

From: (b) (6) Privacy, (b) (7)(C) Enf. Privacy
To: Pokon, Emma; [ECRD Complaints](#); [ECRD Complaints](#); Caldwell, Trameka
Cc: thbu461@ecy.wa.gov; deena.garza@sao.wa.gov; dennis.worsham@doh.wa.gov; holly.myers@doh.wa.gov; joe.laxson@doh.wa.gov; ian.fawley@ecy.wa.gov; sarah.cassal@ecy.wa.gov; sepahelp@ecy.wa.gov
Subject: TITLE VI COMPLAINT RE BLAINE SEPA PUBLIC PARTICIPATION
Date: Monday, April 13, 2026 5:24:13 PM

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From: (b) (6) Privacy, (b) (7)(C) Enf. Privacy

Blaine, WA 98230

(b) (6) Privacy, (b) (7)(C) Enf. Privacy

To: EPA Office of External Civil Rights Compliance (OECRC)
Date: April 13, 2026
Re: Title VI Complaint – Blaine SEPA/Public Participation

I am filing this complaint under Title VI (42 U.S.C. §2000d) and EPA's civil rights regulations (40 C.F.R. Part 7), on behalf of myself and similarly affected residents. I am a Blaine [open government](#) and environmental advocate with Water Planning Matters documenting [risks to our drinking water](#), and a party of record in City of Blaine land-use proceedings. The respondent is the City of Blaine, WA, which receives EPA financial assistance, including funding related to water and environmental programs. I allege that Blaine's proposed land-use code amendments ([Ordinance 26-3043](#)) have a discriminatory effect on protected classes and deny meaningful participation in federally assisted programs.

Watch [The Anatomy of Exclusion](#) video from Water Planning Matters. Learn how Blaine's proposed municipal code changes undermine civic participation, public scrutiny, and government transparency.

1. **Discriminatory acts:** The City's April 2026 [proposed amendments](#) (SEPA File 2024019 / Permit 2026024) create multiple barriers to participation. They impose high appeal fees (\$2,500 minimum per appeal), shorten public notice and appeal deadlines (14 days), require commenters to meet a restrictive "aggrieved party" standard, and eliminate or limit in-person hearings unless formally requested. These provisions operate cumulatively to impose simultaneous financial, procedural, and time barriers that significantly restrict meaningful participation in environmental decision-making. As a result, the appeals

process can cost at least \$5,000 with no waiver mechanism.

2. **Protected classes & impact:** These rules disproportionately burden protected classes, including non-English-speaking communities (approximately 12.9% of Blaine), low-income residents (approximately 13.1% poverty rate), and persons with disabilities, including me (approximately 11%). The compressed 14-day notice period and reliance on English-language materials impede meaningful participation by Limited English Proficiency (LEP) residents, while high appeal costs prevent low-income individuals (I live in federally subsidized low-income senior housing) from pursuing appeals or participating in hearings. By contrast, applicants and institutional actors retain full access to the permitting process and its benefits.
3. **Title VI violation:** The City's procedures violate 40 C.F.R. §7.35(b), which prohibits recipients of EPA funding from using criteria or methods of administration that have the effect of excluding individuals from participation in, denying benefits of, or subjecting them to discrimination under a federally assisted program. Blaine's policies are facially neutral but have a predictable and significant disparate impact on protected groups. EPA guidance requires recipients to ensure meaningful access for protected populations. Less discriminatory alternatives are readily available, including fee waivers, extended notice periods, language access measures, and preservation of accessible public hearing rights, but the City has not implemented these measures.
4. **Program nexus:** The challenged land-use and environmental review processes directly affect federally assisted programs administered by the City, including decisions impacting drinking water protection, aquifer recharge areas, and environmental infrastructure. These processes therefore constitute a "program or activity" within the meaning of 40 C.F.R. §7.25 and are subject to Title VI requirements.
5. **Relief requested:** I request that EPA investigate and find that Blaine's amendments violate Title VI and 40 C.F.R. Part 7; require the City to suspend enforcement of the challenged provisions during investigation; and require corrective actions, including removal or reduction of financial barriers, implementation of language access measures, and restoration of meaningful public participation opportunities. I also request assurance of protection from further retaliation against complainants.
6. **Jurisdiction and timing:** The City's actions are subject to Title VI

because Blaine receives EPA financial assistance. The discriminatory acts occurred in April 2026, with the most recent act occurring on or about April 15, 2026 (DNS appeal deadline). This complaint is filed within 180 days, consistent with 40 C.F.R. §7.120.

I certify the truthfulness of this complaint under penalty of law.

Respectfully,

(b) (6) Privacy, (b) (7)(C) Enf. Privac
[Redacted Signature]

Complainant – Blaine, WA