



Acterra

**ACTION FOR A
HEALTHY PLANET**

Comments on California Environmental Protection Agency's Office of Environmental Health Hazard Assessment 2026 Disadvantaged Communities Designation

These have been especially hard times for California disadvantaged communities in the Bay Area. The California Air Resources Board (CARB) proposes to cut "Cap-and Invest" proceeds in half through giving away billions of dollars in credits to polluters. The primary tool used to identify disadvantaged communities (DACs), CalEnviroScreen (CES), long criticized for under-representing Bay Area communities, created additional problems with its recently adopted 5.0 version. And now the 2026 DAC designation compounds these stark regional inequities.

The daily pressures of high-cost urban areas, high rents, housing instability and the risks of displacement, are not accounted for in CES. According to the Metropolitan Transportation Commission, Less than 28% of Plan Bay Area's 441 Equity Priority Communities are represented. Just 122 of the 2,258 DAC census tracts (5.4%) are in the Bay Area's nine counties; CES designates less than seven percent of Bay Area tracts as DACs versus twenty nine percent of the rest of California.

Justice may be blind, but environmental justice needs clear vision. Acterra believes that there is much to be done to address the damage to Bay Area communities as they continue to lose out over shifting methodologies and volatile scoring despite exhibiting clear need. Researchers have noted the high degree of variance at the 25% DAC cutoff, with even small changes producing wide swings within the model's ranking of funding designations. California already has a lottery, investing in marginalized communities should not be a game of chance. The legislative Bay Area Caucus noted that CSE and the DAC designation have "incredibly consequential implications to the delivery of program services and funding to frontline communities" and asked for a delay finalizing the draft.

RECOMMENDATIONS

- *Expand the threshold to 35% from 25%*
- *Add a half mile buffer around DAC*
- *Include the top 25% population and pollution burdened tracts*
- *Carry over legacy CES 3.0 tracts*
- *Move from Census Tracts to Census Blocks*
- *Expand the Advisory Process*
- *Institutionalize Field Work*
- *Utilize multiple Models*
- *Reform the Indicators*



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Acterra supports Brightline Defense's recommendations of expanding the score threshold to 35% from 25% to capture algorithmically excluded urban communities, adding a half-mile buffer around DACs to prevent block-by-block inequities, including the top 25% population and pollution burdened tracts to ensure low-income pockets are priorities and carrying over legacy CES 3.0 qualifying DACs to ensure continuity of coverage.

In addition, Acterra believes greater granularity should be explored. The move from zip codes to census tracts was a big advance. Investigating a move from census tracts to census blocks could better pinpoint wealth disparities. Expanding OEHHHA's advisory process, both with more active community-based organizations as well as data scientists and domain experts, would benefit the revision process, as would institutionalizing field assessments in communities around the state. Lastly, using multiple models would offset demonstrated data sensitivity and include more relevant indicators to the Bay Area like relative poverty, sea level and groundwater rise.