/com-attach/109-sb-535-guidance-ws-B2RdMwZ3WGhSC1c2.pdf)

Original File Name: CHPC\_ARB\_DACbenefitLtr091514.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:47:12

No Duplicates.

**Comment 105 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Phoebe

Last Name: Seaton

Email Address: pseaton@leadershipcounsel.org

Affiliation: Leadership Counsel

Subject: Comments to CalEPA Re methodology per 535

Comment:

Please find attached comments re Methodology for identifying disadvantaged communities Per SB 535

Attachment: [www.arb.ca.gov/lists/com-attach/110-sb-535-guidance-ws-VTZWP1EiU3IDYAZ1.pdf](http://www.arb.ca.gov/lists/com-attach/110-sb-535-guidance-ws-VTZWP1EiU3IDYAZ1.pdf)

Original File Name: Correspondence EPA\_ Methodology.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:49:00

No Duplicates.

**Comment 106 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Marybelle

Last Name: Nzegwu

Email Address: mnzegw@publicadvocates.org

Affiliation: 535 Coalition

Subject: ARB Draft Interim Guidance on Investments to Benefit Disadvantaged Communities  
Comment:

Comments Attached

Attachment: [www.arb.ca.gov/lists/com-attach/111-sb-535-guidance-ws-BzJdaFBkVFgCZwVq.pdf](http://www.arb.ca.gov/lists/com-attach/111-sb-535-guidance-ws-BzJdaFBkVFgCZwVq.pdf)

Original File Name: 535 Coalition and allies Comments on ARB Draft SB 535 Guidance.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:35:22

No Duplicates.

**Comment 107 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Samuel

Last Name: Longmire

Email Address: sam@myairdistrict.com

Affiliation: Northern Sierra AQMD

Subject: Use of CalEnviroscreen for Identifying Disadvantaged Communities  
Comment:

Please see the attached .pdf file.

Attachment: [www.arb.ca.gov/lists/com-attach/112-sb-535-guidance-ws-AHMFYQFfUzUBNfNm.pdf](http://www.arb.ca.gov/lists/com-attach/112-sb-535-guidance-ws-AHMFYQFfUzUBNfNm.pdf)

Original File Name: SB 535 Comments.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:31:56

No Duplicates.



**Comment 108 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Daryl

Last Name: Halls

Email Address: dk halls@sta-snci.com

Affiliation:

Subject: STA CalEPA & ARB Guidance Letter

Comment:

Please find attached the STA CalEPA letter.

Attachment: [www.arb.ca.gov/lists/com-attach/113-sb-535-guidance-ws-VCCfDwZmBQkHLAZZ.pdf](http://www.arb.ca.gov/lists/com-attach/113-sb-535-guidance-ws-VCCfDwZmBQkHLAZZ.pdf)

Original File Name: STA - CalEPA.ltr.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:53:19

No Duplicates.

**Comment 109 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance- ws) - 1st Workshop.**

First Name: Bill

Last Name: Magavern

Email Address: bill@ccair.org

Affiliation:

Subject: APPROACHES TO IDENTIFYING DISADVANTAGED COMMUNITIES

Comment:

Matthew Rodriguez  
Secretary, Cal-EPA  
1001 I Street  
P.O. Box 2815  
Sacramento, CA 95812-2815

Re: APPROACHES TO IDENTIFYING DISADVANTAGED COMMUNITIES

Dear Secretary Rodriguez:

CalEnviroScreen is an important tool for advancing environmental justice, and has been developed through a lengthy public process. It is methodologically strong and has been vetted by environmental justice experts for over five years.

For purposes of implementing SB 535, our goal is to assure that funding reaches the communities most in need of programs that reduce pollution, deliver essential services and provide jobs.

We stand behind CalEnviroScreen as a science-based tool for measuring cumulative impacts, something our groups have long sought. We support the use of CalEnviroScreen 2.0 to guide the investment of AB 32 funds pursuant to SB 535.

Fundamentally, we believe it is important to target those public investments in the communities that most need the benefits to their health and economy. We do not expect use of CalEnviroScreen to be perfect from the start, and we urge Cal-EPA to learn from experience and adapt the tool according to lessons learned from experience. We share concerns with community groups that certain areas that we know to be highly impacted communities, such as Bay View-Hunters Point in San Francisco, are not highlighted, but feel confident that Cal-EPA will work to continue improving the tool in the coming year. This is a ground-breaking effort to apply cumulative-impacts assessment on a statewide level in a way that has never been done before.

Our groups have participated in virtually every opportunity for public engagement during the development of this tool, from attending workshops to submitting public comments. CalEnviroScreen has also been vetted by leading academic experts in environmental

justice. The Office of Environmental Health Hazard Assessment (OEHHA) has used a sound scientific methodology that is well established in academic literature.

CalEnviroScreen gives decision-makers for the first time a clear, credible scientific methodology for the difficult task of identifying environmental justice communities. The environmental justice movement has long pushed for state and national agencies to develop a more comprehensive way of looking at the range of burdens facing communities, rather than treating single issues in isolation. Environmental regulations and decisions usually look at pollution on a facility-by-facility basis, but that is not how our communities experience pollution. Facility or media-specific analyses make it impossible to look at how different pollutants, such as air and water emissions, combine to become more deadly, especially when overlaid with socioeconomic vulnerabilities. To advance environmental justice, it is critically important that the state have a cumulative impact screening tool such as CalEnviroScreen.

It is also important to remember that the disadvantaged community set-aside created by SB535 is only one part of the Greenhouse Gas Reduction Fund spending. Most of the \$832 million in GGRF funding for 2014-2015 can be used without CalEnviroScreen targeting.

Governmental responsiveness to environmental justice issues varies widely across the state, and thus necessitates a statewide tool to identify disadvantaged communities. In some places, local agencies are very unresponsive to community concerns and thus may develop regional methodologies that do not prioritize environmental justice concerns. Even for agencies that have already developed local tools for identification, it is important to consider how effectively these tools have been used to benefit environmental justice communities.

We support making the 25% highest-scoring census tracts eligible for SB 535 funding, as we believe that that level balances the goals of inclusiveness and concentration of resources in the neediest communities.

We know that Methods 1 and 5 presented by OEHHA, along with the alternative method proposed by the Bay Area Air Quality Management District, are under active discussion by community groups, and we believe each of these methods has some merit. We do not believe Methods 2, 3 and 4 meet the needs of SB 535 implementation or utilize CalEnviroScreen to the best of its design.

We do not have enough information on the ramifications of each to choose one at this time. For example, it appears the Census Tract data in the Bay Area Air Quality Management District's proposed method may differ from Census Tracts used in OEHHA's methodologies, as discrepancies have been identified. Our groups seek to support policies that best serve all the environmental justice communities in the state, rather than engaging in regional disputes over which methodology best serves different geographic areas. We emphasize that the overriding consideration in selecting a methodology should be whether it identifies the highly impacted communities throughout California.

We urge Cal-EPA to consider the needs of all those communities and to fulfill both the letter and spirit of SB 535.

Respectfully Submitted,  
Bill Magavern, Policy Director  
Coalition for Clean Air

Amy Vanderwarker, Co-coordinator  
California Environmental Justice Alliance

Diane Takvorian, Executive Director  
Environmental Health Coalition

Vien Truong, Environmental Equity Director  
The Greenlining Institute

Mari Rose Taruc, State Organizing Director  
Asian Pacific Environmental Network

Marybelle Nzegwu, Staff Attorney  
Public Advocates Inc.

