

EXHIBIT B

**DECLARATION
OF
DANYELLE HOLMES**

in Support of
Mississippi Poor People's Campaign's and People's
Advocacy Unopposed Motion for Leave to Intervene

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
(Northern Division)**

UNITED STATES OF AMERICA,
and the STATE OF MISSISSIPPI,

Plaintiffs,

v.

THE CITY OF JACKSON, MISSISSIPPI,

Defendant.

Case No. 3:12-cv-790-HTW-
LGI
(Clean Water Act Case)

UNITED STATES OF AMERICA,

Plaintiff,

v.

THE CITY OF JACKSON, MISSISSIPPI,

Defendant.

Case No. 3:22-cv-00686-HTW-
LGI
(Safe Drinking Water Act
Case)

**DECLARATION OF DANYELLE HOLMES IN SUPPORT OF
THE MISSISSIPPI POOR PEOPLE’S CAMPAIGN AND
THE PEOPLE’S ADVOCACY INSTITUTE’S
UNOPPOSED MOTION FOR LEAVE TO INTERVENE IN THE
SAFE DRINKING WATER ACT CASE**

I, Danyelle Holmes, hereby affirm and state:

A. Introduction.

1. My legal name is Morlettra Danyelle Holmes, but I go by Danyelle Holmes. I am over eighteen years of age and have personal knowledge of the facts set forth in this declaration.

2. I am a National Social Justice Organizer with the Mississippi Poor People's Campaign: A National Call for Moral Revival (MS-PPC). I make this declaration based upon my personal knowledge and in support of MS-PPC's and PAI's Unopposed Motion for Leave to Intervene.

3. I was born and raised in Greenwood, Mississippi. I moved to Jackson in 1991 to attend Tougaloo College, which I attended from 1991-1993.

4. I have lived in the northeast area of Jackson since 1991 and have lived in the Briarwood Addition Subdivision since 2019.

5. For decades, my personal and professional endeavors have been committed to uplifting the voices of those disproportionately affected by society's systemic ills, such as environmental racism and climate injustice, inequitable labor practices, discriminatory policing, and educational disparities in my home state of Mississippi.

6. I have worked with MS-PPC since approximately 2018. MS-PPC is the state chapter of the national Poor People's campaign, which is a campaign of the organization Repairers of the Breach. In my position as National Social Justice Organizer, I am a field team member organizing communities in fifteen states, including in Mississippi. In my role, I go into states to organize and assist different PPC state chapters with their campaigns under the PPC umbrella.

7. Specifically, in working with people from state campaigns, I oversee and facilitate the campaigns to ensure they are moving according to the principles and guidelines of PPC. My job requires me to help with protests, rallies, state campaign meetings, and national campaign meetings.

8. My role at its core is a community organizer, helping MS-PPC, and PPC

chapters in other states, to build out membership and partnership bases by providing instructions on how to best organize, mobilize, and bring people together to achieve their state campaign goals, including providing political education and developing strategies with state campaigns.

9. A lot of my work also entails working alongside the Mississippi Rapid Response Coalition (MRRC or the Coalition), which is a coalition of over thirty organizations that provide rapid response support in times of crisis throughout the State of Mississippi. Along with Rukia Lumumba of the People's Advocacy Institute (PAI), I helped co-found the Coalition in 2020 in response to the COVID-19 pandemic, and I currently serve on the steering committee of the Coalition.

10. The Coalition has responded to crises related to both climate change and failing infrastructure in the State. During the COVID-19 crisis, other MRRC members and I assisted with on-the-ground organizing to ensure that students had hot meals and transportation to school throughout the State. We also set up COVID-19 testing through MS-PPC and ensured that our residents, schools, poll and campaign workers, and workers at other local institutions had access to personal protective equipment (PPE) to protect against COVID-19. We took it upon ourselves to educate folks about COVID-19 and make sure that they had access to PPE that they could not afford or easily find.

