

LANE REGIONAL AIR PROTECTION AGENCY

LRAPA Limited English Proficiency (LEP) Plan Last updated: November 9, 2023

INTRODUCTION:

The United States Census Bureau defines a Limited English Proficiency (LEP) individual as one who does not speak English as their primary language and has a limited ability to speak, read, write, or understand English. An individual is considered to have a limited ability to access the English language when they speak, read, write, or understand English either “not well” or “not at all”.

Lane Regional Air Protection Agency (LRAPA or “the Agency”) is a regional government agency authorized to monitor and regulate air quality in Lane County, Oregon. Lane County has a population of 379,611 (US Census Bureau, 2018) in the southern end of the Willamette Valley. The county stretches over 4,722 square miles from the Pacific Ocean east to the Cascade Mountains.

LRAPA consistently strives to ensure that LEP persons are provided meaningful access to LRAPA programs, benefits, activities, and services. In striving for this goal, the agency has developed this Limited English Proficiency Plan (LEP Plan or Plan). This Plan further ensures LRAPA is in compliance with the Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d), and Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency, which require a recipient of federal financial assistance to take reasonable steps to ensure LEP individuals are able to enjoy meaningful access to the recipient’s programs and activities. As a recipient of federal financial assistance, LRAPA seeks to reduce language barriers that may prevent LEP persons from accessing the programs and activities of LRAPA. The agency will review and update, on a biannual basis, this Plan in order to ensure continued responsiveness to community needs and compliance with federal laws.

To take reasonable steps to ensure meaningful access for LEP individuals to LRAPA programs and activities, LRAPA will:

1. Conduct the Four-Factor Analysis (See Section I).
2. Develop a Language Access Plan (See Section II).
3. Implement the Plan to provide appropriate language assistance.

While the population is predominately English speaking, Lane County’s continual growth is diversifying the population. LRAPA’s goal is to provide services and programs to all Lane County residents towards improving and protecting our air quality, no matter what language they speak.

SECTION I: Four Factor Analysis

Recipients of federal financial assistance must take reasonable steps to ensure meaningful access to LEP persons. The United States Department of Justice formulated LEP Guidance, including a four-factor analysis, which is an individualized assessment that is used to determine the appropriate language assistance services to ensure LEP individuals have meaningful access to program activities and services. This four-factor analysis is a flexible and fact-dependent standard that serves as a guide for determining which language assistance measures need to be taken to guarantee access to LEP persons.

The four factors that influenced the making of this Plan are:

1. Number or proportion of LEP persons served or encountered in the eligible service population, in this case, Lane County, Oregon.

According to the 2022 American Community Survey conducted by the United States Census Bureau, approximately 91.6% (348,414 people) of Lane County's population speaks English, while 8.1% (32,117 people) of the population speaks a language other than English. The estimation of the proportion of the population that speaks languages other than English does not stipulate which residents were bilingual, nor does it indicate the level at which English was spoken or understood. Of the other languages spoken, 5.06% (17,664 people) of the residents spoke Spanish and the next most frequently spoken language category was Asian-Pacific Island Languages at 3.22% (11,240).

According to the Report from the Task Force on Minority Language Voting Materials by the Oregon Legislature in January 2015, approximately 0.5% (1,242 people) of voting age citizens in Lane County speak Spanish and are considered LEP persons. These estimates are calculated using a methodology that is different from the Census Bureau, utilizing calculations required by the Voting Rights Act as outlined in the *Statistical Modeling Methodology for the voting Rights Act Section 203 Language Assistance Determinations 2011*. These estimations also do not account for non-citizens or any residents under the age of 18.

However, through EPA's EJSCREEN tool, we can get more accurate estimations for LEP persons in Lane County. EJSCREEN's Community Report for Lane County (see Attachment 1 to this Plan) identifies 1% of the county's population that would be determined to be LEP persons. LEP individuals are people who are 5+ years old and self-identify that their ability to speak English is "less than very well." The EJSCREEN report for Lane County is attached.