Attachment:

Original File Name: CalEnviroScreen comment letter final 9.15.2014.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:54:06

No Duplicates.

## **Comment 110 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance- ws) - 1st Workshop.**

First Name: Eileen

Last Name: Tutt

Email Address: eileen@caletc.com

Affiliation: CalETC

Subject: Interim Guidance for Auction Proceeds

Comment:

From: California Electric Transportation Coalition

To: Cal/EPA and CARB

Comments on Interim Guidance for Auction Proceeds

The California Electric Transportation Coalition (CalETC) appreciates the opportunity to comment on the Interim Guidance being developed by the California Environmental Protection Agency and California Air Resources Board. CalETC is a non-profit association with a board of directors that includes: Los Angeles Department of Water and Power, Pacific Gas & Electric, Sacramento Municipal Utility District, San Diego Gas & Electric and Southern California Edison.

CalETC strongly supports a portion of the auction revenue being utilized to fight pollution and help the state's disadvantaged communities enjoy the benefits of zero and near-zero emission transportation. We worked closely with the Administration, Legislature and other stakeholders in support of the 2013/14 budget which allocated auction revenue to disadvantaged communities, in excess of the SB 535 (De Leon) requirements.

We submit the following comments specific to the Cap-and-Trade Auction Proceeds, Investments to Benefit Disadvantaged Communities, 2014 Public Workshops, held in Fresno, Los Angeles and Oakland in August and early September 2014, and to CARB as they consider the item September 18:

Transformational Low-Carbon Transportation Technologies

For the interim guidance period, fiscal year 2014/15, CalETC recommends that zero- and near-zero emission vehicle technologies purchased with Greenhouse Gas Reduction Funds, including plug-in electric vehicles (cars, trucks and buses), count towards the SB 535 requirement as benefitting disadvantaged communities because the vehicle will lower pollution in the whole region. The market penetration of plug-in electric vehicle technologies is currently below one percent. To address the substantial air quality, toxic pollution and economic challenges in California, by 2030, almost every vehicle sold must be zero- or near-zero emission.

Vehicles, cars, trucks and buses, are mobile. It is almost certain that zero- and near-zero emission vehicles will travel through and near disadvantaged communities, and will reduce transported air and toxic pollutants in disadvantaged communities. Further, it is often the case that residents of disadvantaged communities purchase used vehicles. The market for used vehicles cannot grow without substantial sales of new vehicles. Therefore, acceleration in the new vehicle fleet in these very early market stages is essential to

ensuring zero- and near-zero emission vehicles enter the used vehicle market as quickly as possible.

Beyond fiscal year 2014/15 CalETC would like to continue to work with community representatives through the Charge Ahead effort and with CalEPA and CARB to best define the benefits low-carbon transportation to disadvantaged communities.

#### Defining Disadvantaged Communities

CalETC applauds Cal/EPA's efforts to identify disadvantaged communities. The thorough and thoughtful development and use of the CalEnviroScreen 2.0 tool has helped communities and stakeholders in California better understand the plethora of socioeconomic and environmental challenges facing our state.

CalETC is concerned that the methods being considered by Cal/EPA may unintentionally exclude some communities that are heavily impacted by toxic and/or air pollutants and/or communities that suffer under extreme socioeconomic burdens. CalETC believes the intent of SB 535 (De Leon) was to ensure that disadvantaged communities receive greenhouse gas reduction funds. For this interim guidance, we suggest a methodology that recognizes previously identified disadvantaged communities, particularly those that have very high levels of toxic pollution and/or poverty. Further refinement can and should be explored for 2015/16 and beyond.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 16:56:03

No Duplicates.

**Comment 111 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Emily

Last Name: Gable

Email Address: Emilysgable@gmail.com

Affiliation:

Subject: Cap-and-Trade CES Method & CARB Interim Guidance

Comment:

My comments are provided with 2 letters following that were submitted by Liberty Hill of which I am in full support.

Attachment: [www.arb.ca.gov/lists/com-attach/116-sb-535-guidance-ws-BWYHYABtUmQHcVMy.pdf](http://www.arb.ca.gov/lists/com-attach/116-sb-535-guidance-ws-BWYHYABtUmQHcVMy.pdf)

Original File Name: CalEPA and CARB Comments -- EG.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:22:20

No Duplicates.

## **Comment 112 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance- ws) - 1st Workshop.**

First Name: Chuck

Last Name: Mills

Email Address: cmills@californiareleaf.org

Affiliation: California ReLeaf

Subject: California ReLeaf Comments on CARB's Interim Guidance to Agencies Administering GGRF Money

Comment:

On behalf of California ReLeaf - a statewide non-profit that supports ninety community groups that are committed to greening our golden state through urban forestry -- we are writing to provide comments on CARB's discussion draft of Investments to Benefit Disadvantaged Communities, published August 22, 2014. The interim guidance provided in this document will set the stage for one of the most important governing tools CARB will ever produce related to AB 32 implementation: a methodology for unequivocally demonstrating how cap-and-trade auction revenue investments will meet and exceed the goals of AB 32, and related statutes that include AB 1532 and SB 535. Consequently, California ReLeaf believes every effort should be made to get as much of this interim guidance right from the very start.

With respect to how this document addresses the role of urban forestry in the overall process of GHG reductions and benefits to disadvantaged communities, there is much to applaud in this discussion draft. CARB's acknowledgement on page 11 that all projects come with administrative costs takes a reality-based approach to what is required to make the overall program successful. CARB's suggestion on page 16 that "agencies could work together to combine transit improvement projects with other projects" represents progressive thinking that is critically needed if California is to truly embrace the goals of SB 375 and adopt meaningful Sustainable Communities Strategies. And CARB's direction throughout the first half of the document regarding early engagement and outreach is an absolute must if these projects are to succeed and sustain.

There are other meritorious directives through the document, but California ReLeaf would like to focus on three particular items related specifically to urban forestry.

1. Estimated GGRF Appropriation for 2014-15 Expected to Benefit DACs.

Table 2 on page 12 suggests CAL FIRE should direct 55% of its total cap-and-trade auction revenues allocated for urban forestry to projects that benefit disadvantaged communities, and 55% to projects located within them. Item 1 exceeds the SB 535 requirement by more than 100%, while item 2 exceeds 535 requirements by 550%.



California ReLeaf strongly supports both recommendations. In fact, California ReLeaf, in its capacity as a lead advocate for these funds throughout the state budget process in 2013 and 2014, has maintained that closer to 66% of these funds should be directed to projects that benefit DACs, which we still support. In either case, CARB recognizes that a small portion of the urban forest funds should remain competitive for all communities and thereby reflect CARB's assertion on page 3 that notes "agencies can use their GGRF appropriations to fund projects that otherwise meet the statutory requirements for investments, but do not meet the criteria in this guidance." Given that neither SB 862 (chaptered in 2014) or the 2014-15 State Budget bill signed by Governor Brown place any statutory restrictions on how much of these urban forestry funds be directed to DACs, this language and CARB's recommendation in Table 2 are both appropriate and comply with state law.

