July 18, 2012

Certified mail
Return Receipt Requested
Director of the Office of Civil Rights
U. S. Environmental Protection Agency
Mail Code 1201A
1200 Pennsylvania Ave.
Washington, D.C. 20460

Re: **Title VI Complaint - Florida Department of Environmental Protection**

Dear Sir,

This complaint is filed pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7, and 40 C.F.R. Part 7.

Complaint

The Complainant's names, address and phone number are as follows:

[redacted]

Violator

The Alleged Violator FDEP who ordered a modification of Little Farm Road to create a sheet drain on the end of road between the main road and the driveways of three residences.

Discriminatory Act

We have been advised that Charlotte County Public Works was ordered by FDEP to remove an existing culvert on Little Farm Road on or about September 2002. In its place a 30 foot long 'sheet drain' was constructed consisting of two lowered sections of concrete. This lowered the road below the water line. This allows drainage water to pass over the road which makes the road impassable during periods of heavy rain after which the road is flooded for 8 months of the year. This causes the residents who live at the end of Little Farm Road to be isolated from public services, including EMS, police and ambulance.

The sheet drain makes driving any but larger and higher vehicles impossible as smaller cars cannot manage to drive through the higher water. Additionally, this allows the contaminants from the undercarriages of all vehicles to wash off into the water that passes over this sheet drain. (i.e., brake fluids and dust, oil, gasoline, etc.) This poses potential hazards to protected wildlife and environment in this area.

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Residents at the end of Little Farm road are also forced to retrieve their mail and transport their rubbish over the sheet drain which poses a potential hazard to humans from wildlife, such as poisonous snakes or gators, etc. or requires the additional use of motor vehicles with the attendant biohazards as described above.

We contend that as residents we should be afforded the same rights and access to services as the residents at the other end of Little Farm Road. We should have access to services, public highways and passage across our community as other residents in our neighborhood and the state of Florida.

Impacts

Residents living at the end of Little Farm Road in Punta Gorda, FL are denied rightful access to services in their community and negatively impacts water quality for all of southern Florida.

Disparate Impact

These impacts are adverse because they are detrimental to the health and welfare of all of southern Florida. Such determinants include the following:

- Residents of Little Farm Road, Punta Gorda, FL lack access to services and have an environment that poses health hazards.
- Potential water quality hazards to all residents of Southern Florida.
- Impact to wildlife and the environment due to motor vehicle traffic and attending biohazards from undercarriage of vehicles.

Request

Based upon the foregoing, complainant requests that the Office of Civil Rights conduct an investigation to determine whether the FDEP violated Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7, and 40 C.F.R. Part 7.in the order to modify the existing culverted portion of Little Farm Road, Punta Gorda, FL.

Sincerely,

[redacted]

[redacted]