

**For Immediate Release**  
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## **F-35 Jet Foes Submit Environmental Justice Complaint to EPA**

Today Safe Skies Clean Water Wisconsin submitted an Environmental Justice Complaint to the USEPA Administrator Michael Regan under Title VI of the Civil Rights Act. The complaint asks the EPA to intervene in the Air Force decision to deploy a squadron of F-35A fighter jets to the Wisconsin Air National Guard at Truax Field in Madison.

Safe Skies contends that the Civil Rights Act has been violated by the Air Force, and state, county and local leaders, because the greatest negative environmental impacts of the jets will fall on the low-income families and families of color that live adjacent to the Dane County Regional Airport and Truax Field. The Air Force prepared Environmental Impact Statements evaluating five potential sites for the jets and selected the only two where there would be “disproportionate impacts to low-income, minority populations, and children.” The sites selected for the F-35 jets were Madison and Montgomery, Alabama.

The complaint names the following parties for their participation in the violation of Title VI: the Wisconsin Air National Guard and Adjutant General Paul Knapp; the State of Wisconsin and Governor Tony Evers; the Wisconsin Department of Natural Resources and its Secretary, Preston Cole; Dane County and County Executive Joseph Parisi; Dane County Regional Airport and its Director, Kimberly Jones; and, the City of Madison and its Mayor, Satya Rhodes-Conway. Safe Skies contends that State, County and local leaders are complicit in promoting environmental injustice and environmental racism due to their approval, support or acquiescence in locating the squadron of F-35 fighter jets at Truax Field.

The Biden Administration has “pledged an aggressive, broad-based approach to achieve environmental justice.” The president has formalized his commitment “to make environmental justice a part of the mission of every agency by directing federal agencies to develop programs, policies, and activities to address the disproportionate health, environmental, economic, and climate impacts on disadvantaged communities.”

“Safe Skies Clean Water is asking President Biden and his administration to stay true to their word,” said Safe Skies leader Steve Klafka. “This complaint gives the Biden Administration an opportunity to do the right thing by low-income and people of color in Madison.”

There are more than 60,000 people who live within three miles of Truax Field, as well as 17 K-12 public schools, ten private schools, 13 nursery and child care centers and a school for children with special needs less than a mile from the airport runway. According to a 2018 neighborhood study by the City of Madison, kids in the Truax area are struggling even before they start school, with only 48 percent considered “kindergarten ready.” One of the schools destined to suffer the worst noise impacts is Hawthorne Elementary, where most children are low-income and of color. According to city staff, almost every impacted area with the greatest

noise exposure belongs to a census tract with rates of persons of color well above city and county-wide averages.

Melina Lozano teaches at Hawthorne Elementary School, less than a mile from the county airport and Truax Field. Lozano feels the training flights by existing F-16 fighter jets already disrupt the education of her students and will worsen with the proposed F-35 jets. "As a public school educator, I have seen first hand how much the F-16 fighter jets affect student learning. Teaching stops when students are distracted by the loud jets flying over the school throughout the day. Students lose track of the lesson and their learning is interrupted. Most of our students come from low-income and families of color that already struggle to succeed. The education of our students will suffer further due to the Air National Guard plans for louder and more frequent F-35 fighter jet training."

The Environmental Impact Statement estimated there would be 2,766 people and 1,318 households living within the 65-decibel noise contour the FAA considers incompatible with residential housing. These people would qualify for noise mitigation funds for relocation or noise insulation. However, based on the experience of residents in the Burlington, Vermont region, mitigation would not be complete until 2060.

The Air Force and Wisconsin Air National Guard are responsible for contamination of area groundwater but they have failed to fully investigate the extent of the contamination or develop a plan for its removal. Fish contaminated by PFAS are consumed by local residents. The taxpayer cost for Dane County's squadron of F-35s jets will be \$2,206,000,000, but does not include funds for PFAS cleanup. Construction has begun to accommodate the F-35 jets on land with groundwater contaminated with PFAS thousands of times greater than proposed state standards.

Maria Powell, Executive Director of Madison Environmental Justice Organization, applauded Safe Skies submission of the complaint. She said: "The Air Force and Air National Guard plan to bring F-35 fighter jets to Madison will double down on a long history of environmental injustice and racism which surround the Dane County airport. An environmental justice inquiry by the federal EPA is long overdue. For decades, city and county officials have looked the other way as low income and families of color have been exposed to the airport's noise and water pollution. Officials have failed to address PFAS pollution spewing from the airport, burn pits, military base, former Truax Landfill and Burke sewage plant into Starkweather Creek, the Yahara Chain of Lakes, and the fish consumed by many low-income subsistence anglers. The current race and class-based disparities in pollution exposure have not been addressed, and the arrival of the noisier F-35 fighter jets will only worsen these unacceptable living conditions. We hope the EPA responds aggressively to the Safe Skies complaint and stops the blatant environmental racism promoted by the Air Force and Air National Guard."

Safe Skies has asked the EPA to intervene and stop the arrival of the F-35 jets. If the jets cannot be stopped, a community remediation program must be immediately developed to address the environmental impacts on Madison residents. To address noise impacts this program would include funds for the government to purchase impacted homes, relocation of residents, and soundproofing of impacted homes, schools and businesses. To address existing PFAS contamination of water resources, construction for the new jets would stop until there is a

comprehensive program to investigate and clean up PFAS contamination. The plan would pay for water filtration on homes, schools, and public and private wells. There would be a clean fish exchange program for contaminated fish caught in Starkweather Creek and the Yahara Chain of Lakes.

Co-sponsors to the environmental justice complaint include numerous local religious, environmental and educational organizations representing the residents who are concerned about the health and safety of the Madison community. These include Midwest Environmental Advocates, the Madison Environmental Justice Organization, Wisconsin Environmental Health Network, Madison Teachers Inc. and the Madison Board of Education. They call out the Air Force, as well as state, county and local leaders, for promoting environmental injustice and racism.

The environmental justice complaint was prepared for Safe Skies by the Environmental Law Clinic at the University of Detroit Mercy School of Law. The full text of the complaint is attached and is also available on the organization's website: [safeskiescleanwaterwi.org](http://safeskiescleanwaterwi.org).

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