



Aug. 14, 2026

CalEPA and OEHHA
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Sacramento, CA 95814
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Submitted via Email

RE: Preliminary 2026 Designation of Disadvantaged Communities

Dear California Environmental Protection Agency (CalEPA) and Office of Environmental Health Hazard Assessment (OEHHA),

The Center on Race, Poverty & the Environment (CRPE) submits these comments for the consideration of CalEPA's Disadvantaged Communities (DAC) Designation 2026. CRPE is a community-based organization working alongside environmental justice communities in the San Joaquin Valley, specifically Kern and south Tulare Counties. Our communities have historically been divested in and lack resources, all while bearing the brunt of environmental injustice. As a result, our communities lack investment opportunities, face the worst air quality in the nation, experience increased exposure to hazardous waste and harmful toxins, and more.

The DAC Designation is, therefore, critical for our communities because official designation makes them eligible to benefit from funding from the Greenhouse Gas Reduction Fund through the state's Cap-and-Invest Program. This funding supports programs and initiatives that address public health issues, reduce local pollution, and expand economic opportunity.

We actively engaged with the Office of Environmental Hazard Assessment (OEHHA) on the development of the CalEnviroScreen 5.0 Update and provided feedback based on gaps in how the previous version presented the pollution burdens experienced by the communities we partner with. We appreciate the opportunities to learn about the DAC designation through these public engagement efforts, as well as the opportunity to provide a comment on the DAC Designation. Our commitment to a strong and accurate DAC Designation compels us to raise specific concerns about how the Designation may exclude vulnerable populations in Kern County.

After reviewing the designation, we have identified that several communities are left out of the DAC Designation despite their proximity to and location within overburdened areas, particularly in Kern County. We are not proposing blanket recommendations, as many other communities throughout the state are left out of the updated designation, including in the Bay Area and Los Angeles. We are also

aware, as explained in prior workshops and meetings, that increasing the DAC Designation could open the door for communities that are not otherwise disadvantaged to be counted under this designation. As such, all these recommendations must be carefully considered, and more time and effort should be devoted to ensuring that the communities eligible for Cap-and-Invest funding are properly included.

1. More Data is Needed to Provide Recommendations

We appreciate the opportunity to discuss these changes with CalEPA and OEHHA, but the public needs additional information to provide more specific comments on the updated Designation. Currently, the 2026 Designation is reserved for the following census tracts:

1. Census tracts with the highest 25 percent of CalEnviroScreen 5.0 overall scores.
2. Census tracts with the highest 5 percent of CalEnviroScreen 5.0 pollution burden scores.
3. Census tracts that overlap at least 25 percent with a 2022 DAC-designated census tract based on CalEnviroScreen 4.0.
4. Lands under the control of federally recognized tribes, with updated tribal boundaries data.

Throughout these discussions, CRPE and other allied organizations were asked to provide input on these indicators, and we were asked whether the following were appropriate to further address the issue of missing census tracts:

