

From: (b)(6) Privacy, (b)(7)(C) Enf. Privacy
To: [Holtzclaw, Brian \(he/him/his\)](#)
Cc: [Dorka, Lilian \(she/her/hers\)](#); [Goerke, Ariadne \(she/her/hers\)](#); [Kemker, Carol](#); [Palmer, Leif](#); [Park, Susan](#); [Stein, Jonathan](#); [Harrison, Brenda](#); [Vong, Suong](#); [Hoang, Anhthu](#); (b)(6) Privacy, (b)(7)(C) Enf. Privacy
Subject: Fwd: TITLE VI DISCRIMINATION & ENVIRONMENTAL INJUSTICE COMPLAINT AGAINST CITY OF PORT WENTWORTH, GA
Date: Thursday, February 1, 2024 9:44:45 AM
Attachments: [USDA DISCRIMINATION COMPLAINT - JANUARY 2024.pdf](#)
[US DISTRICT COURT - TITLE VI DISCRIMINATION COMPLAINT - PORT WENTWORTH.pdf](#)
[EXHIBIT D - Email to Chatham County Opposing Quit Claim Deed.pdf](#)
[EXHIBIT C - CHATHAM COUNTY GEORGIA QUIT CLAIM DEED AGENDA.pdf](#)

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Good Morning EPA,

Please receive this email as a formal complaint against the Georgia Department of Natural Resources (GADNR) for multiple and continuous violations of Title VI of the Civil Rights Act of 1964 and EPA's 40 C.F.R. § 7.100.

As I have communicated previously, we've had several ongoing issues with the City of Port Wentworth, Chatham County Government, and these Industrial Warehouse Developers violating our Civil Rights and our Property Rights. If you read the attached filed Civil Rights and Environmental Injustice Complaint, and go to Paragraphs 172 - 178, I detail an account where in June 2023, GADNR employees (b)(6) Privacy, (b)(7)(C) Enf. Privacy

(b)(6) Privacy, (b)(7)(C) Enf. Privacy, both Environmental Specialists, both met Plaintiff (b)(6) Privacy, (b)(7)(C) Enf. Privacy at the (b)(6) Privacy, (b)(7)(C) Enf. Privacy Property and personally verified and observed the blockage and obstruction of the Saussy Canal with wood planks by the **AT&T and DEL/SHA Defendants. The GADNR employees also witnessed the age of the wood planks as they have been left there in-place to rot for almost 3 years by the AT&T and DEL/SHA Defendants. Additionally, during their June 2023 visit to the (b)(6) Privacy, (b)(7)(C) Enf. Privacy property, GADNR employees (b)(6) Privacy, (b)(7)(C) Enf. Privacy also witnessed and advised that the public Water and Sewer systems installed across the front of the (b)(6) Privacy, (b)(7)(C) Enf. Privacy property and throughout the (b)(6) Privacy, (b)(7)(C) Enf. Privacy community by the City, and Thomas & Hutton Engineering Co. Defendants, was unlawfully installed and not up to code or engineering standard because 1) the public Sewage lines were laid directly in the existing roadside ditches which drained into the Saussy Canal down to Black Creek down to the Savannah River; and 2) that the public Sewage lines and public Water lines were installed less than 3 feet apart, which violates the national**

engineering and environmental standard for health and safety of 10 feet apart, both of which is an environmental hazard in violation of the Clean Water Act and Safe Drinking Water Act, among others. Upon learning of the various environmental issues with the installation of the public Water and Sewer systems within the Saussy Road community from the GADNR employees, that's when the Plaintiffs realized that they were further discriminated against by the City, and (b)(6) Privacy, (b)(7)(C) Enf. Privacy Engineering Co. Defendants dating back to the 2010 timeframe and continuing to date, further subjecting the Plaintiffs and other African American residents to overt environmental injustice.

Unfortunately, GADNR, whom is a direct receipt of EPA and other Federal Government Funding, has unlawfully and unconstitutionally DISCRIMINATED against the (b)(6) Privacy, (b)(7)(C) Enf. Privacy on the bases of Race, Color, National Origin, Age, Gender, Disability, and Military Affiliation when they FAILED to do ANYTHING to protect us as African American residents against the observed actions and offenses of AT&T, the City of Port Wentworth, GA; Chatham County, GA; Savannah Economic Development Authority (SEDA); and SPH 21, LLC regarding the willful taking of my property and the willful pollution, distruction, and removal of over 200 acres of Wetlands, aquatic species, and the contamination of the drinking water within the African American communities (b)(6) Privacy, (b)(7)(C) Enf. Privacy along the Saussy Canal.