This point warrants further discussion, however, given CAL FIRE's announcement on August 28th that 100% of CAL FIRE's urban forestry funding be used to benefit DACs - without any public process or debate. For urban forestry stakeholders operating in disproportionately burdened areas (who have utilized now-exhausted bonds) to support projects that don't fall within the top CalEnviroScreen percentiles, this was a shocking revelation that is in direct conflict with messages communicated by the Legislature and Administration - most specifically CARB's discussion draft publicly released six days prior (and still available on its website). Even if CAL FIRE were to utilize its Urban and Community Forestry Program as the sole element within the suite of CAL FIRE programs funded with \$42 million in cap-and-trade auction revenues, the minimum requirement would be \$10.5 million. As a member of the 535 coalition, California ReLeaf supports up to \$12.5 million for these purposes, and encourages efforts to ensure 535 targets represent the floor, not the ceiling, for DAC investments.

But 100% goes too far. It eliminates the opportunity to address drought by keeping water in terrestrial systems that don't neatly fall within CalEnviroScreen. It excludes many underserved areas in East Bay, San Francisco, and even San Diego from even competing for funds. And it removes the opportunity for CAL FIRE to judge all applications on their merit and their ability to promote the best ecological decisions for all communities. A letter signed by 30 urban forestry leaders scattered throughout California was sent to CAL FIRE on this matter, and forwarded to Ms. Cynthia Marvin and Ms. Shelby Livingston at CARB (see attached).

As the control agency on this matter, and the administrator of GGRF dollars, we encourage CARB to work with the Administration and Resources Agency to ensure the majority - not the entirety - of urban forestry funds be directed to projects that benefit, or are located within, disadvantaged communities, as reflected in the discussion draft.

## 2. Scope of eligible urban forestry projects

California ReLeaf strongly supports the list of urban forestry projects identified in Appendix 1-7 deemed by CARB as eligible activities "that will achieve GHG reductions though net increases in carbon sequestration..." We would encourage CARB to consider adding tree inventories and management plans to that list, as both

are critical tools in identifying means to support a healthy, thriving urban forest, and determining the net GHG reduction benefit in aggregate for California communities. More specifically, we want to thank CARB for its recognition of "tree maintenance" as an eligible use of these funds.

California's current urban forest sequesters approximate 4.5 million metric tons of carbon dioxide each year, with another 1.8 million metric tons avoided through energy conservation and mitigation for urban heat island effect. These impressive figures are based on sustaining our existing mature trees in urban areas throughout the state, which are at risk from disease, neglect, drought, and land use development.

For example, many cities have looked to their parks and public works departments to deliver cost-savings through natural resources budget cuts. Consequently, as cities continue grappling with a challenging economy, they are requiring property owners to care for trees growing along city streets. In San Francisco, a seven-year process is currently in place to turn over responsibility for 23,700 street trees to its residents due to budgetary constraints. Therefore, tree maintenance must be a component of this effort if California is to sustain the immense GHG reductions provided by our urban forest.

### 3. Draft Criteria to Evaluate Urban Forestry Projects.

California ReLeaf supports many components of these criteria as presented in Appendix 1-7, including CARB's assertion that trees planted in DACs inherently provide benefits to that DAC, and therefore meet both elements of the 535 requirement. However, we would argue that all urban forestry projects located in a DAC (i.e. maintenance, inventory) provide benefit to that DAC, which would extend well beyond tree planting. For this reason, we would encourage CARB to amend Item A in Step 1 to reflect the eligible scope of urban forestry projects, and to remain consistent with CARB assertions made on page 15 and page 19 of the document.

In addition, we would encourage CARB to replace the ½ mile proximity model reflected in Item A in Step 2 with a more meaningful metric that specifically addresses the benefits urban forestry can provide to adjacent and nearby disadvantaged communities that reflect priorities set forth in AB 32 and AB 1532.

As an example, Item B in Step 2 of Appendix 1-6 (relating to Land Preservation or Restoration) notes that a project here "Provides Benefit To" a DAC if the "Project significantly reduces flood risk to one or more adjacent DACs." Verbatim, this language is completely appropriate for Step 2 of Appendix 1-7. Trees intercept rainfall in their canopy, reducing the amount of rain that reaches the ground. A portion of this captured rainwater evaporates from tree surfaces. In addition, trees take up water from the soil through their roots, which increases soil water storage potential and lengthens the amount of time before rainfall becomes runoff. By incorporating stormwater best management practices (BMPs) such as swales, retention grading, cisterns, infiltrators and strategically-planted trees in building and landscaping designs, a multitude of benefits can be realized for communities located near the urban forestry project. This includes improved water quality, a decreased risk of flooding, a reduced need for water importation, heat-island effect mitigation, an augmented supply of local

groundwater and, of course, a reduction in contributions to global climate change.

An additional consideration should be whether or not the facility at which the urban forestry project occurs is servicing a disadvantaged community. In and around disadvantaged communities in many of California's most urbanized areas, it's not uncommon for a public school servicing primarily students from a DAC to be located just outside that DAC. Does an urban forestry project that is increasing shade for kids to play in, or create a healthier, cooler playground environment through urban heat island mitigation "Provide Benefit To" a DAC. We believe the answer is yes, and should be included in Step 2.

#### Concluding Comments

In total, California ReLeaf supports CARB's vision of how urban forestry integrates into the larger mosaic of how all auction proceeds will benefit disadvantaged communities. With some important modifications, as suggested in these comments, we believe the scope of eligible projects, and how they integrate into the 535 model, is on track and much appreciated. CARB's commitment to ensure the majority, rather than the entirety, of CAL FIRE's urban forestry funds be directed to DACs is essential to building stakeholder trust and engagement in a meaningful way that results in truly transformative investments.

Attachment: [www.arb.ca.gov/lists/com-attach/117-sb-535-guidance-ws-BnRdPlc6ADZWQMdh.pdf](http://www.arb.ca.gov/lists/com-attach/117-sb-535-guidance-ws-BnRdPlc6ADZWQMdh.pdf)

Original File Name: ReLeaf Network Letter to CAL FIRE.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:43:21

No Duplicates.

## **Comment 113 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance- ws) - 1st Workshop.**

First Name: Robert

Last Name: Garcia

Email Address: rgarcia@cityprojectca.org

Affiliation:

Subject: Re: Include Race, Color, National Origin, and Green Access in CES 2.0 and SB 535  
Guidance  
Comment:

Dear Assistant Secretary Mataka:

We support guidance and an improved CalEnviroScreen (CES) tool that properly considers race, color, and national origin, as well as green access, in order to identify underserved communities and to distribute cap and trade greenhouse gas reduction funds under SB 535.

We recommend the following steps to improve CES for the reasons discussed below.

(1) Reinstate race, color, and national origin data as an indicator in the CES score.

(2) Include green access as an indicator in addition to pollution burdens and population characteristics in CES.

(3) Guidance documents on the distribution of greenhouse gas reduction funds under SB 535 should incorporate race, color, and national origin, as well as green access.

(4) Guidance documents, CES, and other public documents should refer to "underserved communities," rather than "disadvantaged communities."

"[W]hen society's rewards - including the right to breathe clean air[,], live far away from toxic wastes[, and live near parks and green space] - are systematically distributed by race, it is better to know than to remain dangerously ignorant," as USC Prof. Manuel Pastor has written. Good social research needs data on race and ethnicity. There is no sound social science or technical reason to exclude such data. Federal law requires collecting, analyzing, and publishing data based on race, color, or national origin where, as here, there is evidence of racial and ethnic disparities regarding pollution burdens, vulnerability, and green access. No law prohibits it. Claims that Prop 209 or other state laws prohibit or constrain agencies from collecting, analyzing, and publishing such data to include in the CES or to distribute greenhouse gas reduction funds are false, prejudicial, and discriminatory.

