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BOSTON


The Law Office of
Joshua M. Daniels

June 1, 2020

Via Email

U.S. EPA External Civil Rights
Compliance Office (2310A)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460
Title_VI_Complaints@epa.gov

Dennis Deziel, Administrator
U.S. EPA Region 1—New England
5 Post Office Square
Boston, MA 02109
deziel.dennis@epa.gov

Re: Title VI and the East Eagle Reliability Project

Dear Administrator Deziel and ECRCO,

Enclosed please find a copy of our Title VI complaint filed with the United States Environmental Protection Agency's (EPA) External Civil Rights Compliance Office against the Massachusetts Executive Office of Energy and Environmental Affairs (EEA)—a recipient of considerable grant funding from the EPA—as well as the Massachusetts Department of Public Utilities (DPU) and the Massachusetts Energy Facilities Siting Board (the Board).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, prohibits discrimination in federally assisted programs on account of race, color, or national origin. The named agencies have failed to provide meaningful access to the review of the East Eagle Reliability Project to individuals with limited English proficiency (LEP) in a manner constituting national origin discrimination. The project, currently docketed at EFSB 14-04A/D.P.U. 14-153A/14-154A, concerns an electrical substation and transmission lines in East Boston and Chelsea.

The complaint requests that the EPA:

- require the Board to halt its review of the East Eagle Reliability Project pending a thorough investigation of the agencies' language access practices, the lifting of the COVID-19 state of emergency in the Commonwealth, and the convening of at least three meetings in Spanish and any other language the EPA deems necessary;
- suspend any federal funding disbursements until the Board adopts and implements a comprehensive remediation plan for LEP resident engagement; and
- ensure that the Board and EEA achieve full compliance with federal civil rights law.



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Complainants, their membership, and their counsel stand ready to provide any information to the EPA that may be helpful in its investigation and to assist in any way we can. For more information, please contact the attorneys listed below.

Sincerely,

/s/ Amy Laura Cahn

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/s/ Lauren Sampson

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/s/ Joshua M. Daniels

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cc (via email):

U.S. Senator Elizabeth Warren
U.S. Senator Edward Markey
U.S. Representative Ayanna Pressley
U.S. Representative Joseph Kennedy III
Massachusetts Attorney General Maura Healey
Massachusetts Senator Joseph Boncore
Massachusetts Senator Sal DiDomenico
Massachusetts Representative Adrian Madaro
Massachusetts Representative Daniel Ryan



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Secretary Kathleen A. Theoharides, Executive Office of Energy and
Environmental Affairs and Chairman of the Energy Facilities Siting Board
Rishi Reddi, Director of Environmental Justice, Executive Office of Energy &
Environmental Affairs
Shane Early, General Counsel, Department of Public Utilities
Mayor of Boston Martin Walsh
Chelsea City Manager Thomas Ambrosino
Boston City Councilor and President Kim Janey
Boston City Councilor Lydia Edwards
Boston City Councilor Michael Flaherty
Boston City Councilor Ed Flynn
Boston City Councilor Annissa Essaibi George
Boston City Councilor Julia Mejia
Boston City Councilor Michelle Wu
Chelsea City Councilor and President Roy Avellaneda
Chelsea City Councilor Enio Lopez
Chelsea City Councilor Damali Vidot
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