

# STAFF REPORT

## LOCALIZED HEALTH IMPACTS REPORT

For Selected Projects Awarded Funding Through the  
Alternative and Renewable Fuel and Vehicle Technology  
Program Under Solicitation PON-13-601 – Commercial-  
Scale Advanced Biofuels Production Facilities



CALIFORNIA  
ENERGY COMMISSION

Edmund G. Brown Jr., Governor

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## **ACKNOWLEDGEMENTS**

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## PREFACE

The increased use of alternative and renewable fuels supports California's commitment to curb greenhouse gas emissions, reduce petroleum use, improve air quality, and stimulate the sustainable production of alternative fuels within California. Alternative and renewable transportation fuels include electricity, natural gas, biomethane, propane, hydrogen, ethanol, renewable diesel, and biodiesel. State investment is needed to fill the gap and fund the differential cost of these emerging fuels and vehicle technologies.

Assembly Bill 118 (Núñez, Chapter 750, Statutes of 2007) created the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP). This statute, amended by Assembly Bill 109 (Núñez, Chapter 313, Statutes of 2008), authorizes the California Energy Commission to "develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies."

The statute also directs the California Air Resources Board (ARB) to develop guidelines to ensure air quality improvements. The ARB Air Quality Improvement Program (AQIP) Guidelines, approved in 2008, are published in the *California Code of Regulations, Title 13, Motor Vehicles, Chapter 8.1, AB 118 Air Quality Guidelines for the Alternative and Renewable Fuel and Vehicle Technology Program and the AQIP*. The *AQIP Guidelines* require the Energy Commission, as the funding agency, to analyze the localized health impacts of ARFVTP-funded projects that require a permit (13 CCR § 2343).

The Energy Commission received proposals in response to Program Opportunity Notice PON – 13-601 for biofuels production facilities and is considering approving and funding the projects described in this localized health impacts (LHI) report. This report contains the project and site descriptions (including geographic locations), potential impacts and benefits, and outreach efforts as declared by the proposers in their documentation. During normal operations, none of these facilities generate criteria emissions, particulate matter (PM), or air toxics at any appreciable level.

## ABSTRACT

*California Code of Regulations, Title 13, Motor Vehicles, Chapter 8.1, § 2343(c)(6)*, requires the California Energy Commission to consider localized health impacts when selecting projects for funding. For each funding cycle, the Energy Commission is required to analyze localized health impacts for projects proposed for program funding that require a permit.

This localized health impacts report reviews the project proposals under consideration for funding that were submitted in response to the Commercial Scale Advanced Biofuels Production Facilities PON-13-601 by the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP). This localized health impacts report contains project and site descriptions (including geographic locations) and potential impacts as contained in the proposals.

This localized health impacts report analyzes the combined locations of projects, the impacts in communities with the most significant exposure to air contaminants or localized air contaminants, or both, including, but not limited to, communities of minority populations or low-income populations, as declared by the project proposers or as determined by Energy Commission staff. This report identifies outreach to community groups and other affected stakeholders, also as declared by the project proposers.

**Keywords:** Air pollution, air quality, air quality improvement program (AQIP), Air Resources Board (ARB), alternative fuel, Assembly Bill (AB) 118, biodiesel, biofuel, biomethane, California Environmental Quality Act, carbon intensity, criteria emissions, demographic, diesel substitute, Energy Commission, environmental justice, Environmental Justice Screening Method (EJSM), environmental justice (EJ), gasoline substitute, greenhouse gas emissions (GHG), localized health impact (LHI)

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## EXECUTIVE SUMMARY

Under the *California Code of Regulations Title 13, (Motor Vehicle, Chapter)*, this localized health impacts report describes the alternative fuel production projects proposed for Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP) funding that may or may not require a conditional or discretionary permit or environmental review, such as conditional use permits, air quality permits, wastewater permits, hazardous waste disposal permits, and other land-use entitlements. This report does not include projects requiring only residential building permits, mechanical/electrical permits, or fire/workplace safety permits, as these are determined to have no likely impact on the environment.