11. Additionally, through the MRRC, MS-PPC provided rapid response to residents in the aftermath of Hurricane Ida and the 2022 tornados that devastated the Mississippi Delta.

12. In the wake of the 2020 winter storms and widespread pipe freezing and loss of water, the MRRC also formed a rapid response team to supply water to residents and to

provide cash assistance to locals who had missed work because of the storms or struggled to replace groceries that spoiled when the electricity went out.

13. In my role with MS-PPC, I have worked with the MRRC to advocate for clean and safe drinking water and organized ground distribution of bottled water and water testing supplies and filters. MS-PPC has actually led the ground work in water and water filter distribution efforts in Jackson.

14. I too have personally been affected by this water crisis. The tap water in my Northeastern Jackson home runs brown and smells like eggs every few months, which lasts for about a week before going away. I have been without running water approximately four times this year, and I have had low water pressure in my home approximately two to three times a month.

15. Because of MS-PPC's and the MRRC's role in the Jackson community, Jackson residents often come to me, other MS-PPC supporters (who, as explained below, carry out MS-PPC's work), and other MRRC representatives to express their concerns about the water quality. Community members regularly contact me via phone and social media and other MRRC members via phone about the water crisis, reporting concerns that their water comes out of the faucet oily and/or brown and that they experience health condition flare-ups after bathing in and drinking Jackson's water.

16. I have helped MS-PPC lead, organize, and along with hundreds of MS-PPC supporters, participate in numerous rallies and community meetings about the water crisis and other environmental issues, including three days of action called "Moral Mondays." Other MS-PPC supporters and I also have participated in approximately twenty weekly town halls about the Jackson water crisis, hosted by the People's Advocacy Institute's Jackson's

People's Assembly, in various Jackson neighborhoods.

17. I am also the Director of the Mississippi Prison Reform Coalition Pathway Program, which started as a campaign of MS-PPC. The Pathway Program connects people who are transitioning from incarceration, or who have otherwise been affected by the criminal legal system, to job training and support services. The goal of the program is to reduce recidivism and improve employment outcomes for people reentering the community after incarceration or convictions.

18. Before working with MS-PPC, I worked with United Auto Workers as the State Lead Interfaith Organizer from 2015-2017, working to organize clergy across Mississippi in support of the workers attempting to organize unions at Canton Nissan.

B. MS-PPC represents the local community in protecting its interests to access a safe, equitable public water system in Jackson in the short- and long-term.

19. MS-PPC is a grassroots Mississippi mobilization and sponsored advocacy campaign of the Poor People's Campaign: A National Call for Moral Revival. In continuing Dr. Martin Luther King Jr.'s charge to unite the poor and dispossessed from across the nation, MS-PPC is dedicated to uniting people across Mississippi to challenge the evils of systemic racism, poverty, the war economy, ecological devastation, and Christian nationalism.

20. As a community-based campaign working daily to ensure that Jackson residents' immediate and long-term needs are met, MS-PPC has valuable information about the pressing health, safety, and economic needs of Jackson's community and about what will work best to meet those needs.

21. The population that MS-PPC serves is residents of marginalized areas of Jackson, including West and South Jackson.

22. MS-PPC is composed of, and its work is carried out by, individuals known as

“supporters,” who sign up with MS-PPC to support its campaign. People become supporters of the campaign by signing and submitting hard-copy pledge cards or signing up online at poorpeoplescampaign.org. In so doing, supporters pledge to support the Poor People’s Campaign, including local and state campaigns. They also agree to share their contact information with Poor People’s Campaign and to be contacted about relevant campaign actions or events based on their zip code. I have signed up, and am, a “supporter” of MS-PPC.

23. MS-PPC also has a volunteer coordinating committee consisting of about thirty Mississippi-based members, who are core organizers of the state campaign and which meets biweekly, as well as tri-chairs, who meet twice a month and lead and guide the state campaign.

