



September 15, 2014

Mary Nichols, Chair
California Air Resources Board

Matthew Rodriguez, Secretary
California Environmental Protection Agency

RE: SB535 Identification of Disadvantaged Communities – Support for Method 1 with a 25% Cut Off Point & Retaining Pesticides as a Key Indicator

Dear Chairwoman Nichols and Secretary Rodriguez,

We applaud the leadership of the California Air Resource Board (CARB) and the California Environmental Protection Agency (CalEPA) in drafting SB535 interim guidance. As a coalition of 185 public interest groups across the state, the Californians for Pesticide Reform (CPR) coalition fully supports the spirit of SB535 to direct Greenhouse Gas Reduction Fund (GGRF) resources to the state's most disadvantaged communities in a way that ensures economic and health benefits to these communities.

In order to best achieve that, CPR has two priority recommendations:

1. Use Method #1 (CalEnviroScreen) with a 25% cutoff point

We appreciate CalEPA's efforts outlining several potential methods for identifying disadvantaged communities for the purposes of GGRF investments. Our coalition supports Method #1 (CalEnviroScreen) as the strongest method to track cumulative effects and identify relative disadvantage among communities statewide, and as such, will best serve the intention of SB535. Of all of the five methods presented by CalEPA and the "sixth method" proposed by the Bay Area Air Quality Control District, Method #1 has already been through multiple rounds of input and feedback from disadvantaged communities (and other stakeholders) statewide, with methodology refined and revisions incorporated in the process. As such, it is the most fully vetted and most appropriate to use as a starting point. This does not preclude future refinement of the model as more stakeholders give input and more data become available.

CPR further supports a cutoff of the top 25% of census tracts for determining which areas qualify as "disadvantaged communities" under SB535. A somewhat generous 25% cutoff provides adequate inclusion of key rural areas throughout the state (including the San Joaquin Valley, Eastern Coachella Valley and Salinas Valley)—areas that are highly at risk from the impacts of pollution and are historically under funded. With fewer resources than many other parts of the state to access current and future services and programs (including those new ones to be catalyzed through the GGRF), it's important that SB535 programs and funding are channeled to the top 25% of census tracts.

2. Ensure that pesticides remain a key indicator in the model

We understand that the Bay Area Air Quality Control District was suggesting to “Supplement the Pesticide Use indicator with urban pesticide exposure data, or drop the Pesticide Use indicator altogether.” CPR absolutely supports adding non-agricultural (“urban”) pesticide use data to the Cal Enviroscreen methodology; however, the State of California doesn’t yet collect that data. Currently, only agricultural pesticide *use* (not exposure) data are included in the model, in part because these are the only data available on pesticide use. Given the significant health risks that agricultural pesticide use poses to farmworkers and other rural community members, it’s absolutely crucial that these data remain in the model.

We would support a program to expand pesticide use reporting in California in the future to include non-agricultural sources, and would subsequently support including these new data in CalEnviroscreen (this is a good example of ways that the model can be improved and refined over time). If and when California starts collecting data about non-agricultural pesticide use, CalEnviroscreen should include the data in its methodology with an analysis and ranking of the health risks posed by pesticide use statewide based on pesticide toxicity and method of application in addition to overall pounds of use. This refined approach of including toxicity and application method in the criteria is necessary to better identify the risks posed by certain uses (for example, an aerial application of a certain pesticide is much more likely to affect a greater number of people than the same pesticide applied by hand on someone’s front lawn).

CPR appreciates the opportunity to provide input on the SB535 interim guidelines. Please contact me on behalf of the coalition if you have any questions (tracey@pesticidereform.org, 510-788-9025 x6).

Sincerely,

A handwritten signature in black ink, appearing to read 'Tracey Brieger', with a stylized, sweeping flourish at the end.

Tracey Brieger
Co-director