

6329 Freret Street
New Orleans, Louisiana 70118-6231
(504) 865-5789
FAX (504) 862-8721

April 8, 1998

Jerry Clifford, Acting Administrator
Region 6
U.S. Environmental Protection Agency

By fax: (214) 665-6648

Re: EPA's Inappropriate Role in Promoting
the Mississippi River Corridor Task Force

Jerry
Dear Mr. Clifford:

I am troubled by reports that EPA Region 6 staff have been trying to persuade Louisiana citizens to provide assistance to Governor Foster's Mississippi River Corridor Task Force. It is inappropriate for your federal agency to be promoting this controversial, biased state project, and inappropriate for federal taxpayer money to be spent trying to convince residents of Louisiana of its legitimacy.

As you know, the Governor created the task force last fall in an attempt to head off EPA's Title VI investigation of the discriminatory activities of the Louisiana Department of Environmental Quality. When you and I spoke about the task force's membership, we shared a common concern that in the Governor's effort to appoint persons who shared his pro-development view of the corridor, the composition of the task force was obviously and dramatically biased. We both agreed that the task force did not, unlike federal advisory committees, contain a balanced representation of competing views and that persons had not been appointed to the committee based on their knowledge, experience or expertise. No effort was made to ensure that all stakeholders were fairly represented in the process or to ensure that the task force had the necessary expertise to render informed decisions. Instead, members were appointed based on their loyalty to the Governor's peculiar view of environmental justice.

When concerns were raised about the obvious bias of the task force, the Governor's office chose not to address those concerns but instead sought to paint persons holding those views as extremists. Over the past nine years, our clinic has represented over 175 different community organizations in Louisiana. I do not know of a single organization that believes the task force membership represents a good faith effort to ensure that competing views are fairly represented. While it may be politically expedient for the Governor to appoint a task force that will rubberstamp his view of the corridor, the result is a task force and process that lack legitimacy.

Another obvious problem of the task force is that it is chaired by a person who has been openly hostile to environmental justice and to groups who are trying to protect the health and well-being of communities against the hazards of excessive industrial development. Moreover, the task force is being assisted by DEQ employees who have been very hostile to environmental justice activists, and is using as "experts" persons who share the Governor's overriding concern for more highly-polluting development in the corridor.

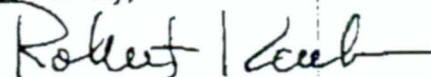
Against these concerns that I know you share, we have now learned that Region 6 has been trying to persuade Louisiana residents to assist the task force in its meetings. Given that this is a *state* task force, it is inappropriate for any federal employee to be promoting this task force or to be urging persons to cooperate with its biased mission. That these EPA employees are seeking to promote the Governor's task force on federal taxpayer time is even more troubling. If the task force wants the involvement of certain persons or organizations, then it is up to that group to make efforts to contact and persuade those persons or organizations to lend their assistance. Clearly, EPA should not be doing the task force's bidding, nor should EPA be throwing its weight or support behind this effort.

Those of us who have been working hard to bring environmental justice to the corridor look forward to the day when a fair process is created to ensure that development in the corridor fully and fairly addresses the concerns of corridor residents for the health and well being of their families. And when that process comes, you will see that the individuals and groups who share the goal of a safe, clean, economically-sustainable corridor will eagerly participate in that process. As you are aware, the Governor's Mississippi River Corridor Task Force is not the process that we have all been looking forward to but is a crass political move designed to deflect the public's and EPA's criticism of the state's anti-environmental justice policies.

A few weeks ago, Reverend Simi Lee Harvey, Marylee Orr and I sent a message to Louisiana environmental leaders that we would not participate in or assist the task force in its present form. If you, nevertheless, believe that it is in the best interest of EPA and consistent with its mission to serve and protect the people of Louisiana for EPA to attend the task force's meetings, then so be it. However, I urge that, at a minimum, EPA refrain from seeking to promote the task force and from urging others to support or assist the task force.

Thank you for your attention to this matter.

Sincerely,



Robert R. Kuehn, Director