The California Energy Commission is required to assess the localized health impacts of the projects proposed for ARFVTP funding under the Commercial Scale Advanced Biofuels Production Facilities solicitation PON-13-601. This localized health impacts report focuses on the potential impacts the projects may or may not have on a particular community, particularly those communities that are considered especially vulnerable to emissions increases within the area. For projects located in high-risk communities, this report assesses the impacts from criteria emissions/air toxics, the air quality attainment status, and mitigation plans, if available. This localized health impacts report includes information about the proposer's outreach efforts, including public notices and community outreach.

Environmental justice communities, low-income communities, and minority communities are considered to be the most impacted by any project that could result in increased criteria and toxic air pollutants within an area because these communities typically have the most significant exposure to the emissions. Assessing these projects and the communities surrounding them is important because of the health risks associated with these pollutants. Preventing health issues from air pollution in any community is important, but it is especially important to minimize any negative impacts in communities that are already considered to be at risk due to their continued exposure to these contaminants.

The projects assessed in this report include commercial-scale, California-based biofuel production facilities that can sustainably produce at least 15,000,000 gallons per year of low carbon transportation fuel. During normal operations, none of these facilities generate criteria emissions, particulate matter (PM), or air toxics at any appreciable level. The projects in this localized health impacts report are assessed for potential health impacts for the communities in which they could be located. Based on this analysis, it is not anticipated that implementation of the projects will have negative impacts on surrounding communities because there will not be a net increase in criteria and toxic emissions, specifically in those communities that are considered most vulnerable. Potentially, the projects stand to provide improved quality of life through cleaner air.



# **CHAPTER 1:**

## **Projects Proposed for Funding**

This chapter summarizes the projects proposed for Energy Commission funding. The projects in this LHI report are:

### Commercial Scale Advanced Biofuels Production Facilities

- Crimson Renewable Energy, LP – 17731 Millux Road, Bakersfield.
- American Biodiesel, Inc. dba Community Fuels – Port of Stockton, Rough & Ready Island, 809-C Snedeker Avenue, Stockton.

## CHAPTER 2: Approach, Definitions, and Projects Proposed for Funding

The California Energy Commission, through the Alternative and Renewable Fuels and Vehicle Technology Program (ARFVTP), released a competitive grant solicitation and application package on April 10, 2013. The application due date was June 14, 2013. Grant Solicitation PON-13-601 sought to fund projects for commercial-scale, low-carbon advanced biofuels facilities that sustainably produce at least 15 million gallons of diesel substitutes, gasoline substitutes, or biomethane. Funding was available for projects to 1) expand existing biofuels production facilities and/or 2) lower the carbon intensity of the fuels produced at existing biofuels production facilities.

The projects assessed in this report include the expansion of existing biofuels production facilities for producing low-carbon-intensity biodiesel. During normal operations, none of these facilities generate criteria emissions, particulate matter (PM), or air toxics at any appreciable level.<sup>1</sup> The biofuels facilities stand to nominally increase traffic for inbound deliveries of feedstock and raw materials and outbound deliveries of biodiesel and crude glycerin by truck and rail, but this is not expected to expand truck and rail traffic significantly.

The Energy Commission is required to analyze and publish this LHI report for public review and comment for a period of 30 days. Based on the Energy Commission's interpretation of the *Air Quality Improvement Program (AQIP) Guidelines*, this LHI report provides information about the communities surrounding the potential project sites and assesses the potential impacts to public health in those communities as a result of the project. This report is prepared under the *California ARB AQIP Guidelines, California Code of Regulations, Title 13, Motor Vehicles, Chapter 8.1 (CCR § 2343)*:

“(6) Localized health impacts must be considered when selecting projects for funding. The funding agency must consider environmental justice consistent with state law and complete the following:

(A) For each fiscal year, the funding agency must publish a staff report for review and comment by the public at least 30 calendar days prior to approval of projects. The report must analyze the aggregate locations of the funded projects, analyze the impacts in communities with the most significant exposure to air contaminants or localized air contaminants, or both, including, but not limited to, communities of minority populations or low-income populations, and identify agency outreach to community groups and other affected stakeholders.