The actions and/or non-actions of the GADNR constitute both Discrimination and Environmental Injustice in clear violation of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.* ("Title VI"); 49 U.S.C. 47123, *et seq.*; the Civil Rights Act of 1866, 42 U.S.C. § 1981 ("Section 1981"); the Age Discrimination Act of 1975 (Civil Rights Laws); Federal Clean Water Act, 33 U.S.C. § 1251 *et seq.*; Federal Clean Water Act, Section 404; National Environmental Policy Act (NEPA), 40 CFR Parts 1500-1508; Safe Drinking Water Act, 42 USC Chapter 6A, Subchapter XII: Safety of Public Water Systems; 2016 Water Infrastructure Improvements for the Nation Act; 2018 America's Water Infrastructure Act; Executive Order 12898 of February 11, 1994; and the "Due Process" Clauses of the U.S. Constitution, 5th and 14th

Amendments; and the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.

Furthermore, many of the collective actions of the Defendants falls under the federal standard of review for actions, individuals, and/or organizations involving the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. §§ 1961-1968, with the added impact of the unlawful and willful fraud, abuse, and/or misappropriation of U.S. Government funds individually and/or collectively, either in whole or in part, by the Defendants for the specific and systematic goals of intimidating, trespassing, devaluing, and taking of African American owned properties for the financial benefit of other WHITE landowners, businesses, and Industrial Warehouse developers within the City of Port Wentworth and Chatham County, Georgia.

Additionally, this complaint is for violation of 28 U.S.C. § 1367, 42 U.S.C. § 1983 et seq., and 49 U.S.C. 47123, *et seq.* under the color of the Georgia RICO (Racketeer Influenced and Corrupt Organizations) Act, O.C.G.A. § 16-14-1 et seq.; Georgia Bill of Rights; Georgia Constitution (Ga. Const.) Art. I, § I, Para. I; Ga. Const. Art. I, § I, Para. II; Ga. Const. Art. I, § I, Para. VII; OCGA § 51-1-1; O.C.G.A. 51-10-6; OCGA § 51-12-4; OCGA § 14-11-305; OCGA § 9-3-27; OCGA § 16-8-1 ET SEQ. O.C.G.A. § 53-2-7 (heirs property law); O.C.G.A. § 44-8-1 through O.C.G.A. § 44-8-10; O.C.G.A. § 44-1-7 through O.C.G.A. § 44-1-12; O.C.G.A. § 44-1-2(a); O.C.G.A. § 44-1-3(a); O.C.G.A. § 51-9-1 through O.C.G.A. § 51-9-11; OCGA § 51-1-1; O.C.G.A. 51-10-6; OCGA § 51-12-4; OCGA § 14-11-305; OCGA § 9-3-27; OCGA § 16-8-1 ET SEQ.; O.C.G.A. 41-1-1 et seq., O.C.G.A. 16-7-21; O.C.G.A. 16-8-2 through O.C.G.A. 16-8-5; O.C.G.A. 16-8-7; O.C.G.A. 16-8-16; O.C.G.A. 36-66-1 et seq., The Steinberg Act, Zoning Standards in Georgia; O.C.G.A. 36-66-1 et seq.; O.C.G.A. 36-67-1 et seq. ; City of Port Wentworth, City Charter; and City of Port Wentworth Zoning Ordinance

("PW Code"), Section 7-1; Section 7-2; Section 7-14; Section 7-15; Section 7-16; Section 7-22; Section 11-2, and Section 11-3.

