

Bayview Hunters Point/Southeast San Francisco AB 617 Community Steering Committee

August 14, 2026

California Environmental Protection Agency
Attn: Disadvantaged Communities Designation (DAC 2026)
Yana Garcia, Secretary for Environmental Protection
1001 I St.
Sacramento, California 95814
Submitted via email to DACInquiries@calepa.ca.gov

**Re: Public Comment on the Preliminary 2026 SB 535 Disadvantaged Communities Designation:
Hunters Point Naval Shipyard Superfund Site**

Dear Secretary Garcia and CalEPA Staff:

The Bayview Hunters Point/Southeast San Francisco (BVHP/SESF) AB 617 Community Emissions Reduction Plan (CERP) Community Steering Committee (CSC) submits these comments on the Preliminary 2026 Designation of Disadvantaged Communities pursuant to SB 535. We appreciate that CalEPA's Category 3 carry-over provision (extending DAC status to census tracts with at least 25 percent geographic overlap with a 2022 DAC-designated tract) has, for this cycle, preserved DAC status for several Bayview Hunters Point tracts whose CalEnviroScreen (CES) 5.0 scores dropped sharply relative to CES 4.0. We raised the underlying CES 5.0 methodological concerns driving those score drops in our April 1, 2026 comment letter to OEHHA on the draft tool, which we understand CalEPA has on file and to which we refer throughout this letter.

This letter focuses on a single, specific, and in our view urgent structural gap: Census Tract 06075980600, the Hunters Point Shipyard, currently retains DAC status in the 2026 preliminary designation only because of the one-time Category 3 carry-over, not because it independently qualifies under Category 1 (top 25 percent overall score) or Category 2 (top 5 percent pollution burden for unscored tracts). We are asking CalEPA to establish a durable, standing basis for this tract's DAC status that does not depend on a transition-specific carry-over provision that may not exist in future designation cycles.

Because census tract boundaries have already changed once between CalEnviroScreen 4.0 and 5.0, and may change again in future versions, our request throughout this letter is meant to attach to the Hunters Point Naval Shipyard Superfund site itself (identified today as Census Tract 06075980600) rather than to that tract number alone, so that it continues to apply to whatever tract or tracts contain or substantially overlap the site under any future census geography.

1. Tract 06075980600's DAC status currently rests entirely on a one-time bridging mechanism, not on a lasting recognition of the site's condition

Under CES 5.0, Census Tract 06075980600 no longer scores in the top 25 percent overall or the top 5 percent pollution burden statewide. Its DAC status in this preliminary designation is preserved solely by Category 3, which CalEPA describes in the Preliminary 2026 Designation document as a response to the specific geographic discontinuity created by the shift from 2010 to 2020 census tract boundaries between CES 4.0 and CES 5.0. This is the same approach CalEPA used in 2022 to carry over tracts designated in 2017. Nothing in the designation document commits CalEPA to repeating this carry-over mechanism in future cycles, nor should a community have to rely on a bridging provision, cycle after cycle, to retain recognition of a hazard that has not gone away.

Absent an organic top-25-percent score and absent a guaranteed future carry-over, Tract 06075980600 could lose DAC designation entirely in a subsequent cycle even though the underlying condition that should qualify it, an active federal Superfund site, will still be there.

2. CalEnviroScreen correctly registers this tract's Superfund hazard in one indicator, but that signal does not survive the tool's averaging and population weighting

Census Tract 06075980600 includes the Hunters Point Naval Shipyard, listed on the U.S. EPA's National Priorities List (Superfund) since 1989 and still undergoing active remediation, including well-documented radiological contamination concerns and data-integrity failures in prior soil testing that required extensive re-investigation. Substantial portions of the tract remain uninhabited or subject to federal access restrictions precisely because of that contamination.

CalEnviroScreen's own published data confirm the hazard is real and severe: this tract scores at the 98.66th percentile on the Cleanup Sites indicator, which incorporates federal Superfund status at the top of its weighting scale, and at the 97.6th percentile on Hazardous Waste Generators and Facilities. But Pollution Burden is calculated as an average across roughly a dozen environmental indicators, and this tract's overall Pollution Burden percentile is only 35.4, well below what those two scores alone would suggest. Several of the indicators averaged alongside Cleanup Sites and Hazardous Waste are built to measure current, ongoing activity: vehicle traffic, ambient monitoring coverage, and facility self-reporting to state databases. In a tract where large areas are closed to the public and have no permitted current-day activity precisely because of contamination, indicators built around current activity will tend to read as low, not because the underlying hazard is absent, but because the access restrictions that hazard necessitated suppress the very activity those indicators are designed to detect. This tract's Small Air Toxic Sites score, for example, is only 2.0 percentile in the final data, a striking contrast to its 98.66th percentile Cleanup Sites score and its well-documented Superfund status. Whatever the precise cause, a near-zero score on an indicator built to count current, reportable, small-scale emission sources is exactly what we would expect from a site where large areas are closed to the public and host no permitted current-day activity, regardless of the underlying contamination. We ask CalEPA to treat this as one example of a broader pattern worth examining: whether indicators built around current, reportable activity can meaningfully describe a site whose defining characteristic is restricted public access.

