Message

From: Spiegelman, Nina [Spiegelman.Nina@epa.gov]
Sent: 9/16/2016 6:42:30 PM
To: Garnett, Desean [Garnett.Desean@epa.gov]
CC: Blake, Ellen [Blake.Ellen@epa.gov]; Kermish, Laurie [Kermish.Laurie@epa.gov]; Lieben, Ivan [Lieben.Ivan@epa.gov]
Subject: Re: Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15

Thanks so much for the summary Desean. I'm including Ivan- we still must figure out assignments.

Sent from my iPhone

On Sep 16, 2016, at 11:29 AM, Garnett, Desean <Garnett.Desean@epa.gov> wrote:

All,

I'm forwarding a Title VI complaint that OCR received this week from Earthjustice. It is related to Earthjustice's recent CWA citizen suit against the state of Hawaii Agribusiness Development Corporation.

The alleged discriminatory acts in the Title VI complaint are:

V. DISCRIMINATORY ACTS

HDOA and ADC's discriminatory actions and failures to act include both HDOA and ADC's lack of a Title VI program; HDOA's failure to limit pesticide registration; HDOA's failure to require or implement protective buffer zones between pesticide use and communities; HDOA's failure to adequately enforce federal and state pesticide laws; ADC's leasing or licensing of lands without protecting communities from pesticides; **and ADC's refusal to obtain a permit under the Clean Water Act for its drainage ditch system.**

I've attached the CWA citizen suit for background. Please let me know if you have any questions or want me to keep you informed about the status of the complaint.

Desean

Desean Garnett
U.S. EPA Region 9
Attorney-Advisor
(415) 972-3046

From: Reyes, Deldi
Sent: Friday, September 16, 2016 11:11 AM
To: Garnett, Desean <Garnett.Desean@epa.gov>
Cc: Grow, Richard <Grow.Richard@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>
Subject: FW: Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15

Hi, Desean, happy Friday.

Just wanted to make sure you'd seen this most recent Title VI complaint. OCR is in receipt and is reviewing.

Alexis has asked Amy to take the lead in making sure we and OCR address this complaint hand in hand, and in a way that establishes good practices.

In turn, Amy has asked us (you, me and Richard) to help staff this.

So, please stay tuned for a meeting invite for next week.

Many related events/activities are already underway.

Deldi

From: Miller, Amy
Sent: Wednesday, September 14, 2016 3:27 PM
To: Reyes, Deldi <Reyes.Deldi@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>; TROMBADORE, CLAIRE <Trombadore.Claire@epa.gov>
Subject: Fwd: Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15

Sent from my iPhone

Begin forwarded message:

> **From:** "Strauss, Alexis" <Strauss.Alexis@epa.gov>
> **To:** "Miller, Amy" <Miller.Amy@epa.gov>, "Quast, Sylvia" <Quast.Sylvia@epa.gov>
> **Cc:** "Kao, Jessica" <Kao.Jessica@epa.gov>, "Torres, Tomas" <Torres.Tomas@epa.gov>, "Smith, DavidW" <Smith.DavidW@epa.gov>, "Goforth, Kathleen" <Goforth.Kathleen@epa.gov>, "Taylor, Katherine" <Taylor.Katherine@epa.gov>, "Spiegelman, Nina" <Spiegelman.Nina@epa.gov>
> **Subject: FW: Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15**
>
> Please read. Note CWA and FIFRA focus.
>
> From: Julie Parks [mailto:jparks@earthjustice.org]
> Sent: Wednesday, September 14, 2016 3:10 PM
> To: Title VI Complaints <Title_VI_Complaints@epa.gov>; Daria Neal (daria.neal@usdoj.gov) <daria.neal@usdoj.gov>; Joe Leonard Jr. Ph. D (program.intake@usda.gov) <program.intake@usda.gov>
> Cc: Paul Achitoff <achitoff@earthjustice.org>; Kylie Wager <kwager@earthjustice.org>; Mccarthy, Gina <McCarthy.Gina@epa.gov>; Tom Vilsack (tom.vilsack@usda.gov) <tom.vilsack@usda.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>
> Subject: Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15
>
> Dear Acting Director Dorka, Assistant Secretary Leonard, and Deputy Chief Neal:

On behalf of Paul Achitoff and Kylie Wager of Earthjustice, please find The Moms On a Mission Hui and Pōʻai Wai Ola/West Kauaʻi Watershed Alliance's Title VI complaint and exhibits, attached.

Sincerely,

Julie Parks
Litigation Assistant
Earthjustice Mid-Pacific Office
850 Richards Street, Suite 400
Honolulu, HI 96813
T: 808.599.2436
F: 808.521.6841
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<Title VI Complaint and Exhibits.pdf>

<StateofHawaiiAgribusinessDevelopment May 3rd, 2016.pdf>