



September 15, 2014

Mr. Matthew Rodriguez
Secretary, California Environmental Protection Agency
1001 I Street
P.O. Box 2815
Sacramento, CA 95812-2815

Ms. Mary Nichols
Chairman, California Air Resources Board
1001 I Street
P.O. Box 2815
Sacramento, CA 95812

RE: CalEPA Identification of Disadvantaged Communities and ARB Interim Guidance

Dear Secretary Rodriguez and Chairman Nichols,

The Alameda County Transportation Commission (Alameda CTC) respectfully offers the following comments on the identification of disadvantaged communities (DACs) proposed by the California Environmental Protection Agency (CalEPA) pursuant to Health & Safety (H&S) Code 39711 and the Interim Guidance proposed by the Air Resources Board (ARB) for state agencies administering Greenhouse Gas Reduction Fund monies pursuant to H&S Code 39715.

Alameda CTC is the local transportation sales tax authority and congestion management agency for Alameda County. ACTC represents 1.5 million people in 14 incorporated cities and 6 unincorporated communities. Last year, it was the fastest growing county in the state, serving as a major gateway and central transportation hub for rail, air, sea, and highway and transit transportation. Alameda CTC is deeply invested in achieving regional and state goals related to greenhouse gas emissions reduction and offering transportation and housing choices that are affordable and effective for disadvantaged communities. These commitments are evidenced by Alameda CTC's supportive participation in regional planning through Plan Bay Area (including nominating and having more Priority Development Areas [44 total] than any other county in the region) and its development and championing of a cutting-edge 30-year Transportation Expenditure Plan which includes substantial investments in affordable transit for youth and seniors, community development around transit hubs, complete streets, and other strategies critical to implementing SB 375.

Alameda CTC views the state cap-and-trade program as a critical policy tool to advance state and regional planning goals related to environmental protection and equity; however, the cap-and-trade program's long-term success depends greatly on selecting an initial program of projects that both

achieve cost-effective reductions in GHGs and are publically perceived to meet legislatively mandated equity goals for the program. Therefore, Alameda CTC offers the following comments to support positive program outcomes.

Identification of Disadvantaged Communities (DACs): Alameda CTC is concerned that the proposed use of CalEPA's CalEnviroScreen 20. (CES) Method 1 to define DACs inadvertently excludes many communities in the Bay Area most in need of improved transportation options and affordable housing. The DAC identification for the Bay Area does not align with equity and air pollution exposure spatial analysis performed by regional agencies, nor does it align with local on-the-ground knowledge of where communities suffering economic and environmental hardship in the Bay Area reside. In Alameda County, the exclusion of parts of West Oakland and East Oakland is particularly troubling, particularly given that these communities have some of the lowest income levels in the region and West Oakland is located near the Port of Oakland. Alameda CTC urges CalEPA to consider common-sense modifications to the CalEnviroScreen criteria and computation methodologies such as including variables that account for differences in cost-of-living and home ownership rates across the state (e.g. rent burden as a factor); addressing environmental exposure variables that cannot be measured evenly across the state (e.g. pesticides, for which urban applications are not currently considered in CES); and using a more inclusive threshold for defining DAC (e.g. top 30% of CES scores) to avoid screening out Census Tracts that are legitimately disadvantaged but lie on the cusp of measurement. The proposed Method 6 for applying CES from the Bay Area Air Quality Management District (BAAQMD) is an example of an application that includes such modifications.

Comments on ARB's Interim Guidance: Alameda CTC urges that ARB adopt a more flexible approach to the definition of "provides benefit to" a disadvantaged community for transportation projects. Fundamental to transportation projects is that the users of a transportation investment may not necessarily reside in close proximity to the transportation system they use. This fact is particularly true in a region such as the San Francisco Bay Area where many workers may travel through multiple counties using multiple transit systems and transportation facilities to get to their jobs. For example, 27% of the entire Bay Area region's commutes are through Alameda County and Alameda County has one of the highest numbers of jobs in the region. Numerous low-income workers in the Bay Area face long commutes from outer parts of the region to more centrally located job centers and stand to benefit greatly from improved access to clean, reliable, modern transit, even if these improvements are along the corridor in which they commute or on the destination end where they work, not necessarily in the disadvantaged community in which they reside. In addition, commuters who travel long distances to work can benefit from improved transportation connectivity within Alameda County and neighboring counties. Further, Alameda CTC urges that ARB make several modifications to the draft criteria for Low Carbon Transit Projects similar to those being proposed by the Bay Area Joint Policy Committee in their letter to you.

Finally, regarding the Affordable Housing and Sustainable Communities Projects criteria, Alameda CTC urges ARB to make several modifications to clarify how transportation projects will be evaluated within this category, to ensure all tools to improve regional housing affordability are supported and to maximize the creation of mixed-income communities. The Bay Area is one of the largest economies in the nation and world, and effective transportation is the cornerstone for supporting a strong economy.

Thank you for the opportunity to comment on the identification of DACs and the Interim Guidance. Please contact Tess Lengyel, Deputy Director of Planning and Policy at (510) 208-7428 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Scott Haggerty". The signature is written in a cursive style with a large, stylized "S" and "H".

Scott Haggerty
Chair, Alameda County Transportation Commission

cc:

Alameda County Transportation Commission

Bay Area Congestion Management Agencies

Steve Heminger, MTC

Ezra Rapport, ABAG

Jack Broadbent, BAAQMD

Larry Goldzband, BCDC