The Population Characteristics side of the score presents a related problem, and here we do not need to speculate, because OEHHA has already said so directly. OEHHA's own Response to Comments on the CalEnviroScreen 5.0 draft, addressing this tract by name, states that its population “has doubled since version 4.0, even though there was not a shift in the census tract geographical boundary,” and that “it is likely that decreasing Population Characteristics scores are due to wealthier and less socioeconomically vulnerable residents having moved into newly built housing units in the tract.” OEHHA further acknowledged that “gentrification of the area does not mean that longer-term residents of the community have seen improvements in their daily environment,” and that “CalEnviroScreen does not account for highly localized changes.” OEHHA has therefore already found, in its own review of this specific tract, that the demographic data driving Population Characteristics increasingly reflects new residents rather than the long-term community that has borne the site's historical exposure.

A federal Superfund site can be correctly flagged at the top of the scale on the one indicator built to detect it, and still be scored to only the 42nd percentile overall, short of the 75th-percentile DAC threshold, because that signal must pass through an averaging step diluted by activity-based indicators and a multiplication step diluted by a population that OEHHA itself recognizes is not representative of who the site has actually harmed. A hazard severe enough to justify federal Superfund listing and sustained access restriction should not depend on surviving both of those dilution steps intact in order to receive disadvantaged-community recognition.

3. We are not asking CalEPA to treat any single indicator as a stand-in for the overall score

We recognize that CalEnviroScreen's Cleanup Sites indicator already incorporates federal Superfund status, at the top of its weighting scale, and that it does so correctly for this tract. Our request is not that CalEPA give this tract credit it does not already receive on that indicator, and it is not a request to substitute or elevate any single CalEnviroScreen indicator, including Cleanup Sites, in place of the overall score. In the 2022 Final Designation of Disadvantaged Communities, CalEPA rejected requests to designate tracts as DACs based on high scores on a single indicator or a handful of indicators, explaining that doing so would “deemphasize the cumulative nature of impacts” that CalEnviroScreen is designed to capture. We are not renewing that request.

What we are asking CalEPA to recognize is narrower, and consistent with that same 2022 reasoning: that for this specific tract, the cumulative-impacts calculation itself is compromised by the two dilution effects described above, both of which trace directly back to the tract's Superfund status and are not resolved by adjusting or reweighting any single indicator. This is the same type of categorical basis for designation that CalEPA has already accepted once, for lands under the control of federally recognized Tribes. CalEPA designated those lands as DACs not because of their CalEnviroScreen scores, but because, in CalEPA's own words, “the most reasonable way to approach data gaps for specific CalEnviroScreen indicators for tribal lands is to designate lands under the control of federally recognized Tribes as DACs,” a data gap rooted in tribes' status as sovereign governments not required to report the underlying data to the state. We ask CalEPA to apply the same categorical logic here: this tract's Superfund status creates a comparable structural gap between what CalEnviroScreen's methodology can measure and what the site's actual, federally documented hazard requires.

4. Requested action

We respectfully request that CalEPA establish a standing designation basis (distinct from Categories 1 and 2, and not contingent on a future version-transition carry-over like Category 3) under which the census tract or tracts comprising the Hunters Point Naval Shipyard Superfund site retain DAC status for as long as the site remains, in whole or substantial part, a federally listed Superfund site subject to EPA-documented remediation and access restrictions, regardless of its computed CalEnviroScreen score in this or any future version of the tool. Census Tract 06075980600 is the current identifier for this site; this request is meant to attach to whatever tract or tracts contain or substantially overlap the site under any future census geography.

In the alternative, and at minimum, we request written confirmation from CalEPA of how DAC status for the Hunters Point Naval Shipyard Superfund site (currently Census Tract 06075980600, and any successor tract or tracts resulting from future census geography changes) would be protected in any designation cycle after 2026 in the event it does not independently qualify under Category 1 or 2 and no equivalent carry-over provision is available.

5. Continuing concerns about neighboring BVHP tracts

We also note that two other Bayview Hunters Point tracts, Central Bayview (Census Tract 06075061200) and Silver Terrace (Census Tract 06075023003), likewise depend on the Category 3 carry-over to retain DAC status in this preliminary designation, having also lost their organic qualification under CES 5.0. More broadly, the methodological concerns we raised in our April 1, 2026 letter regarding DPM modeling, hazardous waste scoring, and unemployment data volatility are not confined to these three tracts. Score reductions from CES 4.0 to CES 5.0 are evident across Bayview Hunters Point census tracts generally, including tracts that retained DAC status but nonetheless saw their scores lowered. We continue to believe those concerns warrant OEHHA's attention independent of this letter's specific request.

We would welcome the opportunity to discuss this request with CalEPA staff before the Final 2026 DAC Designation is issued, and are available at your earliest convenience.

Sincerely,

BVHP/SESF AB 617 CERP Community Steering Committee

Signed by the following:

Arieann Harrison, CSC Co-Lead, Founder & Executive Director of Marie Harrison Community Foundation

Nina Omomo, CSC Co-Chair

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cc:

Scott Wiener, California State Senator, District 11

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Catalina Hayes-Bautista, Undersecretary, California Environmental Protection Agency

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