



California Legislature

August 6, 2014

Secretary Matthew Rodriquez
California Environmental Protection Agency
1001 I Street
P.O. Box 2815
Sacramento, CA 95812-2815

Dear Secretary Rodriquez:

We are writing to express concerns about how CalEnviroScreen (CES) version 2.0 is being used to allocate state cap-and-trade revenue. Although we support the concept and appreciate the work being done to identify disadvantaged neighborhoods, CES 2.0 is currently based on formulas that we believe inadvertently excludes many urban communities.

As state legislators, we take seriously our charge to improve the quality of life of all state residents. We strongly support actions that simultaneously improve public health and environmental quality while mitigating climate change. However, as representatives of the Bay Area and its diverse communities, we are writing to tell you that CES 2.0 misses the mark.

In the Bay Area, many neighborhoods are fraught with negative public health effects from exposure to toxics and environmental degradation. These same residents experience high rent burdens, low rates of home ownership, and low levels of education. All of these factors, identified in SB 535, are present in neighborhoods in the Bay Area, but when CES is applied statewide, they are not recognized as being “disadvantaged.”

Consider that:

- The Bay Area is home to about 17% of Californians living in poverty;
- Approximately 19% of the Bay Area residents suffer from high rates of asthma and low birth weights;
- Levels of exposure to diesel particulate matter are higher in the Bay Area than any other region except the South Coast.

Yet according to CES 2.0, less than 3% of Bay Area residents live in disadvantaged communities.

In fact, CES 2.0 overlooks a large number of communities that, by any measure, are some of the most polluted and disadvantaged in the state. For example, the CES 2.0 formula counts agricultural pesticides but not urban pesticide usage. Additionally, the Bay Area’s high water quality doesn’t change the fact that our residents are exposed daily to industrial toxics (e.g., there are six superfund sites between Alameda and Contra Costa Counties and two dozen in Santa Clara County alone), vehicular air pollution, and socio-economic hardship, such as those identified in SB 535.

We would like to request that you direct staff to make common-sense corrections to CES 2.0 in order to reflect the realities of disadvantaged constituents around the state. Specifically, we request that:

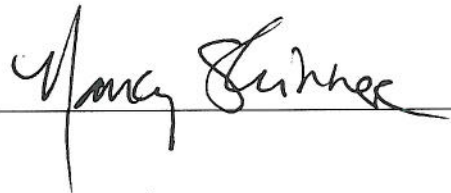
1. CES 2.0 not be applied for allocating funding until your staff has had the opportunity to correct flaws identified by our regional agencies that clearly bias the tool against many urban regions of the state.
2. Funds be initially apportioned on the basis of regional populations, who can then use more precise tools developed locally to delineate disadvantaged neighborhoods or overlay CES 2.0 within that region.
3. The public workshop you have just announced for Oakland on August 20th be held in September instead. Our constituents deserve more than two weeks notice, and more time to consider proposed solutions to problems identified in CES 2.0.

A tool that fails to fairly identify the disadvantaged communities we represent does a disservice to the promise of environmental justice, a promise that must be kept.

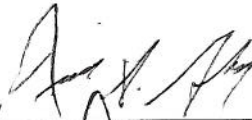
We look forward to hearing from you on proposed dates in September for workshops to discuss corrections to CES 2.0.

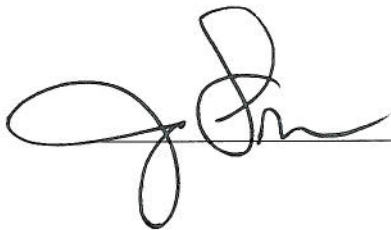
Sincerely,

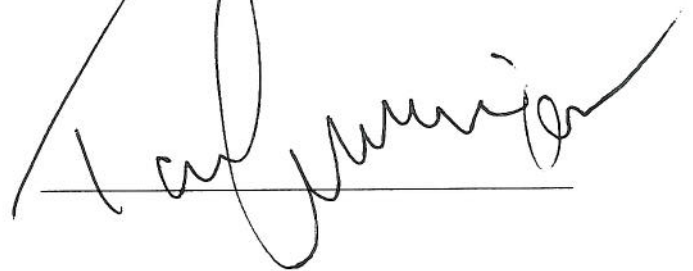




















Phil Bonta

Bill Zwick

Kevin Muller

Mark St

Lonnie Haukoja

Mark Jensen

Jerry Hill

Jim Beall

Glenn Corbett

Noreen Egan

cc:

Honorable Jerry Brown, Governor

Honorable Toni G. Atkins, Assembly Speaker

Honorable Darrell Steinberg, Senate President pro Tempore

Honorable Kevin de León, California State Senate President pro Tempore, Elect

Mary Nichols, ARB Chair