From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
To: Stein, Jonathan; Harrison, Brenda
Subject: Re: Nob Hill HOA Complaint Letter to EPA
Date: Thursday, October 14, 2021 11:27:26 AM

October 14, 2021 (original sent October 8, 2021)

U.S. EPA External Civil Rights
Compliance Office (2310A)
1200 Pennsylvania Ave., NW Washington, D.C. 20460

Good morning Ms. Harrison and Mr. Stein,

The purpose of this written notification is to file a complaint with the EPA, under Title Vl, against the City of Conyers, GA and Rockdale County, Georgia. The Nob Hill HOA complaint to the EPA, under Title Vl; is based on the fact that the City of Conyers, Rockdale County, and most notably the area impacted by the annexation and rezoning, has a population that is predominantly People of Color. (Please see the attached EJSCEEN Report for Rockdale County and the Input area of 132.10 miles, Pg 3). We believe that the actions by the City of Conyers and Rockdale County are discriminatory and have disenfranchised our community.

Also as important to this community's health, safety, and well-being, our area is a watershed with flood zones; and to our knowledge, no appropriate studies have been conducted to determine the ramifications of developments in this area. We request your assistance in getting a Consent Decree in place with the City of Conyers and Rockdale County.

By way of background, this complaint is based on the actions taken by the City of Conyers and Rockdale County in Annexing and Rezoning parcels of properties which in effect created a political jurisdiction set apart from the adjacent properties. The three properties involved in the Annexation: Parcel Number (b) (6) Privacy, (b) (7)(C) Enforcement, 5.51 acres, Annexed to the City of Conyers 10/2/1990. Parcel Number (b) (6) Privacy, (b) (7)(C) Enforcement, 31.12 acres, Annexed to the City of Conyers 2/15/2006. Parcel Number (b) (6) Privacy, (b) (7)(C) Enforcement, 3.83 acres, Annexed to the City of Conyers 3/17/2021.

The Rezoning process for the above three properties: On May 13, 2021, the Conyers/Rockdale Planning Commission held a Public Hearing to amend the Comprehensive Land Use Plan from Medium Density Residential to High Density Mixed Use for 25.6 acres of the 40.46 acres. The Conyers/Rockdale Planning Commission voted unanimously to deny their request.

On May 19, 2021, a second Public Hearing by the City of Conyers City Council was held on the same rezoning request. However, the City Council voted 3 to 2 to approve the rezoning request. Since this vote was not unanimous, a second reading was held on June 2, 2021, with a 4 to 1 vote to approve the rezoning request.

What is important to understand is that the three properties are now under the City of Conyers jurisdiction while being adjacent to Rockdale County properties. From a geographical perspective the 25.6 acres in question are in the City of Conyers; however, this acreage in question is surrounded by predominantly People of Color communities to the East, West and

South that are in Rockdale County. This creates an island of land surrounded by Rockdale County property owners. Unbeknownst to our subdivision or other surrounding Rockdale County homeowners, the annexation of Parcel Number [redacted] on March 17, 2021, connected Parcel Number [redacted] and Parcel Number [redacted] to in effect create a contiguous property. This annexation was done without public notice or forum and has effectively disenfranchised all Rockdale County Citizens living in the surrounding areas who are predominantly African American and People of Color.

As People of Color and residents of Rockdale County, we have no voice in the utilization of these properties. This annexation and subsequent rezoning were done by the City of Conyers with no regard for the Rockdale County Citizens who will directly feel the impact of these actions. We question the manner and method by which these actions were carried out and we feel deprived of our Constitutional Rights and Privileges as it relates to these actions. Therefore this 25.6 acres and their proposed apartment complex development, is in effect an island that is different in construct from its surrounding areas.

The fact that the People of Color residents, having a significant African American presence have no legal say in rezoning matters that affect their neighborhoods by sheer proximity; this is indeed discriminatory and an infringement on our collective civil rights. In addition, the fact that the City of Conyers City Council has made land use decisions that affect thousands of families outside of the City of Conyers, in which they have no legal representation; is indeed a classic form of disenfranchisement. The Homeowners of Nob Hill and surely others feel deprived of our rights and privileges under the U.S. Constitution as it relates to these actions.

To remedy this issue, we are asking the EPA Legal Counsel to intercede and halt the development of this property until there is input from the affected communities.

Another related area of concern is the frequency in which our neighborhoods have experienced storm water run-off. Given the pending developments in the City of Conyers and Rockdale County, this problem can only become more acute in generating more flooding in yards, pollution discharge in water systems and soil erosion.

Attached is a print-out of the many storm water run-offs and spills that this County has experienced over recent times. The gallonage of raw sewage is a safety and environmental threat to this community. It is our request that the EPA under Federal Guidelines (Sections 402 and 404), launch an inquiry and investigation into these matters and to uphold the environment for all Rockdale County citizens.

Per Mr. Stein's request, I will be sending the storm water run-offs and spills report and EJSCEEN Report for Rockdale County via separate emails.

Sincerely,

[redacted]
President Nob Hill HOA
[redacted]
Conyers, GA 30094
[redacted]

On Wed, Oct 13, 2021 at 8:36 AM Stein, Jonathan <Stein.Jonathan@epa.gov> wrote:

Good Morning:

I am in the External Civil Rights Compliance Office at EPA. Other members of my team have indicated that your correspondence did not come through the Title VI Compliant mailbox. If there is an attachment, the EPA spam filters may have blocked its receipt or the size of the attachment were too large for receipt. If you were intending to file a complaint of discrimination against the City of Conyers and Rockdale County, GA, in that you believe the actions they have taken were based on one of the reasons listed below, please send again to Brenda Harrison at harrison.brenda@epa.gov. If you have attachments, you may want to send in separate emails.

As background, the External Civil Rights Compliance Office (ECRCO), within the Office of General Counsel is responsible for enforcing several civil rights laws which, together, prohibit discrimination on the basis of:

- race, color, or national origin (including on the basis of limited-English proficiency)
- sex
- disability
- age
- retaliation

by applicants for and recipients of federal financial assistance from EPA. (Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, respectively.) ECRCO is also responsible for enforcing Section 13 of the Federal Water Pollution Control Act Amendments of 1972 which prohibits discrimination based on sex under programs or activities receiving financial assistance under the Clean Water Act.

It is the duty of ECRCO to ensure that any entity that receives EPA funds comply with federal non-discrimination laws. ECRCO is the EPA program office designed to ensure that recipients of EPA financial assistance and others comply with the relevant non-discrimination requirements under federal law.

Best Regards,

Jonathan M. Stein

Attorney Advisor – External Civil Rights Compliance Office

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