The Environmental Justice Screening Method (EJSM) developed by the USC Program on Environmental and Regional Equity (PERE) includes

race and ethnicity. CES should too.

CalEPA should supplement statewide ranking of census tracts with regional scoring and ranking of census tracts, strengthen its hazard proximity analysis, and include EJSM's land-use methodology and climate change indicators in CES. See California Environmental Justice Alliance (CEJA)'s June 2, 2014 letter to the Office of Environmental Health Hazard Assessment (OEHHA). As CEJA states, "[t]he impacts of climate change will be a critical issue for communities to contend with in the coming years, and we know that low-income communities and communities of color will be hit first and worst and have least resources to adjust to climatic changes. CalEnviroScreen's assessment of where the most vulnerable communities are located could greatly enhance the statewide conversation on where climate adaptation efforts and investments should be focused, and we recommend CalEPA to begin to consider the development of an indicator on climate change in the next year."

The City Project joins in (1) the September 15, 2014, letter from the SB535 Coalition to the Air Resources Board (ARB) re Comments on Draft Interim Guidance on Investments to Benefit Disadvantaged Communities; and (2) the September 15, 2014, letter from Los Angeles-based environmental justice groups to ARB re greenhouse gas reduction funds and SB 535 standards, to the extent those letters are not inconsistent with the position described below.

We write separately here on the need to explicitly address equity and disparities based on race, color, or national origin, and compliance in the planning and implementation process with federal and state civil rights and environmental justice laws and principles.

Attachment: [www.arb.ca.gov/lists/com-attach/118-sb-535-guidance-ws-BWZdOgZrUGZSJAVk.pdf](http://www.arb.ca.gov/lists/com-attach/118-sb-535-guidance-ws-BWZdOgZrUGZSJAVk.pdf)

Original File Name: CalEPA public comments 20140915.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:55:25

No Duplicates.

**Comment 114 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Robert

Last Name: Garcia

Email Address: rgarcia@cityprojectca.org

Affiliation:

Subject: Re: Include Race, Color, National Origin, and Green Access in CES 2.0 and SB 535 Guidance  
Comment:

Dear Chairwoman Nichols and Board Members:

The City Project joins in (1) the September 15, 2014, letter from the SB535 Coalition to the Air Resources Board (ARB) re Comments on Draft Interim Guidance on Investments to Benefit Disadvantaged Communities; and (2) the September 15, 2014, letter from Los Angeles-based environmental justice groups to ARB re greenhouse gas reduction funds and SB 535 standards, to the extent those letters are not inconsistent with the position described below.

We write separately here on the need to explicitly address equity and disparities based on race, color, or national origin, and compliance in the planning and implementation process with federal and state civil rights and environmental justice laws and principles. We fully incorporate by reference here the attached September 15, 2014, letter from The City Project to Arsenio Mataka, Assistant Secretary for Environmental Justice and Tribal Affairs re explicitly addressing equity and disparities based on race, color, or national origin, and compliance in the planning and implementation process with federal and state civil rights and environmental justice laws and principles.

Sincerely,  
Robert Garcia  
Founding Director and Counsel

Attachment: [www.arb.ca.gov/lists/com-attach/120-sb-535-guidance-ws-UzAGYQNUGZSJfIz.pdf](http://www.arb.ca.gov/lists/com-attach/120-sb-535-guidance-ws-UzAGYQNUGZSJfIz.pdf)

Original File Name: CalEPA public comments to ARB 20140915.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:59:10

No Duplicates.

**Comment 115 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jonathan

Last Name: Kusel

Email Address: JKusel@SierraInstitute.us

Affiliation: Sierra Institute for Community and Envrn

Subject: comments

Comment:

Attached please find

Comments on Investments to Benefit Disadvantaged Communities

Interim Guidance to Agencies Administering Greenhouse Gas Reduction

Fund Monies and

California Communities Environmental health Screening Tool

Attachment: [www.arb.ca.gov/lists/com-attach/121-sb-535-guidance-ws-VjVSNVY7AjRSOgRy.pdf](http://www.arb.ca.gov/lists/com-attach/121-sb-535-guidance-ws-VjVSNVY7AjRSOgRy.pdf)

Original File Name: CalEnviroScreen\_Comments\_2014.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:59:41

No Duplicates.

## **Comment 116 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance- ws) - 1st Workshop.**

First Name: Charles

Last Name: Davidson

Email Address: charlesdavidson@me.com

Affiliation:

Subject: Cap-and-Trade funds for Solar Electricity to benefit residents of a refinery town  
Comment:

The use of Cap-and-Trade funds for economically-disadvantage and highly pollution-impacted communities should be able to assist isolated refinery towns that have a dramatic bimodal income distribution pattern.

I speak specifically of Rodeo California or collectively, the Rodeo and Crockett unincorporated county jurisdictions, that are both adjacent to and inclusive of the Phillips 66 Refinery, having two zip codes (94547, 94572) and approximately 8,700 and 3,100 residents, respectively. It is remarkable that Rodeo scores above the 20% cut-off point, when considering both the distribution of poverty and pollution.

I..Phillips 66 is the most polluting refinery in the state, 1,097,117 pounds of toxic releases in 2012 versus Chevron in Richmond's 611,255 pounds, although it is less than half the size. Much of the reason for the Rodeo refinery's high pollution levels is that Phillips 66 has a history of and capacity for utilizing lower-quality, higher-sulfur crude feedstocks than most other refiners in California

Rodeo also has a major interstate highway running through it that separates the lower income flat lands on one side of the highway and the moderate income communities on the other side, where it is hilly and has a higher percentage of homeowners. It is beyond understanding that Rodeo does not qualify for use of Cap-and-Trade funds under the CalEnviroScreen models, 1-5. To amend the problem that leaves out thousands of low income Rodeo residents in the vicinity of Phillips 66, Option #6 should be used to include asthma, age, gender and poverty on the refinery side of the highway. in other words, option #1-5 lack resolution and have increased granularity for those factors and other reasons.

My read of the statistics are that The median income for a household in the CDP was \$60,522, and the median income for a family was \$63,151. Males had a median income of \$46,077 versus \$32,452 for females, indicating that female-only led households would be disproportionately impacted by poverty, even before the Bay Area cost-of-living is factored into the equation.

Both towns recently learned that their single supermarket, an old Safeway store, that will be closing, so the at a new store will be opened by corporate headquarters in the next town over, Hercules.



that has a much higher average household income of about \$93,000. So therefore, both Rodeo and Crockett are food deserts as well as grossly underserved by public transportation and subjected to Interstate 80 traffic and diesel particulate pollution. At the very least, the qualifying score should be raised for certain communities that the CalEnviroScreen algorithms 31-5 bias against, statistically.

As others have noted the problem with qualification methods #1-5, I quote: "Many Bay Area Communities with some of the highest poverty rates and greatest health burdens (asthma rates and low birth weight) are not identified. For example, current approaches for scoring CalEnviroScreen indicators fail to identify:

- Bay View/Hunter's Point in San Francisco,
- Portions of West Oakland adjacent to the Port of Oakland,
- Portions of Richmond and Rodeo, and
- Portions of East Palo Alto and San Jose.

In fact, CalEnviroScreen Method 1 using a 20% threshold identifies fewer than 3% of Bay Area census tracts as disadvantaged."

