



TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

If you believe the California High-Speed Rail Authority has discriminated against you based on your race, color, national origin, sex, age, disability or low-income you may file a complaint. The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know. You may contact the Title VI Coordinator at (916) 324-1541 or by email at TitleVICoordinator@hsr.ca.gov.

Complete and return this form to California High-Speed Rail Authority, Title VI Coordinator, 770 L Street, Suite 1160, Sacramento, CA 95814.

1. Complainant's Name: City of Wasco
2. Mailing Address: 746 8th Ave.
3. City/State/Zip Code: Wasco, CA 93280
4. Telephone: (661) 758-7214
5. Person discriminated against (if other than complainant):

Name: Citizens of City of Wasco

Address: 650 H Street

City/State/Zip Code: Wasco, CA 93280

6. Which of the following best describes the reason you believe the discrimination took place?
Was it because of:

- | | | | |
|--------------------|-------------------------------------|---------------|-------------------------------------|
| a. Race | <input checked="" type="checkbox"/> | e. Sex | <input type="checkbox"/> |
| b. Color | <input checked="" type="checkbox"/> | f. Disability | <input type="checkbox"/> |
| c. National Origin | <input type="checkbox"/> | g. Low Income | <input checked="" type="checkbox"/> |
| d. Age | <input type="checkbox"/> | | |

7. What date did the alleged discrimination take place? Nov. 2018 to present

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 324-1541 or TTY (916)403-6943 or write Title VI Coordinator, 770 L. Street, Suite 1160, Sacramento, CA 95814 or TitleVICoordinator@hsr.ca.gov

TITLE VI COMPLAINT FORM (CONT.)

8. In your own words, describe the alleged discrimination. Explain what happened and whom you believe to be responsible. Please use additional sheets of paper, if necessary.

Please see attached "Exhibit A"

9. List any others who may have knowledge of this event:

Name	Address	City/State/Zip Code
City of Wasco Code Enforcement	764 E Street	Wasco, CA 93280
Wasco Housing Authority	750 H Street	Wasco, CA 93280
Kern County Housing Authority	601 24th Street	Bakersfield, CA 93301
Kern County Sheriff's Department	1350 Norris Rd.	Bakersfield, CA 93308-2231
Kern County Fire Department	5642 Victor Street	Bakersfield, CA 93308
Carl Reed (Asphalt Coatings Engineering Inc.)	851 H Street	Wasco, CA 93280
Jeff Martin (American Refuse)	1316 J Street	Wasco, CA 93280

10. Have you filed this complaint with any other federal or state government agency, or with any federal or state court? Yes: No:

A. If yes, check each box that applies:

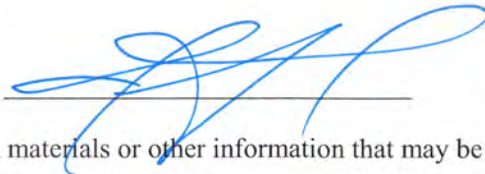
Federal Agency Federal Court

State Agency State Court

B. Please provide a contact name at the agency/court where the complaint was filed: N/A

Please sign below:

Complainant's Signature:



Date:

10-8-2020

You may attach any written materials or other information that may be relevant to your complaint.

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EXHIBIT A

8. In your own words, describe the alleged discrimination. Explain what happened and whom you believe to be responsible. Please use additional sheets of paper, if necessary.

The California High Speed Rail Authority (HSR) seeks to build its project through the City of Wasco, and adjacent to the former Wasco Farmworkers Housing Project located at 650 H Street. HSR is responsible for continuing and evolving violations of Title VI.

The City of Wasco is a city situated in the San Joaquin Valley, in Kern County, California, United States. Wasco is located 24 miles northwest of Bakersfield, CA. As of the 2010 census, the population of Wasco was 25,545.

People of Color make up the majority of the population of Wasco, with 76.7% of the population being Hispanic or Latino. Over half the residents of Wasco live in neighborhoods designated by the California Environmental Protection Agency (CalEPA) as a "Disadvantaged Community". According to CalEPA, these neighborhoods are disproportionately burdened by, and vulnerable to, multiple sources of pollution.

The area encompassing 650 H Street is ranked by CalEPA in the 90% percentile of disadvantaged communities statewide, and thus among the most susceptible to environmental injustice.

HSR's own Environmental Impact Report (EIR) confirms CalEPA's finding. HSR notes in its own reports that the City of Wasco is a city of 21,263 of which 78.4% area minorities and 27.6% designated as low income. In the Environmental Justice Area impacted by HSR, the City of Wasco has 7,868 residents made up of 91.3% minorities and 31.9 designated low income.

HSR specifically notes that Wasco contains a number of "communities of concern" along the entire HSR project area.

As part of its efforts to mitigate the grave environmental justice impacts to the community of Wasco, in July 2016 HSR committed \$10 million to relocated the Wasco Farmworkers Housing Relocation Project located at 650 H Street. HSR's EIR identified the relocation of the housing project as "a mitigation measure for impacts associated with the construction and operation of the Rail Corridor."

HSR's contribution of \$10 million helped to mitigate the disparate treatment caused to the minorities in the impacted area of Wasco. However, four years later it is apparent the scope of HSR's unprecedented rail project have created new challenges to the largely minority community that:

- Deny the community services and benefits provided other communities along the rail corridor based on their race, color and national origin;
- Provide inferior services relative to other services provided to other communities along the rail corridor based on their race, color and national origin;

- Subject them to segregation and separate treatment creating unsafe and unhealthy living conditions which are directly related to the HSR Project, and based on the community's race, color and national origin;
- Restrict the enjoyment of their community by creating unsafe and unhealthy living conditions which are directly related to the HSR Project, and based on the community's race, color and national origin;
- Treat the community differently by refusing to provide adequate resources to mitigate and overcome the unsafe and unhealthy living conditions which are directly related to the HSR Project, and which refusal is based on the race, color and national origin of the community;
- Discriminate against the community by purposefully selecting the HSR corridor through Wasco in an area populated by low-income minorities and then refusing to provide adequate mitigation measures for impacts associated with the construction and operation of the rail corridor.

The continued presence of HSR and the impacts of closing the Wasco Farmworkers Housing Relocation Project located at 650 H Street have created new environmental justice impacts that will cost in the range of \$5-6 million to mitigate these new environmental impacts.

The specific impacts sought to be mitigated include \$6 million to demolish and revitalize the old Wasco Farmworkers Housing Relocation Project at 650 H Street and the surrounding area.

HSR claims that the \$10 million agreement between the City of Wasco and HSR from July 2016 forecloses any other claims by the residents of Wasco. The City of Wasco disputes this claim. Additionally, such a claim has no bearing in a claim for disparate treatment under Title VI.

Specifically, Title VI notes "A recipient, in determining the type of . . . services, benefits, or facilities which will be provided under such program . . . may not, directly or through **contractual or other arrangement**, utilize criteria or methods of administration which the effect of subjecting individuals to discrimination." *49 C.F.R. § 21.5(b); 28 C.F.R. § 42.104(b)* (emphasis added).

In short, contracting with the City of Wasco to provide \$10 million to mitigate environmental impacts to the community in 2016 does not relieve HSR of the continuing obligation to continually monitor, evaluate, and mitigate new and evolving injustices as they occur.

The City of Wasco prays for relief to mitigate the negative environmental impacts to our community.

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