



February 1, 2013

Secretary Matthew Rodriguez  
 Secretary for Environmental Protection, Cal/EPA  
 Sacramento, CA 95814

Subject: Comments on January 2013 Draft Cal/EPA California Communities Environmental Health Screening Tool (CalEnviroScreen)

Dear Secretary Rodriguez,

The undersigned organizations respectfully submit the following comments on the January 2013 Cal/EPA and OEHHA draft California Communities Environmental Health Screening Tool (CalEnviroScreen). Many of the undersigned organizations have participated with Cal/EPA and OEHHA over the years as CalEnviroScreen has been developed. Additionally they have participated in workshops and meetings on the tool and also submitted comments in September 2010 and again in October 2012. Throughout the process, these business and industry organizations have expressed concern with the lack of scientific rigor of CalEnviroScreen -- the scientific indication that the final value derived for each community would clearly distinguish levels of cumulative impact. We find that the 2013 draft continues to have that lack of scientific rigor and in a number of ways may muddle the outcome even more than prior versions would have.

Although the tool now has a modified scoring methodology to rank communities relative to each other, we believe that instead of bringing clarity to the cumulative impact analysis, the methodology used to evaluate cumulative impact to communities instead muddies the distinction between health outcomes driven by socio-economic status and those caused by chemical pollution exposure. We continue to have concerns with the following:

- The multiplicative methodology that multiplies the population characteristics with the potential pollution burden dilutes and confuses the impact of pollution versus socio-economic status of communities.
- Modeling of data at the ZIP code level – Zip codes vary significantly in area size, in geographic condition (desert, mountain, coastal), in population (some are as small as a few hundred people and others are very big, in the hundreds of thousands), can include a wide variety of neighborhoods, with enormously different burdens and socio-economic factors that all will have a different health impact for the same exposure or ranking. Further, neighboring communities in different Zip codes may have the same environmental exposure, but for various reasons may be ranked differently further confusing the outcomes.
- Using percentile scores for indicators, rather than normalized actual values, leads to the perverse outcomes of the tool, and warps the relative importance of certain indicators.
- Up to triple counting of indicators – for example particulate matter and diesel particulate matter is also included by the use of PM2.5, traffic counts, and DPM in the indicator data. We also believe that there is double or triple counting in the population socio-economic indicator data– low birth weight, asthma emergency room visits, linguistic isolation, and educational attainment are all directly tied to poverty, yet each is its own factor. This triple counting is further exacerbated by the multiplicative methodology described above.

The above concerns, individually and collectively highlight the lack of scientific rigor still present in the tool. It is therefore imperative that CalEnviroScreen not be used for CEQA, permitting, regulatory decisions or land use planning. CEQA, permitting and regulatory actions must necessarily be site specific actions that CalEnviroScreen as a screening tool is not equipped to address. In addition, as Cal/EPA has acknowledged, the CEQA definition of "cumulative impact" and the definition used in developing CalEnviroScreen are very different. Yet Cal/EPA's guidance remains ambiguous and confusing on the potential applications of the tool. For these and other reasons, Cal/EPA must clearly explain that the CalEnviroScreen cannot be used for any part of the CEQA, permitting, regulatory processes, or land use at the state, regional or local level. Otherwise, Cal/EPA will create the perverse incentive to essentially “redline” communities – discouraging investment in the low socio-economic status communities that the tool is intended to help.

Further we encourage Cal/EPA to delete the multiplicative approach and simplify the methodology to keep the pollution burden separate from the socio-economic factors. Such an approach will better describe the impacts in a community and also give a better picture of what policies will help a community the most.

Although we have many concerns with CalEnviroScreen, it may be appropriate for state incentive programs such as for the SB 535 program.

Thank you for considering our comments.

Sincerely,

American Chemistry Council  
 American Council of Engineering Companies  
 American Forest & Paper Association  
 Antelope Valley Board of Trade  
 Bakersfield Chamber of Commerce  
 BIA of Fresno/Madera  
 California Building Industry Association  
 California Business Properties Association  
 California Chamber of Commerce  
 California Construction and Industrial Materials Association  
 California Cotton Ginners Association  
 California Cotton Growers Association  
 California Farm Bureau Federation  
 California Grape & Fruit Tree League  
 California League of Food Processors  
 California Manufacturers and Technology Association

California Metals Coalition  
California Trucking Association  
Chambers of Commerce Alliance Ventura and Santa Barbara Counties  
Chemical Industry Council of California  
Consumer Specialty Products Association  
Goleta Valley Chamber of Commerce  
Inland Empire Economic Partnership  
Kern County Taxpayers Association  
Long Beach Area Chamber of Commerce  
Los Angeles Area Chamber of Commerce  
Los Angeles County Business Federation (BizFed)  
Manufacturers Council of the Central Valley  
NAIOP, Commercial Real Estate Development Association, SoCal Chapter  
National Federation of Independent Businesses  
Orange County Business Council  
Oxnard Chamber of Commerce  
Stanislaus County Farm  
Thomas Properties Group  
Torrance Area Chamber of Commerce  
Trade, Transportation, and Infrastructure Coalition  
Tulare County Farm Bureau  
Ventura Chamber of Commerce  
West Los Angeles Chamber  
Western Agricultural Processors Association  
Western Growers  
Western Plant Health Association  
Western States Petroleum Association  
Western United Dairymen  
Wilmington Chamber of Commerce