



October 31, 2014

Ken Alex, Chair
Mike McCoy, Executive Director
Strategic Growth Council
1400 Tenth St.
Sacramento, CA 95814

Submitted electronically via SGC's electronic comment form

RE: Comments on DAC provisions of AHSC Draft Program Guidelines (released September 23, 2014)

Dear Chairman Alex and Director McCoy,

I am writing on behalf of Sierra Business Council (SBC), a non-profit network of 4,000 business, local governments and community partners working to foster vibrant, livable communities in the Sierra, and other conservation and resource professionals from the Sierra. We appreciate the chance to comment on the Disadvantaged Communities portion of the Draft Affordable Housing and Sustainable Communities program guidelines, released September 23, 2014.

Some of us have signed onto separate coalition letters outlining concerns and recommendations specific to the affordable housing and transportation components of the guidelines. In this letter, however, we limit our comments to the use of CalEnviroScreen as the tool for identifying Disadvantaged Communities (DAC) for purposes of SGC and other funding programs.

While we understand the need to focus resources on the state's most disadvantaged communities, we are concerned that some of the indicators used by the EPA's tool, CalEnviroScreen 2.0, skew against rural areas. For example, research by the Rural County Representatives of California shows that only three of the Sierra Nevada's 22 counties contain eligible census tracts – 54 eligible tracts total. In comparison, Los Angeles County, alone, contains 854 eligible tracts. Such a screening system fails to meet the intent of the underlying legislation to reduce emissions and improve conditions across the entire state.

Those of us representing rural interests have been admonished to “keep in mind the ‘spirit’ of the program and what AB 32 is trying to achieve” when we bring up such challenges. However, global warming impacts affect all parts of the state, posing a “serious threat to the economic well-being, public health, natural resources, and the environment of California” [§38501]. Disadvantaged rural communities will be paying into the Cap-and-Trade Greenhouse Gas Reduction Fund indirectly through higher prices for products that fall under the cap. They should not be unnecessarily handicapped in achieving benefit, as well. As a result, **we ask you to work with CalEPA and the Air Resources Board to amend the CalEnviroScreen 2.0 indicators to ensure that benefits accrue throughout the state, as intended under AB 32.**

To that end, we offer the following observations and suggestions, arranged by CalEnviroScreen scoring category, that we believe can more thoroughly address the letter and intent of the underlying laws.

Pollution Burden

- Regional airflow patterns, localized meteorological conditions and topographical features such as surrounding mountains can concentrate pollution at higher elevations and hinder dispersal. In the case of ozone, prevailing winds often transport emissions inland before high ozone concentrations are reached, increasing the impacts in rural mountain and foothill areas where the pollution collects. Rural areas also lack monitoring stations to track key air pollutants; therefore, relative impact – regardless of source – is impossible to determine and score fairly.
 - Recommendation: amend criteria to account for these geographic discrepancies; consider allowing submission of localized data to prove impact; fund the placement of sensors in rural areas to provide useful indicator data for future decision-making.

- Ozone and other air quality impacts occurring from wildfires are not taken into account in determining NAAQS non-attainment status, even though wildfires contribute massive amounts of dangerous emissions and affect air quality in rural mountain and foothill communities for much of the summer. Smoke from last year’s Rim Fire outside of Yosemite, for example, created more than 11 million metric tons of GHG emissions, the annual equivalent of tailpipe emissions from 2.3 million cars or the electricity production emissions for 1.5 million homes.
 - Recommendation: include wildfire emissions in attainment and other calculations for purposes of determining impact and funding eligibility.

Population Characteristics

- Certain indicators, such as low birth-weight births or asthma ER visits, are undercounted for rural areas. For example, advanced neo-natal care is not available in many rural areas, so rural residents will travel to urban areas for services. The incidents then get misrepresented as occurring in the area where the service was provided, or they go unreported altogether, as in the case of visits to a rural health clinic, rather than an ER, for asthma attacks.

- Recommendation: track such data by the residential address of the individual and not by the facility that provided the service.
- Poverty alone is certainly one characteristic; but there are other components that, in combination, better reflect relative degree of disadvantage across geographic areas.
 - Recommendation: include the concepts inherent in the definition of “economically distressed areas,” from Proposition 1 (the Water Quality, Supply, and Infrastructure Improvement Act of 2014) and other state programs, which look at financial hardship and low population density conditions in addition to straight median household income and unemployment rates.

Implementation

- To ensure that DAC program benefits are applied to the most in-need communities in all parts of the state, there should be some consideration for geographic distribution.
 - Recommendation: assign a portion of the DAC percentage allocations to rural areas.
- To ensure that eligible disadvantaged communities truly benefit from projects funded under this and other DAC funding sources, projects should be required to support community and local economic sustainability through expanded access to quality, living-wage jobs and workforce development opportunities, anti-displacement policies, and meaningful public participation and planning.
 - Recommendation: employ community workforce agreements to strengthen job quality standards and conditions and ensure that publicly funded projects recruit and hire local, disadvantaged workers; require projects to demonstrate how they will prevent, monitor and assess displacement; require stronger public participation elements in the project planning and design stages.



In conclusion, we appreciate the state's efforts to support disadvantaged communities in California. To better represent the range of variables affecting relative advantage or disadvantage, we hope you will work to change the EnviroScreen scoring criteria so that GHG reductions and DAC benefits apply more equitably throughout the state.

Sincerely,

Kerri Timmer
Government Affairs Director

This letter is presented with concurrence from additional Sierra conservation and resource professionals, including:

Jeff Darlington, Executive Director
Placer Land Trust

Soapy Mulholland, Executive Director
Sequoia Riverlands Trust

Gavin Feiger, Acting Executive Director
Sierra Nevada Alliance

Cc: Jeff Darlington, Placer Land Trust
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