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<sup>1</sup> "Particulate matter" is unburned fuel particles that form smoke or soot and stick to lung tissue when inhaled.

(B) Projects must be selected and approved for funding in a publicly noticed meeting.”

This LHI report is not intended to be a detailed environmental health or impact analysis of projects potentially to be funded by the program nor is this assessment intended to be a substitute for the comprehensive environmental review conducted by regulatory agencies during the CEQA process. The application of CEQA would provide a more detailed analysis of the potential for adverse environmental effects of the proposed projects.

This report collects available information about the potential air quality impacts of the proposed projects and provides a collective, narrative analysis of the potential for localized health impacts from those projects. The *AQIP Guidelines* mandate that the Energy Commission track the progress of these projects through the CEQA process and ensure a commitment exists from the proposers to complete all mitigation measures required by the permitting agency before they receive the first funding allocation.

Staff reviewed results from the Environmental Justice Screening Method (EJSM) to identify projects located in areas with social vulnerability indicators and the greatest exposure to air pollution and associated health risks.<sup>2</sup> The EJSM was developed to identify low-income communities highly affected by air pollution for assessing the impacts of climate change regulations, specifically Assembly Bill 32 (Núñez/Pavley, Chapter 488, Statutes of 2006), the California Global Warming Solutions Act of 2006.

The EJSM identifies the various levels of risk in regions throughout California, and high-risk communities are considered especially vulnerable to even the smallest impacts. The EJSM integrates data on exposure to air pollution, cancer risk, ozone concentration and frequency of high ozone days, race/ethnicity, poverty level, home ownership, median household value, educational attainment, and sensitive populations (populations under 5 years of age, or over 65 years of age).

The ARB applied the method to the San Francisco Bay Area, San Joaquin Valley, and California’s desert region. However, the results consider only income among the list of social vulnerability indicators. For communities not yet assessed in the EJSM, the Energy Commission identifies high-risk areas as those in nonattainment basins for ozone, particle pollution, or particulate matter (PM) 2.5 and PM 10, along with populations that have high poverty and minority rates as well as a high percentage of sensitive populations.

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<sup>2</sup> California Air Resources Board (ARB), *Air Pollution and Environmental Justice, Integrating Indicators of Cumulative Impact and Socio-Economic Vulnerability Into Regulatory Decision-Making*, 2010. (Sacramento, California) Contract authors: Manuel Pastor Jr., Ph.D., Rachel Morello-Frosch, Ph.D., and James Sadd, Ph.D.

This LHI report contains detailed assessments for all projects proposed for funding. This is most important for those located in low-income communities that are highly impacted by air pollution.

## Permits

For this assessment, the Energy Commission interprets “permits” to connote discretionary and conditional use permits because they require a review of potential impacts to a community and the environment before issuance. For air permits, local air districts conduct a New Source Review (NSR) to determine the emission impacts. Since ministerial-level permits, such as building permits, do not assess public health-related pollutants, the Energy Commission staff does not assess projects requiring only ministerial-level permits in this report.

## Demographic Data

Staff collected information on ethnicity, age, and income for the city/community where the potential project, if funded, would be located. The information identifies those communities with higher minority populations, lower incomes, and highly sensitive groups based on age. For this assessment, staff identifies sensitive populations as individuals younger than 5 years of age and older than 65 years of age. The demographic data for the proposed project sites is provided in Appendix B.

## Emissions

Staff collected information about predicted emissions from the project proposals. The emissions considered for this assessment include those from developing commercial-scale advanced biofuel production facilities.

