



VIA EMAIL

Assistant Attorney General, Environment and Natural Resources Division
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September 13, 2019

**Re: Comment period & public meetings in *United States and State of Texas v. City of Houston, Texas*,
D.J. Ref. No. 90-5-1-1-08687/1**

To the Assistant Attorney General for the Environment and Natural Resources Division:

The U.S. Department of Justice recently noticed the consent decree in *United States & State of Texas v. City of Houston, Texas*, Civil Action No. 4:18-cv-03368 (S.D. Tex.) for a 30-day comment period. The Coalition for Environment, Equity and Resilience (CEER) asks the DOJ to extend the comment period by at least 60 days and take oral comments from Houston residents at public meetings across the city.

The Coalition for Environment, Equity and Resilience (CEER) is a collaboration of more than twenty-five non-profit organizations that work cooperatively to raise awareness of the connection between pollution, place, and the public's health. CEER developed in the Greater Houston region shortly after Hurricane Harvey, when community members and leading non-profits recognized that philanthropic entities were being relied upon to fill gaps in environmental enforcement, monitoring, community education, and coordination. From issues of affordable housing, to transparency in how emergency management dollars are being spent, CEER continues to drive community voices into the post-Hurricane Harvey decision-making process to promote equity and resilience. CEER does this by emphasizing land, water, air, waste, and housing policies that reduce human exposure to pollution and strengthens environmental conservation. These policy recommendations are best reflected in CEER's eight (8) point plan, a copy of which is attached to this letter.

CEER was among the more than 50 groups and individuals that pressured the City of Houston to release a copy of the consent decree and allow opportunities for public participation before voting on the draft consent decree. While the City released a draft of the consent decree as a result of these efforts, only a week later, the City Council voted to adopt the consent decree without making any changes--and without first holding its own public comment period, or otherwise involving affected communities and stakeholders.

The DOJ's comment period represents the first and only real opportunity for the public to give any feedback to Houston's consent decree. The scope of this settlement is massive and demands careful consideration: The consent decree requires \$2 billion in infrastructure improvements over 15 years to one of the largest sewer systems in the nation. This highly technical document will have real impacts on hundreds of thousands of Houston residents, ranging from upgrades to wastewater infrastructure near their homes to rate increases on their monthly water bills. To give the public enough time to review and understand the consent decree before submitting comments, the DOJ should extend the comment period by at least 60 days.

Further, we strongly believe that the federal government should hold public meetings to take comments on the consent decree. Given Houston's size and dispersed population, these public meetings should be held across the city near public transit and in several languages to include a wider range of Houston residents, including

non-English-speaking communities. The meetings should be accessible to accommodate a variety of abilities and also provide childcare. We urge you to design these meetings to meet the varied needs of the most vulnerable communities who historically bear a disproportionate burden of increased costs and pollution.

In light of the lack of opportunities for public engagement so far, the federal government, together with state and local governments if possible, may use these meetings to educate the public about the terms of the consent decree and receive valuable feedback at the ground level. Extending the comment period would allow the federal government more time to prepare for these public meetings, including translating summary documents into additional languages and arranging for interpretation.

We urge the DOJ to extend the public comment period by a minimum of 60 days and schedule public meetings across the city to take public comment. CEER offers our partnership to inform the design and structure of those meetings, if that would be helpful. I can be reached at (713) 331-9913, or by email at iris@ceerhouston.org to discuss this and answer any questions.

Thank you for your consideration.

Sincerely,

Iris Gonzalez
Coalition Director
The Coalition for Environment, Equity and Resilience (CEER)
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