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February 15, 2017

Ms. Shelby Livingston  
Branch Chief  
Climate Investments Branch  
California Air Resources Board (ARB)  
1001 I Street  
Sacramento, California 95814

Via email to: [GGRFPProgram@arb.ca.gov](mailto:GGRFPProgram@arb.ca.gov)

Dr. John Faust  
Chief, Community Assessment & Research Section  
Office of Environmental Health Hazard Assessment (OEHHHA)  
California Environmental Protection Agency (CalEPA)  
1515 Clay Street, Suite 1600  
Oakland, CA 94612

Via email to: [john.faust@oehha.ca.gov](mailto:john.faust@oehha.ca.gov)

**RE: Comments on SB 535/AB1550 Draft Guidelines: Investments to Benefit Disadvantaged Communities, Low-Income Communities, and Low-Income Households**

Dear Ms. Livingston and Dr. Faust:

I am writing on behalf of the Transportation Agency for Monterey County (TAMC) to comment on the draft guidelines for 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, Statutes of 2012) and Assembly Bill (AB) 1550 (Gomez, Statutes of 2016).

TAMC is the Regional Transportation Planning Agency and Local Transportation Commission for Monterey County. The mission of TAMC is to develop and maintain a multimodal transportation system that enhances mobility, safety, access, environment quality and economic activities in Monterey County.

### **Recommended Improvements to CalEnviroScreen**

TAMC acknowledges the extensive public process that went into the most recent update to CalEnviroScreen 3.0, released January 2017. We understand and appreciate that the ARB, CalEPA and OEHHHA are committed to continuing to revise and improve the tool through an open and public process. However, the updated results from CalEnviroScreen in identifying disadvantaged communities persists in leaving out many areas of the State that by all measures should be considered “disadvantaged”, and raises Environmental Justice concerns.

The law requires that “CalEPA shall identify disadvantaged communities ‘based on geographic, socioeconomic, public health and environmental hazard criteria’”. Our Agency is concerned that the CalEnviroScreen strongly emphasizes environmental hazards over the other three categories. As a result, the application of this tool to the Affordable Housing and Sustainable Communities (AHSC) program will prioritize housing in environmentally undesirable locations, and encourages development in areas with higher than the average pollution loads, logically leading to even more pollution.

Our recommendations from the last CalEnviroScreen iteration still stand:

**Expand the Definition of the Poverty Metric:** CalEnviroScreen currently defines poverty as an area two times below the national poverty level. To be consistent with how other State-level agencies are defining poverty and disadvantaged communities in grant programs, the Department of Transportation’s Active Transportation Program should be used as a guide. The Active Transportation Program uses two additional metrics that should be incorporated into CalEnviroScreen:

- **Adjusted Median Income:** The median household income is less than 80% of the statewide median based on the most current census tract level data from the American Community Survey.
- **Free or Reduced Price School Lunches:** At least 75% of public school students in the project area are eligible to receive free or reduced price meals under the National School Lunch Program.

### **Approaches to Identifying Disadvantaged Communities**

The Air Resources Board and Office of Environmental Health Hazard Assessment have requested feedback on whether to determine “disadvantaged communities” by using census tracts with highest 20%, 25%, or 30% of CalEnviroScreen scores, which generally represent 20%, 25%, and 30% of California’s population.

- **Support for Top 30%:** The Transportation Agency supports using the top 30% to capture more disadvantaged community locations.

The Transportation Agency looks forward to continuing to collaborate and coordinate with you in the development of these guidelines. Please feel free to contact Christina Watson, Principal Transportation Planner, of my staff at (831) 775-0903 with any questions. Thank you very much for your time and consideration.

Sincerely,



*for* Debra L. Hale  
Executive Director