Why is it important that Rodeo be included on the map, as could Crockett that is certainly down wind of all refinery releases? Cap-and-Trade funds can be used to offset the cost of electricity for low-income households that are about \$200 dollars per month or \$50 thousand dollars over 20 years. Thus, unbelievably, a low income family pays five times out of pocket for electricity than an upper middle class family pays to own outright a photo-voltaic solar collectors and pays nothing else on a monthly basis.

II. I intend to propose, under the DeLeon CA Senate Bill 535, for Cap-and-Trade Investments to Benefit Disadvantaged Communities, that a solar farm be built in Rodeo/Crockett, perhaps on the 64-acre asphalted superfund site of Selby Slew, The electricity generated from this site will primarily go to the most economically-disadvantaged households, to markedly reduce their electrical bill and to reduce greenhouse gasses produced from the burning of natural gas at investor owned utilities. The project would be primarily local hire.

Another portion of the funds could possibly be invested to improve public transportation, both within Rodeo and Crockett and for better connecting those two communities to BART, bus hubs and shopping areas.

The entity that would operate the solar farm would be a non-profit Community Choice Aggregation (CCA) using non-fossil fuel-based and sustainable clean energy. The project would start with solar that would generate enough energy for about 1,000-2,000 people. The area is high in solar sunlight availability, and could also be sited, in the future, for vertical axis wind generation that could be more closely spaced than larger horizontal wind towers.

The CCA would distribute the electricity to the qualified households, in the communities of Rodeo and possibly Crockett, in the form of Renewable Energy Credits (RECs) as spelled out by AB32, the 2006 California Clean Air Act.

Charles Davidson

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-15 16:59:39

No Duplicates.

**Comment 117 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Daryl

Last Name: Halls

Email Address: dk halls@sta-snci.com

Affiliation:

Subject: CAP & TRADE COMMENTS

Comment:

Please find attached STA comments on disadvantaged communities.

Attachment: [www.arb.ca.gov/lists/com-attach/123-sb-535-guidance-ws-USJRI1ExAAwGLVQL.pdf](http://www.arb.ca.gov/lists/com-attach/123-sb-535-guidance-ws-USJRI1ExAAwGLVQL.pdf)

Original File Name: STA - CalEPA.ltr.pdf

Date and Time Comment Was Submitted: 2014-09-15 17:04:42

No Duplicates.

**Comment 118 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Phoebe

Last Name: Seaton

Email Address: pseaton@leadershipcounsel.org

Affiliation: Leadership Counsel

Subject: Comments to CARB re Benefits to DACs

Comment:

Please find attached comments to CARB re defining benefits to DACs.

Phoebe

Attachment: [www.arb.ca.gov/lists/com-attach/124-sb-535-guidance-ws-AGNUPVYIVXQFZgV2.pdf](http://www.arb.ca.gov/lists/com-attach/124-sb-535-guidance-ws-AGNUPVYIVXQFZgV2.pdf)

Original File Name: Correspondence CARB\_Benefit to DAC.pdf

Date and Time Comment Was Submitted: 2014-09-15 16:50:45

No Duplicates.

**Comment 119 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Ray

Last Name: Pearl

Email Address: ombcomm@arb.ca.gov

Affiliation: CA Housing Consortium

Subject: Comments on Disadvantaged Communities

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/125-sb-535-guidance-ws-UDFUIFQ3Ag4LaVQ1.pdf](http://www.arb.ca.gov/lists/com-attach/125-sb-535-guidance-ws-UDFUIFQ3Ag4LaVQ1.pdf)

Original File Name: ARB DAC Comment.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:18:40

No Duplicates.

**Comment 120 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Darrell

Last Name: Johnson

Email Address: ombcomm@arb.ca.gov

Affiliation: OCTA

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/126-sb-535-guidance-ws-UzIFcQZIUWEHbglk.pdf](http://www.arb.ca.gov/lists/com-attach/126-sb-535-guidance-ws-UzIFcQZIUWEHbglk.pdf)

Original File Name: ARBComment.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:22:42

No Duplicates.

**Comment 121 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jack

Last Name: Broadbent

Email Address: ombcomm@arb.ca.gov

Affiliation:

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/127-sb-535-guidance-ws-UjNWIIMwVStSMQF.pdf](http://www.arb.ca.gov/lists/com-attach/127-sb-535-guidance-ws-UjNWIIMwVStSMQF.pdf)

Original File Name: ARB-EPA-JPCcomment-ltr\_Sep15.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:26:42

No Duplicates.

**Comment 122 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Joan

Last Name: Buchanan

Email Address: ombcomm@arb.ca.gov

Affiliation: CA Legislature

Subject: Comments on SB 535

Comment:

See attachment.

Attachment: [www.arb.ca.gov/lists/com-attach/128-sb-535-guidance-ws-UjBTNFwkU19QNwV3.pdf](http://www.arb.ca.gov/lists/com-attach/128-sb-535-guidance-ws-UjBTNFwkU19QNwV3.pdf)

Original File Name: Bay Area delegation ltr on CES.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:29:48

No Duplicates.



**Comment 123 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Kevin

Last Name: Tokunaga

Email Address: ombcomm@arb.ca.gov

Affiliation: Glenn County APCD

Subject: Comment on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/129-sb-535-guidance-ws-UDNSNQFsVloGZQJs.docx](http://www.arb.ca.gov/lists/com-attach/129-sb-535-guidance-ws-UDNSNQFsVloGZQJs.docx)

Original File Name: cal enviroscreen letter.docx

Date and Time Comment Was Submitted: 2014-09-16 10:32:10

No Duplicates.

**Comment 124 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Ariel

Last Name: Collins

Email Address: ombcomm@arb.ca.gov

Affiliation: The City Project

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/130-sb-535-guidance-ws-WjlQNQNjBzNXDIaz.pdf](http://www.arb.ca.gov/lists/com-attach/130-sb-535-guidance-ws-WjlQNQNjBzNXDIaz.pdf)

Original File Name: CCAG CalEnviroScreen comment letter.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:34:33

No Duplicates.

**Comment 125 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: William

Last Name: Lindsay

Email Address: ombcomm@arb.ca.gov

Affiliation: Richmond City Manager's Office

Subject: Comments on SB 535

Comment:

see attached

Attachment: [www.arb.ca.gov/lists/com-attach/131-sb-535-guidance-ws-WjlUO1MmV30HXlc6.pdf](http://www.arb.ca.gov/lists/com-attach/131-sb-535-guidance-ws-WjlUO1MmV30HXlc6.pdf)

Original File Name: City Manager Comments to ARB CalEPA.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:36:55

No Duplicates.

**Comment 126 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Eric

Last Name: Garcetti

Email Address: ombcomm@arb.ca.gov

Affiliation: City of LA

Subject: comments on sb 535

Comment:

See attachment

Attachment: [www.arb.ca.gov/lists/com-attach/132-sb-535-guidance-ws-AWJcMwF0BS9XDgVq.pdf](http://www.arb.ca.gov/lists/com-attach/132-sb-535-guidance-ws-AWJcMwF0BS9XDgVq.pdf)

Original File Name: City of LA9-12.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:40:15

No Duplicates.

**Comment 127 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Tracey  
Last Name: Brieger  
Email Address: ombcomm@arb.ca.gov  
Affiliation: CPR

Subject: Comments on SB 535  
Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/133-sb-535-guidance-ws-VzRXIQR3WScEcVAy.pdf](http://www.arb.ca.gov/lists/com-attach/133-sb-535-guidance-ws-VzRXIQR3WScEcVAy.pdf)

Original File Name: CPR-SB535-CommentLetter-9-15-14.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:48:20

No Duplicates.