2. Frequency with which LEP persons come into contact with the LRAPA programs, services, and activities.

In August 2019, LRAPA staff were surveyed to evaluate the frequency with which LEP persons come into contact with the Agency's programs, services and activities. The results of the survey showed that LEP individuals most often come into contact with LRAPA staff during field visits and during responses to complaints (e.g., outdoor burning complaints). These LEP persons were most frequently Spanish speakers. The survey showed that:

- Most (77%) of the interactions with LEP individuals are in-person in the field; about a fourth of staff (23%) have interacted with LEP individuals in-person in the office; and about a third of staff (38%) have both interacted telephonically and electronically with LEP persons.
- All (100%) of the respondents reported having interactions with Spanish speaking LEP individuals. One person had an interaction(s) with Arabic speaking LEP individuals, one with Russian, one with Hindi, and one with Hmong.
- The most frequent LRAPA programs for which staff had interactions with LEP persons during the past five years were Homewood Heating, Outdoor Burning, complaint response, and community events/outreach. For industrial permitting, monitoring site visits and asbestos, staff reported they never or seldomly interacted with LEP individuals.
- Staff responded that within the past five years, they never or seldomly received a request for translation services during a meeting, request for an interpreter, and/or a request for translated materials.
- Most frequently, staff responded that they had used translated Spanish resources within the last five years for the Homewood heating pamphlet, Homewood heating exemption letter, and the Outdoor Burning pamphlet. Staff responded that asbestos informational materials were seldomly used.
- The frequency in which an LEP person had communicated with staff using the interpretation aid of a friend or family member within the last five years was reported as follows: never - 64%, fewer than three – 29%, three to five – 0%, and six to nine – 7%.

3. Nature and importance of program, activity, or service provided by the program.

LRAPA conducts a wide array of air quality programs from the Outdoor Burning program to Homewood Heating advisories. Improving air quality in Lane County is a community-based effort, so information about LRAPA programs and activities should be accessible for all residents, including LEP individuals. Translating information to a language that is comprehensible will allow LEP individuals to be informed about LRAPA's key programs. The key LRAPA programs identified for LEP individuals are:

- Outdoor burning
- Homewood heating
- Complaint response
- Asbestos requirements
- Gasoline dispensing facility (GDF) requirements

4. Resources available and costs to the recipient.

LRAPA is committed to assuring that resources are used to reduce the barriers that limit access to its programs and activities by LEP persons. LRAPA will continue to expend a reasonable portion of the budgetary dollars to meet Lane County residents' language assistance needs.

LRAPA assessed their available resources which could be used to provide language assistance and opportunities for improvement. This included identifying bilingual staff, determining which

documents should be translated, telephone translation service, bilingual staff at the office, and recruitment for bilingual/bicultural employees. LRAPA will continue to concentrate on the Spanish-speaking population, as it is the largest percentage of Lane County's population with LEP individuals. However, the results above indicate that LRAPA must continue to be open to the need to provide language assistance to LEP individuals who speak languages other than Spanish.

Printed Materials

LRAPA maintains a list of "vital documents." These documents are considered mission critical and will be translated and made available as part of the annual process of updating. Documents not included on this list will be translated upon request.

- Outdoor burning pamphlet
- Homewood heating pamphlet
- Asbestos requirements information
- No-topping off stickers for Gasoline Dispensing Facilities
- PurpleAir Air Quality Sensor instructions

Additional documents and service are available on the LRAPA website. The website can be translated using Google Translate services by selecting a language from the available drop-down list menu. This service is available on every page of the LRAPA website.

Title VI Notice

Information about Title VI and other non-discrimination laws that apply to LRAPA's programs and activities is available at www.lrapa.org and upon request. Any person who believes that they have been aggrieved by an unlawful discriminatory practice under Title VI may file a complaint with LRAPA. Any such complaint must be in writing and filed with LRAPA within 90 days following the date of the alleged discriminatory occurrence. For information on how to file a complaint, contact LRAPA by any of the methods provided below. Title VI Complaint Forms and instructions for their completion are available on the LRAPA website on the LRAPA Non-Discrimination Policy page.

Public Outreach

LRAPA conducts public outreach activities within the community about the Agency's air quality programs. LRAPA will continue to provide public language accessibility to any who request it, at no cost. A notice of such services, and how to contact LRAPA's Non-Discrimination Coordinator(s), is displayed in the footer of LRAPA's website. This notice to services will appear in both English and Spanish on all public outreach announcements made by the agency.

During public outreach events, all "vital documents" listed under Printed Materials above will be present and available in English and Spanish. LRAPA will accommodate all requests for language interpretation services, including qualified ASL interpretation, at public events provided the request is received by LRAPA's office at least 5 business days in advance allowing LRAPA to acquire the most comprehensive interpretation services available.

