



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

February 27, 2026

William Spencer, Acting Executive Director
The Maryland-National Capital Park and Planning Commission
6611 Kenilworth Ave.
Riverdale, MD 20737
via email: oed@mncppc.org

RE: Rejection and Referral of EPA Complaint No. 01-26-R3

Dear Acting Executive Director William Spencer:

As you are aware, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication (OCRA), External Civil Rights Division (ECRD) received the above-referenced complaint against the Maryland-National Capital Park and Planning Commission (M-NCPPC). The complaint raises allegations of discrimination by M-NCPPC on the basis of race by:

1. approving two preliminary plans of subdivisions in Brandywine, Maryland;
2. excluding residents from public participation regarding the two subdivision specific design plans; and
3. excluding residents in Southern Prince George's County from meaningful public participation in listening sessions for a regional transit plan.

This letter serves to notify you that ECRD is rejecting the complaint.

Pursuant to EPA's nondiscrimination regulation, ECRD must conduct a preliminary jurisdictional review of administrative complaints to determine whether to accept, reject, or refer it to an appropriate federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulation.

First, the complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the entity that the complainant identifies as allegedly engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. *See* 40 C.F.R. § 7.15.

Third, the complainant must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation. *See* 40 C.F.R. § 7.120(b)(1). An alleged discriminatory act is

one based on race, color, national origin, sex, age, or disability. Fourth, a complainant must file the complaint within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2).

After careful consideration, ECRD must reject this complaint because M-NCPPC is not a recipient of EPA financial assistance.

Pursuant to EPA's non-discrimination regulations at 40 C.F.R. § 7.120(d), and due to the subject matter of the allegations, the claim may fall under the jurisdiction of the U.S. Department of Transportation (DOT). Therefore, ECRD has referred the complaint to DOT for it to make a determination regarding ECRD's referral.

Finally, EPA's nondiscrimination regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have acted or participated in an action to secure rights protected by the civil rights requirements EPA enforces. *See* 40 C.F.R. § 7.100. Any individual that opines a recipient has engaged in such misconduct can file a complaint with EPA.

If you have any questions, please contact Case Manager Nell Cormack by email at Cormack.Nell@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Juan Carlos Hunt". The signature is written in a cursive, flowing style.

JuanCarlos M. Hunt, Director
U.S. EPA, Office of Civil Rights and Adjudication

cc: Catherine Libertz, Deputy Regional Administrator/Deputy Civil Rights Official
Allison Gardner, Regional Counsel
U.S. EPA, Region 3