## Community Status of Proposed Projects

The following community status descriptions for the proposed projects are based on the ARB *Proposed Screening Method*, which integrates data to identify low-income communities that are highly impacted by air pollution.<sup>3</sup> The California State Implementation Plans (<http://www.arb.ca.gov/planning/sip/sip.htm>) are used as a source for public notices for attainment plans. The *Green Book Nonattainment Areas for Criteria Pollutants* (<http://www.epa.gov/oaqps001/greenbk>) is also used as an information source for this assessment.

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<sup>3</sup> California Air Resources Board (ARB), *Proposed Screening Method for Low-Income Communities Highly Impacted by Air Pollution*, 2010 (Sacramento, California).

## Crimson Renewable Energy, LP

### *Project Name*

Bakersfield Biodiesel & Glycerin Production Plant Expansion Project

Crimson Renewable Energy LP (Crimson) proposes to expand its Bakersfield Biodiesel & Glycerin Production Plant onto 1/3- to 2/3-acre of land adjacent to its existing commercial facility, located at 17731 Millux Road, Bakersfield, California, 93311. The existing facility is situated in a 60-acre petrochemical terminal facility owned and operated by an affiliated company, Delta Trading LP. The immediate area is zoned for industrial use, and the proposed project will have no impact on nearby agricultural land. There are no homes, day care facilities, elder care facilities, medical facilities, or schools within 3 miles of the existing facility and proposed project.

The project is not located near any sensitive receptors, thus exposure to substantial pollutant concentrations is unlikely. Tanks and processes are closed, and those involving liquids with volatile compounds are also under vapor control, which also serves as odor control. The proposed expansion of the existing commercial facility will result in a small total increase in criteria and toxic air emissions directly associated with project operations. Yet, a net benefit is realized from less petroleum use and more alternative fuel use as a result of these projects.

The existing Crimson commercial plant is surrounded on different sides by a variety of industrial equipment, rail lines, and empty land. This facility has rail access with 57 rail loading/unloading spots and convenient access to the Interstate 5 freeway (about 2½ miles southwest of the closest exit on the I-5 freeway). Facility ingress and egress are from Millux Road, which is a paved road that experiences regular truck traffic and light traffic volumes. The anticipated addition of 7-12 trucks per day to the road is not expected to have significant impact.

### *Outreach Efforts*

Throughout the duration of the project, Crimson will undertake a variety of outreach efforts to educate the surrounding community of the environmental benefits and/or impacts of the project. In general, Crimson will target the following stakeholders with its outreach:

- Refiners
- Terminal operators
- Fuel marketers/jobbers
- State, municipal, and regional governmental agencies (including school boards)
- Fleets
- Truck stop operators
- Policy makers
- Large agricultural companies

In addition, State Assemblywoman Shannon Grove has expressed interest in facilitating meetings with dairy farmers in the area surrounding the Crimson biodiesel production plant to demonstrate how biodiesel can aid them in their efforts to comply with AB 32.

Outreach will typically take the form of in-person meetings or group presentations in which Crimson will provide the following types of information:

- Background on Crimson Renewable Energy, LP
- State production and industry data
- Product specifications and performance details
- Low Carbon Fuel Standard (LCFS) information
- The impact of biodiesel on carbon and climate change targets

Crimson already conducts outreach meetings regularly and will continue to do so throughout the duration of the proposed project. Crimson typically meets with its customers quarterly and with their customers (end users) annually.

