



NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
NORTH CAROLINA STATE CONFERENCE

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Rev. Dr. T. Anthony Spearman
State President

Mr. Joseph M. Alston
Executive Director



March 4, 2019

DWR Animal Operations
Attn: Swine General Permit
1636 Mail Service Center
Raleigh, NC. 27699-1636

Via e-mail to: Christine.Lawson@ncdenr.gov and Swinepermit.comments@ncdenr.gov

Re: *Draft Swine Waste Management System General Permit (AWG100000)*

Dear DWR Animal Operations:

The North Carolina Conference of NAACP Branches is 70 years old this year and is made up of over 100 Adult, Youth and College NAACP units across the state, convenes the more the 150 members of the [Historic Thousands on Jones Street \(HKonJ\) Peoples Assembly Coalition](#), and is the architect of the Moral Monday & Forward Together Movement. Its mission is to ensure the political, educational, social and economic equality of rights of all persons and to eliminate racial hatred and discrimination.

The North Carolina Conference of NAACP branches submits the following brief comments on the draft Swine Waste Management System General Permit (AWG100000). In addition to these comments, please note that the State Conference fully endorses and incorporates by reference the comments submitted on behalf of the North Carolina Environmental Justice Network, the Rural Empowerment Association for Community Help, Waterkeeper Alliance, Inc., and Crystal Coast Waterkeeper, who were the complainants in a Title VI civil rights complaint filed with the EPA in 2014 regarding issues of race discrimination in DEQ's permitting of swine waste facilities. We note that EPA issued the department a "letter of concern" regarding that complaint, which expressed "deep concern about the possibility that African Americans, Latinos, and Native Americans have been subjected to discrimination as the result of NC DEQ's operation of the Swine Waste General Permit program."

Environmental justice is a priority for the North Carolina NAACP, and its branches and members, and is a core element of our 14 Point People's Agenda, which states:

Promote Environmental Justice. NC must fight all forms of environmental injustice, promote green jobs, and establish an Environmental Job Corps that will employ young people who did not graduate high school and re-engage them in public service.

The People's Agenda also expressly demands that the State "Enact new policies to prohibit the concentration of pollution sources near low-income and minority communities."

The draft swine permit fails to meet this standard. It does not acknowledge the continuing racially disparate impacts of permitted swine waste operations nor establish any measures to mitigate those impacts on communities of color. By this inaction, the State continues to violate the civil rights of African American, Latinx, and Native American residents, families, and communities.

We call on the DEQ to immediately work to address the environmental racism built into the current draft permit. In the May 2018 settlement agreement in the Title VI complaint, DEQ agreed to develop and implement an environmental justice tool to identify and ultimately minimize the racially discriminatory impacts of swine operations it regulates. We have recently learned that this tool will not be ready in time to use for the pending permit. It is therefore critical for the protection of those communities and for the State to comply with its legal responsibilities under Title VI of the Civil Rights Act that DEQ incorporate provisions regarding these communities of concern and limit the term of the General Permit to 2 years, while the environmental justice tool and related mitigation measures to address racially discriminatory impacts can be developed and implemented.

Respectfully Submitted,

A handwritten signature in black ink, reading "Rev. Dr. T. Anthony Spearman". The signature is written in a cursive style with a long horizontal line extending to the right.

Rev. Dr. T. Anthony Spearman
President, NC NAACP State Conference