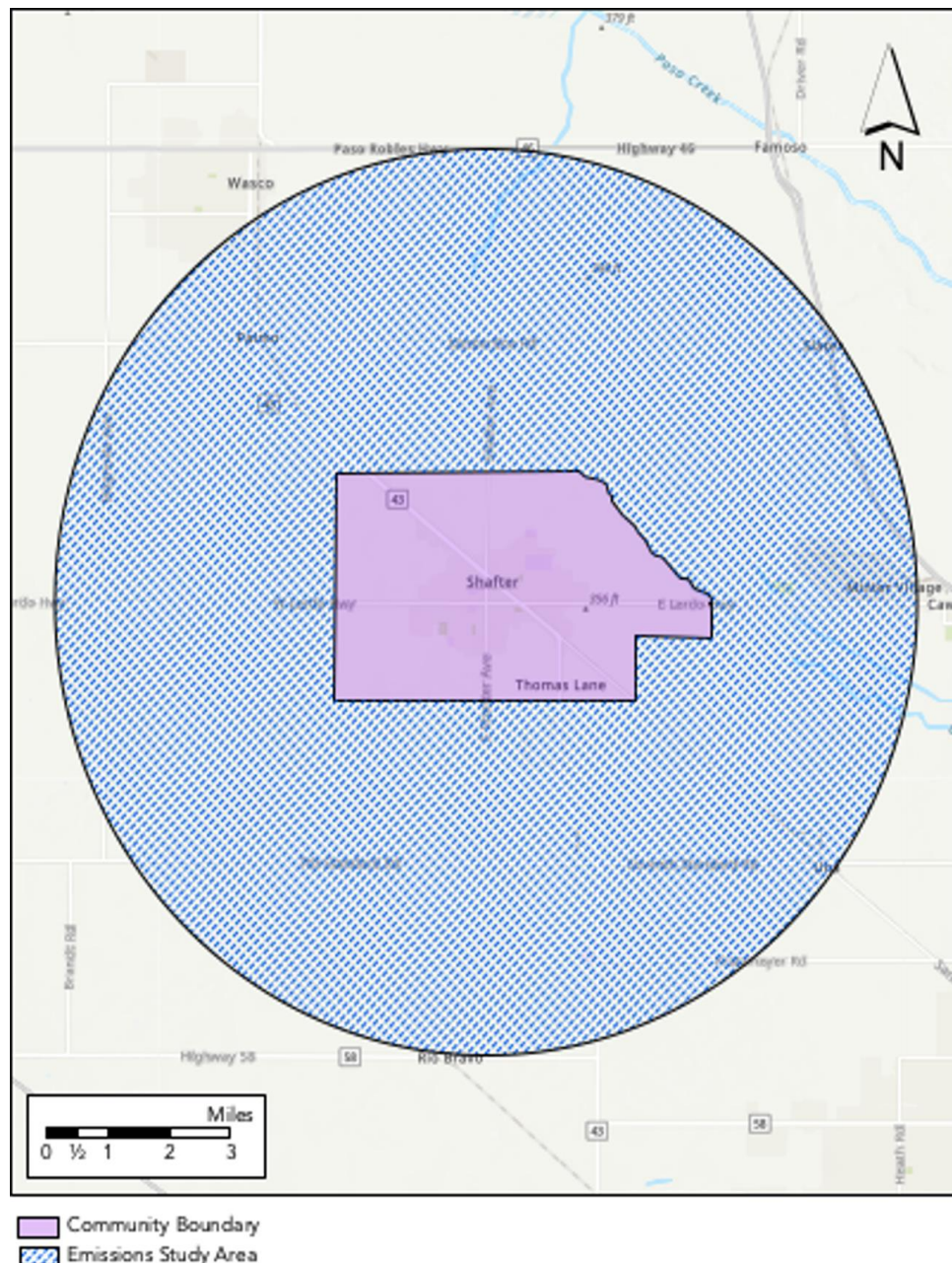
1. Allow the top 10% of CES 5.0 overall scores regionally, including the Southern California Region, Central Valley, Bay Area, and other areas.
2. Widening the CalEnviroScreen 5.0 overall score threshold from 25% to 35%
3. “Carrying over” CES 3.0 DACs along with 4.0

However, we were not provided with enough information on how these potential changes would affect the DAC designation, aside from option 3, which is to carry over CES 3.0 DACs. It is challenging to provide adequate feedback without knowing whether these changes will allow CES 5.0 to better reflect the lived experience of rural communities in Kern County. We therefore ask CalEPA and OEHHA to provide further opportunities for feedback on the different options during workshops so that the public can analyze these options. We recognize that this effort is not one size fits all, given the nature and limitations of using census tracts, but more data is needed to provide valuable feedback on each of these options.

