

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

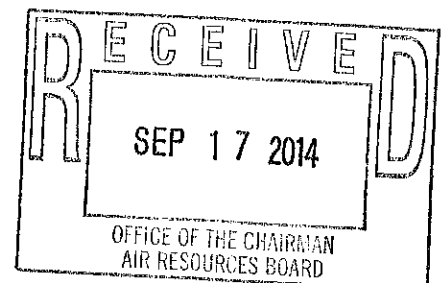
Dear Secretary Rodriquez and Chairman Nichols:

I am writing on behalf of Crockett-Rodeo United to Defend the Environment (CRUDE) 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).

CRUDE 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:

- 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, 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 Bay View/Hunter's Point community. 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 methods currently proposed by CalEPA to identify impacted communities, CRUDE, 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. CRUDE 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, CRUDE 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.

CRUDE 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

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

Sincerely,