- I want to bring your awareness to the recent actions of the Georgia Department of Natural Resources (GADNR), City of Port Wentworth, GA, Chatham County, GA, and Industrial Warehouse Developer SPH 21, LLC whom are collective pushing forward with plans to unlawfully, i) REMOVING the Saussy Canal and over 200 acres of Wetlands and aquatic resources in their entirety; ii) DIVERTING or OBSTRUCTING the "Natural Flow" of the Saussy Canal; **iii) DISCONNECTING & RELOCATING over 10,000 Linear Feet of Electrical Transmission Lines associated with the nation's electrical grid infrastructure from its original course;** iv) REPLACING the Saussy Canal, over 200 acres of Wetlands, floodplains, and the Plaintiffs' private property with over 8 Million SF of impermeable Industrial Warehouses, and new roads, piping, and over 30 million cubic feet of CONCRETE & GRAVEL, to the sole benefit of the surrounding WHITE landowners (i.e. the (b)(6) Privacy, (b)(7)(C) Ent. Privacy (b)(6) Privacy, (b)(7)(B) Defendants), City Port Wentworth, Chatham County, State of Georgia, SPH 21, LLC, SEDA, AT&T Inc., and Kern & Co. Defendants, as well as other White-Owned Businesses, and all without securing legal CONSENT from my family, the Plaintiffs.

The National Environmental Policy Act (NEPA) was signed into law on January 1, 1970. NEPA requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions. The range of actions covered by NEPA is broad and includes:

- making decisions on permit applications,
- adopting federal land management actions, and
- constructing highways and other publicly-owned facilities.

Using the NEPA process, agencies evaluate the environmental and related social and economic effects of their proposed actions. Agencies also provide opportunities for public review and comment on those evaluations.

- **These changes will also negatively affect the current "FLOODPLAINS" that's currently in place in the surrounding areas and potentially INCREASE the PROPERTY INSURANCE RATES for the surrounding African American community that's already in place.**

The State of Georgia is a "Riparian State," meaning that the State, County, and Local governments all recognize and honor "due process" associated with the protected "Riparian Rights" and/or "Water Rights" of private landowners of real property, as protected by the U.S. Constitution and the Georgia Bill of Rights (i.e. Constitution of the State of Georgia).

The Saussy Canal and all Wetlands associated thereto, in its entirety, is a long-standing "tributary" to both Black Creek and the Savannah River basin. The Saussy Canal and all Wetlands associated thereto, in its entirety, are also Federally protected under the Clean Water Act, as amended; the Safe Drinking Water Act, as amended; the National Environmental Policy Act (NEPA), as amended; 2016 Water Infrastructure Improvements for the Nation Act; 2018 America's Water Infrastructure Act; and Executive Order 12898 of February 11, 1994.

The [REDACTED] Plaintiffs purchased their property located [REDACTED] Port Wentworth, GA 31407 in May 1978, along with 50% ownership of the Saussy Canal in its entirety included within the purchase, to include all civil, private, and riparian property rights associated thereto.

The [REDACTED] Plaintiffs' "Riparian Rights" are codified by the State of Georgia within O.C.G.A. § 44-8-1 through O.C.G.A. § 44-8-10; and O.C.G.A. § 44-1-7 through O.C.G.A. § 44-1-12, among others.

The [REDACTED] Plaintiffs' "Property Rights" are further codified by the State of Georgia within O.C.G.A. § 51-9-1 through O.C.G.A. § 51-9-11; and O.C.G.A. § 53-2-7, among others.

Since many of the Defendants, to include but not limited to, City Port Wentworth, Chatham County, State of Georgia, Savannah Economic Development Authority (SEDA), and AT&T Inc., are all previous or current recipient of Federal funds, on December 21, 2023, my family and I filed a formal TITLE VI discrimination lawsuit against our Local, County, and State governments, but we are also seeking to have DOJ help represent us as an "Environmental Injustice" case that affects at least 15 other African American families other than my own.

This is regarding a NEW complaint and pending litigation resulting from a recently signed "Development Agreement" between the City of Port Wentworth and the [REDACTED] "WHITE" Industrial Warehouse Developer.

Please read our "COMPLAINT ABSTRACT" and the other documents attached which clearly evidences the actions of the Defendants that fall under FERC jurisdiction and review. I will send you a copy of our full complaint and exhibits in another two (2) emails.

PLEASE SEE MY FORMAL COMPLAINT AS FILED IN U.S. DISTRICT COURT ATTACHED AND INVESTIGATE. I'VE ALSO FILED A COMPLAINT WITH USDA SINCE THE CITY OF PORT WENTWORTH IS STILL REPAYING BACK ONE OF THEIR FEDERAL LOANS. PLEASE CALL ME BACK AT [REDACTED] TO DISCUSS.

I'll send you a second email with all of the rest of the supporting exhibits.

Sincerely,

[REDACTED]

"What shall we then say to these things? If God be for us, who can be against us?"

- ROMANS 8:31