

**EASTERN SHORE METROPOLITAN  
PLANNING ORGANIZATION**

**2040 LONG RANGE TRANSPORTATION PLAN**

**APPENDIX G  
LANGUAGE ASSISTANCE PLAN**

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## **G.1 Overview**

This Language Assistance Plan (LAP) ensures that individuals who speak English “less than very well” receive the language assistance necessary to participate in the ESMPO’s transportation planning process. On August 11, 2000, the President signed Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency.” The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

The MPO is a subrecipient of federal funds and is therefore required to develop the foregoing Language Assistance Plan. The Plan has been prepared in accordance with Executive Order 13166 and associated federal and state guidance.

## **G.2 Four-Factor Analysis**

As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. US Census data describes these individuals as those who speak English “less than very well.” This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the Eastern Shore MPO undertook the U.S. DOT four-factor LEP analysis which considers the following:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter an MPO program, activity or service.
2. The frequency with which the LEP persons come in contact with MPO programs activities or services.
3. The nature and importance of programs, activities or services provided by the MPO to the LEP population.
4. The resources available to the MPO and overall cost to provide LEP assistance.

### **G.2.1 – First Factor**

***The number or proportion of LEP persons in the service area who may be served or are likely to encounter the Eastern Shore MPO’s programs, activities or services.***

The Eastern Shore MPO reviewed the 2009-2013 American Community Survey (ACS) 5-Year Estimates to determine the number of LEP persons that reside within the Metropolitan Planning

Area. Unfortunately, the ACS only collects LEP data at the Census Tract level. Because the MPO’s Planning Area does not follow Census Tract Boundaries it is difficult to determine, with certainty, the number of LEP persons within the Planning Area. For this reason the MPO began its analysis at the County level.

The analysis revealed that an estimated 4403 residents of Baldwin County speak English less than very well. Of these individuals, an estimated 2331 live within Census Tracts that intersect the ESMPO Planning Area. As Table G-1 below demonstrates, the largest group of LEP persons speak Spanish as their primary language. Distant runners-up include Portuguese, Chinese, and Thai. More the thirty-six additional language groups account for the remaining LEP persons within the county.

Table G-1 - Limited English Proficiency (LEP) Persons in Baldwin County and the MPO Planning Area											
	Population Age 5 or Older:	Spanish LEP Persons:	% of Population	Portuguese LEP Persons:	% of Population	Chinese LEP Persons:	% of Population	Thai LEP Persons:	% of Population	Other LEP Persons:	% of Population
Baldwin County:	175830	3193	1.8%	231	0.1%	200	0.1%	115	0.1%	664	0.4%
MPA (All Intersecting Tracts):	114457	1566	1.4%	59	0.1%	49	0.0%	106	0.1%	551	0.5%

Map G.1 in Appendix D displays the number of LEP persons by Census Tract within the Planning Area. The number of Spanish Speaking LEP persons actually residing within the MPO’s Urban Boundary is likely just under 1000. Spanish speaking individuals are the most likely LEP persons to be encountered by MPO staff.

**G.2.2 – Second Factor**

*The frequency with which the LEP persons come in contact with the Eastern Shore MPO’s programs, activities or services.*

Since the Eastern Shore MPO’s inception in 2012, MPO staff has not had any contact with any individuals who spoke English less than very well. Over that same period, no individual or group has requested the MPO to provide an interpreter or to translate a document. Future interaction with LEP people is expected to be infrequent and unpredictable.

**G.2.3 – Third Factor**

*The nature and importance of programs, activities or services provided by the Eastern Shore MPO to the LEP population.*

Spanish speaking individuals make up the largest group of LEP individuals in the Eastern Shore MPO Planning Area. The greatest concentration of these individuals reside within the three Census Tracts that surround Jimmy Faulkner, State Route 181 (north of Fairhope), and SR 104 (between Fairhope and Robertsdale). These corridors represent vital transportation thoroughfares within the Planning Area. Because the MPO is responsible for any planning related to the expenditure of federal transportation dollars on these routes, LEP individuals living in proximity to these routes are certainly affected by the MPO’s programs. However, the MPO’s transportation planning equally effects every resident and does not involve direct, immediate, vital, or emergency services such as medical treatment, meals, or shelter.

Because the ESMPO does not provide vital services, and because the MPO serves the population at large, MPO staff rank the MPO's highway transportation planning services as having low importance to the Spanish speaking LEP population.

The MPO is the subrecipient of 5303 funds for public transit planning along the Eastern Shore. Historically, public transit has provided transportation services for underserved populations, some of which likely qualify as LEP persons. MPO staff ranks the MPO's transit planning services as having moderate importance to the Spanish speaking LEP population.

In January 2013, the MPO Policy Board designated the Baldwin Rural Area Transit System (BRATS) as the transit provider for the Eastern Shore MPO. As the transit provider for the Eastern Shore MPO, BRATS is also the designated recipient of 5307 funds for public transit service within MPO Urbanized area. BRATS has created its own Language Assistance Plan addressing the needs of LEP persons who might utilize public transit.

