UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

November 27, 2019

Return Receipt Requested
Certified Mail #: 70153010000112674259

In Reply Refer to:
EPA Complaint No: 14R-17-R9

Ms. Michele Heffes
Assistant Port Attorney
Port of Oakland
530 Water Street
Oakland, CA 94607

RE: Closure of Monitoring of Administrative Complaint

Dear Ms. Heffes:

This letter is to notify you that the City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners ("Port"), has fully complied with the Informal Resolution Agreement (Agreement), dated July 25, 2019, between the U.S Environmental Protection Agency ("EPA") External Civil Rights Compliance Office (ECRCO) and the Port and the City of Oakland, a municipal corporation, acting by and through its City Council ("City of Oakland"). Accordingly, ECRCO is closing the monitoring of EPA Complaint No. 14R-17-R9 as of the date of this letter with respect to the Port.

The Agreement for EPA Complaint No. 14R-17-R9, at Section II.J, provides that the Port will train all appropriate Port staff assigned to oversee development or tenancies on the Oakland Army Base ("OAB") regarding the commitments contained within the Agreement within 120 days after execution of the Agreement (*i.e.*, November 22, 2019); and that within 90 days of the initial training event, the Port will also develop a plan to provide such training as a routine part of the on-boarding process for new employees who work on the OAB.

ECRCO has reviewed the Port's letter to ECRCO, dated October 28, 2019, and appended documents.[1] Consistent with Section II.J. of the Agreement, the Port provided ECRCO with documentation demonstrating completion of its commitment to conduct a training, which involved 46 Port staff members, including those assigned to oversee development or tenancies on

[1] Letter to ECRCO from the Port's Interim Port Attorney, Michele Heffes, "Informal Resolution Agreement; EPA File No. 14R-17-R9," October 28, 2019.

the OAB regarding commitments contained within the Agreement. In addition, consistent with II.J. of the Agreement, the Port provided documentation to ECRCO to satisfy the Port's on-boarding training requirement for new employees who work on the OAB. Specifically, the Port provided its Protocol for On-Boarding Training, which states that within sixty (60) business days of commencement of employment, the Port will provide training for any new employees who are assigned to oversee development or tenancies on the Oakland Army Base ("OAB") regarding the commitments contained in the Agreement.

Accordingly, pursuant to Section IV.D. of the Agreement, EPA accepts the documentation as the completion of the Port's commitment in Section II.J. of the Agreement. ECRCO will separately provide the Port with some additional technical assistance regarding information the Port can use going forward with respect to its Training Slides. In addition, pursuant to Section IV.B. of the Agreement, EPA with this letter documents the closure of its monitoring action regarding EPA Complaint No. l4R-17-R9.

As stated in the Agreement, EPA remains available to provide technical assistance, upon request of the Port, regarding the Port's obligations under federal nondiscrimination laws, including Title VI and EPA's implementing regulation, with respect to its programs, services and activities. EPA appreciates the Port's cooperation and effort in this matter. Please feel free to contact Kurt Temple at 202-564-7299 (temple.kurt@epa.gov) or me at 202-564-9649 (dorka.lilian@epa.gov) if you have any questions or concerns.

Sincerely,

Lilian S. Dorka
Director
External Civil Rights Compliance Office
Office of General Counsel

cc:

Angelia Talbert-Duarte
Deputy Associate General Counsel
Civil Rights and Finance Law Office

Deborah Jordan
Deputy Regional Administrator
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