24. I actually started my work with MS-PPC serving as a tri-chair around 2018, and I now oversee the coordinating committee.

25. The work of MS-PPC is carried out by its committees, which include the political action committee, education committee, mobilizing committee, events committee, interfaith committee, and partners committees. The committees are comprised of supporters.

26. MS-PPC updates supporters about events or activities via email and text messages.

27. We have about 2,600 supporters in Mississippi, including hundreds of supporters, like me, who live and/or work in Jackson and have been directly affected by Jackson’s drinking water crisis for years.

28. The majority of MS-PPC supporters are poor or low wealth residents, advocates, or clergy members.

29. When a person becomes a supporter of MS-PPC, they join state-wide phone calls, which occur 1-2 times a month; attend and support rallies, marches, and other PPC-

affiliated events; and give donations to the state campaign.

30. Supporters also sign onto collective public statements in support of the above issue areas of MS-PPC, and in volunteer opportunities to provide mutual aid to other residents.

31. Supporters receive t-shirts, pens, hats, banners, and placards to wear and/or use at MS-PPC events and activities.

32. MS-PPS funds its activities through donations made by supporters, as well as through partner organizations or the PPC national campaign.

33. Through the Coalition, MS-PPC has been a lead rapid response provider throughout the Jackson water crisis since 2020, providing drinking water and water quality information across Jackson's seven wards and consistently stepping up to support Jackson residents when government entities have abdicated their responsibilities to do so.

34. As a part of the MRRC, MS-PPC does wellness checks on residents, informs residents of boil water notices, and distributes water to people in need. MS-PPC does these wellness checks periodically in response to reports of smelly, brown water or low water-pressure. Whether residents are experiencing brown water, lack running water, or just plain do not trust the water, we want to provide them with the water that they need.

35. On behalf of MS-PPC and the Coalition, I and other supporters of MS-PPC and other MRRC members have updated community members about boil water notices and recommended that they do not consume or use the water without following proper safety measures. Because Jackson has received fewer boil water notices in 2023, MS-PPC and the MRRC tend to find out about dirty water issues in different neighborhoods when people call us or post issues on social media, or we hear through word of mouth. We also have notified residents of boil water notices by notifying local media outlets, using word of mouth, and

going door-to-door in the neighborhoods affected by the boil water notice.

36. MS-PPC supporters, along with other Coalition members, distributes water door-to-door in affected Jackson neighborhoods. On behalf of MS-PPC and the Coalition, I have participated in those efforts. For elderly and disabled people, we have delivered their water. And if the affected area is extremely large, we will set up water distribution sites for residents to drive through. On behalf of MS-PPC and the Coalition, I have gone door-to-door notifying residents, many of whom did not know that their neighborhood was yet again under a boil water notice.

37. MS-PPC's work through the Coalition to notify residents of boil water notices is necessary because the local, state, or federal government entities involved in the water crisis have not been providing consistent, adequate notice to residents. In addition, since the Interim Third-Party Manager's (ITPM) takeover of the water system, the Coalition finds that many residents are unaware of JXN Water—the private company set up by the ITPM to manage Jackson's water—and do not know whom in the local City or Mississippi State governments to call when they have a water issue.

38. When other MS-PPC representatives and I go door-to-door to inform residents of boil water notices and water quality issues, we give residents the opportunity to sign up at that time to get their water tested and to receive a filter for their home. We have a database that we input this information into. We do these visits periodically based on residents' reports of issues with their water, and share these water concerns of the residents with PAI and other MRRC member organizations.

39. Over the last ten months, MS-PPC and other organizations within the Coalition have distributed over two million bottles of water, over 2,000 filters, and numerous testing kits

certified by the U.S. Environmental Protection Agency (EPA).

40. We also often go door-to-door in lower income neighborhoods and to senior centers to distribute water and filters. We start with senior facilities to see if residents would like to have a water filter or for their water to be tested. We demonstrate to residents how to properly use and install their filters. We also educate residents about how to test their water.