#### **American Biodiesel, Inc. dba Community Fuels**

##### *Project Name*

Expansion of Existing Biorefinery for Producing Low Carbon Intensity Biodiesel

Community Fuels' proposed project will be implemented at its existing biorefinery at the Port of Stockton, Rough & Ready Island, 809-C Snedeker Avenue, Stockton, California 95203. Rough & Ready Island, also known as the West Complex, is a 1,450-acre industrial complex. The City of Stockton Development Code classifies the West Complex as Port (PT). According to Stockton Municipal Code, the PT zoning designation is consistent with industrial land use and the West Complex Development Plan. Since the project will be located at an existing facility on a parcel zoned PT Port, which allows industrial development, no new zoning or local approvals are anticipated. The Community Fuels project site is located in the northwestern section of the West Complex. The site is surrounded by former military buildings, which currently remain vacant or are used for light-industrial purposes and as warehouse space. There are no homes, day care facilities, elder care facilities, medical facilities, or schools within 3 miles of the existing facility and proposed project.

The proposed project does not include the development of new land, grading, or the construction of new foundations or buildings. The proposed project would result in operational emissions from motor vehicles, equipment, rail traffic, and area sources. The longer-term expansion would result in the addition of up to 72 vehicle trips per day and 10 rail cars per day for import and delivery. Rail cars would add to trains already serving the port, and thus the proposed project would not be likely to result in additional train trips. The project does not plan to use yard equipment.

Transportation of biodiesel from Community Fuels would result in emissions of criteria air pollutants within and outside the San Joaquin Valley Air Basin. Yet, a net benefit is realized from less petroleum use and more alternative fuel use as a result of these projects. Biodiesel contributes negligible emissions. It does not volatilize easily and its vapor pressure and stationary source emissions do not exceed the established significance thresholds for air permitting by the San Joaquin Valley Air Pollution Control District (SJVAPCD).

#### *Outreach Efforts*

Community Fuels anticipates participating in three or more conferences each year during the project duration to raise awareness of the project and its benefits. These conferences may include major petroleum industry conferences, events held by the Greater Stockton Chamber of Commerce and Green Team San Joaquin, and various Port events.

Community Fuels also will issue a press release about the expansion project and, based upon prior experience, anticipates that it will receive local and industry media coverage. In particular, Community Fuels anticipates that the *Port O Call*, the Greater Stockton Chamber of Commerce award-winning magazine, will feature the expansion project, which will keep readers in the region informed about the project and its benefits.

Community Fuels also will prepare and distribute electronic newsletters to announce the project and provide key status updates. This newsletter will be distributed to the company's confidential database, which includes more than 600 contacts in the petroleum industry and more than 400 contacts among policy makers, environmental groups, and investors. Community Fuels' website, which receives hundreds of visitors, also will be updated to announce the expansion and key environmental and economic benefits associated with the project.

## CHAPTER 3: Location Analysis and Community Impacts

Based on the staff's assessment of the proposed projects, it is expected that two of the surrounding communities would be disproportionately impacted by the implementation of the projects. For this LHI report, environmental justice (EJ) indicators are evaluated as follows.

- A *minority EJ* is indicated if a minority subset represents more than 30 percent of a given city's population.
- A *poverty level EJ* is indicated if a city's poverty level exceeds California's poverty level (for the entire state – 14.4 percent).
- An *unemployment EJ* is indicated if a given city's unemployment rate exceeds California's unemployment rate (for the entire state – 8.9 percent as of August 2013).
- An EJ indicator is also noted for cities where the *percentage of persons younger than 5 years of age or older than 65 years of age* is 20 percent higher than the average of the percentage of persons under 5 years of age or over 65 years of age for the entire state. (For the entire state, the percentage of persons under the age of 5 years is 6.7 percent, and the percentage of persons over the age of 65 years is 12.1 percent.)

Of the two proposed sites, both sites have minority EJ indicators. The poverty EJ indicator exists in two locations for the planned sites, and one site has unemployment EJ indicators. The age EJ indicator does not exist in any of the proposed sites. The proposed projects are expected to have a net benefit by reducing emissions and leading to improved air quality. While overall air quality depends on a number of factors, the Energy Commission expects that air quality will improve over time where the sites are proposed. Appendix A of this LHI report covers the cities with EJ indicators that are described as minority EJ, poverty level EJ, unemployment EJ, and age EJs.

