

To: Group Civilrights
cc:

Subject: Title VI Guidance for EPA Assistance Recipients

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Comments on the Draft Title VI Guidance for EPA Assistance Recipients and Draft Revised Guidance for Investigating Title VI Administrative Complaints Challenging Permits.

--These documents have been available for distribution and public comment for 60 days. Yet, my review and comment was not solicited until less than ten calendar days before the deadline today, by the Minnesota Pollution Control Agency. This is woefully inadequate for extensive comment, but with the brief amount of time available I have a few comments as follows:

If an individual or group alleges discrimination from either human health or environmental effects from a pollution permit or from a public participation process to a Recipient Agency, The Recipient Agency in question MUST provide that person or organization with the complaint guidelines and protocols in writing immediately. The 180 day time period for filing complaints assumes the person or group has immediate access to the complaint process documents.

A permit, especially a reissuance, should be stayed if disparate health effects are documented in the filing. Justification for disease and death from pollution permits is not possible. Just because pollution permits may have secondary economic benefits in a given Community of Color does not remove the ultimate insults of genocide and/or cultural assimilation. The quality of economic development benefits must be sustainable to be considered genuine. Disease, death or poor health cannot be part of the bargain. Try living next to a nuclear waste dump and see how much you like it.

Any disparate impact analysis must include threats to culture, especially Indigenous Peoples, whereby the only alternative to avoiding or mitigating an adverse impact is assimilation or genocide.