In instances where a language interpretation service request was not received 5 days prior to a public outreach event, LRAPA will provide on-site translation by use of a telephonic translation services through use of a cellphone as needed.

SECTION II: LRAPA Language Access Plan

Goals and Objectives

1. Comply with federal law and regulations¹ to “Improve Access to Services for Persons with Limited English Proficiency” by providing meaningful access to the benefits, services, information, and other important portions of Lane Regional Air Protection Agency’s programs and activities for individuals with limited English proficiency.
 - a. Translate “vital documents” into Spanish and, if necessary, replace text with pictograms or universal icons.
 - b. Notify Spanish-speaking population of the availability of free translation and interpretation, upon request, for non-vital but important documents.
 - c. Identify air quality programs affecting areas with high concentrations of LEP persons and develop mitigation strategies.
2. Develop programs and materials to educate both community leaders who serve Spanish-speaking LEP populations, and LEP community members about LRAPA's services and programs.
3. Educate LRAPA staff regarding LEP programs and policies.
 - a. Work with key staff to improve programs related to home wood heating, outdoor burning and complaint responses and communicating with LEP individuals.
 - b. Work with permitting staff to improve informational meetings and public hearings by providing options for translation and interpretation.

General Strategy

- This program will utilize existing Spanish-speaking materials and create new materials when needed to contact, engage, and educate community leaders serving Spanish-speaking LEP populations, and LEP community members about LRAPA’s programs.
- Utilize LRAPA's internal taskforce to ensure LRAPA's LEP program and services appropriately meet the needs of Spanish-speaking LEP populations, other LEP populations as appropriate, and LRAPA’s frontline personnel.
- Create a “one stop shop” within LRAPA to handle all communications for the Spanish-speaking LEP community.

Primary Target Audience: New immigrants, whose primary language is Spanish and who read, at least, some Spanish. Members of this group vary in age, education, and income.

¹ Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency

Secondary Target Audience: Recent immigrants from rural areas of Mexico, Central America, and South America. This group is noteworthy because they comprise much of the recent Latino population growth in the Eugene Urbanized area².

Stakeholders:

- Internal: LRAPA management, Non-Discriminator Coordinator(s), LRAPA staff needing to communicate with the Spanish speaking LEP community regarding home wood heating, outdoor burning and odor complaint issues.
- External: Spanish-speaking LEP communities, Community-based organizations (CBOs) serving Spanish-speaking LEP populations, State, County, and city governments serving Spanish-speaking LEP populations, and Hispanic business groups.

Program Elements:

1. Outreach – External stakeholders
 - a. CBOs serving Spanish-speaking LEP populations
 - b. Spanish-speaking LEP communities
 - c. Hispanic business associations
 - d. State, county, and city governments
 - e. Provide a bilingual LRAPA staff person at public hearings, open houses and other service outreach activities
2. Outreach – Internal stakeholders
 - a. Employee Training
 - b. Service and Scheduling
 - c. Board and Citizens Advisory Committee (CAC)
3. Training – LRAPA Employees
 - a. Employee Training (initial focus on front-line staff: phone and front desk reception, and field staff)
 - b. Provide staff with a description of language assistance service offered by LRAPA.
 - c. Provide staff with specific procedures to be followed when encountering an LEP person, including how to handle a potential Title VI/LEP complaint.
4. Translation Service
 - a. Identification of available written translation services
 - b. Identification of available oral translation services
 - c. Identification of a telephone interpreter line
 - d. Maintain the website translation service
5. Recruit and hire bilingual/bicultural: Place job announcements encouraging bilingual individuals to apply, in local newspapers, website, e-mail notifications and any other medium used to attract potential employees.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible. As such, it is important to consider whether new documents, services, and technologies need to be made available for LEP persons by monitoring changes

² The 2000 Census showed 4.5% of the 5 years and older population within the Eugene Urbanized area spoke Spanish, while the 2012 ACS showed that number to be 5.98%.



Limited English Proficiency (LEP) Plan

in demographics and the most commonly utilized LRAPA programs and activities. LRAPA will update the LEP at least yearly, using 5-year American Community Survey estimates, or when it is clear that higher concentrations of LEP individuals are present in the Lane County.

A handwritten signature in blue ink, appearing to read "Susannah Sbragia", is written over the word "Approval:".

