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To: [Mark Tang](#)
Subject: Comments on Proposed Amendments to Rules 2-1 and 2-5
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Hi Mark,

I have a couple of comments on the proposed Amendments to Rules 2-1 and 2-5:

Overburdened Community

Rule 2-1 defines and overburdened community as follow:

2-1-243 Overburdened Community: An area located (i) within a census tract identified by the California Communities Environmental Health Screening Tool (CalEnviroScreen), Version 4.0, as having an overall CalEnviroScreen score at or above the 70th percentile, or (ii) within 1,000 feet of any such census tract.

Does this amendment lock the District into defining communities based on Version 4 of this OEHHA Tool? Version 4.0 uses the outdated Emfac2017 model and year 2016 mobile emissions factors. Perhaps some flexibility in the definition is possible so the District can use newer and more accurate information as that becomes available.

CEQA Issues and Affecting Partner Agencies

Lead agencies under the California Clean Air Act typically rely on the District's risk management policy (contained in Regulation 2, Rule 5) in identifying significant health risks from proposed actions (e.g., land use project construction and operation). The actions that lead agencies judge are more encompassing than the District's role in that they apply these thresholds to activities that are both regulated by the District as well as unregulated activities. Unregulated activities might include project construction activity and traffic. The new thresholds will likely have to be used by these agencies to judge impacts from combined construction and operation of projects. I suspect this may in turn result in more CEQA review for lead agencies and possibly more projects that may have significant and unavoidable impacts resulting in project denial or a statement of overriding consideration to approve such projects. Projects that may be affected by these amendments include construction of housing in dense urban areas that are considered overburdened. Has the District conducted any outreach to lead agencies in overburdened areas to communicate these amendments, their possible implications and receive feedback?

-James Reyff

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