41. As an organizer and supporter of MS-PPC, I know MS-PPC is deeply concerned by the state of Jackson's public water system, and is interested in ensuring Jackson residents' access to safe and clean drinking water given that the use of the water system has the potential to impact their health.

C. MS-PPC's and its supporters' observations of this case and attendance at this Court's status conference hearings.

42. I learned about the EPA's filing of this Safe Drinking Water Act ("SDWA") case at the end of November 2022 soon after it was filed in the federal court in Jackson. I was hopeful that the unprecedented amount of federal attention coming into the City of Jackson through this suit to fix the water system would provide safe drinking water while the system was being fixed and that residents would be routinely updated about the changes to the water system.

43. In addition, I learned at the end of November 2022 that the Court had appointed the ITPM and that he was given broad powers to manage Jackson's water system as a short-term method to stabilize the water system. I also learned that the case would remain stayed to allow the parties time to get to a settlement.

44. I understood that although it could take up to ten years to fix the infrastructure, the ITPM's role would last no longer than a few months to stabilize the system, so that—for example—we would not have such frequent boil water notices and water outages—and that his role would end when we received the funding to overhaul and fix structural issues. But there does

not appear to be an end in sight for the ITPM's position.

45. In my personal capacity as a resident and in my professional capacity as an organizer with MS-PPC and the Coalition, I have attended several status conference hearings in this SDWA case to share with community any updates from the ITPM on any changes in the water system and the parties' progress in this case. Each time I have attended, I note that the government representatives in court rarely speak in court to share updates about the quality of the water or progress towards fixing the water system. Instead, the proceedings I have observed consist mostly of the ITPM sharing reports about the quality of the water from his sole perspective and progress towards projects he is responsible for completing.

46. Shortly after a proceeding in February in this case, I learned that there was a confidentiality order entered in this case that keeps private the discussions between the parties and the State of Mississippi about possible settlement terms in this case. This was concerning to MS-PPC because MS-PPC and the Coalition would not have access to information about the full extent of progress made by the ITPM, the parties, or the State of Mississippi in connection with the water system.

47. On July 12 and 13, 2023, in my personal capacity as a resident of Jackson and on behalf of MS-PPC, I attended a status conference in this SDWA lawsuit to express the Coalition's, MS-PPC's, and MS-PPC's supporters' views on, and interests in, the water crisis.

48. On July 12, in open court, in my personal capacity as a resident of Jackson and on behalf of MS-PPC, I raised my concerns regarding the lack of information sharing from JXN Water, the State, and the EPA around the state of the water quality, the failure to hire minority contractors and staff dedicated to interfacing with the community, and ongoing concerns about the appearance and safety of the water, as described in this Declaration.

D. MS-PPC's and its supporters' participation at public and private meetings with local and federal government representatives and attendance at court status conference hearings.

49. Since the ITPM was appointed, MS-PPC and the MRRC have worked to ensure the community's representation and co-leadership in the solutions to the water crisis. For about the last ten months, on behalf of MS-PPC and the Coalition, I have attended more than ten public meetings with government officials regarding the Jackson water crisis. MS-PPC and MRRC leadership, including myself, have hosted over ten People's Assemblies (which are community meetings) and have attended over twenty town halls to learn about Jackson residents' perspectives on the water crisis and to bring those perspectives to public meetings with government officials.

50. For example, on March 22, 2023, on behalf of MS-PPC and the Coalition, I participated in a meeting hosted by the EPA for leaders of community groups in Jackson. Meeting participants included an Assistant U.S. Attorney for the Southern District of Mississippi, EPA staff, and community leaders. In that meeting, the EPA and the Department of Justice (DOJ) explained that they would collect comments from the community and talked about this lawsuit. However, officials from neither agency explained whether or how those comments would be addressed or incorporated into the lawsuit.