Approval:

Date: November 9, 2023

Susannah Sbragia, M.P.A, Acting Interim Director

Attachment 1: EJSCREEN Community Report for Lane County, Oregon

11/6/23, 9:43 AM

EJScreen Community Report



EJScreen Community Report

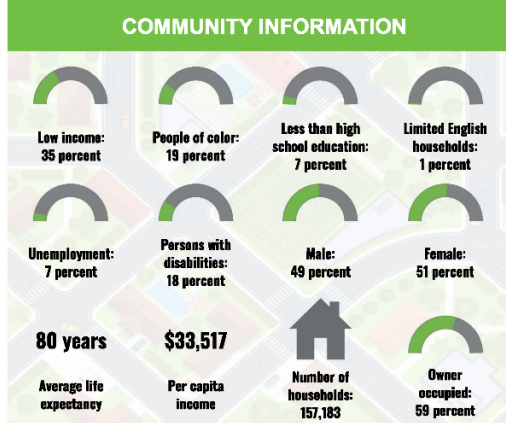
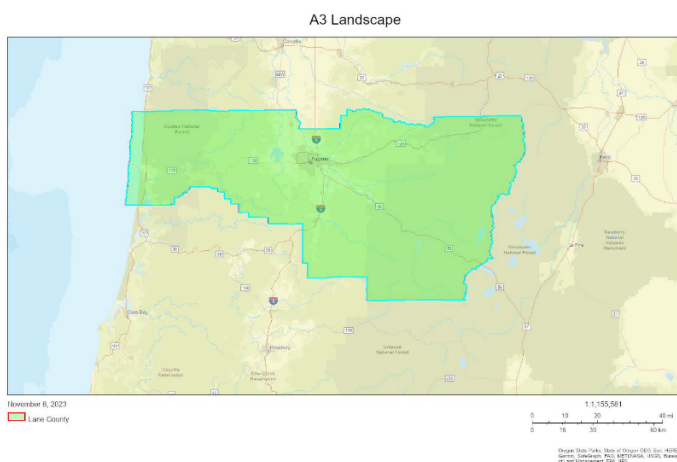
This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Lane County, OR

County: Lane

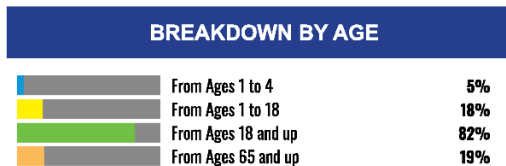
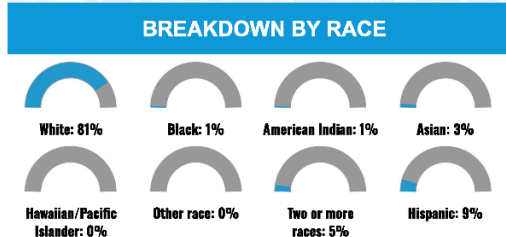
Population: 380,532

Area in square miles: 4722.43



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	92%
Spanish	5%
Other Indo-European	1%
Chinese (including Mandarin, Cantonese)	1%
Other Asian and Pacific Island	1%
Total Non-English	8%



Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2017-2021. Life expectancy data comes from the Centers for Disease Control.

11/6/23, 9:43 AM

EJScreen Community Report

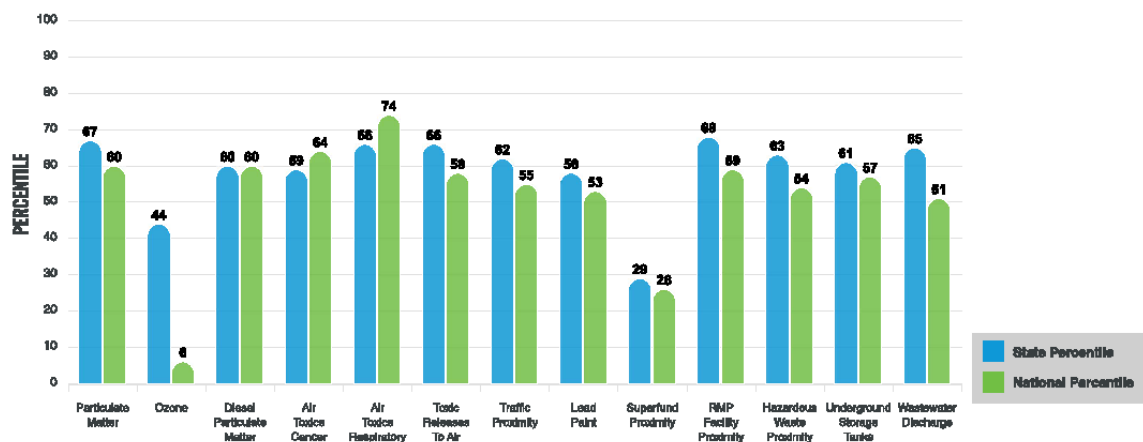
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the [EJScreen website](#).