2. Include Census Tracts Within a CERP or L-CERP Boundary in the 2026 DAC Designation

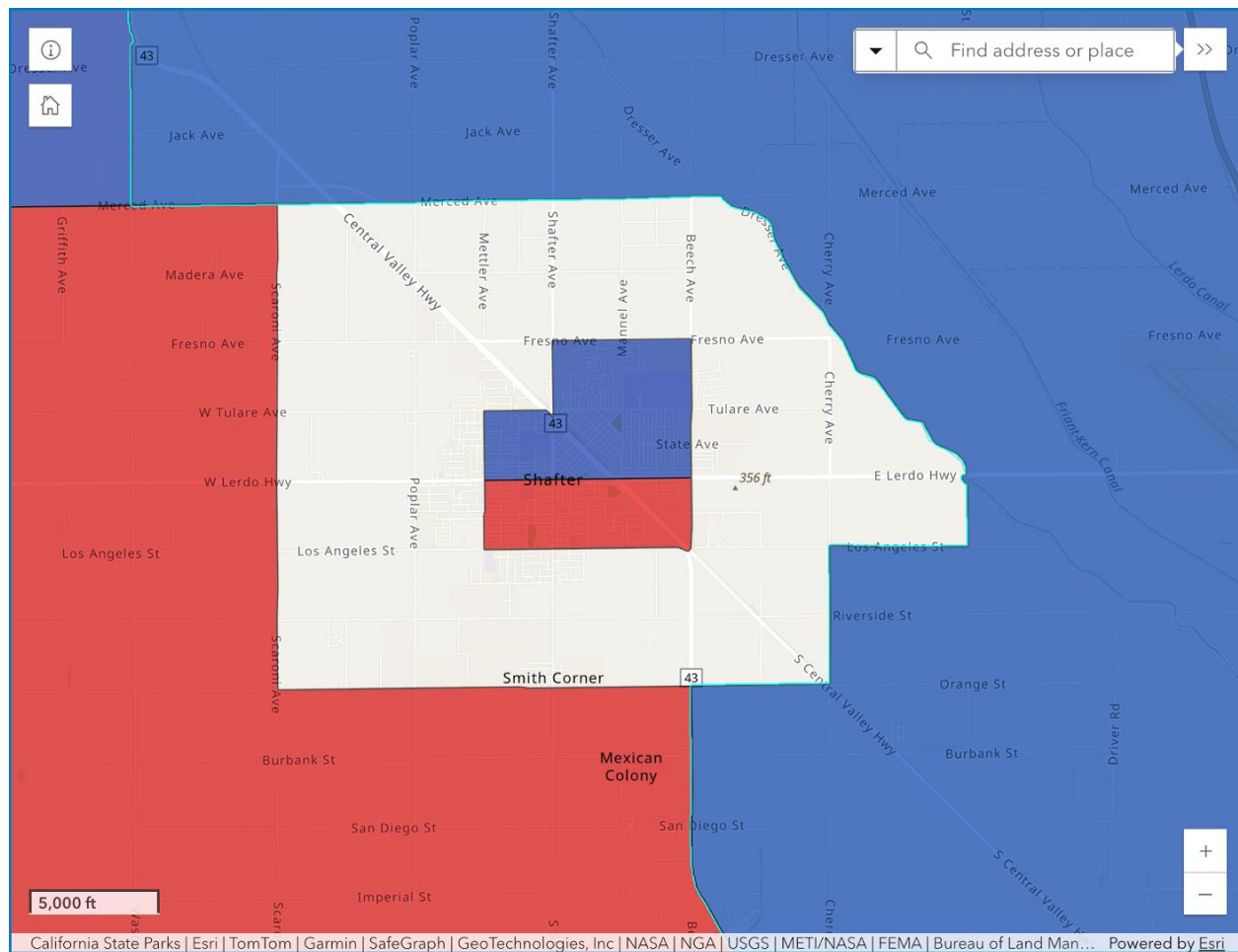
The California Air Resources Board established the Community Air Protection Program pursuant to AB 617 to reduce air pollution in overburdened communities. Shafter was one of the first communities selected to develop a Community Emission Reduction Program (CERP) in 2018.