51. In that meeting, I described MS-PPC's, its supporters, and other residents' concerns about the water system and water quality, including their need for a publicly controlled water system, that kids were still going to school without being able to bathe, that the elderly would not drink the water, and that people still could not cook with or drink the water—all out of a concern for their health. I observed other attendees, including other community leaders, express similar concerns.

52. In July 2023, PAI and I, on behalf of PPC-MC, also met with Jackson Mayor

Lumumba, City Attorney Catoria Martin, and other members of the Mayor's administration and the City Council to address PPC-MS's, its supporters', and other residents' concerns around the lack of consistent, easily accessible information as to the issues with the water system and the lack of community engagement in resolving the water crisis. Later that month, in these same capacities, I and Rukia Lumumba of PAI also met again with the EPA along with our counsel later.

53. MS-PPC's participation at the meetings above was to engage with government officials around MS-PPC's, its supporters', and other residents' health and economic interests to access a properly administered safe and clean public water system. I entered these meetings with an understanding that MS-PPC supporters, the MRRC, and other community members would have the opportunity to collaborate with the ITPM and the EPA to ensure residents' access to clean drinking water. However, that has not proven to be the case, as I describe below.

E. Lack of information sharing about the water system and community engagement from the EPA and other government agencies.

54. As the stay in the federal case has continued—first for six months, then another six months—it has become increasingly clear to me, MS-PPC and its supporters, other MRRC members, and local residents that the ITPM will remain in his role for additional time. It is also clear that residents' demands for inclusion in the resolutions to fix the water are not being pushed for by the parties in the case, despite MS-PPC's demands and extensive efforts for inclusion.

55. I understand that under the current Interim Stipulated Order (“ISO”)—the agreement between the parties in this case that appointed the ITPM and granted him authority—the ITPM is not required to engage with or explain his decisions to the community or keep them updated on more than a quarterly basis through public progress reports.

56. The ITPM is also not subject to Mississippi's open records or contract procurement laws. Nor is the ITPM required to give first opportunity to Jackson contractors or

workers to work on the infrastructure fixes or to conduct outreach to local workers about prospective work.

57. The ISO also does not require the ITPM to send regular monitoring data to community groups or liaisons to distribute to residents or to meet with community. These provisions raise significant concerns for impacted community members, the MS-PPC and its supporters, the MRRC, and their partnering organizations, like PAI because residents are not consistently and adequately notified about the status of the City's public water quality, including through the provision of boil water advisories that reach the entirety of Jackson's affected community.

58. From my and other MS-PPC's representatives' own experience of searching for and observing boil water notices on the JXN Water website and on social media pages and from speaking with countless residents each week, MS-PPC knows residents are not receiving boil water notices; there are irregular social media updates, and no boil water notices are posted on the JXN Water website.

59. Since the ITPM gained control of the water system, I have noticed a decrease in communication and transparency between JXN Water and the community. The ITPM had scheduled four to six weekly community meetings across various neighborhoods in Jackson in the Spring 2023, but canceled all of those meetings. They have yet to be rescheduled with MS-PPC or any organizations by the ITPM, to my knowledge.

60. There is also a lack of data regarding the money that JXN Water has received to make necessary repairs to Jackson's water infrastructure. Consequently, as a resident and MS-PPC Jackson-based organizer and supporter, I do not know whether the water is safe to drink and, without more information, do not trust the government representatives' broad statements that it is

safe to drink.

61. Also, there is no way for the community to comment on the current negotiations towards a settlement of the SDWA case before it becomes final, despite the fact that everyday Jackson residents will be most affected by decisions made in the settlement. Waiting until a settlement has been reached to allow for public input is not a community-informed or -driven approach.

62. While MS-PPC and its supporters have made the above efforts to ensure they share that the community's concerns in the limited forums made available to us by government agencies, the Parties in this case, including the EPA, still have not meaningfully included community in the solutions to date or responded to their concerns, and PPS-MS is concerned they will continue to be disregarded.