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

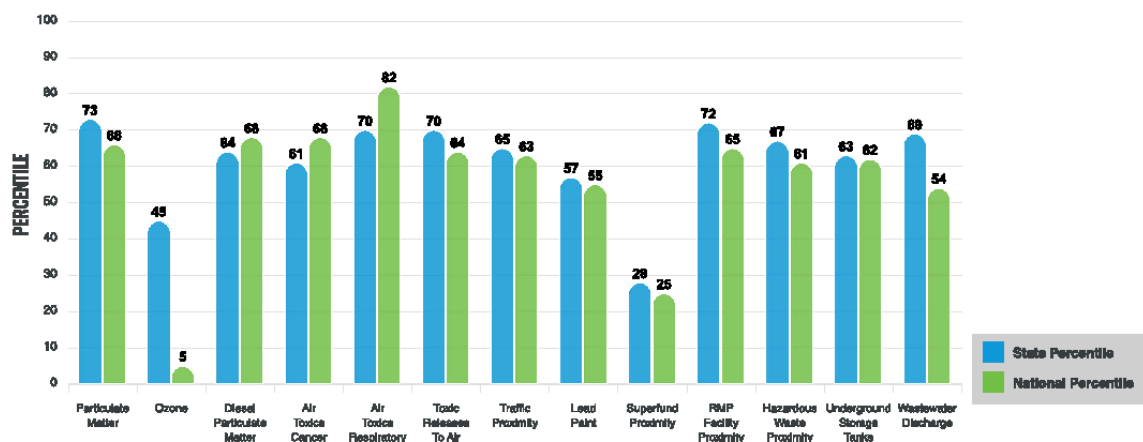
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for County: Lane

11/6/23, 9:43 AM

EJScreen Community Report

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter ($\mu\text{g}/\text{m}^3$)	8.46	8.08	50	8.08	57
Ozone (ppb)	51.5	52.7	29	61.6	3
Diesel Particulate Matter ($\mu\text{g}/\text{m}^3$)	0.295	0.327	50	0.261	67
Air Toxics Cancer Risk* (lifetime risk per million)	28	28	6	25	5
Air Toxics Respiratory HI*	0.41	0.38	37	0.31	70
Toxic Releases to Air	1,500	1,500	69	4,600	67
Traffic Proximity (daily traffic count/distance to road)	130	180	64	210	65
Lead Paint (% Pre-1960 Housing)	0.22	0.27	53	0.3	50
Superfund Proximity (site count/km distance)	0.022	0.081	26	0.13	19
RMP Facility Proximity (facility count/km distance)	0.45	0.43	74	0.43	74
Hazardous Waste Proximity (facility count/km distance)	1.1	1.4	63	1.9	62
Underground Storage Tanks (count/km ²)	3.8	3.8	67	3.9	71
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.22	0.028	97	22	86
SOCIOECONOMIC INDICATORS					
Demographic Index	27%	27%	58	35%	46
Supplemental Demographic Index	14%	13%	62	14%	56
People of Color	19%	24%	47	39%	37
Low Income	35%	29%	65	31%	62
Unemployment Rate	7%	6%	69	6%	70
Limited English Speaking Households	1%	2%	68	5%	60
Less Than High School Education	7%	9%	54	12%	46
Under Age 5	5%	5%	53	6%	48
Over Age 64	19%	19%	58	17%	65
Low Life Expectancy	18%	19%	33	20%	33

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/toxics/all-toxics-data-update>.

Sites reporting to EPA within defined area:

Superfund	1
Hazardous Waste, Treatment, Storage, and Disposal Facilities	14
Water Dischargers	
	389
Air Pollution	52
Brownfields	43
Toxic Release Inventory	68

Other community features within defined area:

Schools	114
Hospitals	6
Places of Worship	30

Other environmental data:

Air Non-attainment	Yes
Impaired Waters	Yes

Selected location contains American Indian Reservation Lands*	Yes
Selected location contains a "Justice40 (GEIST) disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for County: Lane