#### **G.2.4 – Fourth Factor**

##### ***The resources available to the Eastern Shore MPO and overall cost to provide LEP assistance.***

The Eastern Shore MPO assessed its available resources that could be used for providing LEP assistance. The ESMPO is classified as a small MPO and has limited resources. The MPO staff currently includes two fulltime employees. The cost to providing interpretation and translation service vary greatly depending on the frequency and volume of work as well as the methods used. However, despite the MPO's limited resources, the MPO is committed to maintaining an open and inclusive planning process that is conducive to full participation by those with limited English proficiency. The MPO, working within its budget, will implement the most cost-effective methods for interpretation and translation work based on requests and expected demand. The MPO will rely heavily on volunteer community agencies and web based translation services as resources that can assist in reducing the cost of translation services for the MPO.

### **G.3 Limited English Proficiency (LEP) Program**

#### **G.3.1 – Identification of Individuals with Limited English Proficiency (LEP)**

As noted in the preceding sections, approximately 2% of the speaking population in the MPO Planning Area speak English less than very well. Spanish is by far the largest language group, representing 1.4% percent of the population. The other three language groups in the top four (Portuguese, Chinese, and Thai) make up only 0.2% percent of the population. All other languages combined make up the remaining 0.5%. The MPO will create and use a "Language Identification Flashcard" at MPO committee and Public Meetings and in any other encounters with LEP individuals. The document will be used to identify LEP individuals. MPO staff will evaluate on a case by case basis regarding whether an interpreter is needed and to what extent the LEP person would like to review MPO information and documents. Encounters with LEP persons will be tracked in a spreadsheet that will be updated after each encounter. The spreadsheet will list the type of services provided to the LEP person and any other relevant information. This spreadsheet will be available upon request.

## **G.3.2 – Language Assistance Measures**

### ***3.2.1 Types of Language Services Available***

The MPO will provide interpreters and translation service as its budget allows. The MPO will use free websites and programs whenever possible to translate correspondence and documents. In-person or telephone interpreters will be utilized as needed. If volunteer interpreters are not available, the MPO will pay interpreters as its budget permits.

### ***3.2.2 Sources of Interpretation and Translation Services***

The MPO staff will maintain a list of local interpreters (volunteer and for-pay) and a list of acceptable telephone interpretation companies. The staff will also maintain a list of websites and programs that translate text and documents. The MPO staff will refer to the lists as needed. The lists are available upon request.

### ***3.2.3 Responses to LEP Callers***

The MPO staff will refer LEP callers to the MPO's website where instructions will be available to translate the website to their language. On the website will also be directions to request free language support from the MPO.

### ***3.2.4 Responses to Written Communication from LEP People***

The MPO staff will use free translation websites and programs to respond to written communication from LEP persons. If the translation websites and programs fail to translate correctly, the MPO staff will consult with local or telephone interpreters to ensure proper communication.

### ***3.2.5 Responses to In-Person contact with LEP People***

The MPO will use a "Language Identification Flashcard" at MPO committee and public meetings and in any other encounters with LEP individuals. MPO staff will use interpretation services (telephone or local) or a free online written translation website to determine the needs of the LEP individual and to explain the transportation planning process or to respond to any questions. Any comments provided by the LEP individual will be documented and provided to the MPO committees for review and action if deemed appropriate.

### ***3.2.6 Determining Competency of Interpreters and Translation Services***

After an interpretation or translation service is provided, MPO staff will ask the LEP individual if they understood the interchange and if they require additional or a different language service. If additional service is required, the MPO will change interpretation or translation providers. When feasible, the MPO will use certified interpreters and translation services.

### **G.3.3 – Staff Training**

The MPO staff will review the LEP Plan every year to ensure that they understand their responsibilities. During the annual review, the staff will verify the contact lists (interpretation and translation services).

### **G.3.4 – Providing Notice to Limited English Proficiency (LEP) Persons**

The MPO will do the following to notify LEP people of the availability of language services:

- Post a greeting at all MPO meeting in the four most common languages,
- Add a statement regarding language assistance on the MPO website in the four most common languages,
- Add a statement regarding language assistance on the title page of all major MPO documents in Spanish,
- Provide notice of language assistance, in Spanish, in all public notices,
- Provide a Title VI Notice, Complaint Procedures, and a Complaint Form in Spanish

### **G.3.5 – Monitoring and Updating the Language Assistance Plan (LAP)**

This plan is designed to be flexible, and should be viewed as a work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and also to monitor changes in demographics and the types of services provided by the MPO.

The LAP will be formally updated in conjunction with each update of the Long Range Transportation Plan. However, the MPO monitors, evaluates, and updates the Plan as needed based on feedback received from encounters with LEP individuals. MPO staff will evaluate the following with each full update of the LAP:

- Verification of the LEP population in the MPO Planning Area,
- Statistical presentation of encounters with LEP individuals,
- Evaluation of any complaints received concerning the MPO's failure to meet the needs of LEP individuals,
- Determination of any changes to MPO activities that might affect LEP individuals,
- Research of new sources and methods of interpretation and translation services,
- Verification of current sources and methods of interpretation and translation services, and
- Reviewing past interaction with LEP individuals to determine if changes are warranted.

## **G.4 Dissemination of the Eastern Shore MPO Language Assistance Plan (LAP)**

The LAP will be included on the Eastern Shore MPO website. Any person or agency with internet access will be able to access and download the Plan. Alternatively, any person or agency may also request a copy of the plan via telephone, US Mail, email, or in person, and will be

provided a copy of the plan at no cost. LEP individuals may request that plans be translated in various languages and the MPO will provide the translated plan, or summarize, if feasible.