Communities in the Shafter area are affected by agricultural, oil, and gas, and industrial activities resulting in high overall exposure to air pollution, as reflected in the Community Emission Sources Map generated by the Air District.¹ The area also experiences heavy traffic from truck routes and rail operations. The communities are also home to two toxic cleanup sites overseen by DTSC and the Federal EPA, respectively, and have multiple sensitive receptors. As a result of the proximity to these pollution sources, residents in the area also suffer from drinking water contamination. The map below shows the Shafter AB 617 boundary in purple:



¹ SJVAPCD Community Emission Sources Map, <https://sjvapcd.maps.arcgis.com/apps/webappviewer3d/index.html?id=ce2faca8d98544f8bff2628f7d2aa8a3>

Despite Shafter's designation as an AB 617 community, only certain census tracts in Shafter qualify as a DAC with CalEPA's 2026 update:



Many sensitive receptors and households are not included, including residences near Smith Corner, Poplar Avenue, and residences between Fresno and Tulare Avenues. This is despite their proximity to oil and gas wells, industrial facilities such as cotton gins, and the BNSF freight railway, as reflected in the Emission Sources map. Importantly, this includes an elementary school (Sequoia Elementary) and an adjacent community garden on Fresno Avenue that is almost encircled by fields and active and idle oil and gas wells.

We, therefore, recommend that the DAC Designation be extended to communities selected to develop either a CERP, a Local Community Emission Reduction Plan (L-CERP), as well as Consistently Nominated AB 617 Communities.²

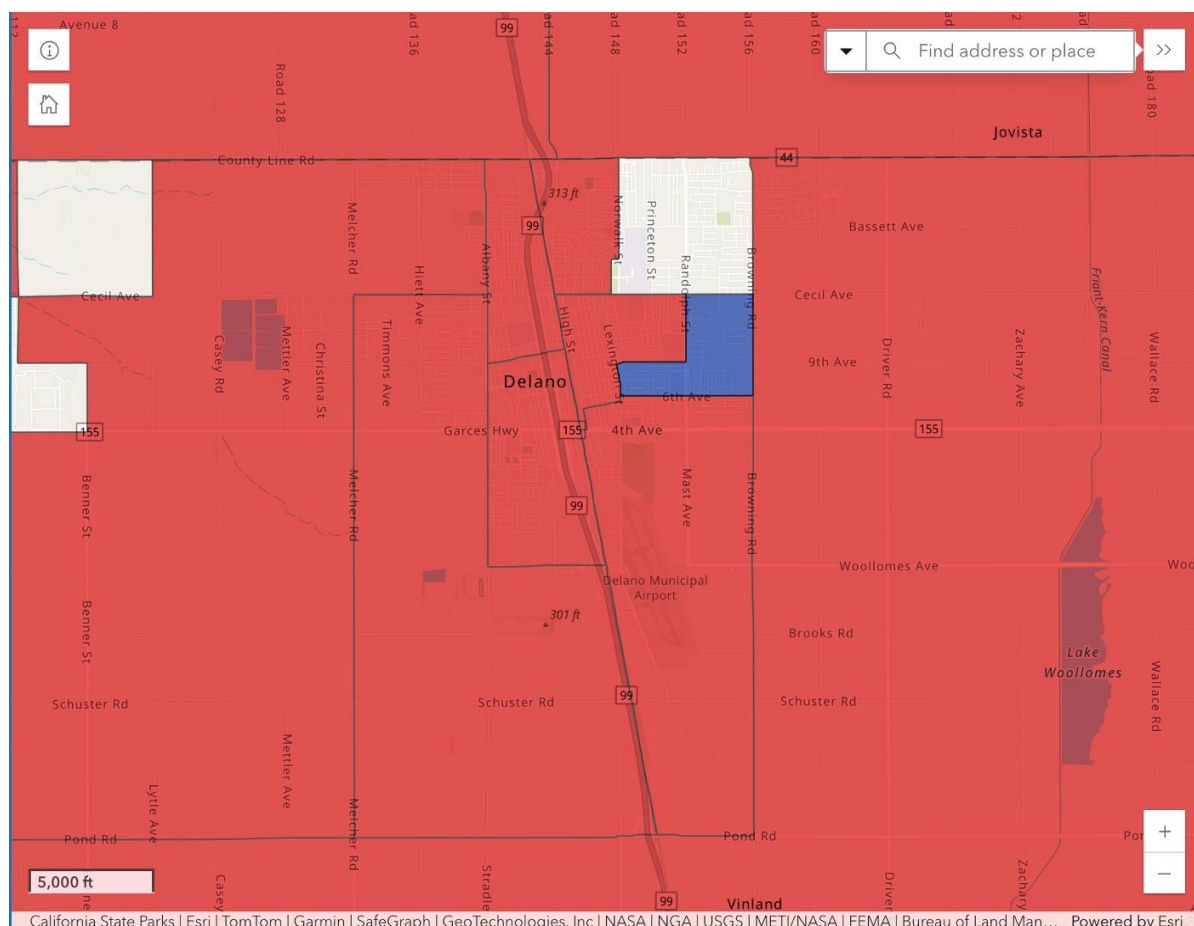
² See Consistently Nominated Communities, California Air Resources Board, https://ww2.arb.ca.gov/sites/default/files/2023-10/2023%2008%20Consistently%20Nominated%20Communities_10.16.2023.pdf