**Comment 128 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Gretchen

Last Name: Bennitt

Email Address: ombcomm@arb.ca.gov

Affiliation: Northern Sierra AQMD

Subject: Establishment of Rural Sustainability Fund

Comment:

see attached

Attachment: [www.arb.ca.gov/lists/com-attach/135-sb-535-guidance-ws-VDFcKQdyAzFRNQNV.pdf](http://www.arb.ca.gov/lists/com-attach/135-sb-535-guidance-ws-VDFcKQdyAzFRNQNV.pdf)

Original File Name: Establishment of rural sustainability fund.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:51:16

No Duplicates.

**Comment 129 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Marc

Last Name: Nemanic

Email Address: ombcomm@arb.ca.gov

Affiliation: 3Core

Subject: Establishment of a Rural Sustainability Fund

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/136-sb-535-guidance-ws-VSdXNANhBDgAawhl.docx](http://www.arb.ca.gov/lists/com-attach/136-sb-535-guidance-ws-VSdXNANhBDgAawhl.docx)

Original File Name: Recommendations for Cap and Trade\_Rural Sustainability Projects.docx

Date and Time Comment Was Submitted: 2014-09-16 10:56:47

No Duplicates.

**Comment 130 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Gary

Last Name: Gallegos

Email Address: ombcomm@arb.ca.gov

Affiliation: SANDAG

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/137-sb-535-guidance-ws-VyRUM1E+WG9VMgVi.pdf](http://www.arb.ca.gov/lists/com-attach/137-sb-535-guidance-ws-VyRUM1E+WG9VMgVi.pdf)

Original File Name: SANDAG Comments - Disadvantaged Communities.pdf

Date and Time Comment Was Submitted: 2014-09-16 10:58:51

No Duplicates.



**Comment 131 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Dianne

Last Name: Steinhauser

Email Address: ombcomm@arb.ca.gov

Affiliation: TAM

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/138-sb-535-guidance-ws-Wi4AZwBsVVkGbwn.pdf](http://www.arb.ca.gov/lists/com-attach/138-sb-535-guidance-ws-Wi4AZwBsVVkGbwn.pdf)

Original File Name: TAM on CalEPA Investments to Benefit Disadv Comm .pdf

Date and Time Comment Was Submitted: 2014-09-16 11:01:37

No Duplicates.

**Comment 132 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Debra

Last Name: Hale

Email Address: ombcomm@arb.ca.gov

Affiliation: TAMC

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/139-sb-535-guidance-ws-BnJdKQFhBDlSJwBh.pdf](http://www.arb.ca.gov/lists/com-attach/139-sb-535-guidance-ws-BnJdKQFhBDlSJwBh.pdf)

Original File Name: TransAgencyforMontereyCountyltr.pdf

Date and Time Comment Was Submitted: 2014-09-16 11:07:27

No Duplicates.

**Comment 133 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jean

Last Name: Quan

Email Address: ombcomm@arb.ca.gov

Affiliation: City of Oakland

Subject: Comments on SB 535

Comment:

See attached.

Attachment: [www.arb.ca.gov/lists/com-attach/140-sb-535-guidance-ws-VzQCbVQhBy0BWAhn.pdf](http://www.arb.ca.gov/lists/com-attach/140-sb-535-guidance-ws-VzQCbVQhBy0BWAhn.pdf)

Original File Name: City of Oakland CalEPA CARB letter 9 15 14.pdf

Date and Time Comment Was Submitted: 2014-09-16 11:22:33

No Duplicates.

## **Comment 134 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance- ws) - 1st Workshop.**

First Name: Rachele

Last Name: Melious

Email Address: ombcomm@arb.ca.gov

Affiliation:

Subject: Comments on SB 535

Comment:

I wanted to comment regarding the Urban Forestry grant funding guidelines which are now slated to be used 100% to serve disadvantaged communities (DACs) as defined by CalEnviroScreen2. I would first like to state that while I agree that there may be DACs as a whole, there are also vulnerable populations as well as pollution corridors which are not addressed by CalEnviroScreen2, both of which would be well served by Cap and Trade (C&T) funds and Urban Forestry (UF) initiatives.

I have long been a proponent of trapping pollution at its source and with this in mind, it seems prudent to plant trees along freeways, where pollution is created. In San Diego this has the potential to reduce non-DAC created pollution that is blown inland into DACs. Further, I propose that all who use freeways are vulnerable and that freeways are "pollution corridors" worthy of C&T UF funding. For example; those who use public transportation or have older vehicles that may not have air conditioning could be commuting from DAC communities. In the heat of the summer, and height of air pollution, they sit at bus stops near freeways (whether in their designated DAC or near work) and drive on the freeway (often during rush hour) exacerbating any air/heat/auto pollution related health issues. Planting dense trees along freeways has long term pollution reduction and health improvement potential.

However, I really want to bring up another issue, or two, which has not yet been addressed. Primarily, the fact that all persons with allergies and asthma, young and old, and those yet to develop allergies and asthma, are disadvantaged by climate change, air pollution and allergenic trees and have the potential to be further disadvantaged if trees are not selected with human health in mind.

Urban Forestry is a powerful tool, with multiple benefits, a main one being to improve public health. However, in all of the "Healthy" Urban Forestry presentations I have attended, none have addressed the issue of pollen pollution and its impact on human health, health care costs, and the economy. Simply using Emergency Room visits for asthma does not correctly identify those affected or who will be affected if proper tree selections are not made. Allergy and asthma burdens a wide and varied population and are frightening and costly diseases with potentially deadly outcomes

and staggering costs associated with increased health care, lost productivity and missed work/school.

Childhood asthma is steadily rising as are food/pollen related allergies. Pollen counts are on the rise as well and there is no indication of slowing. Increased CO2 and heat causes plants to grow faster and produce more pollen at ever younger ages. Climate change is slated to dry the air creating additional respiratory irritation. Continued planting of high pollen trees will only serve to exacerbate skyrocketing pollen counts and associated respiratory diseases.

Avoidance is the only cure for allergies (and allergic asthma) yet in my pollen studies and public encounters it has become apparent that the public has LITTLE ABILITY to do this. The only way for people to avoid pollen triggers is to remove or limit them. Urban Foresters, Planners, Landscape Architects and Arborists are in the unique position to do just that. Yet, they are not schooled in the sophisticated relationship between the urban forest and human health. Their focus is on the health of the trees and sometimes the ecosystem but never on the health of humans. I urge the ARB and EPA to consider restrictions or limitations regarding the planting (and perhaps removal and replacement) of known allergenic, asthmagenic and high pollen producing plants. Perhaps a 10% maximum of known allergy trees (not species). Those who suffer with allergies and asthma caused by pollen are woefully disadvantaged in all areas of the state, not just those defined by CalEnviroScreen2. Additional disadvantaged "areas" or "corridors" could be those with high local pollen counts, an excess of allergenic trees or high pollution sources.

Environmental justice for those with allergies and asthma is a growing concern and litigation is on the horizon in other states. I urge the CARB and CalEPA to be on their toes with progressive policy regarding planting campaigns and further urge you to consider that all schools be included in the designation as DACs or as "sensitive populations" to receive C&T funding due to the damaging effects of both pollution and pollen on children's developing lungs. Schoolyards are a prime location for large tree banks. Campuses and the people who use them can benefit dramatically through Urban Forestry initiatives but only if proper selection and human health are considered in the equation(s).