F. MS-PPC possesses community-informed and -driven solutions to the water crisis.

63. As a Jackson resident and community organizer with MS-PPC and the Coalition, I find that this public health water crisis is a matter of life or death. This has been a traumatizing experience for me and many supporters of MS-PPC, who are also residents of Jackson.

64. The outcome of this litigation will impact the Jackson community's access to safe drinking water for decades to come. I live with constant anxiety, fearful for my own health and well-being within the walls of my own home because I do not know whether the water flowing through my pipes will harm my health now or in the long-term. MS-PPC worries for the most vulnerable residents—community's elders and children who are deprived of safe water to bathe in and drink—and worries that future generations of Jackson residents will live under this same burden of fear, induced by decades of environmental injustice and racially motivated disinvestment in our city. MS-PPC's and its supporters' voices, as well as the voices of residents they represent,

are necessary in building a sustainable and just water infrastructure for the City of Jackson.

65. MS-PPC's mission is to ensure that poor and low-income folks are no longer ignored, dismissed or pushed to the margins to overcome the legacy of systemic racism, poverty, and ecological devastation. MS-PPC's and its supporters' health and economic interests in this litigation and in the Jackson water crisis more broadly therefore cannot be overstated: our interests as community members and community leaders have been negatively impacted for decades by the lack of access to clean water to drink, eat, bathe in, cook, clean, and flush toilets, among other daily tasks. The lack of clean drinking water affects MS-PPC's and its supporters' economic interests, health, and/or mental well-being.

66. MS-PPC and its supporters, along with the local community, have informed solutions to the Jackson water crisis. In response to the EPA's request for community statements on the crisis, MS-PPC, along with PAI, submitted a Community Statement to the EPA on July 11, 2023, which outlined our and our supporters' water-related concerns and recommendations for short- and long-term solutions to the water crisis. Community Statement from MS-PPC and PAI to the U.S. EPA, July 11, 2023, *available at* <https://bit.ly/47g2Yar>.

67. In our Community Statement, we gave numerous examples of what full transparency looks like to the community. This includes certain data points about the quality of the water, processes for collaborative input from and accountability to Jackson residents, immediate interim access to clean water, a plan for transitioning Jackson water back into a public water system controlled and maintained by the City of Jackson, and providing educational resources that inform Jackson residents of when their water is safe to drink and how to protect themselves when it is not.

68. The Statement also included recommendations for contacting the MS-PPC, PAI,

and MRRC, and using all available methods (going door to door, social media posts, text notifications, phone calls, notices on local TV and radio, etc.), to get the word out about boil water notices and other issues to be aware of within the water system that may impact residents and their health.

69. Raising many of the same as well as additional concerns and relief raised in the Community Statement and meetings they attended, MS-PPC and PAI filed on August 9, 2023, a Petition for Emergency Action under the Safe Drinking Water Act, 42 U.S.C. § 300i, to Abate the Imminent and Substantial Endangerment to Jackson Residents from Lead and Microbial Contamination in Drinking Water (the “Petition”). Our Petition details the technical concerns with the current state of the PWS, supported by an engineers’ expertise in water treatment processes, and requests that the EPA provide immediate, interim relief to ensure all Jackson residents have access to safe drinking water; real-time information about the safety of their tap water; and a role for community in the enforcement and development of community-driven solutions to this crisis. *In re* Pet’n for Emerg. Action Under SDWA to the U.S. EPA, Aug. 9, 2023, available at <https://bit.ly/468wMEu>.

70. It is critical that MS-PPC and its supporters are able to give this type of community input and co-lead the development of solutions to this litigation and to the overall water crisis, throughout the process to fix the water infrastructure that is so central to our well-being.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed in Jackson, Mississippi, on this 19 day of September 2023.


Danyelle Holmes