This approach may not capture all overburdened communities, such as disadvantaged unincorporated areas that are underreported or omitted from census tracts, and more information and data is needed to determine whether this will encompass missing tracts. Nevertheless, it could help identify some missing tracts in the tool until a more comprehensive solution is developed, and we recommend that CalEPA and OEHHA provide the data to visualize whether this is a viable solution for public review and evaluation.

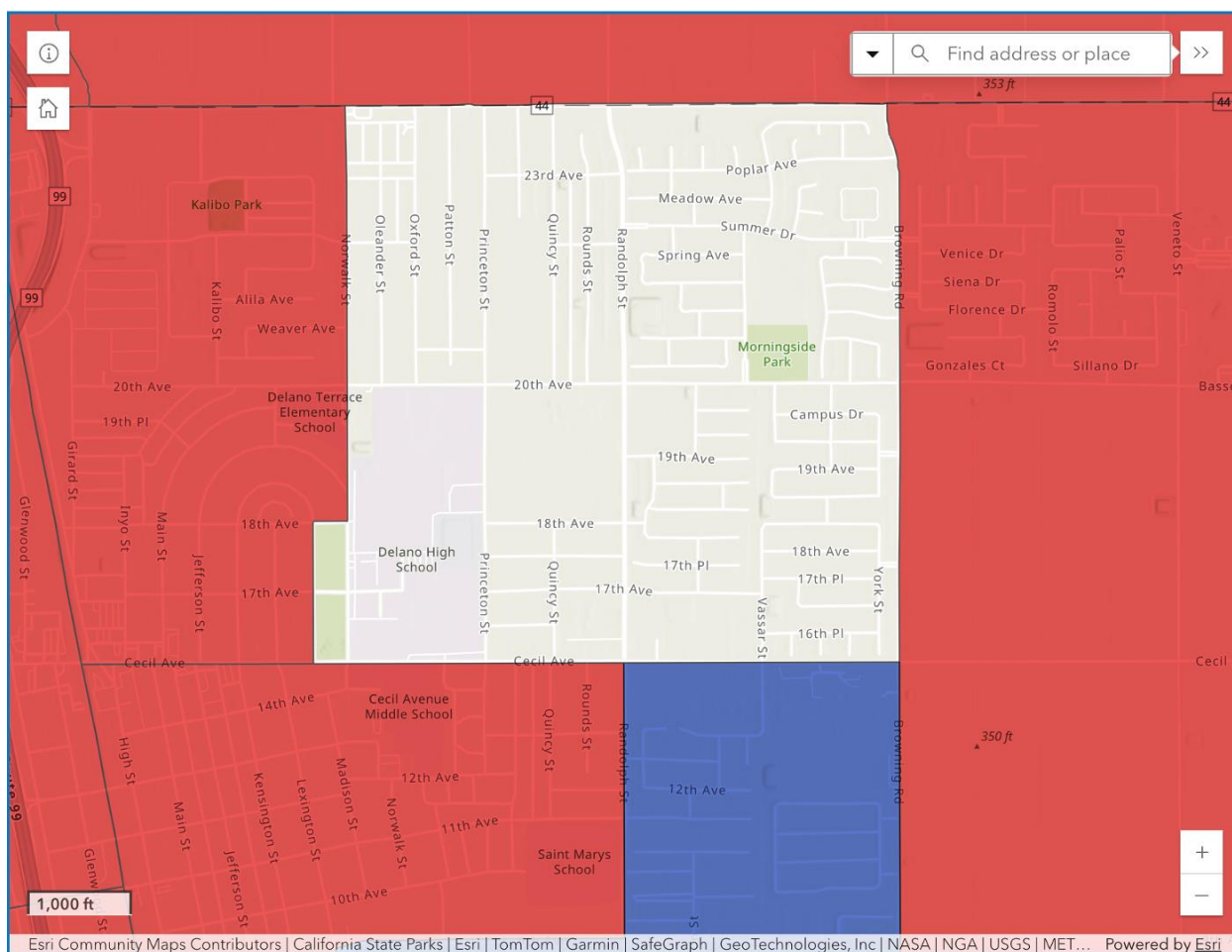
3. Establish DAC Buffer Zones Near Sensitive Receptor Locations

Sensitive receptors are children, the elderly, people with asthma, and persons at heightened risk of negative health outcomes due to exposure to air pollution. Sensitive Receptor locations include hospitals, schools, and day care centers, and other locations according to CARB.

We recommend exploring the possibility of including sensitive receptor location buffer zones as a potential indicator for census tracts surrounded by DACs that are not designated. For example, the City of Delano in Kern County is not fully represented as a DAC under the 2026 Designation.



Delano is in one of the most polluted air basins in the country, and Delano residents experience cumulative adverse impacts from numerous sources of pollution, including air toxins from industrial agriculture (fields and orchards, packing houses, and dairies), as well as contamination from the Delano Plume toxic clean up site. Delano has experienced expanded warehousing and industrial growth and is therefore burdened by impacts from increased rail and heavy-duty truck traffic, diminished air quality, and impacts on water supply and quality. While a majority of the City is covered by the 2026 designation, the entire community is not fully represented, despite the half-mile buffer zone and despite the existence of sensitive receptors, such as Delano High School, in the non-designated area:



We therefore recommend that CalEPA and OEHHA identify sensitive receptors in non-designated census tracts, particularly in tracts located very close to or surrounded by designated tracts. As explained above, we do not have sufficient information to determine whether this will result in designations that reflect the lived experience of overburdened communities. We therefore recommend that CalEPA and OEHHA provide more data to determine whether this is a viable solution that the public can review and properly evaluate.

We appreciate the opportunity to provide these comments and look forward to continuing to work with CalEPA and OEHHA on the DAC designation and CalEnviroScreen 5.0. We hope that through our collective efforts, we can ensure that the DAC designations can more accurately represent overburdened communities, who are in urgent need of the resources necessary to address historical injustices and barriers to a healthy environment. We would also like to uplift comments submitted by Leadership Counsel for Justice and Accountability and the California Environmental Justice Alliance.

Sincerely,

Grecia Orozco
Staff Attorney