

Kelly Keefer

Dear Ms. Erin Torrone, Thank you for the opportunity to provide public comment on the proposed process to identify overburdened communities highly impacted by air pollution. The Climate Commitment Act's directive to improve air quality in overburdened communities is critical to ensuring that the law functions as intended to reduce environmental health disparities. I appreciate Ecology's ongoing commitment to incorporating public input and developing a comprehensive framework. Identifying specific communities is a necessary step to ensure the focused and strategic allocation of resources. However, the proposed process narrows eligibility in ways that may unintentionally and arbitrarily screen out vulnerable communities. The application of indicators in the proposed process also treats some similarly impacted communities very differently. I urge Ecology to refine both the approach and the process to ensure the equitable treatment of overburdened communities highly impacted by air pollution, specifically:

APPROACH- Better document how and why specific indicators are being applied. At this time, the process appears too complex, and the application of the proposed indicators narrows the eligibility of communities in ways that may be inequitable and somewhat arbitrary. - Go beyond the binary approach to identifying communities that are either "overburdened" or not and better reflect the gradation of pollution impact on communities. To do this, Ecology should explore a tiered approach to account for built-in uncertainties and margins of error, in order to ensure that similarly impacted communities are treated equitably. - Incorporate an adaptive management approach into the final process, including a plan to evaluate outcomes, review communities, and revise the process at regular intervals.

PROCESS- Community Indicators: 1. Explicitly incorporate Ecology's existing obligation to proactively and meaningfully engage and consult with federally recognized tribes, with sufficient time and information made available. 2. Environmental Health Disparities (EHD) Map and EJScreen Demographic Index: Consider using a lower rank on the EHD Map and a lower percentile on the EJScreen Demographic Index as thresholds for these indicators, in order to account for built-in uncertainties in each tool and avoid unintentionally screening out communities that may be experiencing similar levels of vulnerability and exposure to pollution. - Air Pollution Indicators: 1. Ecology should build in a corrective step for the 'Elevated Level of Criteria Air Pollution' indicator that accounts for margins of error and gaps in existing monitoring and modeling data. For example, communities just below the PM_{2.5} threshold may experience similar levels of criteria air pollution as communities just over the threshold, but be treated very differently under the proposed process. Examples of places just below this threshold include Confederated Tribes of Colville Reservation lands, Spokane Tribe lands, and neighborhoods in Lacey, Olympia and Vancouver. 2. The proposed application of indicators appears to undervalue several source categories of criteria air pollution. Ecology should adjust the application of the following indicators, including adding indicators, so that overburdened communities highly impacted by air pollution are not left behind: 2.a. Proximity to Stationary Sources: The proposed process leaves out some communities heavily impacted by stationary sources of criteria pollutants. There are places in the 99th percentile for this category that get screened out of the draft screening map, even though they also meet the proposed Community Indicator thresholds. Examples include Lummi Nation lands, Swinomish Tribe lands, Samish Nation lands, the Cherry Point Industrial District region, and the Longview-Kelso area. It appears that communities in these areas are being screened out because they don't meet the 'Elevated Level of Criteria Pollution' indicator. However, the threshold value for this indicator is a measure of exposure to criteria pollutants. Communities who meet this threshold should not be screened out, or have to meet multiple criteria pollutant thresholds. 2.b.

Wildfire Smoke Exposure: Tribal lands and communities highly impacted by wildfire smoke are largely left out under the proposed process. There are places at or above the 95th percentile for this category that get screened out of the draft screening map, even though they also meet the proposed Community Indicator thresholds. Examples include the city of Wenatchee, parts of the Chelan region, Spokane Tribe lands, Kalispel Tribe lands, and Confederated Tribes of the Colville Reservation lands. Similar to the 'Proximity to Stationary Sources' indicator, the threshold value for this indicator is a measure of exposure to PM2.5, a criteria pollutant. Communities who meet this threshold should not be screened out, or have to meet multiple criteria pollutant thresholds.

2.c. Vehicle Pollution: Vehicles are the largest source of criteria air pollution in Washington, but the proposed process may undervalue pollution from busy roadways and transportation hubs. Communities highly impacted by vehicle pollution - who also meet the Community Indicator and Elevated Level of Criteria Pollution thresholds - may get screened out by the proposed process flow. Communities highly impacted by vehicle pollution are likely included via the use of the Environmental Health Disparities Map and/or the 'Elevated Level of Criteria Air Pollution' indicator. However, these communities may be removed from consideration if they don't meet a threshold for an indicator in the second tier of Air Pollution Indicators. Because there are no discrete indicators for vehicle pollution in the proposed process, it is difficult to know if any communities are being screened out for this reason. However, traffic-impacted communities who meet the thresholds for a Community Indicator and the 'Elevated Level of Criteria Pollution' indicator should not be at risk of being screened out. For this reason, Ecology should add one or more specific indicators for vehicle pollution. Thank you for your consideration. Regards, Kelly Keefer
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