Allergies develop after repeated exposure to allergens. Quick and light exposure does not cause allergy. Repeated, heavy exposure does. The type of exposure one might experience with allergenic trees at their home, workplace or school.

Schools are primary places to create healthy environments using trees that reduce outdoor air pollution, respiratory irritants and are pollen and allergy neutral. Children attend school during the hours of peak pollen release (10 am- 4 pm). Sensitizing exposure is far more likely than at home. Overplanting schools to compensate for air pollution, and other factors likely to be exacerbated by climate change seems highly logical. Children have developing lungs, they breathe more air per body weight than adults and have rapid lung development between the ages of 10 -18. They deserve the cleanest air we can possibly provide. I trust that the ARB and EPA staff are familiar with the pollution/pollen relationships shown in previous studies yet many schools are located near busy streets for convenience.

Here are two very surprising observations regarding implementation of an allergy conscious approach to schoolyard landscaping. Because asthma causes more absenteeism than any other reason, schools can increase their bottom line and average daily attendance by reducing these absences (which cost school districts millions annually). Treed campuses improve mental health, which should also make students want to be there. Healthy trees improve air quality and human health, reducing absences due to allergies, asthma and other respiratory ailments. Additionally, an allergy conscious approach has the potential to increase standardized test scores because standardized tests are often administered in the height of the pollen season. Anyone with allergies and asthma knows the "brain fog" created by allergies. I propose that reducing pollen and asthma triggers has the potential to increase standardized test scores by reducing both allergy "brain fog" and "brain drain" as well as allergy and asthma absences and exam make-ups.

We have the opportunity to plant truly healthy urban forests; not just healthy trees. We can provide all of the common benefits and then some. Reducing the pollen load will slow and hopefully reverse the pollen and childhood asthma trend. This will help millions upon millions of people breathe easier while at the same time reduce medical and other costs associated with allergies, asthma and COPD; all diseases exacerbated by pollen exposure, synergistic effects between pollen and pollution and the anticipated effects of climate change.

I urge the ARB and EPA to make our urban forests work for and be healthy for all and to consider restrictions or limitations regarding the planting (and perhaps removal and replacement) of known allergenic, asthmagenic and high pollen producing plants. Perhaps a 10% maximum of known allergy trees (not species) as those who suffer with allergies and asthma caused by pollen are woefully disadvantaged in all areas of the state, not just those defined by CalEnviroScreen2. Additional disadvantaged "areas" or "corridors" could be those with high local pollen counts, an excess of allergenic trees or sources of high pollution, like freeways.

I also urge you to consider all children as underserved, sensitive populations when it comes to urban forestry and to designate each schoolyard and park (to increase outdoor play and reduce obesity) as an allowable underserved "community," "service area" or "sensitive population." The healthy foresting of places where children learn and play has perpetual benefits that go far beyond clean air.

I realize that this is a niche area and offer my advice and expertise to help develop appropriate plant lists and/or help to define and implement such a progressive and needed program. This is not as difficult as it may initially seem. The number of allergy and asthma appropriate trees (healthy trees) far outweigh their allergy causing counterparts.

Let's plant trees!

Sincerely,  
Rachele Melious  
Aeroallergen Specialist, San Diego, CA

NB: Today's pollen issues were created in the past. There is an unassociated lag between tree planting and pollen production/allergies/asthma. New plantings will not create

noticeable pollen pollution until they have matured (approximately 7-15 years). People, including professionals who plant and grow these trees, have not yet made this very important health connection. There is also a lag in pollen release and peak asthma symptoms. Lag relationships make cause and effect difficult to identify.

Links to two excellent resources:

<http://www.amazon.com/Airborne-Allergenic-America-Contemporary-Medicine/dp/0801829402>

<https://aaaai.execinc.com/store/product.asp?productid=132>

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-16 12:55:31

No Duplicates.

**Comment 135 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance- ws) - 1st Workshop.**

First Name: Jerry

Last Name: Craig

Email Address: jcraig@tustinca.org

Affiliation: Cityof Tustin

Subject: Disadvantaged Communities definition

Comment:

The definition of Disadvantaged Communities does not fully recognize the enormous challenges faced by former military bases and their surrounding communities. Typically, federal and state funding programs have recognized the unique challenges base closures bring to communities and, as a result, categorize former military bases at the top of projects that should receive assistance. SB 535 required CalEPA and ARB to maximize the benefits of investments to disadvantaged communities and achieve or exceed the investment targets. If the definition of disadvantaged communities remains as is, the failure to score former military bases in the lowest category, red, represents a missed opportunity to maximize benefits and exceed investment targets. In addition, it fails to take into account what other federal and state programs have recognized when assessing the barriers faced by former military bases.

Former military bases can be ideal locations for reducing GHGs. The former Tustin Marine Corps Air Station is transit-rich with an adjacent Metrolink station and future commercial development will provide employment opportunities close to nearby residential development. While the former MCAS Tustin scores high in environmental measures on Cal EnviroScreen, our proportionally low population is reducing the score of this otherwise high-scoring area. We request CalEPA and ARB enhance their scoring methodology to reflect an acknowledgement that the former military bases are truly disadvantaged communities.

Thank you.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2014-09-16 12:59:39

No Duplicates.



**Comment 136 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Randell

Last Name: Iwasaki

Email Address: ombcomm@arb.ca.gov

Affiliation: Contra Costa Transport Authority

Subject: Comments on SB 535

Comment:

See attachment

Attachment: [www.arb.ca.gov/lists/com-attach/143-sb-535-guidance-ws-WzhROAdoACcHc1Iz.pdf](http://www.arb.ca.gov/lists/com-attach/143-sb-535-guidance-ws-WzhROAdoACcHc1Iz.pdf)

Original File Name: contracosta.pdf

Date and Time Comment Was Submitted: 2014-09-16 13:31:30

No Duplicates.

**Comment 137 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Doug

Last Name: Wildman

Email Address: ombcomm@arb.ca.gov

Affiliation: Friends of the Urban Forest

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/144-sb-535-guidance-ws-B3JUIFU2V2VROVI0.pdf](http://www.arb.ca.gov/lists/com-attach/144-sb-535-guidance-ws-B3JUIFU2V2VROVI0.pdf)

Original File Name: urbanforest.pdf

Date and Time Comment Was Submitted: 2014-09-16 13:36:40

No Duplicates.

**Comment 138 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Catherine

Last Name: Martineau

Email Address: ombcomm@arb.ca.gov

Affiliation: Canopy

Subject: Comments on SB 535

Comment:

See attached.

Attachment: [www.arb.ca.gov/lists/com-attach/145-sb-535-guidance-ws-AmEBWFY6ADICdgN3.pdf](http://www.arb.ca.gov/lists/com-attach/145-sb-535-guidance-ws-AmEBWFY6ADICdgN3.pdf)

Original File Name: C Martineau Comments & Illustrations.pdf

Date and Time Comment Was Submitted: 2014-09-16 13:40:03

No Duplicates.

**Comment 139 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Linda

Last Name: Sailors

Email Address: ombcomm@arb.ca.gov

Affiliation:

Subject: Comments on SB 535

Comment:

See attached.

Attachment: [www.arb.ca.gov/lists/com-attach/146-sb-535-guidance-ws-UDxUOwdoAzQAZwIW.pdf](http://www.arb.ca.gov/lists/com-attach/146-sb-535-guidance-ws-UDxUOwdoAzQAZwIW.pdf)

Original File Name: linda\_sailors.pdf

Date and Time Comment Was Submitted: 2014-09-17 10:04:34

No Duplicates.