Staff identifies high-risk communities using the following factors: (1) those located in nonattainment air basins for ozone, PM 10 and PM 2.5; (2) those with high poverty, minority population, and/or unemployment rates; and (3) those with a high percentage of sensitive populations (under 5 years of age and over 65 years of age). Those designated as high-risk communities would be located in nonattainment air basins and have one or more of the other two factors.

## CHAPTER 4: Summary

If funded, the proposed projects would result in two sites for commercial-scale advanced biofuel production. Appendix A lists the cities in which the sites are proposed to be located. Of the two cities listed in Appendix A (with projects proposed for two sites), zero have no EJ indicators, zero have one EJ indicator, one has two EJ indicators, one has three EJ indicators, and zero have four EJ indicators. More demographics for the cities are contained in Appendix B. Both sites would be in nonattainment zones for PM 2.5. Both projects, according to the EJSM, would be located in high-risk communities.

Based on the review of the proposed projects in this localized health impacts report, it is not anticipated that implementing the proposed projects would have negative impacts on the surrounding communities because a net increase in criteria and toxic emissions will not result. The sites will increase production of alternative and renewable transportation fuels in California. As more alternative and renewable transportation fuels enter the market and begin to displace gasoline and diesel demand, tailpipe pollutants will decrease significantly. The facilities stand to nominally increase traffic for inbound deliveries of feedstock and raw materials and outbound deliveries of biodiesel and crude glycerin by truck and rail. Yet, a net benefit is realized from less petroleum use and more alternative fuel use as a result of these projects. The anticipated impacts to the cities where these projects would be located are positive in terms of cleaner air and anticipated GHG reductions.

**Table 1: Proposed Sites With EJ Indicators**

	<b>2 Different Sites</b>	<b>Percent</b>
No EJ Indicators	0	0%
One EJ Indicator	0	0%
Two EJ Indicators	1	50.0%
Three EJ Indicators	1	50.0%
Four EJ Indicators	0	0%
		100.0 Total

Source: Energy Commission staff analysis

## **CHAPTER 5: Glossary**

AQIP	Air Quality Improvement Program
ARB	Air Resources Board
ARFVTP	Alternative and Renewable Fuel and Vehicle Technology Program
CCR	California Code of Regulations
Energy Commission	California Energy Commission
CEQA	California Environmental Quality Act
EJ	Environmental justice
EJSM	Environmental justice screening method
GHG	Greenhouse gas
LHI	Localized health impact
LCFC	Low Carbon Fuel Standard
NO <sub>x</sub>	Oxides of nitrogen
PM	Particulate matter
PON	Program Opportunity Notice
SJVAPCD	San Joaquin Valley Air Pollution Control District

# APPENDIX A: Cities With EJ Indicators

Table A-1: Cities With EJ Indicators

	Minority	Poverty Level	Unemployment Rate	Proposals
Bakersfield	X	X		1
Stockton	X	X	X	1

Source: Energy Commission staff analysis

## APPENDIX B: Demographic Data

Table B-1: Demographic Data for Cities With EJ Indicators (percent)

	Persons Below Poverty Level	Black persons	American Indian and Alaska Native	Persons of Hispanic or Latino Origin	White persons	Persons under 5 years of age	Persons over 65 years of age	Un-employment rate
<b>2010 Data</b>								
Bakersfield	18.2	8.2	1.5	45.5	37.8	9.0	8.4	7.4
Stockton	22.1	12.2	1.1	40.3	22.9	8.4	10.0	9.7

Sources: Unemployment information from the State of California, Employee Development Department (EDD) Labor Market Information Division: <http://edd.ca.gov>; Age / ethnicity demographics, U.S. Department of Census: <http://quickfacts.census.gov/qfd/index.html> and <http://www.labormarketinfo.edd.ca.gov/Content.asp?pageid=133>