**Comment 140 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Louise

Last Name: Collis

Email Address: ombcomm@arb.ca.gov

Affiliation: City of West Sacramento

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/147-sb-535-guidance-ws-UCdSMQByVnEHcgBh.pdf](http://www.arb.ca.gov/lists/com-attach/147-sb-535-guidance-ws-UCdSMQByVnEHcgBh.pdf)

Original File Name: westsac.pdf

Date and Time Comment Was Submitted: 2014-09-17 13:27:03

No Duplicates.

**Comment 141 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Nancy

Last Name: Hughes

Email Address: ombcomm@arb.ca.gov

Affiliation:

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/148-sb-535-guidance-ws-VzkFYlwzUGBSLQNC.pdf](http://www.arb.ca.gov/lists/com-attach/148-sb-535-guidance-ws-VzkFYlwzUGBSLQNC.pdf)

Original File Name: Nancy Hughescomment on 14-7-4.pdf

Date and Time Comment Was Submitted: 2014-09-29 08:43:09

No Duplicates.

**Comment 142 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Tom

Last Name: Jordan

Email Address: ombcomm@arb.ca.gov

Affiliation: SJVAPCD

Subject: Comments on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/149-sb-535-guidance-ws-Wi5ROFc7VFgEaARr.pdf](http://www.arb.ca.gov/lists/com-attach/149-sb-535-guidance-ws-Wi5ROFc7VFgEaARr.pdf)

Original File Name: Tom Jordancomment on 14-7-4.pdf

Date and Time Comment Was Submitted: 2014-09-29 08:49:30

No Duplicates.

**Comment 143 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Charles

Last Name: Hanley

Email Address: hanley@rhfd.org

Affiliation: Fire Chief, RODEO HERCULES FIRE DISTRICT

Subject: SB 535 Auction Proceed

Comment:

Secretary Rodriquez,

The Rodeo Hercules Fire District protects the Phillips 66 Refinery, Phillip 66 Carbon Plant, Air Liquide, a marine terminal and bulk storage facility in the community of Rodeo. The Fire District's primary source of revenue is property tax derived from local property owners. Recently the Fire District was compelled to close the Fire Station in Rodeo due to redevelopment and refinery reassessments. The Fire District was successful in receiving a Federal Grant to reopen the Fire Station that is adjacent to the Phillips 66 Refinery.

As a result of SB535, Phillips 66 has purchased carbon credits through the Cap & Trade auction proceedings. Subsequently the Phillips 66 Refinery in Rodeo was allowed to reduce their property tax. This catastrophic loss of tax increment to the Fire District will result in the permanent closure of the Fire Station, resulting in 10,000 citizens in a disadvantaged community with high asthma rates to be without fire protection.

We are asking you to include the community of Rodeo in the disbursement of proceeds, view and interpret vital public services as eligible for disbursement and "return to source" these lost tax dollars.

Charles Hanley  
FIRE CHIEF  
XCC RDO  
510.772.2740

Attachment: [www.arb.ca.gov/lists/com-attach/150-sb-535-guidance-ws-UzBRNlwxAzVRJ1U0.docx](http://www.arb.ca.gov/lists/com-attach/150-sb-535-guidance-ws-UzBRNlwxAzVRJ1U0.docx)

Original File Name: CalEPA\_CARB\_comment\_letter RHFD.docx

Date and Time Comment Was Submitted: 2014-09-29 10:32:00

No Duplicates.



**Comment 144 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Miya

Last Name: Yoshitani

Email Address: ombcomm@arb.ca.gov

Affiliation:

Subject: Comments on SB 535

Comment:

See attached.

Attachment: [www.arb.ca.gov/lists/com-attach/151-sb-535-guidance-ws-UDNVPFc7BDoGZQJs.zip](http://www.arb.ca.gov/lists/com-attach/151-sb-535-guidance-ws-UDNVPFc7BDoGZQJs.zip)

Original File Name: comments.zip

Date and Time Comment Was Submitted: 2014-10-09 09:11:55

No Duplicates.

**Comment 145 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Gayle

Last Name: McLaughlin

Email Address: ombcomm@arb.ca.gov

Affiliation: City of Richmond

Subject: Comments on SB 535

Comment:

See attached.

Attachment: [www.arb.ca.gov/lists/com-attach/152-sb-535-guidance-ws-UiBWOQBIBD9ROgBv.pdf](http://www.arb.ca.gov/lists/com-attach/152-sb-535-guidance-ws-UiBWOQBIBD9ROgBv.pdf)

Original File Name: richmond.pdf

Date and Time Comment Was Submitted: 2014-10-09 09:15:04

No Duplicates.

**Comment 146 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Jacklyn

Last Name: Montgomery

Email Address: ombcomm@arb.ca.gov

Affiliation: CALACT

Subject: Commens on SB 535

Comment:

See attached

Attachment: [www.arb.ca.gov/lists/com-attach/153-sb-535-guidance-ws-VDdRNgbtWGoCZwJ2.pdf](http://www.arb.ca.gov/lists/com-attach/153-sb-535-guidance-ws-VDdRNgbtWGoCZwJ2.pdf)

Original File Name: calact.pdf

Date and Time Comment Was Submitted: 2014-10-09 09:17:53

No Duplicates.

**Comment 147 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Stan

Last Name: Berkowitz

Email Address: ombcomm@arb.ca.gov

Affiliation: CRUDE

Subject: Comments on SB 535

Comment:

See attached.

Attachment: [www.arb.ca.gov/lists/com-attach/154-sb-535-guidance-ws-UDNVIVEIU2QKaVJ8.pdf](http://www.arb.ca.gov/lists/com-attach/154-sb-535-guidance-ws-UDNVIVEIU2QKaVJ8.pdf)

Original File Name: CRUDE.pdf

Date and Time Comment Was Submitted: 2014-10-15 13:50:43

No Duplicates.

**Comment 148 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Janet

Last Name: Pygeorge

Email Address: ombcomm@arb.ca.gov

Affiliation: Rodeo Citizen's Association

Subject: Comments on SB 535

Comment:

See attached.

Attachment: [www.arb.ca.gov/lists/com-attach/155-sb-535-guidance-ws-BnRSOwZjVmBSO1R6.pdf](http://www.arb.ca.gov/lists/com-attach/155-sb-535-guidance-ws-BnRSOwZjVmBSO1R6.pdf)

Original File Name: rodeo.pdf

Date and Time Comment Was Submitted: 2014-10-15 13:53:56

No Duplicates.

**Comment 149 for Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) - 1st Workshop.**

First Name: Ralph

Last Name: Mize

Email Address: ombcomm@arb.ca.gov

Affiliation: City of San Jose

Subject: Comments on SB 535

Comment:

See attachment.

Attachment: [www.arb.ca.gov/lists/com-attach/156-sb-535-guidance-ws-BmVWOQF0WXMAaQlv.pdf](http://www.arb.ca.gov/lists/com-attach/156-sb-535-guidance-ws-BmVWOQF0WXMAaQlv.pdf)

Original File Name: cityofsanjose.pdf

Date and Time Comment Was Submitted: 2014-10-17 10:22:00

No Duplicates.

**There are no comments posted to Public Workshops on Investment of Cap-and-Trade Auction Proceeds to Benefit Disadvantaged Communities (sb-535-guidance-ws) that were presented during the Workshop at this time.**